

# Development Management Sub Committee

Wednesday 17 December 2014

**Application for Planning Permission 14/04193/FUL  
At 42 Liberton Brae, Edinburgh, EH16 6AF  
Proposed window to door alterations and raised timber deck.**

<b>Item number</b>	4.5
<b>Report number</b>	
<b>Wards</b>	A16 - Liberton/Gilmerton

## Summary

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The proposal is an acceptable design and will not be detrimental to neighbourhood character. The proposal will not cause unreasonable loss to neighbouring privacy because the existing wall and the difference in floor level between each adjacent building will form an effective screen. The proposal accords with local plan policy and non-statutory Guidance for Householders. There are no material considerations to justify refusal.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LPC, CITD11, NSG, NSHOU,
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# Report

## **Application for Planning Permission 14/04193/FUL At 42 Liberton Brae, Edinburgh, EH16 6AF Proposed window to door alterations and raised timber deck.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The property is a detached, one-and-a-half storey Victorian villa with a lower ground floor level at the rear. It is stone-built with a front bay and gable and has a slate roof with wall head dormer windows to the front and rear. There is an existing lean-to conservatory at the rear, at lower ground level, and a side garage in line with the principle elevation.

The rear garden is enclosed by high stone walls, supplemented by hedges and shrubs. Open farmland bounds the site to the rear.

The area is characterised by stone built detached and semi-detached villas. The land slopes downward from south to north and there is a difference in floor level between each adjacent building.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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#### **3.1 Description Of The Proposal**

The application proposes the alteration to the dwelling to form a timber door in an existing window opening and the erection of a raised platform with steps providing access to the rear garden.

The proposed platform will be constructed from deck boards. It projects 2.5 metres from the rear elevation, has a footprint of 7.5 square metres and will be raised 1.1 metres high from ground level at the southern most point. A 1.1 metre high metal balustrade will enclose the platform.

### 3.2 Determining Issues

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 an acceptable design and will not be detrimental to neighbourhood character;
- b) the proposal will result in an unreasonable loss to neighbouring amenity;
- c) any impacts on equalities or human rights are acceptable; and
- d) any comments raised have been addressed.

#### a) Design and neighbourhood character

The proposed alteration to the dwelling introduces a modest and lightweight addition that has a limited effect on the existing building and neighbourhood character. The rear elevation's uniformity will be retained because the altered opening retains the lintel height. The proposed alteration will appear suitably subservient to the original villa and will not adversely affect the character of the villa.

The proposal is an acceptable form and design and complies with policy Des 11 and non-statutory Guidance for Householders.

#### b) Neighbouring amenity

The proposal raises no overshadowing or daylighting concerns because of its form and distance to neighbouring boundaries. It will not cause an unreasonable loss of sunlight or daylight to neighbouring properties.

The proposal is three metres from the south boundary and faces a 2.6 metre high wall that will provide a 1.5 metre screen due to the height of the platform. The property to the south has side facing windows positioned three metres from the common boundary. The proposal will introduce a degree of mutual overlooking into neighbouring properties, but will not be harmful because the existing wall and the difference in floor level between each adjacent building will form an effective screen. The neighbouring windows are not 'good neighbours' in their own right and are not subject to the privacy criterion in the non-statutory Guidance for Householders. Due to the difference in levels the proposed balcony is more likely to be overlooked from the neighbouring property to the south rather than cause overlooking onto that property. The proposal will not cause an unreasonable loss of privacy to neighbouring properties.

The proposal will not cause an unreasonable loss of neighbouring amenity and accords with policy Des 11.

c) Equalities and human rights

This application was assessed in terms of equalities and human rights. No impact was identified. An Equality and Rights Impact Assessment Summary is available to view on Planning and Building Standards online services.

d) Public comments

**Material considerations**

- privacy - addressed in section 3.3b and found the proposal will not cause unreasonable loss of neighbouring privacy because adequate screening is provided by the existing wall and difference in floor levels.

Committee consideration

The applicant is an employee of the Council who is involved in the planning process.

Conclusion

In conclusion, this is a relatively modest decking platform which given the surrounding topography does not have an adverse impact on privacy. The proposal complies with the development plan and the relevant non-statutory guidance. There are no material considerations which outweigh this conclusion.

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

**3.4 Conditions/reasons/informatives**

**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.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

## **Sustainability impact**

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### **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**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

The application attracted one letter of representation commenting on the application.

The representation raised the following material considerations:

- privacy.

The representation raised no non-material considerations.

No comments received from the community council.

## **Background reading/external references**

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

**Statutory Development  
Plan Provision**

Edinburgh City Local Plan - urban area

**Date registered**

17 October 2014

**Drawing numbers/Scheme**

01-02,

Scheme 1

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**Links - Policies**

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**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.

**Relevant Non-Statutory Guidelines**

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

# Appendix 1

**Application for Planning Permission 14/04193/FUL  
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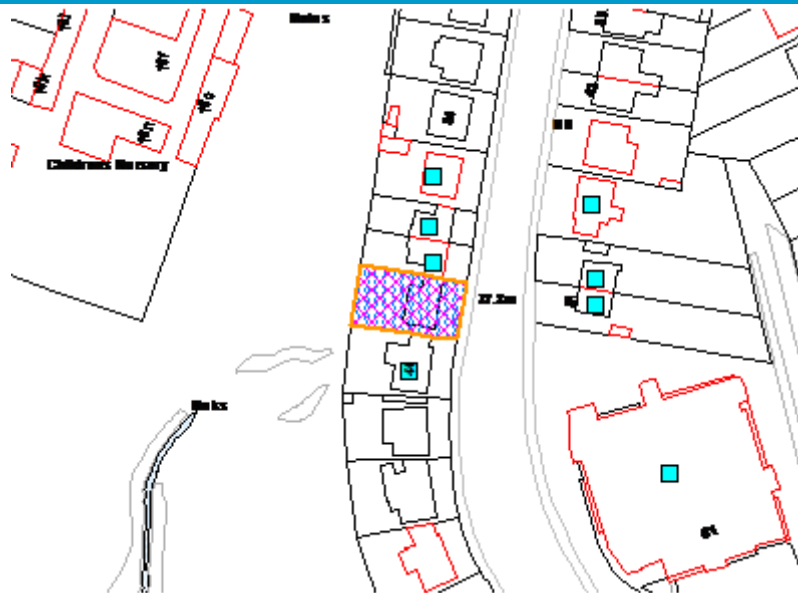
## Consultations

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No consultations undertaken.

## Location Plan

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