

# Development Management Sub Committee

Wednesday 23 May 2018

**Application for Planning Permission 17/05518/FUL  
At 3F1, 14 Fountainhall Road, Edinburgh  
Convert attic, create new dwelling & alter existing flat.**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

---

The proposal complies with the adopted Local Development Plan and the Edinburgh Design Guidance. The proposal is of a suitable quality in terms of design, form, choice of materials and positioning. The proposal will not result in an unreasonable loss of residential amenity, and will not have any detrimental impact on neighbourhood character. There are no material considerations which outweigh this conclusion.

## Links

---

[Policies and guidance for this application](#) LDPP, LHOU01, LDES12, LDES01, NSG, NSGD02,

# Report

## **Application for Planning Permission 17/05518/FUL At 3F1, 14 Fountainhall Road, Edinburgh Convert attic, create new dwelling & alter existing flat.**

### **Recommendations**

---

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

### **Background**

---

#### **2.1 Site description**

The site lies on the north side of Fountainhall Road and relates to the top flat within a row of four storey tenements. The site is located within a well established residential area where many of the properties have been altered in some form.

#### **2.2 Site History**

6 June 2016 - A Certificate of Lawfulness was granted to convert the attic and to alter the existing top floor flat into a 6-bedroom duplex flat, including the provision of new conservation rooflights to the front and rear (application number 16/02654/CLP).

### **Main report**

---

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

The proposal is to convert the attic by forming a new dwelling in the roofspace and to alter the existing flat.

Externally two flat roofed dormers are proposed on the rear roof plane while to the front three velux roof lights are proposed.

The proposed materials are timber white painted windows, felt roof and slate finish to dormer cheeks.

#### **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 subdivision of the property is acceptable;
- b) the proposal will be of a suitable quality in terms of design;
- c) the proposal will cause unacceptable loss of residential amenity;
- d) the proposal affects parking of vehicles and cycles;
- e) any impacts on equalities or human rights are acceptable; and
- f) any comments raised have been addressed.

#### **a) Sub-Division of Property**

Policy Hou 1 of Edinburgh Local Development Plan (LDP) supports housing development on suitable sites in the urban area provided proposals are compatible with other policies in the plan.

The new dwelling would be in the attic space of the existing residential tenemental property which is surrounded by other residential properties. It would have two bedrooms, a living / dining room and a kitchen. It would be dual aspect. To ensure satisfactory amenity, the Council's Edinburgh Design Guidance seeks dwellings of this size to have a minimum internal floor area of 66 square metres. The proposal complies with this requirement. There is a shared garden area to the rear of the building to serve all the flats within stair. No details have been submitted regarding the access to this common area.

The subdivision is acceptable and will create an acceptable amenity for the future residents.

#### **b) Scale, Design and Materials**

The Grange Conservation Area lies to the south and west of the site. Two flat roofed dormers are proposed on the rear roof plane. These are positioned above the eaves and lower than the roof ridge. They are of a size where they do not dominate the form of the roof. The proposed materials are acceptable. Given the height of the building and being on the rear elevation which is not publicly visible or readily visible from any public viewpoint. The dormers would not detract from the character of the area.

The proposal complies with LDP Policy Des 12.

### c) Residential Amenity

The new flat would be located within the attic space of a tenement flat and be accessed from the common stair. The existing top floor flat would retain a separate access which would not result in an unacceptable change to residential amenity of the existing occupiers of the flats. The formation of a new residential unit is in keeping with the existing character of the area. It is not considered that there will be a significant increase in noise/disturbance to neighbouring properties as a result of this use. The new dormers would overlook the rear garden ground which is currently overlooked by existing windows belonging to the flats below. There would be no change to the immediate outlook.

There is no unacceptable loss of residential amenity.

### d) Parking

The site is in an area where there is both unrestricted and restricted car parking. The proposals do not include any provision for car parking for the new dwelling. The tenement has a garden area to front and rear and a shared staircase where bicycles could be stored, however there is no dedicated area for cycle parking. The site is well served by public transport.

The proposal is satisfactory in terms of parking.

### e) Equalities and human rights

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

### f) Public comments

## **Material Considerations**

- design of dormer on the rear roof - addressed in section 3.3b).
- new windows out of character - addressed in section 3.3b).
- pressure on car parking spaces - addressed in section 3.3e).
- cycle parking - addressed in section 3.3d).
- noise - addressed in section 3.3c).

## **Non-material considerations**

- land ownership.
- time period to make comments is too short.
- noise and disruption during construction.
- evacuation of building for fire.
- precedent of other top floor flats.
- alterations may adversely affect the structure of the building.
- repairs to roof and demand on drains and water supplies.
- bikes causing damage to paint work.
- number of students living in the stair.

## Community Council

No comments were received

### Conclusion

The proposal is of an appropriate scale and design which complies with the development plan and relevant non-statutory guidelines. The proposal will not result in an unreasonable loss of residential amenity. There are no material considerations which 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.
4. This application relates to a flatted building. This planning permission does not affect the legal rights of any other parties with an interest in the building. In that respect, the permission does not confer the right to carry out the works without appropriate authority.

## **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**

Following neighbour notification, fourteen letters of representations were received, thirteen objecting to the proposals and one of these raising non-material considerations.

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

## **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 lies within the urban area of the Edinburgh Local Development Plan.

**Date registered**

9 January 2018

**Drawing numbers/Scheme**

1-9,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Jennifer Zochowska, Senior Planning Officer

E-mail:jennifer.zochowska@edinburgh.gov.uk Tel:0131 529 3793

**Links - Policies**

---

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

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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

## **Relevant Non-Statutory Guidelines**

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.



# Appendix 1

**Application for Planning Permission 17/05518/FUL  
At 3F1, 14 Fountainhall Road, Edinburgh  
Convert attic, create new dwelling & alter existing flat.**

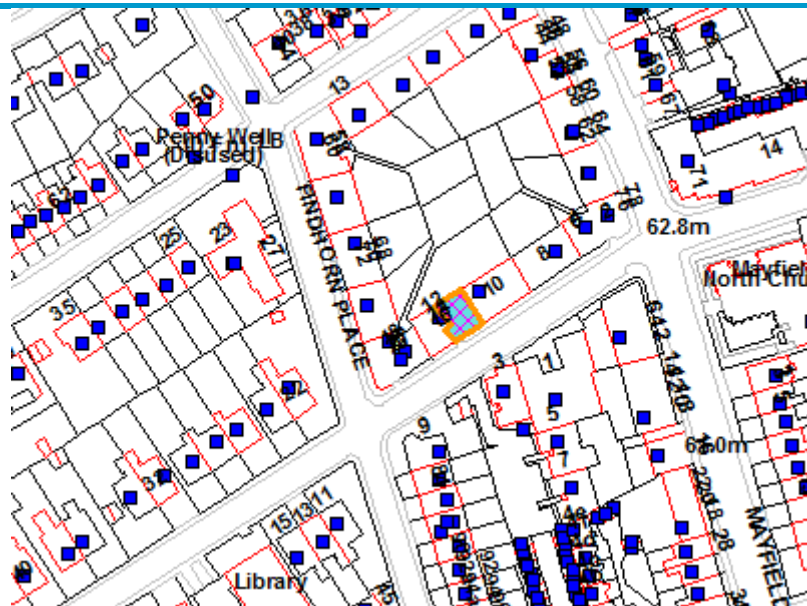
## Consultations

---

No consultations undertaken.

## Location Plan

---



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420

**END**