

**Full Planning Application 05/03125/FUL
at
6 Muirend Avenue
Juniper Green
Edinburgh
EH14 5BD**

**Development Quality Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 05/03125/FUL, submitted by Mr + Mrs Purcell. The application is for: **To erect a conservatory**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

2 The Site and the Proposal

Site description

The site is a ground floor flat in a four-in-a-block property located to the east of Muirend Avenue. There is private garden ground to the front and rear. The flat upstairs has its private garden ground to the northern side of the property. The site is located within a predominantly residential area.

The property is not listed and is not situated within a conservation area.

Site history

3 March 2005, planning consent was granted for an extension to the rear of the house and for the erection of 2m high screen fencing on the southern and eastern boundaries, reference 04/04538/FUL.

Description of the Proposal

Scheme 2

It is proposed to erect a 4.5m x 4.5m x 3.6m white hipped roof uPVC conservatory to the rear. The southern and eastern elevations will be glazed with a 0.6m high wet dash render dwarf wall. The northern elevation will have a solid wall. A 1.8-2.1m high screen fence is proposed along the southern boundary. Existing french doors will be removed and replaced by a window.

Scheme 1

The screen fence did not form part of the proposal.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are;

- Do the proposals comply with the development plan?
- If the proposals do comply with the development plan, are there any compelling reasons for not approving them?
- If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

ASSESSMENT

To address the determining issues, the Committee needs to take account of the following specific considerations:

- a) The effect of the proposal on the appearance of the application property,
- b) Any implications for private amenity open space for the application site, and
- c) Issues of daylighting/overshadowing or privacy for neighbouring property.

a) The proposed conservatory is of an appropriate scale and would not dominate the rear elevation of the building. The use of matching materials would provide a unifying link with the existing building. The proposal would not, therefore, have a detrimental impact on the appearance of the property.

b) The application property's garden is approximately 12.5m wide and 9.5m deep (118.75sq m). The conservatory would have a floor area of 20.25sq m and would not occupy more than one third of the applicant's original rear garden and, therefore, adequate private amenity space would remain.

c) Given the size, height and positioning of the proposed conservatory, overshadowing from the conservatory would comply with the Council's non-statutory guidelines on Daylighting, Sunlight and Privacy. The proposed fence would generate 0.9sq m of overshadowing to the garden to the south. The overshadowing from the fence is regarded as a minor policy infringement.

The conservatory windows are within nine metres of the south (side) and rear boundaries. The application includes a screen fence for privacy along the southern boundary and there is substantial planting within the garden ground of the neighbouring property to the rear which will prevent overlooking in these directions. The combination of existing screening and proposed fence will ensure that the amenity of the neighbouring properties is maintained.

The rear neighbours have stated that they would withdraw their objection (loss of privacy) if a screen fence was incorporated as in the previous application. In that case, the fence was included at the outset, not as a planning requirement. There is substantial boundary planting within the neighbours garden, which provides adequate screening and which would be affected by the erection of a fence.

In conclusion, the proposals have no undue effect on visual or residential amenity.

It is recommended that the Committee approves this application, subject to a condition requiring the detail and maintenance of the proposed screen fencing.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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|---|---------------------------------|
| Contact/tel | Kevin Murphy on 0131 529 3794 |
| Ward affected | 02 - Baberton |
| Local Plan | Draft West Edinburgh Local Plan |
| Statutory Development Plan Provision | Residential Area |
| Date registered | 14 September 2005 |
| Drawing numbers/ Scheme | 2-4 Scheme 2 |

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, Helen Martin on 0131 529 3517. Email: helen.martin@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

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Consultations, Representations and Planning Policy

Consultations

None undertaken.

Representations

One letter of objection was received by a neighbouring party to each scheme. The following material point was raised:

- Overlooking

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 South West Edinburgh Local Plan locates the application site within a Mainly Residential Area where existing residential character and amenities are to be protected. The Draft West Edinburgh Local Plan locates the site within the Urban Area.

Relevant Policies:

South West Edinburgh Local Plan

Policy E5 states that new buildings, in terms of design, materials and landscaping, should make a positive contribution to the overall quality of the environment and regard should be had to their setting and neighbouring development.

Draft West Edinburgh Local Plan

Policy DQ11 Alterations and extensions, where acceptable in principle, should be subservient and relate clearly to the original building. they should be of a suitable scale to the existing building and space around it.

Non-Statutory Guidelines

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

Non-statutory guidelines on 'HOUSE EXTENSIONS AND ALTERATIONS' set out the design principles against which proposals will be assessed.

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Conditions/Reasons associated with the Recommendation

Recommendation

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

Conditions

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Detail of the proposed boundary screen fence shall be submitted to and approved by the Head of Planning and Strategy prior to the development commencing and erected on site prior to the conservatory being occupied. The fence shall be maintained to the satisfaction of the Head of Planning and Strategy thereafter.

Reasons

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to protect the privacy of adjoining neighbours.

End



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PLANNING APPLICATION

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|---|--|-------------|---------------------|
| Address | 6 Muirend Avenue, Juniper Green, Edinburgh, EH14 5BD, | | |
| Proposal | To erect a conservatory | | |
| Application number: | 05/03125/FUL | WARD | 02- Baberton |
| THE CITY OF EDINBURGH COUNCIL | | | |
| THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY | | | |