

Architectural Service.
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Decision date: 24 October 2022

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

Loft conversion to include dormer and velux.
At 13 Farrer Grove Edinburgh EH7 6SF

Application No: 22/03718/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 22 July 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;

Conditions:-

Reason for Refusal:-

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not an acceptable scale, form, or design; and is detrimental to the character of the neighbourhood.

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

Drawings 01, 02, 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 proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

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 Tom Hutchinson directly at tom.hutchinson1@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
13 Farrer Grove, Edinburgh, EH7 6SF**

Proposal: Loft conversion to include dormer and velux.

**Item – Local Delegated Decision
Application Number – 22/03718/FUL
Ward – B14 - Craigentiny/Duddingston**

Recommendation

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

Summary

The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

SECTION A – Application Background

Site Description

The site is an end-terraced property, located north of Fishwives Causeway and adjacent train tracks. The dwelling is within a primarily residential area and on the east side of Farrer Grove.

Description Of The Proposal

The proposal is for installation of one Velux rooflight to the rear elevation and erection of a large dormer to the front elevation.

Relevant Site History

20/00030/FUL
13 Farrer Grove
Edinburgh
EH7 6SF

Proposed cut down and erection of extension to rear of dwellinghouse to create sitting room. (as amended)

Granted
11 March 2020

Other Relevant Site History

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 29 July 2022

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 0

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

The non-statutory Householder Guidance states that when erecting a dormer, the relationship between a dormer and its surroundings is particularly important. Dormers should be of such a size that they do not dominate the form of the roof and should not come to the edges of the roof, retaining visible expanses of roof on all four sides. Where possible, the dormer should align with existing fenestration on the building's elevation. On principal elevations a single dormer should be no greater in width than one third of the average roof width.

Whilst there are other examples of dormers within the surrounding area, there is nothing similar in scale to the proposed dormer. Although the proposed dormer does line up with the existing fenestration of the house, it is considered that the dormer, as currently proposed, is too large and would dominate the property's existing roofscape. The dormer is significantly over the one third scale, detailed in the non-statutory Guidance for Householders, encompassing over 80% of the existing roofscape. As proposed, the dormer extends almost directly up to the left edge of the roof and extends down to the edge of the eaves, failing to retain sufficient visible expanses of roof of these sides. Whilst it is noted that a slightly larger dormer could be acceptable in this location, as it faces onto train tracks, it is also noted that the property's primary elevation will be visible from public views, particularly along Fishwives Causeway, which runs adjacent to the train tracks.

As such, it is considered that the proposed dormer would dominate the existing roofscape and fails to retain visible expanses to the edges of the roof to the left and below, as such, the proposal is not an acceptable scale, form and design and is not compatible with the existing dwelling and surrounding area.

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 either the existing building or neighbourhood character and although they do not result in an unreasonable loss of neighbouring amenity, the proposals do not comply with LDP policy Des 12 or 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.

It is considered that the proposal fails to comply with Paragraph 29 of SPP as the application does not comply with the guiding principles of supporting good design as the proposal is too large on the existing roofscape and is not compatible with the existing property or surrounding area.

Emerging policy context

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

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

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

No comments have been received.

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 not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reason for Refusal

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not an acceptable scale, form, or design; and is detrimental to the character of the neighbourhood.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 22 July 2022

Drawing Numbers/Scheme

01, 02

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Tom Hutchinson, Planning Officer
E-mail:tom.hutchinson1@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.