

**Full Planning Application  
at  
46 Laverockbank Road  
Edinburgh  
EH5 3BZ**

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**Development Quality Sub-Committee  
of the Planning Committee**

**Proposal:** New dwellinghouse using the existing buildings  
**Applicant:** Mr Flint  
**Reference No:** 03/01866/FUL

**1 Purpose of report**

To recommend that the application be **GRANTED** subject to;

**Conditions**

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. Details of the surfacing and roofing materials shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
3. The elevations of the proposed house and garage shall be built/clad in rubble stone, to the satisfaction of the Head of Planning and Strategy
4. The boundary treatment of the new house plot shall avoid timber fencing or hedges subdividing the original areas of the front lawn. Details of the proposed treatment shall be submitted to and approved by the Head of Planning and Strategy, prior to the new house being first occupied

5. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Head of Planning & Strategy before work is commenced on site.
6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development, and thereafter shall be maintained by the applicants and/or their successors to the entire satisfaction of the planning authority; maintenance shall include the replacement of plant stock which fails to survive, for whatever reason, as often as is required to ensure the establishment of the approved landscaping scheme.

## **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
  2. In order to enable the Head of Planning & Strategy to consider this/these matter/s in detail.
  3. In order to safeguard the character of the conservation area.
  4. In order to safeguard the character of the conservation area.
  5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
  6. In order to ensure that the approved landscaping works are properly established on site.
  7. NB This consent is for planning permission only. Work must not begin until other necessary consents, eg listed building consent, have been obtained.
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## **2 Main report**

### **Site description**

The application site is within the extensive grounds (0.34h) of a large free standing villa. There is a single storey stone built coach house and former stable range in the south west corner and an existing glasshouse just to the north side of the entrance, behind the boundary wall.

The main building is category 'B' listed and buildings and walls within its curtilage including the coach house, form part of the listing.

The site is in the Trinity Conservation Area.

### **Site history**

23 December 1992 - Planning permission and listed building consent granted to demolish an outhouse and erect 2 houses (775/92).

17 March 1993 - Listed building consent granted to alter internally the listed building.

1 April 1998 - Planning permission and listed building consent granted for the renewal of the unexpired planning permission to erect two houses in the grounds (for a further five years) (64/98). Conditions included: Harling to be traditional lime-based, stone frontage skews and quoins to be natural stone, rain water goods to be cast iron, and trees to be protected during construction.

April 2003 - Planning permission granted to erect two dwellings in the grounds of the main villa, as a renewal of the 1998 consent (03/177/FUL).

### **Development**

The application, as revised, is for amendments to the recent renewal of planning permission for a two-storey house on the site of the existing coach house in the south west corner of the property, hard up against the boundary. A proposed new double garage with slated roof (6.9 x 6.6m), as reduced, is to be sited to the immediate north of the courtyard, up against the west boundary.

It is also proposed to add a conservatory type structure in the return of the courtyard with a shallow pitch roof set behind a 0.6m extension to the height of the boundary wall. The previously proposed chimney and the two proposed roof lights on the south elevation have been deleted. The half dormer window on the east elevation is to be re-sited 1.7m further north away from the boundary and the approved rooflight deleted. A small piended half dormer is proposed on the north roof slope adjacent to the approved double half dormer. The hall porch of 4.6m<sup>2</sup> in floor area on the east elevation is to be repositioned and redesigned. The glazing treatment to the courtyard (west elevation) has been reduced in area.

Materials: Traditional rubble stone, squared stone quoins, skews, plinth and window details; natural slate roof; cast iron rainwater goods and timber doors and windows.

Scheme 1 - The garage in the submitted application was 500mm higher and wider, and has been reduced in Scheme 2 to make it less conspicuous in relation to the coach house courtyard.

### **Consultations**

No consultations undertaken.

## **Representations**

The application was advertised on 13 June 2003. One letter has been received on behalf of the immediate neighbour to the west on the grounds of loss of privacy and deterioration in the ambience of their property, due to overlooking windows. They are particularly concerned about the large double garage which would lead to serious over-development of the whole site.

## **Policy**

The site is allocated as Housing and Compatible Uses in the North East Edinburgh Local Plan, and as Housing and Compatible Uses in the North East Edinburgh Local Plan (Alterations March 2001).

### Relevant Policies:

Policy E21 (CONSERVATION AREAS - GENERAL): requires proposed development within a conservation area to retain all features which contribute to the character and appearance of the area.

Policy E22 (CONSERVATION AREAS - REDEVELOPMENT): sets out criteria against which new development in conservation areas will be assessed.

Policy E26 (QUALITY OF NEW DEVELOPMENT): sets out general design requirements for new development, and requires particular attention to be paid to main approach roads to the city centre and seafront and waterfront locations.

Policy E27 (NEW DEVELOPMENT IN VILLA AREAS): sets out the essential requirements of approved guidelines which seek to regulate the form and layout of new development in the garden grounds of villa properties.

Policy H7 (HOUSING AMENITY) establishes a presumption against new development and changes of use likely to introduce increased levels of traffic or activity to the detriment of residential amenity or the reasonable prospects of further residential development where this is an objective of the Local Plan.

Policy T10 (PRIVATE CAR PARKING) requires all new development to comply with approved car parking standards as set out in the Development Control Handbook

Non-statutory guidelines 'DAYLIGHTING, PRIVACY AND SUNLIGHT' set criteria for assessing proposals in relation to these issues.

Non-statutory guidelines on 'HOUSING DEVELOPMENT IN GARDEN GROUNDS' supplement local plan housing, conservation and design policies, and provide additional guidance on this subject.

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

### 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 development is acceptable in principle
- b) Whether the proposals have an adverse impact on the character or appearance of the conservation area.
- c) Whether the proposals have an adverse impact on the building, or its setting.
- d) Whether the design and materials are satisfactory given the setting of the site.
- e) Whether the proposals are detrimental to residential amenity or road safety.

a) Precedent has been set by the previous approvals in 1992, 1998 and more recently April 2003, for a dwelling on this site, but without the garage. The new development utilises the site of an existing coachhouse in the corner of the villa grounds, mainly hidden by high stone walls on two sides. Even if the second house, approved close to the front gates, is built, the current proposal together with the second house would only constitute 12.8% of the grounds and 9.7% with the proposal alone. Whilst set forward of the villa, it also lies well to the side, when viewed from the road. Its position is an exception to the villa policy. The proposed garage is closely associated with the original coachhouse range of buildings and will be viewed as part of that range.

The principle of the development is acceptable.

b) The character of the Trinity Conservation Area is described in the North East Edinburgh Local Plan as follows: -

*"This typical villa area is dominated by houses set in large gardens with stone walls and mature trees. The style and mix of Georgian and Victorian villas is unrepeated in Edinburgh; some are embellished with Gothic details and ornamental ironwork; others have towers and attractive stone porches. Although the area is overwhelmingly domestic in scale and suburban, in nature, it lacks the order of other stonebuilt suburbs such as the Grange and Merchiston."*

The amendments to the proposed house improve its appearance and the garage will be built in a matching, traditional style. The proposal will be set to one side of the grounds away from the street and the majority of the elevations will be hidden behind the boundary walls.

It is considered that the proposal will not adversely affect the character and appearance of the Trinity Conservation Area.

c) The proposed dwelling has already received planning and listed building consent. The modifications to it will not materially change the relationship with the main listed villa. The proposed garage has been kept as close to the proposed range of buildings and as low as possible. It has been reduced by 500mm in width and 500mm in height, whilst providing parking accommodation for both the existing and proposed house. It will be well off to one side of the frontage, maintaining a respectable visual distance.

The building and its setting will not be adversely affected by the proposal.

d) The main villa is stone and the character of the conservation area is stone. The proposed elevations of the house and garage are rubble stone and slate. The design of the proposed house and garage is traditional and appropriate to the conservation area.

The design and materials are acceptable, given the setting of the site.

e) The proposed house does not comply with overshadowing guidelines. However, consent has already been granted and the massing of the building is such that it will not significantly alter the present situation on site. In terms of privacy, an extra roof dormer has been added to the north elevation, but the main double window has not changed from the previous consent. The neighbour to the west objects, but the proposal will not significantly change the consented situation. Whilst close to the boundary, the roof windows will look up the site and there would be a minimum of 18m distance between the neighbours windows and those proposed. The deletion of the rooflights and the moving north of the east half-dormer away from the south boundary will benefit the neighbour to the south.

The garage complies with overshadowing policy on the boundary.

The proposals will not significantly impinge upon privacy, will not create an unacceptable level of overshadowing to the neighbours and will not be detrimental to road safety.

The proposals comply with the development plan, are a justified exception to the non-statutory policies; have no adverse impact on the character or appearance of the conservation area or the building and its setting, and have no detrimental impact on residential amenity or road safety.

There are no other material planning considerations which outweigh this conclusion.

It is recommended that the Committee approves this application, subject to the conditions stated.

  
pp **Alan Henderson**  
Head of Planning and Strategy

**Contact/Tel** Duncan Robertson on 0131 529 3560 (FAX 529 3717)

**Ward affected** 11 -Trinity

**Local Plan** North east Edinburgh

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

**File**

**Date registered** 23 May 2003

**Drawing numbers/  
Scheme** 02 -03  
Scheme 2



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# **PLANNING APPLICATION**

<b>Address</b>	<b>46 Laverockbank Road, Edinburgh, EH5 3BZ</b>		
<b>Proposal</b>	<b>New dwellinghouse using the existing buildings</b>		
<b>Application number:</b>	<b>03/01866/FUL</b>	<b>WARD</b>	<b>11- Trinity</b>
<b>THE CITY OF EDINBURGH COUNCIL</b>			
<b>THE CITY DEVELOPMENT DEPARTMENT- PLANNING &amp; STRATEGY</b>			