

Development Management Sub-Committee Report

Wednesday 15 March 2023

**Application for Planning Permission
12 Loch Road, Edinburgh, EH4 3PW**

Proposal: Extension and alterations to house. (AS AMENDED)

**Item – Committee Decision
Application Number – 22/05907/FUL
Ward – B05 - Inverleith**

Reasons for Referral to Committee

This application has been referred to the Development Management Sub-Committee because it has been called in by a councillor. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The proposed works to the dwelling are in accordance with the Development Plan. The works are compatible with the existing dwelling and surrounding neighbourhood character and will not result in an unreasonable loss of neighbouring amenity. There are no material considerations which indicate that the proposal should be refused. Therefore, the proposal is acceptable, and it is recommended that the application be approved.

SECTION A – Application Background

Site Description

The application refers to a single storey bungalow with a low pitch, hipped roof. The property features a flat roof side garage, paved driveway and soft landscaping in the front garden, and triangulated rear garden with mixed soft and hard landscaping.

The immediate and wider area comprises a mix of building styles. To the north and east the character is defined by detached, hipped roof, bungalow properties, many of which feature extensions and roof alterations. To the south and west of the property, the immediate character is defined by single storey semi-detached, pitched roof properties. The wider character expands to include two storey semi-detached and terrace properties.

Description of the Proposal

The application proposes the removal of the existing hipped roof, addition of a rear extension with associated access steps, addition of a larger hipped roof with flues, velux windows and solar panels, addition of a side canopy, addition of two full length side windows, addition of rear hard standing, addition of a 1m fence within the front curtilage, addition of a rear air source heat pump and replacement of driveway paving with monoblock.

Amendments

Scheme two removes the rear raised decking from the proposal and replaced this with access steps to the rear doors. As this change will alleviate concerns raised in public representation and comply with the relevant guidance, re-notification was not required.

Development/Permitted Development

Consideration as part of the assessment of the application is limited to the proposal to remove the existing hipped roof and replacement with an enlarged hipped roof, addition of rear extension, associated access steps and side canopy given that the other works are either not development or are permitted development. This means they could be carried out without the need for an application for planning permission.

Supporting Documents

A design statement.
A detailed daylight and sunlight analysis.
An energy performance certificate; and
An energy improvement report.

Relevant Site History

02/02972/FUL
12 Loch Road
Edinburgh
EH4 3PW
Form new study, bedroom, bathroom, living/dining room, and store.
Refused
26 September 2002

03/02405/FUL
12 Loch Road
Edinburgh
EH4 3PW
Proposed alterations and extension
Granted
6 November 2003

Other Relevant Site History

Development of neighbouring bungalows:

08/03319/FUL

10 Loch Road Edinburgh EH4 3PW

Proposed extension

Granted

08 October 2008

05/01272/FUL

45 Craigcrook Avenue Edinburgh EH4 3PY

Proposed extension and alterations to house incorporating extended roof and dormer window installation to front elevation

Withdrawn

17 May 2005

06/00134/FUL

45 Craigcrook Avenue Edinburgh EH4 3PY

Single storey extensions to both side elevations (NW and SE), and conservatory to rear

Granted

13 April 2006

13/04602/FUL

43 Craigcrook Avenue Edinburgh EH4 3PY

Demolition of garage and greenhouse to northwest and erection of stepped side extension. Extension of roof to provide 2 bedrooms on first floor

Refused

18 December 2013

14/00452/FUL

43 Craigcrook Avenue Edinburgh EH4 3PY

Demolition of garage and greenhouse to northwest and erection of stepped side extension. Extension of roof to accommodate 2 bedrooms on the first floor

Granted

04 April 2014

Roof width alterations (roof pitch retained) and extensions to nearby bungalows:

04/04596/FUL

24 Carfrae Park Edinburgh EH4 3SN

Extension and alterations to dwelling house

Granted

28 April 2005

Roof pitch alterations and extensions to nearby bungalows:

05/02772/FUL

35 Craigcrook Avenue Edinburgh EH4 3PY

Extend dwelling house to rear with new integrated garage to n.w side of house, form new pitched slated roof with 2 dormer windows to rear of house

Granted

12 January 2006

17/01712/FUL

27 Craigmock Avenue Edinburgh EH4 3QA

Extend the house to the rear. Form new roof over the larger footprint. Dormers to the front and rear

Withdrawn

31 May 2017

17/02504/FUL

27 Craigmock Avenue Edinburgh EH4 3QA

Extension to side + rear, dormers to front + rear

Granted

11 August 2017

17/05188/FUL

27 Craigmock Avenue Edinburgh EH4 3QA

Extend the pitched roof over the flat roof of the garage. Wall head of the garage will require to be built up to the same eaves level as the house. No additional floor space is created on the first floor.

Granted

22 February 2018

18/02416/FUL

21 Craigmock Avenue Edinburgh EH4 3QA

Residential ground and first floor rear extension, incorporation of a dormer window, installation of velux rooflights and internal alterations.

Refused and Upheld

16 August 2018

19/00664/FUL

21 Craigmock Avenue Edinburgh EH4 3QA

Residential ground and first floor rear extension, new front dormer window, installation of rooflights and general internal alterations.

Granted

27 March 2019

10/01813/FUL

22 Carfrae Park Edinburgh EH4 3SN

Alteration to hipped roof to form ridged roof with one and a half storey rear extension

Refused

24 August 2010

11/00525/FUL

22 Carfrae Park Edinburgh EH4 3SN

Alterations to change hipped roof to pitched roof, formation of dormers to front and one and a half storey rear extension

Refused

05 May 2011

11/03710/FUL

22 Carfrae Park Edinburgh EH4 3SN

Infill extension and alterations to existing house at ground floor level. Create accommodation within the extending roof incorporating dormer window and velux rooflights.

Granted

10 January 2012

Pre-Application process

There is no pre-application process history.

Consultation Engagement

No consultations undertaken.

Publicity and Public Engagement

Date of Neighbour Notification: 1 December 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 3

Section B - Assessment

Determining Issues

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

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

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

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

Assessment

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

a) The proposals comply with the development plan.

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies support the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4.

The relevant NPF4 and LDP policies to be considered are:

- NPF 4 Policy 1
- NPF 4 Policy 16g
- LDP Design Policy Des 12.

The non-statutory Householder Guidance is a material consideration that is relevant when considering NPF4 Policy 16g and LDP Policy Des 12.

Global Climate and Nature Crisis

Policy 1 of NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The application addresses this through:

- Contributing to the circular economy by making productive use of existing residential properties and adapting them to meet the changing and diverse needs of the user.
- Maintaining a suitable scale of green infrastructure within the garden area to contribute to nature positive places and green neighbourhood networks.
- Although permitted development the proposal includes climate adaptation measures through the introduction of solar panels and air source heat pump both of which are shown in the energy improvement report to benefit the property.
- Although not considered to be development the replacement monoblock paving is a porous material which will incorporate water management in the front garden.
- Further energy saving standards and carbon reduction measures will be considered during the building standards process.

Therefore, the proposal complies with NPF4 Policy 1.

Size, Design, Materials and Neighbourhood Character

The surrounding area is defined by various build types and styles. The bungalow property is situated on the edge of an established bungalow area. However, the established character of previously developed bungalows in the area demonstrates the principle of extending and altering the roofscape would be acceptable.

For a bungalow, the overall form of the property and the hipped roof are important characteristics when viewing a bungalow from the public street. The non-statutory Guidance for Householders outlines that any extension to the original bungalow should retain the original character, not imbalance the principle elevation, and respect the hipped roof character of the original dwelling.

When looking specifically at the proposed extension, this is entirely to the rear of the property and is therefore not easily visible from the street. The Guidance for Householders requires that rear extensions do not occupy more than one third of the rear garden space. The proposed extension (62sqm) would occupy 28% of the 220 square meter garden and would therefore comply with the Guidance.

The proposed canopy to the side is of a scale that would not be readily visible from the public street and the flat roof appearance of this alongside the flat roof of the side garage would not imbalance the principle elevation of the bungalow.

The proposed alterations to the roof would remove the 30-degree pitch hipped roof and replace this with a taller, 40-degree hipped roof which extends over the proposed rear extension but retains the original width of the bungalow. While the height of the new roof would be larger than the existing roof, it would be lower than 45 Craigmook Avenue (primarily due to land variation) and would be similar to 10 Loch Road which was originally designed as a taller roof form bungalow. Therefore, the scale of the new roof would be compatible with the existing bungalows and would not impact upon the wider area.

From the street, the alterations to the roof would not imbalance the primary elevation as the original width of the bungalow would be retained. The new roof would retain the hipped roof character of a bungalow and, given the height matches the height of a larger bungalow roof form, this alteration would respect the interpretation of a bungalow property. Moreover, development in the surrounding area has included several examples of large-scale roof alterations including 40-degree roof pitch changes. Therefore, the proposed replacement of the roof would not have a detrimental impact on the character of the surrounding area.

The proposal is suitable in terms of size, design, and materials. It would not have a detrimental impact on the character of the surrounding neighbourhood. The application complies with NPF 4 policy 16g) i) and LDP Policy Des 12a).

Neighbouring Amenity

With respect to daylight to the neighbouring property at 10 Loch Road, the side windows cannot be protected as they are not set back sufficiently from the boundary as directed by the Guidance for Householders. However, these windows serve non-habitable rooms (utility and bathroom) which are not protected by the Guidance. As the proposed extension will sit behind the rear elevation of 10 Loch Road there will be no unreasonable impact to the daylight of habitable rooms.

With respect to daylight for 45 Craigmook Avenue, the proposal complies with the 25-degree line method as described in the guidance and therefore will have no unreasonable impact to the daylight of habitable rooms.

With respect to sunlight for 10 Loch Road, due to the orientation of the properties and positioning of the proposal there will be no unreasonable impact to sunlight.

With respect to sunlight to 45 Craigmock Avenue, the existing property and boundary treatment contribute to existing levels of overshadowing. The proposal will introduce an additional 0.6 square meters of overshadowing which is minimal. This coincides with the existing and proposed hour by hour sun path analysis which demonstrates a minimal difference in sunlight impact. Therefore, there will be no unreasonable impact to sunlight.

With respect to the physical impact implications to 45 Craigmock Avenue, the existing immediate outlook comprises of the 1.9 metre boundary treatment and side elevation of the existing bungalow. Therefore, the addition of the proposed flat roof rear extension will not cause an unreasonable impact to the immediate outlook of this property.

With respect to privacy to 10 Loch Road, the side windows cannot be protected as they are not set back sufficiently from the boundary. Nevertheless, the side windows of 10 Loch Road use opaque glazing and therefore, there will be no unreasonable impact.

With respect to privacy for 45 Craigmock Avenue, one side window on the extension is designed to be a high-level window with obscure glazing which will avoid any privacy issues. The remaining two side windows proposed are permitted development and cannot be controlled. Nevertheless, these two side windows will be screened as they will have a direct outlook to the 1.9 metre boundary treatment.

With respect to overlooking, the amended scheme two removes a raised rear decking in response to overlooking concerns. To the rear the sliding doors will have a direct outlook to the applicant's own garden space and is set back from the boundary treatment. There will be no unreasonable impact from these doors or the associated access steps.

On the roofscape, there will be no direct window to window conflict as the angled design of the Velux windows will have a direct outlook to the sky. There will be no introduction of overlooking from these windows and therefore there is no unreasonable loss of neighbouring amenity.

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

Conclusion in relation to the Development Plan

The proposals will have due regard for the global climate and nature crisis, are of an acceptable size, design and materials which are compatible with the existing dwelling and surrounding neighbourhood character and will not result in an unreasonable loss of neighbouring amenity. Therefore, the proposal complies with NPF4 and LDP policies.

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

The following material planning considerations have been identified:

Emerging policy context

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

Equalities and human rights

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

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

Public representations

Three objections have been received, summarised as:

material considerations

Impact on the character of the immediate and wider area - addressed in section a).

Impact on neighbouring daylight, overshadowing, privacy and overlooking - addressed in section a)

Impact from hardstanding and water management - while this is a material consideration the addition of hardstanding is permitted development, further details in "Permitted Development" above.

Impact on road safety - while this is a material consideration the proposal is for a rear extension and roof alterations, so in this instance road safety is not a consideration.

non-material considerations

Impact on private views - This is a non-material planning consideration as private views cannot be protected by planning legislation.

Concerns for residential cooking smells - This is a non-material planning consideration as residential cooking smells cannot be controlled by planning legislation.

Concerns for parking issues - This is a non-material planning consideration as there are no residential parking standards for householder development.

Concerns for construction and residential noise - This is a non-material planning consideration as construction and private residential noise cannot be controlled by planning legislation. However, there are statutory provisions in order to mitigate these concerns under the Environmental Protection Act 1990.

Concerns for larger living capacity contributing to increased car use - This is a non-material planning consideration as residential car use cannot be controlled by planning legislation.

Conclusion in relation to identified material considerations

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

Overall conclusion

The proposed works to the dwelling are in accordance with the Development Plan. The works are compatible with the existing dwelling and surrounding neighbourhood character and will not result in an unreasonable loss of neighbouring amenity. There are no material considerations which indicate that the proposal should be refused. Therefore, the proposal is acceptable, and it is recommended that the application be approved.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informatives

It should be noted that:

1. 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.
2. 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.

3. The development proposal includes a flue. The associated solid fuel stove/burner, which does not require planning permission, should be an 'exempt appliance' in terms of the Clean Air Act 1993 and the City of Edinburgh Council's Smoke Control Area Orders. Advice on this matter is available at http://www.edinburgh.gov.uk/info/20237/pollution/312/smoke_control or by contacting Environmental Assessment on 0131 469 5475 / email environmentalassessment@edinburgh.gov.uk

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 22 November 2022

Drawing Numbers/Scheme

01 - 03, 04C, 05B

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

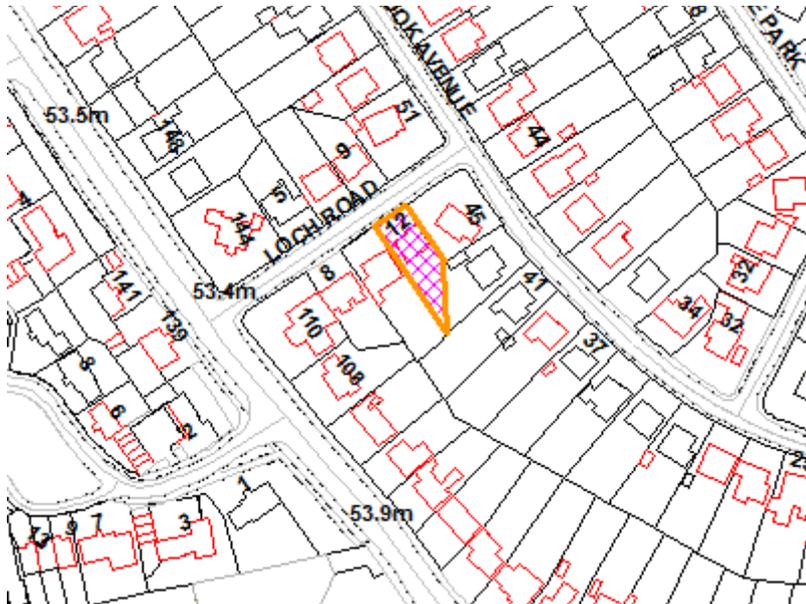
Contact: Blair Burnett, Assistant Planning Officer
E-mail: blair.burnett@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

No consultations undertaken.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420