

# Development Management Sub Committee

Wednesday 17 March 2021

**Application for Planning Permission 20/05203/FUL  
at 8 Ettrick Road, Edinburgh, EH10 5BJ.  
Proposed extension, alterations to side and rear (as  
amended).**

**Item number**

**Report number**

**Wards**

B10 - Morningside

## Summary

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The application is for development that is in accordance with the Edinburgh Local Development Plan as it complies with policy Des 12 (Alterations and Extensions) and policy Env 6 (Conservation Areas - Development). It is compatible with the existing building, preserves the special character and appearance of the conservation area and has no adverse impact on neighbouring residential amenity. There are no material considerations which outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LDES12, LEN06, NSG, NSHOU, NSLBCA, OTH, CRPMER,

# Report

## **Application for Planning Permission 20/05203/FUL at 8 Ettrick Road, Edinburgh, EH10 5BJ. Proposed extension, alterations to side and rear (as amended).**

### **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 relates to a detached two-storey traditional villa on the west side of Ettrick Road. The area consists of a number of traditional villas with large gardens to the front and rear. Some of the properties have later extensions to the side and rear. In the immediate vicinity, No. 10 has a large side two storey extension and No. 2 has a side extension using contemporary materials.

The rear of the property has been extended at various times throughout the building's history, mainly to the rear of the property and these alterations are not visible from the street. There is a single modern stonebuilt garage to the side, set back from the villa.

The existing rear extensions cover the whole rear elevation and are single storey. They are a mixture of stone extensions and glass infill. The visual appearance is one of three stone gable extensions with a large glass infill.

There is one tree on the site that would be directly affected by the proposals and this is located close to the boundary with number 10 Ettrick Road.

This application site is located within the Merchiston And Greenhill Conservation Area.

#### **2.2 Site History**

5 October 1994 - planning application granted to form 2 window openings in kitchen and erect cold water storage tank housing on roof (application reference: 94/01890/FUL).

22 January 2008 - planning permission granted for alterations to single detached dwelling to form enlarged kitchen into garage, replace conservatory with sunlounge; add en-suite shower-room; enlarge utility room (application reference: 07/05086/FUL).

25 June 2015 - planning application refused by LRB to extend garage and raise wall head with pitched roof over incorporating bedroom/shower room (application reference: 15/01354/FUL).

## **Main report**

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### **3.1 Description of the Proposal**

This is an amended proposal which involves the remodelling of the majority of the existing rear extensions in a contemporary style. They are being redesigned to have the appearance of three gables presenting onto the garden and a series of three pitched roofs running back to the villa. The footprint of the rear extensions remain the same as the existing situation. The proposed materials are a combination of sandstone, vertical oak cladding and dark grey aluminium. The roof feature is a mixture of glazing and slate.

The existing side garage is being extended with an addition storey and a link to the villa is being created. It is contemporary in design and the materials match the rear extensions. The extended garage building will sit against the blank gable wall of the extension at No. 10.

The existing stone terrace is to be retained and extended and raised in areas.

#### Previous Scheme

The previous scheme included a balcony to the south west rear elevation; this has been removed from the proposals.

#### Supporting Statement

- Sun Path Analysis for June and September;
- Precedent Study;
- 45 Degree South West Elevation Proposed;
- Tree Report;
- Conservatory Condition Survey;
- Design and Access Statement.

These documents are available to view on the Planning and Building Standards Online Services.

### **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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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 and will not be detrimental to the conservation area;
- b) the proposal will impact on trees;
- c) the proposal impacts on neighbouring amenity and
- d) any comments raised have been addressed.

#### a) Scale, form, design and the conservation area

Edinburgh Local Development Plan Policy Env 6 states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal. The relevant character appraisal is the Merchiston and Greenhill Conservation Area Character Appraisal.

The Merchiston and Greenhill Conservation Area Character Appraisal emphasises the consistent domestic grain, scale and building mass; the high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas; the uniformity resulting from the predominant use of traditional building materials; and the predominance of residential uses within the area.

The Merchiston and Greenhill Conservation Area is characterised as a villa area and as such there are special guidelines in the Guidance for Householders which apply to extensions and alterations to villas to ensure that the low-density character is maintained.

The villa guidance requires that the character of the original villa should not be adversely changed as a result of development and that extensions should be subservient to the original building.

In this context, the proposed development involves the remodelling of the existing rear extensions and the garage. The original villa will not be adversely changed as a result of this development. Development has already occurred within the grounds of the application property in the past and the new proposal does not result in any additional footprint. The villa remains the predominant element within the plot and the proposed alterations to the rear extensions and the garage do not undermine the original villa property.

Throughout the Merchiston and Greenhill Conservation Area there are a variety of new extensions and additions to the villa properties; these are in a variety of locations, footprints and designs including larger side extensions. Other properties in the street have had side extensions which have changed the scale, spacing and rhythm of the street from its original character.

With regards to the rear extensions, these proposals will not be visible from public view. The alterations to the existing extensions do not increase the footprint and there is no significant increase in scale compared to the existing situation. The house is set within a large garden which is retained as existing and as a result, the proposals are not over development. There is no significant change to the architectural integrity of the original villa with the proposals given that the rear extensions that are already in place. The conservation area is characterised by large villas with later extensions and therefore the proposals are in character with the wider conservation area.

The proposed changes to the existing non-original garage will be visible from Etrick Road. The proposals do involve increasing the height of the garage and the increased ridge height will match that of the neighbouring extension, creating a coherent spacing and elevation rhythm to the street. The pitched roof over the garage is relatively modest in scale and remains subservient to the original house and is designed to mirror the height of the neighbouring extension with the proposed slate pitched roof reducing its impact along the neighbouring boundary.

The link section will introduce new development to the side of the house and whilst views through to the rear garden are important in a villa area, this has already been lost with the existing rear extensions. The area is also characterised by later side extensions. In addition, the proposed garage and link development is set back from the primary façade, further reducing visual scale of the extension when viewed from Etrick Road and there is a number of mature trees at the front of the property which limits the views from street level to the proposed extension. It is therefore considered that the visual impact of the extension will not be significant.

The proposed design of the rear and side extensions is contemporary and is of high quality that complements the architectural value of the original villa. The proposed materials reflect this design approach, rather than using more traditional materials. A more innovative use of materials and design is a valid approach and arguably provides a clear contrast with the original property. There are other examples within the conservation area of modern style extensions. The overall design is relatively simple and low key and given that it is not readily visible from public view; the impact of the new extension on the wider conservation area will be limited.

In summary, the proposals are of an acceptable scale, form and design and are compatible with the existing dwelling and will preserve the character and appearance of the conservation area.

The proposals comply with Local Development Plan Policy Des 12, Env 6 and the non-statutory Guidance for Householders.

## b) Impact on trees

Policy Env 12 (Trees) of the Local Development Plan states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless for good arboriculturally reasons.

Trees make an important contribution to character, biodiversity, amenity and green networks. In the Merchiston and Greenhill Conservation Area, mature trees make an important contribution to its character and appearance.

With regards to this application, the proposals do not include any removal of trees within the garden of the application property or the neighbouring property.

The submitted tree survey has found that only one tree stands close to the rear elevation at the boundary wall with number 10; the tree stands 1.5m from a low stone retaining wall and around 2.5m from the rear elevation.

There is a concern that the roots of the *Sorbus x thuringiaca* 'fastigiata' extend into the site of the extension. The extension could therefore impact on the tree's longevity and undermine its stability causing a danger to surrounding properties.

A tree survey has been provided as part of the revised submission and this assesses the condition of the tree which has been subject of historic pruning works. The survey has been reviewed and it is considered that rather than the roots, the main concern is the canopy of the tree and whether the branches would overhang the proposed extension and cause concern about future damage to the extension and danger to the occupants.

The proposal is considered acceptable as it would not have any impact on the tree root system. In addition, the tree survey has advised a pre-requisite measure that could be implemented while the development takes place is 'to install temporary ground protection measures around the base of the trunk to prevent soil compaction and rutting. This could comprise sheets of heavy-duty plywood or butt-jointed scaffolding boards.' A condition is recommended to that effect.

Furthermore, in terms of the canopy, it has been found that this tree has been historically pruned and the species responds well to such management. The pruning of the tree to reduce its overhang is therefore acceptable and again, a condition is recommended to undertake the necessary pruning works as advised in the tree survey.

In conclusion, the tree survey outlines that the proposed extension and the recommended works will not be detrimental to the tree and its amenity value will be maintained subject to the appropriate conditions which includes pruning work prior to commencement of the works.

The proposals comply with Local Development Plan Policy Env 12.

### c) Neighbouring amenity

The proposals have been assessed against requirements set out in the non-statutory Guidance for Householders to ensure there is no unreasonable loss to neighbouring amenity with respect to privacy, overshadowing and loss of daylight or sunlight.

In terms of the privacy, concerns were raised with regards to the proposed balcony to the south west elevation. In response to that concern, the revised scheme omits the balcony in order to comply with the privacy issue and the slight roof overhang protects any overlooking that could occur to the next-door neighbour. In addition, privacy screening has been added to the side of the proposal to protect any potential overlooking. These measures will ensure that there is no adverse impact on privacy due to overlooking and this is also combined with an existing tree that is situated in the close proximity to the proposed extension which will further obscure any views to the neighbouring garden. Also, it has to be noted that the windows on the extension to No 10 Etrick Road have been positioned closer to the boundary than those of the original house. As such, these windows are not afforded the same degree of protection as the original windows are.

There was also concern in terms of the privacy to the rear gardens of the property located at Gillsland Road. The distance to the boundary between those properties are more than 35 metres, totalling approximately 70 metres to the nearest window. The Non-Statutory Guidance for Householders' states that '18 metres is the minimum recommended distance between windows, usually equally spread so that each property's windows are 9 metres from the common boundary'.

Therefore, the current proposal does not raise any privacy concerns and in both cases complies with the LDP Des 12 and non-statutory Guidance for Householders.

In terms of daylighting, the Guidance for Householders sets out the criteria used to calculate the impact of daylighting on the windows of a neighbouring property. The 45 degree line drawn from the top of the proposed extension does not enclose the centre of the neighbouring windows. The proposals therefore ensure that adequate daylighting is maintained.

It is important that there is no unreasonable loss of sunlight to a neighbouring garden and this is assessed against how the garden is used and its overall size. As amended, the revised scheme results in a minimal increase of the wall height by 500mm. There will be additional overshadowing of 1 square metre of the rear garden ground of No 10 Etrick Road. The overshadowing will fall on the space between the rear wall of the extension to No 10 Etrick Road and the summer house belonging to 10B which is shaded on three sides already and the summer house itself is set within an area which is already overshadowed by the existing garage wall and mature tree. Furthermore, the orientation of No 8 and 10 is such that loss of sunlight will only be an issue in the mornings. A diagram with Sun Path Analysis has been submitted which clearly indicates a minimal impact on the grounds of No 10. Given the context and the minimal amount of garden affected, the overshadowing is acceptable.

The proposed extension does have a rooflight which will cause some light to be cast towards directly to the upper floor windows. Light pollution is not a material planning consideration in a domestic context but strong light shining into a bedroom could be considered a statutory nuisance under separate environmental legislation. Noise disturbance between domestic properties is also not a material planning consideration and any unreasonable noise would be controlled through anti-social behaviour legislation.

Overall, the proposed extension will not result in an unreasonable loss of privacy or natural light to the neighbouring properties. The proposals comply with Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders in relation to amenity.

#### d) Public comments

##### **Material Comments: Objection:**

- Adverse impact on conservation area: - addressed in 3.3a).
- Overdevelopment: - addressed in 3.3a).
- Layout and position: - addressed in 3.3a).
- Visibility and scale: - addressed in 3.3a).
- Quality of design unacceptable: - addressed in 3.3a).
- Materials out of character: addressed in 3.3a).
- Impact on trees: - addressed in 3.3b).
- Loss of outlook and the loss of natural light: - addressed in 3.3c).
- Overshadowing and privacy: - addressed in 3.3c).
- Light pollution - addressed in 3.3c).

##### **Material Comments: Support:**

- Character of Merchiston Conservation area - addressed in 3.3a).
- Scale of development - addressed in 3.3a).
- Design - addressed in 3.3 a).
- Visibility - addressed in 3.3a).
- Materials - addressed in 3.3a).
- neighbouring amenity - addressed in c).

#### Conclusion

The application is for development that is in accordance with the Edinburgh Local Development Plan as it complies with policy Des 12 (Alterations and Extensions) and policy Env 6 (Conservation Areas - Development). It is compatible with the existing building, preserves or enhances the special character or appearance of the conservation area and has no adverse impact on neighbouring residential amenity. 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**

#### **Conditions :-**

1. Prior to construction, the recommended remedial pruning works to the neighbouring Sorbus x thuringiaca 'fastigiata' tree shall be carried out prior to the commencement of any enabling works. All tree works must only be carried out by suitably qualified and experienced contractors and should conform to the guideline set out in British Standards 5837:2012 Tree work- Recommendations.
2. During construction, temporary ground protection measures around the base of the trunk as detailed in the submitted tree survey shall be done to prevent soil compaction and rutting.

#### **Reasons:-**

1. In order to safeguard protected trees.
2. In order to safeguard protected trees.

#### **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**

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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 scheme has received a total of 75 representations; 34 objecting and 41 supporting the application. In certain cases, multiple representations were submitted by individuals.

## **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**

Edinburgh Local Development Plan- Urban Area.

**Date registered**

2 December 2020

**Drawing numbers/Scheme**

01-  
12,13A,14A,15A,16A,17,18A,19,20,21A,22,23,24,25,

Scheme 2

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**Links - Policies**

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**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.

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

**Relevant Non-Statutory Guidelines**

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

**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 Merchiston & Greenhill Conservation Area Character Appraisal** emphasises the consistent domestic grain, scale and building mass; the high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas; the uniformity resulting from the predominant use of traditional building materials; and the predominance of residential uses within the area

# Appendix 1

**Application for Planning Permission 20/05203/FUL  
At 8 Ettrick Road, Edinburgh, EH10 5BJ  
Proposed extension, alterations to side and rear (as  
amended).**

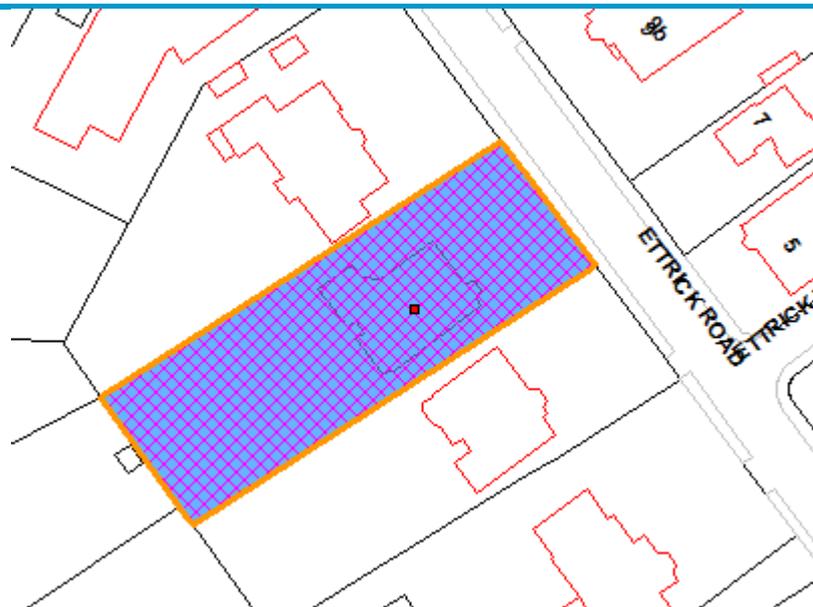
## Consultations

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No consultations undertaken.

## Location Plan

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