

Mr Kevin Hanratty.
23 Easter Currie Terrace
Currie
EH14 5LF

Decision date: 20 February 2020

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Attic conversion and alterations to rear elevation.
At 23 Easter Currie Terrace Currie EH14 5LF

Application No: 19/05674/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 28 November 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

Conditions:-

Reasons:-

1. The proposed dormer is contrary to Edinburgh Local Development Plan Policy Des 12 on extensions and alterations as its scale, form and materials would adversely impact on the character and appearance of the existing building and neighbourhood character.
2. The proposed dormer is contrary to the non-statutory Guidance for Householders as its scale, form and materials would adversely impact on the character and appearance of the existing building and neighbourhood character.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

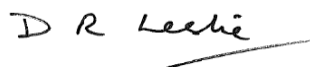
Drawings 01, 02, 03, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposed dormer in scale, form and materials would be detrimental to the character of the existing building and that of the surrounding area. It is therefore contrary to Edinburgh Local Plan Policy Des 12 and the non-statutory Guidance for Householders.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Lewis McWilliam directly on 0131 469 3988.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission 19/05674/FUL At 23 Easter Currie Terrace, Currie, EH14 5LF Attic conversion and alterations to rear elevation.

Item	Local Delegated Decision
Application number	19/05674/FUL
Wards	B02 - Pentland Hills

Summary

The proposed dormer in scale, form and materials would be detrimental to the character of the existing building and that of the surrounding area. It is therefore contrary to Edinburgh Local Plan Policy Des 12 and the non-statutory Guidance for Householders.

Links

<u>Policies and guidance for this application</u>	LDES12, NSG, LDPP, NSHOU,
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Report of handling

Recommendations

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

Background

2.1 Site description

The proposal relates to a semi-detached property located on the northern side of Easter Currie Crescent within a primarily residential area.

2.2 Site History

The site has the following planning history:

13 July 2005 - Build two storey extension to side of house and new external deck to rear garden area with 2m high screen fence - Granted (Ref: 05/01816/FUL)

Main report

3.1 Description Of The Proposal

The application proposes the following works;

-Dormer and decking to rear elevation (north-facing)

Permitted Development

Alterations to rear windows (north-facing) -these works are permitted development under Class 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No assessment of its merits are therefore required under this planning application.

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, it needs to be considered whether:

- a) The proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;
- b) The proposal will cause an unreasonable loss to neighbouring amenity;
- c) Any comments raised have been addressed.

a) Scale, form, design and neighbourhood character

Policy Des 12 of the Edinburgh City Local Plan states that planning permission will be granted for alterations and extensions to existing buildings which in their design and form, choice of materials and positioning are compatible with the character of the existing building.

The non-statutory Guidance for Householders states in regard to dormers that they should be of a size that do not dominate the form of the roof and should leave visible expanses on all four sides. Further, that larger dormers maybe acceptable to the rear which are not readily visible from public viewpoints and where this fits with the character of the building and surrounding area.

The proposed dormer would project beyond the original roofplane onto the existing two storey side extension. The width would occupy more than 70% of the cumulative average roof width and exceed the average width of the original. Whilst the dormer would be set down from the original roof, the mass of the structure would be excessive and dominant in this context. This would be further accentuated by use of a timber clad material, at odds with the existing house. In light of the above, the dormer would be at harmful to the character of the existing house.

Further, the rear elevation of the house where the dormer would sit is visible from many of the rear gardens along Bryce Crescent, Easter Currie Crescent and Easter Currie Place. In addition, it would be partially visible from Bryce Crescent. Dormers of the scale and form proposed are not evident on these houses in the immediate context. In this regard, the dormer would appear incongruous; at odds and detrimental to the existing character of the surrounding area. In this respect the dormer would be contrary to the above guidance and there is no justification for any relaxation in this setting.

The proposed decking in scale and material would read as a relatively modest addition which is not uncommon in a domestic setting. In this respect, this element of the scheme raises no concern in terms of its impact on the character of the house or wider area.

The proposal is not of an acceptable scale, form and design and will be detrimental to neighbourhood character. This is contrary to Local Plan Policy Des 12 and the non-statutory Guidance for Householders.

b) Neighbouring Amenity

In terms of privacy, the non-statutory Guidance for Householders requires that all new windows are located at least 9m from a common boundary or 18m from another facing window to limit any unreasonable impact on neighbouring amenity. The proposal meets this criteria therefore does not raise any unreasonable impact on neighbour's privacy.

In addition, the height of the decking would result in an increased visibility of the adjacent property's conservatory. However, in line with the Guidance for Householders, as these existing openings are side-facing and fall short of the recommended separation distance itself, no protection is afforded to it in terms of potential loss of light or privacy. Further, outlook from the decking to the neighbouring gardens to the rear would be broadly consistent with the existing platform therefore does not raise any new privacy concerns.

The development satisfies the 45 degree daylighting and sun lighting criterion in the non-statutory Guidance for Householders and therefore would have no impact on neighbouring windows or garden spaces.

The proposal would have no impact on neighbouring amenity and accords with Policy Des 12 and the non-statutory Guidance for Householders in this regard.

c) Public comments

No comments have been received.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposed dormer is contrary to Edinburgh Local Development Plan Policy Des 12 on extensions and alterations as its scale, form and materials would adversely impact on the character and appearance of the existing building and neighbourhood character.
2. The proposed dormer is contrary to the non-statutory Guidance for Householders as its scale, form and materials would adversely impact on the character and appearance of the existing building and neighbourhood character.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

No representations have been received.

Background reading / external references

- To view details of the application go to
- [Planning and Building Standards online services](#)

**Statutory Development
Plan Provision**

Policies - Edinburgh Local Development Plan - Urban Area

Date registered

28 November 2019

**Drawing
numbers/Scheme**01, 02, 03,

Scheme 1

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer
E-mail:lewis.mcwilliam@edinburgh.gov.uk Tel:0131 469 3988

Links - Policies

Relevant Policies:

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

Relevant Non-Statutory Guidelines**Relevant policies of the Local Development Plan.**

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

Appendix 1

Consultations

No Consultations received.

END



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100210270-004

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☒ Applicant ☐ Agent

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Kevin"/>	Building Number:	<input type="text" value="23"/>
Last Name: *	<input type="text" value="Hanratty"/>	Address 1 (Street): *	<input type="text" value="Easter Currie Terrace"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="eh14 5lf"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

23 EASTER CURRIE TERRACE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

CURRIE

Post Code:

EH14 5LF

Please identify/describe the location of the site or sites

Northing

667964

Easting

318429

Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Attic conversion and alterations to rear elevation. Summary

Type of Application

What type of application did you submit to the planning authority? *



Application for planning permission (including householder application but excluding application to work minerals).



Application for planning permission in principle.



Further application.



Application for approval of matters specified in conditions.

What does your review relate to? *

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

We are of the opinion that the form of the dormer window proposed would NOT adversely impact on the character and appearance of the existing building and neighbourhood character. Although the rear dormer is larger than one stated in permitted developments rights it is only viable way of extending the house to create necessary additional accommodation for the occupying family. All other options were exhausted and it is only viable proposal to create additional space for the growing family

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

appeal supporting statement and refused drawings

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

19/05674/FUL

What date was the application submitted to the planning authority? *

28/11/2019

What date was the decision issued by the planning authority? *

20/02/2020

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? *

☒ Yes ☐ No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? *

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

☐ Yes ☐ No ☒ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Sebastian Kozlowski

Declaration Date: 19/05/2020

Proposal Details

Proposal Name	100210270
Proposal Description	attic conversion and alterations to rear elevation
Address	23 EASTER CURRIE TERRACE, CURRIE, EH14 5LF
Local Authority	City of Edinburgh Council
Application Online Reference	100210270-004

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
appeal statement	Attached	A4
205 02	Attached	A1
205 03	Attached	A1
Decision Notice	Attached	A4
report of handling	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-004.xml	Attached	A0

Appeal Statement

Attic conversion and alterations to rear elevation
23 Easter Currie Terrace Currie EH14 5LF
Planning Application ref. 19/05674/FUL

We are of the opinion that the form of the dormer window proposed would NOT adversely impact on the character and appearance of the existing building and neighbourhood character.



Background to the application

The applicant has a large and extended family and proposes to extend his house as he cannot afford to move or upgrade to a larger house. Altering and extending his existing house is the best option for him economically and allows him to stay in the same area where his children are at school.

The attic extension is to create space for his children and the dormer window will allow to make a massive difference to the useable area in the attic. While the house is one half of a semidetached building both parts have been altered over a number of years with the result that both halves are not symmetrical and our view is that the proposal as shown would have no affect on the compatibility of the existing building.

Although the rear dormer is larger than one stated in permitted developments rights, it is only viable way of extending the house to create necessary additional accommodation for the occupying family. All other options were exhausted and it is the only viable proposal to create additional space for the growing family.

TonyKartec.
architectural services
e. info@tonykartec.co.uk
www.tonykartec.co.uk
tel. 07763 9966226

We have looked at different options to form additional living space within the house and it would not be possible to extend to the rear garden due to low ground level in relation to the internal floor level.

The only viable way of extending the much-needed floor space is converting of the attic space which would require a dormer window to the rear. The dormer window will also have to provide space for the access stairs from the first floor.

The dormer window would not be easily visible from the street and therefore would not adversely impact on the character and appearance of the existing buildings and neighbourhood character. The only place from where the corner will be visible is shown on the attached photo fig. 1, however, this would also be the case with any other dormer windows. The proposed dormer window is offset from the edge of the ridge/hip corner by approx. 300mm.

Surrounding houses were altered over time and create a mix of side extensions, dormer windows and front porches. The proposed extension would not adversely affect the area which has been already significantly altered over the years.

It is our position that the proposal would not affect the character of the neighbourhood and would be entirely compatible with the diverse styles and materials of the immediate and surrounding area – photos of the surrounding area are attached below.

The applicant is in need for the additional space and that while not necessarily a good planning reason, it should be given some weight to this application as the proposal will have a negligible visual appearance but not to the detriment of the existing building or character of the area to warrant a refusal.

For the above reasons we hope that the Local Review Board can uphold the appeal and approve the application.

Photos showing the diverse styles and materials of the immediate and surrounding area.



TonyKartec.
architectural services
e. info@tonykartec.co.uk
www.tonykartec.co.uk
tel. 07763 9966226



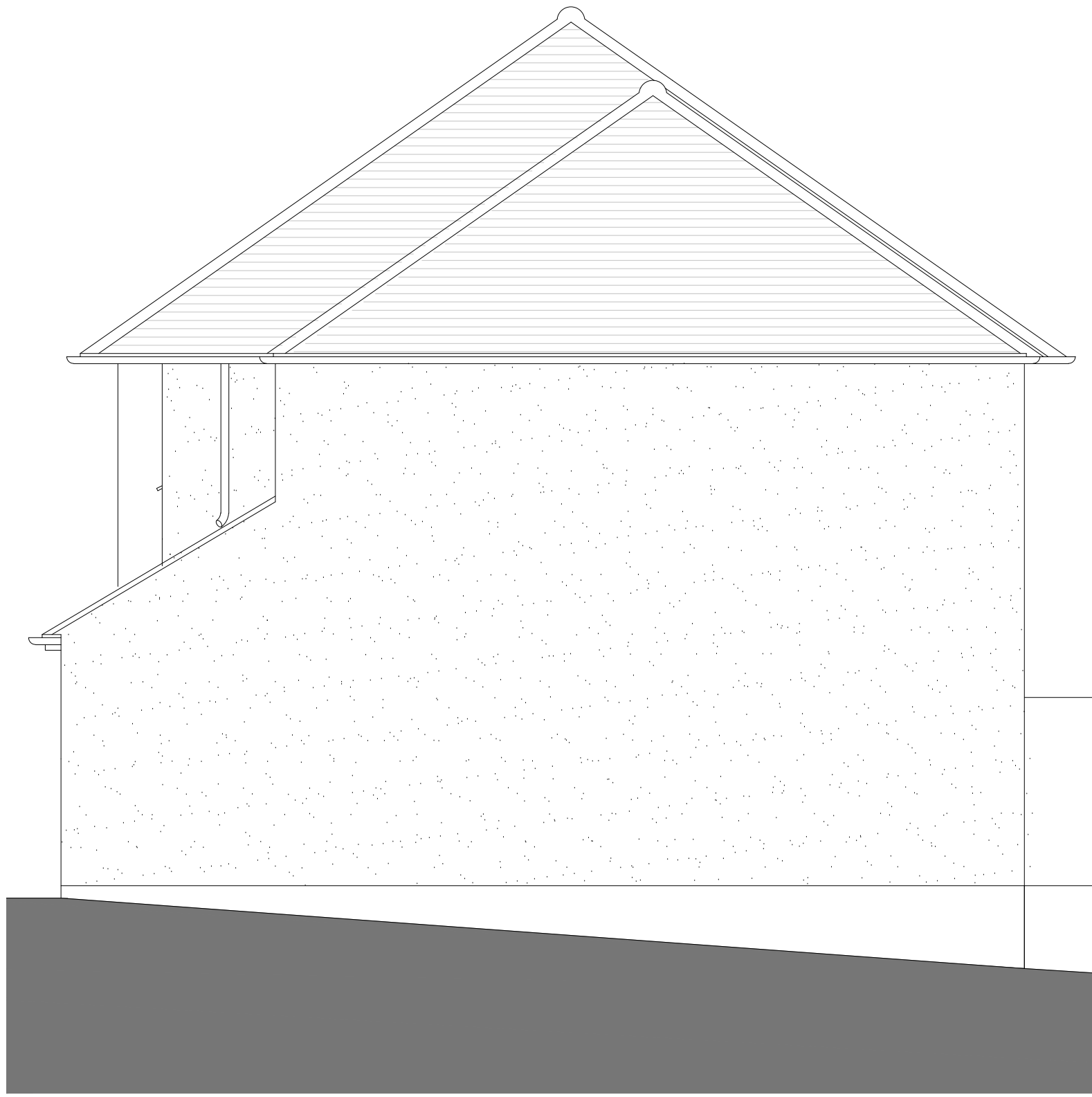
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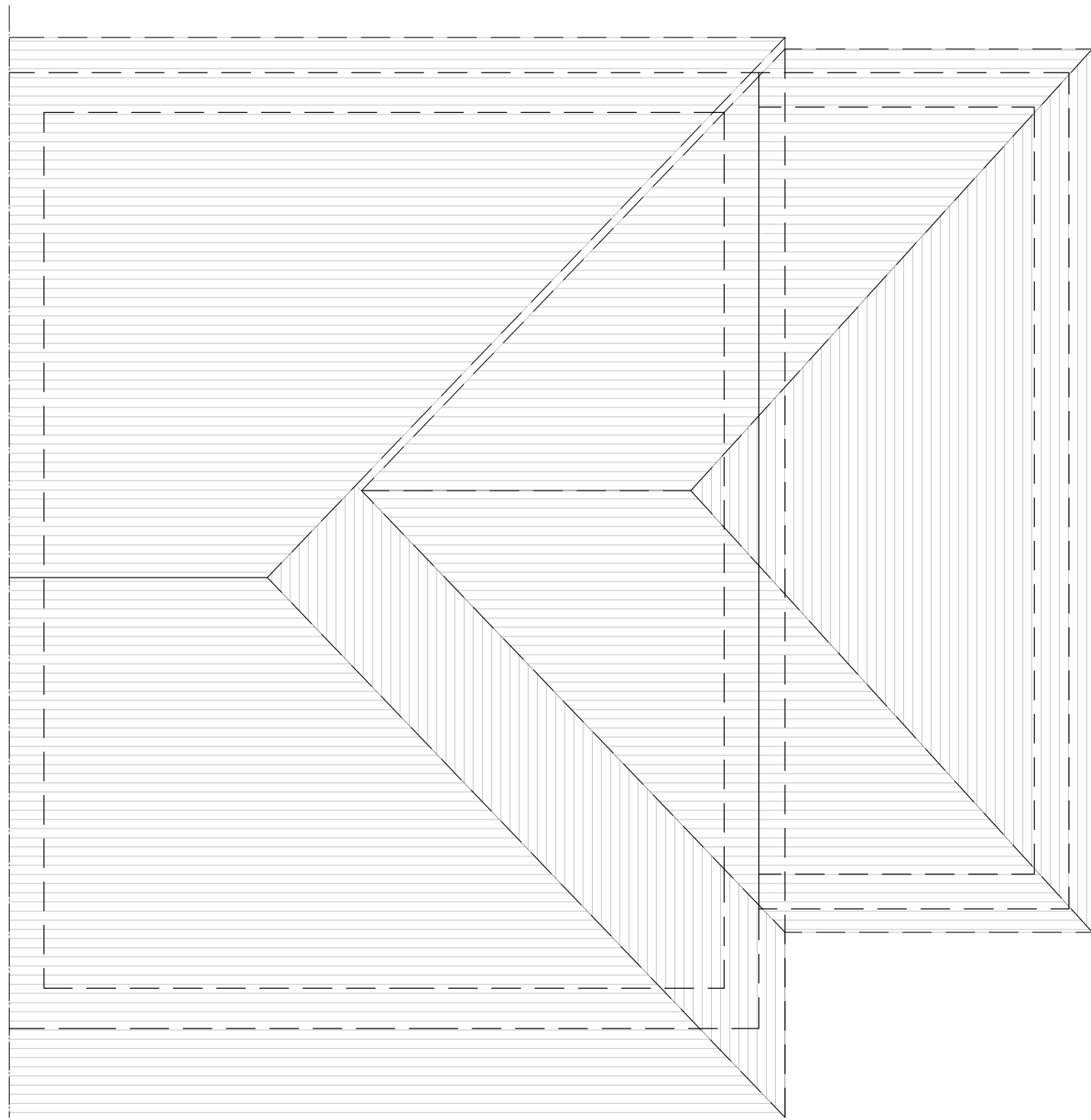
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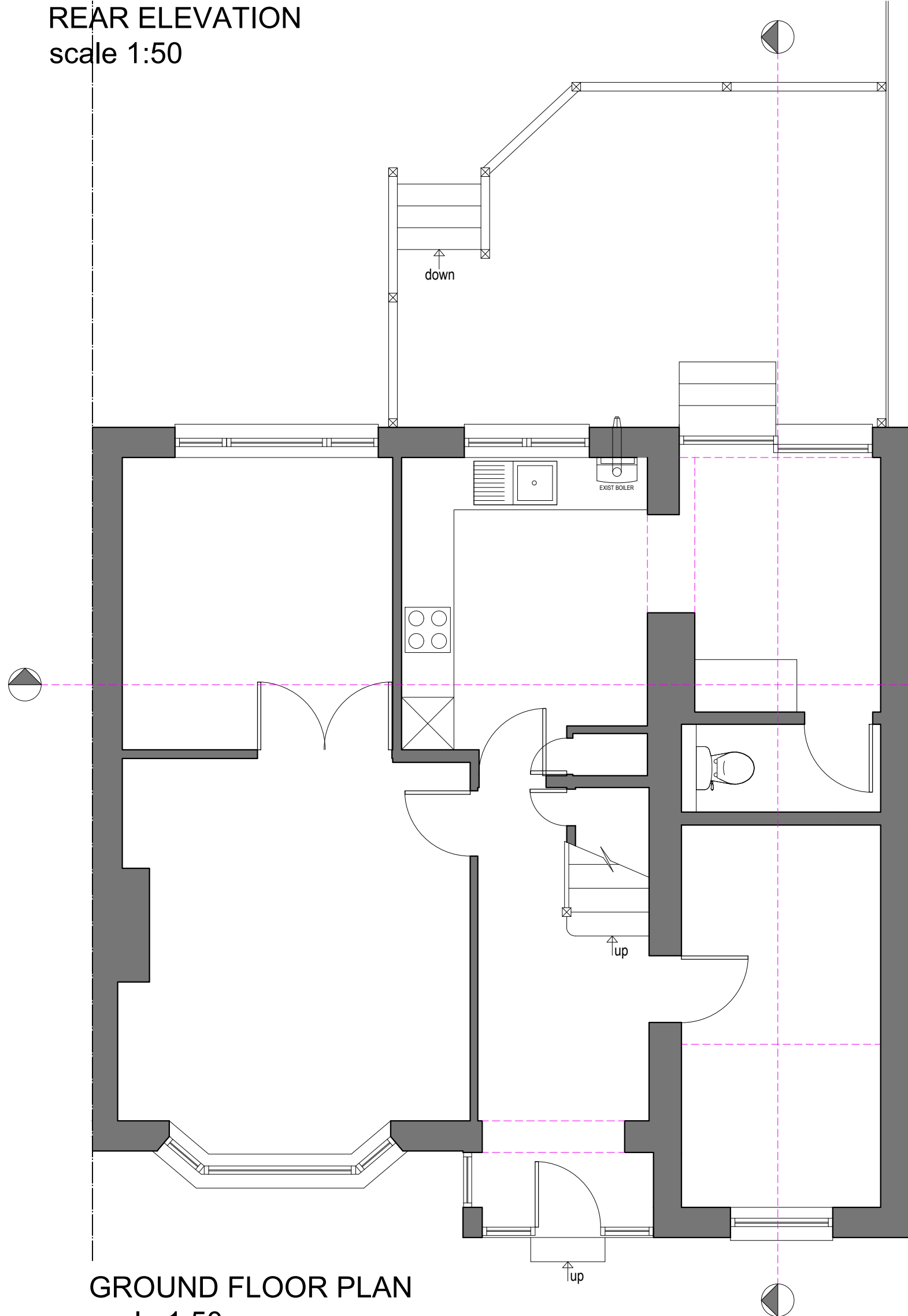
REAR ELEVATION
scale 1:50



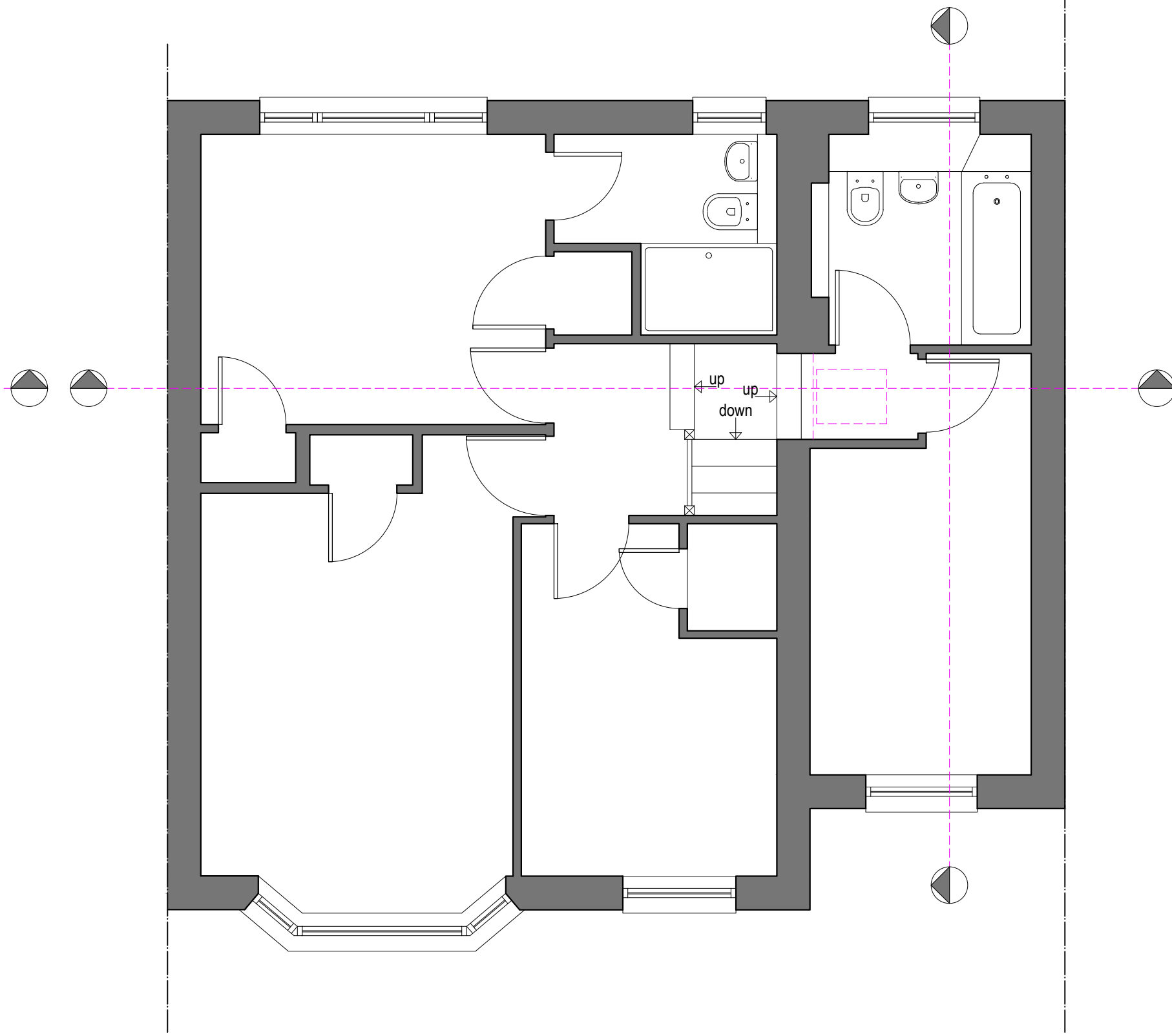
REAR ELEVATION
scale 1:50



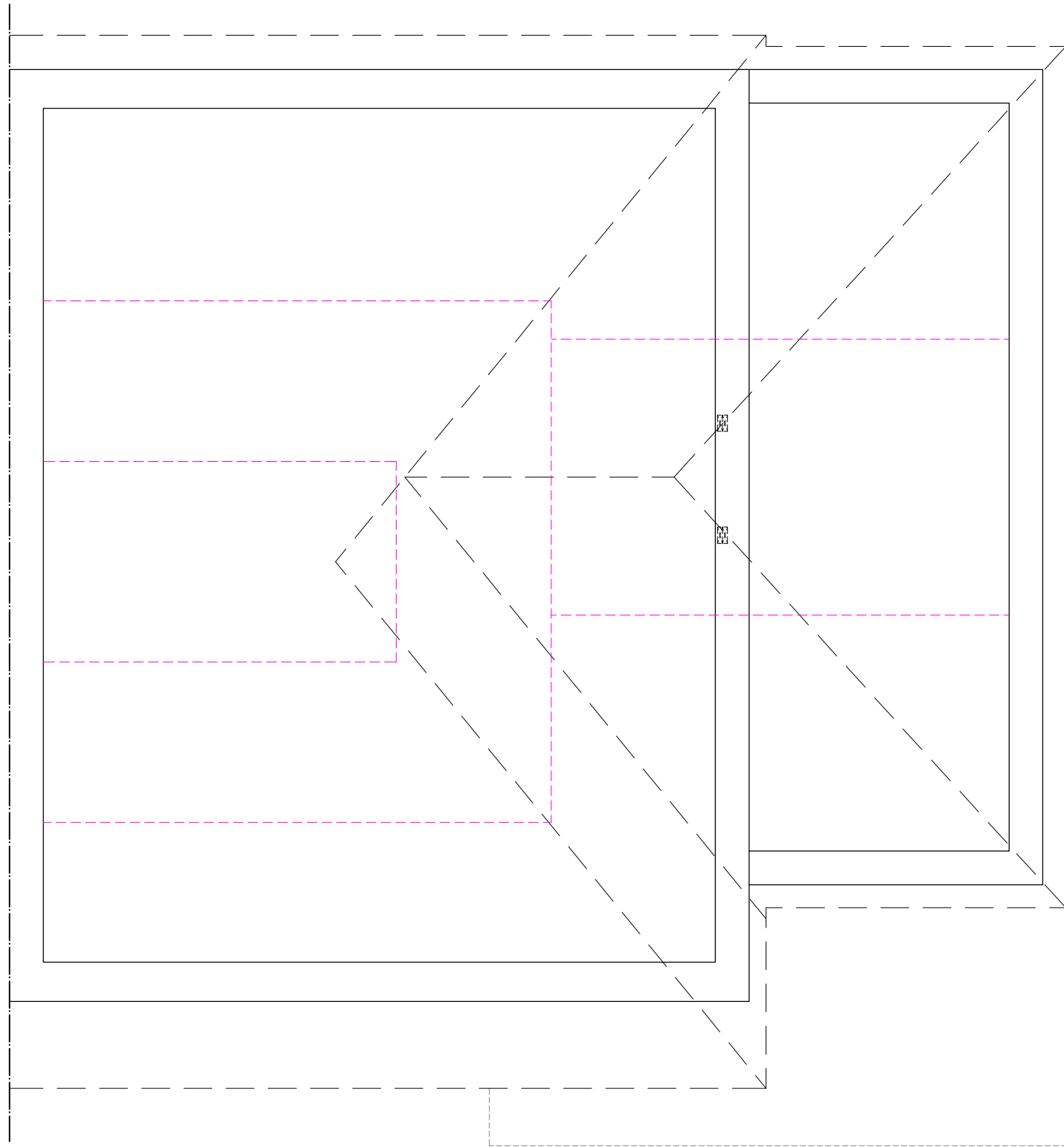
ROOF PLAN
scale 1:50



GROUND FLOOR PLAN
scale 1:50



FIRST FLOOR PLAN
scale 1:50



ATTIC PLAN
scale 1:50

NOTES:

DO NOT SCALE FROM THIS DRAWING. ALL DIMENSIONS TO BE CHECKED ON SITE, AND ARCHITECT/DESIGNER TO BE NOTIFIED OF ANY DISCREPANCIES, PRIOR TO ANY MANUFACTURING, CONSTRUCTION OR INSTALLATION.

READ THIS DRAWING IN CONJUNCTION WITH ALL CONSULTANT'S AND SPECIALIST'S DRAWINGS, DETAILS, SCHEDULES AND SPECIFICATIONS.

ALL DIMENSIONS MUST BE CHECKED AGAINST SITE SIZES BEFORE COMMENCING WORK.

CONTRACTOR MUST SUBMIT APPROVED CERTIFICATES ON COMPLETION OF THE WORKS ON SITE.

client: K_HANRATTY
project: 23_EASTER_CURRIE_TERRACE
EDINBURGH_EH14_5LF

rev:	date:	description:				dm:	chk:	apd:
drawing no: 205_02	drawing title: EXISTING					date: 29/09/19	drawn: SK	
status:							scale: @ A1	
PLANNING								

