

Development Management Sub Committee

Wednesday 19 November 2014

**Application for Planning Permission 13/04781/FUL
At 15 Greenhill Gardens, Edinburgh, EH10 4BN
Single storey extensions to the rear and side of the property,
minor stone cleaning to the front elevation and erection of
garden shed.**

Item number	8.1
Report number	
Wards	A10 - Meadows/Morningside

Summary

The proposal complies with the development plan and represents an acceptable infringement of the relevant non-statutory guidelines. The proposal preserves the character and appearance of the conservation area and is of an appropriate scale, form and design. The proposal will not result in an unreasonable loss of residential amenity. There are no material considerations to justify refusal.

Outcome of previous Committee

This application was previously considered by Committee on 22.10.2014

Site visit - This application was continued by the Committee for a site visit. The application is returning to Committee for a decision.

Links

[Policies and guidance for this application](#)

LPC, CITD11, CITE6, NSG, NSHOU, NSGD02, NSLBCA, OTH, CRPMER,

Report

Application for Planning Permission 13/04781/FUL At 15 Greenhill Gardens, Edinburgh, EH10 4BN Single storey extensions to the rear and side of the property, minor stone cleaning to the front elevation and erection of garden shed.

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The site lies on the west side of Greenhill Gardens and relates to a two storey traditional detached stone built villa. The building is set back from the road with a paved area used for parking between the front windows and low level stone wall and hedge with iron gates facing the street. To the rear, the site is bounded by high stone walling. The building has been sub divided into 2 flats, ground floor and upper floor, and the garden ground has been separated by trellis style timber panels and metal grid fencing supported by timber posts retaining an open appearance. The application relates to the ground floor premises.

This application site is located within the Merchiston _ Greenhill Conservation Area.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The amended application proposes a single storey extension with a hipped roof to the rear and side of the property of a traditional nature to form a bedroom, increased kitchen /dining area, a garden and utility room. The new windows match the original proportions.

The new hipped roof to the rear includes a glazed canopy, velux rooflights and a projecting rooflight.

Minor stone cleaning is proposed on the front elevation of the property. A timber shed is also proposed to the rear of the property within the garden ground.

The proposed materials for the extension are natural stone for the front elevation, pre-cast stone cladding for the side and rear elevations, natural slate for the roof covering, timber framed windows and doors.

The materials for the shed are timber and felt roof covering.

Scheme 1

The elevation facing the street has been amended to form a hipped roof and to be finished in natural stone work.

3.2 Determining Issues

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the proposal is of an acceptable scale, form and design and protects the character and appearance of the conservation area;
- b) the proposal will cause an unreasonable loss of neighbouring amenity;
- c) any impacts on equalities or human rights are acceptable; and
- d) any comments raised have been addressed.

a) Scale, form, design and character and appearance of the conservation area

The Merchiston and Greenhill Conservation Area Character Appraisal emphasises the consistent domestic grain, scale and building mass; the high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas; the uniformity resulting from the predominant use of traditional building materials; and the predominance of residential uses.

This street is characterised by large two storey stone built villas of individual design set within large garden grounds. Many of these properties are still in their original form but some have been subdivided, extended or altered in some way. This property has been subdivided into two flats and the proposals relate to the ground floor flat.

The application site measures 630 square metres with the original villa having a footprint of 145 square metres. The new extension, with an area of 89 square metres is 1.6 times the size of the original villa. This figure rises to 145 square metres or twice the size of the original villa when the existing side/rear extension is taken into account.

The proposed rear extension takes up a third of the rear gardens and this figure rises to 36% of the rear gardens when the existing rear extension is taken into account.

Excluding the area of the existing shed and driveway, the amount of development on this subdivided plot equates to 290 square metres or 46% of the site which is in excess of the 40% stipulated in the relevant guideline.

In conclusion, the proposal exceeds the Guidance for Householders with respect to the scale of the extension in relation to the original villa, the percentage of the rear garden developed and the amount of the plot comprising development. Notwithstanding this, the proposal needs to be considered having special regard to the character and appearance of the conservation area and in particular the surrounding spatial context.

The size of the proposed extension is in keeping with the size of other extensions within the street and the overall character of the street is not lost.

The design of the extension is of traditional nature. The pitch and form of the new roof would match the design of the existing roof form. The new windows will have a vertical emphasis to retain the appearance of the existing windows of the villa and are timber framed to match the existing frames. The elevation facing the street has been amended to include natural stone to match the stonework of the existing villa. Whilst pre-cast stone is proposed for the rear and side elevations, this material has been used successfully elsewhere within conservation areas and is considered acceptable in this context.

The proposal also includes minor stone cleaning to the stone base course and the stone projection around the front door and window frame on the front elevation. This is to be cleaned with mild algacide wash. The stone colour of the existing bay window feature at both ground floor and first floor is a different colour to the remainder of the front elevation so previous cleaning may have taken place. Given the small scale of the cleaning and the method proposed, this would not have an overall detrimental appearance on the character of the conservation area.

There are existing trees and mature shrubbery within the rear garden ground. The proposal will result in the loss of minor tree and some works to a young ash tree. The trees to be lost do not contribute positively to the area. Furthermore, the loss of the trees along with some vegetation will have no detrimental effect on the character or amenity of the conservation area.

A shed is now proposed and would occupy 4% of the rear garden ground. Its size, form and design are acceptable and would not adversely affect the overall character and appearance of the conservation area. It is not positioned in front of neighbouring windows.

There is no negative effect on the character and appearance of the conservation area.

b) Neighbouring amenity

The existing garden ground is shared between the ground floor and upper floor flat and is divided by open timber fencing. The rear windows from the proposed development face into the garden ground belonging to the applicant and lie approximately 12.7 metres to the shared boundary which is in keeping with the requirements of the Guidance for Householders. The proposed side windows of the extension lie approximately 1.9 metres to the side boundary which is screened by open trellis fencing. These windows would overlook 7% of the total garden area belonging to the upper flat. Given that the rear garden ground is presently overlooked by both flats this is considered an acceptable infringement to the Guidance for Householders. Overall there is no significant loss of neighbouring amenity.

Any overshadowing will be confined to the applicant's garden ground.

There is no significant loss of existing neighbouring amenity.

d) Equalities or human rights impacts

This application was assessed in terms of equalities and human rights. No impact was identified.

e) Public comments

Material representations

- Overshadowing and loss of daylight addressed in section 3.3(b)
- Loss of privacy addressed in section 3.3(b)
- Scale of development addressed in section 3.3(a) and 3.3(b)
- Loss of trees addressed in section 3.3(a)

Non-material representations

- A shed has been recently been erected without planning approval but now forms part of this application.

Merchiston Community Council

- The design of the proposal is addressed in section 3.3(a)

Conclusion.

In conclusion, the proposal is of an appropriate scale and design which complies with the development plan and relevant non-statutory guidelines. The proposal preserves the character and appearance of this part of Merchiston and Greenhill Conservation Area. The proposal will not result in an unreasonable loss of residential amenity. There are no material considerations which justify refusal.

Addendum to Assessment

The application was considered at the Development Management Sub-Committee on 22 October 2014.

Committee was concerned that the proposal represented overdevelopment of the property in terms of scale to the detriment of residential amenity and to the character and appearance of the conservation area. Committee was also concerned that the proposed flue was detrimental to residential amenity of the neighbouring property.

Committee continued the application for a site visit this has now taken place.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

1. Sample/s of the proposed natural stone shall be submitted to and approved in writing by the Planning Authority before work commences on site.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. The development proposal includes a flue. The associated solid fuel stove/burner, which does not require planning permission, should be an 'exempt appliance' in terms of the Clean Air Act 1993 and the City of Edinburgh Council's Smoke Control Area Orders. Advice on this matter is available at http://www.edinburgh.gov.uk/info/44/air_quality/862/air_quality_in_edinburgh/3 or by contacting Environmental Assessment on 0131 469 5475 / email environmentalassessment@edinburgh.gov.uk

5. This application relates to a flatted building. This planning permission does not affect the legal rights of any other parties with an interest in the building. In that respect, the permission does not confer the right to carry out the works without appropriate authority.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 29 November 2013 and attracted 4 letters of representation from members of the public, one letter from the Cockburn Association and one from the Merchiston Community Council all objecting to the proposals. Amended plans were received and the neighbours and all contributors were renotified on 28 May 2014. A further 6 letters of representation were received including a letter from Merchiston Community Council and from members of the public all objecting to the proposals.

Material representations

- loss of privacy and overlooking;
- scale of the extension;
- design and materials of the proposal within a conservation area;
- loss of trees;
- unauthorised works;

Non-material representations

- shed has recently been erected without planning approval

Community Council

- over development within a flatted listed building;
- design of the extension;
- loss of internal features - these alterations do not require planning permission.

A full assessment of the representations can be found in the main report in the Assessment Section.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)

**Statutory Development
Plan Provision**

The site is located within the Urban Area of the Edinburgh City Local Plan. The site is designated as within Merchiston and Greenhill Conservation Area.

Date registered

19 November 2013

Drawing numbers/Scheme

1,2A, 3A, 4A, 5,

Scheme 2

David R. Leslie

Acting Head of Planning and Building Standards

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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

Other Relevant policy guidance

The Merchiston & Greenhill Conservation Area Character Appraisal emphasises the consistent domestic grain, scale and building mass; the high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas; the uniformity resulting from the predominant use of traditional building materials; and the predominance of residential uses within the area

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Consultations

Environmental Assessment

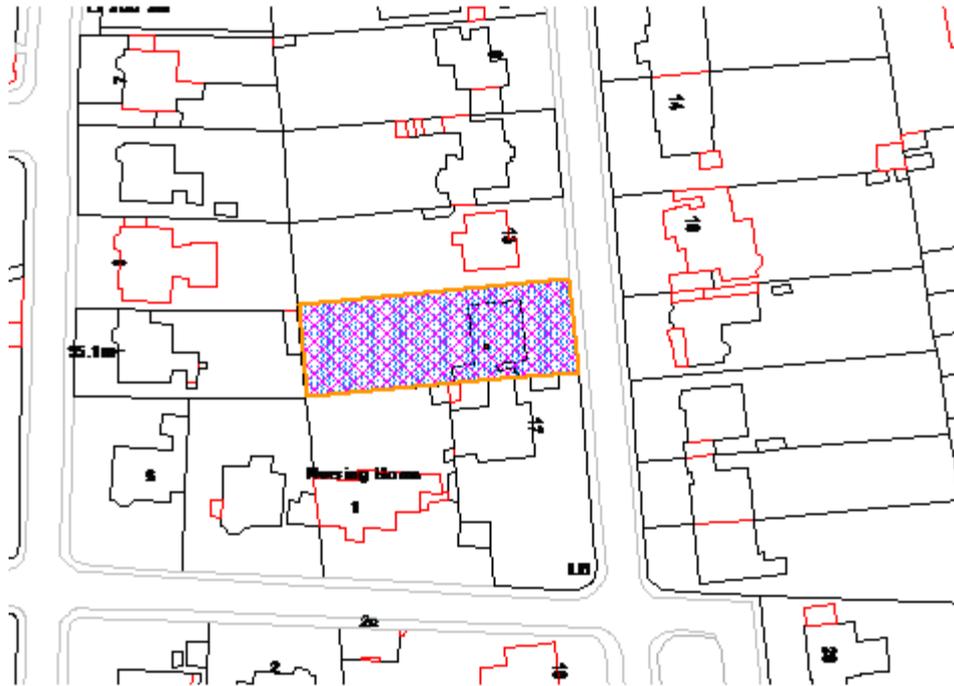
Environmental Assessment has no ground to object to the installation of a solid fuel burner under the Town and Country Planning (Scotland) Act. However we recommend that the "FLUE" informative be included in any consent.

Informative for applications with flues (serving solid fuel appliances):

The development proposal includes a flue. The associated solid fuel stove/burner does not itself require planning permission, however to be lawful for use in Edinburgh it should to be an "exempt appliance" in terms of the Clean Air Act 1993 and the City of Edinburgh Council's Smoke Control Area Orders.

Information and advice on this matter is available at http://www.edinburgh.gov.uk/info/44/air_quality/862/air_quality_in_edinburgh/3 or by contacting Environmental Assessment on 0131 469 5475 / email environmentalassessment@edinburgh.gov.uk

Location Plan



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