

# Development Management Sub Committee

Wednesday 13 December 2017

**Application for Planning Permission 17/04163/FUL  
At 30 - 30A Inverleith Terrace, Edinburgh, EH3 5NU  
Restore original villa by combining two flats including  
alterations and extension to side and rear.**

<b>Item number</b>	4.5
<b>Report number</b>	
<b>Wards</b>	B05 - Inverleith

## Summary

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The proposal is in accordance with the Edinburgh Local Development Plan policies Des 12 (Alterations and Extensions) and Env 6 (Conservation Areas - Development). The proposal is in accordance with the non-statutory Guidance for Listed Buildings and Conservation Areas. The proposal represents a minor infringement of the non-statutory Guidance for Householders which is acceptable in this instance. The proposal is of an acceptable scale, form and design and will preserve the character and appearance of the Inverleith Conservation Area. 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

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<a href="#">Policies and guidance for this application</a>	LDPP, LDES12, LEN06, NSG, NSHOU, NSLBCA, CRPINV,
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# Report

## **Application for Planning Permission 17/04163/FUL At 30 - 30A Inverleith Terrace, Edinburgh, EH3 5NU Restore original villa by combining two flats including alterations and extension to side and rear.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application property is a two storey semi-detached stone built villa, located on the south side of Inverleith Terrace. There are existing single storey outshot extensions, attached to the rear elevation. There is a non-original external staircase attached to the side elevation, and a detached garage positioned to the side and rear of the main building.

The property has a large garden that is bounded to the south by the Water of Leith. The surrounding area is characterised by large residential properties, and the Royal Botanic Gardens lies to the north.

This application site is located within the Inverleith Conservation Area.

#### **2.2 Site History**

08 September 2017 - Planning application to restore original villa by combining two flats including alterations and extension to side and rear, withdrawn (reference: 17/03030/FUL).

### **Main report**

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#### **3.1 Description Of The Proposal**

The application proposes a number of alterations and extensions, including:

- The reunifying of two flats into a single dwellinghouse;
- Side and rear extension, including a two storey element;
- Fenestration alterations to the existing building;
- Reconfiguration of hard and soft landscaping within the front, side and rear garden;
- Formation of a new retaining wall and levelling of rear garden ground; and
- Widening of the existing vehicle access and replacement of the existing gate.

The existing outshot extensions, external staircase, and detached garage are all to be removed to facilitate the development.

### Supporting Statement

This application includes a supporting statement. The supporting statement is available to view on the Planning and Building Standards online services.

### **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 result in an unacceptable loss to neighbouring amenity;
- c) The proposal will have an adverse impact on key views;
- d) Any impacts on equalities and human rights are acceptable; and
- e) Any comments raised have been addressed.

#### a) Scale, form and design and conservation area

*The Inverleith Conservation Area is characterised by extensive blocks of public and private open space bounded by areas of Georgian and Victorian villas, with key views southwards towards the city skyline providing a distinctive setting.*

The Edinburgh Local Development Plan (LDP) Policy Des 12 advises that planning permission will be granted for alterations and extensions to existing buildings which in their design and form, choice of materials and positioning are compatible with the character of the existing building, and will not be detrimental to neighbourhood amenity and character. LDP Policy Env 6 highlights the importance of preserving or enhancing the character and appearance of conservation areas and that the design and materials used are appropriate to the historic environment.

The proposed extension is of a contemporary design that will sit comfortably within the side and rear elevations of the application property. The proposal, set back from the front elevation, is sympathetic in design terms and does not overwhelm or dominate the original house and its character and appearance will not be adversely changed as a result. The proposal involves the removal of a number of poor quality, unsympathetic and ad-hoc alterations and additions to the application property, to be replaced by a single design concept. The design approach will result in minimal disruption to any architectural or historical features of merit. The two-storey element of the design, introduces a sharp and contemporary feature in contrast to the host building. This part of the proposal extends slightly beyond the line of the existing gable but is set well back from the front building line, which in turn is set back from the road. Subsequently, the proposal does not significantly alter the appearance of the property from the street.

It is acknowledged that the contemporary two-storey element is not characteristic of the Inverleith Conservation Area as a whole. However, there are examples of comparable extensions within the same street, including a very similar contemporary two-storey element at 32 Inverleith Terrace. The proposed design approach represents a high quality, modern design that maintains respect for the historic character of the host building and the conservation area. The proposal, by way of its scale and set back, will maintain the existing rhythm of the street, preserving the open and spacious character of the street and surrounding area. The layout and scale of this proposal is in keeping with the spatial pattern of the surrounding area, and when considering multiple such developments in close proximity, the proposal will not have a negative cumulative effect on the character of the conservation area. The proposed development will not result in the erosion of the character and appearance of this part of the conservation area.

The proposed development includes a high quality palette of traditional and contemporary natural materials. The use of zinc, in this instance, provides a suitable contrast to the original building and represents a good quality modern addition and is acceptable. All other proposed materials are compatible with the application property and the Inverleith Conservation Area, ensuring that the historic character of the host building remains legible.

The proposed fenestration alterations to the existing building will use appropriate high quality materials and detailing and are acceptable.

The proposed reconfiguration of hard and soft landscaping, the widening of an existing vehicle access and the replacement of the existing gate are all compatible with the application property and the surrounding area. Likewise, the formation of a new retaining wall and levelling of the rear garden ground will not have a detrimental impact on the application property or the surrounding area.

For villa properties, the non-statutory Guidance for Householders advises that total site coverage of the new and existing building should not exceed 1.5 times the original villa. Maximum site coverage of all buildings, garages, parking and access driveways should not exceed 40% of the site area. The resultant development (including all buildings and all hard surfaces) would cover approximately 500 square metres, equating to forty nine percent of the site area. Whilst it is acknowledged that the proposed development is relatively large in terms of its footprint and does breach the guidance for extensions to villas, the proposal involves the removal of a number of non-original and unsympathetic additions to the application property, to be replaced by a single design concept. In addition, the application proposes a reconfiguration of hard and soft landscaping on site that will provide a generous portion of undeveloped private amenity space for the occupiers. The application does not represent overdevelopment in this instance and a minor infringement of the non-statutory guidance is justified.

The proposed development is of a contemporary design that clearly reflects the change in the building's narrative and will not be detrimental to the character and appearance of the building. 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 LDP policies Des 12 and Env 6.

#### b) Neighbouring amenity

The development satisfies the criterion in the non-statutory Guidance for Householders in respect of daylight and sunlight to neighbouring properties.

With regard to privacy, all proposed windows are in compliance with the requirements of the non-statutory Guidance for Householders.

The proposed two storey element of the extension includes a Juliette-style balcony. However, the depth of the balcony would not allow for a formalised outdoor sitting area that could have a detrimental impact on neighbouring residential amenity in terms of noise and privacy. In addition, this part of the extension has been designed with screen walls to prevent any overlooking.

The proposal will not result in an unreasonable loss of neighbouring amenity and accords with LDP policy Des 12 and complies with the Non-statutory Guidance for Householders.

#### c) Key views

An objection was raised that the development will have a negative effect on the public views from the street and roads and footpaths to the south. The application site is within the protected view cones (view no. N3a, N3b, N3c and N3d) from the Botanic Gardens. However, the height of the proposed development will remain below that of the main building and will not adversely affect key views across the city.

The proposal will not have an adverse impact on key views.

d) Equalities and human rights

This application was assessed in terms of equalities and human rights. No impact was identified. An Equalities and Human Rights Impact Assessment has been completed.

e) Public comments

**Material Representations - Support :**

- The proposed development represents a quality addition to a rundown house - addressed in section 3.3 (a);
- The visual impact from the street would be neutral - addressed in section 3.3 (a); and
- The proposed development would be a good addition for the street and conservation area - addressed in section 3.3 (a).

**Material Representations - Objection :**

- The proposed development in contrary to Edinburgh Local Development Plan Policies Des 12, Env 6, Des 1, Des 4 and Des 5 - addressed in section 3.3 (a) and (b). LDP Policies Des 1, Des 4, and Des 5 relate to new development and are not relevant for this application;
- The proposed development in contrary to the Inverleith Conservation Area Character Appraisal - addressed in section 3.3 (a);
- The proposed development in contrary to the Scottish Government's Historic Environment Policy (SHEP). LDP Policies accord with SHEP - addressed in section 3.3 (a);
- The proposed development does not accord with the aim to protect the city's heritage for future generations - addressed in section 3.3 (a);
- The proposed development does not preserve or enhance the special character and appearance of the conservation area - addressed in section 3.3 (a);
- The proposed development, including design, materials and fenestration, will be detrimental to the appearance and symmetry of the semi-detached building - addressed in section 3.3 (a);
- The scale, massing and density of the proposed development is unacceptable - addressed in section 3.3 (a);
- The proposed development would almost double the footprint of the existing building - addressed in section 3.3 (a);
- The proposed development would erode the open and spacious character of the street and surrounding area - addressed in section 3.3 (a);
- The proposed development will have a negative effect on the public views from the street and roads and footpaths to the south - addressed in section 3.3 (c);
- The proposed development will be detrimental to neighbouring amenity - addressed in section 3.3 (b); and
- The proposed development will result in an unacceptable loss of privacy for neighbouring properties - addressed in section 3.3 (b).

## **Non-Material Representations :**

- The fact that similar large extensions have been allowed elsewhere on the street should not set a precedent for approval. There is no precedent in planning, each planning application is considered on its own merits; and
- The proposed development will result in the loss of outlook/views from private property. There is no right to a view across someone else's property simply because they had not chosen to develop it in the past.

## **Conclusion**

In conclusion, the proposal is in accordance with the Edinburgh Local Development Plan policies Des 12 (Alterations and Extensions) and Env 6 (Conservation Areas - Development). The proposal is in accordance with the non-statutory Guidance for Listed Buildings and Conservation Areas. The proposal represents a minor infringement of the non-statutory Guidance for Householders which is acceptable in this instance. The proposal is of an acceptable scale, form and design and will preserve the character and appearance of the Inverleith Conservation Area. 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.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

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

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

## **Equalities impact**

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### **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**

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### **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**

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### **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 25 September 2017 and eight letters of representation were received, seven objecting to the planning application and one in support. These included comments from Stockbridge and Inverleith Community Council, objecting to the planning application on grounds of design, effect on the conservation area and public views.

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

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

Edinburgh Local Development Plan.

**Date registered**

8 September 2017

**Drawing numbers/Scheme**

01-06,

Scheme 1

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PLACE

The City of Edinburgh Council

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**Links - Policies**

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**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.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

**Relevant Non-Statutory Guidelines**

**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 Inverleith Conservation Area Character Appraisal** emphasises the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. The villa streets are complemented by a profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials.

# Appendix 1

**Application for Planning Permission 17/04163/FUL  
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## Consultations

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No Consultations received.

## Location Plan

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