

F.E.M Building Design.  
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**Decision date: 1 May 2023**

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

Erect a rear extension to dwellinghouse and install a new mansard roof over whole of existing and extension footprint to create additional living accommodation on upper floor.

At 31 Duddingston View Edinburgh EH15 3LZ

**Application No:** 23/00222/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 19 January 2023, 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 proposals are contrary to policy 16 (g) (i) of National Planning Framework 4 as they would have a detrimental impact on the character of the home and the surrounding area in terms of size, physical impact and design.
2. The proposals are contrary to NPF 4 Policy 14c as the works would be detrimental to the amenity of the surrounding area and inconsistent with the six qualities of successful places as the proposal does not reinforce the distinctive local

architectural style, design, materials, and traditional sense of place achieved by the neighbourhood.

3. The proposals are contrary to policy Des 12 of the adopted Edinburgh Local Development Plan (LDP) as in their design and form, choice of materials and positioning they are not compatible with the character of the existing building and will be detrimental to neighbourhood amenity and character.

4. The proposals are contrary to the Council's Non-Statutory Guidance for Householders as they are not compatible with the character of the existing building and will have a detrimental impact on the character and appearance of the surrounding neighbourhood.

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

Drawings 01-06, 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 proposals are not subservient to the original dwellinghouse and are not of an acceptable scale, form and design. The proposals would overwhelm the form of the original house and would introduce an incongruous roof design leading to an adverse impact on the character and appearance of the surrounding area. The proposals do not comply with the aims of the development plan and are contrary to NPF 4 policies 14 and 16g, LDP policy Des 1 and the Council's Non-Statutory Guidance for Householders.

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 James Allanson directly at [james.allanson@edinburgh.gov.uk](mailto:james.allanson@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](http://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](mailto: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**  
**31 Duddingston View, Edinburgh, EH15 3LZ**

**Proposal: Erect a rear extension to dwellinghouse and install a new mansard roof over whole of existing and extension footprint to create additional living accommodation on upper floor.**

**Item – Local Delegated Decision**  
**Application Number – 23/00222/FUL**  
**Ward – B17 - Portobello/Craigmillar**

## **Recommendation**

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

## **Summary**

The proposals are not subservient to the original dwellinghouse and are not of an acceptable scale, form and design. The proposals would overwhelm the form of the original house and would introduce an incongruous roof design leading to an adverse impact on the character and appearance of the surrounding area. The proposals do not comply with the aims of the development plan and are contrary to NPF 4 policies 14 and 16g, LDP policy Des 1 and the Council's Non-Statutory Guidance for Householders.

## **SECTION A – Application Background**

### **Site Description**

The application site is a detached bungalow dwelling with a hipped roof, located on a corner plot situated on the southern side of Duddingston View. The surrounding area is entirely residential in nature and is predominantly characterised by bungalow dwellings of a similar design and form. Bingham Park is located directly to the south of the site

### **Description Of The Proposal**

The application proposes a full width ground floor extension to the rear of the premises, and the formation of a new mansard roof at first floor level. The new roof would completely replace the existing roof and would extend out to cover the new ground floor extension. Two new dormer windows would be incorporated within the principal roof plane and one dormer within each of the respective gable roof planes. A Juliet balcony

will be situated on the rear of the new roof, with a stainless steel flue running up the eastern elevation.

### **Relevant Site History**

92/01093/FUL  
31 Duddingston View  
Edinburgh  
EH15 3LZ  
Erect a garage  
Granted

7 July 1992

### **Other Relevant Site History**

#### **Consultation Engagement**

No consultations.

#### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 24 January 2023

**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 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 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 policies to be considered are:

- NPF4 Policy 1
- NPF4 Policy 14
- NPF 4 16g
- LDP Design policy Des 12

The non-statutory Guidance for Householders is a material consideration that is relevant when considering NPF4 policies 1, 14 and 16g, and LDP policy Des 12.

#### Global climate and nature crisis

Policy 1 of NPF4 recognises the global climate and nature crises in all decisions to ensure it is a priority in all plans and decisions. It should be applied together with the other policies in NPF4. The proposed development does not conflict with the intended outcomes of NPF4 and on balance there is not considered to be any significant conflict with Policy 1 or the provisions of NPF4.

The proposals comply with NPF4 Policy 1.

#### Scale, form, design and neighbourhood character

The Council's Non-Statutory Guidance For Householders outlines that bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance. The guidance further advises that any extension to an original bungalow should be in keeping with the roof design of the existing property and that the hipped roof character of the existing building should be respected.

The proposal would result in both a significant enlargement of the original dwelling and the construction of an entirely new roof, with a mansard roof replacing the existing original hipped roof. The proposal would significantly enlarge the floor area of the existing original dwelling, extending it from 128 square metres to 293 square metres. Combined with the significant change in the roof design, the proposal as a whole would overwhelm the original dwelling and significantly alter its original built form, scale and appearance

In contrast with the existing roof which has a pitch angle of 30 degrees , the new roof would have an much steeper pitch of 76 degrees on three sides, with the rear plane being a flat with a 90-degree pitch. The proposed changes to the roof represent a fundamental redesign which does not respect the existing hipped roof design, and which, combined with the enlargement of the dwelling, would result in the formation of a highly incongruous development which would have a significantly detrimental impact on the surrounding streetscape.

In addition to the above, the proposal would also result in the formation of two dormers on the principal roof plane. While dormer windows are situated on the principal roof planes of several properties within the streetscape, the established character is of the area is for no more than one dormer on the principal roof plane. Therefore, the addition of two dormers would not be compatible with the wider neighbourhood and is only achievable through the fundamental change in the roof form to a mansard roof.

While there are limited examples of mansard style roofs within the wider Duddingston area, there is only one example of a bungalow located on Duddingston View itself where the original hipped roof has been replaced with a mansard roof. This premises at number 17 is situated further to the east of the application site which was granted planning permission on appeal in 2011 for a new mansard roof (application reference 11/03219/FUL). Within the immediate streetscape of Duddingston View, the vast majority of dwellings retain their original hipped roofs with any non-original interventions primarily limited to dormer windows which have not fundamentally changed the form of the roofs.

Having regards to the combined impact of the new roof profile and the enlarged footprint of the dwelling, the proposal is not acceptable in respect of its scale, form, design and impact on neighbourhood character. The proposal does not comply with NPF 4 policies 14 and 16g, LDP Policy Des 12 or the Council's Non-Statutory Guidance for Householders.

### Neighbouring Amenity

The position and orientation of the new roof may result in 10.8 square metres garden ground in the neighbouring property to the west being overshadowed to a potentially adverse degree. However, this premises has a total useable garden area of 246 square metres and as such the majority of the garden will not be affected by any additional adverse overshadowing.

The proposal complies with the 45 degree test in relation to the neighbouring premises to the west and will not result in an unreasonable loss of daylight to this premises.

The proposal will not have an adverse impact on the amenity of neighbouring residents.

### **Conclusion in relation to the Development Plan**

The proposals have due regard to global climate and nature crisis, and will not have an adverse impact on neighbouring amenity. However, the proposals are not of an acceptable scale, form and design and are not compatible with the existing building and

neighbourhood character. Consequently, the proposals do not comply with 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:

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

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 proposals are not subservient to the original dwellinghouse and are not of an acceptable scale, form and design. The proposals would overwhelm the form of the original house and would introduce an incongruous roof design leading to an adverse impact on the character and appearance of the surrounding area. The proposals do not comply with the aims of the development plan and are contrary to NPF 4 policies 14 and 16g, LDP policy Des 12 and the Council's Non-Statutory Guidance for Householders.

**Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

**Conditions**

**Reasons**

**Reason for Refusal**



1. The proposals are contrary to policy 16 (g) (i) of National Planning Framework 4 as they would have a detrimental impact on the character of the home and the surrounding area in terms of size, physical impact and design.
2. The proposals are contrary to NPF 4 Policy 14c as the works would be detrimental to the amenity of the surrounding area and inconsistent with the six qualities of successful places as the proposal does not reinforce the distinctive local architectural style, design, materials, and traditional sense of place achieved by the neighbourhood.
3. The proposals are contrary to policy Des 12 of the adopted Edinburgh Local Development Plan (LDP) as in their design and form, choice of materials and positioning they are not compatible with the character of the existing building and will be detrimental to neighbourhood amenity and character.
4. The proposals are contrary to the Council's Non-Statutory Guidance for Householders as they are not compatible with the character of the existing building and will have a detrimental impact on the character and appearance of the surrounding neighbourhood.

### **Background Reading/External References**

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

**Further Information - [Local Development Plan](#)**

**Date Registered: 19 January 2023**

### **Drawing Numbers/Scheme**

01-06

Scheme 1

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: James Allanson, Planning Officer  
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Appendix 1

**Consultations**

No consultations undertaken.