

# Development Management Sub Committee

Wednesday 7 March 2018

**Application for Planning Permission 17/04959/FUL  
At 6 North Park Terrace, Edinburgh, EH4 1DP  
Single storey extensions to side and rear of property, as amended.**

<b>Item number</b>	4.4
<b>Report number</b>	
<b>Wards</b>	B05 - Inverleith

## Summary

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The proposal is in accordance with Edinburgh Local Development Plan Policies Des 1, Des 12 and Env 6. It would not have a detrimental impact on the character and appearance of the Inverleith Conservation Area. A minor infringement of the non-statutory "Guidance for Householders" with respect to overshadowing of a neighbouring property is acceptable. The proposal is of an acceptable scale, form and design, accords with neighbourhood character and would not result in an unacceptable loss of neighbouring amenity. No impact on equalities or human rights has been identified. There are no material planning considerations which would justify refusal.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDES12, LEN06, CRPINV, NSHOU, NSLBCA, LDES01,
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# Report

## **Application for Planning Permission 17/04959/FUL At 6 North Park Terrace, Edinburgh, EH4 1DP Single storey extensions to side and rear of property, as amended.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site is a two-storey (with attic dormers) end terrace, stone -built dwellinghouse on North Park Terrace, Edinburgh. North Park Terrace is a cul-de-sac north of Comely Bank Road, with houses on the west side only. The terrace is not continuous or uniform, being formed in four distinct groupings which become more architecturally elaborate going northwards. The rear elevations contain historic outshoots, mostly single-storey.

Inverleith Park lies to the north and the property faces east onto the Edinburgh Academicals rugby and cricket grounds.

There is a small front garden and a larger rear garden backing onto the rear gardens of a similar terrace on East Fettes Avenue, to the west. St Stephen's Comely Bank Church and Church Halls lie to the south west, with an adjoining terrace of stone built houses on Comely Bank Road leading to North Park Terrace.

The property is not a listed building.

This application site is located within the Inverleith Conservation Area.

#### **2.2 Site History**

6 North Park Terrace:

30 May 2013- planning permission was granted for removal of the existing outshoot and the construction of a single-storey, flat roofed rear extension (application number 13/01140/FUL). This was to be larger than the existing outshoot, at 7.1 metres by 7.2 metres and 2.9 metres high. Glazed sliding doors to the rear, a single glazed window panel and door on the south elevation were proposed. Materials were to be vertical timber clad walls, timber windows and doors and EPDM roofing. This permission has not been implemented.

Other recent relevant applications on North Park Terrace:

30 September 2016 planning permission was refused for a new single storey rear conservatory (in addition to the existing outshoot) at 7 North Park Terrace (application number 16/03537/FUL); the proposed plan form and use of uPVC would not allow the extension to sympathetically integrate with the host building.

09 January 2017 planning permission was granted for a works including a new rear extension at 9 North Park Terrace, (application number 16/04474/FUL). The pitched roof single-storey rear extension would be built against the adjoining outshoot and extend across the width of the rear elevation of the property.

12 January 2017 planning permission granted for a proposed single storey, flat roofed rear extension at 8 North Park Terrace, (application number 16/04478/FUL). This extension would be built against the adjoining outshoot and extend out from the rear elevation by 3.9 metres.

01 February 2017 planning permission was refused for a new single storey rear conservatory at 7 North Park Terrace, (application number 16/05926/FUL); the proposed plan form and use of reconstituted stone would not integrate sympathetically with the form and appearance of the host building.

28 September 2017 planning permission was approved for a two-storey rear extension at 4 North Park Terrace (application number 17/02974/FUL). This would have an asymmetrical form, with sandstone and timber clad walls and a zinc roof.

## **Main report**

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

The application proposes the erection of a single-storey, flat roofed rear extension to replace the existing historic outshoot. It would project out from the rear elevation by 6.65 metres and be 6.3 metres wide and 3.5 metres high. A single-storey, flat roofed side extension would be formed on the southern gable, 6.9 metres long and 3.6 metres high, behind the existing wooden gate.

The proposed materials are vertical larch cladding, aluminium windows and single ply membrane roofing. The side extension would have a dressed ashlar wall onto the neighbour to the south.

The rear extension would have a full length glazed window on its southern elevation, with full length glazed sliding doors on the corner of the south and west elevations plus a rooflight. The side extension would have a glazed door to the rear plus rooflights.

Scheme 2 amends the original submission by pulling the proposed side extension away from the wall of the neighbouring property and back into the curtilage of the application property. It also reduces the proposed height of the side extension, from 3.9 metres to 3.6 metres and reduces the height of the rear extension by 10 cm. Amended drawings also show the difference in heights between the rear gardens of Numbers 5 and 6 North Park Terrace.

## 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 proposal will preserve or enhance the character or appearance of the conservation area;
- (b) The proposal is of an acceptable scale, form and design and accords with neighbourhood character;
- (c) The proposal will result in an unreasonable loss of neighbouring amenity;
- (d) Any impacts on equalities or human rights are acceptable; and
- (e) Any public comments raised have been addressed.

### (a) Conservation Area character and appearance

The Inverleith Conservation Area Character Appraisal (ICACA) notes that the area was developed first 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. Large Victorian villas set in generous garden grounds also predominate, especially in the west of the conservation area. Extensive blocks of public and private open space (including the Botanical Gardens) form the essential elements of character, with key views southwards to the city providing a distinctive setting. The street layout follows a loose grid pattern with some of the streets being very wide and this, with the prevalence of significant areas of open space and garden ground to the houses, emphasises the spaciousness of the area.

The terrace of properties on North Park Terrace are not uniform on their principal (east) elevations or their rear (west) elevations. A number of properties share flat roofed historic rear extensions but the outshoots at numbers 8 and 9 and numbers 5 and 6 differ in form from others, having a higher element joining the outshoot to the rear elevation. The principle of a modern rear extension has been accepted previously both here and for other properties in the terrace (and in the conservation area). A rear extension virtually the full width of the rear elevation has been granted at numbers 6 and 8 North Park Terrace and there are a variety of forms of modern rear extensions to the west on East Fettes Avenue. The proposed rear extension is not readily publicly visible from East Fettes Avenue or in views south from Inverleith Park. There would be very limited visibility in the short gap between the church and houses on Comely Bank Road. The proposals would have no impact on any key views. The ICACA notes that high quality, innovative modern design and materials are not precluded and the simple modern lines and materials provide an appropriate contrast to the existing building, rather than a "pastiche" of an original form, and demonstrate a respect for this building and the area.

The proposal therefore preserves the character and appearance of the conservation area, complying with Local Development Plan (LDP) policies Env 6 Conservation Areas - Development and Des 1 - Design Quality and Context.

(b) Scale, form and design and neighbourhood character

The proposed new rear extension, whilst of a different form, continues the line where the existing outshoot (and that of its neighbour) meets the rear elevation. Part of the existing outshoot is already the proposed height of the new rear extension. As a flat-roofed, single-storey addition to a two-storey structure (with attic accommodation and dormers) it is not disproportionate in size and remains subservient to the host building. The proposed footprint is larger than the existing outshoot but, at 21% of the rear garden area, retains an adequate amount of amenity space, meeting this criterion in the non-statutory "Guidance for Householders". The gaps along this terrace may be an important element in its character but there are existing fences and structures within these. The side extension will be pulled back from the neighbouring gable, and a ground floor extension behind an enclosure would not have the effect of totally closing the gap between numbers 5 and 6 North Park Terrace, either horizontally or vertically. The form and materials read as a modern, contemporary intervention to the host building, with a definite and acceptable distinction between new and old elements. The fenestration details are modern and are of a similar form and amount of glazing as other recently approved extensions in the terrace.

The design, form and positioning of the proposal are compatible with the character of the host building and of this residential area, complying with local development plan policies Des 1 and Des 12.

(c) Neighbouring amenity

Using the methodology in the non-statutory "Guidance for Householders", the proposed side and rear extensions would have no effect on levels of daylight to any neighbouring windows. With respect to sunlight (or overshadowing), the orientation to its neighbour to the south is such that no part of the proposal would have any additional impact. For the neighbour to the north (No. 7), there would be a very small additional element of overshadowing (around 0.3 square metres) but this is insufficient to justify refusal of the application and the rear extension only projects 30 cm beyond the outshoot to that property. In relation to privacy, fully glazed windows/doors on the south elevation would not meet the 9 metre to boundary criterion. However, the neighbouring rear garden is at a lower elevation where a 2.14 metre high stone boundary wall affords a more than adequate privacy screen within that property. The existing rear outshoots in both numbers 5 and 6 already are in a gable to gable relationship in any case.

There would be no unreasonable loss of neighbouring amenity.

(d) Equalities and human rights

There would be no impacts on equalities or human rights.

(e) Representations

The public representations can be summarised and addressed as follows:

**Material planning considerations**

**Objections**

- The proposals would not preserve or enhance the character or appearance of the Inverleith Conservation Area and would not comply with LDP policies Env 6 or Des 1. This is addressed in Section 3.3 (a).
- The scale of the proposal, particularly the height of the rear extension would appear overbearing from a neighbouring property. This is addressed in Section 3.3 (b) and (c).
- Amenity - neighbours would suffer loss of privacy, natural light and be overshadowed; there is no scope to adjust boundary heights to provide adequate screening. This is addressed in Section 3.3 (c).
- The mix of modern materials and scale of fenestration are unsympathetic to the character of the terrace and conservation area. This is addressed in Section 3.3 (a) and (b).
- North Park Terrace is not continuous or uniform, being four separate terrace with different designs and scales with gaps as important punctuation points; the proposed side extension would erode this composition. This is addressed in Section 3.3 (b).

- Revised plans note the use of "square random rubble coursed" stone but do not state whether this would be natural or reconstituted stone. A condition has been included to cover this aspect.
- A large proportion of the site would be built on/paved over, causing run-off problems in a flood sensitive area. This is addressed in Section 3.3 (b) and the LDP does not identify the application site as a flood sensitive area.
- Lack of a north elevation makes it difficult to assess the impact on that neighbouring property. This is addressed in Section 3.3 (b) and (c).

## **Support**

- The proposal is not excessive or obtrusive, compared to the size of the building; it is in keeping with other extensions approved in the area and would be a positive addition to the building and the neighbourhood. This is addressed in Section 3.3(b).
- The modern, clean and contemporary style accords with Council guidelines and integrates well with the existing building. This is addressed in Section 3.3 (a) and (b).
- It would cause no loss of light or view to neighbouring properties. This is addressed in Section 3.3 (c).
- The rear extension erodes the garden area slightly but does not overpower the space. This is addressed in Section 3.3 (b).
- The side extension is set back from the road, behind an existing gate, and will not be overly visible or dominant and would not impact on the principal elevation. This is addressed in Section 3.3 (b).

## **Non-material considerations**

### **Objections**

- Detailed queries about the revised drawings. A new East Elevation is provided and corrections made to drawing descriptions.
- What is the rationale for the photographs submitted. This is to indicate context.
- The height of the rear extension should be reduced to the 2.9 metres previously approved. The Council must assess the application before it.
- The side extension extends beyond the site which the applicant has control of. This was addressed in the revised drawings, Scheme 2.

- The proposal does not comply with LDP Policies Des 4 or Des 5. The LDP specifically states that these apply to all new development of one or more buildings; their use for extensions and alterations to existing houses is not appropriate.
- Major internal and external re-structuring works will affect a neighbouring property - the internal alterations do not require the benefit of planning permission and this is more properly the remit of the Building Warrant regime.
- Noise and disruption. This is not controlled by planning legislation.
- The passageway at the side of number 6 affords access to the rear of the terrace (emergency access and works to services) and is probably an old Right of Way. This is a civil matter, not controlled by planning legislation and the Council is not aware that it is an asserted Right of Way.
- The extension will extend the noise of family activities into the garden, disturbing neighbours - planning legislation cannot regulate activities associated with residential use, within a residential property or its curtilage.
- Due to increased land taxes, families are proposing additions to existing houses, rather than moving - this is not a matter controlled by planning legislation.
- Effect on neighbouring ability to make repairs to boundary walls. This is a civil, rather than a planning matter.
- The existing dwelling is already large enough and there is no need to extend it - this is not a matter for planning legislation.
- Discrepancies, inaccuracies and omissions in the drawings submitted. These have been addressed in revised and additional drawings.
- The side extension would deny small fauna access to rear gardens. These are already enclosed by stone walls.

## **Support**

- Will enable adaptation of a house for a young family, supporting the local community. The issue to be determined is the acceptability of the structure in terms of planning legislation.
- Planning permission has previously been granted for a similar extension. The Council must determine the acceptability of this structure in terms of planning legislation.



## Conclusion

The proposal is in accordance with Edinburgh Local Development Plan Policies Des 1, Des 12 and Env 6. It would not have a detrimental impact on the character and appearance of the Inverleith Conservation Area. A minor infringement to the non-statutory "Guidance for Householders" with respect to overshadowing of a neighbouring property is acceptable. The proposal is of an acceptable scale, form and design, accords with neighbourhood character and would not result in an unacceptable loss of neighbouring amenity. No impact on equalities or human rights has been identified. There are no material planning considerations which would justify refusal.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. Prior to the commencement of development, details of the square random rubble ashlar for the side extension shall be submitted to, and agreed by, the planning authority.

#### **Reasons:-**

1. To protect the character of the host building and the character and appearance of the conservation area.

#### **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. 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**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

Ten representations (nine from members of the public and one from a Community Council) have been received which raise objections to the application.

Sixteen representations (from members of the public) have been received which express support for the application.

A full assessment of these representations can be found in the main report, in the Assessment Section.

## **Background reading/external references**

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- 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 application site is identified as being within the urban area and a conservation area in the adopted Edinburgh Local Development Plan 2016.

### **Date registered**

24 October 2017

### **Drawing numbers/Scheme**

01A, 02-04, 05A-09A, 10B, 11, 12A, 13 and 14.,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

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## **Links - Policies**

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### **Relevant Policies:**

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.

**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.

**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.

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

# Appendix 1

**Application for Planning Permission 17/04959/FUL  
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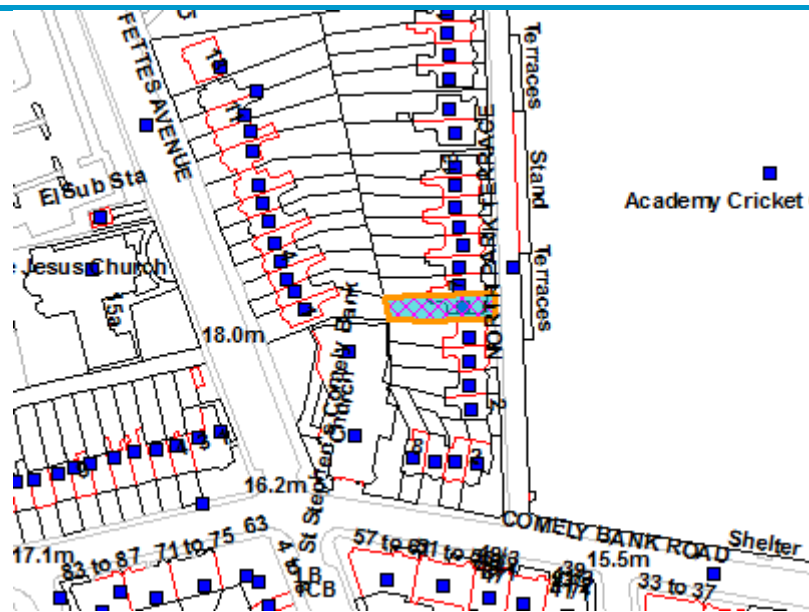
## Consultations

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No consultations undertaken.

## Location Plan

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