

DECISION NOTICE AND REPORT OF HANDLING

Application address - 35 The Glebe Kirkliston EH29 9AS

Application Ref. No - 16/04926/FUL

Review Ref No - 17/00025/REF

Review Lodged Date 06.03.2017

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Mr Kenneth Gibson
35 The Glebe
Kirkliston
EH29 9AS

Date: **8 December 2016**,

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

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

Build a two storey extension to the side of the existing house, single storey extension to the front and new driveway.

At 35 The Glebe Kirkliston EH29 9AS

Application No: 16/04926/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 11 October 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;

1. This permission relates to the proposed front extension.
2. This refusal relates to the two storey side extension and driveway.

Reasons:-

1. In order to recognise which elements of the proposals are recommended for approval.
2. The proposal is contrary to the Local Development Plan Policy Des 12, and the non-statutory Guidance for Householders, in respect of Alterations and extensions, as the side extension is not of an acceptable scale and design, and is detrimental to the character and appearance of the house and surrounding area.
3. Insufficient information has been submitted in order for a full assessment of the driveway to be made in respect of road safety and its acceptability in terms of its visual impact and impact on neighbouring residential amenity.

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

Drawings 01-04, 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 side extension does not comply with the development plan or the non statutory guidance, as it is not of an acceptable scale and design, and is detrimental to the character and appearance of the house and surrounding area.

Insufficient information has been submitted in order for a full assessment of the driveway to be made in respect of road safety and its acceptability in terms of its visual impact and impact on neighbouring residential amenity.

The proposed front extension complies with the development plan and the non statutory guidance. It is acceptable in terms of scale, form and design and will not have any detrimental impact on neighbouring residential amenity.

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 Craig Meikle directly on 0131 529 3512.



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 \(https://eplanning.scotland.gov.uk/WAM/\)](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 16/04926/FUL

At 35 The Glebe, Kirkliston, EH29 9AS

Build a two storey extension to the side of the existing house, single storey extension to the front and new driveway.

Item	Local Delegated Decision
Application number	16/04926/FUL
Wards	A01 - Almond

Summary

The proposed side extension does not comply with the development plan or the non statutory guidance, as it is not of an acceptable scale and design, and is detrimental to the character and appearance of the house and surrounding area.

Insufficient information has been submitted in order for a full assessment of the driveway to be made in respect of road safety and its acceptability in terms of its visual impact and impact on neighbouring residential amenity.

The proposed front extension complies with the development plan and the non statutory guidance. It is acceptable in terms of scale, form and design and will not have any detrimental impact on neighbouring residential amenity.

Links

**Policies and guidance for
this application**

LDPP, LDES12, NSG, NSHOU,

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Report of handling

Recommendations

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

Background

2.1 Site description

The application property is a two storey house, forming part of a stepped terrace of four on the west side of The Glebe, Kirkliston.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The application proposes the erection of a two storey side extension, with a single storey front extension. The proposal would be finished in a render finish to match the colour of the existing walls.

Planning permission is also sought for a driveway to the front of the extension.

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) Scale, form, design and neighbourhood character
- b) the proposal will cause an unreasonable loss to neighbouring amenity;
- c) any impacts on equalities or human rights are acceptable; and
- d) any comments raised have been addressed.

a) Scale, form, design and neighbourhood character

The Non Statutory Guidance for Householders stipulates that extensions should not overwhelm or dominate the original form or appearance of a house. It should also not detract from the character of the surrounding area. Furthermore, with regard to side extensions the guidance notes that side extensions should be set behind the building line so that there is clear definition between the new design and existing building.

In design terms, the proposed side extension is significant extension that is not subservient to the existing house. Contrary to guidance, there is no clear definition between the extension and the existing house with the result that it harms the appearance of the house.

In terms of the neighbourhood character, the area of land which the extension will be sited on, is an area of open space that the neighbouring properties to the south look onto. This area of land acts as a buffer between No.35 and the properties to the

south. The landscaped area softens the appearance of the terrace and adds to the character of the area. The proposed extension, by virtue of its significant scale, will bring it in close proximity to No.34 The Glebe, and would have an overbearing impact on the immediate outlook of the occupiers of the property.

The front porch will be of a modest scale on the front elevation. The proposal would not have a detrimental impact on the existing character of the dwelling as the materials would closely match the appearance of the existing dwelling house. The proposal would not have an adverse impact upon visual amenity or character of the existing area.

Insufficient information has been submitted in order for a full assessment of the proposed driveway with respect to proposed materials, dimensions, means of draining the driveway, no boundary treatment provided such as gates, fence etc.

Overall, the proposed side extension is of an unacceptable scale, form and design and will be detrimental to neighbourhood character, contrary to Policy Des 11. The proposed front extension is acceptable.

b) Neighbouring amenity

In terms of privacy, the Non Statutory Guidance for Householders requires that all new windows are located at least 18m from an existing window or 9m from a common boundary. To the rear, the proposed upper floor doors and windows would be within 9 metres of the boundary. That being said, the openings would face towards a public footpath, or gardens which are already overlooked, and therefore there would be no material loss of privacy.

The proposed windows on the front elevation of the extension and porch would overlook The Glebe which is a public road, and would not directly face any private spaces. Therefore it would not result in an unreasonable loss of privacy to neighbouring properties

In terms of daylighting the proposed extensions comply with the non-statutory Guidance for Householders and will not cause an unreasonable loss of daylight into neighbouring properties.

The extension, due to its siting will not affect sunlight into or cause overshadowing of adjoining properties. The proposal complies with the non-statutory Guidance for Householders.

Based on the above, the proposal accords with the Adopted Edinburgh Local Development Plan and broadly accords with the Non Statutory Guidance for Householders with regard to neighbouring amenity.

c) Equalities and human rights

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

d) Public comments

No comments were received.

CONCLUSION

In conclusion, the proposed front extension do not adversely affect the character and appearance of the house or surrounding area and are acceptable. However, the proposed side extension is unacceptable. A mixed decision is therefore recommended. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. This permission relates to the proposed front extension.
2. This refusal relates to the two storey side extension and driveway.

Reasons:-

1. In order to recognise which elements of the proposals are recommended for approval.
2. The proposal is contrary to the Local Development Plan Policy Des 12, and the non-statutory Guidance for Householders, in respect of Alterations and extensions, as the side extension is not of an acceptable scale and design, and is detrimental to the character and appearance of the house and surrounding area.
3. Insufficient information has been submitted in order for a full assessment of the driveway to be made in respect of road safety and its acceptability in terms of its visual impact and impact on neighbouring residential amenity.

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 letters of representation were received.

Background reading / external references

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

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David R. Leslie

Statutory Development

Plan Provision Adopted Edinburgh Local Development Plan

Date registered 11 October 2016

Drawing numbers/Scheme 01-04

Acting Head of Planning and Building Standards

Contact: Craig Meikle, Planning Officer
E-mail: craig.meikle@edinburgh.gov.uk Tel: 0131 529 3512

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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