

Development Management Sub Committee

Wednesday 21 April 2021

**Application for Planning Permission 21/00158/FUL
at 13 St Fillan's Terrace, Edinburgh, EH10 5NH.
Single storey rear extension and attic conversion, including
front and rear dormers and erect new garden room in rear
garden (as amended).**

Item number

Report number

Wards

B10 - Morningside

Summary

The application for development 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). The proposal represents an acceptable minor departure from the non-statutory Guidance for Householders. 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

[Policies and guidance for this application](#)

LDPP, LDES12, LEN06, NSG, NSHOU, NSLBCA, CRPLEW,

Report

Application for Planning Permission 21/00158/FUL At 13 St Fillan's Terrace, Edinburgh, EH10 5NH Single storey rear extension and attic conversion, including front and rear dormers and erect new garden room in rear garden (as amended).

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 mid-terrace residential dwelling that is predominately sandstone with a slate roof. The property has a front garden and an expansive rear curtilage. The property has not been extended to the rear elevation.

The additions and alterations to residential dwellings within the surrounding area are characterised by single storey extensions to the rear and roof lights and dormer windows to the roof plans. These extensions range in terms of size and scale and vary in design from glazed to solid structures.

The street has one storey terraced residential dwellings to the west and two storey terraced residential dwellings to the east. These terrace rows both share similar characteristics in terms of their primary elevations; stone-based properties with large ground floor bay windows and 'bay styled' dormer windows to the roof plan. One large non-original 'box style' dormer window exists at number 5 St Fillan's Terrace. This application site is located within the Plewlands Conservation Area.

2.2 Site History

02.12.2020 - Application withdrawn for; Single-storey rear extension, 1st floor out-shoot extension to rear and new front and rear dormers. - (20/04848/FUL).

28.10.2020 - Application withdrawn for; Single storey rear extension, rear first floor out-shoot extension and attic conversion, including front and rear dormers - (20/04149/FUL).

Main report

3.1 Description Of The Proposal

The amended proposal is for the installation of a single storey rear extension, two dormer windows to the front and rear elevations of the roof plan, a roof light to the rear elevation of the roof plan and a garden room (16 sqm, approximately) in the rear curtilage.

Roof Light -

- Materials - Conservation Area style.

Single Storey -

- Height -2.9m
- Height to eaves - 2.7m
- Length - 6.4m
- Width -5.2m
- Floorspace - 33 sqm
- Materials - Smooth render, aluminium doors & rooflight, ply membrane roof, zinc eaves and cast iron rain goods.

Garden Room -

- Height - 2.4m
- Height to eaves - 2.2m
- Length - 3.9m
- Width - 4.5m
- Floorspace - 15 sqm
- Materials - timber windows & doors, timber clad, EPDM roof, aluminium fascia.

Bay-Style Dormer Windows -

- Materials - timber (painted white) and slate cheeks.

Revised Scheme -

Scheme 2 reduces the single storey rear extension in length by approximately 0.7m and changes its proposed materials from pebble-dashed render to smooth render.

The following supporting document is available to view on the Planning and Building Standards Portal:

- Design Statement.

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 cause an unreasonable loss to neighbouring amenity;
- c) Other Material Considerations.
- d) any comments raised have been addressed.

a) Scale, form, design and the conservation area

The Plewlands Conservation Area is mainly comprised of two storey residential terraced development. The predominant height is two storeys with a small number of flatted elements of mainly three and four storeys. The buildings are complemented by mature trees, extensive garden settings, shallow stone boundary walls and spacious roads.

Single storey extension -

The non-statutory Guidance for Householders states that "extensions should not overwhelm or dominate the original form or appearance of the house, or detract from the character of the area".

The Edinburgh Local Development Plan Policy Des 12 also 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 Edinburgh Local Development Plan Policy Env 06 states that "development within a conservation area or affecting its setting 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 single storey rear extension is of a modern design that would sit comfortably on the rear elevation of the property. The size and scale of the proposal would be subordinate and subservient in its design and this would have a harmonious relationship with the original building. These characteristics would also be congruous in terms of the additions and alterations to the residential dwellings of surrounding Plewlands Conservation Area where there is a range of additions and alterations. The layout of this element of the proposal is also in keeping with character of the spatial pattern of the surrounding area. In addition, as part of the revised scheme, the proposed materials and fenestration design represent suitable modern additions that feature throughout the surrounding Plewlands Conservation Area.

In terms of overdevelopment, the non-statutory Guidance for Householders advises that a rear extension should not consume more than one third of the rear garden. The floor space of the proposed single storey rear extension is approximately 33 sqm which would be less than one third of the rear garden space (150 sqm, approximately) and therefore complies with the overdevelopment criterion.

Garden room -

The non-statutory Guidance for Householders states that "buildings within the residential curtilage - such as garages, sheds or greenhouses - should be subordinate in scale and floor area to the main house" and that "Proposals will be assessed for their impact on the amenity of the area and on neighbouring property (eg loss of daylight) in the same way as extensions".

The proposed installation of a garden room within the rear section of the garden is acceptable in terms of size and scale; the floor space of the garden room is approximately 15 sqm and when compared against the 59 sqm, approximately, of the original property, would represent a subordinate addition. Furthermore, the height of the garden room is 2.4m approximately which would also be subservient in relation to that of the original property (9.2m, approximately). In relation to the spatial layout of the garden room, these feature regularly throughout the surrounding Plewlands Conservation Area and this element of the proposal would be congruous to this characteristic. The proposed materials and fenestration design would represent suitable additions and would also be acceptable in the Plewlands Conservation Area

In terms of overdevelopment with both elements combined, the floorspace of the single storey rear extension (33 sqm, approximately) and the garden room (15 sqm, approximately) come to 48 sqm, approximately. This would leave 102 sqm from 150 sqm the rear garden space and this would represent a satisfactory amount of remaining garden space.

Primary and secondary elevation dormer windows -

The non-statutory Guidance for Householders states that "dormers in conservation areas will be acceptable when they are compatible with the building and the character of the surrounding area", and that "the relationship between a dormer and its surroundings is particularly important. Dormers should be of such a size that they do not dominate the form of the roof" and "on principal elevations a single dormer should be no greater in width than one third of the average roof width. If there are two or more dormers, their combined width should be less than 50% of the average width of the single roof plane on which they are located".

The dormer window represents a departure from the non-statutory Guidance for Householders in that it is over one third of the roof width (2.2m approximately compared to the 5.6m of the roof plan). However, the size and scale of the original dormer windows within this section of St Fillan's Terrace are over one third of their associated roof plans and therefore this would represent a characteristic of the streetscape. Taking this into consideration, this would represent an acceptable minor departure from the non-statutory Guidance for Householders and the proposed dormer window would sit comfortably within that elevation of the building.

In terms of the character and appearance of the surrounding area, dormer windows are present within the direct streetscape and the surrounding Plewlands Conservation Area. Furthermore, the proposed 'bay style' design would be compatible with the existing original 'bay style' primary elevation dormers within the direct streetscape and therefore would not have a detrimental impact upon the character and appearance of the surrounding Plewlands Conservation Area. The choice of materials and fenestration design would provide a subtle contrast to the original building.

Similarly, the proposed dormer window to the rear elevation of the property is of a similar design that will sit comfortably within that elevation of the building. The proposed design, form, choice of materials and fenestration design provide a suitable contrast to the original building and represent good quality modern additions.

The proposals comply with Local Development Plan Policy Des 12, Env 6, the non-statutory Guidance for Listed Buildings and Conservation Areas and are an acceptable minor departure from the non-statutory Guidance for Householders.

b) Neighbouring amenity

In relation to daylighting, the non-statutory Guidance for Householders requires proposals to comply with the 45-degree criterion.

The proposal was assessed in terms of daylighting against both adjacent neighbouring properties, specifically in relation to the single storey rear extension and the garden room. These elements of the proposal comply with the 45-degree criterion established in the non-statutory Guidance for Householders when assessed against both adjacent neighbouring properties.

In terms of overshadowing, the non-statutory Guidance for Householders requires proposals not detrimentally overshadow neighbouring gardens.

The proposal was assessed in terms of overshadowing against both adjacent neighbouring properties, specifically in relation to the single storey rear extension and the garden room. The proposed garden room would not create any unacceptable levels of overshadowing in relation to both adjacent properties.

The proposed single storey rear extensions represents a minor departure from the non-statutory Guidance for Householders in that it would create a small amount of overshadowing (1.84 sqm, approximately) in relation to 11 St Fillan's rear garden. However, taking into consideration the remaining size of the neighbouring garden (109 sqm, approximately), this would mitigate against the area of additional overshadowing. The proposal would not have an unacceptable impact on overshadowing and represent an acceptable minor departure in this instance.

These elements of the proposal would not create any unacceptable overshadowing when assessed against both adjacent neighbouring properties.

In terms of privacy, the non-statutory Guidance for Householders requires proposals to comply with the 9m distance-to-boundary criterion.

With respect to outlook, there are no immediate impacts on outlook from any elements of the proposal.

Similarly, the proposal was also assessed in terms of privacy, specifically in relation to the single storey rear extension and the garden room. These elements of the proposal comply with the 9m criterion set out in the non-statutory Guidance for Householders.

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

c) Other material considerations

In relation to drainage concerns, the plans show that rainfall would be directed and managed on site.

d) Public comments

51 representations were received from members of the public, all objecting to the application.

Material Comments - Objection: -

- The size and scale of the single storey extension element of the proposal; this is addressed in section a).
- Overdevelopment; this is addressed in section a).
- The primary elevation dormer window; this is addressed in section a).
- The spatial layout of the garden room/overdevelopment; this is addressed in section a).
- The proposed materials; this is addressed in section a).
- Daylighting; this is addressed in section b).
- Overshadowing; this is addressed in section b).
- Drainage/water runoff; this is addressed in section a).
- Outlook; this is addressed in section b).

Non-Material Comments - Objection: -

- Precedent; precedent does not form part of a planning assessment. The individual merits of the proposal must be considered.
- Permitted development; permitted development is in relation to development that falls within the criterion of the relevant permitted development class. The application is for full planning permission and not permitted development.

Conclusion

The application for development 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). The proposal represents a minor departure from the non-statutory Guidance for Householders. 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.

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 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

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

Fifty one representations were received from members of the public, all objecting to the application.

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**

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Do the proposals comply with the development plan?

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Date registered

14 January 2021

Drawing numbers/Scheme

01-04,05a,06a,07a,08a,09a,10,11a,12,

Scheme 2

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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.

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.

The Plewlands Conservation Area is mainly comprised of two storey residential terraced development. The predominant height is two storeys with a small number of flatted elements of mainly three and four storeys. The buildings are complemented by mature trees, extensive garden settings, shallow stone boundary walls and spacious roads.

Appendix 1

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front and rear dormers and erect new garden room in rear
garden (as amended).**

Consultations

No consultations undertaken.

Location Plan



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