

DECISION NOTICE AND REPORT OF HANDLING

Application address - 66 Hillhouse Road Edinburgh EH4 5BL

Application Ref. No - 15/01834/FUL

Review Ref No - 15/00083/REVREF

Review Lodged Date 12.07.2015

CR

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Mr & Mrs Golam Ahad + Habiba
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66 Hillhouse Road
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Date: 11 June 2015,

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS
2013

Erect new extensions to side and rear of house and form new dormer windows and rooflights to first floor and create new first floor extension to existing garage.

At 66 Hillhouse Road Edinburgh EH4 5BL

Application No: 15/01834/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 17 April 2015, 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 **mixed decision** 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;

1. This permission relates to the side and rear extensions and the two front dormer windows. ****.

2. This refusal relates to the two storey pitched roof garage extension. **** ****.

Reasons:-

1. In order to recognise which elements of the proposals are recommended for approval.

2. The proposal is contrary to Edinburgh City Local Plan Policy Des 11 in respect of Alterations and Extensions, as the garage extension will detract from the main house and from the neighbourhood character and appearance.

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.

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

Drawings 01-11, 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 scale and design of the proposal to the main house is acceptable for the context of this building. The infringement in non-statutory 'Guidance for Householders' in connection to the positioning of the front dormers is marginal that refusal would be unjustified. The proposed garage extension is contrary to policy Des 11 'Alteration and Extensions' and the Council's guidelines as the scale of this building will detract from the character and appearance of the main house and it will have an adverse impact on this neighbourhood character and appearance. The proposal will not result in an unacceptable loss of daylighting or overshadowing. There are no material considerations that outweigh this decision.

A mixed decision is recommended with the garage extension refused.

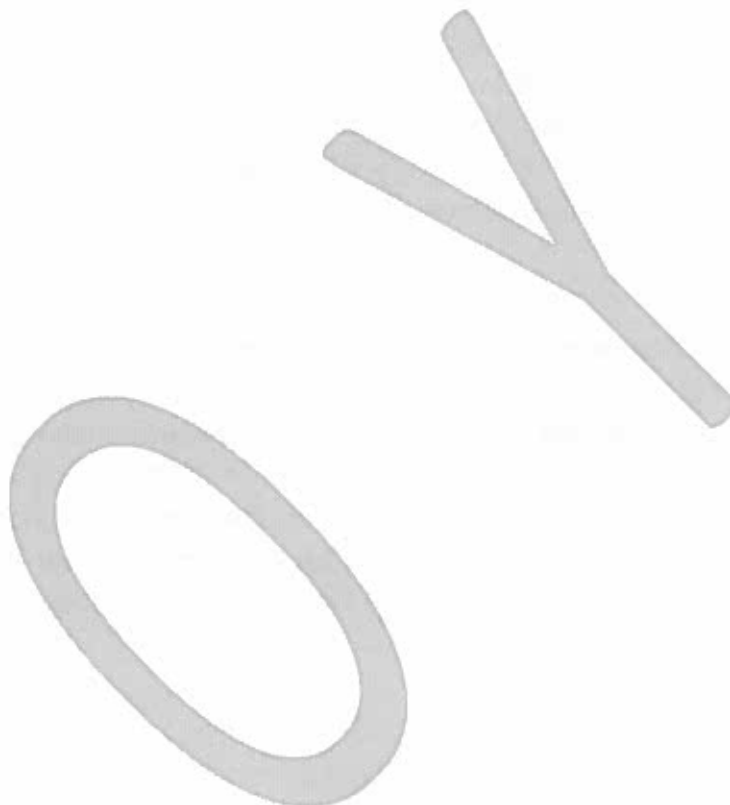
This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Laura Loudon directly on 0131 529 3911.

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 of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

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 15/01834/FUL

At 66 Hillhouse Road, Edinburgh, EH4 5BL

Erect new extensions to side and rear of house and form new dormer windows and rooflights to first floor and create new first floor extension to existing garage.

Item	Local Delegated Decision
Application number	15/01834/FUL
Wards	A05 - Inverleith

Summary

The scale and design of the proposal to the main house is acceptable for the context of this building. The infringement in non-statutory 'Guidance for Householders' in connection to the positioning of the front dormers is marginal that refusal would be unjustified. The proposed garage extension is contrary to policy Des 11 'Alteration and Extensions' and the Council's guidelines as the scale of this building will detract from the character and appearance of the main house and it will have an adverse impact on this neighbourhood character and appearance. The proposal will not result in an unacceptable loss of daylighting or overshadowing. There are no material considerations that outweigh this decision.

A mixed decision is recommended with the garage extension refused.

Links

**Policies and guidance for
this application**

LPC, CITD11, NSG, NSHOU,



Report of handling

Recommendations

1.1 It is recommended that this application be mixed decision to part-approve and part-refuse this application subject to the details below..

Background

2.1 Site description

The application site is a one and a half storey hipped roof detached dwelling, located on the north side of Hillhouse Road. The external appearance of the property is finished with roughcast walls and red tiles for the roof. The property has been extended overtime with the inclusion of a flat roof single storey extension on the rear and on the east side elevation. The rear garden comprises a depth between 12-25 metres and a single storey flat roof garage is positioned east of the boundary.

The properties on the north side of Hillside Road are similar in size and style and this contrast with the two storey's detached and semi-detached dwellings on the south side of Hillhouse Road.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

Proposal

The application seeks to carry out various alterations to existing dwellinghouse. It seeks to:

- extend the west elevation on the existing rear extension by 2.15 metres and the rear building line by 1.66 metres with a footprint comprising of 24 square metres. The walls are to be finished in roughcast to match the existing with concrete tiles for the new hipped roof side extension to match the main roof;
- erect a 1.9 metre wide pitched roof dormer window on the rear roof plane and two 1.9 metres wide dormer windows on the front elevation. Dormer finishes are to include vertical hanging tiles to match the existing tiles in colour;
- install rooflights on the front and rear roofplane of the main property; and
- increase the overall height of the existing garage from 2.83 metres to 6.68 metres high to form a two storey pitched roof extension, featuring a garage and a store room on the ground floor and a new gym and shower room on the first floor. The footprint is to increase from 50 to 59 square metres. One new UPVC window is proposed on front elevation and three roof lights on the west elevation. The new storey is to be finished in timber lining with concrete roof tiles to match the main property.

The rear dormer window is permitted development under Class 1D and the installation of rooflights on the main dwelling is permitted development under 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). Therefore, they do not require planning permission and are not considered as part of the assessment.

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 of an appropriate scale, form and design;
- b) the proposal will result in an unreasonable loss of neighbouring amenity;
- c) the proposal will be detrimental to neighbourhood character;
- d) any impacts on equalities or human rights are acceptable; and
- e) any public comments raised have been addressed.

a) Scale, form and design

The proposed side extension is acceptable in scale and form as it will match the height of the existing eaves. The design of the new hipped roof will be subservient and it is compatible with the original house where the use of matching materials will help the proposal to integrate with the host property.

The rear elevation of the main building includes a 38 square metres flat roof extension that is not in-keeping with the character design of the original house. However, the proposed flat roof infill on the rear and side elevation represents a minor enlargement as the proposal will not have an adverse impact on the character and appearance of the main property with the material choice of finish acceptable.

The front dormers are of appropriate size and they do not dominate the form of the roof. The combined width will be less than 50 per cent of the average length of the roof on either pitch.

The dormers however, will be positioned closer to the hips than 0.5 metres, which represents an infringement of the Council's guideline 'Guidance for Householders'. This is a marginal contravention that does not have any detrimental impact on the

property or the surrounding area and an exception to the guideline is justified. The dormer materials are acceptable.

Buildings within the residential curtilage such as garages should be subordinate in scale and floor area to the main house. In this instance, the proposed pitched roof garage extension will not be subservient in scale to the main house as the height of the new eaves will be higher than the main house by 860 mm. The proposed pitch and form of the garage extension will overwhelm the scale of the main property and this represents an unacceptable infringement of local plan policy Des 11 'Alteration and Extensions' and the Council's guideline 'Guidance for Householders'.

b) Neighbouring amenity

The side and rear extension to the original dwelling has been measured at a 45 degree angle and complies with the terms of the test and will not result in any overshadowing or loss of daylighting to the neighbouring garden.

The proposed front dormer window will not result in any loss of privacy issues where the original dwellinghouse front windows fronts out onto the street.

The garage has been measured at a 45 degree line and it will result in 14.35 square metres of overshadowing to the affected south boundary of No. 3 Corbiehill Road where 2.4% of the rear garden will be affected. This minor breach will not result in an unacceptable loss of sunlight and is acceptable.

The garage will result in 7.7 square metres of overshadowing to the affected west boundary of No. 64 Hillhouse Road where 2.6% of the rear garden will be affected. This minor breach will not result in an unacceptable loss of sunlight and is acceptable.

In terms of privacy, the south facing window on the proposed garage first floor extension will not directly face onto opposing windows and it will not have an adverse impact on neighbouring privacy. In addition, the side windows on property No. 64 Hillhouse Road do not accord with the recommended 9 metres distance to common boundary and they are not protected for privacy or light.

The proposed three rooflights on the west elevation of the garage extension will be positioned 18 metres from the common boundary and it will not result in an adverse degree of overlooking.

c) Neighbourhood character

In terms of the established character, properties to the front are screened with mature trees, with the north side of Hillhouse Road characterised by single storey hipped roof dwellings. This contrasts with the two storey properties on the south side. Buildings within the curtilage such as garages are predominately single storey with either a pitch or flat roof design.

The proposed extension to the main property is acceptable in scale, form and design where it will not have a detrimental impact on the character and appearance of this neighbourhood.

The proposed garage extension will exceed the eaves height of neighbouring properties on this side of the street and it will not be in-keeping with the scale of buildings within the curtilage of neighbouring properties. It will form an over-dominant addition to the curtilage of the property and will fail to relate sympathetically with the main house. It will be visible from public view and it will have a detrimental impact on this neighbourhood character.

The application site is not designated within 'Special Landscape Area' in the adopted plan or in the Second Proposed Local Development Plan.

d) Equalities and human rights

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

e) Public comments

Material issues were raised in respect of the proposed garage extension:

- Will impact on residential amenity- addressed in Section 3.3 (b).
- Inappropriate scale for an ancillary building - addressed in Section 3.3 (a) and (c).
- Will adversely impact on neighbourhood character - addressed in Section 3.3 (c).
- Will impact on the Special Landscape Area designation - addressed in Section 3.3 (c).

CONCLUSION

In conclusion, the scale and design of the proposal to the main house is acceptable for the context of this building. The infringement in non-statutory 'Guidance for Householders' in connection to the positioning of the front dormers is marginal that refusal would be unjustified. The proposed garage extension is contrary to policy Des 11 'Alteration and Extensions' and the Council's guidelines as the scale of this building will detract from the character and appearance of the main house and it will have an adverse impact on this neighbourhood character and appearance. The proposal will not result in an unacceptable loss of daylighting or overshadowing. There are no material considerations that outweigh this decision.

A mixed decision is recommended with the garage extension refused.

It is recommended that this application be mixed decision to part-approve and part-refuse this application subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. This permission relates to the side and rear extensions and the two front dormer windows. ****.
2. This refusal relates to the two storey pitched roof garage extension. **** ****.

Reasons:-

1. In order to recognise which elements of the proposals are recommended for approval.
2. The proposal is contrary to Edinburgh City Local Plan Policy Des 11 in respect of Alterations and Extensions, as the garage extension will detract from the main house and from the neighbourhood character and appearance.

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.

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:

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

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

Neighbours were notified of this application on 28 April 2015 and the proposal attracted two letters of objections and one comment.

The representation raised the following material issue in respect of the proposed garage extension:

- Will impact on residential amenity;
- Inappropriate scale for an ancillary building;
- Will adversely impact on neighbourhood character; and
- Will impact on the Special Landscape Area designation.

No non-material issues were raised.

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 The site is located in an urban area designated by the Edinburgh City Local Plan.

Date registered 17 April 2015

Drawing numbers/Scheme 01-11

Scheme 1

Acting Head of Planning and Building Standards

Contact: Laura Loudon, Planning Officer
E-mail:laura.loudon@edinburgh.gov.uk Tel:0131 529 3911

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.

Appendix 1

Consultations

No consultations undertaken.

CR

END

Comments for Planning Application 15/01834/FUL

Application Summary

Application Number: 15/01834/FUL

Address: 66 Hillhouse Road Edinburgh EH4 5BL

Proposal: Erect new extensions to side and rear of house and form new dormer windows and rooflights to first floor and create new first floor extension to existing garage.

Case Officer: Laura Loudon

Customer Details

Name: Mrs Bridget Hinks

Address: 68 Hillhouse Road, Edinburgh EH4 5BL

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I do not object to the alterations to the main house provided it will be obscure glass in west windows (utility and en suite) but work to garage looks like another house !

Comments for Planning Application 15/01834/FUL

Application Summary

Application Number: 15/01834/FUL

Address: 66 Hillhouse Road Edinburgh EH4 5BL

Proposal: Erect new extensions to side and rear of house and form new dormer windows and rooflights to first floor and create new first floor extension to existing garage.

Case Officer: Laura Loudon

Customer Details

Name: Mrs Jennifer Cutress

Address: 3 Corbiehill Road, Edinburgh EH4 5ED

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: We would like to make it clear that we have no objections to any of the proposals regarding the main house; our concerns relate solely to the proposals for developing the existing garage.

Having reviewed the published documents, it is our impression that the scale and design of the proposed changes to the existing garage seem excessive for an ancillary building and fundamentally out of character with the area. This low-density area is characterised by large plots containing 1½ or 2 storey houses with single storey, mostly flat-roof garages. The proposed first floor extension to the existing garage would, in effect, create a second 2 storey building within the plot. Not only this, the garages position within the plot adjoins two sides of the property boundary, placing this very large scale second building in extremely close proximity to neighbouring properties. This would not only be out of character with the area but would undoubtedly have a negative impact on amenity of the surrounding properties.

Undeniably, one of the attractions of properties in this area is the splendid views of the tree line of Corstorphine Hill, a recognised Special Landscape Area. The proposed addition of a second storey to the existing garage would significantly and negatively impact upon these views from both ground level and internal aspects of neighbouring properties.

Given the overall size of the property's plot and that the owners plan to extend and develop the main house anyway, perhaps it would be more in keeping to continue a further extension at single storey level of either the house or existing garage in order to accommodate the private gym facilities. This would provide the homeowners with their desired improvements to their personal

living space without any negative impact on surrounding properties or the character of the local area.

Comments for Planning Application 15/01834/FUL

Application Summary

Application Number: 15/01834/FUL

Address: 66 Hillhouse Road Edinburgh EH4 5BL

Proposal: Erect new extensions to side and rear of house and form new dormer windows and rooflights to first floor and create new first floor extension to existing garage.

Case Officer: Laura Loudon

Customer Details

Name: Mrs Jill Walker

Address: 64 Hillhouse Road, Edinburgh EH4 5BL

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We believe the extension to the garage, which will increase the height of the building will obscure sunlight and daylight from our garden. We have spoken to the owner of 66 Hillhouse Road to make our concerns clear. They are currently checking with their architect to confirm if this is the case.

Providing it does not obscure our light, we have no objection.

Jill & Graham Walker (64 Hillhouse Road)

