

Full Planning Application 05/02455/FUL
at
90 Inverleith Place
Edinburgh
EH3 5PA

Development Quality Sub-Committee
of the Planning Committee

1 Purpose of report

To consider application 05/02455/FUL, submitted by NSPG LTD. The application is for: **Demolish existing garage and erect new two bedroom house**

It is recommended that this application be **REFUSED**

2 The Site and the Proposal

Site description

The application relates to a property at No. 90, on the north side of Inverleith Place. In the immediate vicinity, to the west, is Fettes College a large building that is both a city wide and local landmark. To the south are Inverleith Park and Allotment Gardens, and to the North is Newfield Recreation Ground. The large areas of open space contribute to the low density character of the area and also provide views south towards the World Heritage Site.

Inverleith Place is a wide street, approximately 20 metres wide. The front boundaries of the property have high hedges and mature landscape that dominate the character of the street. The buildings that face Inverleith Place are predominantly large, two storey, semi-detached or detached stone built villas set within large garden grounds. Some of the buildings also have

accommodation is the roof space and dormer windows. Roofs are predominantly natural slate.

Immediately to the west of the application site is Inverleith Grove, which provides access to two houses. One of these houses is to the rear of the application site, the other is to the rear of No.94 Inverleith Place. Both these houses are large two storey buildings set within large garden grounds. The houses have a render finish to the external walls and tiled roofs.

The site contains a two storey stone built villa, with further accommodation in the roof space. There is a single storey conservatory to the east that adjoins the main house. To the rear is a single storey garage that is accessed from Inverleith Grove. There are a number of mature trees and landscaping within the grounds of the application site. The property is bounded to the front by a stone wall (approx 0.5m high), and a mature hedge (approx 1.8m high). To the side and rear the property is bounded by high stone walls.

Site history

1987. Dormer extension APPROVED

15.04.93 - Outline application to erect a dwelling house. Application refused for an adverse impact on the character of the conservation area; would be contrary to adopted policy in villa areas; and for road safety reasons. REFUSED 92/01615/OUT

22.03.95 - Detailed application for a part change of use from a dwelling house to a dwelling house and nursery. APPROVED 95/00210/FUL

17.07.96 - Renewal of consent approved, for use a dwelling house and nursery. APPROVED 96/0717/FUL.

04.07.03 - Modification of planning condition to increase the approved number of children. APPROVED 03/0186/FUL

06.05.05 - Change of use of nursery to residential. APPROVED 05/01091/FUL.

01.07.05 - Refurbish and extend existing dwelling house and add new garage. Submitted and yet to be determined. 05/02269/FUL

Description of the Proposal

The applicant seeks detailed permission for the demolition of the existing garage and erection of a dwelling house in the rear garden of 90 Inverleith Place.

The house is split into two blocks; a single storey block to the south-east and a two storey block to the north-west, partially along the north boundary of the application site. A central circulation corridor links both blocks. The architectural style of the house is modern, with a shallow pitched butterfly roof over the two storey block and a flat roof over the single storey block. The proposed materials reinforce the modern architectural style, using large panes of glass, white render and timber for external walls; the roof will be tinned stainless steel; and the new boundary wall to be roman slip brickwork.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals harm the character or appearance of the conservation area? If they do there is a strong presumption against granting permission.
- Whether the proposals comply with the development plan;
- If the proposals do not comply with the development plan, whether there are any compelling reasons for not approving them;
- If the proposals do not comply with the development plan, whether there are any compelling reasons for approving them;

ASSESSMENT

In order to address the determining issues, the Committee needs to consider:

- a) Whether the use is acceptable in this location;
 - b) Whether the proposal will be detrimental to the character and appearance of the conservation area;
 - c) Whether the proposals will have any adverse effect on neighbouring residential amenity.
- a) The Central Edinburgh Local Plan identifies the area for housing and compatible uses. The proposed residential use will accord with this designation.
- b) Non-statutory guidelines, Housing Development in Gardens Grounds, presumes against new dwellings to the rear of the existing dwelling, unless this reflects a traditional built form of the area. The existing dwellings at Nos. 1 and 2 Inverleith Grove provide a precedent for development to the rear of existing dwellings in the immediate area. However, other factors need to be considered.

The Central Edinburgh Local Plan describes the character of Inverleith Conservation Area as:

Inverleith developed as a Georgian suburb of villas and terraces to the north of the New Town. It lies on a south facing slope between Ferry Road and the Water of Leith and includes a number of important Victorian institutions set in extensive grounds. Extensive blocks of public and private open space bounded by areas of Georgian and Victorian villas form the essential elements of character, with key views southwards towards the city skyline providing a distinctive setting. Part of the conservation area lies within the area covered by the North East and North West Edinburgh Local Plans.

Policy CD5 requires new development in a conservation area to take account of the area's special interest and ensure it preserves or enhances its character. Policy CD15 requires new infill development to take account of the established character of the area, with respect to building form spacing and alignment. Non-statutory guidelines, Housing Development in Garden Grounds, requires the location and size of a new dwelling to be in keeping with the established spatial character and built form within the area.

The spatial character of the area is made up of large, stone built villas set within substantial gardens grounds. The proposed development is a house within a relatively small garden, which does not conform to the spatial character of the area. The proposals are therefore contrary to Policy CD5 and CD15.

In 1993 a similar housing development was refused because the development would have been contrary policy in respect of development in villa areas and the proposals would have adversely affected the character of the Conservation Area. Whilst the Local Plan has been updated since this decision, policy with regard to the effect of development on Conservation Areas and development in villa areas remains the same. The decision therefore sets a precedent for similar applications.

Policy CD16 and non-statutory guidelines, Villa Areas and the Grounds of Villas, set maximum permissible build area of development in villa areas, which should not exceed 1.5 times the original villa footprint nor 20% of the site area. With respect to the application, the following areas have been calculated:

- Existing plot Area = 1045sq.m
- Existing House Footprint = 184sq.m
- Area of new build applied for 103.5sq.m
- Area of new build + existing = 287.5sq.m

- Maximum permissible development (1.5 times the original building) = 276sq.m
- Area of new build + existing as a percentage of the site area = 28%

The proposed development is contrary to Policy CD16 and non-statutory guidelines because:

- It exceeds the maximum area based on the original footprint of the villa (287sq.m instead of 276sq.m);
- It exceeds the area of new build + the existing as a percentage of the site area (28% instead of 20%).

The boundary walls of the villas in the surrounding area are predominantly stone built. The boundary wall proposed to separate the existing garden from the proposed development is to be built of roman slip brickwork. This material does not reflect the character of the conservation area and is therefore contrary to Policy CD5 and CD17.

In summary, the proposals will adversely affect the character and appearance of the Conservation Area, be overdevelopment in a villa area and the materials are unsuitable. The proposals are therefore contrary to Policy CD5, CD15, CD16 and CD17 of the Central Edinburgh Local Plan, and non-statutory guidelines.

c) Non-statutory guidelines, Daylight, Sunlight and Privacy, provides criteria to assess the impact on amenity of neighbouring properties.

Daylight

Non-statutory guidelines, requires development not to result in unreasonable overshadowing (diffuse daylight) of adjacent grounds. In this respect the new development must comply with the 2 metre/43 degree rule.

The proposed two storey block runs partially along the north boundary of the site, which adjoins the property at No.1 Inverleith Grove. In this location it will exceed the 2 metre / 43 degree envelope and will therefore be contrary to non-statutory guidelines.

Privacy

The proposed two storey block has windows facing west towards Inverleith Grove and east toward to rear garden of No. 88 Inverleith Place.

The windows facing west are approximately 30 metres from the nearest windows and 18 metres from the boundary wall of the property at 1 Inverleith Grove. These windows therefore comply with non-statutory guidelines.

The windows facing east are 8 metres from the boundary with the rear garden of the property at 88 Inverleith Place. Non-statutory guidelines require a minimum of 9 metres to boundaries to maintain reasonable privacy distance. Additionally, non-statutory guidelines - Villa Areas and the Grounds of Villas - requires windows to be a minimum of 12.5 metres to the boundary to maintain a reasonable privacy distance in villa areas. The proposals are contrary to both of these guidelines.

The proposals have no windows facing north towards No. 2 Inverleith Grove. All other windows are at ground floor level and any potential loss of privacy is screened by high boundary walls.

The proposed development is therefore contrary to non-statutory guidelines, because it will result in an unreasonable loss of amenity to neighbouring properties with respect to privacy and diffuse daylight. In this respect the proposals will result in an unacceptable loss of residential amenity and thus are contrary to Policy H11.

In conclusion, the proposals will adversely affect the character of the Conservation Area, be contrary to villa policy, the materials are inappropriate and result in an unreasonable loss of amenity to neighbouring property.

It is recommended that Committee refuse this application for these reasons.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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|---|-------------------------------|
| Contact/tel | Alun White on 0131 529 3138 |
| Ward affected | 17 - Stockbridge |
| Local Plan | Central Edinburgh Local Plan |
| Statutory Development Plan Provision | Housing and Compatible Uses |
| Date registered | 9 August 2005 |
| Drawing numbers/ Scheme | 01 - 08 inclusive Scheme 1 |

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal: www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Ian Dryden on 0131 529 3464. Email: ian.dryden@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 90 Inverleith Place
Edinburgh
EH3 5PA
Proposal: Demolish existing garage and erect new two bedroom house
Reference No: 05/02455/FUL

Consultations, Representations and Planning Policy

Consultations

Environmental and Consumer Services.

Environmental Health has no objections to this proposed development subject to the following conditions:

1. Prior to construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under than land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule of documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

Transport

No objections to the application subject to the following conditions being applied.

1. Inverleith Grove must be upgraded to an adoptable standard.

Reason: In order to comply with the Council's 'Movement and Development' guidelines.

Please note that this work will include full road reconstruction and include the provision of street lighting. Detailed design and specification can be agreed as part of a Road Construction Consent application.

Representations

The application was advertised on 16.08.05. A site notice was posted on 19.08.05.

The application has received two letters of objection from agents acting on behalf of neighbours. The objections relate to the following issues:

- Overdevelopment, height and footprint;
- Effect on the conservation area;
- Effect on the world heritage site;
- Overshadowing and loss of privacy;
- The development would set an unacceptable precedent for future development;
- Road safety and the inadequate road of Inverleith Grove.

Other points raised are not material.

A letter of support has been submitted by The Cockburn Association, commending the modern architectural design that will complement the conservation area.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

The property lies within the central Edinburgh Local Plan, which identifies the area as suitable for housing and compatible uses.

The property lies within the Inverleith Conservation Area.

Relevant Policies:

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD10 (NEW DEVELOPMENT - OBJECTIVE) encourages new development of the highest possible architectural and urban quality.

Policy CD15 (INFILL DEVELOPMENT) sets out design requirements for new infill development.

Policy CD17 (MATERIALS) sets out requirements for materials in new developments and seeks a greater use of stone, roofing slate and other traditional materials in appropriate cases.

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on 'VILLA AREAS AND THE GROUNDS OF VILLAS' provide guidance on development, to ensure the conservation and enhancement of villa areas.

Non-statutory guidelines on 'HOUSING DEVELOPMENT IN GARDEN GROUNDS' supplement local plan housing, conservation and design policies, and provide additional guidance on this subject.

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Conditions/Reasons associated with the Recommendation

Recommendation

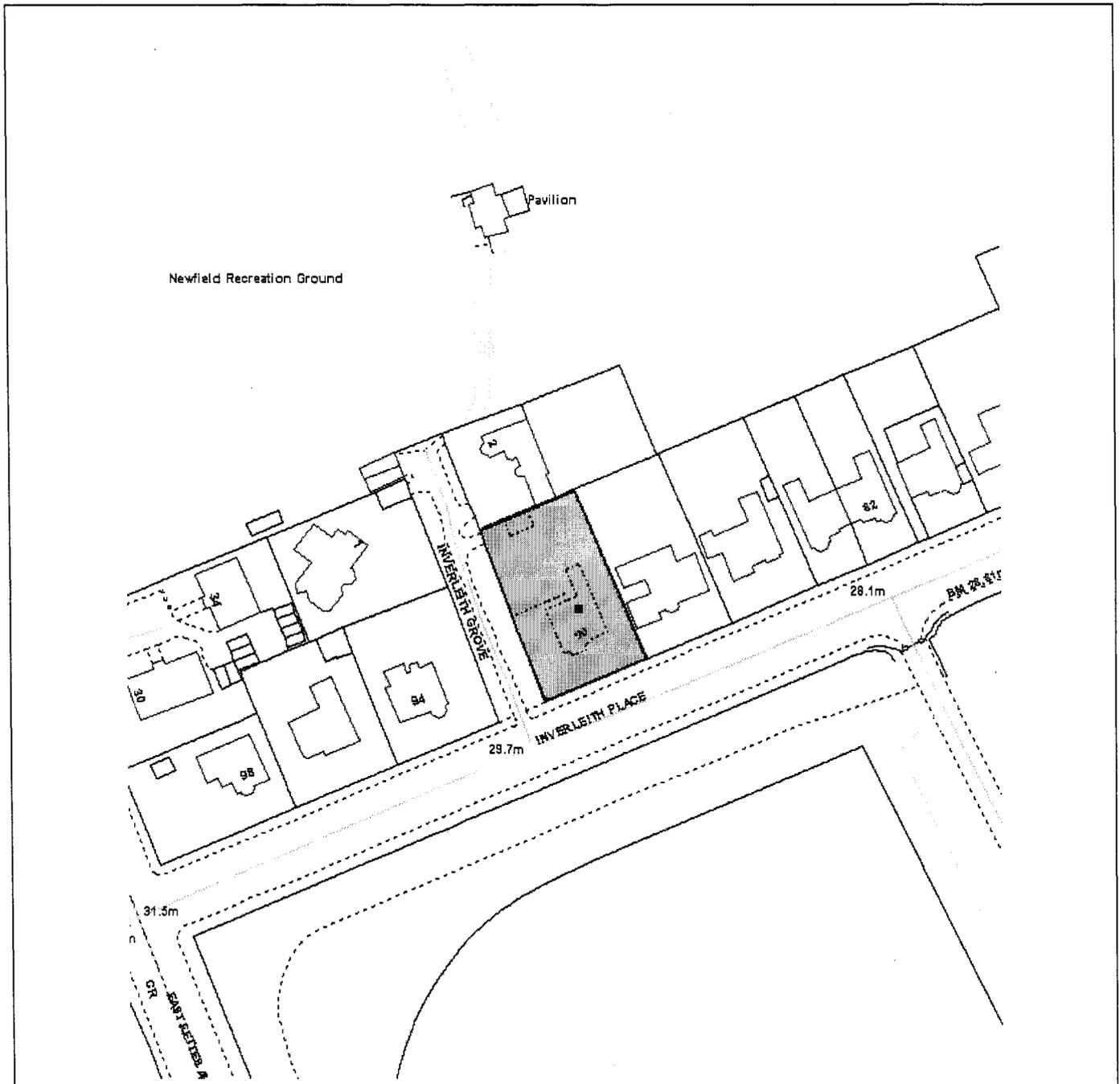
It is recommended that this application be **REFUSED**

Reasons

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the proposal does not respect the area's spatial character; is over development of the property; and the proposed materials are unsuitable.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD15, in respect of Infill Development, as it does not relate to the established character of the surrounding area and fails to respect established building forms, spacing and rooflines.
3. The proposal is contrary to Central Edinburgh Local Plan Policy CD16, in respect of New Development in Villa Areas, as the development fails to meet the guidelines in respect of the area of new building exceeds the maximum permissible build- able area.
4. The proposal is contrary to Central Edinburgh Local Plan Policy CD17, in respect of Materials, as the materials are not of a sufficiently high standard for this location.
5. The proposal is contrary to Central Edinburgh Local Plan Policy H11, in respect of Housing Amenity, as the proposals will result in an unacceptable loss of privacy and diffuse daylight to neighbouring properties.
6. The proposal is contrary to Non Statutory Guidelines in respect of Daylighting, Privacy and Sunlight, as the proposal will unreasonably reduce the privacy and diffuse daylight of neighbouring properties.

7. The proposal is contrary to Non Statutory Guidelines in respect of Villa Areas and the Grounds of Villas, as the area of new building exceeds the maximum permissible build-able area.

End



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PLANNING APPLICATION

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|----------------------------|---|-------------|------------------------|
| Address | 90 Inverleith Place, Edinburgh, EH3 5PA | | |
| Proposal | Demolish existing garage and erect new two bedroom house | | |
| Application number: | 05/02455/FUL | WARD | 17- Stockbridge |

**THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY**