

DECISION NOTICE AND REPORT OF HANDLING

Application address - 6 Queen's Avenue Edinburgh EH4 2DF

Application Ref. No - 16/04536/FUL

Review Ref No - 17/00002/REVREF

Review Lodged Date 06.01.2017

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Concept Completed Ltd
Fao Aiden Ruthven
6 Queens Avenue
Edinburgh
EH4 2DF

Mr Aidan Ruthven
6 Queens Avenue
Edinburgh
EH4 2DF

Date: **30 November 2016,**

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS
2013**

Install rooflights and dormer on rear elevation.

At 6 Queen's Avenue Edinburgh EH4 2DF

Application No: 16/04536/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 19 September 2016, 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 **Refused** 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;

Conditions:-

Reasons:-

1. The proposed dormer would be a bulky and incongruous addition to the roofscape which would be detrimental to the character of the building and of the neighbourhood. For this reason, the proposal fails to comply with DES 12 of the Local Development Plan.

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

Drawings 01, 02, 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 proposed dormer window is of a design and scale which would have an adverse impact on the character and appearance of the house. The proposal is contrary to local plan policies Des 11 'Alterations and Extensions' and non-statutory 'Guidance

for Householders'. There are no material considerations that outweigh this conclusion and refusal is recommended.

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 Rachel Webster directly on 0131 529 3442.

D R Leslie

David R. Leslie

Acting Head of Planning and Building Standards

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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 16/04536/FUL
At 6 Queen's Avenue, Edinburgh, EH4 2DF
Install rooflights and dormer on rear elevation.

Item	Local Delegated Decision
Application number	16/04536/FUL
Wards	A05 - Inverleith

Summary

The proposed dormer window is of a design and scale which would have an adverse impact on the character and appearance of the house. The proposal is contrary to local plan policies Des 11 'Alterations and Extensions' and non-statutory 'Guidance for Householders'. There are no material considerations that outweigh this conclusion and refusal is recommended.

Links

Policies and guidance for this application LDPP, LDES12, NSG, NSHOU,

Report of handling

Recommendations

1.1 It is recommended that this application be Refused for the reasons below..

Background

2.1 Site description

The property is a two storey, semi-detached house, located on the north east side of Queen's Avenue. The surrounding area is residential in character, with properties of a similar style on the same side of the street and terraced properties opposite.

2.2 Site History

22/10/2016 - Alterations and extension of dwelling house including the installation of decking (as amended) (14/03689/FUL).

Main report

3.1 Description Of The Proposal

The application proposes the formation of a dormer window on the rear elevation roof slope of the house. Works to form new rooflights do not require the benefit of planning permission.

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 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 acceptable scale, form and design and will not be detrimental to neighbourhood character:
- b) the proposal will result in an unreasonable loss of neighbouring amenity.

a. The application proposes the formation of a new dormer window to the rear elevation of the property.

Non statutory Guidance for Householders advises that dormer windows should not dominate the roof form, should not come to the edges of the roof and should be no greater than 33% of the average roof width. On rear elevations which are not publicly visible or not readily visible from public viewpoints a larger dormer may be acceptable where this fits in with the character of the building and surrounding area.

The proposed dormer window will occupy 60% of the roof width, and will meet the ridge line of the roof of the property with no set down included. The large width, and lack of a set down from the ridge line to the dormer would detract from the appearance of the property as a whole and the character of the surrounding area.

The rear elevation of properties on Queen's Avenue are clearly visible from an access lane which runs along the rear boundary of the properties and glimpse views are also found from Seaforth Drive. Dormer windows do not form part of the

established characteristic of the area, with only one example of a dormer found on a similar property style on Forthview Terrace. This dormer is significantly smaller than that proposed at the application site.

A revised scheme was requested to show a smaller dormer which included a set down from the ridge line, but this was not an acceptable solution to the applicant.

The proposed dormer window fails to comply with policy DES 11 of the Edinburgh City Local Plan.

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

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposed dormer would be a bulky and incongruous addition to the roofscape which would be detrimental to the character of the building and of the neighbourhood. For this reason, the proposal fails to comply with DES 12 of the Local Development Plan.

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:

The application has been assessed and has no impact in terms of equalities or human rights.

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

No representations have been received.

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 Local Development Plan - urban area.

Date registered 19 September 2016

Drawing numbers/Scheme 01, 02

Scheme 1

Acting Head of Planning and Building Standards

Contact: Rachel Webster, Planning officer
E-mail: rachel.webster@edinburgh.gov.uk Tel: 0131 529 3442

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Des 12 (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.

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