

# Development Management Sub Committee

Wednesday 9 May 2018

## Application for Planning Permission 18/00573/FUL

At 2 Oswald Road, Edinburgh, EH9 2HF

Proposed works include demolition of 2 no. rear extensions to allow for formation of 1 no. two storey extension on west elevation, and 1 no. single storey extension on east elevation. Internal alterations include minor demolitions. The existing garage to be modified to form new garage door opening to south, and formation of gym to the rear of this space. External works include removal of low stone walls and steps to be replaced with landscaping. (as amended)

|               |                           |
|---------------|---------------------------|
| Item number   | 4.4                       |
| Report number |                           |
| Wards         | B15 - Southside/Newington |

## Summary

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The proposals do not comply with the development plan. The proposed north-west extension will neither preserve nor enhance the character and appearance of the conservation area, will have a detrimental impact on the character and setting of the listed building and is of an inappropriate design, scale, form and positioning. There are no other considerations which outweigh this conclusion. It is recommended that the application is refused.

## Links

|  |   |
|--|---|
| <a href="#">Policies and guidance for this application</a> | LEN03, NSG, NSLBCA, NSHOU, NSGD02, OTH, CRPGRA, LDPP, LDES12, LEN04, LEN06, |
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# Report

## **Application for Planning Permission 18/00573/FUL**

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### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

### **Background**

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#### **2.1 Site description**

The application relates to a large two storey detached villa in large garden grounds on the north side of Oswald Road. The building is B listed (reference no. 30587, listed on 19.03.1993).

The surrounding area is characterised by similar large villas in residential use.

This application site is located within the Grange Conservation Area.

#### **2.2 Site History**

March 2003 - Permission granted for extension to form new family room, external alterations including dormers, and internal alterations to form new living spaces (as amended) (application reference nos. 02/04659/FUL and 02/04659/LBC).

September 2003 - Consent granted for internal alterations (application reference no. 03/01871/LBC).

August 2004 - Permission granted for proposed lock - up garage / studio and landscaping. Increased access gate from Oswald Road. (application reference no. 04/00573/FUL).

May 2005 - Consent granted for proposed increased access gate from Oswald Road. (application reference no. 04/00573/LBC).

June 2005 - Permission granted for alterations to existing dwelling (retrospect/not covered by previous consent) (application reference nos. 05/00845/FUL and 05/00845/LBC).

## **Main report**

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

#### Scheme 2

This application is for the following:

- Removal of two rear extensions to the rear of the villa, one on the north-east corner and one on the north-west. The north-east extension will be replaced with a similar one of reduced footprint. The north-west extension, which is currently approximately 45 sqm in area would be replaced by a two storey extension that extends closer to the boundary wall on the west and also into the garden to the north. It would be approximately 70 sqm at ground floor and approximately 40 sqm at first floor level.
- The reconfiguration of the non-original garage building to the rear. Access for cars will now be on the south elevation instead of the east elevation.

#### Scheme 2

Scheme 1 proposed a north-west extension that was slightly higher and slightly larger in area.

The proposed 2 storey extension has been reduced in height by 390mm and by 950mm in width and 1.5m in depth.

As part of this application the following documents have been submitted which are available to view on Planning and Building Standard's Online Services:

- Design Statement
- Tree Survey

### **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 consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the 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?

### **3.3 Assessment**

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

- a) the proposals will preserve or enhance the conservation area;
- b) the proposals will impact on the character of the listed building;
- c) the proposals will impact on the setting of the listed building;
- d) the proposals are of an appropriate scale, form, and design;
- e) the proposals will result in an unreasonable level of neighbouring residential amenity;
- f) the proposals will have detrimental impact on trees;
- g) any impacts of equalities and human rights have been addressed; and
- h) any comments raised have been addressed.

#### a) The Impact on the Character and Appearance of the Conservation Area

The Grange Conservation Area Character Appraisal (GCACA) has recently been reviewed. It warns of the pressures faced within the conservation area on the setting of villas and garden grounds. It says that:

*Contrasting, non-traditional materials and design in contemporary new-build and extensions could threaten the character of the area if used indiscriminately or excessively and that a major pressure is on the setting of villas, garden space and boundary walls and the loss of mature trees through extensions to existing property. It notes of the Grange that the separation of dwellings creates a characteristic rhythm and solid-void repetition between precisely-sited structures of similar scale and massing. The spacious gardens provide an important setting for the buildings and mature trees within.*

The proposed north west extension would be a two storey structure and would rise above the height of, and will be seen through, the Victorian glazed conservatory that extends off the west side elevation. Although set back from the street frontage, it would still be able to be viewed through the railings on the front boundary. It would therefore have a significant visual impact as seen from Oswald Road. It would compete with the primacy of the front elevation and would detract from the garden settings and space between buildings that is highlighted as a significant feature of the Grange within the GCACA.

As a contemporary structure that would be highly visible from the street, the extension would threaten the overall traditional character of the conservation area and would harm its appearance.

The replacement north east extension will replace a non-original extension with another of similar scale and footprint. Its design and materials are appropriate. The garage is likewise non-original, and the changes to it are not significant and acceptable.

The proposed north-west extension would neither preserve nor enhance the character and appearance of the conservation area and is inconsistent with the GCACA. It is therefore contrary to Policy Env 6 of the Local Development Plan (LDP).

#### b) The Impact on the Character of the Listed Buildings

Policy Env 4 of the LDP states that any extensions to listed building should be justified, should be in keeping with the rest of the building and should not result in diminution of its interest.

The building has already received a large degree of intervention in terms of the existing extensions. The construction of a two storey extension with a 70 sqm footprint would compete with the main object of listing. It would dominate the original building and would therefore diminish its interest. The scale, positioning and design of the extension are not in keeping with the rest of the building.

The applicant has argued that the current layout does not meet current modern open plan living arrangements, even though the rear part of the house is currently all open plan, and that additional development is necessary to justify maintenance of the building. However, it is extremely unlikely that a single villa in this area is under any threat as a residential property and therefore the works cannot be viewed as essential to the beneficial use of the building as a dwelling. The proposals are therefore not justified.

This extension is contrary to the Guidance on Listed Buildings and Conservation Areas which states that *in the case of side extensions, they should be set back from the facade and be of a scale that does not affect the overall architectural composition. The effect of any addition on a symmetrical composition will be particularly important.* The proposed extension is of a scale that adversely impacts the overall composition and adversely impacts of the symmetry of the building, as seen from the street.

The proposals for the north-west extension would have an adverse impact on the character of the listed building and are contrary to LDP Policy Env 4 and the Guidance on Listed Buildings and Conservation Areas.

c) The Impact on the Setting of the Listed Buildings

LDP Policy Env 3 relates to development affecting the setting of the listed building. The proposed two storey extension is excessive in its scale and will dominate the listed building as seen from all angles and will be visible from the street, competing with the primacy and symmetry of the front elevation. The proposals will detract from the garden setting and will erode the characteristic pattern of spaces between buildings.

It is therefore contrary to LDP Policy Env 3 in that it will be of detriment to the architectural character, appearance and historic interest of the building and its setting.

d) Scale, Form, Design and Positioning

The proposals are contrary to LDP Policy Des 12 in that the proposals are in design, form and positioning incompatible with the character of the existing building. By encroaching so much into the garden areas that are characteristic of the area and by reducing the generosity of space between villas, the north-west extension breaks with the prevalent urban grain of the area.

The north-east extension and changes to the garage structure are acceptable.

The proposed new north-west extension is of inappropriate design, scale, form and positioning.

e) Amenity of Neighbours

Any possible impact on the neighbour to the west will affect a gable elevation and daylighting to side or gable windows is not protected. There are no issues of overlooking or privacy.

There will be no detrimental impact on residential amenity.

f) Impact on Trees

Seven trees (three cypress, two cedar, a rowan and an acacia) and a line of hedge will be lost directly as part of this proposal. However, this is not considered to be detrimental to the character of the conservation area and the proposals will not have a detrimental impact on trees.

g) Equalities and Human Rights Issues

The proposals will have a neutral impact on equalities and human rights. An Equalities and Human Rights Impact Assessment has been completed.

h) Public Comments

**Material letters of support**

- Positive impact on conservation area and listed building (assessed in section 3.3.a) and b).
- Quality of design (assessed in section 3.3.d).

- Changes will allow the building to be continued to be used as a single dwelling (assessed in section 3.3.b).
- No detrimental impact on residential amenity (assessed in section 3.3.e).

### **Community Council Objections**

- The Grange/Prestonfield Community Council has withdrawn their objections.

### Conclusion

In conclusion, the proposals do not comply with the development plan. The proposed north-west extension will neither preserve nor enhance the character and appearance of the conservation area, will have a detrimental impact on the character and setting of the listed building and is of an inappropriate design, scale, form and positioning. There are no other considerations which outweigh this conclusion. It is recommended that the application is refused.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons:-**

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as the design, scale, form and positioning of the north-west extension will be not be compatible with the character of the existing building and will be detrimental to neighbourhood character.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed north west extension will neither preserve nor enhance the special character and appearance of the conservation area, and is not consistent with the Grange Conservation Area Character Appraisal.
3. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed north west extension is not justified, will result in the diminution of the building's interest, and is not in keeping with the original building.
4. The proposal is contrary to the Local Development Plan Policy Env 3 in respect of Listed Buildings - Setting, as the proposals for the north-west extension will be detrimental to the architectural character, appearance, historic interest of the listed building and its setting.
5. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the north-west extension is not subservient to the main building, and is of a scale which detrimentally affects the overall architectural composition.

## **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**

The application was advertised on 23 February 2018. There have been eight letters of support from two neighbours and six members of the public. There was one letter of objection from the Community Council. Upon the submission of Scheme 2, the Community Council has withdrawn its objections.

An additional letter of support was received that was non-material as no reasons were given for the support.

A full assessment of the 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 site is located within the 'urban area' as defined by the Local Development Plan.

### Date registered

7 February 2018

### Drawing numbers/Scheme

1-2, 3a, 4-12, 13a, 14a, 15a, 16a, 17a, 18a, 19-27,

Scheme 2

## David R. Leslie

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## Links - Policies

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### Relevant Policies:

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

### Relevant Non-Statutory Guidelines

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

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

**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.

## **Other Relevant policy guidance**

The Grange Conservation Area Character Appraisal emphasises the high quality stone built architecture of restricted height enclosed by stone boundary walls, the uniformity resulting from the use of local grey sandstone for buildings and boundary walls and Scots slate for roofs, the formal and picturesque detached and semi-detached dwellings of generous scale and fine proportions, the low density grain of the area, and the spacious and uncluttered streetscape.

## **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 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

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

# Appendix 1

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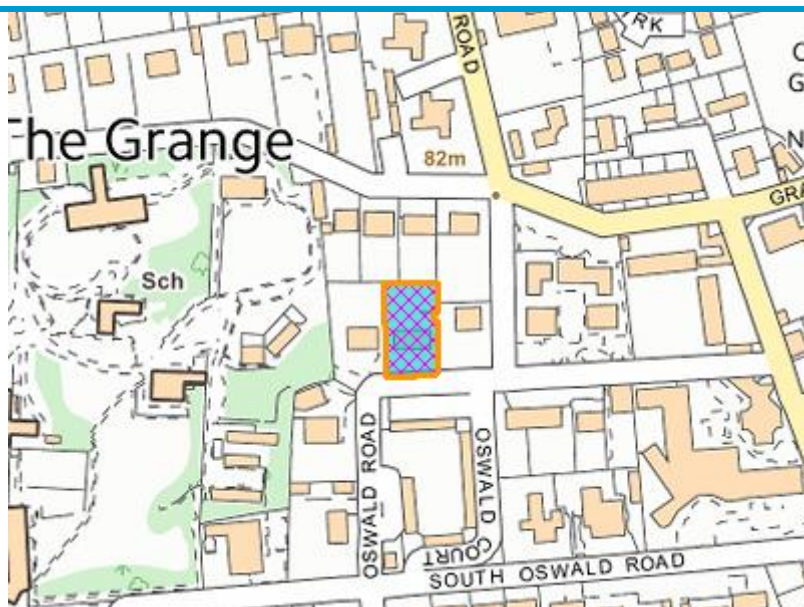
### Consultations

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No consultations undertaken.

### Location Plan

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