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5 Piersfield Place
Edinburgh
EH8 7BP

Mr Jason Singh.
27 Southfield Square
Edinburgh
EH15 1QS

Decision date: 22 December 2022

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

Remove bungalow roof entirely, extend rear of property + provide mansard roof (55-degree pitch) to accommodate 4 bedrooms + bathroom. Enlarge existing extension, with new roof (at existing level) and new lowered floor. All finishes to match existing, including reuse of existing slates.

At 27 Southfield Square Edinburgh EH15 1QS

Application No: 22/05076/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 7 October 2022, 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 design, form and position of the proposal would fail to respect the established form of the existing property which would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The proposal is therefore contrary to Edinburgh Local Development Plan policy Des 12 (Alterations and Extensions).
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they

are not compatible with the character of the existing building and will affect the neighbourhood character.

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

Drawings 01-11, 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 proposal is contrary to the Edinburgh Local Development Plan Policy Des 12 - Alterations and Extensions.

The scale, form and position of the proposal would fail to respect the established form of the existing property and would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The scale, design and position of the rear dormer would result in an unreasonable loss of privacy for neighbouring properties.

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 Weronika Myslowiecka directly at weronika.myslowiecka@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
27 Southfield Square, Edinburgh, EH15 1QS**

Proposal: Remove bungalow roof entirely, extend rear of property + provide mansard roof (55-degree pitch) to accommodate 4 bedrooms + bathroom. Enlarge existing extension, with new roof (at existing level) and new lowered floor. All finishes to match existing, including reuse of existing slates.

**Item – Local Delegated Decision
Application Number – 22/05076/FUL
Ward – B17 - Portobello/Craigmillar**

Recommendation

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

Summary

The proposal is contrary to the Edinburgh Local Development Plan Policy Des 12 - Alterations and Extensions.

The scale, form and position of the proposal would fail to respect the established form of the existing property and would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The scale, design and position of the rear dormer would result in an unreasonable loss of privacy for neighbouring properties.

SECTION A – Application Background

Site Description

The property is a detached bungalow with an existing single storey rear extension. The extension is linked to the main house by a shower room only.

Description Of The Proposal

The proposal is for a change from hip roof to mansard roof with a dormer to the front and rear. Also, the proposal is for enlargement of an existing single storey extension to the rear.

Relevant Site History

98/00181/FUL
27 Southfield Square
Edinburgh
EH15 1QS
Alter & extend dwelling house
Granted
3 March 1998

22/00423/FUL
27 Southfield Square
Edinburgh
EH15 1QS
Partially demolish flat roof extension. Form new attic conversion as shown with 3no. slate clad dormers.
All new walling to rear of property to be finished in painted wet dash render to match existing.
New drainage goods in painted CI. Flashings in Code 4 lead, Facias to flat roof ext'n in painted timber. Back wall of main property extended, slated roof remodelled, maintaining general profile of existing roof. Existing flat roof extension increased in size and fully connecting to main house.
Granted
7 June 2022

22/00423/VARY
27 Southfield Square
Edinburgh
EH15 1QS
Non material Variation - Variation 1 - to increase the width of the approved single storey extension by 730mm . Variation 2 - to centre the roof lantern in the revised roof. Variation 3 - to increase the size if the sliding / folding door facing the garden. Pertinent drawings in planning portal - Pr 01 Proposed Roof, Pr 03 Proposed Ground Floor, Pr 04 Proposed Sections, Pr 05 Proposed Elevations, and Pr 06 3D Rear. Revised drawings (please note revised numbering on later drawings) - Pr 01B Proposed Roof, Pr 03C Proposed Ground Floor, Pr 04B Proposed Sections 1, Pr 05B Proposed Sections 2, Pro 07B, and Pr 08A 3D Rear.
VARIED
16 September 2022

Other Relevant Site History

21 October 2022 *¿* Pending an enforcement enquiry for alleged Short Term Let (ref. 22/00695/ESHORT)

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 22 December 2022

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 2

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 12.

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

Scale, form, design and neighbourhood character

Edinburgh Local Development Plan (LDP) policy Des 12 (alterations and extensions) states that permission will be granted for alterations and extensions that in design, form, material and position are compatible with the character of the existing building and will not be detrimental to the neighbourhood character.

The Guidance for Householders states, that bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance. Extensions must not imbalance the principal elevation of the property.

The proposal site is a detached property which has a hipped roof mirroring the adjoining properties in the whole area. The whole building is symmetrical in its design and form as viewed from the street. This property type in scale, form and design mirrors those evident to the Southfield Square.

The proposed roof extension by virtue of changing the hipped roof to a mansard roof alters the original form of the roofscape. This is unacceptable in this location, as it will be disruptive to the symmetrical hipped roof form of the whole buildings. As viewed from the street, it would appear as a disjointed and incongruous addition that fails to respect the original uniform character of the whole building.

Hip to mansard enlargements is not characteristic on these detached properties in the immediate area. It is recognised that there is only one example within the whole area where the roof has been changed but this has been approved over 10 years ago and does not form an established style of the roofs within the area. This notwithstanding the scale, form and position of this addition would result in a conspicuous intervention that fails to respect the established form of these property types in the area. It is therefore an incompatible addition that would be detrimental to the existing neighbourhood character contrary to LDP policy Des 12 and the non-statutory guidance.

The proposed dormers would be centrally positioned over the windows on the lower levels, and it would retain roof expanse on all four sides of the altered roof form. However, the proposed dormers it is a large addition that would appear overly dominant, especially since there are not many larger dormers within a surrounding area. Additionally, the ability to construct those dormers is only dependent on the roof enlargement which is contrary to policy. This, notwithstanding the scale, form and position of this addition would result in a conspicuous intervention that fails to respect the established form of these property types in the area.

Furthermore, the proposal is also for a further expansion of an existing single storey extension to the rear. This is a minor change of already larger extension; therefore, this element of the scheme is acceptable on balance. However, the construction of mansard roof and large dormers as detailed above is contrary to policy and unacceptable. It is therefore not possible to approve solely the rear extension element of the scheme.

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.

Conclusion in relation to the Development Plan

The proposals are not compatible with both the existing building and neighbourhood character. Therefore, the proposals do not comply LDP policy Des 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.

The proposal does not comply with 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

- overdevelopment - assessed in section (a)
- detrimental impact on the neighbouring properties - assessed in section (a)
- impact on daylight, sunlight and overshadow - assessed in section (a)

non-material considerations

- building on boundary line/ damage to the boundary line - Boundary disputes, access arrangements and damage to private property are not material planning consideration. Any such dispute would be a civil matter.

Conclusion in relation to identified material considerations

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

Overall conclusion

The proposal is contrary to the Edinburgh Local Development Plan Policy Des 12 - Alterations and Extensions.

The scale, form and position of the proposal would fail to respect the established form of the existing property and would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The scale, design and position of the rear dormer would result in an unreasonable loss of privacy for neighbouring properties.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reason for Refusal

1. The design, form and position of the proposal would fail to respect the established form of the existing property which would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The proposal is therefore contrary to Edinburgh Local Development Plan policy Des 12 (Alterations and Extensions).
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they are not compatible with the character of the existing building and will affect the neighbourhood character.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 7 October 2022

Drawing Numbers/Scheme

01-11

Scheme 1

David Givan

Chief Planning Officer
PLACE
The City of Edinburgh Council

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

Appendix 1

Consultations

No consultations undertaken.

Comments for Planning Application 22/05076/FUL

Application Summary

Application Number: 22/05076/FUL

Address: 27 Southfield Square Edinburgh EH15 1QS

Proposal: Remove bungalow roof entirely, extend rear of property + provide mansard roof (55-degree pitch) to accommodate 4 bedrooms + bathroom. Enlarge existing extension, with new roof (at existing level) and new lowered floor. All finishes to match existing, including reuse of existing slates.

Case Officer: Householder Team

Customer Details

Name: Mrs Ann Dodds

Address: 15 Southfield Road East Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We are strongly objecting to this application on the grounds that the proposed development of the property:

- (a) Does not comply with current CEC planning requirements.
- (b) Is in breach of current CEC building regulations.
- (c) Has a negative impact on our property and our enjoyment and use of our garden facilities.

Whilst it would be reasonable to consider the proposed development of the existing main house (excluding previously added rear extension) to be extremely excessive and arguably an over-development of the property beyond the original intention of the bungalow and surrounding properties, our objection will ignore this and be solely focused on the proposed further development of the existing previously added rear extension. It is this structure which already negatively impacts our property and imposes restrictions on our ability to use and enjoy our property. To further extend this structure will result in even greater loss of our visibility and daylight and massively decrease our ability to use our garden as it was intended to the extent that it would be wholly unacceptable.

The development proposes to further enlarge the existing extension to the rear of the property. This existing extension appears to be in breach of building regulations and planning guidelines. This existing extension has been built on top of the boundary/party wall between our property and the applicant property. The original party wall is still in place and forms part of the existing extension structure (it is clearly visible as the original brick to the lower half and a rendered wall

built on top of it). As a result, our boundary wall now forms part of the applicant property building structure which breaches both planning and building regulations. Furthermore the fascia of the existing extension extends beyond the elevation of the boundary wall and is therefore encroaching and oversailing the demise of our property. This is illegal. It must be highlighted that the extend of our property demise is legally defined as the mid-point of the boundary wall. Therefore, half of the existing extension wall is encroaching on our property demise.

The proposal to further extend this existing structure along the boundary, on top of and incorporating the boundary wall into the new added structure is in breach of current CEC building and planning regulations and is therefore unacceptable and its proposal is objected to in all respects.

The existing structure has blocked out light to our property leaving areas of our garden in shade for most of the day and has a detrimental impact on the grass and shrubbery/plants and our ability to fully enjoy our property and garden facilities. To extend this structure would worsen this situation by further decreasing the light to our garden and worsening the already unacceptable view we have from our rear windows of looking out on to a 3.5m high blank wall.

Please refer to drawing no Pr08 "3D Rear" which forms part of the application. Whilst it is understood this is only a computer generated 3D representation of the proposed development and therefore does not give absolutely correct representation of lighting conditions, such software that produces these pictorial representation of the building have been developed to take into account sun/lighting direction etc and produce reasonably accurate representation of the property and it's impact on its surroundings. This drawing/3D image does however clearly show that the proposed rear extension causes extensive shading to our garden/property, has a negative effect on the grass/shrubbery and impacts on our enjoyment of and ability to use our garden properly.

Please refer to drawing Pr04 "Sections 1" in particular Long Section 1 and Long Section 2. Both these details show the proposed rear extension wall being built upon the existing boundary (incorporating the boundary wall within the structure). Both these sections clearly show the proposed foundations of the rear extension wall extending beyond the boundary line and into our garden/property. This is in breach of CEC Building Regulations and is something we would not be willing to allow in our property. It technically invalidates the application and we would therefore request this proposal is rejected in full. Similarly, as the wall is built off the existing boundary wall, any fascia (as shown on Long Section 1 and Long Section 2 would similarly overshoot the demise of our property. Again this is unacceptable and the proposal should be rejected in full.

The wall of the existing rear extension has been built off and incorporates the original boundary wall. The original boundary wall has not been taken down and rebuilt under the current extension, it has simply had the extension wall just built on top of the existing brick boundary wall. These boundary walls did not have foundations incorporated when originally built in the 1940's. The question must be asked as to the structural suitability of the existing wall and the potential danger

of this wall falling down into our property and the risk to our health, safety and wellbeing.

Please refer to drawing Pr03 "Proposed Ground Floor". This drawing clearly details the extended section of the rear extension wall being built on the boundary line and incorporating the existing brick boundary wall. This is unacceptable and in breach of current CEC Planning and Building Standard Regulations. It must therefore be rejected

This drawing also shows a different wall construction/structure for the existing wall which is built off the boundary wall and the new proposed wall structure for the extended section along the boundary wall. We note the application states "Flat roof extension enlarged.....Also to be fully connected to main house". Does this change the classification of the existing extension structure as it implies the existing structure is not fully connected to the main house? If it does, then the construction of the existing structure may need to change to meet current building regulations and standards which would effectively mean the whole structure would be fundamentally changed and therefore in breach of current planning and building standards when considering it is built on the boundary wall.

Taking into account the foregoing issues raised relating to both the existing rear extension (structural integrity and breach of current CEC planning and building standards) and the proposed further extending of this structure (in breach of current CEC planning and building standards) our objection requests the proposed extending of the existing rear extension is rejected by CEC.

We would also challenge the structural suitability of the existing rear extension and request that this be taken down and removed from the boundary wall and it's incorporation into any new proposed extension be built at a suitable distance back from the boundary and built in accordance with and conforming fully to current CEC planning and building regulations. This would allow the original boundary wall to be reinstated.

Additionally, consideration should be given to the impact any proposed development has on the adjoining properties and the detrimental effect such development would have on the neighbouring property owners ability to fully utilise their premises as was intended when the properties were built. The current application and proposal is purely and selfishly focused on betterment to the applicant property and does not give consideration to the negative and adverse impact the development would have on the neighbouring properties, of which our is greatest effected.

Comments for Planning Application 22/05076/FUL

Application Summary

Application Number: 22/05076/FUL

Address: 27 Southfield Square Edinburgh EH15 1QS

Proposal: Remove bungalow roof entirely, extend rear of property + provide mansard roof (55-degree pitch) to accommodate 4 bedrooms + bathroom. Enlarge existing extension, with new roof (at existing level) and new lowered floor. All finishes to match existing, including reuse of existing slates.

Case Officer: Householder Team

Customer Details

Name: Mr Peter Quinn

Address: 29 Southfield Square Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Our objection and concerns are if these latest plans which show an increase in the overall roof size with the introduction of a Mansard roof at 55 degree angle will reduce the sunlight / daylight into our back sitting room and kitchen area and cause overshadowing in our conservatory and back garden