

Development Management Sub Committee

Wednesday 2 March 2022

**Application for Planning Permission 21/06137/FUL
at 13 St Fillan's Terrace, Edinburgh, EH10 5NH.
Single storey rear extension and attic conversion, including
rear dormer. New ancillary garden room. (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. 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 21/06137/FUL at 13 St Fillan's Terrace, Edinburgh, EH10 5NH. Single storey rear extension and attic conversion, including rear dormer. New ancillary garden room. (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. This application site is located within the Plewlands Conservation Area.

2.2 Site History

10 November 2021 - Application withdrawn for single storey rear extension and attic conversion, including rear dormer. New ancillary garden room (21/04819/FUL).

31 August 2021 - An appeal for refused decision - Dismissed (Ref: PPA/230/2341). The Reporter found that due to its length, the rear extension would not be in keeping with the other extensions and the character of the neighbourhood, appearing out of place. The design of the roof of the proposed extension would be intrusive and overbearing and not in keeping with the character of the area. In relation to amenity, the proposed extension was considered to have an unacceptable impact in terms of overshadowing to the garden ground at 11 St Fillan's Terrace which was not mitigated by the size of the adjacent garden. The proposed front dormer was considered to be incongruous, detracting from the character of the terrace while the principle of a dormer on the front elevation was judged to be unacceptable in this part of the conservation area.

27 April 2021 - Application refused for single storey rear extension and attic conversion, including front and rear dormers and erect new garden room in rear garden (as amended) (21/00158/FUL).

02 December 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 October 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 application is for a single storey rear extension, rear dormer and rooflight, garden room and two rooflights to the front elevation.

The green roofed extension will provide additional living accommodation and will be finished in render walls on brick base course with grey aluminium doors and windows. The proposed extension will measure 3.3 metres in height, 4.2 metres in length, and 5 metres in width.

The garden room will measure 2.5 metres in height, 4 metres in width, and 3.9 metres in length. It will be finished in timber.

The rear dormer is pitched in style. The rooflights will be conservation style.

Scheme 2

Originally the extension was 5.5 metres in length and included a 'pop-out' element.

The development, as proposed, is materially different to that refusal under planning application 21/00158/FUL. The proposed extension now sits at 4.2 metres in length, much reduced from the previously proposed 6.3 metres and a flat roof is proposed which further reduces its scale. The front dormer has been omitted and instead a conservation style rooflight have been introduced.

Supporting Statement

This application includes a planning statement. The supporting statement is available to view on the Planning and Building Standards online services.

3.2 Determining Issues

Due to the proposed development falling within a conservation area, this report will first consider the proposals in terms of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?

- If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

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

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:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations and
- any other identified material considerations.

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.

The Edinburgh Local Development Plan Policy Env 6 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 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 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".

Single storey extension

The proposed extension is to the rear where there are already extensions on the neighbouring properties. The extension is not visible from public view and therefore its impact on the overall appearance of the conservation area is limited. The proposed extension retains a large proportion of the rear garden and therefore the spatial pattern of extensive garden settings is maintained by the proposals. The extension would preserve the character and appearance of the conservation area.

The proposed rear extension is single storey, and it has been reduced in length and the originally proposed 'pop-out' has been removed. The extension is subservient in scale to the original house and is an appropriate addition that maintains the character of the existing house.

The extension is of a modern design which provides an appropriate contrast to the original house and the materials are appropriate for the location and design approach. The introduction of a flat roof reduces the scale of the extension and also enables a green roof which is welcome as it improves the biodiversity of the site and offsets the loss of garden ground.

There are a number of comparable extensions to the rear of the terrace including the immediate neighbouring properties. The layout and scale of this proposal is therefore in keeping with the neighbourhood character. The extension has been reduced in length and whilst it will be approximately 0.80 metres forward from the extensions of the immediate neighbours, it is considered that this does not have impact on neighbourhood character or amenity. Within the terrace, there are existing extensions and the uniformity to the rear elevations has already been lost. Within the wider area, rear extensions are of a variety of sizes and designs and there is therefore no uniformity of approach. The proposed extension would not be out of keeping.

The proposed extension does not raise any issues in terms of overdevelopment. The non-statutory Guidance for Householders advises that rear extensions should not occupy more than one third of the applicant's original rear garden and there should be enough private garden space left after extensions - normally at least 30 square metres - depending on the spatial pattern of neighbourhood to avoid over-development. The rear garden is relatively large, and the resultant development (including both the extension and garden room) would cover approximately 40 square metres, equating to approximately twenty five percent of the rear garden. This would leave 110 square metres of open garden space which is considered sufficient.

Garden room

With regards to the proposed garden room located to the rear of the garden, the 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 (e.g. loss of daylight) in the same way as extensions'.

Garden buildings feature regularly throughout the conservation area and the introduction of a garden room would not be out of character. The proposed materials and design are appropriate, and the garden room would be an acceptable addition.

The garden room is acceptable in terms of size and scale. The footprint of the garden room is approximately 17 sqm and when compared against the floor area of the original house, which is approximately 59 sqm; it would represent a subordinate and appropriate addition.

Dormer window/ Rooflights

For dormers on rear elevations which are not readily visible from public viewpoints, the Guidance for Householders advises that a larger dormer may be acceptable where it fits in with the character of the building and the surrounding area.

Throughout the conservation area, there are rear dormers of varying sizes and designs. The introduction of a rear dormer would be in keeping with the character of the conservation area. In terms of appearance, the proposed rear elevation dormer is of a conservation style design and is appropriate in terms of scale and positioning, whilst not dominating the rear roof plane.

The rooflights will be conservation style and are a common feature within the conservation area.

Overall, the extension, garden room and rear dormer are acceptable and appropriate additions to the property and neighbourhood and will preserve the character and appearance of the conservation area. The proposals comply with Local Development Plan Policy Des 12, Env 6, the non-statutory Guidance for Listed Buildings and Conservation Areas and the non-statutory Guidance for Householders.

b) Neighbouring amenity

The proposal will not cause an unreasonable loss to neighbouring amenity for the reasons set out below.

i) Daylight

With regard to daylight, the proposed development fully complies with the 45-degree criterion set out in the non-statutory Guidance for Householders and will not result in an unreasonable loss of daylight for the neighbouring properties.

ii) Overshadowing/Sunlight

With regard to sunlight, the proposed development has been fully assessed to ensure there is no adverse overshadowing of the neighbouring gardens and no impact on areas of high amenity. The extension will not result in an unreasonable loss of sunlight for the neighbouring properties.

iii) Privacy

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 do not adversely impact on amenity and comply with Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders.

c) Other material considerations

SPP Sustainable Development

Scottish Planning Policy presumption in favour of sustainable development is a significant material consideration due to the development plan being over 5 years old.

Emerging Policy Context

NPF 4 - Draft National Planning Framework 4 is being consulted on at present. As such, it has not yet been adopted. Therefore, little weight can be attached to it as a material consideration in the determination of this application.

City Plan 2030 - While the proposed City Plan is the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

d) Public comments

Material Comments: Objection

- proposed materials are not keeping with the character - it has been assessed in section 3.3 (a).
- extensions breaks clear symmetry with the other extensions - revised drawings have been submitted.
- garden room is out of the character - it has been assessed in section 3.3 (a).
- too intrusive - it has been assessed in section 3.3 (a).
- overshadowing/impact on daylight - it has been assessed in section 3.3 (b).
- overdevelopment - it has been assessed in section 3.3 (a).
- loss of uniformity - it has been assessed in section 3.3 (a).

Conclusion

The application for development is in accordance with the Edinburgh Local Development Plan as it complies with policy. 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:

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:

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

The application was advertised on 24 December 2021 and 29 comments were received, all objecting the proposal.

A full assessment of the representations can be found in the main report in the Assessment section.

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	Edinburgh Local Development Plan
Date registered	22 November 2021
Drawing numbers/Scheme	01-04, 05A-13A, 14, 15A, 16, 17A, Scheme 2

David Givan
 Chief Planning Officer
 PLACE
 The City of Edinburgh Council

Contact: Weronika Myslowiecka, Planning Officer
 E-mail: weronika.myslowiecka@edinburgh.gov.uk

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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Consultations

No consultations undertaken.

Location Plan



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