

Development Management Sub-Committee Report

Wednesday 15 March 2023

**Application for Planning Permission
13 Ravelston Park, Edinburgh, EH4 3DX**

Proposal: Two-storey extension to east with part-wrap around to south elevation (as amended).

**Item – Committee Decision
Application Number – 22/05474/FUL
Ward – B06 - Corstorphine/Murrayfield**

Reasons for Referral to Committee

This application has been referred to the Development Management Sub-Committee because 33 letters of representation objecting to the proposals have been received, and the recommendation is that the application be granted. 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 will preserve the character and appearance of the conservation area and are acceptable with regards to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The works are compatible with the existing dwelling and surrounding neighbourhood character and will not result in an unreasonable loss of neighbouring amenity. The application is in accordance with the Development Plan. 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 granted.

SECTION A – Application Background

Site Description

The property is a two storey, detached, sandstone villa, located within an established residential area. The area primarily consists of detached villas of similar styles, with the north-east neighbouring property being subdivided into flats. The property is located within the Dean Conservation Area.

The surrounding properties have well defined boundaries along the street, as well as to the side and rear of the properties. These are formed primarily of large stone walls with several examples of timber fencing to the front, and other boundary screening in the form of trees and vegetation. This results in a spatial structure that is made up of private and enclosed individual properties, with restricted permeability. The majority of properties have large driveways to the front and side, with large rear and side gardens.

The area has been heavily developed with numerous examples of single storey, and storey and a half, side and front extensions and garages. There are also numerous examples of two storey side and rear outshoots, similar to that proposed as part of this application.

Description of the Proposal

This application is for the formation of a new two storey side and rear extension. The materials proposed are natural stone, slate, and lead. The design proposes a hipped roof style to the side and a contemporary flat roof design to the rear. The extension will be set back from the primary elevation and sit below the ridge height of the existing building. A new terrace area is proposed to the rear.

The proposals have been amended in scheme two, altering the roof design and profile of the side extension.

Relevant Site History

15/01875/TCO
13 Ravelston Park
Edinburgh
EH4 3DX
Permission for tree works.
raise no objection
30 April 2015

19/03121/TCO
13 Ravelston Park
Edinburgh
EH4 3DX
Yellow cypress next to driveway remove. East side of house, remove 1 self-seeded elm and 2 green cypress and crown reduction of purple beech which was repeatedly badly pruned in the past.
Not make a Tree Preservation Order
5 July 2019

20/00311/FUL
13 Ravelston Park
Edinburgh
EH4 3DX
Formation of new dormer windows and conservation type roof light windows; existing rear window opening altered to form new door opening.
Granted
5 May 2020

Other Relevant Site History

Pre-Application process

There is no pre-application process history.

Consultation Engagement

No consultations undertaken.

Publicity and Public Engagement

Date of Neighbour Notification: 9 November 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 18 November 2022

Site Notices Date(s): 15 November 2022

Number of Contributors: 33

Section B - Assessment

Determining Issues

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

- Is there a strong presumption against granting planning permission due to the development conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 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 harm the character or appearance of the conservation area.

The application is located within the Dean Conservation Area. The Character Appraisal emphasises the distinctive village character of the streetscape within Dean Village, the heritage of high-quality buildings, the limited range of building materials, the predominance of residential uses, and the importance of the Water of Leith and its corridor.

The Dean Conservation Area has been extended to its current limits which includes the area of Ravelston Park. Ravelston Park is a late Victorian stone villa area, reflecting a suburban style and regular layout pattern with its villas set along an 'L' shape road. Ravelston Park maintains significant trees within generous gardens, having mature and leafy landscapes and open space settings, with stone boundary walls and railings, enclosing generous gardens.

The area contains a variety of new additions to existing villa properties, as well as examples of two storey side and rear outshoots. Therefore, the proposals are in keeping with the existing character and appearance of the area. Furthermore, the development proposes materials that match those of the existing building and the surrounding conservation area. The side extension will be constructed of Ashlar blonde sandstone, with slate and lead roofing and timber framed sash and case windows to the front and side elevations. These match the existing property and reflect the character and appearance of the conservation area.

The proposals have been amended in scheme two, altering the roof design and profile of the side extension to more closely reflect the design of the original property. It is also noted that the proposal will be set back from the principal elevation and dropped down in height, when compared to the existing property, to ensure that whilst the extension is in keeping with the existing property and those of the surrounding area, it is clearly subservient and reads as a new addition.

The rear section of the proposal proposes a more modern, contemporary flat roof design and includes aluminium windows. These works are located to the rear and will not be overly visible from public views. In this regard, it is not considered to harm the character and appearance of the conservation area.

Whilst the rear of the property will be visible from the Scottish National Gallery of Modern Art, a combination of the rear boundary wall and existing tree line will screen the majority of the proposed works. Furthermore, the property backs onto the carpark to the rear of the gallery, and it is not considered that the proposals will have an

unreasonable impact on the outlook from the Gallery, from which several examples of rear development of adjacent houses are visible.

Conclusion in relation to the conservation area

The works will preserve the special character and appearance of the conservation area. The proposals are acceptable with regards to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals comply with the development plan.

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

The relevant NPF4 and LDP policies to be considered are:

- NPF4 Policy 1.
- NPF4 Policy 7d and 7e.
- NPF4 Policy 16g.
- LDP Design Policy Des 12.
- LDP Environment Policy Env 12.

The non-statutory 'Listed Building and Conservation Area' guidance and 'Guidance for Householder' is a material consideration that is relevant when considering NPF4 policies 1, 7d, 7e and 16g and LDP polices Des 12 and Env 12.

Global climate and nature crisis

NPF4 Policy 1 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:

- Enabling development and empowering people to shape their places.
- 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; and
- Further energy saving standards and carbon reduction measures will be considered during the building standards process.

The proposed development does not conflict with the intended outcomes of NPF4 and there is not considered to be any significant conflict with Policy 1 of NPF4.

Conservation Area

This is assessed in section a) and the proposal complies with NPF4 Policy 7 as the proposal would preserve and enhance the character and appearance of the conservation area.

Scale, form, design, and neighbourhood character

The surrounding area has undergone significant development with examples of extended roofs and single storey, and storey and a half, extensions, and garages, as well as significant areas of hardstanding, primarily large driveways to the front and side of neighbouring villa properties. There are also multiple examples of existing two storey outshoots. The property immediately opposite the site at number 12 has an existing two storey side and rear outshot, as does the property to the west, at number 17.

The sub-divided property to the east, at number 11, has a two-storey side outshot, which sits almost flush with the primary elevation. The building also has a two-storey rear projection and a large portion of hard landscaping for parking to the side.

The proposed application will retain a large rear garden alongside some soft landscaping to the front and side. As such, the proposals would not result in overdevelopment of the site and is in keeping with the surrounding area.

Whilst it is noted that the proposal will reduce the space between the original house and the neighbouring property at number 11, a distance of two metres will still be retained either side of the common boundary wall. This is acceptable and reflects the spatial pattern of the surrounding area.

The application proposes a hipped roof style to the front and side of the extension, which has been amended to match the roof profile of the existing dwelling. The extension will be set back from the primary elevation and dropped below the ridge height of the existing building, ensuring that, whilst the extension will match the original property in terms of design and profile, it will appear subservient to the existing dwelling. As such, the proposed extension is acceptable in terms of design and form and provides a sympathetic addition to the existing building.

The extension proposes materials which will match the existing dwelling and those of the surrounding area. The roof proposes slate and lead, with walls of Ashlar blonde sandstone and timber framed sash and case windows to the front and side elevations. These materials are considered acceptable and in keeping with those used in the original property and surrounding area.

In this regard the amended proposals are of an acceptable scale, form and design and are compatible with the existing dwelling. The application will also preserve the character and appearance of the conservation area as assessed in section a) of the report. The application, therefore, complies with NPF4 policy 16g) i), NPF4 policy 7d) and e) and LDP Policy Des 12a).

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'.

It should be noted that, as per the non-statutory 'Guidance for Householders,' daylighting to side or gable windows is not normally protected and the sunlight of spaces between gables will not be protected unless the affected space is of particular amenity value in comparison with the remainder of the garden for example, a patio. However, as the neighbouring building at number 11 is sub-divided into flats, impacts on daylight and sunlight were considered and assessed.

The application has provided drawings demonstrating that the proposal will comply with the 45-degree line assessment with regards to daylight, demonstrating that the 45-degree line will not enclose half of the neighbouring windows, actually falling below the window openings. As such, the proposals will not result in an unreasonable impact in terms of daylight to neighbouring windows.

Additionally, sun path diagrams have been provided which demonstrates that the proposed side extension will not result in an unreasonable increase in overshadowing/loss of sunlight to the neighbouring sub-divided property at number 11. This is primarily a result of the area already being overshadowed by the existing building at number 11, the original house of number 13 and the existing boundary treatment.

With regards to privacy, the non-statutory 'Guidance for Householders,' states that side windows will only be protected for privacy and light if they themselves accord with policies in terms of distance to the boundary. Windows on side walls or gables will not normally be protected as they are not set back sufficiently from the boundary to be "good neighbours" themselves, taking only their fair share of light. Although the application proposes two new side elevation windows, the ground floor window is considered to be sufficiently screened by the existing boundary treatment. Furthermore, it is noted that the neighbouring windows are only set two meters back from the boundary treatment themselves and would not comply with the recommended distance of nine meters. As such, the proposals are acceptable.

In addition, the proposed windows and terrace, on the other side of the proposed extension, facing onto the applicant's own rear garden, are over nine meters from the boundary which comprises of trees that restrict inward and outward views.

It can be concluded that the proposed development will not result in any unreasonable loss to neighbouring amenity, including physical impact, overshadowing, daylight and overlooking the application complies with NPF 4 policy 16g) ii) and LDP Policy Des 12b) and c).

Trees

Concerns were raised regarding trees which were removed from the site where the extension is proposed to be built. Consent for the removal of these trees were granted under two separate TCO applications (application reference numbers: 15/01875/TCO and 19/03121/TCO). No trees are proposed to be removed as part of this application. Only the proposals submitted as part of this application can be assessed.

The proposals have been assessed regarding potential impact to the surrounding trees, which are protected due to their location within the Dean Conservation Area. Arboricultural officers have been consulted and the proposals are considered to have no impact on the surrounding trees. The application complies with LDP Policy Env 12.

Conclusion in relation to the Development Plan

The proposals are of an acceptable scale, form and design and are compatible with the existing dwelling and will preserve the special character and appearance of the conservation area.

Therefore, the proposals comply broadly with NPF4 and LDP policies and the overall objectives of the Development Plan.

c) 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

Thirty-three comments have been received, objecting to the application. One comment was duplicated and there were three comments received from one objector. All comments are summarised below:

material considerations

- Impact on the character and appearance of the conservation area - addressed in section a) and b)
- Impact of the proposed design and materials of the extension on the character and appearance of the original house - addressed in section a) and b) - scale, form, design, and neighbourhood character.
- Impact of the proposed scale, size, and position of the proposed extension - addressed in section a) and b) - scale, form, design, and neighbourhood character.
- Impact of the proposed extension from the Scottish National Gallery of Modern Art - addressed in section a)
- Loss of garden area - addressed in section a) and b) - scale, form, design, and neighbourhood character
- Impact of sunlight, daylight, and privacy to neighbouring properties - addressed in section b) - Neighbouring Amenity
- Impact on trees - addressed in section b) - Trees
- Concerns over missing elevations - The planning authority has assessed the submitted documents and considers that they are sufficient to accord with the requirements of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.

non-material considerations

- Concerns regarding children safety and additional vehicular traffic - These comments cannot be considered at Planning stage. The application does not propose any driveway works and additional traffic during construction is a matter to be dealt with during the Building Warrant process or as a private/civil matter between the applicant/contractors and neighbours.
- Concerns that the proposal will set a precedent - Every planning application is assessed on its own merits and on a case-by-case basis.
- Concerns regarding noise impacts - Noise during construction is a civil matter to be dealt with between the applicant/contractors and neighbours. Noise during occupation is not considered to be unreasonable due to the distance from the neighbouring corner property. The neighbouring subdivided property at 11 Ravelston Park will be screened from noise by the side extension itself. It is not considered that the proposed extension, more specifically roof terrace, will unreasonably increase noise, or result in any further impact than the use of the existing garden space. Further, should a nuisance or noise disturbance be reported from the site then there are statutory provisions in order to mitigate these concerns under the Environmental Protection Act 1990.

- Concerns regarding title deeds for the properties along Ravelston Park - Titles and deeds are a private matter to be dealt with between neighbours and cannot be considered as Planning stage.
- Concerns regarding previously approved dormers and existing front elevation fence - The dormers are not part of this planning application, and it is noted that these dormers already have approval under a separate planning application (application reference number: 20/00311/FUL). The fence is also not part of this planning application and as such neither can be assessed.
- Questioning whether the extension is required for a single-family home - Planning only assesses whether proposals comply with Planning guidance and legislation. This application is for a house extension and as such the use of the extension is not assessed.

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 will preserve the character and appearance of the conservation area and are acceptable with regards to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The works are compatible with the existing dwelling and surrounding neighbourhood character and will not result in an unreasonable loss of neighbouring amenity. The application is in accordance with the Development Plan. 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 granted.

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.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 31 October 2022

Drawing Numbers/Scheme

01, 02, 03, 04, 05, 06, 07B, 08B, 09A, 10A

Scheme 2

David Givan
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PLACE
The City of Edinburgh Council

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Summary of Consultation Responses

No consultations undertaken.

Location Plan



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