

HOKO Design.
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Mr Thomson.
71 Ashley Drive
Edinburgh
EH11 1RN

Decision date: 12 July 2023

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

Loft conversion including addition of rear dormer. (resubmission relating to 22/04098/FUL).
At 71 Ashley Drive Edinburgh EH11 1RN

Application No: 23/02078/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 12 May 2023, 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;

Reason for Refusal:-

1. The proposal does not comply with NPF4 Policy 14c as the works would be poorly designed and inconsistent with the six qualities of successful places as the proposal does not reinforce the distinctive local architectural style, design, materials, and traditional sense of place achieved by the neighbourhood.
2. The proposal does not comply with LDP policy Des 1 as the works would be an inappropriate design which is damaging to the character and appearance of the surrounding area.

3. The proposal does not comply with NPF4 Policy 16g as the works would have a detrimental effect on the character of the home and surrounding area; would not be acceptable in terms of design; and would have a detrimental effect on neighbouring properties.

4. The proposal does not comply with LDP policy Des 12 as the works would not be in keeping with the existing building or character of the wider area; would not be acceptable in terms of form and design;

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

Drawings 01-05, 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 works to the dwelling are not in accordance with the Development Plan and there are no material considerations for approving the application. Therefore, the proposal is unacceptable, and it is recommended that the application be refused.

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 Annmaree Marwick directly at annmaree.marwick@edinburgh.gov.uk.



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
71 Ashley Drive, Edinburgh, EH11 1RN

Proposal: Loft conversion including addition of rear dormer.
(resubmission relating to 22/04098/FUL).

Item – Local Delegated Decision
Application Number – 23/02078/FUL
Ward – B09 - Fountainbridge/Craiglockhart

Recommendation

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

Summary

The proposed works to the dwelling are not in accordance with the Development Plan and there are no material considerations for approving the application. Therefore, the proposal is unacceptable, and it is recommended that the application be refused.

SECTION A – Application Background

Site Description

The application site is a semi-detached bungalow with a hipped roof. The property has previously been extended, the single storey flat roof extension links to the neighbouring extension at no.73.

Description Of The Proposal

The application proposes a roof extension to the rear.

Relevant Site History

22/04098/FUL
71 Ashley Drive
Edinburgh
EH11 1RN
Extension to rear.
withdrawn

15 May 2023

Other Relevant Site History

None.

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 23 May 2023

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 0

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations; and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan?

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and

Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF4 Policy 1
- NPF4 Policy 14c
- NPF4 Policy 16g
- LDP Design policies Des 1 and Des 12

The non-statutory Guidance for Householders is a material consideration that is relevant when considering NPF4 policies 1 and 16g, and LDP policy Des 12.

Global climate and nature crisis

Policy 1 of NPF4 prioritises the climate and nature crisis in all decisions. It has been applied together with other policies in NPF4 and the overall intended outcome of NPF4. The proposal will have a neutral impact on sustainability and the environment. On balance, the proposed development does not conflict with the intended outcomes of NPF4 and thus, complies with NPF4 Policy 1.

Scale, form, design and neighbourhood character

The area is predominantly characterised by hipped roof bungalows, however there are a small number of differing house types and styles.

Within a bungalow area, the form of a hipped roof is an important feature which contributes significantly to the character of a neighbourhood. The Council's Non-Statutory Guidance For Householders outlines that bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance. The guidance further advises that any extension to an original bungalow should be in keeping with the roof design of the existing property and that the hipped roof character of the existing building should be respected. This non-statutory guidance assists development to comply with the Edinburgh Local Development Plan in which Policy Des 12 requires development to be compatible with the existing building and not have a detrimental impact on the neighbourhood character.

The proposed extension to the roof does not respect the existing hipped roof design as it would result in significant alteration of this important and traditional feature of the bungalow.

The property itself has been extended and there are a number of extensions within the area. Within the immediate streetscape, the vast majority of dwellings retain their original hipped roofs with any non-original interventions primarily limited to dormer windows or small hipped roof extensions which allows for the original roof form to be read, and which have not fundamentally changed the form of the roof. Under these circumstances, development respects the character of a bungalow and its hipped roof. By contrast, this proposal would extend the roof in a way which would not be compatible with the established character of the area and in turn would be detrimental to the character of the surrounding bungalow neighbourhood.

Overall, the cumulative impact of the roof alteration changes the style of the roof. These changes alter the interpretation of the bungalow property because the roof is such a key characteristic when defining a bungalow character and appearance. The proposal would be against the Guidance For Householders and would not be compatible with the existing character of the bungalow. Moreover, the changes to the character and appearance of the bungalow would have a detrimental impact on the character of a neighbourhood characterised by traditional bungalow dwellings.

The proposal does not comply with NPF 4 policies 14c and 16g)i) or LDP Policies Des 1 and Des 12

Neighbouring Amenity

With respect to privacy, overlooking, physical impact, overshadowing and loss of daylight or sunlight, the proposals have been assessed against requirements set out in the non-statutory 'Guidance for Householders'.

With regards to potential loss of daylight and sunlight on the adjacent neighbour at no.69, to the south, internal calculations undertaken detail that the proposal will comply with the 45 degree test when measured on a plan drawing. The proposal will not result in a loss of daylight to the patio doors on the rear elevation of the adjacent neighbouring property.

The proposal may result in a small amount of additional overshadowing to a covered patio situated within the rear garden of the neighbouring property at number 69. However, the majority of the patio and the entire uncovered patio area situated within the rear garden will not be affected by any additional adverse overshadowing.

Due to the location of the windows on the proposal no privacy concerns arise.

The proposal will not have a detrimental impact on neighbouring amenity.

Conclusion in relation to the Development Plan

The proposals have due regard to global climate and nature crisis and will not result in an unreasonable loss of neighbouring amenity. However, the proposals are not of an acceptable scale, form and design; and are not compatible with either the existing building or neighbourhood character. Therefore, the proposals do not comply with the overall objectives of the Development Plan.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

No comments have been received.

Conclusion in relation to identified material considerations

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposed works to the dwelling are not in accordance with the Development Plan. The works will have due regard to global climate and nature crisis but are an inappropriate design which is not compatible with the existing dwelling or the surrounding neighbourhood character. There are no material considerations which indicate the proposal should be approved. Therefore, the proposal is not acceptable and is refused.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reason for Refusal

1. The proposal does not comply with NPF4 Policy 14c as the works would be poorly designed and inconsistent with the six qualities of successful places as the proposal does not reinforce the distinctive local architectural style, design, materials, and traditional sense of place achieved by the neighbourhood.
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4. The proposal does not comply with LDP policy Des 12 as the works would not be in keeping with the existing building or character of the wider area; would not be acceptable in terms of form and design;

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 12 May 2023

Drawing Numbers/Scheme

01-05

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Annmaree Marwick, Planning officer
E-mail: annmaree.marwick@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

Appendix 2

Application Certification Record

Case Officer

I have assessed the application against the City of Edinburgh Council's Scheme of Delegation (2023) Appendix 6 – Chief Planning Officer and the Statutory Scheme of Delegation (2023) and can confirm the application is suitable to be determined under Local Delegated Decision, decision-making route.

Case Officer: Annmaree Marwick

Date: 5 July 2023

Authorising Officer

To be completed by an officer as authorised by the Chief Planning Officer to determined applications under delegated powers.

I can confirm that I have checked the Report of Handling and agree the recommendation by the case officer.

Authorising Officer (mRTPI): James Allanson

Date: 11 July 2023