

**Full Planning Application 05/03193/FUL
at
11 Carrick Knowe Terrace
Edinburgh
EH12 7ES**

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

1 Purpose of report

To consider application 05/03193/FUL, submitted by Mr + Mrs Moore. The application is for: **Erect a garden access stair**

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons in Appendix B.

2 The Site and the Proposal

Site description

The application site is a lower flat in a traditional 4 in a block property located on the northern side of Carrick Knowe Terrace. To the rear of the property the garden is subdivided with the lower flat in ownership of the garden ground adjacent to the building and the upper flat in ownership of the garden ground furthest from the property.

Site history

A flat roof extension was approved to the rear of this property in 1978. This planning consent has been implemented.

Description of the Proposal

The application is in retrospect and is for the formation of an access stair from the rear of the flat to the garden area. A new door and window has been formed in the rear elevation of the property. At the top of the access stair a landing has been formed which has an area of 3.8 square metres. The landing area is raised above ground level by 1.8 metres. Including the height of the railings surrounding the landing the total height of the structure is 2.9 metres.

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 these determining issues the Committee needs to consider:

- a) Whether the scale and design of the proposal are acceptable and
- b) Whether there would be any adverse effect on the amenity of nearby residential properties.

a) The stair which has been formed, is modest in size and is of a simple design which does not dominate this elevation. The landing area which has been created at the top of the stair does not extend beyond the rear of the rear extension to the property and also does not dominate the property. The scale and design of the stair and landing area are appropriate for the area.

b) The main impact of the stair and landing area which has been constructed is on the amenity of the neighbouring properties. The stair in itself does not raise any cause for concerns but the landing area does. This landing has an area of 3.8 square metres and is located in a position 1.8 metres above ground level. The landing is positioned only 2 metres from the boundary of the land within the applicants' ownership. This therefore impacts on the amenity of the neighbouring properties beyond the applicants' garden area as the proposed decking area is within 9 metres of the boundary.

There is an existing high fence which defines the areas of garden ground however the height of the landing area exceeds the height of this fence. In order to provide appropriate screening this fence would need to be increased to 3.6 metres high. The increase in height of this fence will have an adverse impact on the general amenity of the area. It will also create a degree of overshadowing onto the neighbouring property.

In conclusion, the proposal, whilst acceptable in design terms, has an adverse effect on the amenity of neighbouring properties. There are no other material considerations which outweigh this conclusion.

It is recommended that Committee refuses this application for this reasons and that enforcement action be authorised for the removal of the stair and landing.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel	Elaine Robertson on 529 3612
Ward affected	24 - South East Corstorphine
Local Plan	North West Edinburgh Local Plan
Statutory Development Plan Provision	Mainly Residential
Date registered	21 October 2005
Drawing numbers/ Scheme	1 - 4 Scheme 1

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.

If you require further information about this application you should contact the following Principal Planner, Helen Martin on 0131 529 3517. Email: helen.martin@edinburgh.gov.uk.

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 blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type Full Planning Application
Application Address: 11 Carrick Knowe Terrace
Edinburgh
EH12 7ES
Proposal: Erect a garden access stair
Reference No: 05/03193/FUL

Consultations, Representations and Planning Policy

Consultations

No consultations undertaken.

Representations

One letter of representation has been received. It makes reference to the following material objections:-

- Proposal has been erected without any planning permission
- The applicants have turned a shared drying area into their own space – this would be a legal issue between the applicants and those with communal rights to the land.

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

The proposal lies within an area allocated for residential purposes in the North West Edinburgh Local Plan area where existing residential character and amenities are to be protected. The site is similarly allocated on the Draft West Edinburgh Local Plan.

Relevant Policies:

North West Edinburgh Local Plan

Policy E5 states that new buildings, in terms of design, materials and landscaping, should make a positive contribution to the overall quality of the environment and regard should be had to their setting and neighbouring development.

Draft West Edinburgh Local Plan

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.

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

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

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **REFUSED AND ENFORCED**

Reasons

1. The proposal is contrary to Non Statutory Guidelines in respect of Daylighting, Privacy and Sunlight, as it results in loss of privacy to neighbours to the detriment of their residential amenity

End



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PLANNING APPLICATION

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**THE CITY OF EDINBURGH COUNCIL
THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY**