

# Development Management Sub Committee

Wednesday 17 December 2014

**Application for Planning Permission 14/03456/FUL  
At 3F2, 14 Montpelier Park, Edinburgh  
Proposed extension into attic of flat with velux roof windows  
and glazed cupola.**

<b>Item number</b>	4.7
<b>Report number</b>	
<b>Wards</b>	A10 - Meadows/Morningside

## Summary

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The proposals comply with the development plan and relevant non-statutory guidelines. The proposals preserve the character and appearance of the conservation area and are of an appropriate scale, form and design. There will not be any unreasonable loss of residential amenity. The proposals will not result in any traffic or parking issues. Approval is recommended.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	CITD11, CITE6, NSG, LPC, NSHOU, NSLBCA, OTH, CRPMAR,
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# Report

## **Application for Planning Permission 14/03456/FUL At 3F2, 14 Montpelier Park, Edinburgh Proposed extension into attic of flat with velux roof windows and glazed cupola.**

### **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 application site is a maisonette flat that occupies the third and fourth floors of the tenement located on the west side of Montpelier Park. The street is characterised by similar four storey tenements with slate roofs. The property forms part of a traditional tenement block with shared amenity ground to the rear.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

#### **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 installation of six roof windows: one on the front elevation, four on the rear elevation and a uPVC cupola on the flat roof section.

The proposals were initially described as '*Proposed extension into attic of flat with velux roof windows and change of use from dwelling to property of multiple occupancy for four people*'. However, the use of the property for less than six occupants does not constitute a change of use to a house in multiple occupation. Therefore, following discussions with the applicant's agent the description has been amended to remove the reference to the change of use.

#### **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 proposals are acceptable in terms of their scale, form and design;
- (b) the proposals will preserve or enhance the character and appearance of the conservation area;
- (c) the proposals will result in any unreasonable loss of neighbouring amenity;
- (d) there will be any impact on equalities or human rights; and
- (e) any material comments raised have been addressed.

#### (a) Scale, Form and Design

The size and positioning of the roof lights and cupola will sit comfortably on the roof of the tenement building. The alterations are minor in scale and will not dominate the roof form. The proposals are of an acceptable scale, form and design and comply with policy Des 11 and the non-statutory guideline Guidance for Householders.

#### (b) Conservation Area

##### Marchmont, Meadows and Bruntsfield Conservation Area Character Statement

*The existing Marchmont conservation area comprises an area of tenemental housing, mostly in the Scots Baronial style, developed from a single large estate in a planned and regulated manner. David Bryce prepared the original plans in 1869; they were taken over and completed by A Watheston and Son in 1876. Development commenced in 1877 and was completed by 1915. The success of the scheme is in the diversity of detailing contained within a carefully controlled development; the richness of its buildings has been recognised by the recent widespread listing that has taken place in the area. The main threats are lack of maintenance and the unsympathetic repair of buildings.*

The windows on the front elevation will not be readily visible from public viewpoints due to the width of the street in relation to the height of the building and the slope of the roof. One of the windows on the rear elevation will be almost completely obscured from view by the chimney. The remaining three windows to the rear and the cupola will be seen from Merchiston Park, although this will be from a distance of approximately 50 metres away and viewed between two villa properties.

The proposals will result in the loss of some of the slate from the roof. However, the windows occupy a relatively small portion of the front and rear roof planes and the building will continue to be read as a tenement with a slate roof. While roof windows do not form part of the character of the conservation area, their inconspicuous location means they will have a limited impact on its appearance. Therefore, the identifying features of this part of the conservation area of stone built tenements with slate roofs will be preserved and its character will not be adversely affected.

Overall, the proposal preserves the character and appearance of the conservation area and accords with policy Env 6 and the non-statutory guideline for Listed Buildings and Conservation Areas.

#### (c) Neighbouring Amenity

Concern has been expressed that the proposal will increase the number of people in the tenement and may result in additional noise and disturbance. However, this application is for the installation of roof lights and a cupola and this is the only element that requires planning permission, albeit that these alterations are part of an attic extension.

The proposal increases the number of bedrooms from two to four. The applicants have advised that the intention is for four people to occupy the property. On this basis the property may require an HMO licence and will then be regulated by the Council's licensing system. Similarly should there be any excessive noise, this will also be dealt with under alternative legislation.

There is a controlled parking zone in this street and the neighbouring streets. However, the site lies close to a main route into the city centre which is served with excellent public transport links.

The proposed roof windows will not result in any harmful overlooking of neighbouring properties.

The proposal will not be detrimental to neighbouring amenity and complies with policy Des 11 and non-statutory guideline Guidance for Householders.

#### (d) Equalities and Human Rights

The application has been assessed in terms of equalities and human rights. No impact was identified.

#### (e) Public Comments

- Proposal detracts from the character and appearance of the conservation area - addressed in section 3.3(b);
- The windows are not in keeping with the character of the building - addressed in section 3.3(a);
- Increased noise and disturbance - addressed in section 3.3(c); and
- Increased traffic and more pressure on parking facilities - addressed in section 3.3(c).

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.
4. The property will be eligible for one residents' parking permit only.

#### **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:**

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

#### **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.

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## **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 was advertised on 5 September 2014 and attracted eight letters of representation.

#### **Material Representations in Objection**

- Proposal detracts from the character and appearance of the conservation area;
- The windows are not in keeping with the character of the building;
- Increased noise and disturbance; and
- Increased traffic and more pressure on parking facilities.

#### **Non-material Representations**

- The cost of roof repairs and future maintenance of roof;
- Increased load on shared utilities within the building;
- Potential for occupation by more students;
- Disruption during construction period;
- Use of the property as an HMO;
- Concerns regarding the structural integrity of the roof; and
- Comments relating to title deeds and shared ownership of the roof.

#### **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, Designated  
Conservation Area

**Date registered**

27 August 2014

**Drawing numbers/Scheme**

01-02, 03A- 05A, 06,

Scheme 2

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**Links - Policies**

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**Relevant Policies:**

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**

**Relevant policies of the Edinburgh City Local Plan.**

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

**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 Marchmont, Meadows and Bruntsfield Conservation Area is characterised by well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

