

Development Management Sub Committee

Wednesday 24 January 2018

**Application for Planning Permission 17/03911/FUL
At 3 Inverleith Place Lane, Edinburgh, EH3 5QJ
Proposed construction of roof level room with areas of sliding glass panels, frameless glass balustrades, external terrace and privacy screen. Proposed introduction of new internal link stair suspended over existing staircase at first floor level.**

Item number	4.4
Report number	
Wards	B05 - Inverleith

Summary

The proposal does not comply with the Local Development Plan and non-statutory guidance and is not acceptable. It would have an adverse impact on the architectural integrity of the house and the character and appearance of the conservation area. There are no material considerations upon which to justify granting planning permission.

Links

Policies and guidance for this application	LDES12, LEN06, NSHOU, NSLBCA, CRPINV, CRPINV,
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Report

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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, flat roofed mews house on the north side of Inverleith Place Lane. Inverleith Place Lane features a mix of house types along its north side, mostly of a mews style, with none exceeding two storeys in height. Pitched or sloping roofs predominate. The application property is one of the few flat roofed buildings on the north side of the street, the other examples being single storey garages.

The application property backs onto the rear gardens of tenements on Inverleith Place.

This application site is located within the Inverleith Conservation Area.

2.2 Site History

14 February 2008 - planning permission was granted for replacement windows and alterations to doors, (application number 08/00096/FUL).

Main report

3.1 Description Of The Proposal

Planning permission is sought for the addition of a flat roofed box extension on the existing flat roof, set towards the front elevation of the building. The extension will measure 9.7metres (m) wide by 3.3m deep and will extend 2.5m above the existing roof level. The extension will be metal clad to the rear and sides, while the front will be glazed with sliding doors and a frameless balustrade.

A supporting statement has been submitted which sets out site information, daylight information, and a justification of the proposal in planning terms.

The proposed internal stair at first floor level does not constitute development and requires no further assessment.

This is available to view on the Planning and Building Standards Portal.

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) there is any adverse impact on the character and appearance of the conservation area or on that of the existing house;
- b) there is any adverse impact on neighbouring amenity;
- c) public comments have been addressed; and
- d) equalities and human rights impacts have been addressed.

a) Impact on the character and appearance of the conservation area

The Inverleith Conservation Area Character Appraisal (ICACA) states that two of the key elements of the conservation area are the variety of architectural styles and forms which contribute to its overall character, and the common palette of traditional, natural materials which give the area a sense of uniformity.

LDP policy Env 6 seeks to preserve or enhance the special character or appearance of the conservation area, including boundary walls, railings and other features which contribute positively to the area's character. LDP policy Des 12 aims to ensure that alterations and extensions to buildings will be compatible with the building and not detrimental to neighbourhood character and amenity. Non-statutory guidance in relation to Listed Buildings and Conservation Areas and to Householders seeks to ensure that development is compatible with both the building subject of the proposal and the character and appearance of the surrounding area. The application building is a mews house, built from sandstone, with a painted gable elevation and timber windows to the front. The building has a solid and generally plain exterior, and makes a positive contribution to the area and the specific character of the lane. There is an ornamental railing along the western edge of the roof.

The lane's character is created, to a significant degree, by the relatively low height of the buildings. These range from the single storey garages to two storey buildings, such as the application property. The uniformity in building form is further supported through the muted palette of materials of the buildings, creating an understated and unassuming streetscape.

The creation of a third storey on the building would disrupt the relative consistency of building scale, with the extension creating an over-dominant feature, exacerbated by its contemporary styling and materials. Although contemporary additions to buildings can create innovative development, the prominent location of the proposal would not form a sympathetic addition to the building.

The proposed addition of a box extension on the roof would not be compatible with the character of the house or street. It would disrupt the uniformity of the two storey houses along the north side of Inverleith Place Lane, through its prominent and incongruous styling and use of modern and stark materials. It would create an unsympathetic visual focal point when viewed from the higher tenements on Inverleith Place, and it would harm the character and appearance of the Inverleith Conservation Area.

The proposal fails to comply with the policies Env 6 (Conservation Areas - Development) and Des 12 (Alterations and Extensions), non-statutory guidance - Listed Buildings and Conservation Areas and non-statutory guidance - Householders, as it does not demonstrate a high standard of design, fails to take account of the character of not only the application property, but also other two storey buildings in Inverleith Place Lane and would not preserve the character and appearance of the conservation area.

b) Impact on neighbouring amenity

The proposed extension would not result in any overshadowing of neighbouring windows or garden ground. The extension would satisfy the council's 25 degree overshadowing test for windows, and the extension would only overshadow the roof of the application property. There would be no loss of privacy, as the only windows are to the front which overlook the street and the Botanic Gardens.

c) Public comments have been addressed

Material representations in objections

- The proposal is out of character with the existing house. This has been addressed in part 3.3(a);
- The proposal would harm the character and appearance of the conservation area. This is addressed in part 3.3(a);
- There would be a loss of privacy as a result of the development. This has been addressed in part 3.3(b); and
- There would be loss of sunlight as a result of the development. This has been addressed in part 3.3(b).

Non-material representations in objections

- Liability for repairs/ownership of land. These are not planning matters;
- Loss of view. The planning system does not seek to protect private views;
- What type of insulation is proposed? This is not a planning matter;
- This application will set a precedent. There is no precedence in the planning system. Each application is determined on its own merits;
- The aerial view will be compromised. When determining the impact of a development on the character or appearance of a conservation area, aerial views do not form part of the consideration;
- Storage of building materials in the street if planning permission were granted. This is controllable under other statutory mechanisms;
- The building ought not to be built on due to a lack of foundations. This is a matter for consideration as part of an application for building warrant;
- Noise from the house. The application is for operational development, not for change of use. No change of use of the house is proposed, and residential use is not considered to be a noise problem per se. Domestic noise is controllable through other statutory mechanisms; and
- The drawings cannot be accurate, as the agent could not access land. The council is satisfied that the drawings are sufficient to determine the application for planning permission.

Material comments in support

- The proposed extension complies with guidance. The assessment of the application is in part 3.3(a);
- The proposed extension will be compatible with the character and appearance of the conservation area. The assessment of the application is in part 3.3(a);
- The proposal is "thoughtfully and sensitively designed". The assessment of the application is in part 3.3(a);
- There will be no overlooking. The assessment of amenity is in part 3.3(b); and
- The extension only covers 25% of the roof. The assessment of the application is in part 3.3(a).

d) Equalities and human rights impacts have been addressed

This application has no impact in terms of equalities and human rights.

Conclusion

The proposal does not comply with the Local Development Plan and non-statutory guidance. It would have an adverse impact on the appearance of the house and would fail to preserve the character and appearance of the conservation area, contrary to policies Env 6, Des 12, non-statutory guidance - Listed Buildings and Conservation Areas and non-statutory guidance - Householders. There are no material considerations upon which to justify granting planning permission.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as the design and form, choice of materials and positioning will not be compatible with the character of the building.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as it will fail to preserve the character and appearance of the Inverleith Conservation Area
3. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as they would create an unsympathetic and visually prominent addition, to the detriment of the character and appearance.
4. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they would form an over-dominant and disruptive addition, to the detriment of the building's architectural composition.

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 22.9.2017.

In total, 43 representations have been received. Of these, 19 are in objection and 24 are in support. The matters raised are addressed in part 3.3.

Background reading/external references

- 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

The site is located within an Urban Area, as set out within the Edinburgh Local Development Plan.

Date registered

22 August 2017

Drawing numbers/Scheme

01 - 05,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Mark Dunlop, Planning Officer

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Links - Policies

Relevant Policies:

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.

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.

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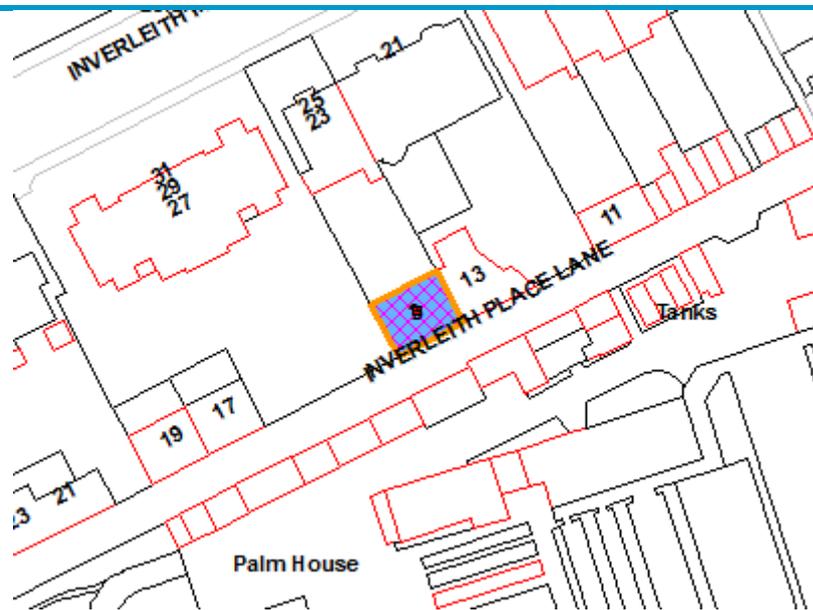
Appendix 1

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Consultations

No consultations undertaken.

Location Plan



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