

# Development Management Sub Committee

Wednesday 22 May 2019

**Application for Planning Permission 19/01333/FUL  
At Land 30 Metres South Of 31, Groathill Road South,  
Edinburgh**

**Application to amend the design of the consented and commenced development of 9 flats on the site at the south end of Groathill Road South, Edinburgh (planning ref 14/00026/FUL). The proposal aims to provide further amenities to the penthouse apartment through the addition of a room to the roof.**

Item number	4.5
Report number	
Wards	B05 - Inverleith

## Summary

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The proposed rooftop addition complies with the policies contained in the Edinburgh Development Plan. The extension to the roof will be in-keeping with the overall development design and will not result in adverse harm to its wider surroundings. Neighbouring amenity will not be adversely affected by the proposals. There are no material considerations that would outweigh this conclusion.

## Links

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[Policies and guidance for this application](#) LDPP, LDES01, LDES04, LDES05, NSG, NSGD02,

# Report

## **Application for Planning Permission 19/01333/FUL At Land 30 Metres South Of 31, Groathill Road South, Edinburgh**

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### **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 triangular shaped area of land, measuring 0.17 hectares and is located south west off Groathill Road South. Within the site, the construction of a detached dwelling house is on-going.

The site is set below and to the north of a former railway junction, raised on embankments above the surrounding land and passing along both the eastern and western boundaries of the site. The tracks of the former railway lines have been converted into public footpaths and cycle paths.

The site is located within a residential area with the nearest residential properties located on Maidenraig Crescent, Queens Road and Groathill Road South.

#### **2.2 Site History**

24 November 2014 - Planning permission was granted to erect 9 flats and 1 detached house on site previously used for housing (as amended) (Application number 14/00026/FUL).

26 June 2015 - Non-material variation - change to design and materials (Application number 14/00026/VARY).

28 August 2015 - Planning permission granted to erect two storey dwelling with hipped roof (as amended) (Application number 15/02901/FUL).

3 November 2015 - Planning permission refused to erect two storey dwelling with hipped roof, on land to the south of 29 Groathill Road South and adjacent to a previously permitted detached house (15/02901/FUL) (Application number 15/04130/FUL).

16 March 2016 - Planning permission granted for the development of one additional detached dwelling over and above previously consented detached dwelling (15/02901/FUL), on land to the south of 31 Groathill Road South (Application number 16/00761/FUL).

12 October 2017 - Non material variation to permission 14/00026/FUL (Application number 14/00026/VAR2).

## **Main report**

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

The application seeks to amend the design of a development of nine flats that was consented under planning application number 14/00026/FUL. The proposal seeks to extend the penthouse apartment on the fourth floor with an additional room to the roof and outside terrace area. The extension will comprise a flat roof structure, with full height glazing, including vertical cedar timber cladding for part of its elevations.

The development overall will comprise six floors.

### **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 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 development design is acceptable;
- b) the proposal will impact on neighbouring amenity; and
- c) any matters raised in representations have been addressed.

#### a) Development Design

Policy Des 1- Design Quality and Context of the LDP requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area. Permission will not be granted for proposals that are inappropriate in design or for proposals that would be damaging to the character or appearance of the area.

Policy Des 4 Development Design - Impact on Setting of the LDP also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regards to its height and form; scale and proportions, including the spaces between the buildings, position of buildings and other features on the site; and the materials and detailing.

The assessment of the proposal is limited to the proposed rooftop extension only. The development design and height of the block of flats was approved under planning application 14/00026/FUL. The scale, form and design of the proposed roof top addition would be in keeping with the overall design of the scheme and it will not appear as an overwhelming or incongruous addition to the wider townscape. The overall height of the development will not impact on important views.

The proposal complies within policy Des 1 and Des 4 of the LDP.

#### b) Neighbouring Amenity

Policy Des 5 Development Design - Amenity of the LDP states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring residents will not be adversely affected by the proposal.

The approved scheme under application 14/00026/FUL was revised to reduce its height. However, the current proposal in comparison to the original scheme does not occupy the entire roof.

The proposed roof top addition is within the approved foot print for the fifth floor plan and it will not result in overshadowing or loss of daylight to neighbouring windows.

In terms of privacy, the proposed rooftop addition will not result in adverse harm. The western section of the development will face onto the flats on Queens Road and the extension will have a distance of 45 metres from these buildings. The proposal will not have an adverse impact.

The northern section of the extension will be set back from the edge of the by 8 metres and the proposal will not result in overlooking or loss of privacy levels to neighbouring properties on Groathill Road South.

The southern section of the extension is orientated towards Queensferry Road. Although elevated, the extension and the terrace area will not face directly onto the windows of neighbouring buildings on Maidencraig Crescent and the extension will have an approximate distance of 50 metres from these properties. While the existing trees currently provide a degree of screening, the overall height and orientation of the development will not result in unacceptable levels of harm.

It should be noted that planning does not control/regulate individual access or use of rooftop spaces.

The proposed rooftop addition will not result in adverse degree of overlooking or result loss of privacy to neighbouring windows.

The proposal complies with policy Des 5 of the LDP.

### c) Matters raised in representations

#### Material - Objection

- Development not in-keeping with the surroundings - Addressed in Section 3.3 (a).
- Impact on neighbouring privacy levels - Addressed in Section 3.3 (b).
- Rooftop addition will project above trees - Addressed in Section 3.3 (b).
- Existing trees will not provide screening during winter - Addressed in Section 3.3 (b).
- Previous scheme was revised to reduce the height - Addressed in Section 3.3 (b).

#### Non-Material - Objection

- Impact of the rooftop usage for a gym- planning does not control the usage of domestic rooms.
- Loss of views - there is no right to a particular view in planning legislation.
- Residents on Maidencraig Crescent were not notified - neighbour notification were carried out to land/buildings within 20 metres of the application site. A list of the notifiable neighbours are available to view on the Planning and Building Standards online portal.
- Impact on wildlife corridor -not relevant to the assessment of a rooftop addition.

### **Conclusion**

In conclusion, the proposed rooftop addition complies with the policies contained in the Local Development Plan. The extension to the roof will be in keeping with the overall development design and will not result in adverse harm to its wider surroundings. Neighbouring amenity will not be adversely affected by the proposals. There are no material considerations that outweigh this conclusion.

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

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

## **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**

Neighbours were notified of the application 21 March 2019 and the proposal attracted 10 objections. The comments are addressed in the assessment section of the report.

## **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 an urban area as designated in the Edinburgh Local Development Plan.

**Date registered**

14 March 2019

**Drawing numbers/Scheme**

01-05.,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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**Links - Policies**

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**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

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

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

**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.

# Appendix 1

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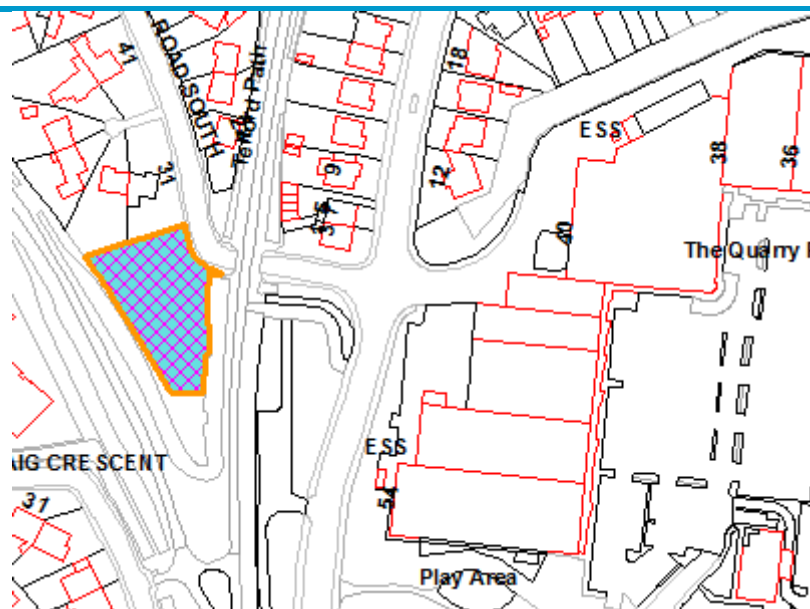
## Consultations

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No consultations undertaken.

## Location Plan

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