

Development Management Sub Committee

Wednesday 29 April 2015

**Application for Planning Permission 15/00306/FUL
At 96 Inverleith Place, Edinburgh, EH3 5PA
Proposed glazed sunroom extension to rear of property with
new raised terrace. Proposed demolition of existing garage
with new enlarged double garage in its place (including
ancillary accommodation over garage).**

Item number	5.5
Report number	
Wards	A05 - Inverleith

Summary

The proposals have an acceptable effect upon neighbouring amenity and upon trees. The form and design is appropriate to the character and appearance of the conservation area. The proposal complies with daylight and privacy requirements in relation to neighbouring properties. The proposals comply with development plan policies and non-statutory guidelines. No other considerations outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LPC, CITE4, CITE6, CITD11, CITE12, NSG, NSLBCA, NSHOU,
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Report

Application for Planning Permission 15/00306/FUL At 96 Inverleith Place, Edinburgh, EH3 5PA Proposed glazed sunroom extension to rear of property with new raised terrace. Proposed demolition of existing garage with new enlarged double garage in its place (including ancillary accommodation over garage).

Recommendations

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

Background

2.1 Site description

The property is a substantial detached villa standing near the west end of Inverleith Place, close to East Fettes Avenue. Ground levels slope down to its rear, and the house appears half a storey higher as seen from this side. The property dates from the late 19th century and was listed category C on 30 April 2009 (Reference. 51319).

The property has a pair of non-matching garages at the rear north-east corner of the site, dating from the second half of the 20th century. The area in front of these is hard-landscaped in brick paviers.

The property has large villas to either side, and faces across the road to Inverleith Park. To the rear, to the north-west, stands a three storey, modern flatted development, accessed off East Fettes Avenue, laid out in two separate blocks, with its garaging area being closest to the application site. To the north-east there is a single storey modern house, screened from the road by the row of villas. Due to the sloping ground this lies at lower level.

The rear of the site contains a number of trees and shrubs around its boundary. Those on the neighbouring land to the east have been severely lopped.

This application site is located within the Inverleith Conservation Area.

2.2 Site History

1 December 2009 - application for new sunroom and terrace, attaching rear of villa, granted listed building consent (Reference: 09/02745/LBC).

14 January 2010 - application for rear sunroom and terrace, plus rebuilding of the garages to an enlarged scale, with attic accommodation within the roofspace, granted planning permission (Reference: 09/02745/FUL).

This pair of applications were never instigated and have now lapsed (lapsing in December 2014).

2 March 2015 - a parallel application for listed building consent for the sunroom and terrace received (Reference: 15/00863/LBC). It is noted that only the sunroom (and not the rebuilt garage) needs listed building consent, and this element is uncontroversial.

Main report

3.1 Description Of The Proposal

The application proposes two elements:

Firstly, creation of a garden room and terrace at ground floor level within the re-entrant angle at the rear of the main house. The proposed garden room is 5.3m x 4.8m with glazed sides and a flat roof, the fenestration adopting an Edwardian aesthetic.

Secondly, demolition of the two garages in the north-east corner of the site and redevelopment with an enlarged garage, additionally containing ancillary residential accommodation within its roofspace. This has a footprint of 6.6m x 11m, is built of white render with stone quoins on its corners, and has a natural slate hipped roof, with an Edwardian style dormer to the front and three small rooflights to the rear.

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 consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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 principle of the development is acceptable;
- b) the scale, form and design are appropriate to the character and appearance of the conservation area;
- c) the effect upon the character of the listed building is acceptable;

- d) the effect upon neighbouring amenity is acceptable;
- e) the effects upon surrounding trees are acceptable;
- f) comments raised have been addressed; and
- g) the proposals raise any equalities or human rights issues.

a) Principle of Development

Objection has been made regarding the accommodation at the garage being a separate dwelling.

The application does not seek consent for a separate house. Use as a separate house would require a further planning application. The accommodation proposed will remain ancillary to the existing dwelling house.

The principle of creating ancillary accommodation is always acceptable subject to other policy requirements being met.

b) Impact on the Character and Appearance of the Conservation Area

Inverleith Conservation area Character Appraisal

House sites on the north side of Inverleith Place were feuded under the supervision of R. Rowand Anderson... the area is characterised by detached Victorian houses sitting in their own grounds. Many of the large Victorian houses on Inverleith Place have been converted into flats.

It is noted that Inverleith Place is identified as a specific view within the Character Appraisal: looking westwards to Fettes College. None of the proposed works impact upon this view.

The sunroom and terrace are in a concealed location and adopt the character of the existing house. They have no impact upon the conservation area.

The existing garages are of no architectural or historic merit, and do not contribute to the character or appearance of the conservation area. Their demolition is acceptable.

The rebuilt garage is visible past the side of the villa as a glimpse view. The design of this section is appropriate to the character and appearance of the conservation area. In relation to the previous approval the only visible change from a public viewpoint would be the addition of a south-facing dormer on the front of the garage.

In terms of scale, form and design the proposals have a positive impact upon the character and appearance of the conservation area and are acceptable.

c) Effect Upon the Listed Building

The sunroom retains the character of the existing villa.

The rebuilt garage is detached from the listed building and has no adverse impact upon its setting.

d) Effect Upon Neighbouring Amenity

The sunroom and terrace are so located such as to have no adverse effects upon neighbouring properties.

The rebuilt garage, and accommodation above, has no windows facing neighbours, and no privacy issues arise, but the enlarged roof envelope requires assessment in terms of its impact upon daylight and sunlight.

The rebuilt garage adjoins three separate neighbouring properties. To the north-west it adjoins the garaging serving the flats to that side. This is the only area of additional volume in relation to the previous consent, but this will have no impact upon amenity. To the east the proposal is virtually unchanged in relation to the previous consent and continues to fall well within acceptable limits in relation to daylight and sunlight.

The house to the north was built in 1991. It lies north of the proposed rebuilt garage, and is now addressed as 1 Inverleith Grove. This currently sits less than 9m from its boundary and looks onto the application site. It sits on slightly lower ground level than the application site. A neighbour has queried the illustrated site levels on this side, stating that ground levels are lower than shown. This statement appears partly correct. The architect shows ground levels the same on each side of the boundary. This is true. However, the overall sloping ground continues from the application site to the site to the north, and the 1991 house has its floor level around 600mm below the boundary ground level. Daylight levels have been calculated using the lower, more onerous, levels.

Eaves height on the new building is similar to those on the existing garage, and does not change daylight levels to the garden ground in policy terms. Ridge height is unchanged in relation to the previous consent, The proposal lies below the 25 degree guidelines, Beyond which daylight is scrutinised more onerously. The sight line over the garage is already subtended by the roof of the main villa beyond, and daylight levels will not alter to any great degree. The proposal will continue to meet required daylight standards. As eaves height is unaltered in relation to the existing garages, and the main house already impacts upon sunlight to the north, sunlight levels are unaltered.

In summary, the effects upon neighbouring houses are unchanged since the earlier consent on the application site, and continue to have acceptable impacts upon daylight and sunlight.

It is concluded that effects upon neighbouring amenity are acceptable.

e) Effect Upon Trees

Two immature trees will be lost on the application site, to the west of the existing garages, but these are of no public importance or significance, and their loss is acceptable.

Trees on the neighbouring site to the east have been severely lopped since the time of the last consent. The proposed building will have no additional effects upon these trees beyond the effects of the existing garaging.

The application site is screened by shrubbery and immature trees as seen from the north. The relationship to this planting remains similar to that of the existing garages, and to the previously approved scheme. It is not considered that there will be any significant further impact upon these trees.

The overall impact on trees is considered to be acceptable.

f) Public Comments

Ten representations were received, including objection from the Inverleith Society. All comments related to the rebuilt garage element. No comments were made upon the proposed sunroom and terrace.

Material Comments

- creation of an additional dwelling - this is addressed in section 3.3 a) of the Assessment;
- the proposal breaches regulations for conservation areas and listed buildings- this is addressed in section 3.3 b) of the Assessment;
- the proposed garage is higher than existing - the impact of this additional height is addressed in section 3.3 d) of the Assessment; and
- the scale of the garage is too large - the impact of the additional volume is addressed in section 3.3 d) of the Assessment.

Non-Material Comments

- no stated purpose is given for the created accommodation over the garage - this is not a requirement;
- the footprint is larger than is permitted under Permitted Development Orders - that is why a planning application is required, Permitted Development Orders define alterations too small to need permission;
- the density of housing is not permitted because this is a conservation area - this is incorrect, but unit density is unchanged;
- no assessment of impact has been made - this is the role of the planning authority and of this report;
- the description of the proposal is misleading - this was amended during the course of the application;
- the application does not mention the internal kitchen or bathroom - this is not a requirement;
- submitted plans are inaccurate/ surrounding topography is not shown - the plans are fit for purpose; and

- no application has been made for listed building consent - this is incorrect (neighbours are not notified of listed building consent applications).

Community Council

No comments received.

g) Equalities and Human Rights

The proposals raise no issues of equalities or human rights.

Conclusion

The application largely serves to renew a consent which lapsed in December 2014.

The proposals have an acceptable effect upon neighbouring amenity and upon trees. The form and design is appropriate to the character and appearance of the conservation area. The proposal complies with daylight and privacy requirements in relation to neighbouring properties. The proposals comply with development plan policies and non-statutory guidelines. No other considerations outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. All trees existing on site at the date of this report except those identified for removal shall be retained and no trees shall have roots cut or be lopped, topped, felled, uprooted or removed, unless otherwise agreed in writing with the Planning Authority.

Reasons:-

1. In order to enable the Head of Planning to consider this/these matter/s in detail.
2. In the interests of visual amenity; to ensure that all trees to be retained are satisfactorily protected before and during construction works.

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. This consent is for planning permission only. Work must not begin until other necessary consents, eg listed building consent, have been obtained.

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 13 February 2015.

Ten representations were received, including an objection from the Inverleith Society. Reasons for objection were:

- creation of an additional dwelling;
- no stated purpose is given for the created accommodation over the garage;
- the proposal breaches regulations for conservation areas and listed buildings;
- the density of housing is not permitted because this is a conservation area;
- the dimensions are beyond those allowed in Permitted Development;
- no assessment of impact has been made;
- the proposed garage is higher than existing;
- the scale of the garage is too large;
- the description of the proposal is misleading;
- the application does not mention the internal kitchen or bathroom;
- submitted plans are inaccurate/ surrounding topography is not shown; and
- no application has been made for listed building consent.

Councillor Whyte requested a presentation to Committee.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

The property lies in the Inverleith Conservation Area as shown in the Edinburgh City Local Plan.

Date registered

4 February 2015

Drawing numbers/Scheme

1-8,

Scheme 1

David R. Leslie

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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Env 4 (Listed Buildings – Alterations & Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

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

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

Policy Env 12 (Trees) sets out tree protection requirements for new development.

Relevant Non-Statutory Guidelines

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

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

Appendix 1

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Consultations

No consultations undertaken.

Location Plan



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