

City of Edinburgh Local Review Body

10.00 am, Wednesday, 1 October 2014

Present

Councillors Mowat (Chair), Blacklock, Cairns, Howat and Robson.

1. Chair

Councillor Mowat was appointed as Chair.

2. Planning Local Review Body Procedure

Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted.)

3. Request for Review – 6 Britwell Crescent, Edinburgh

Details were provided of a request for a review of the partial refusal of the application for planning permission to alter, erect extension to rear, form dormer windows to front, rear and side roof slopes at 6 Britwell Crescent, Edinburgh (Application No. 14/02243/FUL).

Assessment

At the meeting on 1 October 2014, the LRB had been provided with copies of the notice of review submitted by the applicant including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Acting Head of Planning and Building Standards.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 01-04 (Scheme 1) being the drawings shown under the application reference number 14/02243FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

1. The development plan, including the relevant policies of the Edinburgh City Local Plan:
Policy Des 11 (Alterations and Extensions)
- 2) The Non-Statutory Guidelines “Guidance for Householders”.
- 3) The procedure used to determine the application including the representations received.
- 4) The reasons for refusal and the arguments put forward by the applicant in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB took into consideration the applicant’s arguments that:

- The dormer would sit to the rear of the existing gable chimney, was lower than the ridge of the roof and was set back from the eaves of the house.
- The dormer would be constructed using traditional materials which would be in keeping with the existing roof structure and the local area.
- The adjoining property had a glazed door on the ground floor of a gable end wall, therefore the addition of the side dormer would have a negligible impact to loss of daylight and overshadowing.
- The proposed dormer would only be visible on approach to the property from the north of Britwell Crescent.
- The area was characterised by a variety of bungalows that had been altered in many ways since their construction and there were many examples of side dormers within Craigentenny, which highlighted that they were a common characteristic of the local area.

The refusal related to the proposed side facing dormer only. The LRB, having taken all the above matters into consideration, did not agree with the officer’s assessment. The LRB was of the view that the proposal was not contrary to Edinburgh City Local Plan Policy Des 11 in respect of Alterations and Extensions and non-statutory Guidance for Householders. The LRB was also of the view that:

- The side facing dormer did not disrupt the original roof form and did not unbalance the appearance of the original dwelling;
- The proposal did not detract from the streetscape and was not detrimental to neighbourhood character;
- and that side dormers were not out of keeping with the area’s established appearance and character.

The LRB was of the opinion that the material considerations that it had identified were of sufficient weight to allow it to overturn the original determination by the Acting Head of Planning and Building Standards and to grant planning permission.

Motion

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission to alter, erect extension to rear, form dormer windows to front, rear and side roof slopes at 6 Britwell Crescent, Edinburgh (Application No. 14/02443/FUL) subject to standard informatives:

Informatives

1. The development hereby permitted should be commenced no later than the expiration of three years from the date of this consent.
 2. No development should 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 was to commence. Failure to do so constituted a breach of planning control under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
 3. 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.
- Moved by Councillor Howat, seconded by Councillor Cairns.

Amendment

To uphold the decision by the Acting Head of Planning and Building Standards and to refuse planning permission to alter, erect extension to rear, form dormer windows to front, rear and side roof slopes at 6 Britwell Crescent, Edinburgh (Application No. 14/02443/FUL).

Reasons for Refusal

1. The refusal related to the proposed side facing dormer only.
 2. The proposal was contrary to Edinburgh City Local Plan Policy Des 11 in respect of Alterations and Extensions and non-statutory Guidance for Householders, as the side facing dormer both individually and cumulatively disrupted the original roof form and unbalanced the appearance of the original dwelling from the streetscape and was detrimental to neighbourhood character because side dormers did not form part of the areas' established appearance and character.
- Moved by Councillor Blacklock, seconded by Councillor Robson.

Voting

For the motion – 3 votes.

For the amendment – 2 votes.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission to alter, erect extension to rear, form dormer windows to front, rear and side roof slopes at 6 Britwell Crescent, Edinburgh (Application No. 14/02443/FUL) subject to standard informatives:

Informatives

1. The development hereby permitted should be commenced no later than the expiration of three years from the date of this consent.
2. No development should 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 constituted a breach of planning control under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. 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.

(References – Decision Notice, Report of Handling and Notice of Review, submitted.)

4. Request for Review – 20 Claremont Park, Edinburgh

Details were provided of request for a review of the refusal of planning permission for the proposed conservatory to rear of property at 20 Claremont Park, Edinburgh (Application No. 14/01460/FUL).

Assessment

At the meeting on 1 October 2014, the LRB had been provided with copies of the notice of review submitted by the applicant including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the decision notice and the report of handling, submitted by the Acting Head of Planning and Building Standards.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 01-02 (Scheme 1) being the drawings shown under the application reference number (14/01460/FUL) on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

1. The development plan, including the relevant policies of the Edinburgh City Local Plan:
Policy Env 6 (Conservation Areas Development)

Policy Des 11 (Alterations and Extensions)

- 2) Non-Statutory Guidelines on “Guidance for Householders”
Non-Statutory Guidelines on “Listed Buildings and Conservation Areas”
The Leith Conservation Area Character Appraisal
- 3) The procedure used to determine the application, including the letter of representation received.
- 4) The reasons for refusal and the arguments put forward by the applicant in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration, agreed with the assessment of the issues in the case officer’s report and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Acting Head of Planning and Building Standards.

Decision

To uphold the decision by the Acting Head of Planning and Building Standards to refuse planning permission for the proposed conservatory to rear of property at 20 Claremont Park Edinburgh, (Application No 14/01460/FUL).

Reasons for Refusal

The proposal was contrary to Policy Des 11 and Env 6 of the Edinburgh City Local Plan as the use of UPVC would neither maintain nor enhance the character or appearance of the conservation area.

(References – Decision Notice, Report of Handling and Notice of Review, submitted.)

4. Request for Review – 59 Cleekim Drive, Edinburgh

Details were provided of a request for a review of the refusal of planning permission for the proposed two storey extension to side and single storey extension to rear of property at 59 Cleekim Drive, Edinburgh (Application No. 14/02298/FUL).

Assessment

At the meeting on 1 October 2014, the LRB had been provided with copies of the notice of review submitted by the applicant including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling, submitted by the Acting Head of Planning and Building Standards.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 01A; 04-10 (Scheme 1) being the drawings shown under the application reference number (14/02298/FUL) on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

1. The development plan, including the relevant policies of the Edinburgh City Local Plan:
Policy Des 11 (Alterations and Extensions)
- 2) Non-Statutory Guidelines on "Guidance for Householders"
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward by the applicant in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration, agreed with the assessment of the issues in the case officer's report and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Acting Head of Planning and Building Standards.

Decision

To uphold the decision by the Acting Head of Planning and Building Standards to refuse planning permission for the proposed two storey extension to side and single storey extension to rear of property at 59 Cleekim Drive, Edinburgh, (Application No 14/02298/FUL).

Reasons for Refusal

The proposal was contrary to Edinburgh City Local Plan Policy Des 11 in respect of Alterations and Extensions, and the non-statutory Guidance for Householders because the proposed two storey gable extension formed a dominant extension against the public footpath that was not in keeping with neighbourhood character and failed to provide a clear definition between the existing and extended dwelling.

(References – Decision Notice, Report of Handling and Notice of Review, submitted.)

5. Request for Review – 10 Grassmarket, Edinburgh

Details were provided of a request for a for a review of the refusal of planning permission for the proposed canopy to front elevation at 10 Grassmarket, Edinburgh (Application No. 14/02463/FUL).

Assessment

At the meeting on 1 October 2014, the LRB had been provided with copies of the notice of review submitted by the applicant including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling, submitted by the Acting Head of Planning and Building Standards.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 01-03 (Scheme 1) being the drawings shown under the application reference number (14/02463/FUL) on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

1. The development plan, including the relevant policies of the Edinburgh City Local Plan:
 - Policy Des 12 (Shopfronts)
 - Policy Env 3 (Listed Buildings – Setting)
 - Policy Env 6 (Conservation Areas Development)
- 2) Non-Statutory Guidelines on “Guidance for Businesses”
 - The Old Town Conservation Area Character Appraisal
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward by the applicant in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application. The LRB noted the previous decision made by the LRB in respect of awnings at another property nearby to which reference was made in the applicant's submissions, but was able to distinguish between the material circumstances of that case and the present one.

The LRB, having taken all the above matters into consideration, agreed with the assessment of the issues in the case officer's report and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Acting Head of Planning and Building Standards.

Decision

To uphold the decision by the Acting Head of Planning and Building Standards to refuse planning permission for the proposed canopy to front elevation at 10 Grassmarket, Edinburgh, (Application No 14/02463/FUL).

Reasons for Refusal

1. The proposal was contrary to Edinburgh City Local Plan Policy Des 12 in respect of Shopfronts, as the proposal was neither sensitive to or harmonious with the building, nor did it constitute a visual improvement.
2. The proposals were contrary to development plan policy as interpreted using the non-statutory Guidance for Businesses as the awning in its retracted form would be a prominent feature to the detriment of the shopfront's appearance.
3. The proposal was contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas – Development, as the projecting box on the stone fascia would neither preserve nor enhance the special character of the Old Town Conservation Area.
4. The proposal was contrary to Edinburgh City Local Plan Policy Env 3 in respect of Listed Buildings – Setting, as the projecting box would be detrimental to the appearance of the building within its Grassmarket setting.

(References – Decision Notice, Report of Handling and Notice of Review, submitted.)

6. Request for Review – 10 Stirling Road, Edinburgh

Details were provided for a review of the refusal of planning permission to widen the driveway entrance by one metre to create an additional parking space in front of the property at 10 Stirling Road, Edinburgh (Application No. 14/00584/FUL).

Assessment

At the meeting on 1 October 2014, the LRB had been provided with copies of the notice of review submitted by the applicant including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the decision notice and the report of handling, submitted by the Acting Head of Planning and Building Standards, and an objection submitted by the Council's Head of Transport.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 01-03 being the drawings shown under the application reference number (14/00584/FUL) on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

1. The development plan, including the relevant policies of the Edinburgh City Local Plan:
Policy Des 11 (Alterations and Extensions)

Policy Env 6 (Conservation Areas Development)

- 2) Non-Statutory Guidelines on “Guidance for Householders”
The Trinity Conservation Area Character Appraisal
- 3) The procedure used to determine the application including the representations received and the consultation response from Transport.
- 4) The reasons for refusal and the arguments put forward by the applicant in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration, agreed with the assessment of the issues in the case officer’s report and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Acting Head of Planning and Building Standards.

Decision

To uphold the decision by the Acting Head of Planning and Building Standards to refuse planning permission to widen the driveway entrance by one metre to create an additional parking space in front of the property at 10 Stirling Road, Edinburgh, (Application No 14/00584/FUL).

Reasons for Refusal

The proposal was contrary to the Edinburgh City Local Plan Policy ENV6, in respect of development in conservation areas as the proposal would not preserve or enhance the special character or appearance of the Trinity Conservation Area and was not consistent with the Trinity Conservation Area Character Appraisal. This was contrary to the Council’s guidelines as it would alter the visual appearance of the street which further detracted from the essential character of the Conservation Area.

(References – Decision Notice, Report of Handling and Notice of Review, submitted.)

7. Request for Review – 3 Viewforth Terrace, Edinburgh

Details were provided of a request for a review of the refusal of planning permission to create a new cantilevered balcony to the rear, existing window made larger and new folding door in place of existing window to provide the access to the proposed balcony at 3 Viewforth Terrace, Edinburgh (Application No. 14/01116/FUL).

Assessment

At the meeting on 1 October 2014, the LRB had been provided with copies of the notice of review submitted by the applicant including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice, the report of handling

submitted by the Acting Head of Planning and Building Standards and further representations received during the review process.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 01-02 (Scheme 1) being the drawings shown under the application reference number (14/01116/FUL) on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

1. The development plan, including the relevant policies of the Edinburgh City Local Plan:
Policy Env 6 (Conservation Areas Development)
Policy Des 11 (Alterations and Extensions)
- 2) Non-Statutory Guidelines "Listed Buildings and Conservation Areas"
Non-Statutory Guidelines on "Guidance for Householders"
The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal
- 3) The procedure used to determine the application, including the letters of representation received.
- 4) The reasons for refusal and the arguments put forward by the applicant in the request for a review along with the further representations received in respect of the review and the applicant's response to these.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration, agreed with the assessment of the issues in the case officer's report and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Acting Head of Planning and Building Standards.

Decision

To uphold the decision by the Acting Head of Planning and Building Standards to refuse planning permission, to create a new cantilevered balcony to the rear, existing window made larger and new folding door in place of existing window to provide the access to the proposed balcony at 3 Viewforth Terrace, Edinburgh, (Application No 14/01116/FUL).

Reasons for Refusal

The proposal was contrary to policies Env 6 and Des 11 of the Edinburgh City Local Plan as the proposed development by reason of its design, scale and positioning was not compatible with the character of the original building and would introduce an alien feature to the detriment of the character and appearance of Marchmont, Meadows and Burntsfield Conservation Area.

(References – Decision Notice, Report of Handling, Notice of Review and Further Representations, submitted.)

8. Valedictory

The Convener indicated that this was Derek Henderson's last meeting of the City of Edinburgh Planning Local Review Body as he was retiring. Derek had worked with Local Review Body, since its inception and the Convener thanked him for his long service and wished him well.

The City of Edinburgh Planning Local Review Body

10.00 am, Wednesday, 29 October 2014

Present

Councillors Brock, Child and Perry

1. Chair

Councillor Child was appointed as Convener.

2. Planning Local Review Body Procedure

Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted.)

3. Request for Review – 40 Bridge Street, Kirkliston EH28 8SH

Details were provided of a request for a review of the refusal of planning permission for the demolition of existing business unit (class 3, 4), erection of a new residential development (use class 9) comprising 8 residential flats with associated landscaping and associated works at 40 Bridge Street, Kirkliston (Application No. 14/01213/FUL).

Assessment

At the meeting on 29 October 2014, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents and one or more hearings. The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Acting Head of Planning and Building Standards.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 1 – 24, Scheme 1, being the drawings shown under the application reference number 14/01213/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it, and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Rural West Edinburgh Local Plan:
Policy E41, Policy E42, Policy H3, Policy ED9, and Policy ED10
- 2) The Non-Statutory Guidelines on 'Edinburgh Design Guidance'.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration, agreed with the assessment of the issues in the case officer's report and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Acting Head of Planning and Building Standards.

Decision

To uphold the decision by the Acting Head of Planning and Building Standards and to refuse planning permission for the demolition of existing business unit (class 3, 4), erection of a new residential development (use class 9) comprising 8 residential flats with associated landscaping and associated works at 40 Bridge Street, Kirkliston (Application No. 14/01213/FUL).

Reasons for Refusal

1. The proposal is contrary to policy E41 and E42 of the Rural West Edinburgh Local Plan and the Non-Statutory 'Edinburgh Design Guidance' as the scale, massing, design and materials proposed are out of character with the surrounding area to the detriment of the character and visual amenity of the area.
2. The proposal is contrary to policy H6 of the Rural West Edinburgh Local Plan and the Non Statutory 'Edinburgh Design Guidance' as the proposal would cause overshadowing and overlooking to neighbouring properties to the detriment of privacy and residential amenity.
3. The proposal is contrary to policy H5 of the Rural West Edinburgh Local Plan and the Non Statutory 'Edinburgh Design Guidance' as the proposal would not create a high quality living environment for residents of the development by reason of

noise from the nearby airport and the inadequate provision of outside amenity space associated with the properties.

(Reference – Decision Notice, Report of Handling, Notice of Review, submitted.)

4. Request for Review – 49 Burdiehouse Road, Edinburgh

Details were provided of a request for a review of the refusal of planning permission to develop a petrol filling station and electric vehicle charging station, including ancillary shop at Land 210 metres South West of 49 Burdiehouse Road, Edinburgh (Application No. 13/01259/PPP).

Assessment

At the meeting on 29 October 2014, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Acting Head of Planning and Building Standards.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 0-1, Scheme 1, being the drawings shown under the application reference number 13/01259/PPP on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it, and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of Edinburgh City Local Plan:
Policy ENV10 (Green Belt)
- 2) The procedure used to determine the application.
- 3) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration, agreed with the assessment of the issues in the case officer's report and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Acting Head of Planning and Building Standards.

Decision

To uphold the decision by the Acting Head of Planning and Building Standards and to refuse planning permission for the development of a petrol filling station and electric vehicle charging station including ancillary shop at Land 210 metres South West of 49 Burdiehouse Road, Edinburgh (Application No. 13/01259/PPP).

1. The principle of a petrol filling station and electric charging station with ancillary shop in this location is contrary to Edinburgh City Local Plan Policy ENV 10 (a) in respect of Green Belt as it has not been demonstrated that the proposals are necessary for the purposes of agriculture, horticulture, forestry, countryside recreation or other uses appropriate in the countryside.

(References – Decision Notice, Report of Handling and Notice of Review, submitted.)

5. Request for Review – 3 House O’Hill Row, Edinburgh EH4 2AW

Details were provided of a request for a review of the mixed decision for planning permission for a single storey extension to rear with roof terrace over at 3 House O’Hill, Edinburgh (Application 14/01892/FUL).

Assessment

At the meeting on 29 October 2014, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Acting Head of Planning and Building Standards.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 01-02, Scheme 1, being the drawings shown under the application reference number 14/01892/FUL on the Council’s Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it, and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of Edinburgh City Local Plan:
Policy Des 11 (Alterations and Extensions)
- 2) Non Statutory Guidelines ‘Guidance for Householders’
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration, agreed with the assessment of the issues in the case officer's report and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Acting Head of Planning and Building Standards.

Decision

To uphold the decision by the Acting Head of Planning and Building Standards to refuse planning permission for the formation of a roof terrace above the proposed single storey extension, including the proposed glazing panels and railings at 3 House O'Hill Row, Edinburgh (Application No. 14/01892/FUL).

Reasons for Refusal

1. The proposal is contrary to Edinburgh City Local Plan Des 11 in respect of Alterations and Extensions and non-statutory Guidance for Householders as the proposed roof terrace is an incongruous feature that does not respect the architectural form of the original dwelling because it will form a clearly defined line significant above the existing eaves. This feature will attract undue attention because of its unconventional form to the detriment of neighbourhood character.

(References – Decision Notice, Report of Handling and Notice of Review, submitted.)

6. Request for Review – 1 Kirkstyle Gardens, Kirkliston

Details were provided of a request for a review of the refusal of planning permission for proposed replacement windows and doors at 1 Kirkstyle Gardens, Kirkliston (Application No. 14/01626/FUL).

Decision

To continue consideration of the matter to allow the Acting Head of Planning and Building Standards to investigate and confirm that all of the doors and windows in the group of five similarly designed dwellings which comprise part of the Kirkstyle Gardens development, are originals and not UPVC.

(References – Decision Notice, Report of Handling and Notice of Review, circulated)

7. Request for Review – 9C Victoria Street, Edinburgh EH1 2HE

Details were provided of a request for a review of the mixed decision for planning permission to amend the design and materials at 9C Victoria Street, Edinburgh (Application No. 14/02205/FUL).

Assessment

At the meeting on 29 October 2014, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Acting Head of Planning and Building Standards.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

The plans used to determine the application were numbered 01-02, Scheme 1, being the drawings shown under the application reference number 14/02205/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, agreed that it had sufficient information before it, and would therefore determine the review using the information circulated to it.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh City Local Plan:
Policy Env4 (Listed Buildings – alterations and Extensions)
Policy Env 6 (Conservation Areas Development)
- 2) Non Statutory Guidelines 'Listed Buildings and Conservation Areas'.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration, agreed with the assessment of the issues in the case officer's report and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Acting Head of Planning and Building Standards.

Decision

To uphold the decision by the Acting Head of Planning and Building Standards to refuse planning permission to change the proposed materials from stone to render and timber at 9C Victoria Street (Application No. 14/02205/FUL).

Reasons for Refusal

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 4 in respect of Listed Buildings – Alterations and Extensions, as the proposed materials will diminish the building's interest and not be in keeping with other parts of it.
2. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas – Development, as the proposed materials do not preserve the stone built character and appearance of the conservation area and will not use materials appropriate to the historic environment.
3. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the proposals would seriously detract from the character of the listed building.

(References – Decision Notice, Report of Handling and Notice of Review, submitted.)