

**Full Planning Application 05/00822/FUL**  
**at**  
**19 Buckstone Bank**  
**Edinburgh**  
**EH10 6PW**

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**Development Quality Sub-Committee**  
**of the Planning Committee**

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**1 Purpose of report**

To consider application 05/00822/FUL, submitted by Mr Naama. The application is for: **Form dormer roofs in retrospect**

It is recommended that this application be **GRANTED** subject to the conditions in Appendix B.

**2 The Site and the Proposal**

**Site description**

This is a semi-detached dwelling house on the east side of Buckstone Bank. The front of the houses on Buckstone Bank face public paths, whereas the rear of the properties face the road. The rear garden is small with 1.8 close boarded fencing around it. The original house had an integral garage with a balcony on top. The garage has been converted into living accommodation. To the front of the house a 1.8 metre high fence has been erected round the garden. These gardens would have been open plan at one time but many of the houses in this area have created similar fences or have grown hedges. A large conservatory has been built within this former front garden area.

## **Site history**

### **02/04558/FUL**

Planning permission for the formation of two dormers and a roof patio was refused on 25 February 2004 (delegated decision).

A satellite dish has been erected on the front of the house. No information is available in relation to its size to determine whether consent would be required or not.

### **04/01175/FUL**

A conservatory on the eastern elevation (front) had also been constructed without planning permission. This was applied for retrospectively and permission refused on 7 July 2004. The Development Quality Sub Committee agreed to refuse and enforce a retrospective application for the conservatory and enforce the removal of the previously refused dormers.

An enforcement notice was served 18 August 2004. The notice stated that the owner was required to remove the conservatory, the front and rear dormers and reinstate the roof to match the existing roof. The time period for compliance was three months after the 24 September 2004, unless an appeal is made against it beforehand.

An appeal was submitted against the refusal for the conservatory and this was subsequently upheld on 2 November 2004.

On the 22 February 2005, a letter was sent to the owner stating that the period for compliance with the enforcement notice lapsed on 24 December 2004. The owner was advised of the Planning Authorities intention to obtain tenders for the work required by the Schedule of the Notice(s) and exercise the powers contained in Section 135 of the Town and Country Planning (Scotland) Act 1997 to enter the above land and carry out the necessary works. All costs, including Council administration charges will be recovered from the owner.

This proposal to seek retrospective consent for the dormers (05/00822/FUL) was submitted on 14 March 2005.

## **Description of the Proposal**

This proposal seeks retrospective consent for pitched roofed dormers to the front and rear, with a balcony on the rear dormer. The front dormer is 1.7 metres wide and 2.1 metres in height. The rear dormer is 2 metres wide, 2.8 metres in height and is partially recessed into the roof. The ridge of the rear dormer projects horizontally by approximately 1.75 metres from the house roof. Both dormers are finished in the same materials as the house.

The glazed balcony is proposed to be 1.5 metres deep and 1.8 metres in height at the sides and 1.1 metre in height to the front. The side glazing is to be obscure. The structure would be redwood posts with stainless steel brackets.

When planning permission was refused for the conservatory the Committee also decided to take enforcement action to remove the two dormers. The proposal seeks to obtain planning permission in retrospect for those dormers and balcony.

### **3 Officer's Assessment and Recommendations**

#### **DETERMINING ISSUES**

The determining issues are:

- 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?

#### **ASSESSMENT**

To address the determining issues the Committee needs to consider:

- a) The impact on visual amenity
- b) Whether neighbouring residential amenities are prejudiced

a) The front dormer is more than one third of the average roof width by 0.24 metres (37%). However it is set down from the ridge and up from the eaves by at least 500 millimetres and does not dominate the roof. A minor infringement of the Guidelines is considered justified. This aspect of the proposal was also considered acceptable under the terms of the previously refused scheme.

The rear dormer is two metres wide and as such is 0.5 metres wider than one third of the average roof width (44%). These are revised calculations based on the drawings submitted with this retrospective proposal. The previously refused scheme was 2.1 metres wide.

The dormer is set down from the ridge by 0.4 metres and set in from the edge of the roof by 0.3 metres. The previously refused scheme was set in from the roof edge by 0.25 metres.

The ridge of the rear dormer would be 1.75 metres in length where as the previously refused proposal was two metres in length.

The balcony would be recessed into the roof by 1.3 metres and would have a footprint depth of one metre compared to the previous footprint depth of two metres.

The drawings which were submitted with the application 02/04558/FUL were inaccurate. The previously refused front dormer had the same dimension as this submission. However following the submission of more accurate drawings with this proposal, the rear dormer as built, is recessed further into the roof and the balcony does not extend out as far. The previously refused rear dormer's ridge length was two metres, whilst this proposal has a ridge length of 1.75 metres.

The impact of the rear dormer has therefore been slightly reduced since the previous refusal. It does not comply with the Council's Non Statutory Guidelines on House Extensions and Alterations. However the changes mean that the visual impact is reduced. In addition the design of this particular house features a large flat roofed projection with a balcony in front of the dormer. This feature dominates the rear elevation of the house and the dormer is small when seen in juxtaposition with this projection. Whilst the changes which have been made to the dormer are small and they do not fully comply with the Council's Non Statutory Guidelines on House Extensions. Because of the design of this particular house, the dormer does not dominate the roof or adversely affect the character of the area. Given the limited impact of the proposal in this instance and the minor nature of the infringement of the guidelines, it would be unreasonable to require the removal of the dormer on this occasion.

The glazed balcony does not project so far out from the roof as was previously proposed and because of its position, will have minimal visual impact upon the architectural character of the house or the visual amenity of the area.

b) Both the front and rear dormers accord with the Council's Non Statutory Guidelines with regard to Daylighting, Sunlight and Privacy. The inclusion of obscure glazing on the sides of the balcony will ensure that this does not reduce the privacy of neighbours. The obscure glazing has not been implemented as yet and it is recommend that a condition requiring its implementation within 6 months be imposed.

In conclusion, whilst the proposal does not fully comply with Guidelines, the site's location and the design of the existing house mean that the rear dormers and balcony do not adversely affect its architectural integrity or the visual amenity of the area. The balcony will also not reduce privacy once implemented as per the submitted plans. The submitted scheme is acceptable subject to a condition requiring the implementation of the balcony screening. There are no material considerations which outweigh this conclusion.

It is recommended that Committee approves this application subject to a condition requiring the implementation of the balcony screening.

Also in the light of the recent conservatory appeal decision and should Committee agree this recommendation, then the outstanding Enforcement Notice should be withdrawn.



**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	David McFarlane on 0131 529 3512 (FAX 529 3716)
<b>Ward affected</b>	52 - Fairmilehead
<b>Local Plan</b>	South West Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Residential
<b>Date registered</b>	14 March 2005
<b>Drawing numbers/ Scheme</b>	3,4

#### **Advice to Committee Members and Ward Councillors**

The full details of the application are available for viewing on the Planning and Building Control Portal: [www.edinburgh.gov.uk/planning](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner,

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail [gavin.king@edinburgh.gov.uk](mailto:gavin.king@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

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**Application Address:** 19 Buckstone Bank  
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## Consultations, Representations and Planning Policy

### Consultations

No consultations undertaken.

### Representations

No representations have been received.

### Planning Policy

The proposal lies within an area mainly allocated for residential purposes on the South West Edinburgh Local Plan area. The site is similarly allocated on the Draft West Edinburgh Local Plan.

Non-statutory guidelines on 'HOUSE EXTENSIONS and ALTERATIONS' set out the design principles against which proposals will be assessed.

#### Relevant Policies:

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on 'HOUSE EXTENSIONS AND ALTERATIONS' set out the design principles against which proposals will be assessed.

Policy E5 requires all new buildings to make a positive contribution to the overall quality of the environment throughout South West Edinburgh in terms of materials, landscaping, setting and other matters.

Policy DQ6 states that new development should be designed to make a positive contribution to the quality, accessibility and safety of the environment, having regard

to the character, opportunities and constraints of the site and its surroundings and the basic character of the city.

Policy DQ11 Alterations and extensions, where acceptable in principle, should be subservient and relate clearly to the original building. They should be of a suitable scale to the existing building and space around it.

## Appendix B



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### Conditions/Reasons associated with the Recommendation

#### Recommendation

It is recommended that this application be **GRANTED**

#### Conditions

1. That within six months of the date of this consent, the obscure glazing on either side of the balcony shown on the approved plans shall be fully implemented to the satisfaction of the Head of Planning and Strategy.

#### Reasons

1. In order to protect the privacy of adjoining neighbours.

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End

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### Location Plan



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