

Full Planning Application

at

21 Comely Bank

Edinburgh

EH4 1AL

Development Quality Sub-Committee of the Planning Committee

Proposal: Alter existing gates between rear garden and lane, construct lean-to car port and green house (partially in retrospect)

Applicant: M R Williamson.

Reference No: 04/01965/FUL

1 Purpose of report

To recommend that the application be **REFUSED AND ENFORCED**

Reasons

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD2, in respect of Listed Buildings, as the car port detracts from the character of the listed building.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the car port, by way of its unsympathetic design and materials, fails to preserve the character or appearance of the conservation area.

2 Main report

Site description

This application relates to a three storey terraced house on the north side of Comely Bank. The rear garden of the property backs onto Comely Bank Lane. The property is listed category B and is within the Inverleith Conservation Area.

Site history

5/4/91 - consent granted for new access for vehicle

Development

This a partially retrospective application to alter the location of the gate onto the lane and erect a car port and a greenhouse. The gates have already been relocated and the car port has been constructed.

Consultations

No consultations undertaken.

Representations

No representations have been received.

Policy

The site is within an area of Housing and Compatible Uses of the Central Edinburgh Local Plan

Relevant Policies:

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD2 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting listed buildings and seeks to safeguard their character and setting.

3 Conclusions and Recommendations

DETERMINING ISSUES

The determining issues are:

- do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character;
- 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?

ASSESSMENT

To address the determining issues, the Committee needs to consider:

- a) whether the proposals have an adverse impact on the building or its setting;
- b) whether the proposals have an adverse impact on the character or appearance of the conservation area.
 - a) The re-positioning of the gates has not resulted in an increase in the size of the opening and is acceptable. The proposed greenhouse will be relatively discreet, located at the rear of the garden and kept below the height of the boundary walls. The car port, however, has a polycarbonate roof and extends above the height of the boundary walls. It is not of an appropriate design for such an area and detracts from the setting of the building.
 - b) The character of the Inverleith Conservation Area is described in the Central Edinburgh Local Plan as follows:

"Inverleith developed as a Georgian suburb of villas and terraces to the north of the New Town. It lies on a south facing slope between Ferry Road and the Water of Leith and includes a number of important Victorian institutions set in extensive grounds. Extensive blocks of public and private open space bounded by areas of Georgian and Victorian villas form the essential elements of character, with key views southwards towards the city skyline providing a distinctive setting. Part of the conservation area lies within the area covered by the North East and North West Edinburgh Local Plans."

Although the car port is located to the rear of the property, such unsympathetic forms of construction fail to preserve the character and appearance of the conservation area. Furthermore, there are no similar constructions within the back gardens of this street block and approval of this construction would set a highly undesirable precedent, the cumulative impact of which would be highly damaging to the conservation area.

Alternative methods of protecting the applicant's car were suggested but the applicant did not wish to proceed with any of these suggestions.

The car port fails to comply with the development plan and non-statutory policies, and would have an adverse effect on the character or appearance of the conservation area and the setting of the listed building.

There are no material planning considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application and authorises enforcement action for the removal of the car port.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

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Ward affected 16 -Dean

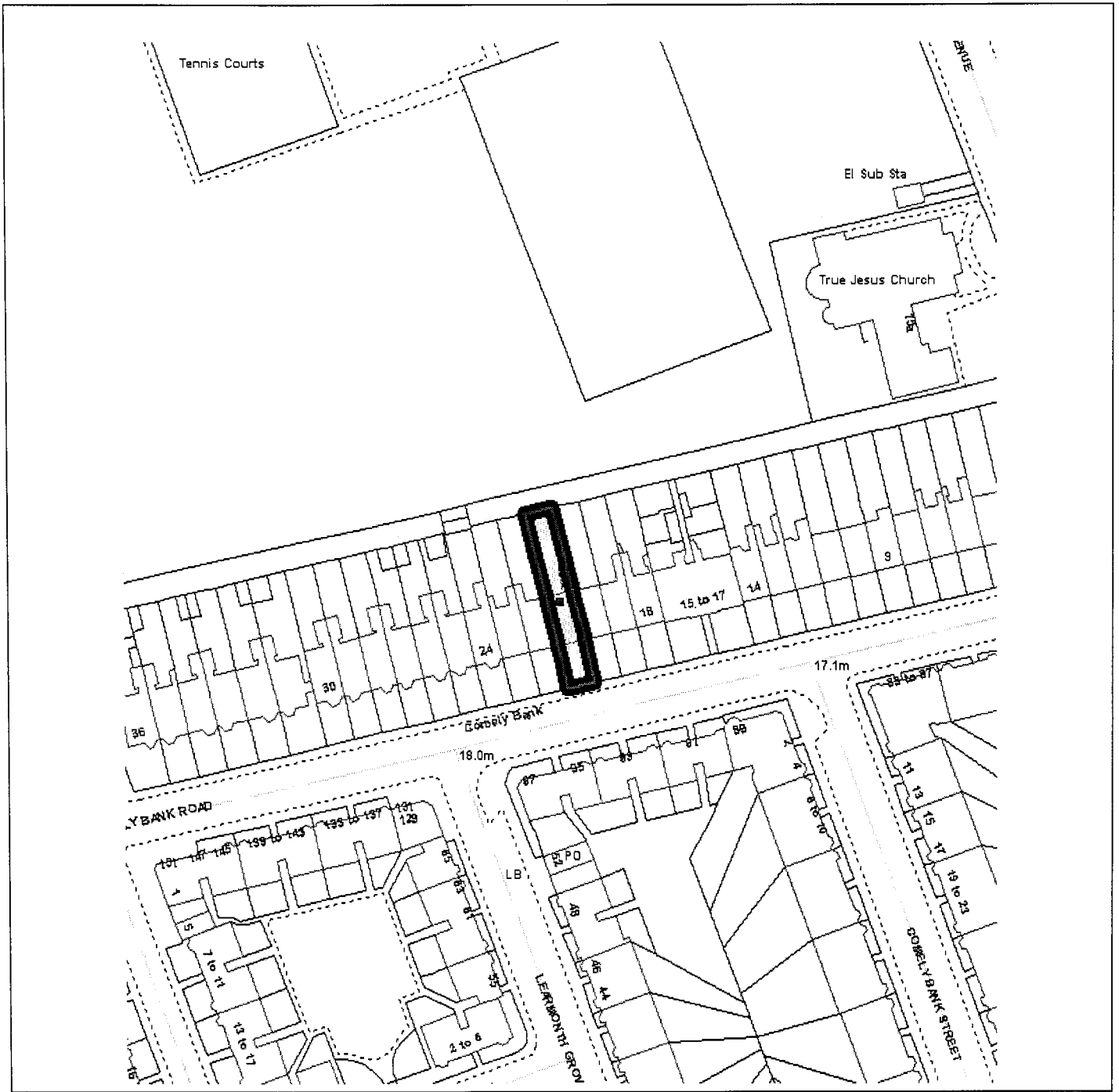
Local Plan Central Edinburgh

**Statutory Development
Plan Provision** Housing and Compatible Uses

File

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**Drawing numbers/
Scheme** 01-05
Scheme 1



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PLANNING APPLICATION

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THE CITY OF EDINBURGH COUNCIL THE CITY DEVELOPMENT DEPARTMENT- PLANNING & STRATEGY			