

Development Management Sub Committee

Wednesday 25 April 2018

Application for Planning Permission 18/00095/FUL At 16 Barnton Park View, Edinburgh, EH4 6HJ Create Enclosure (in retrospect)

Item number	4.2
Report number	
Wards	B01 - Almond

Summary

The development does not comply with the development plan or non-statutory guidance in respect of its design quality, scale and materials and has an adverse effect on the character and appearance of the surrounding area.

Links

[Policies and guidance for this application](#) LDPP, LDES01, LDES12, NSG, NSHOU,

Report

Application for Planning Permission 18/00095/FUL At 16 Barnton Park View, Edinburgh, EH4 6HJ Create Enclosure (in retrospect)

Recommendations

- 1.1 It is recommended that this application be Refused and Enforced subject to the details below.

Background

2.1 Site description

The application property is a two storey detached dwelling house with garden ground to the front and rear located on the north side of Barnton Park View.

The property has a garage to the east side of the house. The front garden area is partially hard surfaced driveway whilst the rear garden is of a generous size and soft landscaped.

The property is characteristic of those on the north side of the street.

2.2 Site History

12 October 2015 - Planning permission granted for alterations and an extension to the existing dwelling and the erection of a single storey double garage (application number: 15/03399/FUL).

Main report

3.1 Description Of The Proposal

The application is in retrospect for the erection of a low stone wall approximately one metre high with a cedar horizontal panelled fence atop taking the structure to approximately 1.8m high.

The structure delineates the western, southern and eastern boundaries at the front of the house.

It replaces a low buff coloured facing brick wall with a metal railed fence atop with an overall height of approximately one metre.

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, the Committee needs to consider whether:

- (a) the proposed scale, design and materials are acceptable;
- (b) the proposal is detrimental to the amenity of neighbours;
- (c) representations raise issues to be addressed; and
- (d) other matters.

(a) Scale, Design and Materials

Policy Des 1 of the adopted Edinburgh Local Development Plan in relation to Design Quality and Context states that *planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.*

Non-statutory 'Guidance for Householders' requires walls and fences to the street frontage to harmonise with the street and house, not be so high as to be intimidating or reduce security overlooking from the houses. In addition, front fences and walls should be no more than one metre in height unless there is a prevailing size established in the street.

In this instance, the boundary enclosure is of a contemporary design in quality materials. The appearance of the fence and wall reflects its primary function which is to provide security for the property. However, the design is not characteristic of the street. The street frontage on the south side is predominantly open frontages with low walls less than 300mm high. The gardens are largely soft landscaped. The north side of the street is characterised by high hedges delineating the street frontages with pedestrian and vehicular accesses breaching the hedges. The only exceptions are low stone walls with railings above. However, these are limited in number.

The development, at approximately 1.8m high, has a solid appearance, exceeds the height of one metre recommended in the guidance and whilst there are front boundary treatments higher than one metre in height, they are typically hedges. The wall and fence due to their solid appearance, design and height are not in-keeping with the character and appearance of either the north or south side of the street and result in an adverse visual impact within the streetscene.

In view of the above, it is concluded that the development will have an adverse effect on the character and appearance of the surrounding area.

(b) Amenity

The height of the boundary enclosure complies with the tests set out in guidance in relation to daylighting and sunlight and no privacy concerns arise from the development.

The development does not affect neighbouring residential amenity.

(c) Public Comments

Material Representations - Objection:

- fence and wall out of keeping with surrounding area in terms of its height, scale and materials - Assessed in section 3.3 (a) and found to be out of keeping with the surrounding area; and
- detrimental visual impact on street - assessed in section 3.3 (a) and found to have a detrimental visual impact.

Material Representations - Support:

- does not detract from the street - assessed in section 3.3(a) and found to detract from the character and appearance of the street;
- contemporary design and pleasing to the eye - assessed in section 3.3(a) and whilst acknowledged that it was of a contemporary design, it was found to have a detrimental visual impact ;
- enhanced the general appearance of the street - assessed in section 3.3(a) and found to detract from the character and appearance of the street; and

- lower in height than existing hedges and as a result improves security - assessed in section 3.3(a) and whilst it is acknowledged that the development may improve security for the occupier, it is detrimental to the character and appearance of the surrounding area and contrary to non-statutory guidance.

Non-Material Representations:

- reference to three CCTV cameras on front of house not being included in the application - the cameras would constitute permitted development had they been included in the application;
- reference to a car port not being included in the application - planning permission was granted for a garage on the west side of the house under 1503399/FUL; and
- reference to electric gate not being included in the application - decision on gate design is likely to be informed by the decision relating to this application.

No community council comments have been received.

(d) Other Matters

The applicant's supporting statement states that the property has been subject of burglaries in the past and the measures have been put in place for personal safety and security reasons.

Non-statutory guidance recognises the need for security and includes ways of making properties more secure including making access to the rear difficult, using alarms and sensors among other things. Whilst sympathetic to the applicant, the reasons do not justify a departure from policy as improved security can be gained from the CCTV cameras that have been installed and natural surveillance from having an open frontage.

Conclusion

In conclusion, the development does not comply with the development plan or non-statutory guidance in respect of its design quality, scale and materials and has an adverse effect on the character and appearance of the surrounding area. Whilst the applicant has valid reasons for the development, there are no compelling reasons for departing from policy. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Refused and Enforced subject to the details below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The development (wall and fence), as a result of its robust appearance, design and height has an adverse effect on the character and appearance of the surrounding area contrary to policy Des 1 of the adopted Edinburgh Local Development Plan and Non-statutory 'Guidance for Householders'.

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 attracted 38 letters of representation: 22 objecting and 16 supporting.

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

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**

Urban Area - adopted Edinburgh Local Development Plan

Date registered

24 January 2018

Drawing numbers/Scheme

01, 02 (i, ii, iii and iv) and 03 (i and ii),

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:**Relevant policies of the Local Development Plan.**

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

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.

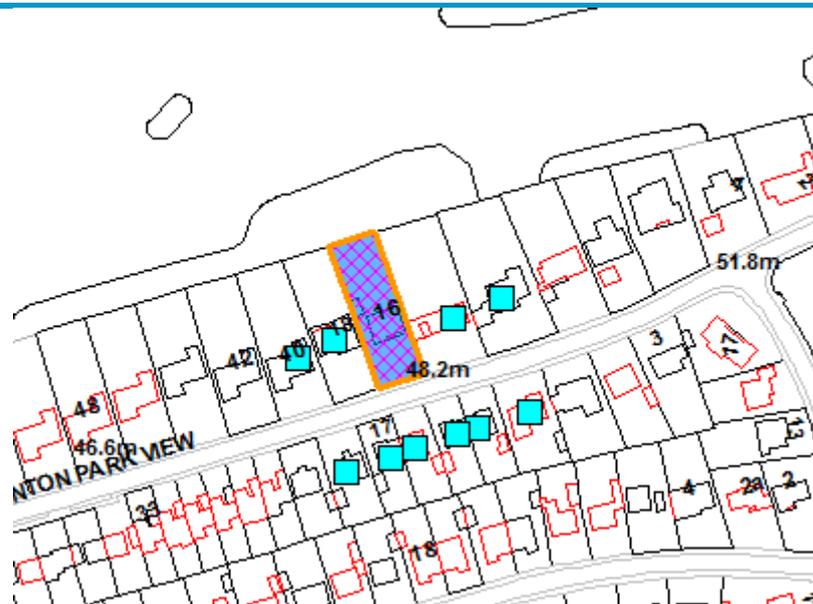
Appendix 1

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Consultations

No consultations undertaken.

Location Plan



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