

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100515254-005

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

Applicant or Agent Details

Are you an applicant or an agent? * (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Andrew Megginson Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andrew	Building Name:	Andrew Megginson Architecture
Last Name: *	Megginson	Building Number:	
Telephone Number: *	0131 557 9129	Address 1 (Street): *	128 Dundas Street
Extension Number:		Address 2:	New Town
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH3 5DQ
Email Address: *	andrew@andrewmegginsonarchitecture.com		

Is the applicant an individual or an organisation/corporate entity? *

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr./ Mrs."/>	Building Name:	<input type="text" value="61/ 5"/>
First Name: *	<input type="text" value="V"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Lo Rizzo"/>	Address 1 (Street): *	<input type="text" value="Falcon Avenue"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH10 4AN"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="3F1"/>
Address 2:	<input type="text" value="61 FALCON AVENUE"/>
Address 3:	<input type="text" value="NEWBATTLE"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH10 4AN"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="671467"/>	Easting	<input type="text" value="324687"/>
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Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: *
(Max 500 characters)

Roof extension At 3F1 61 Falcon Avenue Edinburgh EH10 4AN

Type of Application

What type of application did you submit to the planning authority? *

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? *

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: * (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See executive summary and design statement. We shall also be requesting an assisted site visit to go over the proposals in relation to the refusal points.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? *

Yes No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: * (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: * (Max 500 characters)

Review Doc 1 Decision Notice Review Doc 2 Planning Application Form Review Doc 3 Location Plan Review Doc 4 Existing Plans Review Doc 5 Proposed Plans Review Doc 6 Proposed Context Section Review Doc 7 Design Statement Review Doc 8 Daylight Assessment Review Doc 9 Structural Engineer Letter Review Doc 10 Handling Report Review Doc 11 Executive Summary Review Doc 12 Noise Assessment Review Doc 13 Context Plan Review Doc 14 ASHP Information

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

22/04429/FUL

What date was the application submitted to the planning authority? *

05/09/2022

What date was the decision issued by the planning authority? *

06/03/2022

Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. *

Yes No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure *

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

Neither of the two planning officers for the applications have visited site to date, nor did the review body in relation to the previous notice for review. We require an assisted site visit with the review body so that the proposals can be fully understood. We are not happy that no site visits have been undertaken nor were we happy with how the application was handled at the previous local review body and not allowing us an assisted site visit will result in us taking this to Court of Session.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? *

Yes No

Is it possible for the site to be accessed safely and without barriers to entry? *

Yes No

Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. *

Yes No

Have you provided the date and reference number of the application which is the subject of this review? *

Yes No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? *

Yes No N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? *

Yes No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review *

Yes No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Andrew Megginson

Declaration Date: 10/01/2023

**PROPOSED ROOF EXTENSION AND ALTERATIONS TO FLAT AT 61/ 5 FALCON AVENUE,
EDINBURGH EH10 4AN**

Executive Summary

1.1 This new application is as a result of the previously refused application 21/06522/FUL. It looks to respond to the reasons for refusal set out by the planning officer Mr. Graham Fraser and the comments of the Local Review Body (LRB). We summarise findings of both of the above parties and the amendments to the application below;

1.2 As per the comments from the LRB, it was concluded that a roof extension in principle to the property was acceptable. See below link to former LRB meeting.

[Planning Local Review Body \(Panel 1\) - Wednesday, 22nd June 2022 at 10:00am - City of Edinburgh Council Webcasts \(public-i.tv\)](#)

1.3 In response to the planning officer's comments on any glimpse view to the proposal having a detrimental impact on the appearance of the existing building, we have pulled the rear elevation of the proposals back wholly 3m from the rear elevation. We have also conducted an experiment on the roof where we had one person on the roof with a staff to the height of the extension stand at each external corner of the proposed rear elevation with another taking photos from various locations on Falcon Gardens. It was found that the staff was not seen in any of the photos taken from the various locations at Falcon Gardens with the top of the rear elevation, chimneys and vegetation screening the development location. We also checked same with regard to viewing the proposals from the bottom of Falcon Road and similarly the staff was unseen and thus the proposed development. This is further concluded in drawing PL-02. We would be happy to carry out the experiment again with the planning officer in attendance. In total we have decreased the footprint of the roof extension from 60sqm to 45sqm (25%).

Note that these two areas evaluated are the only two areas immediately local to the application property where there is potential to view the application proposals from public realm at street level. Any other views to the application property from public realm would be from further afield where if the proposals were to be seen they would most likely be from distance and at an elevated angle where the proposals would blend into the roofscape of the building and immediate vicinity (namely in the context of the other nearby roof extensions which we have highlighted in the design statement). The development shall flow into the conglomeration of the overall urban fabric.

1.4 In response to the planning officer's comments on one material not being acceptable to the proposals we have introduced timber cladding to the rear elevation that will add variety, tie in with the materiality of the modern development to the north of the application property and sit lightly on top of the existing building.

1.5 The planning officer discusses the building being defined by the "lack of significant physical alteration, uniformity, symmetry and four-storey height." and that the former proposals in 21/06522/FUL would disrupt these features to the detriment of the building and area, with the proposals as revised and now being unseen from the two areas specifically noted within the report of handling (Falcon Road & Falcon Gardens), we feel the development as newly proposed will not disrupt these aforementioned features. As with a majority of developments historic, present and future, a degree of uniformity and symmetry will exist. This design attribute should not deter appropriate extensions and alterations being formed to buildings otherwise the built environment would be monotonous, stale and uninteresting and would result in loss of development contributing to the architectural experience of a building user/ city generally and economy. For example a development of a row of historic or new townhouses should not be restricted of developing an appropriately designed rear extension due to the symmetry and uniformity of the townhouses. We show in the precedent section of the design statement, developments that have been allowed to properties that would have originally been part of a uniform and symmetrical set of buildings. Our proposals are appropriate to the building and will not be detrimental to the building or area.

1.6 We have provided a daylight assessment that shows that there will be no impact on an adjacent neighbouring properties roof window in application 21/06522/FUL as a result of the proposals of that application. The same conclusion can be drawn with regard to these proposals.

Note: We have added the air source heat pump back into the application following a noise impact assessment being carried out that shows an air source heat pump in the position shown shall not have any noise related detrimental impact on the neighbouring property as it complies with MCS Planning Standards.



Report of Handling

Application for Planning Permission
3F1 61 Falcon Avenue, Edinburgh, EH10 4AN

Proposal: Roof extension

Item – Local Delegated Decision
Application Number – 22/04429/FUL
Ward – B10 - Morningside

Recommendation

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

Summary

The proposal, in its design and form, choice of materials and positioning is not compatible with the character of the existing building. The proposal does not comply with LDP policy Des 1 and Des 12 and the overall objectives of the Development Plan. There are no material considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site is a roof of a top floor flat within a 4-storey mid-terrace tenement block, located on Falcon Avenue.

Description Of The Proposal

Planning Permission is sought for the erection of a roof extension with terrace to rear roof plane. The proposals will involve the reconfiguration of the flat roof to accommodate the roof extension including increasing the roof height.

This is the resubmission of the previously refused planning application 21/06522/FUL. The main changes are:

- reduction of the proposal by 3 metres
- reduction of terrace by 25%

Supporting Information

- daylight information

- design statement
- engineer letter
- MCS Planning Standards
- Monobloc air source heat pump
- noise impact assessment

Relevant Site History

21/06522/FUL
3F1 61 Falcon Avenue
Edinburgh
EH10 4AN
Roof extension of flat (as amended)
Refused

3 March 2022

Other Relevant Site History

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 20 September 2022

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 29

Section B - Assessment

Determining Issues

This report will 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.

Assessment

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

a) The proposals comply with the development plan?

The Development Plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Design policies Des 1;
- LDP Design policies Des 12.

The non-statutory Householder Guidance is a material consideration that is relevant when considering policy Des 12.

Scale, form, design and neighbourhood character

The application is a resubmission of a previously refused planning application (reference number 21/06522/FUL) which was upheld by the Local Review Body (reference number 22/00048/REVREF). The applicant resubmitted the proposal with minor changes to the scheme. The overall proposal has been moved back by 3 metres and the roof terrace has been reduced by 25%.

In terms of the site context and its design, the application site sits within 47 to 75 Falcon Avenue, a five block row of traditional tenements in character and appearance. It appears on the 1914 Ordnance Survey maps, but it is not listed or located within a conservation area. The block and tenement row to which the proposal relates has not been subject to any significant physical alteration and are highly uniform in appearance. Each block follows the same largely symmetrical pattern including bay windows at each end and a centrally positioned chimney stack. The ground floors have three doors, two to the left of centre and one to the right. A window accompanies the door to the right and it would be reasonable to suggest this was influenced in part by a desire to continue the symmetrical concept. Nos 5 to 45 Falcon Avenue sits to the west and is near identical in character and appearance. Whilst separated, they would appear continuous when viewed from the eastern and westernmost extents of Falcon Avenue.

Uniformity, a lack of significant physical alteration and individual block symmetry is repeated with the roofscape. The roof of 47 to 75 Falcon Avenue is pitched to the front and largely flat to the rear. Each block is marked by the presence of chimney stacks and feature a centrally positioned historic cupola providing light to communal stairwells. The most notable alterations to the roof of the existing building and 47 to 75 Falcon Avenue would be confined to the creation of rooflights outwith repairs or maintenance works.

The existing building has an established character and appearance which is defined by the lack of significant physical alteration, uniformity, symmetry and a maximum four-storey height. Whilst the proposal will be broadly obscured from large parts of the public realm, it is not accepted that it will be wholly concealed from large parts of the public realm and any ability to glimpse the proposal, given its incongruous design,

would result in a detrimental impact on the appearance of the existing building and character of the area.

As 47 to 75 Falcon Avenue, the row to which the proposal relates, form a near continuous row with 5 to 45 Falcon Avenue, the proposal would also have an adverse effect on this element of neighbourhood character through the disruption of uniformity and symmetry. Furthermore, these tenement rows are very similar in character and appearance to 52 to 74 Falcon Avenue, 53 to 75 Falcon Road and 1 to 49 Falcon Gardens which do not feature roof top extensions. Whilst 14 to 20 Falcon Avenue, 2 to 6 Falcon Road and 50 to 54 Newbattle Terrace nearby are more modern, the latter being the most modern, they also do not feature roof top extensions. Such additions are not part of the neighbourhood and the proposal would accordingly have an adverse effect on surrounding character.

In the executive summary, the agent stated that the revised proposal is pulled back by 3 metres from the rear elevation and the overall roof terrace has been reduced by 25%. The summary further state that the existing vegetation and chimney would largely obscure the proposal. However, it is considered that this would still have a negative impact on the roof form, and would result in a detrimental impact on the appearance of the existing building.

A number of other roof extension examples have been provided. However, all applications are considered on their own merits and a proposal of this nature is not regarded to be supportable for this property, in this location.

Neighbouring Amenity

With respect to privacy, 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 proposal will have no material impact on the levels of natural light to the rear curtilages. The height to ridge of the proposal means that it is likely to have some effect on the levels of natural light for the historic cupola. However, this feature is to provide daylight for a communal stairwell and the proposal would not impede this to a materially unacceptable degree. It also appears to be obscured glass.

With regards to noise, the Council's non-statutory Guidance for Householders states that roof terraces can be a source of noise for neighbouring properties. Whilst it is acknowledged that the roof terrace will be utilised as an outdoor space for the residents, this will effectively have the same noise impact on neighbouring properties as the residents using the garden ground. The terrace is small and unlikely to result in noise that would be detrimental to residential amenity. The rear curtilages of 47 to 75 Falcon Avenue are overlooked currently by the associated flats as well as from the windows and balconies of 50 to 54 Newbattle Terrace. It is not accepted that the terrace would unacceptably intensify any pre-existing overlooking effects or cause any additional privacy concerns.

Conclusion in relation to the Development Plan

The proposal, in its design and form, choice of materials and positioning is not compatible with the character of the existing building. It would impact on the roof scape and be detrimental to neighbourhood character. Therefore, the proposal does not comply with LDP policy Des 1 and 12 and 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:

SPP - Sustainable development

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

When assessed against the relevant sustainable development principles, the proposal is not considered to protect the historic environment and constitutes over development of a building with little capacity for above ground floor extensions. There would be no wider economic benefit from approval the application and the proposal is not regarded to constitute good design.

The proposal does not comply with the relevant sustainable development principles of Paragraph 29 of SPP.

Emerging policy context

The Revised Draft National Planning Framework 4 was laid before the Scottish Parliament on 08 November 2022 for approval. As it has not completed its parliamentary process, only limited weight can be attached to it as a material consideration in the determination of this application.

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

material considerations

- A traditional, historic, row of tenements would be devalued - assessed in section (a)
- loss of daylight/sunlight/overshadow/ privacy - assessed in section (a)
- proposal does not preserve the features of the existing roofline - assessed in section (a)
- air source heat pump would cause lots of noise - the noise impact assessment has been submitted and the air source heat pump has been relocated.
- neighbouring notification was not received - statutory publicity period was carried out and neighbour notification letters sent after validation of the application.
- does not comply with Scottish Planning Policy as it is not sustainable - assessed in section (b)
- does not comply with Des 1, des 4, des 12 - assessed in section (a)

non-material considerations

- The proposed development will set an undesirable precedent. There is no precedent in planning as each application is considered on its own merits.
- title deeds, legal and engineering dispute, ownership- Planning permission does not give legal permission to build, it only confirms that the proposal is compliant with planning legislation. There may still be legal issues to overcome, and any such dispute would be a civil matter as this is not material planning consideration.
- Safety (burglaries and privacy) concerns - This is a private, civil matter which cannot be materially assessed as part of the planning application.
- Noise concerns - this is not planning material consideration, and this would be controlled by environmental protection legislation.
- roof space could be shared with others - planning has no control over this and as such it cannot be considered as part of this application.
- difficulties to park - planning cannot control the parking of vehicles.
- it would be change for AIRBNB - planning has no control over this and as such it cannot be considered as part of this application. If the property would be used solely as AIRBNB the applicant would have to apply for change of use.
- poor internal design - planning has no control over this and as such it cannot be considered as part of this application.
- no assessment of skylight has been provided - The submitted plans provided sufficient information for the determination of this application.
- fire risk - This would be assessed by the building standard.
- Weight impact on such an old building - This would be assessed by the building standard.

Support

- clever use of flat roof and a valuable addition of the outdoor space. The design is assessed in section a).

Conclusion in relation to identified material considerations

The proposal does not comply with the relevant sustainable development principles of Paragraph 29 of SPP. The proposal does not raise any issues in relation to the other identified material considerations.

Overall conclusion

The proposal, in its design and form, choice of materials and positioning is not compatible with the character of the existing building. The proposal does not comply with LDP policy Des 1 and Des 12 and the overall objectives of the Development Plan. There are no material considerations which outweigh this conclusion.

Therefore, the proposal is refused.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

Reasons

Reason for Refusal

1. The proposal fails to comply with policy Des 12 of the Edinburgh Local Development Plan as its design and form, choice of materials and positioning is not compatible with the character of the existing building, and it will be detrimental to neighbourhood character.
2. The proposal fails to comply with policy Des 1 of the Edinburgh Local Development Plan as its design and form, choice of materials and positioning is not compatible with the character of the existing building, and it will be detrimental to neighbourhood character.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 5 September 2022

Drawing Numbers/Scheme

01-07

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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

Appendix 1

Consultations

No consultations undertaken.

DESIGN STATEMENT

1 Introduction

1.1 This Design Statement has been submitted on behalf of Mr. & Mrs. Lo Rizzo, and family in support of a detailed planning application for the erection of a roof extension and alterations to their top floor flat property.

1.2 The application property is located within the northern terrace of Falcon Avenue in Edinburgh (hereafter referred to as the 'site', 'property' or the like).

1.3 The Design Statement summarises the relationship between the project and policy, covering development planning considerations as well as other key material aspects of relevance to the planning application.

1.4 This Design Statement has been prepared by Andrew Megginson Architecture (AMA) and is in addition to the plans, drawings and information which in total comprise the overall package for the site. This document is structured as follows:

- It describes the site and its context (Section 2);
- It provides detail on the development proposals (Section 3);
- It conducts background research on other similar developments (Section 4) to explain how this proposal will comply with the standards that have been acceptable to the council elsewhere.
- It appraises planning policies (Section 5) and the material considerations against which the planning application should be judged;
- It reaches conclusions in relation to the acceptability of the planning application in the context of the Development Plan and other material considerations (Section 6).

2 The Site and Context

2.1 The application property is currently a two bedroom top floor flat within a 4 storey traditional Victorian tenement. The property is not listed and is not within a conservation area. The area around the site comprises of a mixture of buildings of a similar age and more modern buildings all of which vary in height. The roof of the application tenement is pitched to the front and flat at the rear.

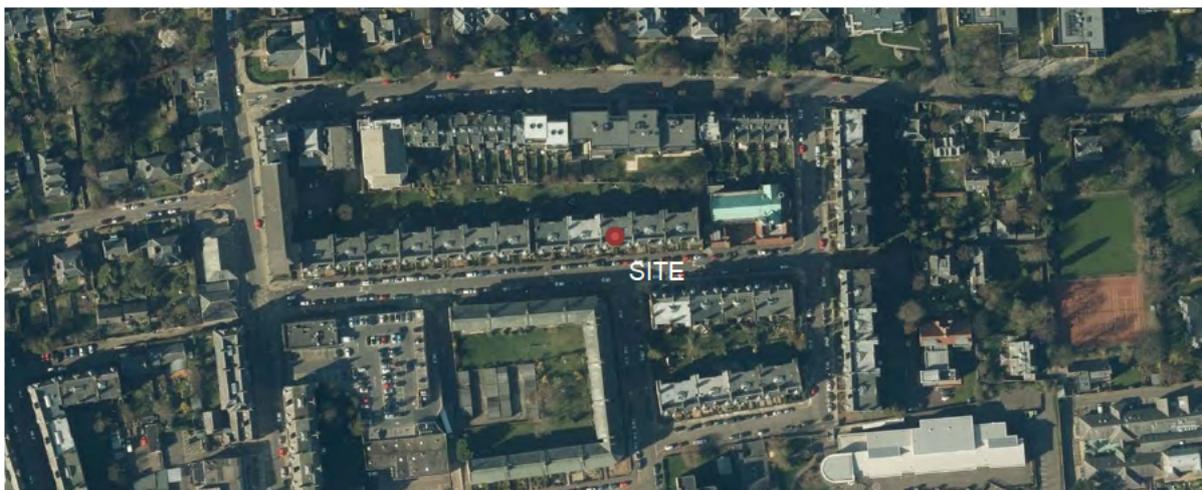


Figure 1 – Extract from Bing Maps indicating site location



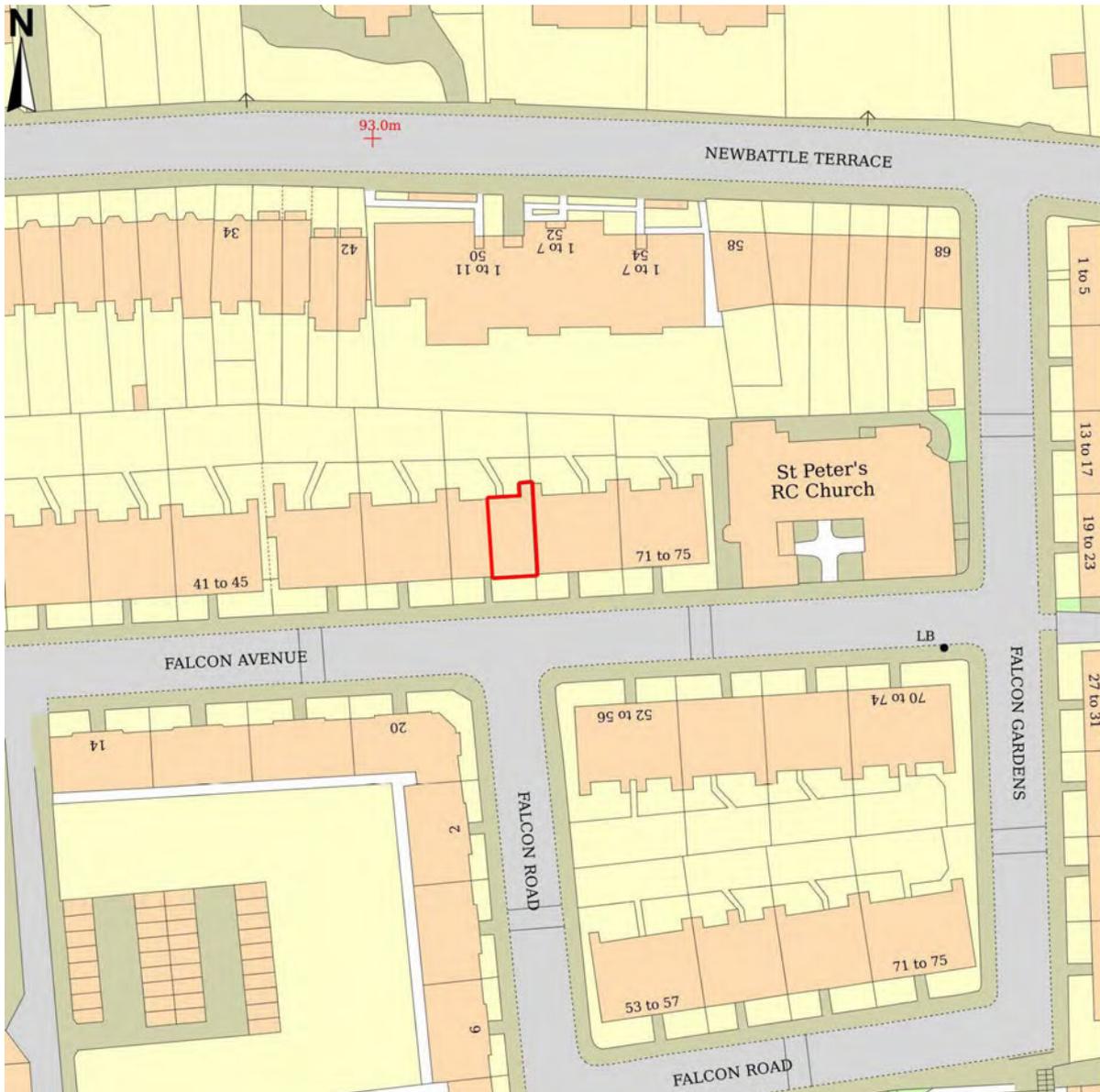


Figure 2 – Site Location Plan

2.2 Falcon Avenue at the site is a residential street. The site however in the wider area is surrounded by buildings varying in style, age, use and height. The main shopping street of Morningside Road is located in close proximity to the west of the site. There are two notable modern buildings to the rear and north of the application property. There are no listed buildings in the immediate vicinity of the site, however St Peter's Church to the east is A-listed. The site is located well outside the surrounding conservation areas.

2.3 As is shown in the below photos and context key plan there are a number of roof level extensions in the immediate neighbourhood.





Figure 3 – Views looking towards the front of the property from the east on Falcon Avenue. St. Peter's Church can be seen to the right



Figure 4 – View looking towards the front of the property from the south on Falcon Road





Figure 5 – View looking towards the front of the property from the west on Falcon Avenue



Figure 6 – Front elevation of the modern developments on Newbattle Terrace





Figure 7 – A terrace of period properties to which the modern development adjoins on Newbattle Terrace. As can be seen from this image some of these properties have extended upwards whilst others have not





Figure 8 – View of roof extension to 4F 175 Morningside Road with photo being taken from Falcon Road West



Figure 9 – View from rear window of application property looking north-east





Figure 10 – View from rear window of application property looking north-west



Figure 11 – Panoramic view from roof of application property





Figure 12 – View of modern development further east of Newbattle Terrace



Figure 13 – View of modern development just north of Newbattle Terrace and north east of the application site. Woodcroft is a modern development within the Merchiston and Greenhill conservation area





Figure 14 – View from Falcon Gardens towards the modern development on Newbattle Terrace. It can be seen that one of the tenement buildings which will have formerly had a flat roof at the rear has had a pitched slate roof with dormer added to it.



Figure 15 – View towards rear of application property which is screened by trees in rear garden ground of the properties. The copper roof (that replaced ceramic tiles historically) can also be seen to St. Peter's to the left of the photo along with flat roofed modern development to the right





Figure 16 – View of roof extension to 3F1 9 Steel's Place which can be seen easily from the bottom of Falcon Road

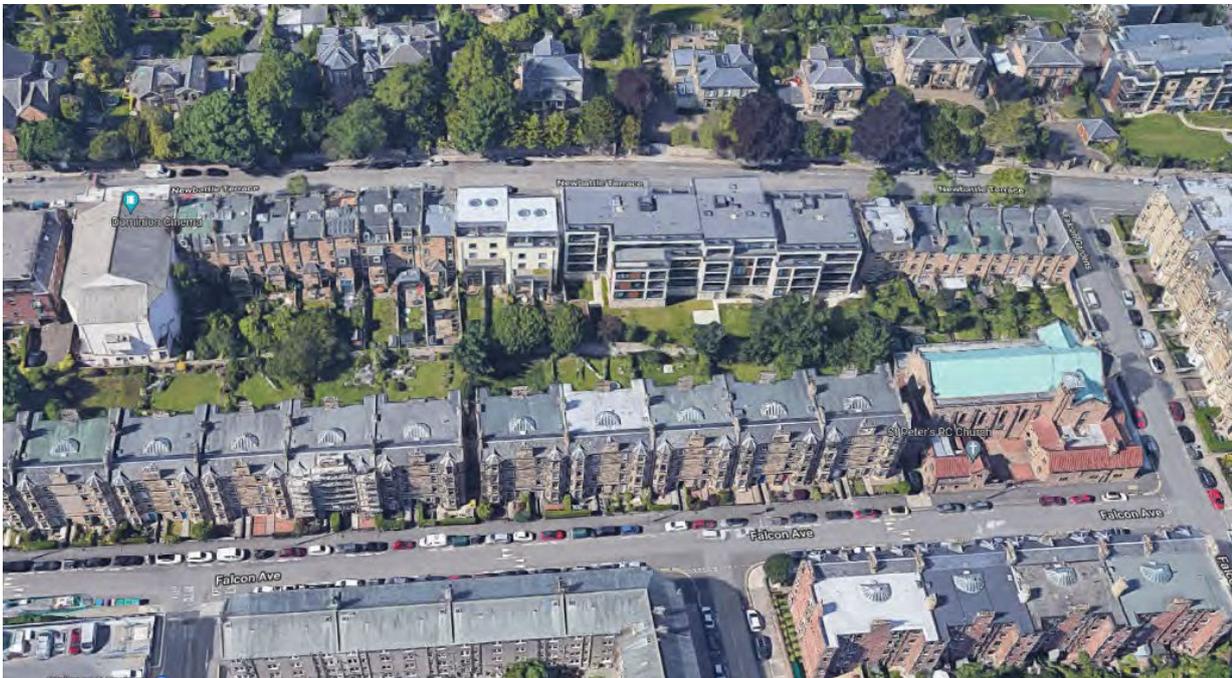


Figure 17 – Aerial view of the application property in context. The copper roof of St. Peter's stands out. Several of the roof level extensions noted before can be seen in this image



3 The Development Proposals

Introduction

3.1 The proposed application consists of a design by which a top floor flat is extended upwards to the flat roof above to add an additional storey to the flat. The extension will be of contemporary style with a largely flat roof, zinc and timber clad with aluminium windows.

3.2 The extension will allow the existing floorplan to be altered to a modern living style whilst adding on additional bedrooms to the new floor above. A modest outside space will also be formed as part of the extension. The extension will add on much needed space for the applicant's growing family.

3.3 The works looks to preserve the features of the existing tenement and will tie in well with the character and appearance the area.

Principle of Development

Access

3.4 The extension will be accessed through a new staircase positioned centrally to the existing flat. Communal roof access to the remainder of the roof and to the roof of the extension will be retained as existing.

Form Scale & Density

3.5 The extension has been designed to have no impact on the Falcon Avenue facing elevation. Although the majority of the extension is modestly higher than the ridge of the front pitched part of the tenement, it is set back to the rear more than enough that it will not be read from Falcon Avenue or Falcon Road, see section drawing PL-02. The rear proposals face onto garden ground and the rear elevation of the modern development on Newbattle Terrace, the proposals will not be seen from any public paths or roads. The set back nature of the extension and glazed balustrade will result in a majority of the proposals being unseen/ unread from the rear garden areas and internal spaces of the neighbouring tenements and properties.

3.6 The zinc and timber façade to the rear elevation is proposed to be set back fully to 3m away from the existing stone rear elevation, it will also integrate well in form, materiality and language with the modern development to which it faces and the metal clad topmost storey of the contemporary flatted block to the north east, see figures 9-11 and 13. As can be seen from the elevation drawings and section, the topmost part of the extension is modestly higher than that of the ridge of the existing pitched roof at the front. Had a pitched roof been installed to the application properties tenement building flat roofed area, which is common to these types of buildings where perhaps the flat roof has caused issue, it would most likely have been similar in height to the proposals, raised to the rear slightly to account for watershed.



Figure 18 – Proposed rear elevation of the proposals



Form Scale & Density (Continued)

3.7 The contemporary flatted block, which sits behind the application property, shown in figure 11, and the other contemporary flatted block shown in figure 13 is of a similar architectural language at high level to that of the proposals. A development at roof level of the application tenement will not only tie in with the overall height of the existing tenement to which it will form part of but it will also be of similar height to the topmost storey of the modern development to which it faces at the rear. The development sits below all chimney copes to which the proposals are local to, allowing all chimney positions to be interpreted and used to screen and contain the development.

3.8 The windows located to the extension are in positions matching that of the rhythm below to the masonry rear elevation of the tenement. The window sizes are also directly informed from existing windows to the tenement. The windows shall look to sit lightly on top of the stone elevation of the tenement.

3.9 To the rear of the extension an exterior space is formed. There will be a set back frameless glass balustrade facing the rear installed which replicates that to the contemporary flatted properties to which the application property faces and will allow the balcony to be minimally read.

3.10 The floorplan of the application property is reflected to all storeys below and mirrored on the large chimney splitting the tenement into two parts, the rear elevation reflects this. The proposals sit directly above the existing floorplan and tie in well in elevation being situated between the adjoining tenement cope and chimney and the large aforementioned central chimney to the application tenement. The proposals also sit above openings that can be understood to be in single ownership from ground floor to the top floor, almost acting as one building vertically at this left side (as viewed in elevation). The left and right side of the tenement remaining with a flat roof will not be out of place with the variance of flat and pitched roofs seen elsewhere in the immediate vicinity and wider area.

3.11 The form of the extension is directly informed by the existing roof form of a mixture of pitched and flat elements. It also resembles the roof forms to surrounding buildings in the immediate and further afield vicinity. The height of the extension is comparable to the existing front pitched roof and modern development to which it faces. The overall architectural language and style as a result of the proposals is compatible with the existing building and surrounding area.

Materiality

3.12 Zinc has been chosen as the main material for the extension as it is a traditional material that can be seen elsewhere on roofs around Edinburgh and in the immediate area, allowing it to integrate into the roofscape conglomeration in the surrounding area, the colour will also match that of the surrounding roofscapes, the material is sustainable and also of high quality. Metal cladding has been used to the A-listed St. Peter's nearby at roof level. Dark aluminium windows will tie in with the zinc cladding. Timber cladding is also introduced to add variety to the rear elevation, match in with cladding to the modern development to which the application faces to the north and like the zinc sit lightly above the stone rear elevation. The resulting architectural language where the topmost storey of largely metal cladding, to echo roofs of the application and neighbouring properties, above a stone facade below is also used on many other extension and alteration projects such as this and new builds around Edinburgh. Overall, this architectural language will be appropriate to the building and surrounding area. It largely replicates the front elevation of the tenement. Copper metal cladding in the same detail using a standing seam can be seen to the A-listed St. Peter's nearby which further justifies the use of zinc.

Sustainability

3.13 It is proposed that solar panels will be installed to the flat roof part of the extension only. The solar panels will be integrated within the zinc cladding to retain the general appearance of the zinc. A mechanical heat recovery ventilation system will be installed if feasible. Further to this an air source heat pump will also be installed to the lower flat roof part of the existing roof keeping it out of sight. The renewable technologies will provide sustainable electricity and heat to the property. The new extension will be insulated to a high level with the existing floorplan also receiving insulation where appropriate/ possible. Such a sustainable approach will allow this property to take on the form of a benchmark expressing how such properties within the city centre may be altered positively to potentially become 100% run off renewable energy technology with the subject of climate change in mind. The applicant hopes to be able to share the results of the proposals energy wise with others to form a case study for future development.



3.14 As noted before the extension is for the applicant's growing family where the ability to retain a city centre location would be ideal in terms of lifestyle but also sustainability too. Being able to extend the existing property would mitigate the requirement to perhaps look to a new build property elsewhere which would result in the production of a large amount of carbon. The extension being built on top of an existing building using a timber frame construction, eco-friendly insulation (such as hemp) and other sustainable materials will produce much less carbon than that of a new build property.



Figure 19 – Example of solar panels on zinc roof where the solar panels are installed between the seams of the zinc



4 Precedents

4.1 The purpose of this section is to conduct background research on other similar developments to explain how this proposal will comply with the standards that have been acceptable to the Council elsewhere.

3F1 9 Steel's Place



Figure 20 & 21 – Views of roof extension to 3F1, 9 Steel's Place from Falcon Road West





Figure 22 – View of roof extension (left hand side of photo) from the bottom of Falcon Road



4.2 This roof extension to the neighbourhood that the application site lies was approved by the council. The roof extension uses two materials zinc and aluminium (to the windows) and utilises a flat roof. The extension is to a four-storey tenement building where it can be seen that there are no other physical alterations to it. The original roof form to the tenement is pitched to the front and flat to the rear, then pitches to the gutter line. As shown in figures 16, 20, 21 and 22 the extension is very much interpreted easily from the public realm. The positioning of the roof extension is between chimney stacks and the central cupola which the planning officer noted was acceptable. The planning officer noted that the design although publicly visible “would not dominate the roof form of the roof and would not detract from the appearance of the property”. The planning officer concluded; “The simple profile ... and the modern materials would read as a sympathetic intervention into the roof. The scale, form and design of the proposal are acceptable”. We feel that our proposals have much similarities to this roof extension in that the design, form and positioning is similar along with the materiality which blends into the surrounding roofscape, albeit this proposal is very much more interpretable from public realm than our proposals which will be unseen from the street. We believe our proposals should be justified against policy in the same manner as this development.

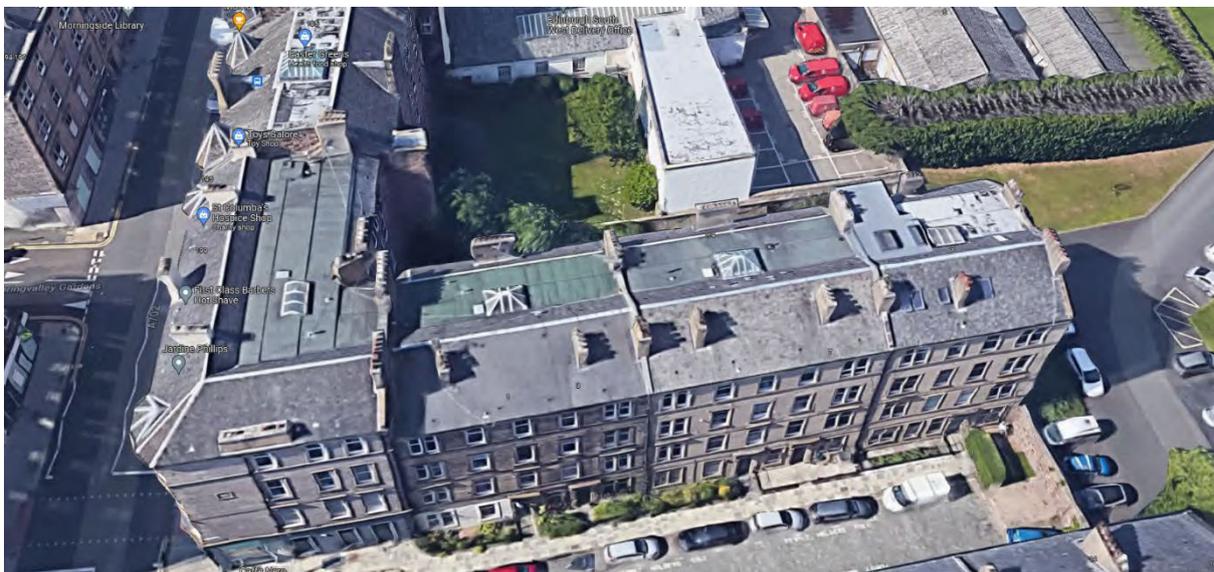


Figure 23 – Aerial view of the tenement at 3F1 Steel's Place with the flat roof development to the right hand side



7 Rutland Square





Figure 24 & 25 – View of roof alterations to 7 Rutland Square from public realm

4.3 This section examines the proposals that were accepted and have been constructed to the A-listed property at 7 Rutland Square that contain similarities to the proposals of this application. 7 Rutland Square is situated within the Old and New Towns of Edinburgh World Heritage Site and the New Town conservation area.

4.4 The external alterations at roof level to 7 Rutland Square are of most importance in acting as precedent to the application as they are very similar in nature. The proposals see roof alterations which form two new contemporary style dormers with a steep pitched section in between all clad in dark grey zinc. It is understood that the original roof form would have been replicated along this terrace and originally been double pitched however as can be seen some properties have been extended/ altered at roof level. In the planning officer's assessment of these proposals to 7 Rutland Square, they noted that "Zinc is a traditional roofing material and the dark-grey tone will complement the original slate". The fact that very similar proposals have been accepted in the Old and New Towns of World Heritage Site and conservation area is important in determining that the application proposals which are to a non-listed building, not within a conservation area and are not visible from public realm are acceptable.

4.5 Further to the above and similarly to the verticality discussed previously, the same can be seen here where although all openings are the same throughout the rear elevations of the townhouses they are easily read individually through the opening rhythms and chimney stack positions where positioning of the roof extensions/ alterations pick up. The varying roof forms whether they have dormers to them or are shallow pitched are not out of place and simply express the diversity of the row of properties.



4.6 The high quality and sleek design of the roof alterations to 7 Rutland Square is what the application proposals aspire to match.



3F2 14 Piershill Terrace

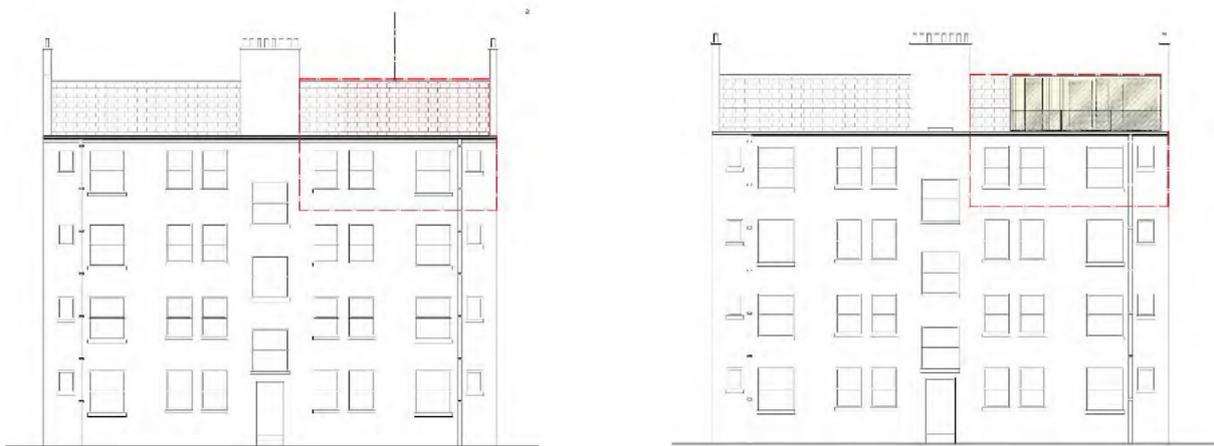


Figure 26 – Images of approved existing (left) and proposed (right) elevations for a flat roofed attic extension onto an existing flat roof above a top floor flat in a tenement building

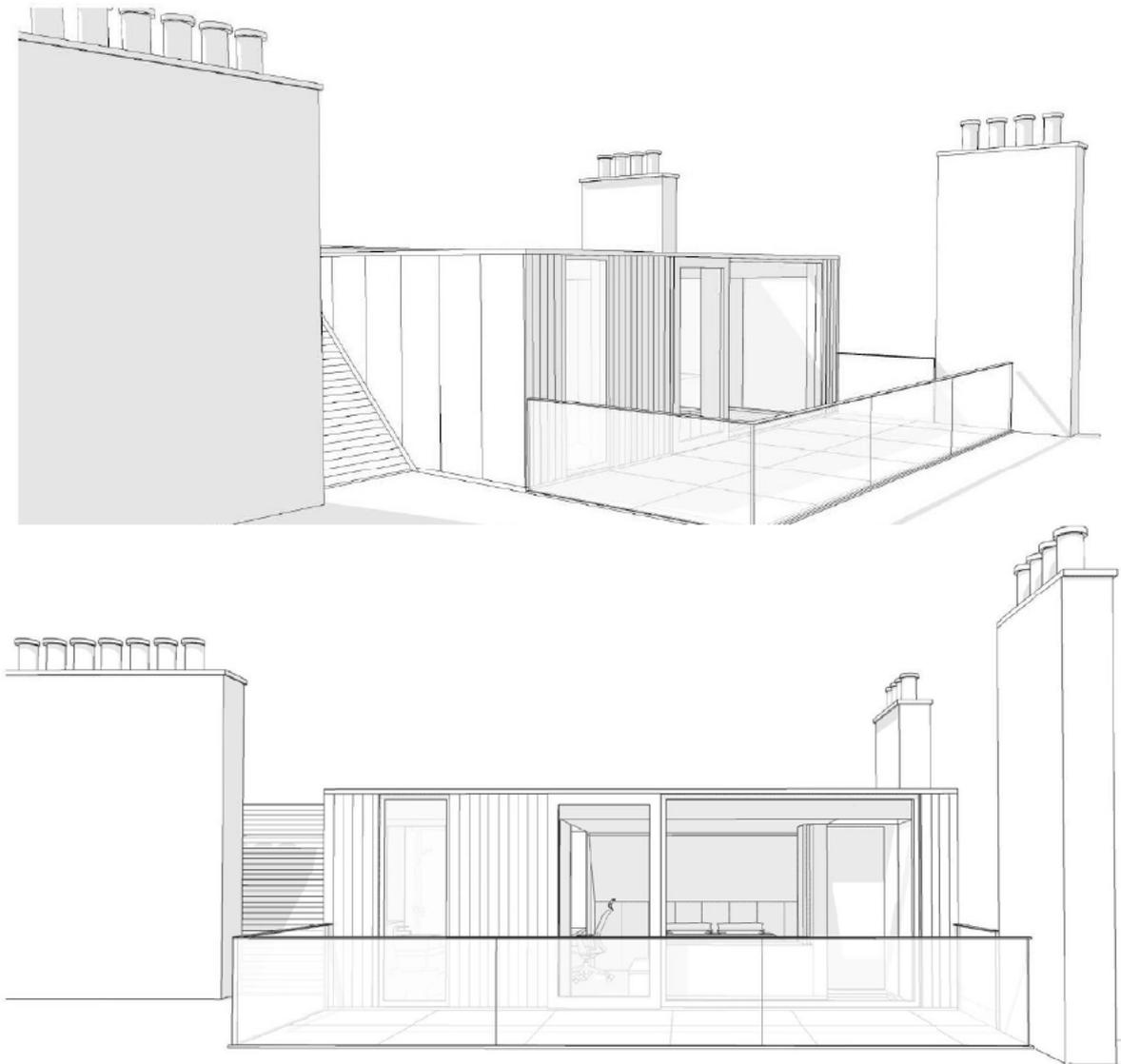


Figure 27 – 3D views of proposals to 3F2 Piershill Terrace from design statement submitted to council



4.7 This section examines the proposals that were accepted to 3F2 14 Piershill Terrace where a contemporary flat roofed extension has been added to the top floor flat. Similarly to our proposals the extension has been formed to the flat roofed section of the tenement at the rear with a pitched roof existing at the front. The proposals include a vertical timber clad flat roof extension with glazing and a sliding door with a glass balustrade, all facing the rear.

4.8 Edinburgh council deemed that the proposals were of an “acceptable scale, form and design and are compatible with the area.” It was also noted that the “proposal is of modern style, adding a contemporary addition to the roof of the property which would not be visible from the street.” Further to these conclusions the determination report also noted that “In relation to privacy, the proposed terrace is recessed within the roof space limiting downwards views. Furthermore, it sits behind existing windows on the rear elevation of the building therefore would not result in any additional loss of privacy to surrounding properties. ... With regards to noise, the Council's non-statutory Guidance for Householders states that roof terraces can be a source of noise for neighbouring properties. Whilst it is acknowledged that the roof terrace will be utilised as an outdoor space for the residents, this will effectively have the same noise impact on neighbouring properties as the residents using the garden ground. Given the scale of the terrace it is unlikely to generate a significant level of noise and the impact on the neighbour's window will be limited.”

4.9 Our proposals are of a very similar nature to that of the above and the same conclusions to that of this example application can be drawn about our proposals in terms of planning policy. We believe the contemporary proposals are of an acceptable scale, form and design and being set back the proposals will not be generally read from any public streets and will not result in any issues relating to privacy, overshadowing or noise.

4.10 The high quality, modern design and design principles of the roof alterations to 3F2 14 Piershill Terrace is what the application proposals aspire to match.



34 Hamilton Place

4.11 Formerly used as Theatre Workshops, 34 Hamilton Place is an amalgamation of a Georgian townhouse, Victorian drill hall and later extensions, it is B-listed. The project involved the conversion of the upper floors into six apartments, including the replacement of a part-hipped roof, dormer and modern link building with a new full-height infill and symmetrical rooftop extension and the conversion of the ground floor theatre into a restaurant. The building sits within a terrace arrangement of properties.

4.12 This precedent is located within the New Town conservation area and showcases how modern additions with new building elements have been successfully integrated into the urban fabric. 34 Hamilton Place has similarities to the application site in that the roof form and dormer style are similar, particularly at the rear see figure 20. The dark metal and glazing reflecting the rhythm of the openings below work well with the existing building and tie in nicely with the surrounding area. The rear elevation is of a similar style and form as our proposals, although our proposals will be largely set back from the rear elevation.

4.13 Juliet balconies along with a roof terrace, where the glass balustrade can just be seen above the slate ridge line in figure 19, to the front and rear elevations have been formed to 34 Hamilton Place. This introduction of these new design elements integrate well with the surrounding streetscape which is of a similar nature to that at the application site. The high quality and sleek design of the roof alterations to 34 Hamilton Place is what the application proposals aspire to match.



Figure 28 – Image of 34 Hamilton Place from the public street





Figure 29 – Image (taken from public street) of 34 Hamilton Place from the rear where a set back terrace can be seen and dark metal sills between tenements of a similar height and position to the front pitched roof of the property



4F2, 19 Rodney Street





Figure 30, 31 and 32 – Photos from various areas of public realm of roof extension to 4F2, Rodney Street

4.14 The above proposal is very similar to the application proposals where a roof extension has been formed to the rear of a top floor property within a five storey tenement with a communal garden to the rear. The property is part of a wider tenement block where the original roofscape consisted of a series of roof valleys running from the front pitched roof to the rear.

4.15 The proposals are higher at the rear than the front pitch of the roof but are unseen from the front elevation which is a similar design principle to our proposals. The materiality is grey metal and glass with the form being flat. The rear elevation is much closer to the existing rear elevation of the tenement than that of our proposals. Overall the similar architectural language and principle which does not detract from the building or area should inform that our proposals will achieve same.





Figure 33 and 34 – Photos from Dundas Street and Fettes Row showing how prominent the proposals at 4F2, Rodney Street are from the surrounding area, namely the New Town conservation area



14 Plewlands Gardens



Figure 35 – View of roof extension to 14 Plewlands Gardens from public realm

4.16 The development at 14 Plewlands Gardens is a direct precedent of the principle of our proposed extension. The property is part of a terrace of several properties and is situated near the middle. The adjoining properties are all of a similar style originally with a pitched roof at the front of the property and a flat roof to the rear, similar to that of the application site however several have been developed with the top floor flat forming an extension upwards onto the flat roof. 14 Plewlands Gardens is located within the Plewlands conservation area, which is not too far away from the application site south westwards. As can be seen from the images (figures 35 & 36), one side of 14 Plewlands Gardens retains the original roof form whilst the other has had the roof extended with a pitch and dormers. The diversity and individuality of the roof forms extended or not does not detract from the area or the existing building.

4.17 The planning officer noted the proposals as ‘in-fill’ works and that the “design would be light and would not overwhelm the existing rear elevation of the property”.

4.18 Similarly to our proposals, it can be seen that many flat roofs in the area have been developed upwards and the design principles/ features of our proposals also take cognisance of those seen elsewhere in the area.





Figure 36 – Closer view of roof extension to 14 Plewlands Gardens from public realm

