

Colin Watson Consultancy.
Exactive House
6 Pitreavie Court
Pitreavie Business Park
Dunfermline
KY11 8UU

Mrs Callaghan.
130 Alnwickhill Road
Edinburgh
EH16 6NQ

Decision date: 15 September 2023

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

Attic conversion with two dormers.
At 130 Alnwickhill Road Edinburgh EH16 6NQ

Application No: 23/03021/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 19 July 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 is contrary to National Planning Framework (NPF) 4 policy 16 g) i as it would have a detrimental impact on the character of the surrounding area in terms of size and design.
2. The proposal is contrary to policy Des 12 of the adopted Edinburgh Local Development Plan (LDP) as its design, form and positioning are not compatible with the character of the existing building and it would be detrimental to neighbouring character.

3. The proposal is contrary to the Council's Non-Statutory Guidance for Householders as its design, form and positioning are not compatible with the character of the existing building and it would be detrimental to neighbouring character.

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

Drawings 01 - 04, 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 in not in accordance with the Development Plan. The proposed works are considered to provide a due regard to global climate and nature crisis, and will not result in an unreasonable loss of neighbouring amenity. However, the works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be approved. Therefore, the proposal is not acceptable.

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 James Allanson directly at james.allanson@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
130 Alnwickhill Road, Edinburgh, EH16 6NQ

Proposal: Attic conversion with two dormers.

Item – Local Delegated Decision
Application Number – 23/03021/FUL
Ward – B16 - Liberton/Gilmerton

Recommendation

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

Summary

The proposed works to the dwelling are in not in accordance with the Development Plan. The proposed works are considered to provide a due regard to global climate and nature crisis, and will not result in an unreasonable loss of neighbouring amenity. However, the works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be approved. Therefore, the proposal is not acceptable.

SECTION A – Application Background

Site Description

The application premises is a detached bungalow dwellinghouse situated on the western side of Alnwickhill Road. The surrounding area is predominantly residential in nature and is characterised by similar style dwellings.

Description Of The Proposal

The proposal seeks planning permission for the formation of dormer windows on the front and side roof planes.

Relevant Site History

No relevant site history.

Other Relevant Site History

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 15 September 2023

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 1

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 16g
- LDP Design policies 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 Council's Non-Statutory Guidance for Householders states that dormers on side elevations will be considered acceptable where it can be demonstrated that the proposal fits in well with the character of the surrounding area.

The proposal involves the creation of a side dormer on the southern roof plane. While there are examples of front and rear dormers on surrounding properties, there are no examples of side dormers within the surrounding area. Side dormers are therefore not a characteristic of the surrounding built environment. The proposed side dormer would form an incongruous feature which would imbalance the appearance of the host premises roof and have a detrimental impact on the character and appearance of the surrounding streetscape.

The proposal does not comply with NPF 4 policy 16g)i) and LDP Policy Des 12a).

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'. The proposals will not result in any unreasonable loss to neighbouring amenity. The side dormer window will be orientated to face directly onto the side roof plane of the premises to the south and will not permit any adverse overlooking.

The proposal complies with NPF 4 policy 16g)ii) and LDP Policy Des 12b) and c).

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 proposal is not of an acceptable scale, form and design, and is not compatible the existing building and neighbourhood character.

Therefore, the proposal does 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

One neutral comment was received raising the following considerations

material considerations

Proposal may have a detrimental impact on privacy of neighbouring residents - addressed in section a)

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 in not in accordance with the Development Plan. The proposed works are considered to provide a due regard to global climate and nature crisis, and will not result in an unreasonable loss of neighbouring amenity. However, the works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be approved. Therefore, the proposal is not acceptable.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reason for Refusal

1. The proposal is contrary to National Planning Framework (NPF) 4 policy 16 g) i as it would have a detrimental impact on the character of the surrounding area in terms of size and design.
2. The proposal is contrary to policy Des 12 of the adopted Edinburgh Local Development Plan (LDP) as its design, form and positioning are not compatible with the character of the existing building and it would be detrimental to neighbouring character.
3. The proposal is contrary to the Council's Non-Statutory Guidance for Householders as its design, form and positioning are not compatible with the character of the existing building and it would be detrimental to neighbouring character.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 19 July 2023

Drawing Numbers/Scheme

01 - 04

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: James Allanson, Senior Planning Officer
E-mail: james.allanson@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: James Allanson

Date: 14 September 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): Annmaree Marwick

Date: 15 September 2023

Comments for Planning Application 23/03021/FUL

Application Summary

Application Number: 23/03021/FUL

Address: 130 Alnwickhill Road Edinburgh EH16 6NQ

Proposal: Attic conversion with two dormers.

Case Officer: James Allanson

Customer Details

Name: Mr Bruce Laing

Address: 132 Alnwickhill Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: For privacy, please consider a Velux window instead of a Dormer, on the South West Elevation.