

DECISION NOTICE AND REPORT OF HANDLING

Application address - 21 Greenbank Drive Edinburgh EH10 5RE

Application Ref. No - 14/03015/FUL

Review Ref No - 15/00001/REVREF

Review Lodged Date 05.01.2015

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Mac Brown Architect.
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Mill Cottage
Annay Road
Melrose
TD6 9LW

Mr Darren Pease.
21 Greenbank Drive
Edinburgh
EH10 5RE

Date: 22.01.2015

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS
2013**

Existing attic area to be converted into bedroom with access onto verandah/roof terrace.

At 21 Greenbank Drive Edinburgh EH10 5RE

Application No: 14/03015/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 22 August 2014, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposal is contrary to Policy Des 11 - Alterations and Extensions of the Edinburgh City Local Plan and the Council's non-statutory 'Guidance for Householders', by way of the design and scale of the rear dormer, resulting in a dominant, unsympathetic and intrusive feature, to the detriment of the character and appearance of not only the building, but also the surrounding area.
2. The proposal contravenes Policy Des 11 - Alterations and Extensions of the Edinburgh City Local Plan and the non-statutory Guidance for Householders, by way of the scale and positioning of the verandah/roof terrace resulting in overlooking, to the detriment of residential amenity.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-04, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal is of an unacceptable scale, form and design which will have an adverse impact on neighbourhood character. The scale of development will cause unreasonable harm to neighbouring amenity through loss of privacy. The proposal is contrary to Policy Des 11 of the Edinburgh City Local Plan and the non-statutory Guidance for Householders. There are no material considerations that justify approval.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Matthew Watson directly on 0131 529 3143.

D R Leslie

David R. Leslie

Acting Head of Planning and Building Standards

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice review should be addressed to the City of Edinburgh Planning Local Review Body, G2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission 14/03015/FUL

At 21 Greenbank Drive, Edinburgh, EH10 5RE

Existing attic area to be converted into bedroom with access onto verandah/roof terrace.

Item	Local Delegated Decision
Application number	14/03015/FUL
Wards	A10 - Meadows/Morningside

Summary

The proposal is of an unacceptable scale, form and design which will have an adverse impact on neighbourhood character. The scale of development will cause unreasonable harm to neighbouring amenity through loss of privacy. The proposal is contrary to Policy Des 11 of the Edinburgh City Local Plan and the non-statutory Guidance for Householders. There are no material considerations that justify approval.

Links

Policies and guidance for this application LPC, CITD11, NSG, NSHOU,

Report of handling

Recommendations

1.1 It is recommended that this application be Refused for the reasons below..

Background

2.1 Site description

The application site is a first floor flat that is part of a two storey, 'four in a block' arrangement with a pitched roof.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The proposal is for a rear dormer and verandah/roof terrace with a metal handrail. The rear dormer measures 6.8 m in width and has a flat roof that is positioned at the ridge of the existing roof. It is proposed to finish the dormer in vertical timber lining. The roof terrace/verandah has an area of 30.4 sq m and will use non-slip tiles as a finish. The handrail will be 1.1 m in height and will be fixed to the existing roof at the eaves line.

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, it needs to be considered whether:

a) the proposal is an acceptable scale, form and design and will not be detrimental to neighbourhood character;

b) the proposal will not cause unreasonable harm to neighbouring amenity;

c) any impacts on equalities and human rights are acceptable;

d) any public comments have been addressed.

a) Scale, form, design and neighbourhood character

a) Criterion a) of Policy Des 11 of the Edinburgh City Local Plan states that planning permission will be granted for alterations which in their design, form, positioning and choice of materials are compatible with the character of the existing building.

The Council's non-statutory Guidance for Householders provides a basis for this assessment.

Generally dormers should be of such a size that they do not dominate the form of the roof. A single dormer should be no greater in width than one third of the average roof length and there is a presumption against large, single 'box like' dormers.

In terms of scale, the average width of the roof is 9.5 m and the proposed dormer measures 6.8 m in width. The proposed rear dormer would occupy approximately 72% of the average width of the roof which would create a dominating feature of the roof at the rear elevation that is not subservient to the dwelling.

The proposed verandah/roof terrace extends from the dormer to the eaves line. This feature would also dominate the roof and would have an unacceptable impact on the dwelling.

The design of the dormer uses materials that are compatible with the dwellinghouse but the scale of the dormer and verandah/roof terrace means there will be an adverse impact on neighbourhood character. There are three rear dormers with verandahs in the vicinity of the application site. Two of these examples have planning permission and are of an appropriate scale in terms of the width of the roof occupied by the dormer and modest verandahs that are set well back from the eaves line (application references: 93/01667/FUL and 06/01243/FUL). The other rear dormer with verandah occupies the full roof width with the verandah in close proximity to the eaves line. There is no record of planning permission in this case and it is unclear how long it has been in situ.

The scale of what is proposed in this application is such that the proposal is unacceptable.

The scale and design of development will have an unacceptable impact on the dwelling and on neighbourhood character. The proposal does not comply with policy Des 11 of the Edinburgh City Local Plan and the non-statutory Guidance for Householders.

b) Neighbouring amenity

Criterion b) of Policy Des 11 states planning permission will be granted for alterations extensions to building that do not cause a loss of privacy or natural light to neighbouring properties.

There is already a degree of mutual overlooking in the 'four in a block' arrangement but the proposed verandah would allow the creation of a formalised, high level seating area that would have the potential to impact on privacy within gardens in the immediate vicinity to a considerable and unacceptable degree. The proposal is therefore contrary to criterion b) of Policy Des 11.

The proposal will not overshadow or cause a loss of daylight to neighbouring properties.

c) Equalities and human rights

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

d) Public comments

No public comments were received.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to Policy Des 11 - Alterations and Extensions of the Edinburgh City Local Plan and the Council's non-statutory 'Guidance for Householders', by way of the design and scale of the rear dormer, resulting in a dominant, unsympathetic and intrusive feature, to the detriment of the character and appearance of not only the building, but also the surrounding area.
2. The proposal contravenes Policy Des 11 - Alterations and Extensions of the Edinburgh City Local Plan and the non-statutory Guidance for Householders, by way of the scale and positioning of the verandah/roof terrace resulting in overlooking, to the detriment of residential amenity.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

No representations have been received.

Background reading / external references

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

David R. Leslie

Statutory Development

Plan Provision Edinburgh City Local Plan - Urban Area

Date registered 22 August 2014

Drawing numbers/Scheme 01-04

Scheme 1

Acting Head of Planning and Building Standards

Contact: Matthew Watson, Graduate planner
E-mail: matthew.watson@edinburgh.gov.uk Tel: 0131 529 3143

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.

Relevant Non-Statutory Guidelines

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

Consultations

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