

Development Management Sub Committee

Wednesday 1 August 2018

**Application for Planning Permission 18/01271/FUL
At 3 Inverleith Place Lane, Edinburgh, EH3 5QJ.
Addition of roof terrace to existing flat roof with frameless
glass balustrade and privacy screen to rear elevation.
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 would be compatible with the existing building and the character of the surrounding streetscape, including the character and appearance of the Inverleith Conservation Area. It would not have an unacceptable impact on neighbouring amenity and complies with Edinburgh Local Development Plan Policies Env 6 (Conservation Areas), Des 12 (Alterations and Extensions), the non-statutory Guidance for Listed Buildings and Conservation Areas and the non-statutory Guidance for Householders.

Links

[Policies and guidance for this application](#) CRPINV, LDPP, LDES12, LEN06, NSHOU, NSLBCA,

Report

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Recommendations

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

Background

2.1 Site description

The application property is a two storey, flat roofed 19th Century mews house of traditional construction 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 on to the rear gardens of tenements on Inverleith Place.

This application site is located within the Inverleith Conservation Area.

2.2 Site History

29th January 2018 - Planning Permission refused for the 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 - Application number 17/03911/FUL.

Main report

3.1 Description Of The Proposal

The proposal is for the formation of a roof terrace with a frameless glass balustrade and privacy screen to the rear elevation. The proposed internal works do not constitute development.

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 proposed scale, form and design is acceptable, would accord with neighbourhood character and would preserve or enhance the character and appearance of the surrounding area.
- b) The proposal will cause unreasonable loss to neighbouring amenity;
- c) Any impacts on equalities or human rights are acceptable;
- d) Any comments raised have been addressed.

a) Scale, form and design

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."

The proposal would create a lightweight and elegant addition to the roof of the property. The use of glazing and the set back nature of the balustrade and privacy screen, forming the extent of the terrace, would ensure that it would have a minimal impact on the appearance of the building, and would avoid the roof of the building becoming over-dominant or bulky.

It would form a clearly modern development within the context of the building, and would avoid any visual competition with the architectural composition of the host.

The streetscape consists of a mixture of building styles and heights, although mews type properties form the predominant building style, and the majority of buildings are restricted in height. The lightweight design and appearance of the proposal would ensure the roof terrace would not disrupt or erode that characteristic, which creates an important element in the overall make up of the lane, which contrasts with the taller buildings to the north on Inverleith Place.

The terrace would integrate well within its immediate surroundings and would have no adverse impact on the character and appearance of the Inverleith Conservation Area.

The proposal satisfies LDP Policies Env 6 and Des 12 and the Guidance for Listed Buildings and Conservation Areas and the Guidance for Householders.

b) Neighbouring amenity

The proposed 1.8m high translucent screen to the rear of the terrace would provide appropriate screening from the rear gardens of Inverleith Place. Overshadowing of neighbouring land would not be affected by virtue of the setback nature and light design of the screen. These elements of the proposal would ensure neighbouring privacy is appropriately protected, with the screen being 3.2m from the north-west roof edge and 0.7m from the south-east roof edge, which faces over the lane onto the Royal Botanical Gardens.

The proposal satisfies the criteria set out in the non-statutory Guidance for Householders and will not cause an unacceptable loss of neighbouring amenity.

c) Equalities or human rights impacts

The proposal was assessed in terms of equalities and human rights. No impacts were identified.

d) Public comments

Material representations - Objection

- The proposal is out of keeping with the Inverleith Conservation Area; this is addressed in section a).
- The proposal would encroach on neighbouring privacy and outlook; this is addressed in section b).
- The balustrade will impact upon overshadowing; this is addressed in section b).

- **Non-material representations - Objection**
- The proposal is similar to a previous application; this is not a material planning consideration.
- The proposal may set a precedent; this is not a material planning consideration.
- Structural concerns; this is not a material planning consideration and would be assessed by the Building Standards function of the Council.
- Ownership issues; this is a civil matter and cannot be assessed by the Planning Department
- Alleged inaccurate drawings; the drawings received are sufficient to allow a determination of the application.
- Alleged noise from the proposal once completed; the proposal is not for the change of use of the property and the Planning Department cannot seek to control noise disturbance in these areas.
- Location of representations received; this is not a material planning consideration.

- Planters/Shrubs not surviving the elements; this is not a material planning consideration.

Representations in support

- The proposal would respect privacy and overlooking.
- The proposal would enhance the roofplan of the Lane.
- The proposal would enhance the character and appearance of the host property and Inverleith Conservation Area.
- Balconies are a feature to the rear of the Lane and the proposal is similar in terms of neighbouring residential amenity.
- The proposal would enhance amenity within the Lane through the creation of more outdoor space.

Conclusion

The proposal is in accordance with Development Plan Policy Env 6 and Des 12 in the adopted Edinburgh Local Development Plan, the non-statutory Guidance for Listed Buildings and Conservation Areas and the non-statutory Guidance for Householders. It would not have an adverse impact upon the character and appearance of the Inverleith Conservation Area, neighbouring amenity, equalities, human rights and all public comments have been addressed.

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

3.4 Conditions/reasons/informatives

Conditions:-

Informatives

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
3. 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.

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:

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 the 4th of April 2018. Twenty five representations were received, twelve representations in support of the application and thirteen representations objecting to the proposal. A full assessment of the parts raised can be found 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**

Edinburgh Local Development Plan.

Date registered

26 March 2018

Drawing numbers/Scheme

01-06,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Conor MacGreevy, Planning Officer

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Links - Policies

Relevant Policies:

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.

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.

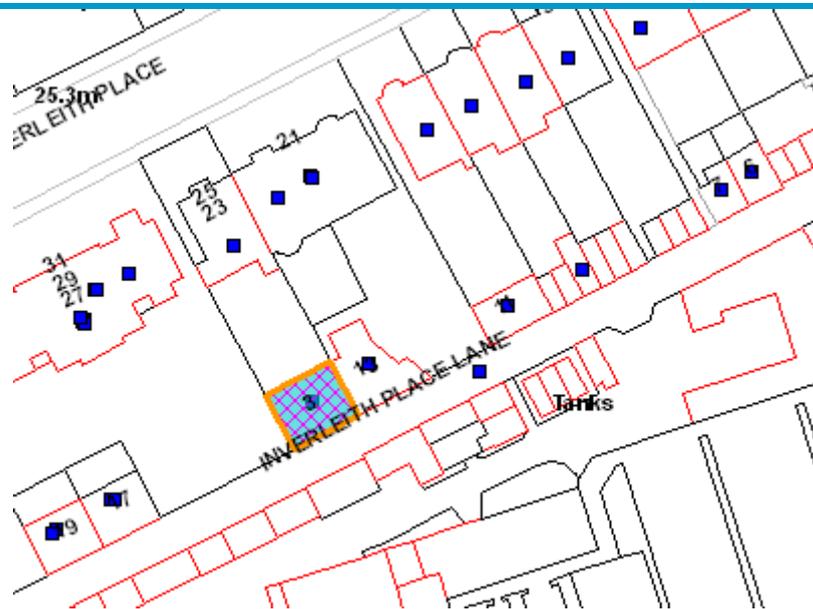
Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

Appendix 1

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Location Plan



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