

**DECISION NOTICE AND REPORT OF HANDLING**

Application address - 4C Wardie Crescent Edinburgh EH5 1AG

Application Ref. No - 16/03172/FUL

Review Ref No - 16/00124/REVREF

Review Lodged Date 13.12.2016

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Les McCaskey  
18A Rothesay Place  
Edinburgh  
EH3 7SQ

Mr Cameron Watson.  
4C Wardie Crescent  
Edinburgh  
EH5 1AG

Date: **26 September 2016,**

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

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

Proposed roof conversion and extension to side/ rear of property and garage.

At 4C Wardie Crescent Edinburgh EH5 1AG

**Application No:** 16/03172/FUL

## DECISION NOTICE

With reference to your application for Planning Permission registered on 24 June 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 form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious.

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

Drawings Drawings 01 to 07., 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 form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious. The proposal does not comply with local

plan policy or non-statutory guidance and there are no material planning considerations which would justify approval.

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 Val Malone directly on 0131 529 3485.

*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](mailto: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 16/03172/FUL  
At 4C Wardie Crescent, Edinburgh, EH5 1AG

**Proposed roof conversion and extension to side/ rear of property and garage.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/03172/FUL
<b>Wards</b>	A04 - Forth

## Summary

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The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious. The proposal does not comply with local plan policy or non-statutory guidance and there are no material planning considerations which would justify approval.

## Links

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**Policies and guidance for this application** CITD11, NSHOU,

# Report of handling

## Recommendations

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

## Background

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### 2.1 Site description

The application site is one of a pair of detached, one and a half storey modern houses to the north of No. 4 Wardie Crescent, Edinburgh. They are known as 4B and 4C Wardie Crescent and have been built on land previously associated with 4 Wardie Crescent, a substantial two storey villa now sub-divided into two flats. The surrounding area is predominantly residential.

4B and 4C are accessed by a driveway to the east of No 4 Wardie Crescent and each has an integral garage plus a paved area for parking in front of the houses. There is also a paved parking area on the eastern boundary and 4 Wardie Crescent has an attached garage block. The southern gable of 4C and the northern gable of 4B are in very close proximity.

4B and 4C have open elevations onto the access drive, and each have a small area of grass to the front of the properties. 4C has enclosed garden areas to the west and north and what may be a later glazed conservatory on the western elevation.

Immediately to the north of the application site is a terrace of flatted properties on Wardie Dell, with the boundary being the stone wall and fence referred to in the History section. To the west is the substantial stone villa at 6 Wardie Crescent with its later house in the rear garden. The boundary to this property from the application site is a stone wall and high hedge. To the east is another terrace of flats on Wardie Dell and the application site adjoins a garage forecourt and access serving those flats. The boundary to this is formed by a stone wall, fence and vegetation.

## 2.2 Site History

3 June 1987 planning permission granted for two semi-detached houses in the rear garden of No 4 Wardie Crescent (0730/87). Permitted development rights for the extension or external alteration of the properties were removed

11 November 1987 planning permission granted for a revised form of these two semi-detached houses (n the rear garden of No 4 Wardie Crescent (2099/87). Permitted development rights for the extension or external alteration of the properties were removed.

19 March 2013 enforcement investigation in relation to the erection of a fence of over 2 metres in height was closed, (12/00290/EOPDEV). No action was expedient or justifiable.

## Main report

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### 3.1 Description Of The Proposal

The application proposes the conversion of the pitched roof on the southern elevation to form a flat roofed, two-storey extension on the southern and western elevations. This would incorporate the area of the existing conservatory on the west elevation and the existing entrance porch. The sides of the extension would have vertical timber cladding at first floor level and rendered walls at ground floor level.

A virtually two storey glazed feature (including a new glazed front door) would be created at the corner of the south and east elevations. The south elevation would have two narrow windows on both the ground and first floors and a set of full height glazed windows at ground level at the western end. The northern elevation would have a set of full height glazed windows at ground level and a window at first floor level. The eastern elevation would have another a set of full height glazed windows at ground level and a window at first floor level.

A new garage would be constructed on the eastern elevation with flat roof and pitched, tiled roof planes on the north and south elevations and rendered walls.

It is proposed to convert the existing integral garage to form habitable accommodation and make a number of internal alterations; these would not be development as defined in terms of Section 26 of the Town and Country Planning (Scotland) Act 1997, as amended. The substitution of a set of windows for the existing garage doors and the conversion of a door to a window on the northern elevation would be "permitted development" in terms of Class 2B of the Town and Country Planning (Scotland) (General Permitted Development) (Scotland) Order 1992, as amended.

### **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 proposed scale, form and design is acceptable and will accord with neighbourhood character;
- (b). The proposal will cause an unreasonable loss to neighbouring amenity;
- (c). Any impacts on equalities or human rights are acceptable;
- (d). Any comments raised have been addressed.

(a). The proposed extensions would add 44 square metres to the footprint of the dwelling; this equates to 33.8% of the plot being in built form as opposed to the current 24.4%. The proposal would not therefore represent over-development of the plot and its scale would otherwise be acceptable. The form and design of the proposal is, however, out of keeping with this modest dwelling with quite steeply pitched roofs. The original design concept of this backland development is of two modest dwellings set in the rear garden ground of a Victorian villa. This application, as proposed, would negate this balance and introduce a very discordant new dwelling form. The proposal adds a very large amount of new glazing, and a two-storey glazed feature, which is out of keeping with the original form and the glazed element would become an overly dominant feature. The introduction of extensive flat roofed elements is, likewise, incongruous and obtrusive. The design and form of the extensions bear no relation to that of the original dwelling, which would become overwhelmed. The original modest dwelling is not capable of absorbing this type of extension and there would be no harmony in form and appearance. The proposal is not of an acceptable form or design, would be detrimental to neighbourhood character and would not comply with local plan policy Des 11 or the non-statutory "Guidance for Householders".

(b). There would be no effect on daylight to windows in any adjoining properties and any effect on sunlight or overshadowing would be contained within the host property, complying with these criteria in the non-statutory "Guidance for Householders". With respect to the privacy criterion in this guidance, new windows on the north and east elevations would meet the required distances to boundaries; those on the eastern elevation would marginally fail but the existing stone boundary wall and hedge afford screening. The new windows on the southern elevation do not meet this criterion but the adjoining property provides a blank gable onto this elevation. The proposal would not result in an unreasonable loss of neighbouring amenity.

(c). There would be no impact on equalities and human rights.

(d). The public comments can be addressed as follows:

Loss of daylight and sunlight to flatted properties to the north; this is stated as a particular concern as this block is at a lower level than surrounding properties - using the methodology in the "Guidance for Householders", it has been established that this would not be the case and this is addressed in (b), above.

Loss of privacy to flatted properties to the north, in both habitable accommodation and garden areas - the additional windows on the north elevation are set back from the building line to the north and meets the privacy criterion in the "Guidance for Householders; this is addressed in (b), above.

Overdevelopment of the plot - this is addressed in (a), above.

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

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious.

### **Risk, Policy, compliance and governance impact**

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**4.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

### **Equalities impact**

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#### **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**

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### **6.1 Pre-Application Process**

There is no pre-application process history.

### **6.2 Publicity summary of representations and Community Council comments**

Representations have been received from three parties, raising the following:

Material planning considerations.

Loss of daylight and sunlight to flatted properties to the north; this is stated as a particular concern as this block is at a lower level than surrounding properties.

Loss of privacy to flatted properties to the north- in both habitable accommodation and garden areas.

Overdevelopment.

### **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**David R. Leslie**

**Statutory Development**

**Plan Provision** The application site is identified as being within the "urban area" in the adopted Edinburgh City Local Plan.

**Date registered** 24 June 2016

**Drawing numbers/Scheme** Drawings 01 to 07.

Scheme 1

Acting Head of Planning and Building Standards

Contact: Val Malone, Senior planning officer  
E-mail:val.malone@edinburgh.gov.uk Tel:0131 529 3485

**Links - Policies**

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**Relevant Policies:**

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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

## Appendix 1

### Consultations

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No consultations undertaken.

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## Comments for Planning Application 16/03172/FUL

### Application Summary

Application Number: 16/03172/FUL

Address: 4C Wardie Crescent Edinburgh EH5 1AG

Proposal: Proposed roof conversion and extension to side/ rear of property and garage.

Case Officer: Val Malone

### Customer Details

Name: Mr Ronald Robb

Address: 23 Wardie Dell Edinburgh

### Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The extension will overlook our garden and two bedrooms in our property and has a proposed upper north facing window looking directly into these bedrooms, therefore I am objecting on the basis of privacy and overshadowing. There is overdevelopment in this area and we are becoming very closed in as the properties from 17 to 25 Wardie Dell are sited at a lower level than the surrounding properties with previous developments causing a big impact overshadowing our gardens and sunlight from the West with this development going to overshadow and block sunlight from the South.

# Comments for Planning Application 16/03172/FUL

## Application Summary

Application Number: 16/03172/FUL

Address: 4C Wardie Crescent Edinburgh EH5 1AG

Proposal: Proposed roof conversion and extension to side/ rear of property and garage.

Case Officer: Val Malone

## Customer Details

Name: Mrs Moira MacDonald

Address: 19 Wardie Dell Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the proposed planning at 4c Wardie Crescent, Edinburgh EH5 1AG as strongly feel the building will impose on 17 - 25 Wardie Dell properties.

Please note that this house is located very near to our houses and is elevated therefore any extension will appear a lot taller from our view.