

Development Management Sub Committee

Wednesday 23 November 2016

**Application for Planning Permission 16/03486/FUL
At 9 Blackford Road, Edinburgh, EH9 2DT
Alterations to existing garage and form living
accommodation within, as annex to 9 Blackford Road (as
amended).**

Item number	4.1
Report number	
Wards	A15 - Southside/Newington

Summary

The proposal is in accordance with the Edinburgh City Local Plan policies Des 11 (Alterations and Extensions), Env 6 (Conservation Areas - Development), and Env 3 (Listed Buildings - Setting). The proposal is in accordance with the non-statutory Guidance for Householders and the non-statutory Guidance for Listed Buildings and Conservation Areas. The proposal is of an acceptable scale, form and design and will preserve the character and appearance of the conservation area. The proposal will not be detrimental to the character of any nearby listed building, or to its setting. The proposal will not result in an unacceptable loss of neighbouring amenity and no impact on equalities or human rights were identified. There are no material considerations that outweigh this conclusion.

Links

Policies and guidance for this application	LPC, CITD11, CITE6, CITE3, NSHOU, NSLBCA, CRPGRA,
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Report

Application for Planning Permission 16/03486/FUL At 9 Blackford Road, Edinburgh, EH9 2DT Alterations to existing garage and form living accommodation within, as annex to 9 Blackford Road (as amended).

Recommendations

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

Background

2.1 Site description

The application property comprises the western most garage premises within a triple garage, located on the north side of Whitehouse Terrace. The garage building is located to the south of the applicant's main house, 9 Blackford Road.

The existing garage is fronted by an area of concrete, and is bounded to its west by a tall hedge and to the east by a timber fence. A glazed canopy and steel structure project from the south elevation of the rendered garage. The premises are partially screened from the street by a two metre high stone wall and timber gate. A mature tree is located to the north of the garage.

The surrounding area is predominantly residential, typified by substantial stone villas set in extensive garden grounds. The villa to the north west (171 Whitehouse Loan) together with its former stable block (1 Whitehouse Terrace), located immediately to the west of the application property, are category B listed (LB30669, 14 December 1970). This application site is located within the Grange Conservation Area.

2.2 Site History

16 June 2016 - Application to convert existing garage (with access from Whitehouse Terrace) into single storey dwelling, and extend to rear and side withdrawn (application number: 16/01699/FUL).

Main report

3.1 Description Of The Proposal

The application proposes to alter the fenestration of the existing garage. This includes the replacement of the existing garage door on the south elevation with timber framed windows and door. A timber framed door will replace an existing window on the north elevation and a low profile rooflight will be installed on the flat roof.

The use of the existing garage as living accommodation, as an annex to 9 Blackford Road and not as a separate planning unit, does not constitute 'development' as defined under Section 26 of the Town and Country Planning (Scotland) Act 1997 (as amended) and no further assessment of the principle of the use is required.

This application does not propose a material change of use of the building. The assessment of this application relates to the physical alterations that are proposed.

Previous Scheme

The extension has been omitted in the amended proposal.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

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 proposal is of an acceptable scale, form and design and will preserve or enhance the character and appearance of the conservation area;
- b) The proposal will be detrimental to the character of a listed building, or to its setting;
- c) The proposal will result in an unacceptable loss to neighbouring amenity;
- d) The proposal will have an adverse impact on protected trees worthy of retention on or around the application site;
- e) The proposal will have a detrimental impact on parking or road safety;
- f) Any impacts on equalities and human rights are acceptable; and
- g) Any comments raised have been addressed.

a) Scale, form and design and conservation area

The Grange Conservation Area Character Appraisal emphasises:

- the high quality stone built architecture of restricted height enclosed by stone boundary walls;
- the uniformity resulting from the use of local grey sandstone for buildings and boundary walls and Scots slate for roofs;
- the formal and picturesque detached and semi-detached dwellings of generous scale and fine proportions;
- the low density grain of the area; and
- the spacious and uncluttered streetscape.

Edinburgh City Local Plan policy Env 6 - Conservation Areas - Development, requires the character and appearance of the conservation area to be preserved or enhanced. It also requires that materials used are appropriate to the historic environment. In addition, the non-statutory Guidance for Householders advises that extensions and alterations should be architecturally compatible in design, scale and materials with the original house and its surrounding area.

The garage building has a utilitarian character that is not typical of the Grange Conservation Area. The proposed replacement of the existing garage door on the south elevation retains the full height and vertical emphasis of the original vehicle opening. The existing garage door is of no historic or architectural merit. The proposed timber framed windows and doors are of an appropriate material and colour for their context, adjacent to the unaltered brown coloured timber garage door. The proposal does not overwhelm or dominate the original building and its character and appearance will not be adversely changed as a result.

The other proposed fenestration alterations, including new timber framed door on the north elevation and rooflight on the roof, are compatible with the existing building and are acceptable.

The proposed development will be only partially visible from the street, being set back from the road and set behind a two metre high stone wall and timber gate. The proposal will preserve the character and appearance of the conservation area.

The application, as amended, does not propose any extension to the footprint of the existing garage and will therefore not result in the loss of any private amenity space. It is not overdevelopment of the site.

The proposed development will not have a detrimental impact on security of the application site and neighbouring properties.

The proposal is of an acceptable scale, form and design and will preserve the character and appearance of the conservation area. This is in accordance with local plan policy Des 11 - Alterations and Extensions, Env 6, the non-statutory Guidance for Householders, and the Grange Conservation Area Character Appraisal.

b) Adjacent listed building

The proposed development, as amended, will not interrupt key views to or from the adjacent listed building and will not erode any of its key characteristics or any features of special architectural or historic interest which it possesses.

The proposed development, including materials, will not be detrimental to the appearance and character of the adjacent listed building, or to its setting. This is in accordance with local plan policy Env 3 - Listed Buildings - Setting.

c) Neighbouring amenity

The proposal fully accords with the criteria in the 'Guidance for Householders' in relation to the protection of neighbouring amenity.

d) Trees

The application, as amended, does not propose any extension to the footprint of the existing garage.

The proposal will not have an adverse impact on protected trees worthy of retention on or around the application site.

e) Parking and road safety

The application does not propose any alteration to parking or vehicle access at the site.

The proposal will not have a detrimental impact on parking or road safety.

f) Equalities and human rights

An Equalities and Human Rights Impact Assessment has been completed. No impact was identified.

g) Public comments

Material Representations - Objection :

- The proposed development is contrary to local plan policy Env 6 - addressed in section 3.3 (a);
- The proposed development is contrary to local plan policies Des 1 and Des 3 - Des 1 and Des 3 relate to new development and are not relevant for this application. As this application relates to alterations to an existing building the development has been assessed under Des 11 - Alterations and Extensions, rather than Des 1 and Des 3 – addressed in section 3.3 (a);
- The proposed development is contrary to the non-statutory Guidance for Householders - addressed in section 3.3 (a);
- The proposed development is contrary to the Grange Conservation Area Character Appraisal - addressed in section 3.3 (a);
- The proposed development, including fenestration alterations and materials, would be detrimental to the existing building and the conservation area - addressed in section 3.3 (a);

- The proposed development represents overdevelopment of the site and would not provide sufficient private amenity space - addressed in section 3.3 (a); The proposed development will have an unacceptable impact on security - addressed in section 3.3 (a);
- The proposed development would be detrimental to the appearance or character of the neighbouring listed building, or to its setting and is contrary to local plan policies Env 3 - addressed in section 3.3 (b);
- The proposed development will result in a loss of daylight - addressed in section 3.3 (c);
- The proposed development will result in a loss of sunlight - addressed in section 3.3 (c);
- The proposed development will result in the loss of privacy for neighbouring properties - addressed in section 3.3 (c);
- The proposed development will have a damaging impact on trees worthy of retention on or around the proposed development site - addressed in section 3.3 (d); and
- The proposed development will result in the loss of parking spaces and raises road safety concerns - addressed in section 3.3 (e).

Non-Material Representations :

- The proposed development is an attempt to create a separate dwellinghouse and should not be considered as an annexe to 9 Blackford Road as it is not within the original curtilage of the main house. This application does not propose a material change of use of the building. The assessment of this application relates to the proposed alterations only;
- The proposed development does not comply with the minimum floor space requirements. This application does not propose to create a separate dwellinghouse and therefore there is no requirement to meet the minimum floor space requirements;
- The proposed development will set an unacceptable precedent for this part of the Grange. There is no precedent in planning as each application is considered on its own merits;
- The proposed development would require the legal consent from the other owners of the land and adjoining land. This is not a material planning consideration;
- The cost of construction and legal fees means that the development is not cost effective. This is not a material planning consideration;
- The proposed development does not comply with building standards requirements, has no access to mains services, and will result in rainwater run-off from the roof onto neighbouring property. These are not material planning considerations. These concerns would be a matter for the Council's Building Standards function to consider before issuing a building warrant;
- The proposed drawings include errors and inconsistencies. All plans and drawings submitted as part of an application for planning permission should show the application site accurately and to scale. The submitted plans and drawings provided sufficient detail for the determination of this planning application;

- Concern has been raised about potential contamination from a previously removed petrol pump and associated underground storage tank. This application does not propose a material change of use of the building; therefore a contaminated land assessment is not required; and
- The proposed development will have an unacceptable impact on security. This is not a material planning consideration.

Conclusion

In conclusion, the proposal is in accordance with the Edinburgh City Local Plan policies Des 11 (Alterations and Extensions), Env 6 (Conservation Areas - Development), and Env 3 (Listed Buildings - Setting). The proposal is in accordance with the non-statutory Guidance for Householders and the non-statutory Guidance for Listed Buildings and Conservation Areas. The proposal is of an acceptable scale, form and design and will preserve the character and appearance of the conservation area. The proposal will not be detrimental to the character of any nearby listed building, or to its setting. The proposal will not result in an unacceptable loss of neighbouring amenity and no impact on equalities or human rights were identified. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

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. The conversion of the existing garage into living accommodation shall be used solely for purposes incidental to the enjoyment of the dwellinghouse, and for no other purpose.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 26 July 2016 and 13 letters of representation were received, all objecting to the planning application.

A full assessment of the representations can be found in the main report in the Assessment section.

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**

Edinburgh City Local Plan - Urban Area.

Date registered

13 July 2016

Drawing numbers/Scheme

01, 02A, 03A.,

Scheme 2

John Bury

Head of Planning & Transport
PLACE
City of Edinburgh Council

Contact: Peter Martin, Planning Officer
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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.

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

Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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

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

The Grange Conservation Area Character Appraisal emphasises the high quality stone built architecture of restricted height enclosed by stone boundary walls, the uniformity resulting from the use of local grey sandstone for buildings and boundary walls and Scots slate for roofs, the formal and picturesque detached and semi-detached dwellings of generous scale and fine proportions, the low density grain of the area, and the spacious and uncluttered streetscape.

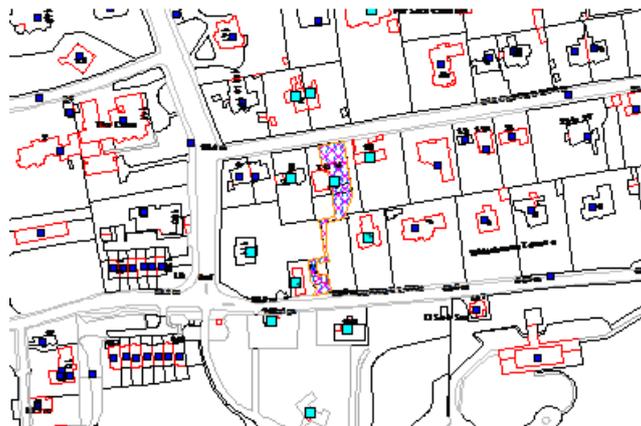
Appendix 1

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At 9 Blackford Road, Edinburgh, EH9 2DT
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amended).**

Consultations

No Consultations received.

Location Plan



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