

Development Management Sub Committee

Wednesday 6 November 2019

**Application for Planning Permission 19/04028/FUL
At 4 Marchfield Grove, Edinburgh, EH4 5BN
Demolish existing dilapidated garage, store and
greenhouse and erect new games room and study.**

Item number

Report number

Wards

B01 - Almond

Summary

The proposal is of an acceptable size, scale and design and would not create any adverse impacts in terms of neighbouring amenity. The proposal represents a subordinate and subservient addition to the application site which would not detract from the character and appearance of the surrounding area.

This satisfies the ELDP Policy Des 12 and represents an acceptable minor departure from the non-statutory Guidance for Householders.

Links

[Policies and guidance for this application](#)

LDPP, LDES12, NSHOU,

Report

Application for Planning Permission 19/04028/FUL At 4 Marchfield Grove, Edinburgh, EH4 5BN Demolish existing dilapidated garage, store and greenhouse and erect new games room and study.

Recommendations

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

Background

2.1 Site description

The property is a large two storey detached residential dwelling (241 sqm, approximately) with substantial garden space to the north, east and south (approximately 770 sqm combined). A combined garage, greenhouse and store is located in the north west corner of the rear garden and is served by a large driveway along the western edge of the site.

The surrounding area is characterised by detached two storey residential dwellings and detached bungalows with large gardens. Extensions and alterations to these properties are mainly in the form of single storey extensions and additions to the roofs. Any structures within gardens are generally greenhouses and substantially sized garages.

2.2 Site History

The below application was made under the current owner

22 January 2019- application withdrawn to demolish existing dilapidated garage, store and greenhouse and erect new games room (application number 18/09851/FUL).

The below applications were made under a previous owner of the property/application site:

19 July 2012 - Application withdrawn the erection of new dwelling house within garden (application number 12/01621/FUL).

19 October 2012 - Application refused for the erection of dwelling house on garden ground (application number 12/02897/FUL).

Main report

3.1 Description of the Proposal

The proposal is for the demolition of the existing garage, greenhouse and store in the rear curtilage and to erect a new games room and study in its place and the erection of a timber fence.

The existing structure is made-up of 3 different buildings with a combined floor area of 60 square metres and is 3.5m high in total (height to eaves 2.5 metres). The materials are a combination of rosemary tiles, plastic roofing, roughcast walls and a garage door.

The proposed new building is for a games room and study. It has a floor area of 70 square metres and a total height of 5.4 metres (height to eaves 2.3 metres). In terms of design, it is a simple pitched roof structure with materials to tie-in with the existing house: rosemary tiles, roughcast walls and facing brick. There are 3 velux windows on the eastern roof pitch.

A timber 2 metre fence is proposed along the western boundary.

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 proposed scale, form and design is acceptable, would accord with neighbourhood character and would preserve or enhance the character and appearance of the surrounding area.
- b) The proposal will cause unreasonable loss to neighbouring amenity
- c) Any impacts on equalities or human rights are acceptable
- d) Any comments raised have been addressed.

a) Scale, form and design

Policy Des 12 (Alterations and Extensions) of the Edinburgh Local Development Plan (LDP) outlines that the impact of a proposal on the appearance and character of the existing building and streetscene generally must be satisfactory and there should be no unreasonable loss of amenity and privacy for immediate neighbours. This policy is supported by the non-statutory Guidance for Householders.

The proposed games room/study replaces an existing structure so the principle of development within the garden is already established. Whilst the floor area of the new building is slightly larger than the existing garage/greenhouse/store this increase of 10 square metres is not significant. The proposed building remains subservient to the main house in terms of floor area and scale. The garden is large and the proposed structure has no detrimental impact on the amenity value of the garden.

In terms of design and materials, the proposed building is in keeping with the main house and the wider area.

The proposed structure is to the rear of the garden so the visual impact on the streetscene is limited. There will be some visibility from the neighbouring gardens but given the existing structure and the design of the building, it is considered that there is no further detrimental visual impact.

The proposed erection of a 2m fence to a portion of the rear boundary treatment on the western side is also acceptable in terms of size, scale and design. The proposed timber materials represent suitable additions and are acceptable in this location.

In terms of use, the proposed use is a games room and study which is ancillary to the existing residential use. There is no intention for this to be a separate dwelling which would require a formal change of use.

This proposal complies with Policy Des 12 and the non-statutory Guidance for Householders.

b) Neighbouring amenity

Policy Des 12 of the Edinburgh Local Development Plan (LDP) seeks to ensure that there would be no unreasonable loss of amenity and privacy for immediate neighbours. The non-statutory Guidance for Householders sets out guidance for criteria to ensure adequate daylighting, privacy and sunlight for the application property and any neighbouring properties.

When addressing daylight, the proposal satisfies the 45 degree criterion established in the non-statutory Guidance for Householders when compared against the neighbouring properties at 3 Marchfield Grove and 5 Marchfield Grove. The proposal would not have an unacceptable impact in terms of daylighting.

In terms of privacy, the proposed games room/ study has three velux windows on the east elevation. Two of the proposed roof lights meet the 9 metre criterion established within the Guidance. The rooflight closest to the northern boundary is 7.1 metres to the nearest boundary in terms of its visual outlook. However, this would represent an acceptable minor departure given the visual splay, the nature of the windows and the large boundary hedgerow. The opportunity of overlooking would be minimal and there would not be an unacceptable impact on neighbouring privacy.

In relation to overshadowing, the proposal would not have an impact on the rear gardens of 37 Corbiehill Road, 3 Marchfield Grove and 5 Marchfield Grove. The proposal would not have an unacceptable impact in terms of overshadowing.

Overall, the proposal meets Policy Des 12 and represents an acceptable minor departure from the non-statutory Guidance for Householders. It will not cause an unacceptable loss of neighbouring amenity.

c) Equalities or human rights impacts

The proposal was assessed in terms of equalities and human rights. No impacts were identified.

d) Public comments

Twenty one representations were received from members of the public; all objecting.

Material representations - Objections:

- Height of the proposal is not in keeping with the surrounding area; the height of the proposal is acceptable, and this is addressed in section a).
- The scale of the proposal is not in keeping with the surrounding area; the scale of the proposal is acceptable, and this is addressed in section a).
- The proposal represents overdevelopment; the proposal does not represent overdevelopment, and this is addressed in section a).
- Privacy concerns; the proposal would not have a detrimental impact on privacy and this is addressed in section b).
- Daylighting concerns; the proposal would not have a detrimental impact on daylighting and this is addressed in section b).
- Overshadowing concerns; the proposal would not have a detrimental impact on overshadowing and this is addressed in section b).
- Parking concerns - there is adequate parking provision retained on site.

Non-material representations -

- The proposal is similar to a previous application - this is not a material consideration and the property history has been added to the case file.
- Internal works - this is not relevant to Planning.
- Future development - Planning cannot assess anticipated development.
- History of countering proposals on similar site - this is not a material consideration.
- Future sale of the property - this is not a material consideration.
- Wildlife and habitat destruction - this is not a material consideration in this instance.
- Permitted development rights - this only relates to works benefiting from permitted development.
- Future maintenance - this is not a material consideration.
- The proposal would set a precedent - precedent in planning does not exist and each case is assessed on its own individual merits.

Conclusion

The proposal is of an acceptable size, scale and design and would not create any adverse impact in terms of neighbouring amenity. The proposal represents a subordinate and subservient addition to the application site which would not detract from the character and appearance of the surrounding area.

This satisfies Policy Des 12 and represents an acceptable minor departure from the non-statutory Guidance for Householders

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 works 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

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 2 September 2019 and 21 letters of representation were received: 21 objecting.

A full assessment of the representations can be found in the main report in the Assessment section.

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	Edinburgh Local Development Plan.
Date registered	26 August 2019
Drawing numbers/Scheme	01-08, Scheme 1

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The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

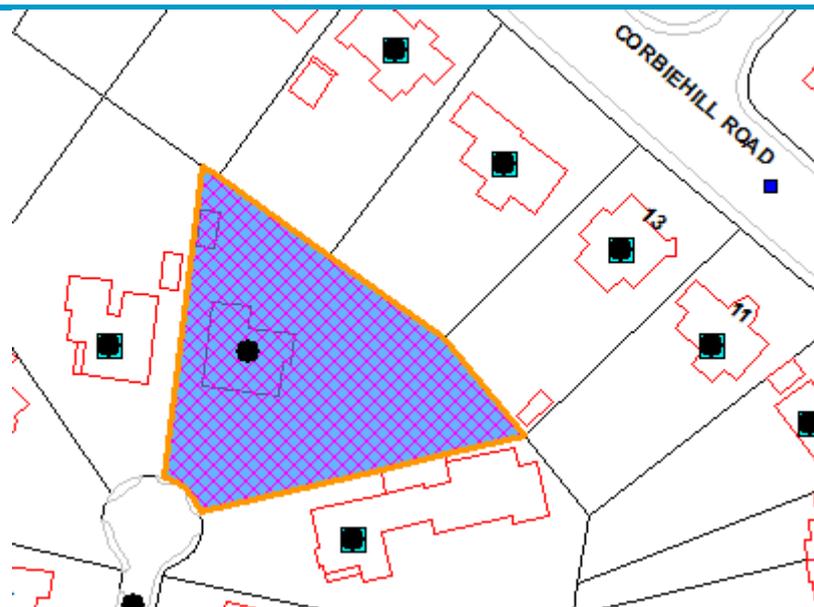
Appendix 1

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Consultations

No consultations undertaken.

Location Plan



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