

The City of Edinburgh Planning Local Review Body

10.00 am, Wednesday, 12 November 2014

Present

Councillors Bagshaw, Dixon, Heslop, McVey and Milligan

1. Chair

Councillor Dixon 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 – 254 Baberton Mains Drive, Edinburgh EH14 3EB

Details were provided of a request for a review of the refusal of planning permission the to erect one and a half storey side extension and extend porch at 254 Baberton Mains Drive, Edinburgh (Application No 14/02932/FUL).

Assessment

At the meeting on 12 November 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 14/02932/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) The 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 took into consideration the applicant's arguments that:

The proposed works were common throughout the area as the design blended with the existing buildings of the estate. The neighbours were consulted with, before and during the planning process and had no concerns about the size or design.

The planning application was refused on the grounds that the proposed extension overshadowed a substantial part of the neighbouring garden. The gardens were south facing and documentation was submitted showing that after 11.00 am the extension had no influence on the sunlight to the neighbouring garden and because of the angle of the sun, the extension made a negligible difference to the shadow already cast by the existing building prior to that time.

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 Local Plan Policy Des 11, in respect of Alterations and Extensions, and non statutory guidance for householders, because it did not cause an unreasonable loss of sunlight to the neighbouring property to the west. Additionally, it would not overshadow a substantial portion of the neighbouring rear garden, because of the staggered form of development, nor would it affect an area that formed an important and potentially well used part of the rear garden.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission to erect one a half storey side extension and extend porch, at 254 Baberton Mains Drive, Edinburgh (14/02392/FUL).

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 had been submitted to the Council stating the intended date on which the development was 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.
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.

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

4. Request for Review - 4 (3f) Bellevue Terrace, Edinburgh EH7 4DU

Details were provided of a request for a review of the refusal of planning permission for alterations to front elevation windows behind balustrade, and addition of recessed central roof terrace at 4 (3f) Bellevue Terrace, Edinburgh (Application No 14/01687/FUL).

Assessment

At the meeting on 12 November 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 further written submissions. 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– 06, Scheme 1, being the drawings shown under the application reference number 14/01687/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 3 (Listed Buildings – Setting)
Policy Env 4 (Listed Buildings – Alterations and Extensions)
Policy Env 6 (Conservation Areas Development)
- 2) The Non-Statutory Guidelines on ‘Listed Buildings and Conservations Areas’.
- 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 and to refuse planning permission for alterations to front elevation windows behind balustrade, and addition of recessed central roof terrace at 4 (3f) Bellevue Terrace, Edinburgh 14/01687/FUL).

Reasons for Refusal

1. The proposal was contrary to Edinburgh City Local Plan Policy Env 4 in respect of Listed Buildings – Alterations and Extensions, as the proposal failed to respect the integrity and composition of the building to the detriment of its special character.
2. The proposals were contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the proposal was an incongruous addition to the roofscape having an adverse impact on the building and area.
3. The proposal was contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas – Development, as the proposal was an incongruous addition to the roofscape failing to preserve or enhance the character of the conservation area and setting a dangerous precedent.

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

5. Request for Review – 16 (3f1) Comiston Terrace, Edinburgh EH10 6AH

Details were provided of a request for a review of the refusal of planning permission for the removal and replacement of four windows on the rear elevation of the building (as amended), at 16 (3f1) Comiston Terrace, Edinburgh (Application No 14/02780/FUL).

Assessment

At the meeting on 12 November 2014, the LRB had been provided with copies of the notice of review submitted 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, 02A and 03, Scheme 2, being the drawings shown under the application reference number 14/02780/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) The Non-Statutory Guidelines on 'Listed Buildings and Conservations Areas'.
- 3) The Morningside Conservation Area Character Appraisal.
- 4) The procedure used to determine the application.
- 5) 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 and to refuse planning permission for the removal and replacement of four windows on the rear elevation of the building (as amended), at 16 (3f1) Comiston Terrace, Edinburgh 14/02780/FUL).

Reasons for Refusal

The proposal was contrary to Policy Env 6 of the Edinburgh City Local Plan as it would neither maintain nor enhance the character or appearance of the conservation area. The proposal was also contrary to the Council's Guidelines on Listed Buildings and Conservation Areas, as it was clearly stated that the use of UPVC on a non-listed building within a conservation area was unacceptable.

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

6. Request for Review – 10 Echline Park, South Queensferry EH30 9XQ

Details were provided of a request for a review of the deemed refusal of planning permission to form two storey extension at side of building including demolition of existing garage, at 10 Echline Park, South Queensferry (Application No 14/02602/FUL).

Because the planning authority had not determined the application, which was the subject of review, there was no decision notice or report of handling setting out the reasons for the decision.

Assessment

At the meeting on 12 November 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 heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development.

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 procedure used to determine the application.
- 2) The reasons for the deemed 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 were advised that the relevant policy of the Development Plan against which to assess the proposal was Policy E43 of the Rural West Edinburgh Local Plan. This stated that alterations and extensions to existing buildings, where acceptable in principle, should be subservient and related carefully to the original building.

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

- The design of the extension was a mirror image of an existing property located five or six properties east of the applicant's site at Echline View, South Queensferry.
- The design reflected other approved two story extensions in the local area taking into account best construction practice.
- There were no objections to the proposals from neighbours.

The LRB noted the following

- There was a delay in processing the application.
- The assessment of the proposals had to be undertaken twice, for which there was no valid reason given.
- It was indicated by officers that the application would be approved, who then required modifications, which were submitted. However, the application was then refused.
- In various discussions, contrary information was given by officers in respect of approving the application, which was eventually refused.
- There was no Report of Handling to assist with the determination.

The LRB having taken all the above matters into consideration, decided to grant planning permission. The LRB was of the view that the proposal to form a two storey extension at side of building, including demolition of existing garage complied with the Development Plan and was compatible with the character of the original building and the area.

Decision

To grant planning permission to form two storey extension at side of building including demolition of existing garage, at 10 Echline Park, South Queensferry (14/02602/FUL) subject to standard conditions and 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 had 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.

(References – Notice of Review, circulated)

7. Request for Review – 11 Etrick Road, Edinburgh EH10 5BJ

Details were provided of a request for a review to refuse planning permission for the erection of an engineered hardwood conservatory onto a recent extension (2004) at 11 Etrick Road, Edinburgh (Application No 14/02780/FUL).

Assessment

At the meeting on 12 November 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 01-07, Scheme 1, being the drawings shown under the application reference number 14/02072/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 4 (Listed Buildings – Alterations and Extensions)
 - Policy Env 6 (Conservation Areas Development)
 - Policy Des 11 (Alterations and Extensions)
- 2) The Non-Statutory Guidelines on 'Listed Buildings and Conservations Areas'.
- 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 and to refuse planning permission for the erection of an engineered hardwood conservatory onto a recent extension (2004) at 11 Ettrick Road, Edinburgh (14/02780/FUL).

Reasons for Refusal

- 1 The proposal was contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas – Development, as the proposed location was inappropriate in relation to the character of the wider area and would be visually detrimental to the conservation area.
2. The proposal was contrary to Edinburgh City Local Plan Policy Des 11 in respect of Alterations and Extensions, as the positioning was inappropriate on the building and out of character with the area.
3. The proposal was contrary to Edinburgh City Local Plan Policy Env 4 in respect of Listed Buildings – Alterations and Extensions, as the position was seriously detrimental to the character of the listed building.
4. The proposals were contrary to non-statutory guidance on the Listed Buildings and Conservation Areas as the positioning was detrimental to the character of the building and to the wider area.

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

7. Request for Review – 10 (Flat 1) Suffolk Road, Edinburgh EH16 5NR

Details were provided of a request for a review to refuse planning permission to replace old wooden sash window with PVCU sash window, at 10 (Flat 1), Suffolk Road, Edinburgh (Application No.14/01130/FUL).

Assessment

At the meeting on 12 November 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– 02, Scheme 1, being the drawings shown under the application reference number 14/01130/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) The Non-Statutory Guidelines on:
“Guidance for Householders”.
“Listed Buildings and Conservation Areas”
- 3) Other Relevant Policy Guidance.
The Craigmillar Park Conservation Area Character Appraisal.
- 4) The procedure used to determine the application.
- 5) 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:

- There was only one old wooden window to be replaced with one new PVCU window.
- Number 10 was on the south side of Suffolk Road and the window in question was situated on the rear (south facing) side of the building and could not be seen from the four adjoining streets.
- The proposed replacement window would not introduce an alien feature to the detriment of the character and appearance of Craigmillar Park Conservation Area.
- There had been no objections from any of the neighbours who had been notified.
- The window in question was slightly above ground level but not as high as the first floor flat level.
- The applicant had submitted two different designs of window, one the same as the present window (two panes over two panes and to open vertically) and one the same as the lower window (with a smaller pane at the top, opening outwards).
- The proposal for the present window complied with “Guidance to Householders”.
- The dwelling house was in an unlisted building in a conservation area only and would not be detrimental to neighbourhood amenity.

The LRB having taken all the above matters into consideration, did not agree with the officer's assessment and was of the view that by reason of its design, scale and positioning, was not incompatible with the character of the original building. Additionally, the proposal would not introduce an alien feature to the detriment of the character and appearance of Craigmillar Park Conservation Area.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission to replace old wooden sash window with PVCU sash window, at 10 (Flat 1), Suffolk Road, Edinburgh (14/01130/FUL) subject to:

1. Standard conditions and informatives.
2. An additional condition that the replacement window should be sliding sash and case to match existing in style and opening method.

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 had 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.

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

The City of Edinburgh Planning Local Review Body

10.00 am, Wednesday, 26 November 2014

Present: Councillors Blacklock, Cairns, Howat, Mowat and Robson.

1. Convener

Councillor Howat 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 – 2 Buckstone Gardens, Edinburgh

Details were provided of a request for a review of refusal of planning permission for a one and a half storey extension and associated landscaping at 2 Buckstone Gardens, Edinburgh (Application No. 14/03087/FUL).

Assessment

The LRB had been provided with copies of the notice of review submitted by Christopher Barr on behalf of Mr Sievewright 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, 03A, 04-09, 10A-15A, Scheme 2, being the drawings shown under the application reference number 14/03087/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) The 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 you in your 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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposed scale, form and design was acceptable and would not be detrimental to the neighbourhood character and would not cause any loss to neighbouring amenity.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for a one and a half storey extension and associated landscaping at 2 Buckstone Gardens, Edinburgh (Application No. 14/03087/FUL), subject to standard planning conditions.

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.

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

4. Request for Review – 39 Carfrae Gardens, Edinburgh

Details were provided of a request for a review of the refusal of planning permission to erect a new single storey low energy house on the site of an existing large double garage, to occupy the rear section of the available garden area within the grounds of an existing bungalow (Land 2 Metres East of) 39 Carfrae Gardens, Edinburgh (Application No. 14/01865/FUL).

Assessment

At the meeting on 26 November 2014, the LRB had been provided with copies of the notice of review submitted by David Blaikie Architects on behalf of Mr and Mrs Edmonstone 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 and further representations 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 14/01865/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 1 (Design Quality and Context)
 - Policy Des 3 (Development Design)
 - Policy Hou 1 (Housing Development)
 - Policy Hou4 (Density)
- 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 by you in your 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 to erect a new single storey low energy house on the site of an existing large double garage, to occupy the rear section of the available garden area within the grounds of an existing bungalow at (Land 2 Metres East of) 39 Carfrae Gardens, Edinburgh (Application No. 14/01865/FUL).

Reasons for Refusal

1. The proposal is contrary to Edinburgh City Local Plan Hou 1, read in conjunction with Policy Des 3 in respect of Development Design, as it is not an appropriate infill development on this corner plot site because it is not in keeping with the general neighbourhood spatial pattern and it will result in loss of private rear space for future occupiers of no 39 Carfrae Gardens.

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

5. Request for Review – 37 Durham Avenue, Edinburgh

Details were provided of a request for a review of the refusal of planning permission to erect a dormer to the front of the property. Alter the roof shape from pitched to mansard with the inclusion of 3 no. velux windows. Erect single storey extension to rear with straight sloping roof, at 37 Durham Avenue, Edinburgh (Application No. 14/01716/FUL).

Assessment

The LRB had been provided with copies of the notice of review submitted by Mr Ashraf, 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 and further representations 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 1-11, Scheme 1, being the drawings shown under the application reference number 14/01716/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) The 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 you in your 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 to erect a dormer to the front of the property. Alter the roof shape from pitched to mansard with the inclusion of 3 no. velux windows. Erect single storey extension to rear with straight sloping roof at 37 Durham Avenue, Edinburgh (Application No. 14/01716/FUL).

Reasons for Refusal

1. The proposal is contrary to Edinburgh City Local Plan Des 11 in respect of Alterations and Extensions and the Council's Guidance for Householders, as the addition of a further dormer, new roof pitch and rear extension would result in a form of development which completely overwhelms the existing appearance of the house and the integrity of the original building which would have a detrimental impact on neighbourhood character and amenity.

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

6. Request for Review – 35 North Gyle Avenue, Edinburgh

Details were provided of a request for a review of the refusal of planning permission for a new pitched/hipped roof to existing rear flat roofed single storey extension and new rear dormer to allow for a new attic bedroom and shower room at 35 North Gyle Avenue, Edinburgh (Application No. 14/03360/FUL).

Assessment

The LRB had been provided with copies of the notice of review submitted by Charlotte Cotton Architect on behalf of Mr and Mrs Funnell, 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 01-05, Scheme 1, being the drawings shown under the application reference number 14/03360/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) The 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 you in your 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 a new pitched/hipped roof to existing rear flat roofed single storey extension and new rear dormer to allow for a new attic bedroom and shower room at 35 North Gyle Avenue, Edinburgh (Application No. 14/03360/FUL).

Reasons for Refusal

1. The proposal is contrary to the local plan, as it would greatly and unacceptably alter the character and appearance of the house, increasing its bulk and resulting in a highly visible and unsympathetic addition to the street.

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

7. Request for Review – 173 Vexhim Park, Edinburgh

Details were provided of a request for a review of refusal of planning permission for a proposed 2 storey extension to side of house and a single storey extension to rear at 35 North Gyle Avenue, Edinburgh (Application No. 14/01798/FUL).

Assessment

The LRB had been provided with copies of the notice of review submitted by Mr John Ross on behalf of Mr Arif, including a request that the review proceed on the basis of an assessment of the review documents, one or more hearings 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 14/01798/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 Tra 4 (Private Car Parking)
- 2) The Non-Statutory Guidelines on 'Guidance for Householders' and 'Parking Standards'.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward by you in your 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 a proposed 2 storey extension to side of house and a single storey extension to rear at 35 North Gyle Avenue, Edinburgh (Application No. 14/01798/FUL).

Reasons for Refusal

1. The proposal is contrary to Edinburgh City Local Plan Policy Tra 4 in respect of Private Car Parking and the non statutory Parking Standards because no off-street parking provision is provided and the Parking Standards require two spaces to be provided for a four bedroom house at the application site's location. The effect of the proposal on parking has been identified as a concern for a number of local residents and the matters raised by the applicant's representatives do not justify an infringement.

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

The City of Edinburgh Planning Local Review Body

10.00am, Wednesday, 10 December 2014

Present

Councillors Brock, Child, Perry, Rose and Ross.

1. Appointment of Convener

Councillor Perry 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 – 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).

The request was initially considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 29 October 2014. The LRB continued consideration of the matter to this meeting to allow the Acting Head of Planning and Building Standards to investigate and confirm that all the doors and windows in the group of five similarly designed dwellings comprising part of the Kirkstyle Gardens development were originals and not UPVC.

Assessment

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 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 proposals.

The plans used to determine the application were numbered 01-03 being the drawings shown under the application reference number 14/01626/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 and the Rural West Edinburgh Local Plan:
 - Policy E35 (developments in Conservation Areas)
 - Policy E36 (developments in Conservation Areas)
 - Policy E43 (alterations and extensions)
- 2) The Non-Statutory Guidelines "Guidance for Householders".
- 3) The Non-Statutory Guidelines "Listed Buildings and Conservation Areas".
- 4) The procedure used to determine the application.
- 5) 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 and to refuse planning permission for the proposed replacement windows and doors at 1 Kirkstyle Gardens, Kirkliston (application no 14/01626/FUL) for the following reasons:

1. 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 Kirkliston Conservation Area and was not consistent with the Kirkliston Conservation Area Character Appraisal.
2. The proposal was contrary to the Non Statutory Guidelines in respect of Listed Buildings and Conservation Areas as the proposed materials would not match the original property and would adversely affect the character and appearance of the Kirkliston Conservation Area.

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

4. Request for Review – 114-116 Dundee Street and 1-3 Drysdale Road, Edinburgh

Details were provided of a request for a review of the refusal of planning permission for change of use and subdivision of retail unit to social room, alterations to residential accommodation and external alterations to three window openings at 114-116 Dundee Street and 1-3 Drysdale Road, Edinburgh (application no 14/01131/FUL).

Assessment

The LRB had been provided with copies of the notice of review submitted, including a request that the review proceed on the basis of an assessment of the review documents, one or more hearing sessions 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 14/01131/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:

- 2) The development plan, including the relevant policies of the Edinburgh City Local Plan:
 - Policy Ret 4 (Local Centres)
 - Policy Ret 10 (Alternative Use of Shop Units – Elsewhere in Defined Centres)
 - Policy Des 3 (Development Design)
- 2) The procedure used to determine the application.
- 3) 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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposed development was acceptable. In particular, it was noted that the proposed new local centre was as yet undefined and the proposed use as a social room would provide an active frontage. There would not be a detrimental impact on the potential function of the new local centre.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for change of use and subdivision of retail unit to social room, alterations to residential accommodation and external alterations to three window openings at 114-116 Dundee Street and 1-3 Drysdale Road, Edinburgh (application no 14/01131/FUL) subject to standard planning conditions and the following informatives:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.)

5. Request for Review – 37 The Glebe, Kirkliston

Details were provided of a request for a review of the refusal of planning permission for building an extension on top of the existing single storey porch to the front of the property at 37 The Glebe, Kirkliston (application no 14/03279/FUL).

Assessment

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 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, Scheme 1 being the drawings shown under the application reference number 14/03279/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:

- 3) The development plan, including the relevant policies of the Edinburgh City Local Plan:

- Policy E34 (Alterations and Extensions to Existing Buildings)
- 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 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, did not agree with the assessment of the issues in the case officer’s report and was of the opinion that the proposed development was acceptable and would not be detrimental to the architectural integrity of the building or its setting.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for building an extension on top of the existing single storey porch to the front of the property at 37 The Glebe, Kirkliston (application no 14/03279/FUL) subject to standard planning conditions and the following informatives:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.)

6. Request for Review – 11 Hutchison View, Edinburgh

Details were provided of a request for a review of the refusal of planning permission in respect of formation of a single driveway for one car at 11 Hutchison View, Edinburgh which was dealt with by the Acting Head of Planning and Building Standards under delegated powers (application no 14/02121/FUL).

Assessment

The LRB had been provided with copies of the notice of review submitted, 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 01-02A being the drawings shown under the application reference number 14/02121/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) Non-Statutory Guidelines "Guidance for Householders".
- 2) The procedure used to determine the application.
- 3) 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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposed development was acceptable and would be of adequate depth and width and would not be detrimental to road safety.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for formation of a single driveway at 11 Hutchison View, Edinburgh (application no 14/02121/FUL) subject to standard planning conditions and the following informatives:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.

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.)

7. Request for Review – 42 Ladywell Avenue, Edinburgh

Details were provided of a request for a review of the refusal of planning permission for dormer to rear of existing property at first floor level, extending master bedroom and providing en-suite bathroom at 42 Ladywell Avenue, Edinburgh which was dealt with by the Acting Head of Planning and Building Standards under delegated powers (application no 14/03294/FUL).

Assessment

The LRB had been provided with copies of the notice of review submitted, 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 1A-5A, Scheme 2 being the drawings shown under the application reference number 14/03294/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 "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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposed development was acceptable and would neither be detrimental in terms of scale in relation to the roof plane of the building nor to the character of the surrounding neighbourhood area as the dormer is to the rear and not visible from public view.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for building a dormer to the rear of the existing property at first floor level, extending master bedroom and providing en-suite bathroom at 42 Ladywell Avenue, Edinburgh (application no 14/03294/FUL) subject to standard planning conditions and the following informatives:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.)

The City of Edinburgh Planning Local Review Body

10.00 am, Wednesday, 21 January 2014

Present: Councillors Bagshaw, Dixon, Heslop, McVey and Milligan

1. Convener

Councillor Heslop 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 – (Land 20 metres West of) 87 Cammo Road Edinburgh

Details were provided of a request for a review of refusal of planning permission for the erection of a dwelling house at 87 Cammo Road, Edinburgh (Application No. 14/01832/FUL).

Assessment

The LRB had been provided with copies of the notice of review submitted by Format Design on behalf of Christine Kinnell including a request that the review proceed on the basis of the review documents, a site inspection 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 01-03, Scheme 1, being the drawings shown under the application reference number 14/01832/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, did not feel that they had sufficient information before it and agreed to undertake a site inspection prior to determining 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 E5 In order to protect the landscape quality, rural character and amenity of the Green Belt and countryside areas, development will be restricted.

Policy E6 Where acceptable in principle, development proposals in the green belt or countryside must meet the criteria which aim to achieve high standards of design and landscaping.

Policy E7 Permission will not be given for development which would result in irreversible damage to, or the permanent loss of prime quality agricultural
- 2) The Non-Statutory Guidelines on:

'Development in the Countryside and Green Belt' and 'Edinburgh Design Guidance'.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward by you in your request for a review.
- 5) A site inspection.

Motion

To uphold the decision by the Acting Head of Planning and Building Standards and to refuse planning permission for the erection of a dwelling house at 87 Cammo Road (Land 20 metres west of), Edinburgh (Application No. 14/01832/FUL), subject to standard planning conditions.

- Moved by Councillor Bagshaw, seconded by Councillor McVey

Amendment

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for the erection of a dwelling house at 87 Cammo Road (Land 20 metres west of), Edinburgh (Application No. 14/01832/FUL), subject to standard planning conditions.

- Moved by Councillor Heslop, seconded by Councillor Dixon

Voting

- For the motion - 2 votes
For the amendment - 3 votes

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for the erection of a dwelling house at 87 Cammo Road (Land 20 metres west of), Edinburgh (Application No. 14/01832/FUL), subject to standard planning conditions.

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.

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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that there would be no significant loss of prime agricultural land, as although it had been designated as such, it had never been used for this purpose and would not lead to incremental erosion of the farm land surrounding it.

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.

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

3. Request for Review – Moray Bank Place Gardens, 11 Doune Terrace, Edinburgh

Details were provided of a request for a review of the refusal of planning permission for a bicycle shed at Moray Bank Place Gardens, 11 Doune Terrace, Edinburgh (Application No.14/01052/FUL).

Assessment

At the meeting on 21 January 2015, the LRB had been provided with copies of the notice of review submitted by the chairperson of the Lord Moray Feu, 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 and further representations 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 14/01052/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, did not feel that they had sufficient information before it and agreed to undertake a site inspection prior to determining 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 1 (World Heritage Site)
 - Policy Env 3 (Listed Buildings - Setting)
 - Policy Env 6 (Conservation Areas Development)
 - Policy Env 7(Historic Gardens & Designed Landscapes)
 - Policy Des 1 (Design Quality and Context)
 - Policy Des 3 (Development Design)
- 2) The New Town Conservation Area character Appraisal.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward by you in your request for a review.
- 5) A site inspection.

Motion

To uphold the decision by the Acting Head of Planning and Building Standards and to refuse planning permission for a bicycle shed at Moray Bank Place Gardens, 11 Doune Terrace, Edinburgh (Application No. 14/01052/FUL)

- Moved by Councillor Milligan, seconded by Councillor Dixon

Amendment

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for a bicycle shed at Moray Bank Place Gardens, 11 Doune Terrace, Edinburgh (Application No. 14/01052/FUL), subject to standard conditions and that:

The shed shall be painted a dark green or similar colour within 1 month of its completion and use. Details of the colour shall be submitted to the planning authority for approval prior to the commencement of building works.

- Moved by Councillor McVey, seconded by Councilor Bagshaw

Voting

For the motion 2 votes

For the amendment 3 votes

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for a bicycle shed at Moray Bank Place Gardens, 11 Doune Terrace, Edinburgh (Application No. 14/01052/FUL), subject to standard planning conditions and that:

The shed shall be painted a dark green or similar colour within 1 month of its completion and use. Details of the colour shall be submitted to the planning authority for approval prior to the commencement of building works.

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.

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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the siting and appearance of the proposed structure would not be considered detrimental to the character of the site and the historic design, or prejudice its future restoration. In particular the LRB noted other structures in the vicinity of the proposed structure.

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.

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

5. Request for Review – 6-10 Earl Grey Street, Edinburgh

Details were provided of a request for a review of the refusal of planning permission for Alterations to the shop front, installations of an ATM to the front and installation of a louvre to the rear at 6-10 Earl Grey Street, Edinburgh (Application No. 14/02709/FUL).

Assessment

At the meeting on 21 January 2015, the LRB had been provided with copies of the notice of review submitted by WYG 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 1-5, Scheme 1, being the drawings shown under the application reference number 14/02709/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 4 (Listed Building – Alterations and Extensions)
Policy Des 12 (Shopfronts)
- 2) The Non Statutory Guidelines on 'Listed Buildings and Conservation Areas' and Guidance for Businesses'.
- 3) The procedure used to determine the application.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward by you in your request for a review.

Motion

To uphold the decision by the Acting Head of Planning and Building Standards and to refuse planning permission for alterations to the shop front, installation of an ATM to the front and installation of a louvre to the rear at 6-10 Earl Grey Street, Edinburgh (Application No. 14/02709/FUL).

- By Councillor Bagshaw, seconded by Councillor Dixon

Amendment

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for alterations to the shop front, installation of an ATM to the front and installation of a louvre to the rear at 6-10 Earl Grey Street, Edinburgh (Application No. 14/02709/FUL).

- By Councillor Heslop, seconded by Councillor Milligan

Voting

For the motion - 2 votes

For the amendment - 3 votes

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for alterations to the shop front, installation of an ATM to the front and installation of a louvre to the rear at 6-10 Earl Grey Street, Edinburgh (Application No. 14/02709/FUL).

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.

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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposals would not affect the desirability of preserving the building or its setting or any features of architectural or historic interest. The introduction of an ATM into a modern shopfront had no adverse impact.

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.

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

6. Request for Review – 2 Laverockbank Grove, Edinburgh

Details were provided of a request for a review of the refusal of planning permission for an attic conversion comprising dormer window to side and rear and velux windows to front elevation at 2 Laverockbank Grove, Edinburgh (Application No. 14/03263/FUL).

Assessment

At the meeting on 21 January 2015, the LRB had been provided with copies of the notice of review submitted by Mr McCaskey 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 01-07, Scheme 1, being the drawings shown under the application reference number 14/03263/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) The Non Statutory Guidelines on 'Guidance for Householders'.
- 3) The Trinity Conservation Area character Appraisal.
- 4) The procedure used to determine the application.
- 5) The reasons for refusal and the arguments put forward by you in your 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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposals would be in keeping with the character of the existing building in terms of design, form and positioning and would not be incongruous or have a detrimental impact upon the neighbourhood and conservation area character and amenity.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for an attic conversion comprising dormer window to side and rear and velux windows to front elevation at 2 Laverockbank Grove, Edinburgh (Application No. 14/03263/FUL), subject to standard conditions and that:

The windows in the dormers of the attic conversion shall be timber framed and not uPVC.

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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, circulated)

7. Request for Review – 230(b) Oxgangs Road North, Edinburgh

Details were provided of a request for a review of refusal of planning permission for a change of use from cold food takeaway to café/hot food takeaway at 230(b) Oxgangs Road North, Edinburgh (Application No. 14/02615/FUL).

Assessment

At the meeting on 21 January 2015, the LRB had been provided with copies of the notice of review submitted by AMG Planning and Design on behalf of Mr Singh 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, Scheme 2, being the drawings shown under the application reference number 14/02615/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 Ret 10 (Alternative Use of Shop Units – Elsewhere in Defined Centres)
 - Policy Ret11 (Alternative Use of Shop Units in Other Locations)
 - Policy Hou 8 (Inappropriate Uses in Residential Areas)
 - Policy Ret 12 (Food and Drink Establishments)
- 2) The Non Statutory Guidelines on 'Guidance for Businesses'.

- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward by you in your 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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposal would not result in an over concentration of hot food takeaways within the locality and would not lead to an increase in noise and disturbance.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for a change of use from cold food takeaway to café/hot food takeaway at 230B Oxfangs Road North, Edinburgh (Application No. 14/02615/FUL).

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.)

8. Request for Review – 25 Swanston Terrace, Edinburgh

Details were provided of a request for a review of refusal of planning permission for the erection of conservatory to the rear of the house at 25 Swanston Terrace, Edinburgh (Application No. 14/02797/FUL).

Assessment

At the meeting on 21 January 2015, the LRB had been provided with copies of the notice of review submitted by Sorrell Associates on behalf of Mr Singh 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 being the drawings shown under the application reference number 14/02797FUL 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 on 'Guidance for Householders'.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward by you in your 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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposal would not result in an unreasonable degree of overlooking and loss of privacy to the neighbouring property. In particular it noted that there was existing views into the neighbouring garden.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for erection of a conservatory to the rear of the building at 25 Swanston Terrace, Edinburgh (Application No. 14/02797/FUL), subject to standard conditions and that:

The side windows of the conservatory shall be glazed in frosted glass in perpetuity to preserve the privacy of neighbouring property.

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.)

The City of Edinburgh Planning Local Review Body

10.00 am, Wednesday, 4 February 2014

Present: Councillors Howat, Mowat and Robson

1. Convener

Councillor Robson 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 – 11 Glenfinlas Street, Edinburgh

Details were provided of a request for a review of the mixed decision to part grant and part refuse planning permission for proposed alterations and improvements internal and garden works and alterations to the rear elevation at 11 Glenfinlas Street, Edinburgh (Application No. 14/030712/FUL).

Assessment

At the meeting on 4 February 2015, the LRB had been provided with copies of the notice of review submitted by Lorn Macneal Architects on behalf of Peter Howell including a request that the review proceed on the basis 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 01-03, 04A, 05 – 06, Scheme 2, being the drawings shown under the application reference number 14/03071/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to 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 Env6 (Conservation Areas Development)
- 2) The Non-Statutory Guidelines on:
'Listed Buildings and Conservation Areas'.
- 3) The New Town Conservation Area Character Appraisal.
- 4) The procedure used to determine the application.
- 5) 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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposed cast iron juliet balcony would have a negligible effect and would not prejudice the architectural and historic interest of the listed building or adversely affect the character and appearance of the conservation area. It was of the view that other examples nearby gave justification for approval and the traditional design was preferable to a more modern and intrusive solution.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for proposed alterations and improvements internal and garden works and alterations to rear elevation at 11 Glenfinlas Street, Edinburgh (Application No. 14/030712/FUL), subject to standard planning conditions.

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.

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

3. Request for Review – 21 Greenbank Drive, Edinburgh

Details were provided of a request for a review of the refusal of planning permission for an existing attic to be converted into a bedroom with access onto verandah/roof terrace at 21 Greenbank Street, Edinburgh (Application No.14/003015/FUL).

Assessment

At the meeting on 4 February 2015, the LRB had been provided with copies of the notice of review submitted by Cockburn's Consultants on behalf of Darren Pease, 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. It was noted that the applicant had offered to delete the verandah from the proposal, however the LRB must consider the scheme that was refused planning permission, not any amended scheme.

The plans used to determine the application were numbered 01-04, Scheme 1, being the drawings shown under the application reference number 14/03015/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to 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 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 case officer's report in respect of the scale and positioning of the verandah/roof terrace which would result in overlooking to the detriment of residential amenity, however they did not feel that the rear dormer would result in a dominant, unsympathetic and intrusive feature and took into account that there were already three similar dormers in the area.

The LRB was of the opinion that although they could accept the argument to allow the rear dormer, the considerations that it had identified were not of sufficient weight to

allow it to overturn the original 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 an existing attic to be converted into a bedroom with access onto verandah/roof terrace at 21 Greenbank Street, Edinburgh (Application No.14/003015/FUL), subject to standard planning conditions.

Reasons for Refusal:

1. The proposal is contrary to Policy Des 11 – Alterations and Extensions of the Edinburgh City Local Plan and the Council’s non statutory Guidance for Householders, by way of the design and scale of the rear dormer, resulting in a dominant, unsympathetic and intrusive feature, to the detriment of the character and appearance of not only the building, but also the surrounding area.
2. The proposal contravenes Policy Des 11 – Alterations and Extensions of the Edinburgh City Local plan and the non statutory Guidance for Householders, by way of the scale and positioning of the verandah/roof terrace resulting in overlooking, to the detriment of residential amenity.

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

(Councillor Howat requested his dissent to this decision be recorded)

5. Request for Review – 23 Jock’s Lodge, Edinburgh

Details were provided of a request for a review of the refusal of planning permission for alterations and change of use from hot food takeaway to one apartment flat at 23 Jock’s Lodge, Edinburgh (Application No. 14/03298/FUL).

Assessment

At the meeting on 4 February 2015, the LRB had been provided with copies of the notice of review submitted by Scott Design on behalf of Mr Ali 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 01-03, Scheme 1, being the drawings shown under the application reference number 14/03298/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 Hou5 (Conversion to Housing)

Policy Ret10 (Alternative Use of Shop Units)

Policy TRA4 (Private Car Parking)

- 2) The Non Statutory Guidelines on 'Guidance for Businesses' and 'Parking Standards'.
- 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, did not agree with the assessment of the issues in the case officer's report and was of the opinion that the proposals would not adversely affect the vitality and viability of the defined local retail centre, as the space was not located in an area that could now be considered to be successful as a retail outlet and had failed as such in recent years. Furthermore, the LRB felt that property would provide adequate floor space for the future occupiers of the development.

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.

Decision

To not uphold the decision by the Acting Head of Planning and Building Standards and to grant planning permission for alterations and change of use from hot food takeaway to one apartment flat at 23 Jock's Lodge, Edinburgh (Application No. 14/03298/FUL).

Informatives

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
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.)

6. Request for Review – 9 Lee Crescent, Edinburgh

Details were provided of a request for a review of the refusal of planning permission to erect a upvc conservatory to the rear of the property at 9GF Lee Crescent, Edinburgh (Application No. 14/03312/FUL).

Assessment

At the meeting on 4 February 2015, the LRB had been provided with copies of the notice of review submitted by Mr McCaskey on behalf of Mr Cummings 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 14/03312/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) The Non Statutory Guidelines on 'Listed Buildings and Conservation Areas' and 'Guidance for Householders'
- 3) The Portobello Conservation Area Character Appraisal.
- 4) The procedure used to determine the application.
- 5) 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 the proposals would fail to preserve the character and appearance of the conservation area, and that the materials would be inappropriate in the historic built environment.

The LRB was of the opinion that the material considerations that it had identified were not of sufficient weight to allow it to overturn the original 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 to erect a upvc conservatory to rear of the property at 9 Lee Crescent, Edinburgh (Application No. 14/03312/FUL), subject to standard conditions.

Reasons for Refusal:

1. The proposal is contrary to Edinburgh City Local Plan Env 6 in respect of Conservation Areas – Development, and non-statutory guidance for listed buildings and conservation areas, as the proposal fails to preserve or enhance the character or appearance of the conservation area because it dominates the rear elevation, obscures a substantial portion of the ground floor stone façade, results in the loss of a timber sash and case window and uses a material that is inappropriate in the historic built environment.
2. The proposal is contrary to Edinburgh City Local Plan Policy Des 11 in respect of Alterations and Extensions and non statutory Guidance for Householders, as the proposal is not compatible with the existing building because of its scale and design.

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

7. Request for Review – 50 Nicolson Street, Edinburgh

Details were provided of a request for a review of refusal of planning permission for a change of use from Class 11 (Assembly and Leisure) to Sui Generis (Public House) including external alterations at 50 Nicolson Street, Edinburgh, (Application No. 14/01864/FUL).

Assessment

At the meeting on 4 February 2015, the LRB had been provided with copies of the notice of review submitted by Signet Planning on behalf of J.D. Weatherspoon PLC including a request that the review proceed on the basis of an assessment of the review documents and further representations. The LRB had also been provided with copies of the decision notice, the report of handling and further representations 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+05-07, Scheme 2, being the drawings shown under the application reference number 14/01864/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)
 - Policy Hou 8 (Inappropriate Uses in Residential Areas)
 - Policy Ret 9 (Alternative Use of Shop Units)
 - Policy Ret 12 (Food and Drink Establishments)
 - Policy TRA 4 (Private Car Parking)
- 2) The Non Statutory Guidelines on 'Guidance for Businesses' and 'Parking Standards'.
- 3) The South Side Conservation Area character Appraisal
- 4) The procedure used to determine the application.
- 5) 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 the impact of the proposed change was too great and would have a negative effect on the amenity of nearby residents both above and adjoining the property.

The LRB was of the opinion that the material considerations that it had identified were not of sufficient weight to allow it to overturn the original 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 change of use from Class 11 (Assembly and Leisure) to Sui Generis (Public House) including external alterations at 50 Nicolson Street, Edinburgh (Application No. 14/01864/FUL).

Reasons for Refusal:

The proposals are contrary to Edinburgh City Local Plan Policies Ret 12, in respect of Food and Drink Establishments, and Hou 8, in respect of Inappropriate Uses in Residential Areas, as interpreted using the non statutory Guidance for Businesses, as the change of use to a public house would, given inadequate means of noise mitigation and ventilation to the premises, lead to an unacceptable increase in noise, odours and disturbance having a material detrimental effect on the living conditions for nearby residents both above and adjoining the application premises.

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