

Development Management Sub Committee

Wednesday 25 April 2018

Application for Planning Permission 18/00594/FUL

At 63 Nile Grove, Edinburgh, EH10 4SN

Sub-divide basement from ground floor to form separate dwelling. Internal alterations to basement floor layout. Form external glazed french doors from ground floor with new access staircase to rear garden. Form new entrance doorway from enlarged existing window opening at basement level.

Item number	4.21
Report number	
Wards	B10 - Morningside

Summary

The proposal complies with the adopted Local Development Plan and the Council's Edinburgh Design Guidance. The proposal is acceptable in principle, preserves the character and appearance of the conservation area and is of suitable quality in terms of design and form, choice of materials and positioning. The proposal will not result in any unreasonable loss of residential amenity, and will not have any detrimental impact on neighbourhood character. No impact on equalities and human rights was identified. There are no material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LHOU01, LEN06, LDES12, NSG, NSGD02, NSLBCA, OTH, CRPMON,
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Report

**Application for Planning Permission 18/00594/FUL
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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 site is on the north side of Nile Grove and relates to an end terraced two storey stone built dwellinghouse. The land drops to the north creating a basement level which accesses the garden ground to the rear. The site is bounded by other similar sized residential properties. It is located in a well established residential area where many of the properties have been extended or altered in some way.

This application site is located within the Morningside Conservation Area.

2.2 Site History

27 August 2004 - Planning permission was granted for alteration to upgrade, form new windows and form front garden lightwell (application number 04/02531/FUL).

17 January 2018 - Planning permission was refused to sub-divide basement to form separate dwelling, form external glazed french doors, new balcony and access staircase to rear garden (application number 17/02611/FUL).

Main report

3.1 Description Of The Proposal

The proposal is to sub-divide the basement of the house to form a separate dwelling. It is also proposed to form external glazed french doors with an access staircase leading to the rear garden.

The staircase would be constructed in galvanised steel finished in powder coated black. The new doors would be finished in timber.

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 subdivision of the property is acceptable;
- b) the proposal will preserve or enhance the character or appearance of the conservation area;
- c) the proposal will be of a suitable quality in terms of design;
- d) the proposal will cause unacceptable loss of residential amenity;
- e) the proposals affect road safety and car parking;
- f) any impacts on equalities or human rights are acceptable; and
- g) 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 basement of the existing residential property which is surrounded by other residential properties. It would have two bedrooms, a living room and a kitchen. It would have 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 adequate garden ground to the rear of the building to serve both dwellings. The subdivision is acceptable and will create an acceptable amenity for the future residents.

b) Conservation Area

The site lies within Morningside Conservation Area where the Conservation Area Character Appraisal emphasises the architectural character as *being largely composed of Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of private open space. The villa streets are complemented by the profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in variety of architectural styles, unified by the use of local building materials.*

In terms of LDP Policy Env 6, the proposed access stair leading to the garden ground has been reduced in scale from the previous refusal of planning permission. The purpose of the proposed staircase is entirely for rear garden access only. The Council's Guidance on Listed Buildings and Conservation Areas supports access stairs to the floor above the lowest habitable floor level provided they are a lightweight modern addition in keeping with the character of the building. This is a straight flight of stairs made of galvanised steel. The design retains the vertical proportions of building. The proposal will not have a significant impact on the character and appearance of the conservation area.

The proposal complies with LDP Policy Env 6.

c) Design, Form, Materials and Positioning

The proposed staircase would be accessed directly from the proposed french doors with a smaller landing area of a size as necessary to comply with Building Regulations (Scotland). The original elevated handrail around the perimeter of the existing outshot has been removed. The access stair has less of a projection into the rear garden from the original design, along the side of the outshot resulting in a far less prominent feature than before and would be considered more in-keeping with the character of the property. The proposed materials are compatible with the character of the building.

The proposals complies with LDP Policy Des 12.

d) Residential Amenity

The new dwelling at basement level would not result in an unacceptable change to residential amenity.

The replacement of an existing window with french doors will not cause an acceptable loss of residential amenity.

To the rear of the building at basement level there is an existing outshoot with a flat roof. The new access stair has been designed around this outshoot and includes a landing area of a size required by Building Regulations (Scotland). The surrounding properties currently overlook the application site and the gardens of neighbouring properties. Residential amenity will not be adversely affected by the new staircase.

There is no unacceptable loss of residential amenity.

e) Road Safety

The site is in an area where there is both unrestricted and restricted car parking. There is an existing driveway serving the property but the proposals do not include any provision for car parking for the new dwelling. The site is well served by public transport.

The proposal is satisfactory in terms of parking and traffic implications.

f) Equalities and human rights

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

g) Public comments

Material Considerations

- loss of privacy - addressed in section 3.3c).
- detracts from character of the area - addressed in section 3.3b).
- metal staircase out of character with the area - addressed in section 3.3b).
- an additional property will lead to increased parking issues – addressed in section 3.3d).

Non-material considerations

- setting a precedent for similar developments in the future.
- loss of property value.
- noise and disturbance.

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 preserves the character and appearance of this part of Morningside Conservation Area. The proposal will not result in an unreasonable loss of residential amenity. There are no road safety issues. 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.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 23 February 2018 and nine representations were received objecting to the proposals.

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 where it is designated as lying within Morningside Conservation Area.

Date registered

16 February 2018

Drawing numbers/Scheme

1-9,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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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 Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

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

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.

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

Other Relevant policy guidance

The Morningside Conservation Area Character Appraisal emphasises that the architectural character of the conservation area is largely composed of Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of private open space. The villa streets are complemented by the profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas which are in variety of architectural styles are unified by the use of local building materials.

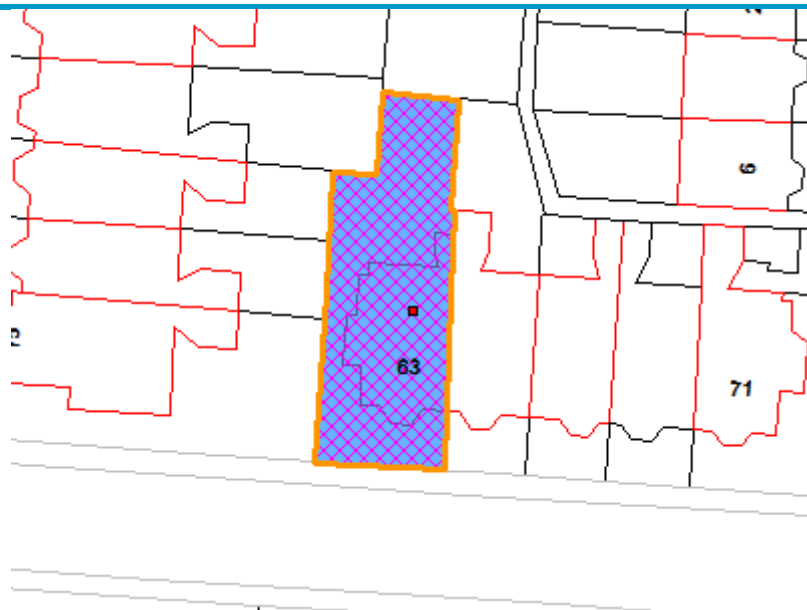
Appendix 1

**Application for Planning Permission 18/00594/FUL
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Consultations

No consultations undertaken.

Location Plan



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