

# Notice of meeting and agenda

## Planning Local Review Body (Panel 2)

**10.00 am Wednesday, 11th March, 2020**

Dean of Guild Court Room - City Chambers

This is a public meeting and members of the public are welcome to attend

### Contacts

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Tel: 0131 529 3009

## **1. Appointment of Convener**

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- 1.1 The Local Review Body is invited to appoint a Convener from its membership.

## **2. Order of Business**

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- 2.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

## **3. Declaration of Interests**

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- 3.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **4. Minutes**

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- 4.1 Minute of the Local Review Body (Panel 2) – 29 January 2020 – 9 - 18  
submitted for approval as a correct record

## **5. Local Review Body - Procedure**

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- 5.1 Note of the outline procedure for consideration of all Requests for Review 19 - 22

## **6. Requests for Review**

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- 6.1 Bonaly Farm, Torduff Road, Edinburgh – Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services – application no 19/03360/PPP 23 - 134
- (a) Decision Notice and Report of Handling

(b) Notice of Review and Supporting Documents

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

- 6.2** 19 Hillhouse Road, Edinburgh – internal refurb and re-modeling of existing veterinary building, to create additional consult room, provide a new theatre and dental room, and a cat waiting area to existing reception area; proposed new single-storey extension to the rear of the building (with associated M&E, drainage and structural works) to house new consult room, accessible WC, dog ward & kennels, utility and freezer room at 19 Hillhouse Road, Edinburgh – application no 19/04179/FUL 135 - 172

(a) Decision Notice and Report of Handling (circulated)

(b) Notice of Review and Supporting Documents (circulated)

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

- 6.3** 1 Kilmaurs Terrace, Edinburgh – Demolish existing single storey extension and erect new three storey extension – application no 19/02713/FUL 173 - 238

(a) Decision Notice and Report of Handling (circulated)

(b) Notice of Review and Supporting Documents (circulated)

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

- 6.4** 18 Liberton Brae (at Land 33 Metres Northwest of), Edinburgh – Proposed family dwelling house – application no 19/04204/FUL 239 - 374

(a) Decision Notice and Report of Handling (circulated)

(b) Notice of Review and Supporting Documents (circulated)

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a hearing

session.

- 6.5** 18 Redhall House Drive, Edinburgh – Proposed extension and house alterations (as amended) – application no 19/05125/FUL 375 - 398
- (a) Decision Notice and Report of Handling (circulated)
  - (b) Notice of Review and Supporting Documents (circulated)
- Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

## **7. Extracts of Relevant Policies from the Edinburgh Local Development Plan**

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- 7.1** Extracts of Relevant Policies from the Edinburgh Local Development Plan for the above review cases

[Local Development Plan Online](#)

Edinburgh Local Development Plan Policy DES 1 (Design Quality and Context)

Edinburgh Local Development Plan Policy DES 4 (Development Design – Impact on Setting)

Edinburgh Local Development Plan Policy DES 5 (Development Design - Amenity)

Edinburgh Local Development Plan Policy DES 12 (Alterations and Extensions)

Edinburgh Local Development Plan Policy ENV 2 (Listed Buildings - Demolition)

Edinburgh Local Development Plan Policy ENV 3 (Listed Buildings - Setting)

Edinburgh Local Development Plan Policy ENV 9 (Development of Sites of Archaeological Significance)

Edinburgh Local Development Plan Policy ENV 10 (Development in the Green Belt and Countryside)

Edinburgh Local Development Plan Policy ENV 11 (Special

Landscape Areas)

Edinburgh Local Development Plan Policy ENV 12 (Trees)

Edinburgh Local Development Plan Policy ENV 16 (Species Protection)

Edinburgh Local Development Plan Policy ENV 17 (Pentland Hills Regional Park)

Edinburgh Local Development Plan Policy ENV 21 (Flood Protection)

Edinburgh Local Development Plan Policy HOU 1 (Housing Development)

Edinburgh Local Development Plan Policy HOU 7 (Inappropriate Uses in Residential Areas)

Edinburgh Local Development Plan Policy RS 6 (Water and Drainage)

Edinburgh Local Development Plan Policy TRA 2 (Private Car Parking)

Edinburgh Local Development Plan Policy TRA 3 (Private Cycle Parking)

## **8. Non-Statutory Guidance**

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**8.1**     [Edinburgh Design Guidance](#)

**8.2**     [Guidance for Householders](#)

**8.3**     [Guidance for Development in the Countryside and Green Belt](#)

**8.4**     [Listed Buildings and Conservation Areas](#)

**Note:** The above policy background papers are available to view on the Council's website [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk) under Planning and Building Standards/local and strategic development plans/planning guidelines/conservation areas, or follow the links as above.

## **Laurence Rockey**

Head of Strategy and Communications

### **Membership Panel**

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Councillor Chas Booth, Councillor Maureen Child, Councillor Rob Munn, Councillor Hal Osler and Councillor Cameron Rose

### **Information about the Planning Local Review Body (Panel 2)**

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The City of Edinburgh Planning Local Review Body (LRB) has been established by the Council in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008. The LRB's remit is to determine any request for a review of a decision on a planning application submitted in terms of the Regulations.

The LRB comprises a panel of five Councillors drawn from the eleven members of the Planning Committee. The LRB usually meets every two weeks, with the members rotating in two panels of five Councillors.

It usually meets in the Dean of Guild Court Room in the City Chambers, High Street, Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

### **Further information**

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Members of the LRB may appoint a substitute from the pool of trained members of the Planning Committee. No other member of the Council may substitute for a substantive member. Members appointing a substitute are asked to notify Committee Services (as detailed below) as soon as possible

If you have any questions about the agenda or meeting arrangements, please contact Sarah Stirling, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 3009, email [sarah.stirling@edinburgh.gov.uk](mailto:sarah.stirling@edinburgh.gov.uk).

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to [www.edinburgh.gov.uk/cpol](http://www.edinburgh.gov.uk/cpol).

Unless otherwise indicated on the agenda, no elected members of the Council, applicant, agent or other member of the public may address the meeting.

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# Minutes

## The City of Edinburgh Planning Local Review Body (Panel 2)

**10.00am, Wednesday 29 January 2020**

**Present:** Councillors Booth, Child, Osler and Rose.

### 1. Appointment of Convener

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- 1) Councillor Rose was appointed as Convener (items 2 – 6).
- 2) Councillor Child was appointed as Convener (item 7).

### 2. Minutes

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To approve the minute of the Local Review Body (LRB Panel 2) of 11 December 2019 as a correct record.

### 3. Planning Local Review Body Procedure

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#### Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted)

### 4. Request for Review – 19 (4F2) Rodney Street, Edinburgh

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Details were submitted of a request for a review for the refusal of planning permission for the conversion of attic over top floor flat, including filling in roof valley and creating dormer to rear, and conservation skylights to front at 19 (4F2) Rodney Street, Edinburgh. Application no 19/03709/FUL.

#### Assessment

At the meeting on 29 January 2020, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis 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 Chief Planning Officer.

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

The plans used to determine the application were numbered 01-08, Scheme 1, being the drawings shown under the application reference number 19/03709/FUL on the Council's Planning and Building Standards Online Services.

The LRB were notified by the Planning Adviser that the letter of representation from the Community Council was not to be considered as part of the application as the commenters had not objected to the original planning application.

The Planning Adviser also brought to the LRB's attention new information regarding a minor proposed alteration to the upstand so that it would slope away instead of sitting vertically. The LRB decided to accept the new information and considered this as part of their deliberations.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated. The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan  
Edinburgh Local Development Plan Policy DES 12 (Alterations and Extensions)
- 2) Relevant Non-Statutory Guidelines.  
'Guidance for Householders'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

The LRB carefully considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Whether the proposed rooflights would be allowed on their own and confirmation that they would.
- That the visibility splay from the proposed rear dormer of the property would not significantly affect privacy beyond the existing situation.
- That the area had seen many alterations to the roofline and so this application would be in-keeping with existing alterations.
- That there was no public view of this building from the rear and the property was not in a conservation area.
- A contrary opinion was that the application had to be considered on planning grounds and that according to the relevant guidance the extension above the roofline was not appropriate.
- Whether the suggested amendments to the proposal by the applicant could be conditioned and that this would be difficult given that legislation determined that third parties required to have a view of the application before consideration.
- That the Local Development Plan encouraged improvement of Edinburgh's housing stock and this also had to be taken into account.
- That the deviation from guidelines for the upstand was very minor and would be outweighed by the improved amenity of the applicant.

## **Conclusion**

Having taken all the above matters into consideration, the LRB finally determined that the proposals would not be contrary to LDP Policy Des 12 or the Guidance for Householders as the alterations proposed were minor and would improve the amenity of the property.

It therefore overturned the decision of the Chief Planning Officer and granted planning permission.

### **Motion**

To not uphold the decision by the Chief Planning Officer and to grant planning permission subject to:

#### **The following informatives:**

- (a) The development hereby permitted should be commenced no later than the expiration of three years from the date of this consent.
- (b) 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.
- (c) 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 would need to be given in writing to the Council.
- (d) This application related to a flatted building. This planning permission did not affect the legal rights of any other parties with an interest in the building. In that respect, the permission did not confer the right to carry out works without appropriate authority.

- moved by Councillor Rose, seconded by Councillor Osler

### **Amendment**

To uphold the decision by the Chief Planning Officer to refuse planning permission.

### **Reasons for Refusal**

- 1. The proposal was contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it disrupted the roof pattern to the detriment of the building, tenement block and wider area.
- 2. The proposals were contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they did not fit well with the character of the building and the surrounding area

- moved by Councillor Child, seconded by Councillor Booth

### **Voting**

For the motion - 2 votes

(Councillors Osler and Rose.)

For the amendment - 2 votes

(Councillors Child and Booth.)

### **Decision**

In the division, 2 members having voted for the motion and 2 members for the amendment, the Convener gave his casting vote for the motion and the Local Review Body resolved as follows:

To not uphold the decision by the Chief Planning Officer and to grant planning permission subject to:

### **The following informatives:**

- (a) The development hereby permitted should be commenced no later than the expiration of three years from the date of this consent.
- (b) 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.
- (c) 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 would need to be given in writing to the Council.
- (d) This application related to a flatted building. This planning permission did not affect the legal rights of any other parties with an interest in the building. In that respect, the permission did not confer the right to carry out works without appropriate authority.

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

## **5. Request for Review – 36 Stenhouse Drive, Edinburgh**

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Details were submitted of a request for a review for the refusal of planning permission for the erection of a boundary fence (in retrospect) at 36 Stenhouse Drive, Edinburgh. Application no 19/03274/FUL.

### **Assessment**

At the meeting on 29 January 2020, the LRB had been provided with copies of the notice of review, 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 Chief Planning Officer.

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

The plans used to determine the application were numbered 01-03, Scheme 1, being the drawings shown under the application reference number 19/03274/FUL on the Council's Planning and Building Standards Online Services.

The Planning Adviser also brought to the LRB's attention new information regarding the photographs provided by the applicant of other fences in the area. The LRB decided to accept the new information and considered this as part of their deliberations.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated. The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan  
Edinburgh Local Development Plan Policy DES 12 (Alterations and Extensions)
- 2) Relevant Non-Statutory Guidelines.  
'Guidance for Householders'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

The LRB carefully considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Confirmation of the house that the proposal relates to and that the gates were lower than the fence.
- Confirmation that the case was notified to the Council by an enforcement complaint.
- The height the fence would have to be to be considered Permitted Development (PD). The Planning Adviser confirmed that the fence would have to be 1m to be PD and the fence ranged from 1.8m to 1.19m at the lowest point of the gate.
- That according to guidance the fence should not exceed 1m unless there was evidence that there was a prevailing size already established in the neighbourhood and that there were many photos shared by the applicant that suggested this was the case.
- That the fence would enhance security and prevent people from crossing onto the property.
- That several windows appeared to be screened by the fence, and that the fence gave an intimidating appearance to the property.
- That the plan appeared to be different from the photo, making it unclear whether there was blockage to the windows at the right. The members considered the angle of the photo and how this might have affected the perception of blockage.
- That property was not located in a conservation area.

## **Conclusion**

Having taken all the above matters into consideration, the LRB finally determined that the proposals would not be contrary to LDP Policy Des 12 or the Guidance for

Householders as the fence would provide security for the applicant and would be in keeping with the prevailing size of fences already established in the neighbourhood.

It therefore overturned the decision of the Chief Planning Officer and granted planning permission.

### **Motion**

To not uphold the decision by the Chief Planning Officer and to grant planning permission.

- moved by Councillor Rose, seconded by Councillor Osler

### **Amendment**

To uphold the decision by the Chief Planning Officer to refuse planning permission.

### **Reasons for Refusal**

1. The proposal was contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as the proposal did not accord with the character and appearance of the property or the surrounding neighbourhood.
2. The proposals were contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as the height of the fence did not harmonise with the street and the house.

- moved by Councillor Child, seconded by Councillor Booth

### **Voting**

For the motion - 2 votes

(Councillors Osler and Rose.)

For the amendment - 2 votes

(Councillors Child Booth.)

### **Decision**

In the division, 2 members having voted for the motion and 2 members for the amendment, the Convener gave his casting vote for the motion and the Local Review Body resolved as follows:

To not uphold the decision by the Chief Planning Officer and to grant planning permission.

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

## **6. Request for Review – 2 Westburn Grove, Edinburgh**

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Details were submitted of a request for a review for the refusal of planning permission for a loft conversion and internal alterations at 2 Westburn Grove, Edinburgh. Application no 19/04865/FUL.

### **Assessment**

At the meeting on 29 January 2020, the LRB had been provided with copies of the notice of review, 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 Chief Planning Officer.

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

The plans used to determine the application were numbered 01-06, Scheme 1, being the drawings shown under the application reference number 19/04865/FUL on the Council's Planning and Building Standards Online Services.

The Planning Adviser also brought to the LRB's attention new information regarding the letter from the applicant informing the panel that they had a foster child and that guidance required the child to have their own room. The LRB decided to accept the new information and considered this as part of their deliberations.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated. The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.  
Edinburgh Local Development Plan Policy DES 12 (Alterations and Extensions)
- 2) Relevant Non-Statutory Guidelines.  
'Guidance for Householders'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

The LRB carefully considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- That there was concern regarding delays to the application process but that this was not what the Local Review Body were considering.
- The proportion of the roof space in relation to the dormer as guidance determined that dormers should be 1/3 of roof width. However it was also acknowledged that guidance allowed for larger dormers at the rear. The dormer proposed would be 4.8m wide in comparison to the roof width being 5.8m, which was considered to be too significant a breach of the guidance.
- That there was no precedent in the area for this kind of dormer.
- That there was difficulty with the head room for the stair due to the low-pitched roof.
- That the proposal would improve the quality of the housing stock.
- Overall it was felt that the proportion of the dormer in comparison to the surrounding roof space was too considerable to be allowed.

## **Conclusion**

Having taken all the above matters into consideration, the LRB 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 Chief Planning Officer.

### **Decision**

To uphold the decision by the Chief Planning Officer to refuse planning permission.

### **Reasons for Refusal**

1. The proposals were contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they impacted on the character and appearance of the existing building and the street scene.
2. The proposal was contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it impacted on the character and appearance of the existing building and the street scene.

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

### **Dissent**

In accordance with Standing Order 21.12, Councillor Rose requested that his dissent to the above decision be recorded.

## **7. Request for Review – 19 Ferry Gait Drive, Edinburgh**

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Details were submitted of a request for a review for the refusal of planning permission for the porch extension to the front of property and the formation of French doors to rear at 19 Ferry Gait Drive, Edinburgh. Application no 19/03461/FUL.

This item was continued from the Planning Local Review Body meeting of 11 December 2019 for further information to be provided on the dimensions of the porch.

### **Assessment**

At the meeting on 29 January 2020, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis 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 Chief Planning Officer.

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

The plans used to determine the application were numbered 01-06, Scheme 1, being the drawings shown under the application reference number 19/03461/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. The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan  
Edinburgh Local Development Plan Policy DES 12 (Alterations and Extensions)

- 2) Relevant Non-Statutory Guidelines.  
'Guidance for Householders'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

The LRB carefully considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Whether there had been anything from Transport regarding road safety and confirmation that there had not.
- Confirmation that there were no letters of representation for this application.
- That the applicant should be allowed to improve their home.
- That according to the guidance there should be a minimum distance of 2m between the porch and any boundary with a road and that this proposal would only have a distance of 25cm. This was deemed to be a significant difference.
- That the porch would be intrusive.

## **Conclusion**

Having taken all the above matters into consideration, the LRB 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 Chief Planning Officer.

## **Decision**

To uphold the decision by the Chief Planning Officer to refuse planning permission.

## **Reasons for Refusal**

1. The proposal was contrary to Edinburgh Local Development Plan Policy Des 12 as it was not in keeping with the current spatial pattern of the area, and would have a detrimental impact on existing neighbourhood character.
2. The proposal was contrary to non-statutory Guidance for Householders which stated that extensions that project beyond the principal elevation line were not generally allowed unless this fit in with the local character of the street. This was not characteristic of Ferry Gait Drive, where the building line remained unbreached, and completely uniform. The character of the area was in large part reliant on this uniformity, and as such the proposal was unacceptable.

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

## **Dissent**

In accordance with Standing Order 21.12, Councillor Rose requested that his dissent to the above decision be recorded.

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## City of Edinburgh Planning Local Review Body (the LRB)

### General

1. Each meeting of the LRB shall appoint a Convener. A quorum of a meeting of the LRB will be three members.
2. The Clerk will introduce and deal with statutory items (Order of Business and Declarations of Interest) and will introduce each request for review.
3. The LRB will normally invite the planning adviser to highlight the issues raised in the review.
4. The LRB will only accept new information where there are exceptional circumstances as to why it was not available at the time of the planning application. The LRB will formally decide whether this new information should be taken into account in the review.

The LRB may at any time ask questions of the planning adviser, the Clerk, or the legal adviser, if present.

5. Having considered the applicant's preference for the procedure to be used, and other information before it, the LRB shall decide how to proceed with the review.
6. If the LRB decides that it has sufficient information before it, it may proceed to consider the review using only the information circulated to it. The LRB may decide it has insufficient information at any stage prior to the formal decision being taken.
7. If the LRB decides that it does not have sufficient information before it, it will decide which one of, or combination of, the following procedures will be used:
  - further written submissions;
  - the holding of one or more hearing sessions; and/or
  - an accompanied or unaccompanied inspection of the land to which the review relates.
8. Whichever option the LRB selects, it shall comply with legislation set out in the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (the Regulations).

The LRB may hold a pre-examination meeting to decide upon the manner in which the review, or any part of it, is to be conducted.

If the LRB decides to seek further information, it will specify what further information is required in a written notice to be issued to the applicant, Chief Planning Officer and any interested parties. The content of any further submissions must be restricted to the matters specified in the written notice.

In determining the outcome of the review, the LRB will have regard to the requirements of paragraphs 11 and 12 below.

9. The LRB may adjourn any meeting to such time and date as it may then or later decide.

### **Considering the Request for Review**

10. Unless material considerations indicate otherwise, the LRB's determination must be made in accordance with the development plan that is legally in force. Any un-adopted development plan does not have the same weight but will be a material consideration. The LRB is making a new decision on the application and must take the 'de novo' approach.
11. The LRB will:
  - Identify the relevant policies of the Development Plan and interpret any provisions relating to the proposal, for and against, and decide whether the proposal accords with the Development Plan;
  - identify all other material planning considerations relevant to the proposal and assess the weight to be given to these, for and against, and whether there are considerations of such weight as to indicate that the Development Plan should not be given priority;
  - take into account only those issues which are relevant planning considerations;
  - ensure that the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are assessed when the review relates to a listed building and/or conservation area; and
  - in coming to a determination, only review the information presented in the Notice of Review or that from further procedure.
12. The LRB will then determine the review. It may:
  - uphold the officer's determination;
  - uphold the officer's determination subject to amendments or additions to the reasons for refusal;
  - grant planning permission, in full or in part;
  - impose conditions, or vary conditions imposed in the original determination;
  - determine the review in cases of non-determination.

### **Procedure after determination**

13. The Clerk will record the LRB's decision.
14. In every case, the LRB must give notice of the decision ("a decision notice") to the applicant. Every person who has made, and has not withdrawn, representations in respect of the review, will be notified of the location where a copy of the decision notice is available for inspection. Depending on the decision, the planning adviser may provide assistance with the framing of conditions of consent or with amended reasons for refusal.
15. The Decision Notice will comply with the requirements of regulation 22.
16. The decision of the LRB is final, subject to the right of the applicant to question the validity of the decision by making an application to the Court of Session. Such application must be made within 6 weeks of the date of the decision. The applicant will be advised of these and other rights by means of a Notice as specified in Schedule 2 to the regulations.

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Gain Planning Services.  
FAO: Peter MacLeod  
122 Scott Street  
Galashiels  
United Kingdom  
TD1 1DX

Pentlands Outdoor Activities (DPM).  
54 Main Street  
Davidsons Mains  
Edinburgh  
United Kingdom  
EH4 5AA

**Decision date: 13 November 2019**

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

Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.  
At Bonaly Farm Torduff Road Edinburgh

**Application No:** 19/03360/PPP

### DECISION NOTICE

With reference to your application for Planning Permission in Principle registered on 12 July 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

#### **Conditions:-**

#### **Reasons:-**

1. The proposal is contrary to the adopted Edinburgh Local Development Plan Policy Env 11 as it fails to demonstrate that the proposal will have a positive impact on the character and appearance of the Special Landscape Area.
2. The proposal is contrary to policy Env 10 of the adopted Edinburgh Local Development Plan as it would detract from the rural character and appearance of the surrounding area.

3. The proposal is contrary to policy Hou 7 of the adopted Edinburgh Local Development Plan as it would have a materially detrimental impact on the living conditions of neighbouring residents.
4. The proposal is contrary to policy Env 17 of the adopted Edinburgh Local Development Plan as it would have an unacceptable impact upon the character and landscape quality of the park.
5. The proposal is contrary to policy Des 5 of the adopted Edinburgh Local Development Plan as it would adversely affect the amenity of neighbouring developments.
6. The proposal is contrary to policy Rs 6 of the adopted Edinburgh Local Development Plan as not enough information has been supplied to show that there is adequate sewerage to meet the demands of the development.
7. The proposal is contrary to policy Des 4 of the adopted Edinburgh Local Development Plan as it will not have a positive impact on its surroundings.

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

Drawings 01;02;03, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The introduction of timber pods within the site would result in the introduction of incongruous features which would have an adverse impact on the rural character of the surrounding area, the special character of the Pentlands Special Landscape Area and the character and landscape quality of the Pentlands Hills Regional Park. In addition, the proposal would result in the introduction of a use which is likely to have a materially detrimental effect on the living conditions of nearby residents. The proposal is contrary to policies Env 10, Env 11, Env 17, Des 5, Hou 7, Des 4 and Rs 6 of the adopted Edinburgh Local Development Plan (LDP) and the Council's Guidance for Development in the Green Belt and Countryside.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Robert McIntosh directly on 0131 529 3422.



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

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at [www.eplanning.scot](http://www.eplanning.scot) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

## Application for Planning Permission in Principle 19/03360/PPP

At Bonaly Farm, Torduff Road, Edinburgh

Change of use of existing hay field to camp site with  
accommodation in timber pods and ancillary services.

Item	Local Delegated Decision
Application number	19/03360/PPP
Wards	B08 - Colinton/Fairmilehead

### Summary

The introduction of timber pods within the site would result in the introduction of incongruous features which would have an adverse impact on the rural character of the surrounding area, the special character of the Pentlands Special Landscape Area and the character and landscape quality of the Pentlands Hills Regional Park. In addition, the proposal would result in the introduction of a use which is likely to have a materially detrimental effect on the living conditions of nearby residents. The proposal is contrary to policies Env 10, Env 11, Env 17, Des 5, Hou 7, Des 4 and Rs 6 of the adopted Edinburgh Local Development Plan (LDP) and the Council's Guidance for Development in the Green Belt and Countryside.

### Links

<a href="#">Policies and guidance for this application</a>	LDPP, LDES01, LDES04, LDES05, LEN03, LEN09, LEN10, LEN11, LEN17, LHOU07, LTRA02, LTRA03, LRS06, LEN21, NSG, NSGCGB,
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# Report of handling

## Recommendations

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**1.1** It is recommended that this application be Refused for the reasons below.

## Background

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### 2.1 Site description

The application site relates to part of an existing hay field which forms part of Bonaly Farm off Torduff Road, Edinburgh. The site lies within the defined Greenbelt, the Pentland Hills Regional Park and is an area of great landscape value. There are a number of residential properties located fairly close to the field in question. This includes a grade A listed building, Bonaly Tower.

### 2.2 Site History

15/05533/FUL-Erection of a dwelling house - Withdrawn by applicant  
15/05501/FUL- Change of use of vacant land to burial ground- Refused at Development Management Sub Committee- 19th April 2017  
17/00489/EAMEN-Enforcement Enquiry- Alleged Untidy Land.  
18/00053/ENFORC-Appeal against enforcement- Untidy land- Appeal dismissed by Department of Planning and Environmental Appeals.

## Main report

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### 3.1 Description Of The Proposal

The application is for planning permission in principle for the change of use of an existing hay field to a camp site with timber pod accommodation and ancilliary services. The plans submitted indicate that there will be 10 pods and 2 ancilliary buildings to be constructed within the site.

### 3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### 3.3 Assessment

To address these determining issues, it needs to be considered whether:

- a) The principle of the development is acceptable in the Green Belt;
- b) The proposal raises any issues in respect of the impact on the setting of a listed building;
- c) The design and density of proposal is acceptable
- d) The proposal will detract from the landscape quality and/or rural character of the Greenbelt, will it have a significant adverse impact on the special character of the Pentlands Special Landscape Area and an unacceptable impact upon the character and landscape quality of the Pentlands Hills Regional Park;
- e) The proposal will have an adverse impact on the amenity of neighbouring residents;
- f) The proposal raises any issues in respect of parking and road safety;
- g) The proposal raises any issues regarding flood prevention;
- h) The proposal raises any issues in respect of drainage or archaeology, and
- i) Any issues raised by objectors have been addressed.

#### a) Principle of the Proposal

Policy Env 10 of the adopted Edinburgh Local Development Plan (LDP) states that within the Greenbelt and countryside shown on the proposals map, development will only be permitted where it meets one of certain criteria and would not detract from the landscape quality and/or rural character of the area.

In addition, policy Env 11 states that planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of a Special Landscape Area.

Criteria (a) of LDP policy Env 10 states that development for the purposes of countryside recreation may be considered to form an acceptable greenbelt and countryside development.

The Edinburgh Guidance for the Countryside and Greenbelt also clarifies that countryside recreation is uses where the proposal requires the land resource and is compatible with an agricultural or natural setting such as horse riding facilities, golf courses and golf driving ranges, touring caravan and campsites.

The proposal would see the site operating in a manner similar to a caravan site or campsite, with the pods providing short term holiday accommodation in a rural location. The proposed use of the site for glamping pods can therefore be considered to be in compliance with criteria a of Policy Env 10. The principal of the proposal is therefore acceptable.

However as will be established in section d below, the proposal would detract from the landscape quality and rural character of the area and would have a significant adverse impact upon the character or qualities of the Special Landscape Area.

#### b) Setting of a Listed Building

One of the buildings located relatively near the site is Bonaly Tower a category A listed Baronial castle. However the site is located over 80 metres away (approximately) and is screened to a degree by trees. As a result the proposal will have no impact on the setting of the listed building.

The proposal complies with LDP policy Env 3.

#### c) Design and density of proposal

Policy Des 4 of the LDP states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact upon views having regard to

- (a) height and form,
- (b) scale and proportions, including the spaces between buildings
- (c) positioning of buildings and other features on the site
- (d) materials and detailing

Although full details have not been provided at this stage, the applicant has provided a proposed location/block plan indicating that ten pods and two other structures including a reception cabin and barbeque hut will be installed. The proposed pods shall be constructed from timber with timber single roofs or felt tile roofs.

The supporting information provided states that the proposed pods will be of varying sizes, housing between 2-6 occupants, of between 4.5 metres by 2.5 metres for the smaller pods and up to 9 metres by 5 metres for the larger pods. Whilst the suggested height of the pods is stated at around 2.7 metres.

Given the above the floor plan sizes of these pods are quite substantial and the floor sizes of the larger pods are not dissimilar to that of some flatted properties. The larger of the pods would likely be far more substantial than that shown on the indicative site plan submitted.

Even though the supporting statement suggests that the density of development on the site would be low, the levels of development proposed would be far greater than that already established nearby. The residential properties closest to the site appear to be set within quite large garden grounds and are separated a large distance apart.

While not enough information has been provided in order to conclusively assess the suitability of the proposal in terms of its proposed form, materials and detailing, the information submitted does show large almost dwelling house scale buildings which

do not have similar characteristics to the surrounding dwellings and do not respect the established countryside grain.

The proposal does not comply with LDP policy Des 4.

d) Landscape quality and/or rural character of the Greenbelt, special character of the Pentlands Special Landscape Area and impact upon the Pentlands Hills Regional Park

LDP Policy Env 10 requires that new development does not detract from the landscape quality and/or rural character of the area.

The site is identified in the LDP as a Special Landscape Area (SLA). It is also near a local biodiversity site, Braid Burn Complex- Bonaly Water, is near Bonaly Country Park and is within the Pentland Hills Regional Park.

Policy Env 11 Special Landscape Areas states that planning permission will not be granted for development which would have a significant adverse impact upon the special character or qualities of the Special Landscape Area. A landscape and visual impact assessment is likely to be needed in support of proposals affecting an SLA. No landscape or visual assessment has been submitted, although it is acknowledged that the submission of a detailed landscape and visual impact assessment would be difficult to produce at the planning permission in principle stage.

LDP policy Env 17 states that development which supports the aims of the Pentland Hills Regional Park will be permitted provided it has no unacceptable impact upon the character and landscape quality of the park.

A large part of the character of the landscape is its views and sense of parkland. The Edinburgh Landscape Character Assessment (2010) outlines the essential qualities and characteristics of the area and the potential for enhancement. It describes the landscape as *"providing an identifiable setting and containment of the city and surrounding settlements. It is of high scenic value and offers a sense of isolation."*

A Scottish Government Reporter stated in the recent enforcement appeal decision at the site (18/00053/ENFORC) that *This is a valuable area of countryside, potentially vulnerable to inappropriate urban influences, which makes an important contribution not only to the landscape setting of the city but also that of the Pentland Hills. It is reasonable to expect a high standard of visual amenity in such an area not least because, as I observed on my site inspection, significant numbers of people pass the entrance to the site on their way to and from the regional park*

Whilst the location of the pods have been restricted to the south side of the ridge, which is not visible from Edinburgh city, or the by-pass, the site will be highly visible from most of the above designations (i.e., the defined Special Landscape Area, Bonaly Country Park, the Pentlands Regional Park and especially from the adjacent Torduff Hill, a popular route for walkers.

The proposal would change the site from a green field which provides a simple uncluttered backdrop for the City of Edinburgh skyline and a defined rural entrance to

the Pentlands, to one of scattered camping pods and ancillary development. This will result in a permanent change in landscape character and would have an adverse visual impact on an area of high scenic value.

Another concern relating to the proposal is that there could be several other ancillary buildings required (small waste/ recycling enclosure, cycle secure enclosure and storage tank for the water supply), which have not been shown at this stage, as well as other ancillary development required including car parking and roads.

Whilst the supporting statement suggests that car parking and roads could be formed from loose surfacing or reinforced grass it is possible that these will need to be converted to more permanent hardstanding's in the future. Due to the sloping site, erosion (especially rill erosion) could be a problem. Therefore it is likely that the access road will need to be a bituminous material and drainage measures required to be implemented. This combined with the relatively substantial pods and other buildings, would all combine to have a significant adverse impact upon the special character or qualities of the defined SLA and the character and landscape of the Pentland Hills Regional Park.

The proposal would result in the construction of an incongruous development which would significantly disrupt the established rural character of the surrounding area. The site has a managed rural and agricultural appearance and contributes to the special character and qualities of the SLA.

The proposal would have a significant adverse impact on the special character and qualities of the SLA, the character and landscape of the Pentland Hills Regional Park and the landscape quality and rural character of the defined green belt.

The proposal is contrary to LDP policy Env 10, Env 11 and Env 17.

#### e) Amenity of Neighbouring Residents

LDP policy Des 5 states that planning permission will be granted where it is demonstrated that the amenity of neighbouring developments is not adversely affected.

LDP policy Hou 7 confirms that developments which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted. The policy is firstly, to preclude the introduction or intensification of non-residential uses incompatible with predominately residential areas and secondly to prevent further deterioration in living conditions in more mixed use areas which nevertheless have important residential functions.

Environmental Protection were consulted as part of the assessment of the application and have recommended that the application be refused due to its potential impact on the amenity of local residents. In particular they were concerned as the garden grounds of one property is sited within 10 metres of the boundary of the site.

The site is intended to be used by individuals who are on holiday. Individuals on holiday may often behave in a different manner to permanent residents of a residential

premises, and are more likely to utilise the areas outside the pods during the spring and summer months for long periods of time playing, eating, drinking and talking. The potential therefore exists for the proposal to cause noise disruption to neighbouring residents on a regular basis. No site management plan has been submitted and concerns are raised about how enforceable any site management plan would be in practice, especially with the site being so close to residential properties.

The pods could be positioned to ensure that they would not cause a material level of overshadowing to nearby properties. Likewise the windows could be positioned to ensure no loss of privacy. These matters could be conditioned for further details to be supplied as part of the required subsequent AMC application.

The proposal would have a materially detrimental impact on the living conditions of neighbouring residents and is contrary to LDP policy Des 5 and Hou 7.

#### f) Parking and Road Safety

LDP policy Tra 2 states that planning permission will be granted for development where the proposed car parking provision complies with and does not exceed the parking standards set out in Council Guidance.

LDP policy Tra 3 states that planning permission will be granted for development where the proposed cycle parking and storage provision complies with the standards set out in Council Guidance.

The Edinburgh Design Guidance does not contain any set vehicle or cycle parking standards for campsites. The proposal does not include any specific details with regards to car or cycle parking. However, these aspects could be conditioned for consideration under the required AMC application.

The Roads Authority was consulted on the proposal and raised no objection either on the grounds of parking or road safety. The proposal does not raise any issues in respect of these matters and complies with LDP policy Tra 2 and Tra 3.

#### g) Flood Prevention

The site does not fall within an area which is identified by SEPA as being subject to flooding. A surface water management plan would be required, however, this could be included as part of the later AMC application. The proposal will not be at risk of flooding or increase the flood risk to the surrounding area and complies with LDP policy Env 21.

#### h) Additional Material Matters

##### Archaeology

The city archaeologist has examined the proposal and advised that the site is located in an area of archaeological potential. Therefore, in the event that any proposal is granted

permission , it is recommended that a condition is attached requiring an archaeological survey to be undertaken before development is commenced. The proposal complies with LDP policy Env 9.

### Sewage and Drainage Provision

Scottish Water were consulted as part of the assessment of the application. They have confirmed that they have no objections to the proposal.

SEPA were also consulted in relation to the proposed sewage and drainage arrangements for the site. They responded that not enough information had been provided for them to comment on the potential consentability of the foul drainage arrangements under the Water Environment (Controlled Activities) (Scotland) Regulations and we therefore they objected due to a lack of information in this regard.

The proposal does not comply with LDP policy RS 6.

### i) Matters Raised in Representations

#### **Objection Comments**

#### **Material Considerations**

- Proposal is not an acceptable green belt use in principle - addressed in section 3.3 (a).
- Proposal will have an adverse impact on the setting of a listed building - addressed in section 3.3 (b).
- Proposal will have an adverse impact on the rural character and appearance of the surrounding area and the quality of the special landscape area - addressed in sections 3.3 (d).
- Proposal will have an adverse impact on the amenity of neighbouring residents by means of anti-social behaviour, privacy/overlooking and loss of daylight and light pollution - addressed in section 3.3 (e).
- Proposal will have an adverse impact on parking and road and pedestrian safety, especially for nearby school children- addressed in section 3.3 (f).
- Concerns relating to water and proposed sewage arrangements- addressed in section 3.3 (h).
- Concerns regarding the neighbour notification process- The process has been checked and has been found to have been carried out correctly.
- Proposal is contrary to Scottish Planning Policy - There is no specific policy within Scottish Planning Policy which regulates the erection of glamping pods.

- Potential health risks of the site being close to Pylons and telephone masts. - Environmental Protection were consulted and raised no concerns in this regard.

### **Non-Material Considerations**

- Proposal will create issues regarding waste disposal from the site - The City of Edinburgh Council no longer provides waste provision for commercial operators. It will be the responsibility of the applicant to arrange for the storage and collection of waste with a private contractor.

It is recommended that this application be Refused for the reasons below.

### **3.4 Conditions/reasons/informatives**

## **Reasons:-**

1. The proposal is contrary to the adopted Edinburgh Local Development Plan Policy Env 11 as it fails to demonstrate that the proposal will have a positive impact on the character and appearance of the Special Landscape Area.
2. The proposal is contrary to policy Env 10 of the adopted Edinburgh Local Development Plan as it would detract from the rural character and appearance of the surrounding area.
3. The proposal is contrary to policy Hou 7 of the adopted Edinburgh Local Development Plan as it would have a materially detrimental impact on the living conditions of neighbouring residents.
4. The proposal is contrary to policy Env 17 of the adopted Edinburgh Local Development Plan as it would have an unacceptable impact upon the character and landscape quality of the park.
5. The proposal is contrary to policy Des 5 of the adopted Edinburgh Local Development Plan as it would adversely affect the amenity of neighbouring developments.
6. The proposal is contrary to policy Rs 6 of the adopted Edinburgh Local Development Plan as not enough information has been supplied to show that there is adequate sewerage to meet the demands of the development.
7. The proposal is contrary to policy Des 4 of the adopted Edinburgh Local Development Plan as it will not have a positive impact on its surroundings.

## **Risk, Policy, compliance and governance impact**

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**4.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **5.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Consultation and engagement**

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## 6.1 Pre-Application Process

There is no pre-application process history.

## 6.2 Publicity summary of representations and Community Council comments

16 letters of objection were received in relation to application. The points raised shall be addressed in section 3.3 of this report.

### Background reading / external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**Statutory Development  
Plan Provision**

**Date registered** 12 July 2019

**Drawing  
numbers/Scheme** 01;02;03,  
Scheme 1

David R. Leslie  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Robert McIntosh, Planning Officer  
E-mail:robert.mcintosh@edinburgh.gov.uk Tel:0131 529 3422

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

LDP Policy Env 17 (Pentlands Hills Regional Park) identifies the circumstances in which development will be permitted in the Pentlands Hills Regional Park.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

# Appendix 1

## Consultations

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Environmental Protection.

I refer to the above application and would comment that Environmental Protection are unable to support this application.

The proposed development is for a campsite which will provide accommodation in permanently sited camping pods (approximately 10 in number) along with site reception facilities and a barbecue pod.

The site is located on a roughly triangular shaped plot to the north of Bonaly Road. There are residential properties in close proximity to the site, the closest property is located to the south less than 10m from the site and shares a boundary with the strip of land surrounding the application site. There are several other properties located to the south, east and west of the proposed development.

The development is for leisure uses and therefore we have concerns in relation to the potential for noise and smoke or odour affecting the residential premises from activities on the site. It is possible that the site could accommodate up to 60 people dependant on the size and design of the pods. It is likely that the open space of the site will be used for socialising and activities. Noise from the activities of users of the site could potentially cause disturbance particularly at night to those residential premises situated in close proximity.

It is also noted that a barbecue pod will be provided for the use of site patrons. Smoke and odour from this and any other fires such as any wood burning stoves installed in pods, portable barbecues or informal fires could also affect the amenity of nearby residential properties. Although it is stated that informal fires and barbecues would not be permitted on site, it is not clear how this could be controlled or enforced.

It should also be noted that the site, if consent is approved, would be considered to be a caravan site. Under the Caravan Sites and Control of Development Act 1960 (as amended), the definition of a caravan is "any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted". The pods are, according to the statement submitted in support of the application, removable and therefore it is considered that the site would require to be licensed and the layout of the site, roads, parking and facilities etc. would require to meet the standards laid down in the Model Standards developed under the legislation.

Roads Authority

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant will be required to provide secure and under cover cycle parking;
2. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;
3. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), and timetables for local public transport;
4. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address;
5. Electric vehicle charging outlets should be considered for this development;
6. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority;
7. The applicant should note that Torduff Road is an adopted road. Therefore, any work proposed on or affecting Torduff Road requires road opening permits prior to the commencement of work.

#### Scottish Water

Scottish Water has no objection to this planning application; however, the applicant should

be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

Water: There is currently sufficient capacity in the Marchbank Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

Foul: There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.

Infrastructure close to boundary: According to our records, the development proposals may impact on existing Scottish Water assets.

The applicant should identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk). The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

SEPA

Further to your consultation with SEPA on the planning application detailed above.

I have consulted with colleagues in our local regulatory/permitting team, seeking their views on the specific question you included in your letter to SEPA, this being 'concerns over the septic tank. It is proposed to have the 10 pods drain to a septic tank where water, will return to ground via a soak-away within the applicant's land'.

Having reviewed the supporting information, the proposal would seem to be a discharge of treated foul effluent via a soakaway, and that the pods may have a total Population Equivalent (P.E.) of between 20 and 60. There is no confirmation of any percolation figures that may allow or disallow a soakaway at this location, or of the PE for the site.

As a consequence of this uncertainty, we are unable to comment on the potential consentability of the foul drainage arrangements under the Water Environment (Controlled Activities) (Scotland) Regulations and we therefore object due to a lack of information in this regard. We would ask that the applicant provides more detail on the drainage proposals in order to confirm the issues mentioned above.

END

## Memorandum

**To** Head of Planning  
City of Edinburgh Council  
Planning and Building Standards  
Services for Communities  
Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8BG

F.A.O Lynsey Townsend

**From** John A Lawson

**Date** 4<sup>th</sup> December 2015

**Your ref** 15/05533/FUL

**Our ref** 15/05533/FUL

Dear Lynsey,

### Bonaly Farm Torduff Road

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the erection of a house.

Lying at the foot of the Pentlands, the site occupies a prominent ridge adjacent to the historic 19<sup>th</sup> century Bonaly Castle. The present historic estate and castle constructed in 1820 by Lord Cockburn resulted in the destruction of Bonaly village depicted on General Roy's 1750's map of the area. This village may date back to 1280 and was attached to the large medieval estate of Redhall. The village was owned by Wallace's of Ayrshire between 1462 & 1555, who gave the village its alternative name of Bonaly Wallace. In addition to the medieval occupation in this are the surrounding northern slopes of the Pentlands are known to contain significant prehistoric activity, with several sites (Hillend, Swanston, Torgeth Knowe & Clubbidean) recorded within the immediate area.

The site is regarded as occurring within an area of archaeological potential and this application must be considered under terms of the Scottish Government's Scottish Planning Policy (SPP), PAN2/2011 and Scottish Historic Environment Policy (SHEP) and also Rural West Edinburgh Local Plan policies E30. **The aim should be to preserve archaeological remains *in situ* as a first option**, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

The site occurs within an area of archaeological potential as development in this area may reveal remains associated with the medieval and later village and estate of Bonaly and possibly also earlier prehistoric activity. As the site has remained relatively undeveloped construction of this new house and associated

**Lynne Halfpenny, Director of Culture, Cultural Services, City Strategy and Economy**

City of Edinburgh Council Archaeology Service, Museum of Edinburgh, 142 Canongate, Edinburgh, EH8 8DD  
Tel 0131 558 1040 Fax 0131 558 1090  
john.lawson@edinburgh.gov.uk

access road is considered to have a low but potentially significant archaeological impact. It is therefore recommended that a programme of archaeological work is undertaken prior to/during development in order to fully excavate, record and analysis of any surviving archaeological remains that may be affected..

It is recommended that these programme of works be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Excavation, reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation (WSI) submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Please contact me if you require any further information.

Yours sincerely

**John A Lawson**  
**Archaeology Officer**

14<sup>th</sup> October 2019

Edinburgh City Council  
Waverly Court 4 East Market Street  
Edinburgh  
EH8 8BG



Development Operations  
The Bridge  
Buchanan Gate Business Park  
Cumbernauld Road  
Stepps  
Glasgow  
G33 6FB

Development Operations  
Freephone Number - 0800 3890379  
E-Mail - DevelopmentOperations@scottishwater.co.uk  
www.scottishwater.co.uk

Dear Local Planner

**EH13 Edinburgh Torduff Road Bonaly Farm**  
**PLANNING APPLICATION NUMBER: 19/03360/PPP**  
**OUR REFERENCE: 783624**

**PROPOSAL: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services**

**Please quote our reference in all future correspondence**

Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:

#### **Water**

- There is currently sufficient capacity in the Marchbank Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

#### **Foul**

- There is currently sufficient capacity in the Edinburgh PFI Waste Water Treatment Works. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.

**The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.**

### **Infrastructure close to boundary**

According to our records, the development proposals may impact on existing Scottish Water assets.

The applicant should identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team directly at [service.relocation@scottishwater.co.uk](mailto:service.relocation@scottishwater.co.uk).

The applicant should be aware that any conflict with assets identified may be subject to restrictions on proximity of construction.

### **Scottish Water Disclaimer**

*"It is important to note that the information on any such plan provided on Scottish Water's infrastructure, is for indicative purposes only and its accuracy cannot be relied upon. When the exact location and the nature of the infrastructure on the plan is a material requirement then you should undertake an appropriate site investigation to confirm its actual position in the ground and to determine if it is suitable for its intended purpose. By using the plan you agree that Scottish Water will not be liable for any loss, damage or costs caused by relying upon it or from carrying out any such site investigation."*

### **Surface Water**

For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will **not** accept any surface water connections into our combined sewer system.

There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification taking account of various factors including legal, physical, and technical challenges. However it may still be deemed that a combined connection will not be accepted. Greenfield sites will not be considered and a connection to the combined network will be refused.

In order to avoid costs and delays where a surface water discharge to our combined sewer system is proposed, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.

### **General notes:**

- **Scottish Water asset plans can be obtained from our appointed asset plan providers:**

**Site Investigation Services (UK) Ltd**

**Tel: 0333 123 1223**

**Email: [sw@sisplan.co.uk](mailto:sw@sisplan.co.uk)**

**[www.sisplan.co.uk](http://www.sisplan.co.uk)**

- Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be

adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area then they should write to the Customer Connections department at the above address.

- If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.
- Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.
- The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.
- **Please find all of our application forms on our website at the following link <https://www.scottishwater.co.uk/Business-and-Developers/Connecting-to-Our-Network>**

#### **Next Steps:**

- **Single Property/Less than 10 dwellings**

For developments of less than 10 domestic dwellings (or non-domestic equivalent) we will require a formal technical application to be submitted directly to Scottish Water or via the chosen Licensed Provider if non domestic, once full planning permission has been granted. Please note in some instances we will require a Pre-Development Enquiry Form to be submitted (for example rural location which are deemed to have a significant impact on our infrastructure) however we will make you aware of this if required.

- **10 or more domestic dwellings:**

For developments of 10 or more domestic dwellings (or non-domestic equivalent) we require a Pre-Development Enquiry (PDE) Form to be submitted directly to Scottish Water prior to any formal Technical Application being submitted. This will allow us to fully appraise the proposals.

Where it is confirmed through the PDE process that mitigation works are necessary to support a development, the cost of these works is to be met by the developer, which Scottish Water can contribute towards through Reasonable Cost Contribution regulations.

- **Non Domestic/Commercial Property:**  
Since the introduction of the Water Services (Scotland) Act 2005 in April 2008 the water industry in Scotland has opened up to market competition for non-domestic

customers. All Non-domestic Household customers now require a Licensed Provider to act on their behalf for new water and waste water connections. Further details can be obtained at [www.scotlandontap.gov.uk](http://www.scotlandontap.gov.uk)

- **Trade Effluent Discharge from Non Dom Property:**

Certain discharges from non-domestic premises may constitute a trade effluent in terms of the Sewerage (Scotland) Act 1968. Trade effluent arises from activities including; manufacturing, production and engineering; vehicle, plant and equipment washing, waste and leachate management. It covers both large and small premises, including activities such as car washing and launderettes. Activities not covered include hotels, caravan sites or restaurants.

If you are in any doubt as to whether or not the discharge from your premises is likely to be considered to be trade effluent, please contact us on 0800 778 0778 or email [TEQ@scottishwater.co.uk](mailto:TEQ@scottishwater.co.uk) using the subject "Is this Trade Effluent?". Discharges that are deemed to be trade effluent need to apply separately for permission to discharge to the sewerage system. The forms and application guidance notes can be found using the following link <https://www.scottishwater.co.uk/business/our-services/compliance/trade-effluent/trade-effluent-documents/trade-effluent-notice-form-h>

Trade effluent must never be discharged into surface water drainage systems as these are solely for draining rainfall run off.

For food services establishments, Scottish Water recommends a suitably sized grease trap is fitted within the food preparation areas so the development complies with Standard 3.7 a) of the Building Standards Technical Handbook and for best management and housekeeping practices to be followed which prevent food waste, fat oil and grease from being disposed into sinks and drains.

The Waste (Scotland) Regulations which require all non-rural food businesses, producing more than 50kg of food waste per week, to segregate that waste for separate collection. The regulations also ban the use of food waste disposal units that dispose of food waste to the public sewer. Further information can be found at [www.resourceefficientscotland.com](http://www.resourceefficientscotland.com)

If the applicant requires any further assistance or information, please contact our Development Operations Central Support Team on 0800 389 0379 or at [planningconsultations@scottishwater.co.uk](mailto:planningconsultations@scottishwater.co.uk).

Yours sincerely

**Angela Allison**

[Angela.Allison@scottishwater.co.uk](mailto:Angela.Allison@scottishwater.co.uk)

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Alexandra Murray

Address: 24 Redford Avenue Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this proposal as there will be a significant increase in traffic volume directly past Bonaly Primary school (situated just before this site on the only road to the site) posing a significant risk to children coming to and from school. The school has had difficulties with road safety on this exact road over recent years and has been putting measures in place to try and overcome this. Clearly increasing the traffic volume on this road will not help with this issue.

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr Brian McGhee

Address: 61 Bonaly Road Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The application is for change of use as noted. The commentary on the application enlarges on that referring to 10 wooden accommodation pods of various sizes, a site office, a barbeque building, various other facilities, storage for bicycles, and parking adjacent to each pod. The field is within the Green Belt as designated in the Edinburgh Local Development Plan. It is also a Special Landscape Character area within the Pentland Hills Regional Park. All adjacent fields are used for agricultural purposes, primarily for horse or haylage.

I understand that development is restricted to agriculture, woodland and forestry.

This proposal seeks to change the nature of the environment to create a commercial business almost certainly leading to disturbance and other issues likely to change the nature of the locale. Interested parties, which are not limited to the neighbourhood notifications, are likely to include Bonaly Primary School (which has had recent traffic calming measures introduced to address the safety of children and parents), a variety of local residents, including but not limited to those at Bonaly Tower and adjacent properties, Bonaly Wester etc., and the general public of walkers gaining access to the Country Park via Torduff Road.

Foreseeable concerns for interested parties are likely to include visual impact (the site is clearly visible from Torduff Hill), noise disturbance, traffic impact, waste disposal amongst others.

Fundamentally this is a proposal for a change of use which is not aligned with the nature of the environment.

It is also worth noting that the proposed site adjoins a longstanding residential property, and it is difficult to see how a commercial camping site is ever likely to be an acceptable neighbouring use.

I appreciate that the application is for a change of use in principle, but it is important to look ahead to the implications if granted, and the weight of resultant practical issues that would arise.



# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr John Jamieson

Address: 65/1 Bonaly Road Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I list my serious concerns:

1/ A soak away septic tank is planned. Where exactly would the clear fluid seep away too? The Bonaly Burn flows right through our garden and I would be concerned about the additional waste.

2/ Fresh water, I am concerned that the additional water required to service these pods would lead to a further reduction in our pressure which is little enough at present.

3/ The owner of the adjoining field holds a party in the field once a year. This causes extreme noise in the adjoining houses and gardens. We accept this happens only once a year, but the potential of 10 pods and two BBQ pits is for there to be extreme noise from the podders every night of the week.

4/ Locally we have a huge problem with squirrels eating through rubbish bins and spreading waste all around, this in turn attracts other vermin. How will this be contained?

5/ Volume of traffic on this virtually one track road has increased dramatically over the last couple of years. The coming and going of the pod residents will only add to the congestion on Bonaly Road and further endangering the primary children, as strangers to the area are not familiar with giving priority to drivers coming up the hill.

6/ There is bound to be light pollution locally with having permanent pods including a wardens office. I understand that having a permanent residence on site would not be permitted within the country park or green belt area!!!

7/ The top 3 floors of Bonaly Tower would have sight of these pods and would therefore detract hugely from their views.

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr brian finlayson

Address: 65(8) bonaly road colinton edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I note this application.

this represents an attempt to materially change the use of this field which is in the green belt and the Pentlands Hills Regional Park.

It envisages accommodation bods with various facilities and potentially a residential property.

Now traffic has materially increased in recent years with the opening of the school and expensive new road workings have had to be installed to cope with the increased traffic. Such a development would significantly increase traffic and there is no way in which the traffic can go any other way.

There is also the question of pollution and noise. I live in Bonaly Tower.

This represents the thin edge of the wedge.

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Katie Cebula

Address: 29 Torduff Road Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We appreciate that the application is for change of use and 'planning permission in principle', but at this stage, objection is on the following grounds:

(1) This site is within an area designated as greenbelt land. The change of use described would be detrimental to the rural character of this area, with potential impact in terms of visual impact, noise disturbance, waste disposal, and wildlife. In particular, there is lots of wildlife (e.g. deer) frequently spotted in that field, and an additional 10 holiday dwellings and associated traffic will be detrimental to this.

(2) Concerns about the impact on the local water supply of having such an increase in the number of people (unspecified at this stage, but potentially 50+ including, presumably, a permanent on-site manager) requiring water in the vicinity. We have already had issues this year with water pressure drop off on Torduff Road, and that is on the basis of currently having only 5 houses on the road.

(3) Torduff Road is predominantly used by dog walkers and cyclists. The access proposed in this application is on the corner of a road - you would struggle to find a more dangerous access point on this road. Scottish Water are currently using this access point out of necessity (and it is clearly a dangerous point, given the very large number of caution signs they have erected for cyclists).

(4) Concerns around increase in traffic, particularly as the site can only be accessed by going past Bonaly primary school, which has recently had traffic calming measures put in place.

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr Ronald Partington

Address: 67 Bonaly Road Colinton Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

I wish to register my concerns about this planning application.

The field is within the Green Belt as designated in the Edinburgh Local Development plan (EDLP) also it is within the Pentland Hills Regional Park and a Special landscape character area. Conditions for development are specified in EDLP, ENV10 and ENV11. Essentially development is restricted to agriculture woodland and forestry. Building development is restricted to existing structures. The proposal seeks to change the use of the field by interpreting the conditions stipulated for environmental and landscape issues as being met by the applicant and that there would be no detracton from the landscape quality and character.

This application is for a Commercial enterprise, which would have a significantly detrimental impact on this rural area, especially in the generation of extra traffic on the existing restricted road system that passes the Bonaly Primary School. It would create considerable noise and disturbance within the area and is out of character with the surroundings. The visual impact would also be adversely affected, especially viewed from Torduff hill.

It is appreciated that the application is for change of use in principle, but the Planning Committee should be made aware of the issues that would have to be addressed, if this or any variation of the proposal is considered.

- Ten permanent pods together with reception cabin and BBQ hut, all on concrete bases, randomly situated on open farmland
- Parking for a vehicle, adjacent to each pod.

- Accommodation for bicycles.
- Control of the site and noise levels.
- Water supply.
- Access to the field, which is proposed on a dangerous bend of Torduff Road.

The notification of the application was sent only to myself and one other local resident. It was received at my home one day prior to a holiday from which I returned on the 10th August (i.e. four days in which to respond).

The implications of setting up a business of this nature in an existing agricultural/residential area are considerable and wide-spread. I would ask that further time be allowed to carry out a more comprehensive consultation.

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Melanie Izon

Address: 24 Harebeating Drive Hailsham

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am the owner and neighbour of the field that is on the boundary to the western side of the proposed site.

I did not receive any formal notification of this proposed change of use! I was informed yesterday (13/8/19) by a concerned friend who uses my paddock for her horses! I have very little time to look into this comprehensively as the last date for comment is today!

I wish to register my objection and concerns over this proposed planning application. The field is within the Green Belt area in the EDLP. It is within the Pentland Hills Regional Park and is a Special Landscape Character area.

Conditions for development specified in EDLP ENV10/11 are restricted to agriculture woodland and forestry. Building development is restricted to existing structures.

This proposal seeks to change the field use by interpreting the conditions stipulated for environmental and landscape issues as being met by the applicant, stating that there would be no detracting to the character and quality of the landscape.

This is an application for a commercial enterprise which will have a significant and detrimental impact on this rural area. Although this application is for a change of use in principle, the Planning Committee should be made aware of the issues that need to be addressed if this or any variation of the proposal is considered.

1. Design and appearance of the development - permanent wooden structures on concrete bases

with gravel standing for cars, this is a lodge park and not my understanding of glamping

2. The impact upon the landscape - the visual impact would be adversely effected particularly viewed from Torduff hill
3. The overshadowing of an overbearing presence near a common boundary to the detriment of neighbours
4. Overlooking and loss of privacy for neighbours
5. Light pollution - campers up at all hours
6. Health and crime fears
7. Road issues: traffic generations (coming and going of campers and service vehicles) vehicle access ( with Bonaly primary school nearby the extra traffic ends in a bottleneck at the junction by the school leading to the proposed site) road safety for students and walkers become an issue
8. Car parking provision - on or off-site - this is not accounted for in the site layout
9. The capacity of the local infrastructure - drainage (particularly with respect to Bonaly Burn), water, and electricity
10. The noise and disturbance resulting from use - the proposed site is to be open all year round. Noise from campers and traffic
11. Smells - refuse waste, and use of, and control of campfires
12. Security on and off-site
13. Effect on adjoining fields containing livestock - currently in use with horses
14. Control of dogs - if off-lead could escape and cause stress and damage to livestock
15. Lack of equal access for people with disabilities to the glamping pods

I have been made aware that only two residents were formally notified of this proposed venture. Surely with the setting up of a commercial business of this nature within an existing residential and agricultural area, there would be a widespread interest from the neighbourhood.

I ask if a more comprehensive distribution of this proposal be made.



# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Caroline Ashbrook

Address: 1 Redford Crescent Colinton Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Very concerned about the increase in traffic this will incur. I think the camping will lead to unacceptable levels of danger for the school children.

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Judith McLean

Address: 54 Torphin Road Colinton Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to this proposal. This is Green Belt Land. Just like the recent application by Tiphereth for Torphin Road proposing flats and houses on Green Belt Land. Development on both of these sites is inappropriate

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Tammy Piper

Address: 88 Bonaly Road Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Although the proposal's green credentials are good, I am concerned about the increase in traffic going over the bridge to the proposed campsite. As the last house before the flyover bridge we already have a lot of traffic going this way when any event at the scout hut and with the current waterworks. I am also concerned about noise from campsite users - would large groups be able to stay onsite, stag/hen parties? Would the site owners be onsite to manage any noisy guests?

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr Stephen OSullivan

Address: 69 Dreghorn Loan Colinton Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: As a regular user of the Pentland hills and the beautiful green belt area to the South of the city, I feel strongly that this business goes against the keeping of our limited green areas green".

There is ample camping not too far from here on multiple sites.

My children attend Bonaly PS and this business would result in increased traffic. Additionally there is a scout camp further up that same road which is regularly used for camp purposes.

There seems to me to be no end to the fine ancient deciduous trees being cut down (across road from me) and re-purchasing of what was protected green areas for things that are simply not required and take from this place rather than enhance.

Enough please.

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Heather Hartley

Address: 6 Bonaly Grove Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My reasons for objection are twofold:

1. This is green belt land. It should therefore be land that is largely undeveloped, wild or agricultural in nature.
2. A campsite would result in increased traffic on Bonaly Road, passing Bonaly Primary School.

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Mukhayyo Umarova

Address: 56 Bonaly Road Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object because

1. The site will increase the traffic load which will put children in danger in nearby Bonaly Primary School.
2. It would spoil natural balance at the foot of Pentlands on which deer, many wild birds would be further disturbed.
3. It will diminish local peoples ability to access Pentlands.
4. It will add pressure to already overused parking area on Torduff road.

# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Janette Loraine McPherson

Address: 30 Bonaly Crescent Colinton Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Reference number: 19/03360/PPP

Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services at Bonaly Farm, Torduff Road, Edinburgh.

I would like to object to the above proposed development.

1. This is yet another attempt of a creeping development into the green belt.
2. Bonaly Road is a busy narrow road with traffic calming measures in place. This road is already congested and cannot take any more traffic. Bonaly estate should not be used as "rat run". It also has narrow roads with Bonaly School at the south west end onto Bonaly Road.
3. Safety of school children should be paramount. The proposed development traffic would go right past Bonaly School at the narrowest section of Bonaly Road. The school has already got zigzag markings on the road and the children have a "walking bus" as there are no facilities to park to drop off the children due to the narrow road structure. More traffic would endanger the children during construction and when the proposed development is completed.
4. Once a change of use is granted the amount of development, ancillary buildings etc. tend to increase in numbers.
5. The application form states that the access to the proposed development is from a public road. The supporting planning statement states the proposed access is from Torduff Road which the statement states is a private road owned by Scottish Water. It also states that the proposal is change of use of existing hay field to campsite etc. but under certificates and notices they have stated that the land is not part of an agricultural holding.
6. I do question if there are potential health risks with the proposed development in a field with nearby masts for mobile telephone transmissions and pylons for high voltage electricity transmission.

I request that this application be rejected



# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr Ian McPherson

Address: 30 Bonaly Crescent Colinton Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Reference number: 19/03360/PPP

Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services at Bonaly Farm, Torduff Road, Edinburgh.

I would like to object to the above proposed development.

1. This is yet another attempt of a creeping development into the green belt.
2. Bonaly Road is a busy narrow road with traffic calming measures in place. This road is already congested and cannot take any more traffic. Bonaly estate should not be used as "rat run". It also has narrow roads with Bonaly School at the south west end onto Bonaly Road.
3. Safety of school children should be paramount. The proposed development traffic would go right past Bonaly School at the narrowest section of Bonaly Road. The school has already got zigzag markings on the road and the children have a "walking bus" as there are no facilities to park to drop off the children due to the narrow road structure. More traffic would endanger the children during construction and when the proposed development is completed.
4. Once a change of use is granted the amount of development, ancillary buildings etc. tend to increase in numbers.
5. The application form states that the access to the proposed development is from a public road. The supporting planning statement states the proposed access is from Torduff Road which the statement states is a private road owned by Scottish Water. It also states that the proposal is change of use of existing hay field to campsite etc. but under certificates and notices they have stated that the land is not part of an agricultural holding.
6. I do question if there are potential health risks with the proposed development in a field with nearby masts for mobile telephone transmissions and pylons for high voltage electricity transmission.

I request that this application be rejected



# Comments for Planning Application 19/03360/PPP

## Application Summary

Application Number: 19/03360/PPP

Address: Bonaly Farm Torduff Road Edinburgh

Proposal: Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr Stuart Patterson

Address: 21 Bonaly Terrace Edinburgh

## Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this development for the following reasons:

\* This development is proposed on green belt land. Edinburgh's green belt is under sustained attack from developers, and approving these plans sets a precedent for any future developments to reference.

\* Access to the site is exclusively via Bonaly Road - this road is home to Bonaly Primary school. Increased traffic from this development endangers the children attending school. Indeed, it was only recently that the council proposed traffic free periods to protect children on their way to/from school, following an accident where a child was hit by a vehicle in 2014.

\* The plans mention a waste water treatment system with soak-away for waste water. Scottish Water are currently building a new water main close to the site, yet there have been no assurances that the water supply will not be contaminated from this development.

\* Nearby camping is available at the following locations:

- Bonaly Scout Camp
- Mortonhall Camp Site (within 5 miles)
- Seasonal camping in August near the Royal Highland Centre.

As such there is already ample camping in the area, especially during the peak season (August)

# MEMORANDUM

## PLACE

To: **Robert McIntosh**

Our Ref: T/TP/DC/41067/MS

Your Ref: 19/03360/PPP

Date: 18 September 2019

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**PLANNING APPLICATION NO: 19/03360/PPP**

**FOR: CHANGE OF USE OF EXISTING HAY FIELD TO CAMP SITE WITH  
ACCOMMODATION IN TIMBER PODS AND ANCILLARY SERVICES**

**AT: BONALY FARM, TORDUFF ROAD, EDINBURGH**

### **ROADS AUTHORITY ISSUES**

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant will be required to provide secure and under cover cycle parking;
2. The applicant should note that the Council **will not accept** maintenance responsibility for underground water storage / attenuation;
3. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), and timetables for local public transport;
4. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address;
5. Electric vehicle charging outlets should be considered for this development;
6. The developer must submit a maintenance schedule for the SUDS infrastructure for the approval of the Planning Authority;
7. The applicant should note that Torduff Road is an adopted road. Therefore, any work proposed on or affecting Torduff Road requires road opening permits prior to the commencement of work.

**Matthew Simpson**

**Tel: 3-3426**

To: Robert McIntosh  
From: Ann Connolly, Environmental Protection, Place

Date: 15<sup>th</sup> August 2019

**TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997  
19/03360/PPP CHANGE OF USE OF EXISTING HAYFIELD TO CAMPSITE WITH  
ACCOMMODATION IN TIMBER PODS AND ANCILLARY SERVICES| BONALY FARM, TORDUFF  
ROAD OFF BONALY ROAD, EDINBURGH**

I refer to the above application and would comment that Environmental Protection are unable to support this application.

The proposed development is for a campsite which will provide accommodation in permanently sited camping pods (approximately 10 in number) along with site reception facilities and a barbecue pod.

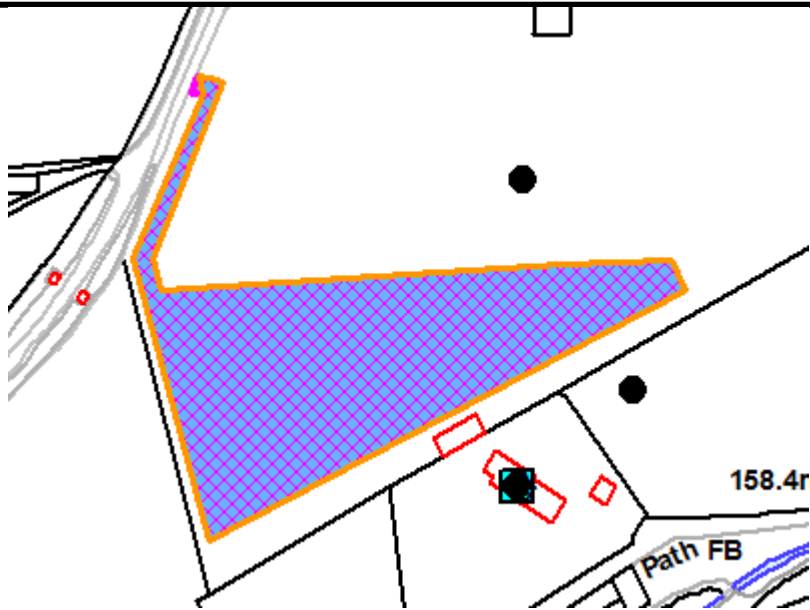
The site is located on a roughly triangular shaped plot to the north of Bonaly Road. There are residential properties in close proximity to the site, the closest property is located to the south less than 10m from the site and shares a boundary with the strip of land surrounding the application site. There are several other properties located to the south, east and west of the proposed development.

The development is for leisure uses and therefore we have concerns in relation to the potential for noise and smoke or odour affecting the residential premises from activities on the site. It is possible that the site could accommodate up to 60 people dependant on the size and design of the pods. It is likely that the open space of the site will be used for socialising and activities. Noise from the activities of users of the site could potentially cause disturbance particularly at night to those residential premises situated in close proximity. It is also noted that a barbecue pod will be provided for the use of site patrons. Smoke and odour from this and any other fires such as any wood burning stoves installed in pods, portable barbecues or informal fires could also affect the amenity of nearby residential properties. Although it is stated that informal fires and barbecues would not be permitted on site, it is not clear how this could be controlled or enforced.

It should also be noted that the site, if consent is approved, would be considered to be a caravan site. Under the Caravan Sites and Control of Development Act 1960 (as amended), the definition of a caravan is "any structure designed or adapted for human habitation which is capable of being moved from one place to another (whether by being towed, or by being transported on a motor vehicle or trailer) and any motor vehicle so designed or adapted". The pods are, according to the statement submitted in support of the application, removable and therefore it is considered that the site would require to be licensed and the layout of the site, roads, parking and facilities etc. would require to meet the standards laid down in the Model Standards developed under the legislation.

Please contact me on 0131 469 5806 should you wish to discuss the above.

## Neighbours Notified for 19/03360/PPP Date 24 July 2019



### Location Plan

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Number 100023420 The City of Edinburgh Council 2012.

67 Bonaly Road Edinburgh EH13 0PB

29 Torduff Road Edinburgh EH13 0PA







Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100226030-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation: Gain Planning Services

Ref. Number:  You must enter a Building Name or Number, or both: \*

First Name: \* Peter Building Name:

Last Name: \* MacLeod Building Number: 122

Telephone Number: \*  Address 1 (Street): \* Scott Street

Extension Number:  Address 2:

Mobile Number:  Town/City: \* Galashiels

Fax Number:  Country: \* United Kingdom

Postcode: \* TD1 1DX

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

☐ Individual ☒ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="54"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Main Street"/>
Company/Organisation	<input type="text" value="Pentlands Outdoor Activities (DPM)"/>	Address 2:	<input type="text" value="Davidsons Mains"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH4 5AA"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="667860"/>	Easting	<input type="text" value="321121"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services

## Type of Application

What type of application did you submit to the planning authority? \*

- ☐ Application for planning permission (including householder application but excluding application to work minerals).
- ☒ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

A separate detailed appeal statement is being submitted. The applicant is appealing the refusal because they are of the opinion that planning permission ought to have been granted. The reasons are presented in the attached statement.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☒ Yes ☐ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

It has been highlighted in the statement that measures to create some acoustic screening can be incorporated and that details of the design and number of the pods can be flexible, as this application is in principle only.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

The appeal statement, all previous planning submissions, the report of handling and decision notice.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

19/03360/PPP

What date was the application submitted to the planning authority? \*

12/07/2019

What date was the decision issued by the planning authority? \*

13/11/2019

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

It is important to understand the topography of the site, its character and its context.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

The site is not visible from Torduff Road due to the topography. It can be seen from more distant viewpoints towards Torduff Reservoir. Access is across a grass field which has recently been excavated for water suppl pipe upgrade by Scottish Water.

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Peter MacLeod

Declaration Date: 21/01/2020



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100173224-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- ☐ Application for planning permission (including changes of use and surface mineral working).
- ☒ Application for planning permission in principle.
- ☐ Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- ☐ Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Change of use of existing hay field to camp site with accommodation in timber pods and ancillary services.

Is this a temporary permission? \*

☐ Yes ☒ No

If a change of use is to be included in the proposal has it already taken place?

☐ Yes ☒ No

(Answer 'No' if there is no change of use.) \*

Has the work already been started and/or completed? \*

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Gain Planning Services		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Peter	Building Name:	
Last Name: *	MacLeod	Building Number:	122
Telephone Number: *		Address 1 (Street): *	Scott Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Galashiels
Fax Number:		Country: *	United Kingdom
		Postcode: *	TD1 1DX
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input type="checkbox"/> Individual <input checked="" type="checkbox"/> Organisation/Corporate entity			

## Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *		Building Number:	54
Last Name: *		Address 1 (Street): *	Main Street
Company/Organisation	Pentlands Outdoor Activities (DPM)	Address 2:	Davidsons Mains
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH4 5AA
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

667855

Easting

321139

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

0.49

Please state the measurement type used:

☒ Hectares (ha) ☐ Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Grass/hay field.

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

☒ Yes ☐ No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.</p>
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2> <p>Will your proposal require new or altered water supply or drainage arrangements? * <span style="float: right;"><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</span></p>
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input type="checkbox"/> Yes – connecting to public drainage network</p> <p><input checked="" type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>
<p>As you have indicated that you are proposing to make private drainage arrangements, please provide further details.</p> <p>What private arrangements are you proposing? *</p> <p><input checked="" type="checkbox"/> New/Altered septic tank.</p> <p><input type="checkbox"/> Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).</p> <p><input type="checkbox"/> Other private drainage arrangement (such as chemical toilets or composting toilets).</p>
<p>What private arrangements are you proposing for the New/Altered septic tank? *</p> <p><input checked="" type="checkbox"/> Discharge to land via soakaway.</p> <p><input type="checkbox"/> Discharge to watercourse(s) (including partial soakaway).</p> <p><input type="checkbox"/> Discharge to coastal waters.</p>
<p>Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: *</p> <div style="border: 1px solid black; padding: 10px; min-height: 80px;"> <p>This application is planning permission in principle, however it is proposed to have the 10 pods drain to a septic tank where water will return to ground via a soak-away within the applicant's land.</p> </div>
<p>Do your proposals make provision for sustainable drainage of surface water?? * <span style="float: right;"><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</span></p> <p>(e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>
<p>Are you proposing to connect to the public water supply network? *</p> <p><input checked="" type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

☐ Yes ☒ No ☐ Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

☐ Yes ☒ No ☐ Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

☒ Yes ☐ No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

☐ Yes ☒ No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013? \*

☐ Yes ☒ No ☐ Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

☐ Yes ☒ No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

☒ Yes ☐ No

Is any of the land part of an agricultural holding? \*

☐ Yes ☒ No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

# Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Peter MacLeod

On behalf of: Pentlands Outdoor Activities (DPM)

Date: 11/07/2019

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

☐ Yes ☐ No ☒ Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

☐ Yes ☐ No ☒ Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

☐ Yes ☐ No ☒ Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- ☒ Site Layout Plan or Block plan.
- ☐ Elevations.
- ☐ Floor plans.
- ☐ Cross sections.
- ☐ Roof plan.
- ☒ Master Plan/Framework Plan.
- ☐ Landscape plan.
- ☐ Photographs and/or photomontages.
- ☒ Other.

If Other, please specify: \* (Max 500 characters)

A supporting planning statement incorporating images and plans is included in the submission.

Provide copies of the following documents if applicable:

- |  |  |
|--|--|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Planning supporting statement

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name:

Declaration Date:

**Proposal Details**

Proposal Name	100226030
Proposal Description	Planning permission in principle for change of use of existing hay field to camp site with accommodation in timber pods and ancillary services and access
Address	
Local Authority	City of Edinburgh Council
Application Online Reference	100226030-001

**Application Status**

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

**Attachment Details**

Notice of Review	System	A4
LRB Appeal Statement 21 January 2020	Attached	A4
Application Form	Attached	A4
Planning Submission	Attached	A2
19_03360_PPP-Report and Decision letter	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

APPEAL FOR LOCAL REVIEW AGAINST REFUSAL OF PLANNING  
PERMISSION 19/03360/PPP FOR OUTDOOR CAMPING FACILITIES  
INCORPORATING CAMPING PODS & ANCILLARY WORKS  
AT  
TORDUFF ROAD, BONALY, EDINBURGH



Peter MacLeod, BSc. MSc. MRTPI  
Gain Planning Services  
122 Scott Street  
Galashiels  
Selkirkshire  
TD1 1DX  
Tel: 355  
Mob: 07910 828 625  
[pkmacleod@gainplanningservices.co.uk](mailto:pkmacleod@gainplanningservices.co.uk)

21 JANUARY 2020



## 1. INTRODUCTION

This statement forms the supporting information for the applicant's request for the Council to review the case under Section 43A of the Town and Country Planning (Scotland) Act 1997.

**THE SITE** - The site is a roughly triangular grass field bounded on the north and the west by Torduff Road, and to the south east by a field boundary towards Bonaly Road. The site is on the south side of a small ridge, or shoulder, that slopes down from west to east (from Torduff Road at the west to Bonaly Road in the east). The site slopes down to the south towards Bonaly Burn, but also down towards the north where the City Bypass sits in a prominent dip. The highest point of the site is at around 172 metres AOD, close to the property at 29 Torduff Road.

The site areas is 0.5 hectares. There is a thin strip of land surrounding this in the ownership of the applicant to remain undeveloped and which will contain landscaping. Torduff Road is a private road, owned by Scottish Water.

**THE PROPOSAL** - The proposal is for planning permission in principle to change the use of the site to permanently sited camping pods. These are yet to be detailed, but can vary in size, designed to accommodate from 2 to 6 persons. It is anticipated that there will be UP TO 10 of these timber units within the development site, with two small ancillary buildings. The number, size and design are expected to be matters to be approved at the detailed stage. All units will incorporate a WC with shower unit, and will have a small food preparation area within the living area. The two ancillary buildings are a reception hut and a barbeque pod. No other buildings are required. The site has access to a mains water supply and to drainage. Car parking will not require any hard surfaces.



An aerial photograph showing the ridge line, spot heights, and the direction of slope

#### THE REASONS FOR REFUSAL OF APPLICATION 19/03360/PPP

1. *The proposal is contrary to the adopted Edinburgh Local Development Plan **Policy Env 11** as it fails to demonstrate that the proposal will have a positive impact on the character and appearance of the Special Landscape Area.*
2. *The proposal is contrary to **policy Env 10** of the adopted Edinburgh Local Development Plan as it would detract from the rural character and appearance of the surrounding area.*
3. *The proposal is contrary to **policy Hou 7** of the adopted Edinburgh Local Development Plan as it would have a materially detrimental impact on the living conditions of neighbouring residents.*
4. *The proposal is contrary to **policy Env 17** of the adopted Edinburgh Local Development Plan as it would have an unacceptable impact upon the character and landscape quality of the park.*
5. *The proposal is contrary to **policy Des 5** of the adopted Edinburgh Local Development Plan as it would adversely affect the amenity of neighbouring developments.*
6. *The proposal is contrary to **policy Rs 6** of the adopted Edinburgh Local Development Plan as not enough information has been supplied to show that there is adequate sewerage to meet the demands of the development.*
7. *The proposal is contrary to **policy Des 4** of the adopted Edinburgh Local Development Plan as it will not have a positive impact on its surroundings.*

Firstly, some of these reasons are duplicative, so in summary the reasons for refusal can be more succinctly summarised as follows:

- A. Negative impact upon the special landscape character of the regional park;
- B. Detrimental impact upon neighbouring occupiers; and
- C. Lack of information on waste water drainage.

The use of seven reasons for refusal is therefore considered to be excessive and which inadvertently undermines the positive attributes of the proposal.

Policy **Env 11** is incorrectly quoted, it does in fact state that “*Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas*”. Therefore a neutral impact is acceptable, and development does not have to lead to a positive change.

There are no responses from consultees uploaded onto the Council’s Planning Portal and so a full understanding of these is not made possible. The responses were summarised in the report of handling.

15 legitimate online comments of objection were received, initially these numbered 22, but 7 were duplicated, perhaps suggesting a concerted effort to undermine the validity of the proposal.

## 2. THE APPEAL

**The applicant is of the opinion that planning permission should be granted.**

The proposed timber camping pods (often termed “glamping”) are submitted in outline only with indicative details submitted as to date no one design has been selected for the business, and the applicant is open to advice on acceptable design solutions. The proposed use is one that should be seen as being appropriate within a countryside location.

The appearance of these timber eco-pods is designed to be appropriate within a countryside setting. The precise detailing size and materials can vary but generally we are looking at an all timber shipboard finish with curved roofs and sides. The applicant is open to other roof coverings including turf roofs. The design and materials would be controlled by the planning authority in any detailed consent (AMC or FUL application).

The site is designated as Green Belt and it is within a designated special landscape character area (The Pentland Hills). **ELDP Policy Env 10** (Development in the Green Belt and Countryside) sets out criteria for what types of development are acceptable, so long as these would not detract from the landscape quality and/or rural character of the area. The prime criteria is that the development must be for the purposes of agriculture, woodland and forestry, horticulture, countryside recreation, or where a countryside location is essential, and provided any buildings, structures or hard standing areas are of an appropriate scale and quality of design.

There is no dispute that the development is a recognised countryside activity, being camping accommodation related to existing outdoor recreational facilities and activities. The site is at one of the gateways to the Pentland Hills Regional Park, and Bonaly Country Park. It adjoins two formal car parking areas, one a car park on Bonaly Road, the other the roadside lay-by parking on Torduff Road. The proposal will enhance opportunities for tourists to access the countryside, and it may tempt Edinburgh residents, who do not wish to travel so far, to enjoy an outdoor holiday on their doorstep. The site is close to the Bonaly Scout Centre, a clear indicator of the outdoor recreational value of the area.

## RESPONSE TO THE COUNCIL'S REASONS FOR REFUSAL AND REPORT OF HANDLING

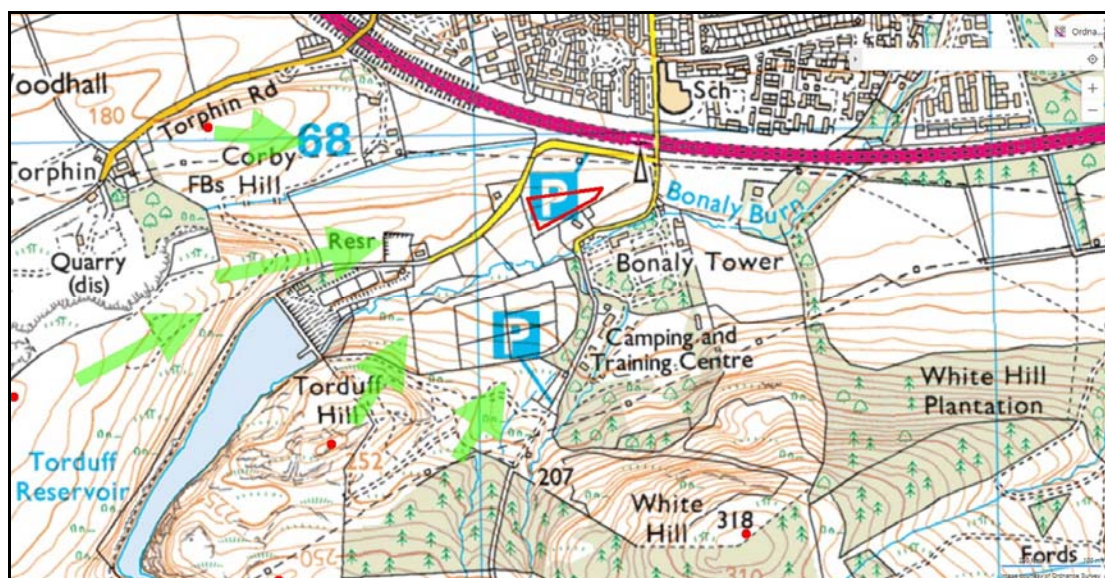
As highlighted earlier, the seven reasons for refusal actually only raise three issues, and these are analysed as follows:

### **Issue 1. The negative impact upon the special landscape character of the regional park.**

One of the key tests for proposals in the green belt is to ensure that the development does not detract from the landscape quality and/or rural character of the area. The location of the proposal within the Special Landscape Area (Pentland Hills Regional Park) requires that special care needs to be taken over preserving the landscape character, however this does not mean that the character of the field must remain unchanged, more so that the developed site should not look out of place in this location in relation to its context. Clearly the development will alter the appearance of the site (presently an open grass field), but the resultant impact will be 'different' not 'adverse', and in terms of the impact upon the character of the area and context in general, this will be slight.

The site is not a remote rural site but it sits at the edge of the urban area, close to the City Bypass, a transitional landscape area where the Pentland Hills meet the City edge. It has a degree of human activity with pylons, a gas pipeline and recently installed water supply pipes crossing the site and with a telecommunications station to the south east corner. The site also is adjacent to significant lay-by parking for visitors to the Pentland Hills Regional Park. The adjacent field to the south east is used occasionally as a camp site.

The local plan explains how the Pentland Hills meet the urban edge in the south west of the city and provide the backdrop to many of its finest views. The development will be on the south side of a small ridge and there would be no impact upon the backdrop that this area provides to the City.



The site context topography, local summits and main areas of visibility (green arrows)

Most visual impacts will be restricted to close views from Torphill Road and from the area of the Pentland Hills immediately above the site, to the west and south west, one is shown below and others are included in the appendix.



A panoramic view from above Torduff Reservoir with the site outlined

The changes will be seen, but they are not considered to be negative nor necessarily positive, more so they are deemed to be “appropriate”.

The report of handling makes several unfair assumptions in its assessment of the proposal. These include:-

1. *“the floor plan sizes of these pods are quite substantial and the floor sizes of the larger pods are not dissimilar to that of some flatted properties”*
2. *“the information submitted does shows large almost dwelling house scale buildings”*
3. *“there could be several other ancillary buildings required which have not been shown at this stage, as well as other ancillary development required including car parking and roads”*
4. *“it is possible that these (car parking and roads) will need to be converted to more permanent hardstanding's in the future”*
5. *“it is likely that the access road will need to be a bituminous material and drainage measures required to be implemented”.*

These are all inappropriate assumptions and ones which may unjustly convince the reader of negative issues that don't exist. These are perhaps matters raised in objections (it has not been possible to view the details of objections). Furthermore these issues can be handled at the detailed stage.

With regards to the size of the pods, points 1 and 2 above, these are nowhere near the size of a flatted dwelling, let alone a house. The Design Guidance sets a minimum standard for a studio flat at 36m<sup>2</sup>. In reality the largest pod suggested might be 7.5 by 5 metres, a six-person pod, but his need not be the case, and details would have to be agreed. 6 metres by 4.5 metres would be more likely.

Regarding the third quote, no additional buildings will be required. The only ancillary buildings are a reception cabin and a barbeque hut.

With regards to the access road and parking surface comments, the appellant would suggest that the Council bears in mind that many Forestry Commission and national/regional park visitor car parks, which carry vast amounts of traffic, operate perfectly well without the need for bituminous surfaces.

It is therefore concluded that these statements are unfair comment and that the details could have been agreed by the detailed application.

**Issue 2. The detrimental impact upon neighbouring occupiers.**

There is one potentially affected property, at 67 Bonaly Road to the south. The application site is separated from the garden of 67 by a strip of land, owned by the applicant, 6 metres deep. There is an existing building on the boundary as well as significant tree and hedge planting as the following two images show.



The south boundary, to 67 Bonaly Road with nearest neighbours numbered

The first issue is whether or not the use is an unneighbourly one, likely to lead to disturbance. It is certainly the intention of the applicant that this operates as a high quality managed accommodation facility, not as a free-for-all camp site. These are enclosed units incorporating all facilities and are not tents. There will be no camp fires. The barbeque building would operate within an enclosed environment with a central flue.



The site from the east, showing boundary planting (29 Torduff Road visible to left)

If noise was deemed to be a significant concern then screening, soil bunding and planting are possible solutions as well as agreement of the site layout, all of which can be handled at the detailed planning stage.

The reasons for refusal refer to **Policy Hou 7** (Inappropriate Uses in Residential Areas). It is argued that this is not an area that would be best described as a residential area. Doing so would undermine its status as Green Belt and as a Regional Park. This reason is therefore invalid.

**Issue 3. The lack of information on waste water drainage.**

This is a simple matter of agreeing details. There are no barriers to obtaining a satisfactory waste water drainage plan. It would have to be a soak away, septic tank, or water treatment tank. The properties around the site use septic tanks, so it would not be something that is not already used in the area. Composting toilets could also be an option. This is not an intensive use that would require exceptional waste water capacity.

**Other Material Considerations**

As clearly presented in the planning statement, which is a document that should be read in order to fully assess this proposal, the use is one that is perfectly suited to this site. It is on the footstep of the regional park and country park and is an ideal opportunity to enhance visitor facilities to the area. There has been an increase in holidays taken at home in recent years, and with Britain entering an era of uncertainty as it prepares to leave the European Union, this trend is only likely to extend and deepen. This is a type of accommodation that is very much in demand and which there is very little of in the area. It would be of great mutual benefit to the regional park, and it would add to the attractiveness of Edinburgh as a tourist destination.

Despite what has been said there will be minimal impact on amenity. It will allow the amenity of the hills to be enjoyed by families. The typical profile of glamping is those who enjoy and love countryside. It is not a 'partying' activity, and it covers a more responsible demographic than some elements of camping.

People love camping but do not necessarily like the hassle of tent erecting in unreliable weather, and the returning home with muddy equipment that requires to be cleaned and dried. More critically, this type of camping provides an opportunity for those with mobility problems and who would have difficulty erecting a tent.

**3. CONCLUDING REMARKS**

The Regional Park is a very important recreational asset to the City. This development will enhance the enjoyment of it whilst preserving and enhancing the setting of the park by limiting development to a small number of eco-friendly, and landscape friendly pods set within a naturally landscaped setting near to the edge of the urban area. It will not undermine the principles of the Regional Park or green belt, and will enhance access to it and enjoyment of it. It will allow the landscape virtues of the regional park to be appreciated and readily accessed on foot, bike or by horse/pony. It is an opportunity to provide an alternative City Break in the countryside, and one which will satisfy the current trend in holiday making.

This is a use that is well suited to the urban fringes of the green belt, allowing visitors to enjoy the Regional Park whilst also having the opportunity to visit the City via good public transport and cycle links. It will not undermine the principles of the green belt. It will change the landscape of the site itself but it will not have a negative impact on the area as a whole.

The natural appearance of the pods, and the use of reinforced perforated matting for roads will ensure that the development will remain in keeping with the landscape setting of the Bonaly area, and the recreational nature of the PHRP as is evident from other nearby uses and features. Furthermore, the pods and grass reinforcement are not permanent structures and can be removed with ease, returning the landscape to its previous condition without any trace within a short period of time.

It will enhance the viability of local businesses, such as local shops, horse riding and cycling related businesses.

It is therefore concluded that this is a positive recreational resource which will interact well with the purpose and nature of the Regional Park and with existing local activities and which in terms of a visual impact will incorporate some very positive attributes.

## 4. APPENDICES

### A. Policies referred to in reasons for refusal: -

**Policy Env 10 Development in the Green Belt and Countryside** - Within the Green Belt and Countryside shown on the Proposals Map, development will only be permitted where it meets one of the following criteria and would not detract from the landscape quality and/or rural character of the area:

- a) For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.
- b) For the change of use of an existing building, provided the building is of architectural merit or a valuable element in the landscape and is worthy of retention. Buildings should be of domestic scale, substantially intact and structurally capable of conversion.
- c) For development relating to an existing use or building(s) such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact.
- d) For the replacement of an existing building with a new building in the same use provided:
  - 1) the existing building is not listed or of architectural / historic merit;
  - 2) the existing building is of poor quality design and structural condition,
  - 3) the existing building is of domestic scale, has a lawful use and is not a temporary structure; and
  - 4) the new building is of a similar or smaller size to the existing one, lies within the curtilage of the existing building and is of high design quality.

**Policy Env 11 Special Landscape Areas** - Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map.

**Policy Env 17 Pentlands Hills Regional Park** - Development which supports the aims of the Pentlands Hills Regional Park will be permitted provided it has no unacceptable impact on the character and landscape quality of the Park.

**Policy Hou 7 Inappropriate Uses in Residential Areas** - Developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

**Policy Des 4 Development Design - Impact on Setting** - Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- a) height and form
- b) scale and proportions, including the spaces between buildings
- c) position of buildings and other features on the site
- d) materials and detailing

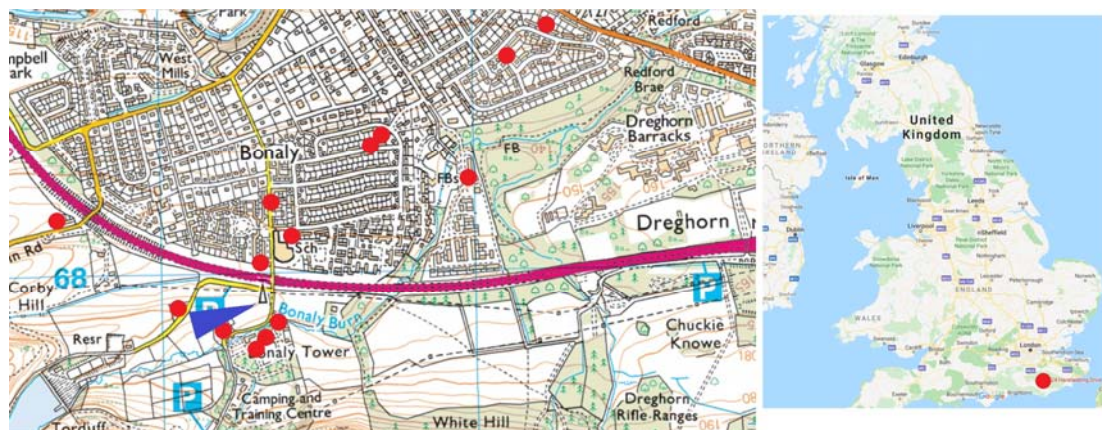
**Policy Des 5 Development Design - Amenity** - Planning permission will be granted for development where it is demonstrated that:

- a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook
- b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses
- c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas
- d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms
- e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design.

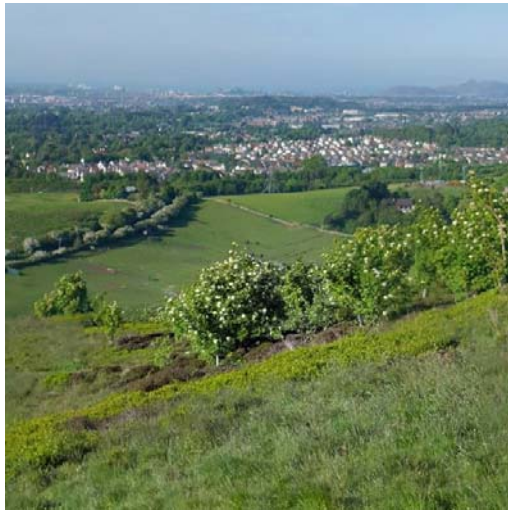
**Policy RS 6 Water and Drainage** - Planning permission will not be granted where there is an inadequate water supply or sewerage available to meet the demands of the development and necessary improvements cannot be provided.

**B. LIST OF OBJECTIONS (direct neighbours in green)**

- |     |                       |                      |                                |
|-----|-----------------------|----------------------|--------------------------------|
| 1.  | Mrs Janette McPherson | 30 Bonaly Crescent   | Edinburgh EH13 0EW             |
| 2.  | Mrs Heather Hartley   | 6 Bonaly Grove       | Edinburgh EH13 0QD             |
| 3.  | Mrs Mukhayyo Umarova  | 56 Bonaly Road       | Edinburgh EH 13 0EQ            |
| 4.  | Mr Brian McGhee       | 61 Bonaly Road       | Edinburgh EH130PB              |
| 5.  | Mr John Jamieson      | 65/1 Bonaly Road     | Edinburgh EH13 OPB             |
| 6.  | Mr Brian Finlayson    | 65/8 Bonaly Road     | Edinburgh EH 130PB             |
| 7.  | Mr Ronald Partington  | 67 Bonaly Road       | Edinburgh EH 13 OPB            |
| 8.  | Mrs Tammy Piper       | 88 Bonaly Road       | Edinburgh EH 13 OPE            |
| 9.  | Mr Stuart Patterson   | 21 Bonaly Terrace    | Edinburgh EH13 OEL             |
| 10. | Mr Stephen O'Sullivan | 69 Dreghorn Loan     | Edinburgh EH 13 0DB            |
| 11. | Mrs Melanie Izon      | 24 Harebeating Drive | Hailsham, East Sussex BN27 1HX |
| 12. | Mrs Alexandra Murray  | 24 Redford Avenue    | Edinburgh EH13 OBU             |
| 13. | Mrs Caroline Ashbrook | 1 Redford Crescent   | Edinburgh EH 13 OBR            |
| 14. | Mrs Katie Cebula      | 29 Torduff Road      | Edinburgh EH 13 OPA            |
| 15. | Mrs Judith Mclean     | 54 Torphin Road      | Edinburgh EH13 OPF             |

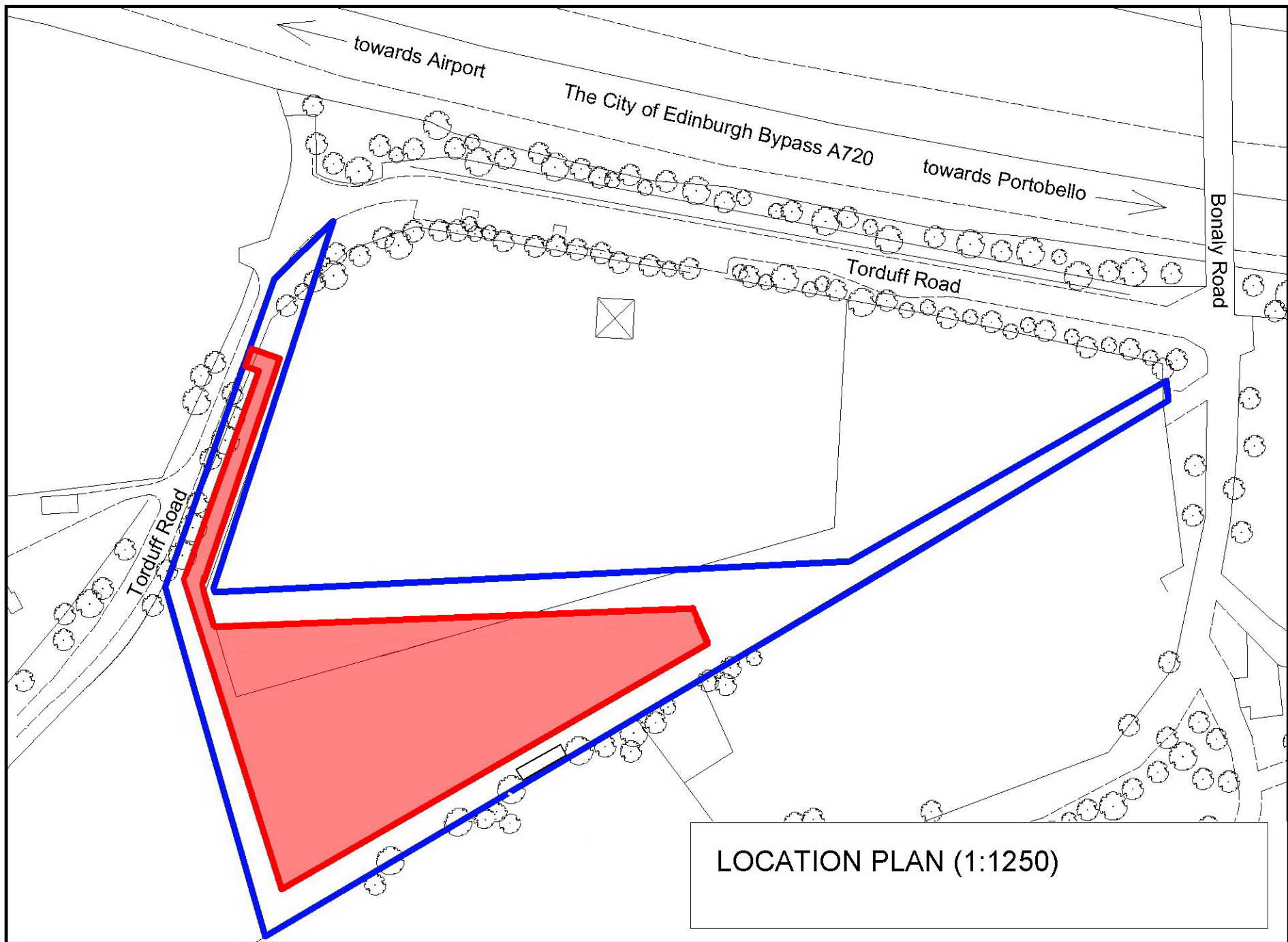


Location of the objectors (site in blue)

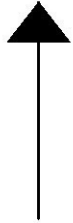


Views of the site from elevated viewpoints

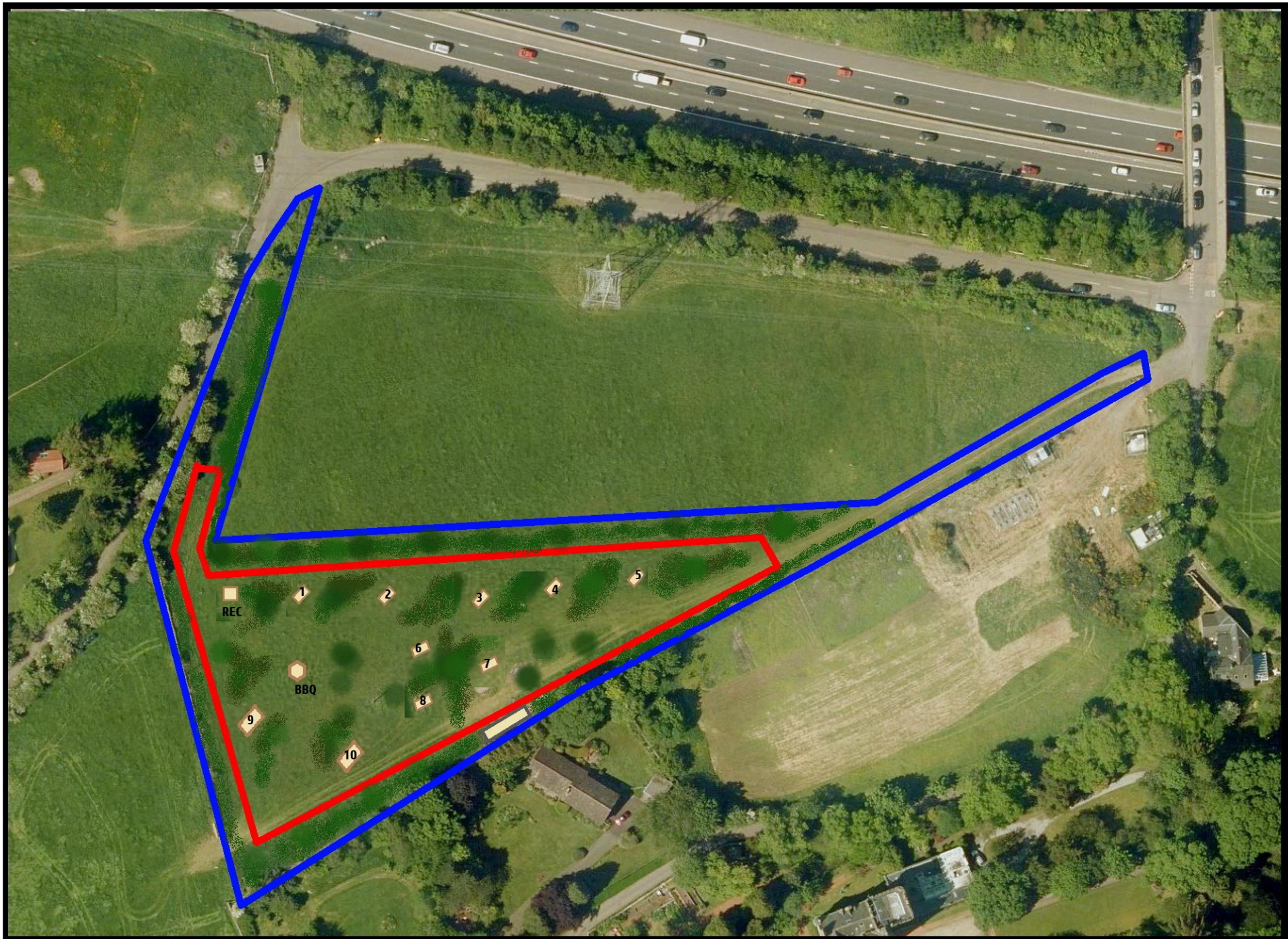
NORTH



NORTH



Page 105



**Pentlands Outdoor Activities - Proposed Camping Site - SITE PLAN [NTS] INDICATIVE ONLY**

PLANNING PERMISSION IN PRINCIPLE FOR OUTDOOR CAMPING  
FACILITIES INCORPORATING CAMPING PODS & ANCILLARY WORKS  
AT  
TORDUFF ROAD, BONALY, EDINBURGH



Peter MacLeod, BSc. MSc. MRTPI

**Gain Planning Services**

122 Scott Street

Galashiels

Selkirkshire

TD1 1DX

Tel: 01896 750 355

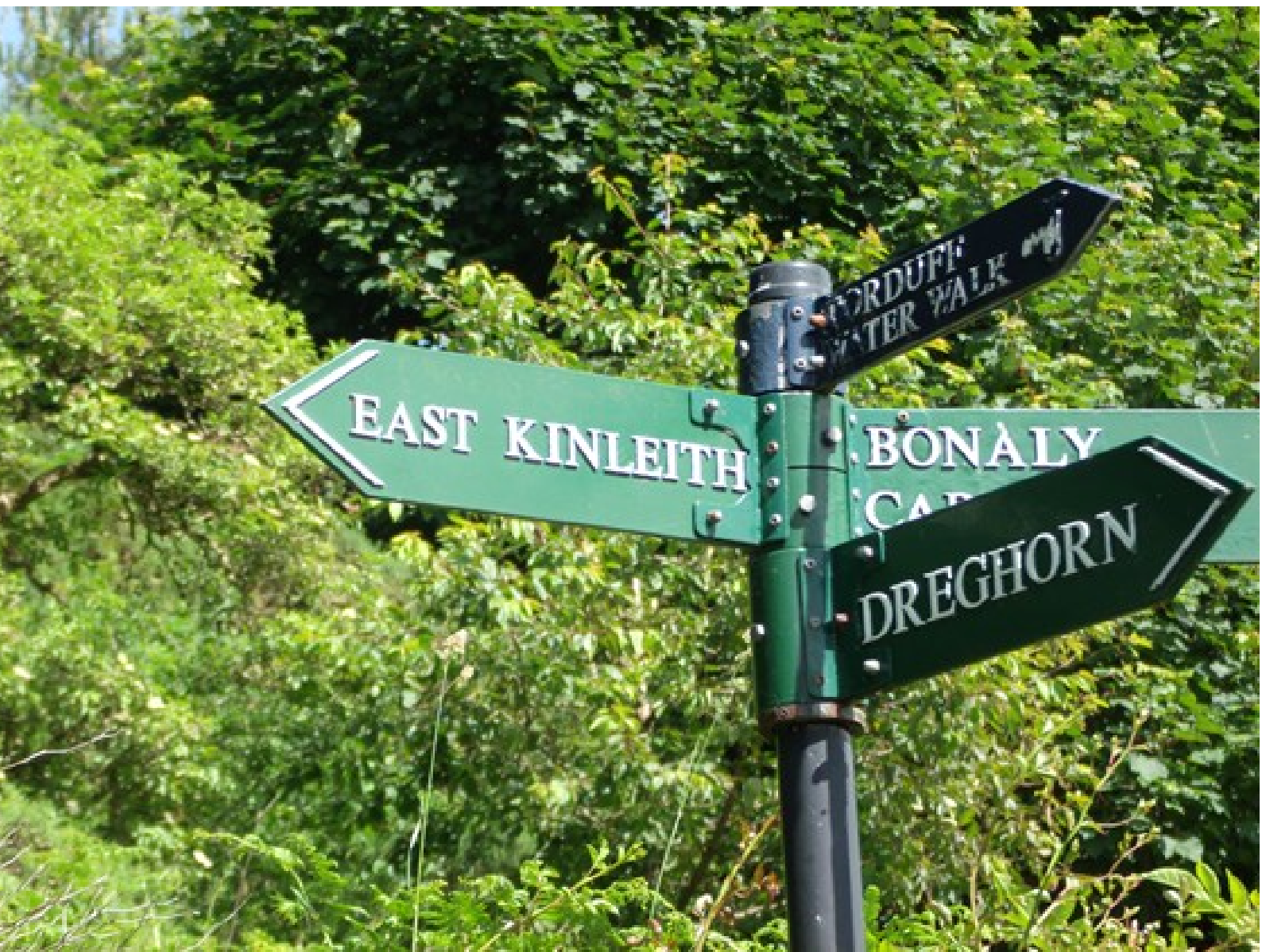
Mob: 07910 828 625

[pkmacleod@gainplanningservices.co.uk](mailto:pkmacleod@gainplanningservices.co.uk)

11 JULY 2019

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## 1. Introduction

### The area

The site is located in the Bonaly area of Edinburgh, and is very close to the edge of the built-up area of the City.

Bonaly is rural suburb on the south-western outskirts of Edinburgh and the northern slopes of the Pentland Hills, lying within the Parish of Colinton. It is a mix of mainly post-war housing; it contains much woodland, grassland (for grazing and hay production) and heather moorland.

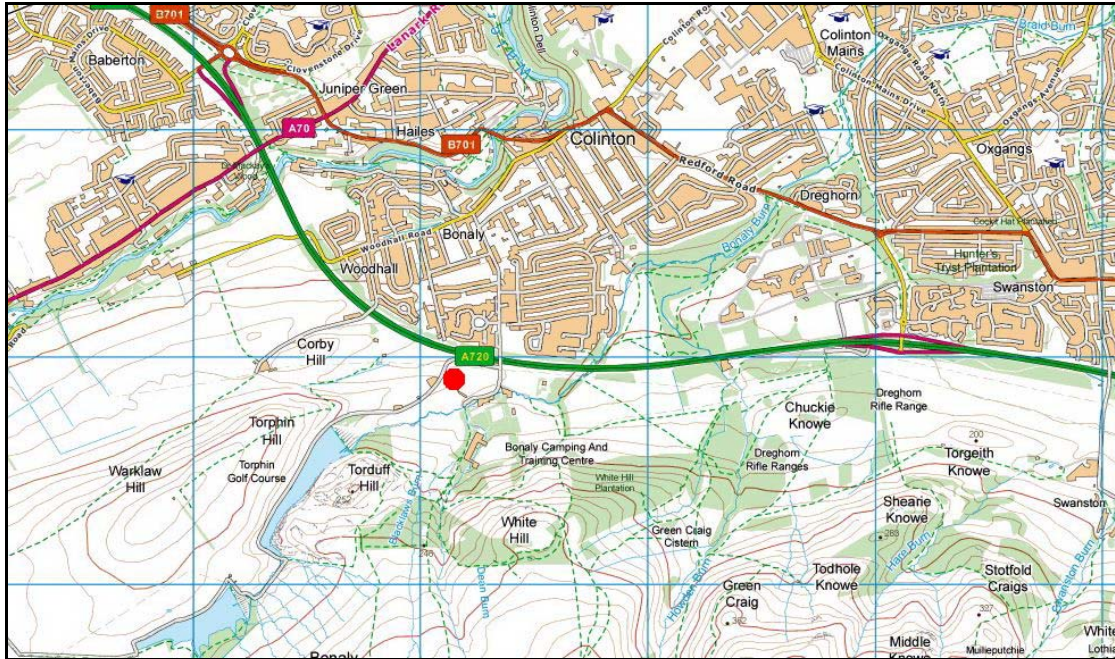


Figure 1: The site location

The Edinburgh City Bypass passes through Bonaly, to the immediate north of the site, dividing the rural and suburban parts of the area. There is no direct access onto the bypass from Bonaly Road. The road crosses the City Bypass and eventually joins Colinton Road to the north. There is no direct access to the city bypass, the nearest junctions being Baberton to the west and Dregghorn to the east, both at around 1.8 kilometres.

The surrounding countryside is mixed woodland and grazing on the northern slopes of the Pentland Hills. It is south of the Edinburgh City Bypass (A720T). The site is within the countryside and is within the northern boundary of the Pentland Hills Regional Park.

There are several dispersed residential properties in the general area, with a grouping to the south at Bonaly Tower Farm. Bonaly Tower, to the south, is a category A listed building (Ref: 28033).

To the south west is Torduff Reservoir and water works. The Bonaly Burn feeds into and flows out from this reservoir.

## The Site

The site is a roughly triangular grass field bounded on the north and west by Torduff Road, and to the south east by a field boundary towards Bonaly Road. The site is on the south side of a small ridge, or shoulder, that slopes down from west to east (from Torduff Road at the west to Bonaly Road in the east). The site slopes more noticeably to the south towards Bonaly Burn, but also down towards the City Bypass which sits in a noticeable dip. The highest point of the site is at around 172 metres AOD, close to the property at 29 Torduff Road. There is a rectangular flat roofed building on the south boundary.

The area of the development site is 0.5 hectares. There is a thin strip of land surrounding this in the ownership of the applicant which will be undeveloped and which will contain landscaping.

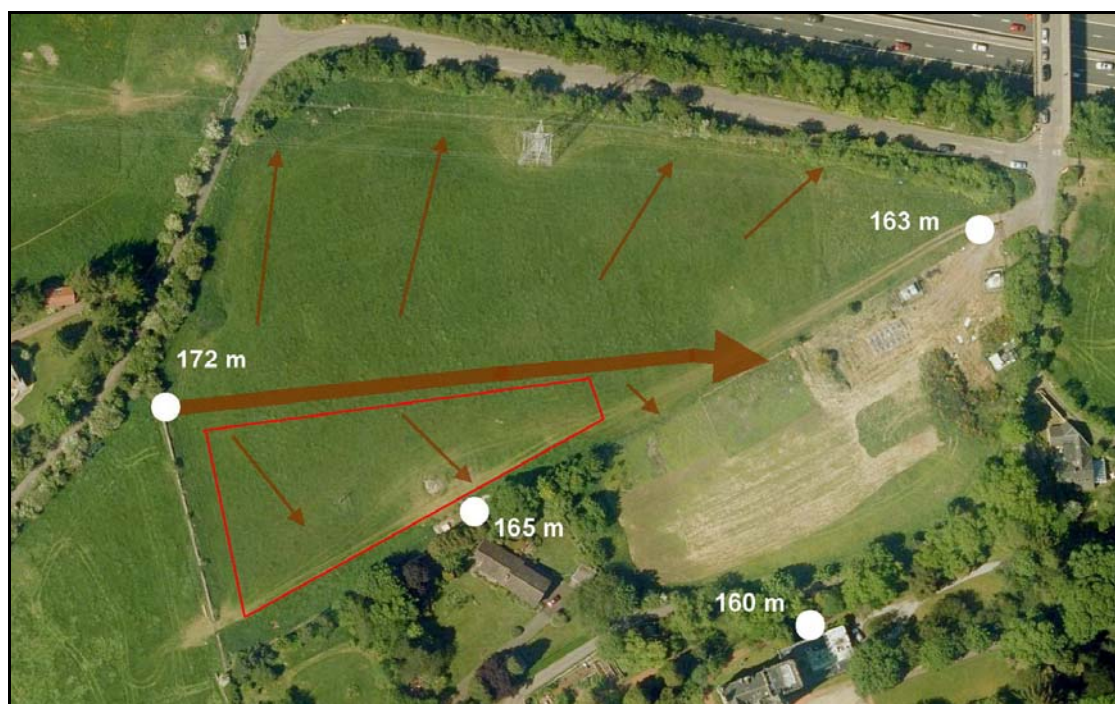


Figure 2: An aerial photograph of the site showing the ridge line and some spot heights

It is the southern half of a grass field used for the production of hay. It is not prime agricultural land. It is lined with trees/hedging along most of the length of the south boundary. The west boundary is a mix of fencing, stone wall and some hedging. The north boundary is defined by the ridge of the shoulder and has no physical delineation at present. The south boundary is a post and wire fence with trees and hedging along the west half only.

The Bonaly Burn does not cross the site, but passes to the south of the site, 70 metres distant at its closest point. The Bonaly Burn originates in the hills above Bonaly and flows towards Oxfangs, where it becomes the Braid Burn.

A dwellinghouse sits to the immediate south, close to the boundary (67 Bonaly Road). To the west, across the road is a dwellinghouse at 29 Torduff Road.

Torduff Road is a private road, owned by Scottish Water.

## 2. The proposal

This is an application for planning permission in principle. It is proposed to change the use of the site to permanently sited camping pods. These are yet to be detailed, but can vary in size, designed to accommodate from 2 to 6 persons.

It is anticipated that there will be around 10 of these timber units within the development site. The number size and design are expected to be matters to be approved at the detailed stage. The following images show some examples of typical smaller pods.

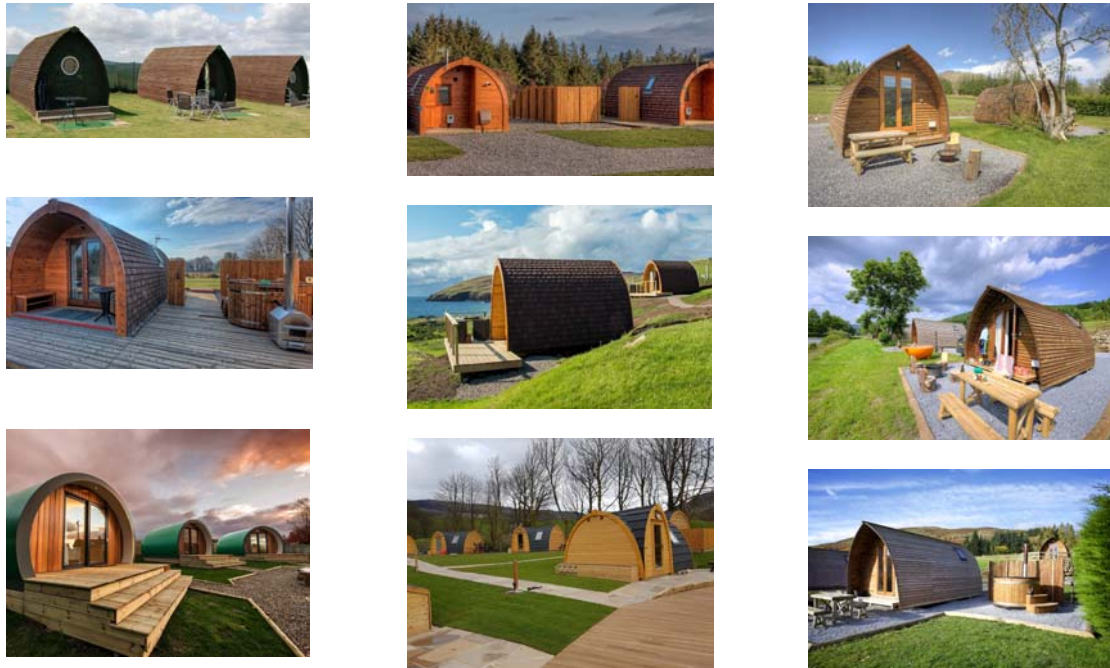


Figure 3: Some typical 'glamping' pod examples

The applicant is keen to include one or two larger more luxurious units which may include better accommodation and facilities.

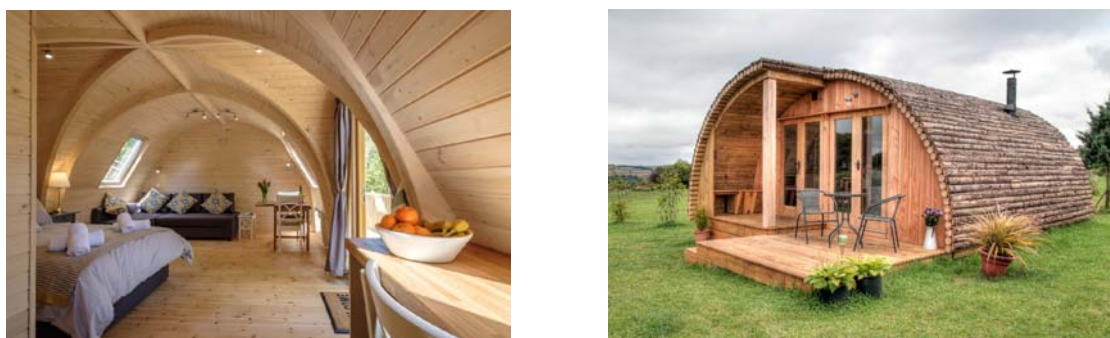


Figure 4: Larger unit designs

All units will incorporate a WC with shower unit, and will have a small food preparation area within the living area.

Car parking and heavily trafficked areas will be kept informal and will be on loose surface (crushed stone/ash/woodchips) or on reinforced grass matting or grass reinforcement solution. There would be no hard surfaces or edging.

Significant levels of planting will be carried out on boundaries and between plots, predominantly smaller tree species and hedging.

The site will be accessed via a new access onto Torduff Road into the adjacent site to the north, an access that will be created by Scottish Water as part of their ongoing water mains upgrade in the area. Torduff Road, which is privately owned and maintained by Scottish Water, links onto Bonaly Road which crosses by bridge over the A720T city bypass. Bonaly Road in turn links onto Woodhall Road and then Colinton Road.

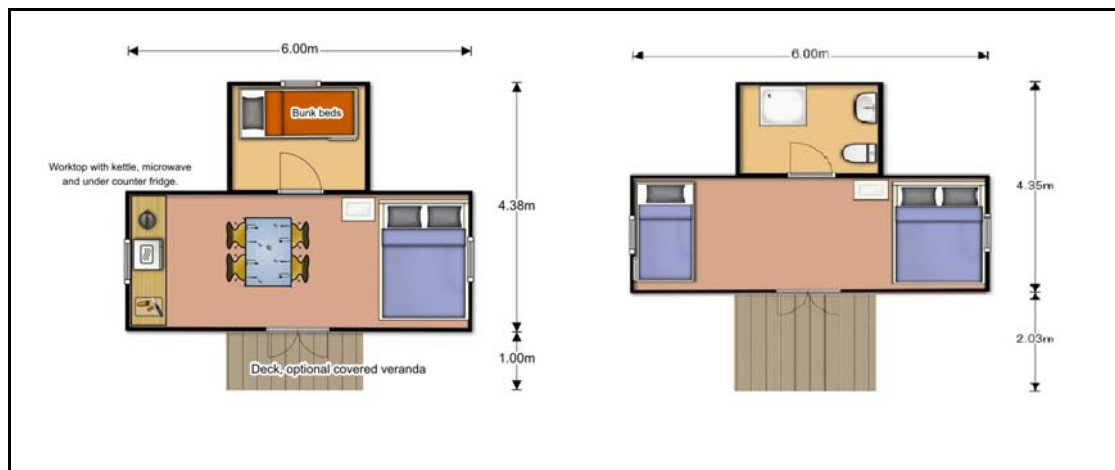


Figure 5: Two examples of medium sized pods to sleep 3 or 4 persons

Excluding the access road, the west boundary of the site measures around 67 metres and the long south boundary about 121 metres. There is ample room to accommodate 10 pods plus three ancillary buildings.

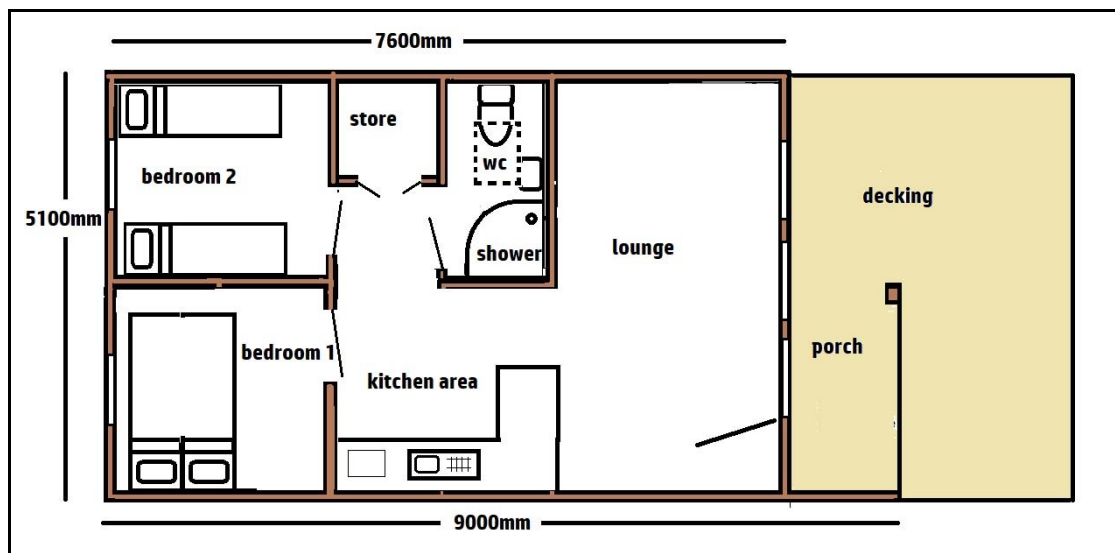


Figure 6: A six person pod (bunk beds in bedroom 2)

Larger pods may be up to 9 metres by 5 metres, and smaller ones being 4.5 by 2.5 metres.

The only ancillary buildings are a reception cabin and a barbeque hut. There will be no requirement for a toilet or shower block as these facilities will all be included within the units. Informal fires or barbeques will not be allowed.



Figure 7: Example of a bar-b-que/cooking pod



Materials would be predominantly timber, with natural or green stained wood shingles.

This is an application in principle and these details would be handled at the “approval of matters in conditions” stage.

There will be no under-building. As the site is sloping, the plinths for the pods will be cut into the hillside. Excavation material will be redistributed on site.

Landscaping details will be agreed with the Council’s ecologist and will be submitted in detail in the subsequent ‘AMC’ application.



Figure 8: A compact layout showing sleeping area, WC/shower and kitchen

The site has already got access to a water supply and to electricity. Small solar panels on the pod roofs will be installed to run low voltage pod lighting. It may be decided, at the detailed (AMC) planning stage that a small storage tank be installed on site just to secure an adequate water supply and to ensure that at

peak times there is no adverse impact upon local water supply. There are no known water supply issue in the area.

Waste water will be treated and returned to ground via a soak-away system within the site.



Figure 9: Indicative site layout plan showing rough plot layout and access

The above layout is indicative only and the red line boundary should not be relied upon. Please refer to the submitted location and site plan for this.

### 3. Background

The site is on the doorstep of the Pentland Hills Regional Park and Bonaly Country Park and is perfectly located in respect of the juxtaposition of the City, the Hills and the access.

There is presently an opportunity in the local tourism market to provide an outdoor recreation based holiday close to the City of Edinburgh and at an affordable price.

There has been an increase in holidays taken at home in recent years, and with Britain entering an era of uncertainty as it prepares to leave the European Union, this trend is only likely to extend and deepen.

The provision of a pseudo camping experience but with the comfort of a solid roof over your head and with cosy sleeping facilities and washing facilities is becoming very popular. People love camping but do not necessarily like the tent erecting and the returning home with muddy equipment that requires to be cleaned and dried.

Another strong factor in the decision to opt for timber pods is that it provides a camping opportunity for those with mobility problems and who would have difficulty erecting a tent.

Also, cycle holidays are very popular, and if the cyclists are able to ride without carrying their tenting equipment then this allows for a freer roaming experience. The site is perfectly located to access the many cycle and walking routes within the Pentland Hills.

#### **“Glamping”**

Glamping is a *portmanteau* of ‘glamorous’ and ‘camping’ and describes a style of camping with amenities and, in some cases, resort-style services not usually associated with "traditional" camping. Glamping has become particularly popular with 21st-century tourists seeking the luxuries of hotel accommodation alongside "the escapism and adventure recreation of camping". The word "glamping" first appeared in the United Kingdom in 2005 and was added to the Oxford English Dictionary in 2016.

Camping in a ‘glamping pod’ is a cheap break option that offers a glamping experience without the luxury price. Glamping pods offer cosy shelter for year round camping, if bad weather was to strike. Camping pods vary in terms of facilities; some have beds, electricity, a compact kitchen area and even a hot tub.

All washing up and showering facilities will be included within the units, again benefitting those with mobility issues, but also providing additional comfort. Guests are usually required to bring their own Bedding, Cooking Utensils, Crockery, Sleeping Bags, and Towels, however a more service orientated experience may be provided.

Glamping pods are generally intended for couples or for 2 adults and 2 children, however, larger modules are of course possible, sleeping 4 to 6 persons.

## Edinburgh and Tourism

According to the Edinburgh 2020 Tourism Strategy Mid-term Review, Tourism is one of the most important business sectors in Edinburgh. The city sells £1.3 billion of services to staying visitors, which supports around 30,000 jobs, and pays wages and salaries of around £400 million, per year. Tourism has grown strongly over the period of the Edinburgh 2020 Strategy with visitor spending rising 30% from £1.0 billion in 2010.

In Scotland, tourism expenditure overall has grown by 23% over the five years, while growth in Edinburgh has been 30%. Expenditure has grown more significantly than visit numbers.

Edinburgh is not just a destination in itself, it is also a gateway to the rest of Scotland and part of more extensive itineraries. It is by far the dominant city in attracting international visitors. In fact, 70% of all overseas holiday trips to Scotland stay in Edinburgh and almost 60% of all overseas tourism expenditure is made in the city.

The top ten inbound markets for the UK in terms of number of visits during 2018 accounted for almost two in three visits (63%). This proportion has been trending down over time: in 2005, the top ten accounted for 69% of all visits. The top ten markets have been the same every year since 2005; the only change in 2018 from 2017 was the USA overtaking France to claim first place. Only two long-haul markets, the USA and Australia, appear in the top ten.

Year	Number of Visits (m)	Spend (£bn)	Average spend per visit	Average nights per visit	Nights (m)
2016	37.609	£22.543	£599	7.4	277
2017	39.214	£24.507	£625	7.3	285
2018	37.905	£22.897	£604	7.0	266

As the above table shows, there has been a slight drop off in the inbound tourists to the UK over the period from 2017 to 2018.

The top ten origin countries are, in order; USA, France, Germany Ireland, Spain, Netherlands, Poland, Italy, Belgium and Australia. Eight of these are European. It is uncertain, but highly likely that these 8 European countries figures may fall after Britain leaves the EU.

These same Economic Consequences have been leading to Britons taking vacations within the UK. The London Economic reported in May 2019 that *“New research has revealed a third (36%) of Brits will opt for ‘staycations’ over foreign travel in 2019 as a result of the uncertainty caused by Brexit”*. It goes on *“the average couple expects to spend almost £1,000 to holiday abroad this*

*year, compared to just £574.10 if they were to do a 'staycation' in the UK. As a result, two out of five (40%) plan to take multiple domestic trips in 2019, according to research by VoucherCodes".*

There is also a trend for more active holidays, with concerns that children are not getting adequate exercise due to the reliance on technology based lifestyles.

Therefore 'at home', activity-based holidays which are competitively priced are looking to be very strong options for the immediately forthcoming tourism market period. Pony-trekking, cycling and walking based vacations will become more popular.

The total spending by visitors to Edinburgh staying overnight has increased by 30% from 2010 to 2015. This is faster than in Scotland as a whole, and the UK. Growth has come from both domestic visitors (33% more than in 2010) and from overseas visitors (27% more than 2010).

	2017		2016		2015	
	Town/city	Visits(000s)	Town/city	Visits(000s)	Town/city	Visits(000s)
1	London	19,828	London	19,060	London	18,851
2	Edinburgh	2,015	Edinburgh	1,689	Edinburgh	1,543
3	Manchester	1,319	Manchester	1,191	Manchester	1,152

*Source: International Passenger Survey, Office for National Statistics*

As can be seen from the above recent statistics, Edinburgh is the second most visited city destination after London, in the UK.

Most of Edinburgh's attraction comes from its historic city status and the sites mainly within the world heritage site, as well as the Edinburgh Festival.

There is an opportunity to make more out of the natural heritage within the Pentland Hills, allowing tourists to experience the best of both worlds.

Edinburgh has limited camping and cycling based accommodation and this is an area that can be developed.

Therefore there is a clear need to provide for opportunities in greater numbers of shorter term home based holidays with an outdoor theme, at reasonable cost and providing a good degree of comfort for couples and families alike.

This has driven the significant increase in what has now been termed 'glamping' style holiday sites.

#### **4. Constraints and Policy Considerations**

The site is directly affected by two landscape designations. It is located within the Pentland Hills Regional Park (PHRP) and it is within a special landscape character area, which relates to the PHRP.

There are no wildlife nor cultural heritage designations within or immediately adjacent to the site boundary.

The Bonaly Burn crosses the area to the south of the site. The Burn is designated as a local nature conservation site.

There is a high power transmission line crossing to the north of the site from east to west, but this should have no impact.

Bonaly Tower to the south east is a category 'A' listed building.

There is a residential property close to the south boundary.

Torduff Road is a private road.



**Figure 10: Edinburgh City Local Plan constraints**

The site is within an area designated as countryside and green belt by the **Edinburgh Local Development Plan 2016 (ELDP)**.

The most relevant policies of the ELDP will be **Policy Env 10** Development in the Green Belt and Countryside, **Policy Env 11** Special Landscape Areas and **Policy Env 17** Pentlands Hills Regional Park. Also relevant is the non-statutory guidelines '**Development in the Countryside and Green Belt**'. A list of all of the relevant policies is provided in the appendices of this report.

## 5. Assessment of impacts

### Location - the Principle of the Use

One of the critical issues will be the location within the Green Belt/Countryside. With respect to this, **ELDP Policy Env 10** (Development in the Green Belt and Countryside) is designed to ensure only appropriate development takes place within this designation. It sets out a set of criteria for what is acceptable, as well as an overriding requirement that the development would not detract from the landscape quality and/or rural character of the area. The prime criteria is that the development must be for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.

The proposed development is a recognised countryside activity, being outdoor camping accommodation related to existing outdoor recreational facilities and activities.

The site is at one of the gateways into the Pentland Hills Regional Park, and also Bonaly Country Park. It adjoins two formal car parking areas, one a car park on Bonaly Road, the other the roadside lay-by parking on Torduff Road.

Numerous paths into the hills start here. The following two maps show the recognised cycling routes and walking/trekking routes.

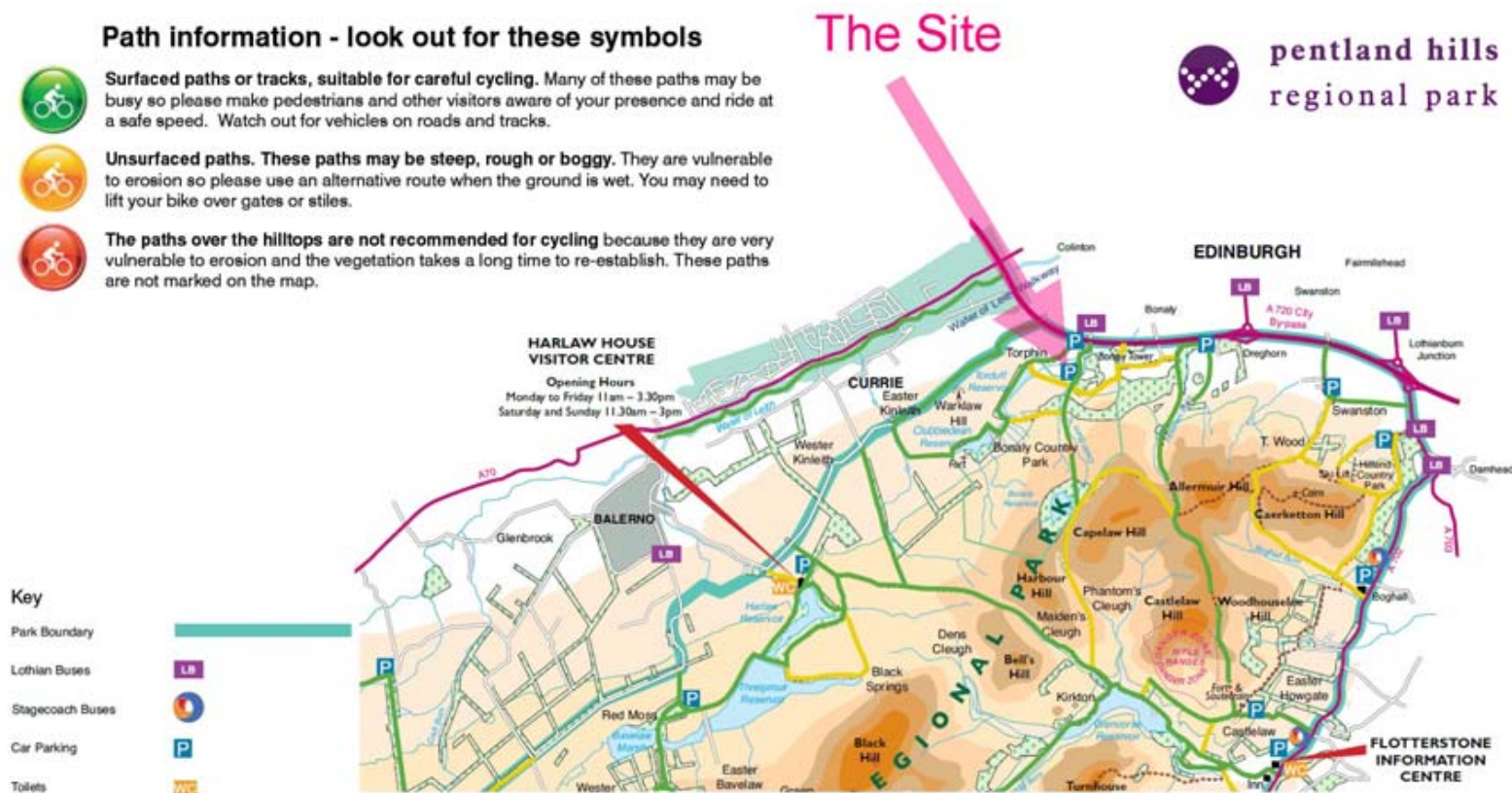


Figure 11: Pentland Hills Cycle Routes (site highlighted)

# The Site

## Path Information

- Roads, mostly private, expect to meet cars
- Surfaced paths or tracks
- Unsurfaced paths or tracks. These paths may be steep, rough or uneven. Beware of boggy sections in wet weather
- Park boundary
- Defence training area
- LB Lothian buses
- S Stagecoach buses
- P Parking
- WC Toilets



Figure 12: Pentland Hills Walking/Trekking Routes (site highlighted)

The Pentland Hills has a long tradition of people accessing the hills for a range of recreational activities. With over 100 kilometres (60 miles) of paths in the Regional Park, there are many paths suitable for horse riders, cyclists and walkers. As can be seen in the above two figures, the site is very well placed for access to the Pentland Hills and to these numerous recreational routes.

The proposed use for 'outdoor' accommodation will provide far greater opportunities for tourists to access the countryside, and it may even be tempting to those who live closer to Edinburgh who do not wish to travel so far to enjoy an outdoor holiday.

The site is close to the Bonaly Scout Centre, a clear indicator of the outdoor recreational value of the area.

The Council's non-statutory guidance (NSG) 'Development in the Countryside and Green Belt' provides more detailed advice. It states that careful consideration will be given to the intensity of use and the scale, siting and design of any built elements of proposals. The key test for all proposals in the green belt and Countryside areas will be to ensure that the development does not detract from the landscape quality and/or rural character of the area.

The guidelines elaborate on the definition of 'countryside recreation' as uses where the proposal requires the land resource and is compatible with an agricultural or natural setting such as horse riding facilities, golf courses and golf driving ranges, touring caravan and campsites. This clearly applies to the proposed development. Also, the NSG advises that ancillary development in the green belt or countryside will be acceptable provided the proposal is appropriate in type in terms of the existing use, is of an appropriate scale, is of a high quality design and is acceptable in terms of traffic impact.

The design of the proposed development will be such that it is appropriate to the location in respect of these key criteria.

The following is an image of a similar type of facility recently opened in Dumfries and Galloway and the visual impact would be similar, subject to landscape enhancements, including planting.



Figure 13: The Gorsebank 'glamping' site near Dalbeattie

The use of appropriate materials for buildings and for surfaces will be critical, as will scale and layout.

The site is within walking distance of the local general store, and campers will make use of the shop strengthening its customer base and viability giving it greater economic security for the future. Other local businesses may also benefit and there will be greater use of local transport services which in turn may secure these routes.

It is therefore concluded that the site is an appropriate location for this type of development and that it should be further assessed in respect of other issues such as landscape impact, design, amenity and access.

## Landscape Issues

The location of the proposal within the Special Landscape Area and the Regional Park require that special care needs to be taken over preserving the landscape character. This does not mean that the character of the field must remain unchanged, more that the end result should not look out of place in this location in relation to its context.

**Policy Env 11 (Special Landscape Areas)** advises that planning permission will not be granted for development which would have a **significant** adverse impact on the special character or qualities of the Special Landscape Areas (SLAs) shown on the Proposals Map. The extract from the candidate SLA's is presented in the appendix to this statement.

Whilst the development will certainly change the appearance of the field within which it is situated (it being an open grass field at present) the resultant impact will be different but not adverse, and in terms of the impact upon the character of the area and context, this will be slight.

The site is within a transitional landscape area where the Pentland Hills meet the City edge at the City Bypass. The local plan explains how the Pentland Hills meet the urban edge in the south west of the city and provide the backdrop to many of its finest views. These are visually important aspects of scenic interest.

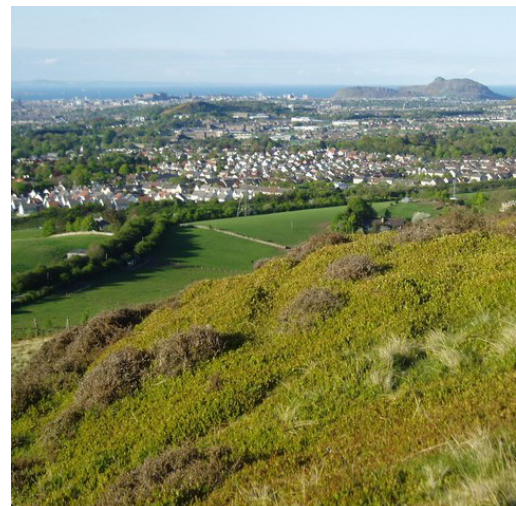
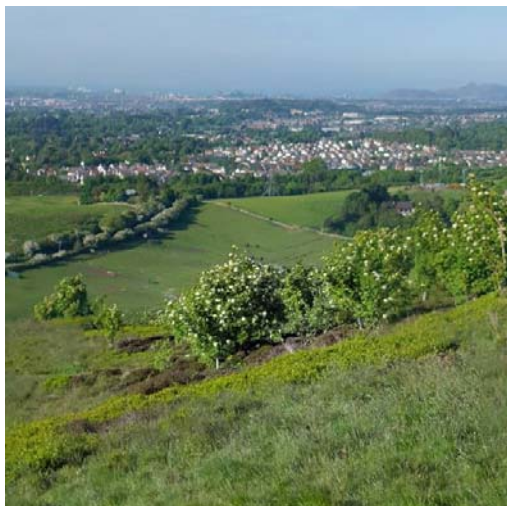


Figure 14: Views of the site from elevated viewpoints

The key pressures on the landscape quality of the area are increased recreational demand, changes in land management and agricultural practices, in particular grazing, and cumulative impacts upon landscape character and visual amenity. Potential for landscape enhancement includes the management of the structure of woodland belts, woodland regeneration, the restructuring of coniferous plantations with mixed native woodland, and the maintenance of stone walls and hedged field boundaries on the north Pentland slopes.

This application contains no large permanent buildings, and the structures proposed are predominantly timber and are removable. They have been designed with a countryside location in mind. Heights are low, generally around 2.7 metres. Planting to the boundary and between plots will naturalise the setting.

The development will be on the south side of a small ridge and there would be no impact upon the backdrop that this area provides to the City. The type of development is a low key one with varying sizes of 'pods' of predominantly timber construction in a fairly organic form. There will be significant native woodland planting in and around the site. The west boundary dry stone wall can be repaired and maintained.

It will be in the interests of the landowner to provide a pleasant and natural setting for the development. The whole concept is to provide a genuine outdoor experience, with the ability to turn ones back on the city and its suburban trappings. Planting between units will also enhance privacy, as well as naturalising the proposal and softening the landscape impact.

**Policy Env 17 (Pentlands Hills Regional Park)** advises that development that supports the aims of the Pentlands Hills Regional Park will be permitted provided it has no unacceptable impact on the character and landscape quality of the Park. The policy aims to ensure that proposals for outdoor recreation activities, whilst likely to be supported in principle, do not detract from the special rural character of the Regional Park. The landscape issues have been covered above.

The aims of the Regional Park are:

- to retain the essential character of the hills as a place of peaceful enjoyment of the countryside;
- caring for the hills, so that the landscape and the habitat is protected and enhanced;
- within this caring framework, to encourage responsible public enjoyment of the hills;
- co-ordination of these aims so they can co-exist with farming and other land uses within the park.

The development would not undermine any of these aims and would provide a sensitive means by which accommodation and access to the hills can be provided. It will enhance opportunities for outdoor recreation in an appropriate manner.

The site is just north of Bonaly Country Park. Under the definition contained in 'A Park System for Scotland', Bonaly Country Park is a selected part of the Pentland Hills in which 'recreation is the dominant form of land use'. The implication of this is a presumption in favour of increased recreational provision both in terms of quantity and level than is found in the wider countryside of the Regional Park. However, this has to be balanced against the overall desire to retain the feeling of remoteness from urbanisation found in the Country Park.

A key strategy of the Bonaly Management Plan is "*To improve accessibility to the Country Park for all users and potential users*". Another is "*To develop the role of the Country Park as a destination for visitors to Edinburgh and the Lothians*". The proposed development would encourage both of these.

Another of its aims is "*To create woodland features across the Country Park that sit sympathetically with the landscape and that have a varied and natural appearance*" and the potential to plant small trees and hedges in and around the site will go a small way towards helping this.

It is hoped that by creating a bespoke camping facility within an enhanced landscaped area, with the planting of indigenous species in the form of hedgerows and small trees, the site will be a valuable asset to the recreational aspirations of the area as well as to its landscape character and wildlife habitat.

## Landscape Assessment

It is not possible to carry out a full landscape visual impact assessment for the proposal at present as it is in principle only, however a general assessment can be made at this stage, bearing in mind the general form and materials of the buildings is known.

The site is close to the City Bypass and it is low down on the foot slopes of the Pentland Hills. It sits to the south side of a small ridge and is partially screened to the south east by woodland around Bonaly Tower Farm.

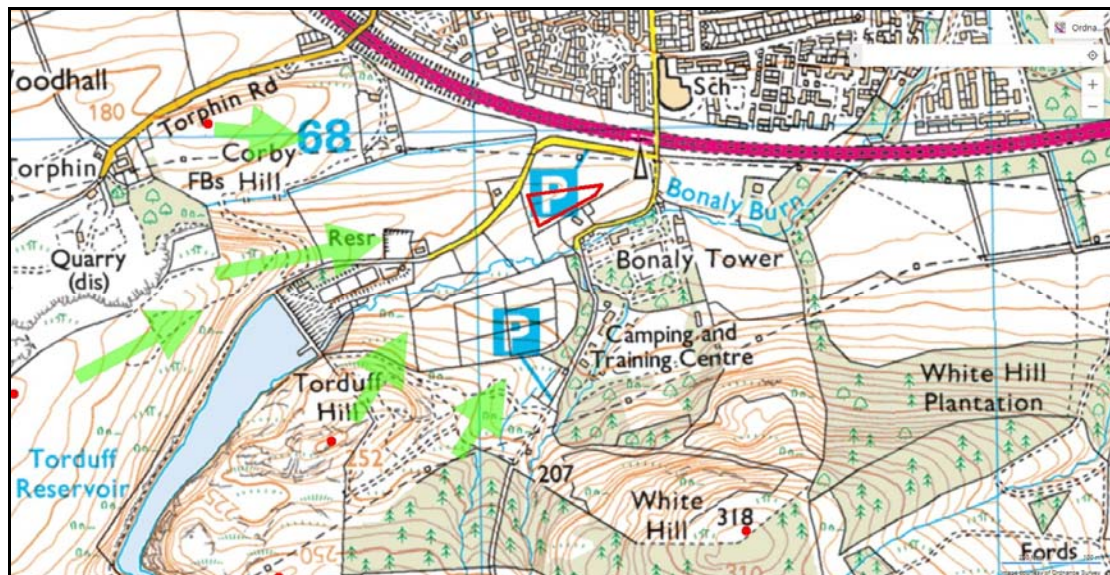


Figure 15: The site context topography, local summits and main areas of visibility

Most visual impacts will be restricted to close views from sections of Torduff Road and from the area of the hills immediately above and to the west and south west of the site due to the topography and existing and proposed planting (see figure 15 above).

The site's topography will prevent any views from the Edinburgh side. Views to the north east from Torduff Hill will be the most affected, and views from the east slopes of Warklaw Hill. The view from above Torduff Reservoir, looking back to the City has the site in the middle foreground. The development will be noticeable, but this will not be a negative impact. The planting, once matured, will create a logical link between the wooded areas to the north and south as seen in the figure 16 below.

The use of naturally coloured stained timber sides, and green or naturally stained timber shingles for roofs will ensure that the visual impact will be a very 'soft' one.



**Figure 16: A panoramic view from above Torduff Reservoir with site outlined red**

The most significant impact on views into the site could potentially be from any car parking within the site, however there are already car parking sites nearby and so this would not be out of keeping. Car parking should therefore be kept minimal and should be positioned behind pods or landscaped areas. Careful consideration of the siting of these areas and the use of low cover planting will relieve this. Parking surfaces will be loose material or grass reinforcing mesh/matting.

The site will be most visible when viewed from above Torduff Reservoir, from elevated positions to the south west, however the design and the landscaping around it will help to naturalise it into the landscape and to tie it in with the tree/hedge lined road. It is expected that the overall effect will be a positive one.

Elevated views from White Hill to the south are less of an issue due to the woodland around Bonaly Tower, as well as the wooded slopes of the hill itself.

The development will not damage or detract from the overall character and appearance of the Special Landscape Area. It will have an impact, because it will look different to a grass field, but this will be a positive impact and one that would be appropriate to the character of the area. It will be visible but it will not detract from existing views.



**Figure 17: The site from the slopes of Torduff Hill to the south west**

The location is at the fringe of the City, adjacent to a major trunk road (Edinburgh City Bypass, A720), and with an electricity transmission line

crossing the site. The general area has dispersed development across it, both towards the reservoir and at Bonaly Tower, and the proposed development would not look out of place in this context (see figure 17 above).

It is concluded that there will be some visual impact but that this can be accommodated in the existing landscape character, it will not adversely affect any views, and that it can make a positive contribution to local landscape.

### **Cultural Heritage Issues**

Archaeology - it is not known if there are any archaeological remains expected to be present in the area and the applicant is prepared to follow any recommendations from the City Archaeological Service.

Setting of Listed buildings - The listed buildings on Bonaly Road, at Bonaly Tower are category A listed and the setting of these requires to be protected. The distance between the development and the A listed building, the low impact nature of the development, and the topography between the sites is such that there will be no impact on the setting of the listed building. This is therefore not seen to be an issue.

### **Wildlife/biodiversity Issues**

The Bonaly Burn is a local nature conservation site, however, the burn does not cross the site but passes by it, to the south. The low key nature of the development is such that there will be no cross boundary impacts, and as a result there will be no impact of the development on the nature conservation site. The proposed planting will hopefully benefit the local wildlife especially birds and insects.

Site waste will be regularly collected and disposed of in an appropriate manner. Foul water will be treated and will enter the system via a natural soak-away.

### **Site drainage and flooding**

As this is a green field site, run-off be managed in such a way to be no worse than the existing situation. Any vehicle surfaces will be formed in a loose material and rain water will drain to ground in the same manner as it does at present. Pods will not have foundations but will sit on compacted stone plinths and corner slabs. If required this can be managed through the use of porous paving and filter trenches around the car park area, subtly incorporated to reduce the rate of run-off. The inclusion of significant trees and hedges will assist in water management through interception and transpiration.

Camping sites are deemed to be vulnerable sites according to SEPA's Flood Risk and Land Use Vulnerability Guidance, however the site is well separated from those areas liable to flooding as indicated on the SEPA flood maps. It is an elevated and sloping site.

## Site Design

The proposed entrance to the site may have a low curved stone wall backed with hedging to provide a modest feature on Torduff Road. Signage will be to a minimum but sufficient to announce the site's presence. The site will not be immediately visible from the road access, which will run a short distance parallel to Torduff Road, separated by hedge planting, before entering the site, minimising its local impact. The majority of the access road will already be in place.

The west boundary wall will be maintained and some planting will be carried out, although not to a great extent or height as this provides the site with a view westwards towards the Pentland Hills. The camping pods will be arranged along the hillside from west to east in two rows, exact details are still to be drafted. The layout will be scattered rather than regimented.



There will be a mix of pod sizes, but they will be of timber construction with timber shingle roofs or felt tile roofs (slate could be considered). The main fenestration will be at the front gable end and this will be generally orientated towards the hills, at varying angles. The units will appear scattered rather than in orderly columns. Bearing in mind that the site is around 0.5 hectares, 10 pods would have around 500 square metres each. Clearly there are other ancillary surfaces and two other buildings to be incorporated, but it is clear that there is ample space for a low density layout.

The other buildings likely required would be a small site office, accommodated within a converted pod and a bar-b-que pod, generally round or octagonal, and possibly partially open sided. There may also be a small waste/recycling enclosure near to the access. Vehicle surfaces will be designed to have minimal impact, being loose material (stone or wood chips) and/or reinforced grass areas. Cycle parking may be incorporated into each pod site or a secure enclosure may be required. Cycle parking for 20 cycles is anticipated (200%). If possible, an electric car charging point will be installed, and incorporated into the layout.

The planting to the south boundary will be strengthened, in particular close to the neighbouring dwelling house. Significant planting will also be carried out along the ridge and to the south side of it. The maintenance and enhancement of the boundary beech/hawthorn hedging to Torduff Road and Bonaly Road will further enhance the setting.



### **Access and Parking and services**

The site is readily accessible via adopted public roads from the city centre. Torduff Road is connected via Bonaly Road and Woodhall Road to Colinton Road (B701).

A regular bus service terminates just a short walking distance to the north adjacent to the Bonaly Store at the Bonaly Avenue/Road junction.

Facilities for secure cycle storage will be provided in the subsequent detailed planning application(s). The existing building on the south boundary is likely to be used for cycle storage and waste/recycling bin storage. The applicant is proposing to incorporate a cycle hire facility within the development site.

The site will have a low impact on traffic levels. The access is to be from the north end of the west boundary, taken from Torduff Road. There will be an existing road into the adjacent site and a spur will be taken from this into the camping site. It will be of loose material, compacted hardcore material or strengthened with nylon grass protection mesh/matting.

Car parking details are yet to be finalised. There would either be a central parking area or else there would be single spaces adjacent to each unit, as happens on a camping site. One space per unit plus a small drop off area would be anticipated. An electric car charging point is desirable if possible.

The site will have the existing mains water supply upgraded, and an electricity connection is already available. Drainage will be via a private treatment plant and soak-away.

The site has very good mobile communications service.

## 6. Conclusion

The critical determining issues will be the location of the accommodation pods in the green belt and the Pentland Hills Regional Park, and in particular policies **Env 10**, **ENV 11**, and **Env 17**.

The Regional Park is a special landscape area as well as a very important recreational asset to the City. The development will preserve and enhance the setting of the park by limiting development to a small number of eco-friendly, and landscape friendly pods set within a naturally landscaped setting near to the edge of the urban area. It will not undermine the principles of the Regional Park, and will enhance access to it and enjoyment of it. It will draw more people out to this location where the landscape virtues of the regional park can be appreciated and readily accessed on foot, bike or by horse/pony. It is an opportunity to provide an alternative City Break in the countryside, and one which will satisfy the current trend in holiday making.

This is a use that will be suited to the urban fringes of the green belt, allowing visitors to enjoy the Regional Park whilst also having the opportunity to visit the City via good public transport and cycle links. It will not undermine the principles of the green belt. It will transform the landscape of the site but it will not have a negative impact on the area as a whole. It will remain in keeping with the landscape setting of the Bonaly area, and the recreational nature of the PHRP as is evident from other nearby uses and features.

It is therefore concluded that this is a positive recreational resource which will interact well with the purpose and nature of the Regional Park and with existing activities and which in terms of a visual impact will incorporate some very positive attributes.



## **6. Appendices**

### **List of all relevant policies of the Edinburgh LDP - 2016**

**Policy Des 1 Design Quality and Context** - Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

**Policy Des 4 Development Design - Impact on Setting** - Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- a) height and form
- b) scale and proportions, including the spaces between buildings
- c) position of buildings and other features on the site
- d) materials and detailing

**Policy Des 5 Development Design - Amenity** - Planning permission will be granted for development where it is demonstrated that:

- a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook
- b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses
- c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas
- d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms
- e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design

**Policy Env 3 Listed Buildings - Setting** - Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

**Policy Env 8 Protection of Important Remains** - Development will not be permitted which would:

- a) adversely affect a scheduled monument or other nationally important archaeological remains, or the integrity of their setting
- b) damage or destroy non-designated archaeological remains which the Council considers should be preserved in situ.

**Policy Env 10 Development in the Green Belt and Countryside** - Within the Green Belt and Countryside shown on the Proposals Map, development will only be permitted where it meets one of the following criteria and would not detract from the landscape quality and/or rural character of the area:

- a) For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.
- b) For the change of use of an existing building, provided the building is of architectural merit or a valuable element in the landscape and is worthy of retention. Buildings should be of domestic scale, substantially intact and structurally capable of conversion.
- c) For development relating to an existing use or building(s) such as an extension to a site or building, ancillary development or intensification of the use, provided the

proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact.

- d) For the replacement of an existing building with a new building in the same use provided:
  - 1) the existing building is not listed or of architectural / historic merit;
  - 2) the existing building is of poor quality design and structural condition,
  - 3) the existing building is of domestic scale, has a lawful use and is not a temporary structure; and
  - 4) the new building is of a similar or smaller size to the existing one, lies within the curtilage of the existing building and is of high design quality.

**Policy Env 11 Special Landscape Areas** - Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map.

**Policy Env 12 Trees** - Development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for good arboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

**Policy Env 15 Sites of Local Importance** - Development likely to have an adverse impact on the flora, fauna, landscape or geological features of a Local Nature Reserve or a Local Nature Conservation Site will not be permitted unless it can be demonstrated that:

- a) the reasons for allowing the development are sufficient to outweigh the nature conservation interest of the site
- b) the adverse consequences of allowing the development for the value of the site have been minimised and mitigated in an acceptable manner.

**Policy Env 16 Species Protection** - Planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law, unless:

- a) there is an overriding public need for the development and it is demonstrated that there is no alternative
- b) a full survey has been carried out of the current status of the species and its use of the site
- c) there would be no detriment to the maintenance of the species at 'favourable conservation status'
- d) suitable mitigation is proposed

**Policy Env 17 Pentlands Hills Regional Park** - Development which supports the aims of the Pentlands Hills Regional Park will be permitted provided it has no unacceptable impact on the character and landscape quality of the Park.

**Policy Tra 2 Private Car Parking** - Planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance. Lower provision will be pursued subject to consideration of the following factors:

**Policy Tra 3 Private Cycle Parking** - Planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

**Policy RS 6 Water and Drainage** - Planning permission will not be granted where there is an inadequate water supply or sewerage available to meet the demands of the development and necessary improvements cannot be provided.

#### Other documents material to the determination

- Scottish Planning Policy [June 2014]
- Non-statutory guideline - Development in the Countryside and Green Belt - Oct 2017
- Review of Local Landscape Designations - The City of Edinburgh Council, Prepared for the City of Edinburgh Council by Land Use Consultants January 2010



Horses to the west side of the site

## **Review of Local Landscape Designations [extract]**

22 candidate Special Landscape Areas (cSLAs) were identified in the approved Review of Local Landscape Designations (Feb 2010). The candidates are based upon landscape character assessment and evaluation of relative landscape value following the methodology set out in 'Guidance on Local Landscape Designations' published by SNH and Historic Scotland (2004). Candidates will be designated through the forthcoming Local Development Plan and will replace the existing local landscape designations: Areas of Great Landscape Value (AGLV) and Areas of Outstanding Landscape Quality (AOLQ). In the interim the Review will constitute a material consideration in the determination of planning applications. cSLAs are accompanied by 'Statements of Importance', which set out their key characteristics and attributes.

### **Candidate Special Landscape Area: Pentlands (cSLA 09)**

#### **Landscape characteristics and qualities:**

The Pentland hills form a dramatic backdrop to the city of Edinburgh. They are one of the most prominent features of the city skyline and dominate the surrounding landscape. The hills rise from flanking woodland and farmland to merge into the rugged upland summits of the hill range and represent a significant recreational resource. The Pentlands cSLA provides an identifiable setting and containment to the city and surrounding settlements of Juniper Green, Currie and Balerno.

South of the main built-up area and Water of Leith, the foreground setting to the Pentland Hills sweeps upwards through rolling landform. In the west of the cSLA, the landscape is characterised by a regular layout of 18th - 19th century fields, enclosed by drystone dykes, hedgerows, tree lines and shelterbelt planting. To the east, the landscape is more open in character featuring moorland, hillside golf course, knoll landform and exposed rock at Torphin Quarry, alongside planting of designed landscape origin. This includes the notable wedge of plantation, parkland and woodland extending into the urban area at Dreghorn and the 'T' Wood at White Hill.

At the foot of the main side slopes, gorse and sparse tree cover line narrow, incised burns, which drain from the hills. Several of these watercourses feed the man-made reservoirs of Threipmuir, Harlaw, Bonaly and Clubbidean, which occupy localised dips in landform to the north of the main ridge. Raised bog at Bonaly Common and mixed farmland enclosures of crops, improved grassland and unimproved pasture upslope, give way to open hill and heather moorland beyond the head dyke; marking a transition in land management practice. In the northeast, the narrow band of flanking foothills steepens dramatically to the prominent crags and scree slopes at Caerketton.

The well managed agricultural landscape and reservoirs, backed by the hill range are of high scenic value and offer a sense of isolation. Despite impacting upon their immediate situation, the presence of pylons tends to be diminished by the scale and backdrop of the wider landscape. The hills provide a natural landform barrier to the major road network of the A702 and A70. Whilst the city by-pass reduces tranquillity within the North Pentland Slopes, its impact on views is reduced by the complexity of the surrounding scenery and its partial concealment through roadside planting and cuttings.

Despite their modest elevation, rising to just less than 500 m within the cSLA, the Hills command a prominent position above the surrounding coastal margin and gently undulating lowlands. The hills' elongated ridge forms a distinctive profile when viewed from the by-pass and main approaches to Edinburgh, its urban hills, ridgelines, open spaces and western neighbourhoods. Hilltops such as Allermuir Hill (493 m AOD) and Caerketton Hill (450 AOD), offer extensive panoramas across Edinburgh, the East and West Lothian Plateaux and Firth of Forth towards Fife and the Ochils.

To the south and east views extend across the Southern Uplands, Moorfoots, North Esk valley and Lammermuir Hills. The full hill range is the product of Devonian volcanic rocks and sandstones and extends across some 25 km from northeast to southwest outwith the cSLA. The Pentlands form two parallel ridge lines, cut by minor burns and separated by an internal valley containing the Loganlea and Glencorse Reservoirs, which drain to the River North Esk

to the south. The higher summits of the Pentlands have a rugged and wild character of knolls and windswept heather moorland, which contrasts with lower wooded glens and farmland.

There is a wealth of cultural influence across the landscape ranging from literary associations to features such as areas of rig and furrow, prehistoric forts, Swanston Village Conservation Area, the Inventory listed designed landscape of Mallery House and remnant policy landscapes of Dreghorn Castle, Bonaly, Harmerly and Cockburnhill.

Recreation and enjoyment are a significant element of the landscape, which provides for a range of outdoor activities. The upland summits within the cSLA form part of the Pentland Hills Regional Park, which includes Bonaly Country Park to the northwest and Hillend Country Park to the northeast in Midlothian.

The area is hugely popular with visitors, and is used for skiing, fishing, mountain biking, walking, running, horse riding, besides grouse shoots on moorland to the west and Military training at Castlelaw. A number of road and path links provide valued access routes into the area and hills beyond from the Water of Leith and city limits. The main access points include Bonaly, Dreghorn and Harelaw Reservoir within Edinburgh, and Hillend and Flotterstone in Midlothian.



**View towards the site from Buckstone**

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Jefferson Sheard Architects  
Fao Chris Hunt  
Fulcrum  
2 Sidney Street  
Sheffield  
England  
S1 4RH

CVS (UK) Limited.  
Mr Darren Oxley  
CVS House  
Owen Road  
Diss  
Norfolk  
England  
IP22 4ER

**Decision date: 29 October 2019**

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

Internal Refurb' and re-modeling of existing Veterinary building, to create additional Consult' room, provide a new theatre and dental room, and a cat waiting area to existing reception area. Proposed new single-storey extension to the rear of the building (with associated M&E, drainage and structural works) to house new Consult room, Accessible WC, Dog ward & kennels, Utility & Freezer room.  
At 19 Hillhouse Road Edinburgh EH4 3QP

**Application No:** 19/04179/FUL

### DECISION NOTICE

With reference to your application for Planning Permission registered on 3 September 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

#### **Conditions:-**

#### **Reasons:-**

1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would be discordant in the context of its surroundings.\*\*\*\*

2. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as the scale and design of the proposal is inappropriate to the streetscape and setting of adjacent houses.

3. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it adversely impacts on the character and appearance of the existing building and street scene by virtue of its excessive scale resulting in an over-dominant appearance of the building.

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

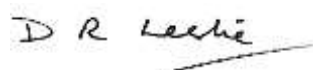
Drawings 01-09, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposals scale and form would be considered inappropriate and would result in over-development. Therefore the proposals fail to comply with the development plan and non-statutory guidance.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Amelia Christie directly on 0131 529 3920.



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

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at [www.eplanning.scot](http://www.eplanning.scot) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

**Application for Planning Permission 19/04179/FUL  
At 19 Hillhouse Road, Edinburgh, EH4 3QP  
Internal Refurb' and re-modeling of existing Veterinary building, to create additional Consult' room, provide a new theatre and dental room, and a cat waiting area to existing reception area. Proposed new single-storey extension to the rear of the building (with associated M&E, drainage and structural works) to house new Consult room, Accessible WC, Dog ward & kennels, Utility & Freezer room.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	19/04179/FUL
<b>Wards</b>	B05 - Inverleith

## Summary

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The proposals scale and form would be considered inappropriate and would result in over-development. Therefore the proposals fail to comply with the development plan and non-statutory guidance.

## Links

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<b><u><a href="#">Policies and guidance for this application</a></u></b>	LDPP, LDES01, LDES04, LDES05, LDES12, LHOU07, OTH, NSG, NSGD02,
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# Report of handling

## Recommendations

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**1.1** It is recommended that this application be Refused for the reasons below.

## Background

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### 2.1 Site description

The application site relates to a two storey, detached building located on the corner of Columba Avenue and Hillview Road. The property is currently in use as a veterinary surgery.

The surrounding area is predominantly residential.

### 2.2 Site History

30.05.08 - Planning permission granted for a new single storey extension to form waiting room and additional consulting rooms, demolition of single garage (as amended) (08/01960/FUL).

## Main report

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### 3.1 Description Of The Proposal

The application is for internal alterations and the formation of a single-storey extension located at the rear of the property.

### 3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### 3.3 Assessment

To address these determining issues, it needs to be considered whether:

- a) the proposed development would be an appropriate scale, form and design;
- b) the proposed development would have an acceptable impact on neighbouring residential amenity;
- c) the proposed development would have an adverse effect on road safety;
- d) any public comments have been addressed.

a) Scale, Form and Design

The building, although commercial in use, still retains a degree of residential appearance, particularly when reviewed in context of its curtilage and the surrounding area. It has already been subject to a significant alteration and the proposed would result in an additional footprint of 45sq metre of floor area being added to the building. It would create an over-dominant element that would challenge and detract from the character of the original building to an unacceptable degree.

Policy Des 4 states that planning permission will be granted for development that will have a positive impact on its surroundings, including the character of the wide townscape and landscape and impact on existing views, having regard to height and form, scale and proportions. The proposed would further encroach into the remaining garden ground, and would constitute over-development of the site, creating an awkward and discordant feature within the immediate vicinity.

Policy DES12 states that planning permission will be granted for alterations or extensions that will not be of detriment to neighbourhood amenity and character. Whilst the proposed extension would broadly match the existing building in terms of design, the size and scale of the extension would result in a dominant and overbearing element. The proposed development is of an inappropriate scale in relation to the main building, disrupting the character and appearance of the property. The proposed extension would significantly increase the overall size of the extension floor space and would introduce an inappropriate and unsympathetic addition to the building.

LDP Policy Des 1 states that the existing quality and character of the immediate and wider environment should be respected and enhanced. The building would no longer retain the residential appearance and would compromise the residential character of the area.

Therefore the proposals would cause the over-development of the site and are unacceptable.

b) Amenity

The proposals would comply with the criteria in relation to the protection of neighbouring daylight and sunlight as set out in the non-statutory guidance. The proposal would not have an unacceptable impact on neighbouring privacy levels. The proposal is for operational development only and does not constitute an intensification of the use.

As the kennels already exist, and the existing use of the property is lawful, the additional floor area would be incidental to that use and its impact on amenity cannot be taken into account.

Therefore there would not be an impact on neighbouring amenity.

### c) Road Safety

The use is existing and lawful and there is no evidence to suggest the development would necessarily exacerbate any possible road safety issues within the vicinity.

There are no road safety concerns.

### d) Public Comments

Two comments of objection have been received:

- Over shadowing issues.
- Issues with parking.
- Dogs may be left unsupervised overnight leading to increased noise.
- The site has already undergone previous alterations.

It is recommended that this application be Refused for the reasons below.

## 3.4 Conditions/reasons/informatives

### Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would be discordant in the context of its surroundings.\*\*\*\*
2. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as the scale and design of the proposal is inappropriate to the streetscape and setting of adjacent houses.
3. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it adversely impacts on the character and appearance of the existing building and street scene by virtue of its excessive scale resulting in an over-dominant appearance of the building.

## Risk, Policy, compliance and governance impact

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4.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## Equalities impact

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5.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

## Consultation and engagement

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### 6.1 Pre-Application Process

Pre-application discussions took place on this application.

### 6.2 Publicity summary of representations and Community Council comments

Two representations have been received.

This has been addressed throughout section 3.3.

## Background reading / external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**Statutory Development  
Plan Provision****Date registered** 3 September 2019**Drawing  
numbers/Scheme** 01-09,  
Scheme 1

David R. Leslie  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Amelia Christie, Trainee Planner  
E-mail: amelia.christie@edinburgh.gov.uk Tel: 0131 529 3920

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

#### **Other Relevant policy guidance**

## Relevant Non-Statutory Guidelines

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

# Appendix 1

## Consultations

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Environmental Protection Officer

I would advise that Environmental Protection has no objections to this proposed development.

END

# Comments for Planning Application 19/04179/FUL

## Application Summary

Application Number: 19/04179/FUL

Address: 19 Hillhouse Road Edinburgh EH4 3QP

Proposal: Internal Refurb' and re-modeling of existing Veterinary building, to create additional Consult' room, provide a new theatre and dental room, and a cat waiting area to existing reception area. Proposed new single-storey extension to the rear of the building (with associated M&E, drainage and structural works) to house new Consult room, Accessible WC, Dog ward & kennels, Utility & Freezer room.

Case Officer: Amelia Christie

## Customer Details

Name: Mr Malcolm Butchert

Address: 21 Hillhouse Road Blackhall Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This building has been extended several times previously, the overall impact of this gradual development does not seem to have been considered in what is essentially a residential area. There has been no public consultation on behalf of the Veterinary business regards the impact of increased numbers of business users on the neighbourhood. The existing car park is currently inadequate for the numbers of visitors and it is not being enlarged to meet the increased business, this will lead to increased parking in Columba Ave. Columba ave is a narrow road which is frequently reduced in effective width by cars parking on both sides rendering it unusable for emergency vehicle, the increase in visitors can only add to this unacceptable situation which puts neighbourhood properties at risk. Frequently we find cars parking over our drive preventing access, this extension can only worsen this situation due to increased traffic. Columba Avenue has also seen increased parking and use by local shopkeepers and users from nearby Hillhouse Road shops. The existence of Dog Kennels leads to the potential for dogs to be left overnight possibly unsupervised in what for the dog would be an alien place which is likely to lead to barking at night and unacceptable noise. In conclusion the existing building has already been extended to its maximum, and we already suffer from the volume of traffic, a further extension can only lead to a greater negative impact on the neighbourhood

To: Amelia Christie  
From: Ann Connolly, Environmental Protection, Place

Date: 17 October 2019

**TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997  
19/04179/FUL INTERNAL REFURB' AND RE-MODELING OF EXISTING VETERINARY  
BUILDING, TO CREATE ADDITIONAL CONSULT' ROOM, PROVIDE A NEW  
THEATRE AND DENTAL ROOM, AND A CAT WAITING AREA TO EXISTING  
RECEPTION AREA. PROPOSED NEW SINGLE-STOREY EXTENSION TO THE  
REAR OF THE BUILDING (WITH ASSOCIATED M&E, DRAINAGE AND  
STRUCTURAL WORKS) TO HOUSE NEW CONSULT ROOM, ACCESSIBLE WC,  
DOG WARD & KENNELS, UTILITY & FREEZER ROOM. AT 19 HILLHOUSE  
ROAD, EDINBURGH, EH4 3QP.**

I refer to the above and would advise that Environmental Protection has no objections to this proposed development.

The application property which is located at the junction of Hillhouse Road and Columba Avenue is detached and there are residential properties situated adjacent. The application proposes internal alterations and extensions of an existing veterinary practice to create additional consultation and treatment space. The application will result in an increase in the number of kennels within the property however it has been indicated that animals are not accommodated overnight and there are no plans for that arrangement to change.

Should you wish to discuss the above please contact me on 0131 469 5806.

# Comments for Planning Application 19/04179/FUL

## Application Summary

Application Number: 19/04179/FUL

Address: 19 Hillhouse Road Edinburgh EH4 3QP

Proposal: Internal Refurb' and re-modeling of existing Veterinary building, to create additional Consult' room, provide a new theatre and dental room, and a cat waiting area to existing reception area. Proposed new single-storey extension to the rear of the building (with associated M&E, drainage and structural works) to house new Consult room, Accessible WC, Dog ward & kennels, Utility & Freezer room.

Case Officer: Amelia Christie

## Customer Details

Name: Mrs Elizabeth Hanley

Address: 17 Hillhouse Road Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Over shadowing



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100206485-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation: JLL

Ref. Number: You must enter a Building Name or Number, or both: \*

First Name: \* Freya Building Name:

Last Name: \* Murray Building Number: 7

Telephone Number: \* Address 1 (Street): \* Exchange Crescent

Extension Number: Address 2: Conference Square

Mobile Number: Town/City: \* Edinburgh

Fax Number: Country: \* Scotland

Postcode: \* EH3 8LL

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

☐ Individual ☒ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="CVS House"/>
First Name: *	<input type="text" value="James"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Dawson"/>	Address 1 (Street): *	<input type="text" value="Owen Road"/>
Company/Organisation	<input type="text" value="CVS (UK) Limited"/>	Address 2:	<input type="text" value="Diss"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Norfolk"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="England"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="IP22 4ER"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="19 HILLHOUSE ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH4 3QP"/>

Please identify/describe the location of the site or sites

Northings	<input type="text" value="674748"/>	Easting	<input type="text" value="321745"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Internal refurbishment and re-modeling of existing Veterinary building, to create additional Consult room, provide a new theatre and dental room, and a cat waiting area to existing reception area. Proposed new single-storey extension to the rear of the building (with associated M&E, drainage and structural works) to house new Consult room, Accessible WC, Dog ward & kennels, Utility & Freezer room.

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see the accompanying Notice of Review Statement.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Notice of Review Statement; Handling Report; Decision Notice; Site Location Plan; Existing GA plan; Existing roof and first floor plan; Proposed demolitions plan; Proposed GA plan; Proposed roof plan; Existing GA elevations; Proposed GA elevations; Location plan; Application form.

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

19/04179/FUL

What date was the application submitted to the planning authority? \*

03/09/2019

What date was the decision issued by the planning authority? \*

29/10/2019

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Miss Freya Pottinger

Declaration Date: 28/01/2020

**Proposal Details**

Proposal Name	100206485
Proposal Description	Notice of review pursuant to the decision by the City of Edinburgh Council to refuse planning permission for Application Ref. 19/04179/FUL
Address	19 HILLHOUSE ROAD, EDINBURGH, EH4 3QP
Local Authority	City of Edinburgh Council
Application Online Reference	100206485-001

**Application Status**

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

**Attachment Details**

Notice of Review	System	A4
Existing GA Plan	Attached	A0
Existing Roof and First Floor Plan	Attached	A0
Existing GA Elevations	Attached	A0
Site Location Plan	Attached	A0
Proposed GA Plan	Attached	A0
Proposed Roof Plan	Attached	A0
Proposed GA Elevations	Attached	A0
Proposed Demolitions	Attached	A0
Application Form	Attached	A0
Decision Notice	Attached	A0
Handling Report	Attached	A0
Neighbour Notification List	Attached	A0
Notice of Review Statement	Attached	A0
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

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## Notice of Review Statement – BDW Vets, 19 Hillhouse Road, Edinburgh

Pursuant to City of Edinburgh Council Decision (App. Ref. 19/04179/FUL)

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### 1. Introduction and Grounds for Review

On behalf of our client, Batchelor, Davidson & Watson Veterinary Surgeons (“the Applicant”), we hereby submit a notice of review pursuant to the decision by the City of Edinburgh Council (CEC) to refuse planning permission for the *“Internal Refurb’ and re-modeling of existing Veterinary building, to create additional Consult’ room, provide a new theatre and dental room, and a cat waiting area to existing reception area. Proposed new single-storey extension to the rear of the building (with associated M&E, drainage and structural works) to house new Consult room, Accessible WC, Dog ward & kennels, Utility & Freezer room”* at 19 Hillhouse Road, Edinburgh.

An application was made to CEC on 3 September 2019 and refused on 29 October 2019 under delegated powers for the following reasons:

- 1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would be discordant in the context of its surroundings.*
- 2. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as the scale and design of the proposal is inappropriate to the streetscape and setting of adjacent houses.*
- 3. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it adversely impacts on the character and appearance of the existing building and street scene by virtue of its excessive scale resulting in an over-dominant appearance of the building.*

This Statement has been prepared and submitted in support of a Notice of Review to the Local Review Body (LRB), along with the documentation submitted with the original planning application. This Statement sets out arguments in support of the proposed development, and provides an assessment of the development against the policies cited in the reasons for refusal.

In summary, it is considered the proposed development should be granted planning permission for the following reasons:

- It is in accordance with the Statutory Development Plan, as set out below.
- The proposed extension is of a height, scale and form which is similar to several other rear extensions in the wider area and avoids impacting upon its surroundings. The extension only represents a 21% increase in the floor area and 428sqm of amenity space would be retained.
- The proposed extension sits within the curtilage of the existing property, is not visible from Hillhouse Road, and is set back and barely visible from Columba Avenue.

- The proposed extension is subservient to the main building as a result of it being single storey and positioned to the rear.

The proposed extension looks to improve the clinical standards of the practice, providing a purpose-built dog ward with walk-in kennels, and an isolation kennel to allow contagious animals to be separated from other pets. By moving these spaces out of the current prep area, it is possible to create a standalone X-ray room which will allow scans to be undertaken without needing to clear out the prep and theatres areas, thereby improving safety and working practices. The works will also provide additional consulting rooms which will ensure that routine appointments can be held when customers most need them. The reception area will undergo a ‘refresh’ which will benefit both staff and clients.

Therefore, it should be noted that the proposed scale of the extension is required to ensure the veterinary practice can continue to operate viably. The veterinary practice is a valued employer and community facility in a location which is easily accessed by customers, unlike many veterinary practices which are located on the outskirts of the city and only accessed by car or public transport.

## 2. Site Location and Context

The application site is located on the corner of Hillhouse Road and Columba Avenue. Hillhouse Road forms one of the arterial routes into the city centre and, although the surrounding area is predominantly residential, there is also a number of commercial and community uses along Hillhouse Road.

The immediate area surrounding the property is characterised by two storey detached and semi-detached properties, many of which have been extended to the rear.

The property itself is a detached two storey building. In 1983, planning permission was granted for a change of use from residential to part residential, part veterinary surgery (App. Ref. A938/83). In 2008, planning permission was granted for a “*new single storey extension to form waiting room and additional consulting rooms, and demolition of single garage*”. It was confirmed as part of the 2008 application that the residential element had not been used as such for many years.

## 3. Planning Policy and Guidance Assessment

The Development Plan for the area in which the site lies comprises:

- The South East Scotland Strategic Development Plan (SESplan) (2013);
- Edinburgh Local Development Plan (2016); and
- associated Supplementary Guidance.

There are no specific strategic policies directly relevant to this proposal within SES Plan.

In terms of the Edinburgh Local Development Plan (LDP), the site is located within the urban area where the principle of development is generally supported subject to relevant policy considerations. The site is not located within a conservation area and there are no listed buildings in close proximity.

The remainder of this section assesses the proposed development against LDP Policies Des 1, Des 4 and Des 12 which were cited in the reasons for refusal.

### 3.1. Policy Des 1 ‘Design Quality and Context’

Policy Des 1 states:

*“Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance”.*

Reason for refusal 1 states that the proposal is contrary to Policy Des 1 because it is *“discordant in the context of its surroundings”*. The Report of Handling states that *“the building would no longer retain the residential appearance and would compromise the residential character of the area”*.

#### Residential Appearance

We disagree with the approach that the proposals should be considered in relation to the perceived residential character of the building. The proposal does not relate to an application for a change of use - the building has been used as a veterinary practice (Use Class 2) for 36 years and the extension is proposed in order to support its continued use.

Furthermore, CEC supports *“design which facilitates adaptability in the future to the needs of different occupiers”* (LDP Policy Des 5). We consider the proposals would not preclude other uses in the future. Indeed, 428 sqm of open space would still be retained on site.

We would also draw your attention to the Blackhall Medical Centre (51 Hillhouse Road) which is a nearby example of a former residential property which is now used as a medical centre with an extension to the rear of a similar scale to the proposed development (as shown in Figure 1 below).

Figure 1: Blackhall Medical Centre



### Residential Character of the Area

The surroundings can be described as follows:

- The property fronts onto Hillhouse Road, an arterial route into the city centre from the north;
- Hillhouse Road comprises a variety of architectural styles from terraced properties with commercial uses on the ground floor, villas, traditional stone terraces and 1930s detached bungalows. The site itself comprises a large, detached stone building and the style does not appear to be replicated in the surrounding area;
- The properties surrounding the site along Columba Avenue, Columba Road and beyond are predominantly bungalows.

We would argue that the site should be considered in the context of Hillhouse Road rather than the properties on Columba Avenue, Columba Road and beyond. Hillhouse Road comprises of an eclectic mix of architectural styles and uses therefore the proposed development is considered to accord with the character of the surrounding area.

### Policy Assessment

In terms of the actual provisions contained within Policy Des 1, the proposed development is considered to contribute to a sense of place and would not damage the character or appearance of the surrounding area.

The proposed design has taken cognisance of the height and massing of the existing and surrounding buildings and proposing the extension to the rear is in accordance with other properties in the area. The proposals rationalise the rear of the site and the materials would be of a high quality and tie in with the existing building.

As set out above, in the context of Hillhouse Road, there is no prevailing character and the style of the building itself is not replicated nearby.

It is notable that para. 150 of the LDP (which sets out supporting text in relation to Policy Des 1) states:

*“The Council encourages innovation and well-designed developments that relate sensitively to the existing quality and character of the local and wider environment, generate distinctiveness and a sense of place, and help build stronger communities”.*

The proposed development relates sensitively to the existing quality and character of the area in terms of its positioning and scale and, by allowing the continued operation of the veterinary practice in this location, would ensure the future provision of a valued community service.

The proposed development is therefore considered to be in accordance with Policy Des 1.

### **3.2. Policy Des 4 ‘Development Design – Impact on Setting’**

Policy Des 4 states:

*“Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:*

- a) height and form*
- b) scale and proportions, including the spaces between buildings*
- c) position of buildings and other features on the site*
- d) materials and detailing”.*

Reason for refusal 2 states that the proposed development does not accord with Policy Des 4 as *“the scale and design of the proposal is inappropriate to the streetscape and setting of adjacent houses”.*

Para. 154 of the LDP provides supporting text to Policy Des 4 and states *“this policy applies to all new development of one or more buildings”.* As the proposed development relates to an extension, Policy Des 4 is deemed not relevant to the consideration of the proposals. Policy Des 12 deals with alterations and extensions and is considered below.

### 3.3. Policy Des 12 ‘Alterations and Extensions’

Policy Des 12 states:

*“Planning permission will be granted for alterations and extensions to existing buildings which:*  
*a) in their design and form, choice of materials and positioning are compatible with the character of the existing building*  
*b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties*  
*c) will not be detrimental to neighbourhood amenity and character”.*

Reason for refusal 3 states *“[the proposed development] adversely impacts on the character and appearance of the existing building and street scene by virtue of its excessive scale resulting in an over-dominant appearance of the building”.* The Report of Handling states:

*“whilst the proposed extension would broadly match the existing building in terms of design, the size and scale of the extension would result in a dominant and overbearing element. The proposed development is of an inappropriate scale in relation to the main building, disrupting the character and appearance of the property. The proposed extension would significantly increase the overall size of the extension floor space and would introduce an inappropriate and unsympathetic addition to the building”.*

#### Design, Choice of Materials and Positioning

The Report of Handling raises no objection to the positioning of the extension to the rear of the building which respects the forward and side building lines and is generally consistent with recently approved extensions in the surrounding area.

In terms of positioning, the proposed development would be fully contained to the rear of the property and would be screened by the existing building when viewed from Hillhouse Road, the principle elevation.

#### Privacy and light

The proposal is fully compliant with the relevant guidance with respect to sunlight, daylight, and privacy and indeed the Report of Handling details that there is no conflict with this part of Policy Des 12:

*“The proposals would comply with the criteria in relation to the protection of neighbouring daylight and sunlight as set out in the non-statutory guidance. The proposal would not have an unacceptable impact on neighbouring privacy levels. The proposal is for operational development only and does not constitute an intensification of the use”.*

#### Neighbourhood Amenity and Character

The proposed development is not considered to be detrimental to neighbourhood amenity or character for the reasons set out above. The proposed development would only be partially visible from Columba Avenue and the scale is not out of keeping or unfamiliar to the character of the surrounding area.

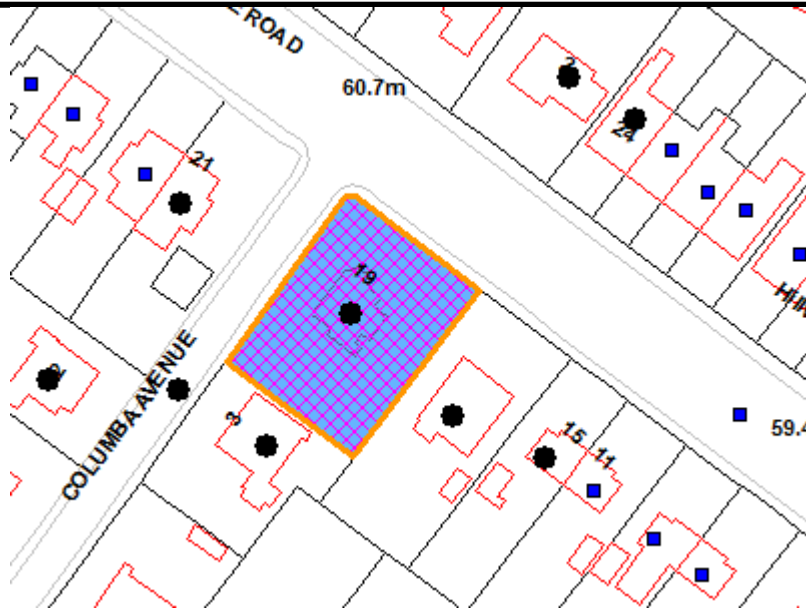
The proposed development is therefore considered to be in accordance with Policy Des 12.

## 1.2 Conclusion

In conclusion, we respectfully disagree with CEC's conclusion that the proposed development would be discordant in the context of its surroundings, and adversely impact on the character and appearance of the existing building and street scene by virtue of its scale, for the following reasons:

- The proposal should be considered in the context of Hillhouse Road which comprises of a mixture of architectural styles and uses.
- Similar rear extensions are very common in the surrounding area. Indeed, the extension would only represent a 21% increase in the floor area and a total of 428 sqm of amenity space would still be retained.
- There would be extremely limited views of the extension from Columba Avenue.
- The building has operated as a veterinary practice for 36 years therefore it should be considered as such.
- The extension would not be visible from Hillhouse Road i.e. the principal elevation therefore it would not impact upon the character or appearance of the existing building or street scene.
- The veterinary practice is a valued community service and employer and, without the proposed extension, would likely need to relocate further from the city centre.

## Neighbours Notified for 19/04179/FUL Date 5 September 2019



### Location Plan

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Number 100023420 The City of Edinburgh Council 2012.

- 24 Columba Road EdinburghEH4 3QS
- 22 Columba Road EdinburghEH4 3QS
- 20 Columba Road EdinburghEH4 3QS
- 15 Hillhouse Road EdinburghEH4 3QP
- 2 Columba Avenue EdinburghEH4 3QR
- 21 Hillhouse Road EdinburghEH4 3TH
- 24 Hillview EdinburghEH4 2AF
- 4 Hillhouse Road EdinburghEH4 2AG
- 2 Hillhouse Road EdinburghEH4 2AG
- 17 Hillhouse Road EdinburghEH4 3QP
- 3 Columba Avenue EdinburghEH4 3QR





North Elevation



East Elevation



South Elevation



West Elevation

P1	Planning Issue	28/06/19	CH	CR
Rev	Description	Date	By	CHK

Fulrum  
2 Sidney Street  
Sheffield S1 4BH  
Telephone +44 (0)1142761651  
Website www.jeffersonsheard.com

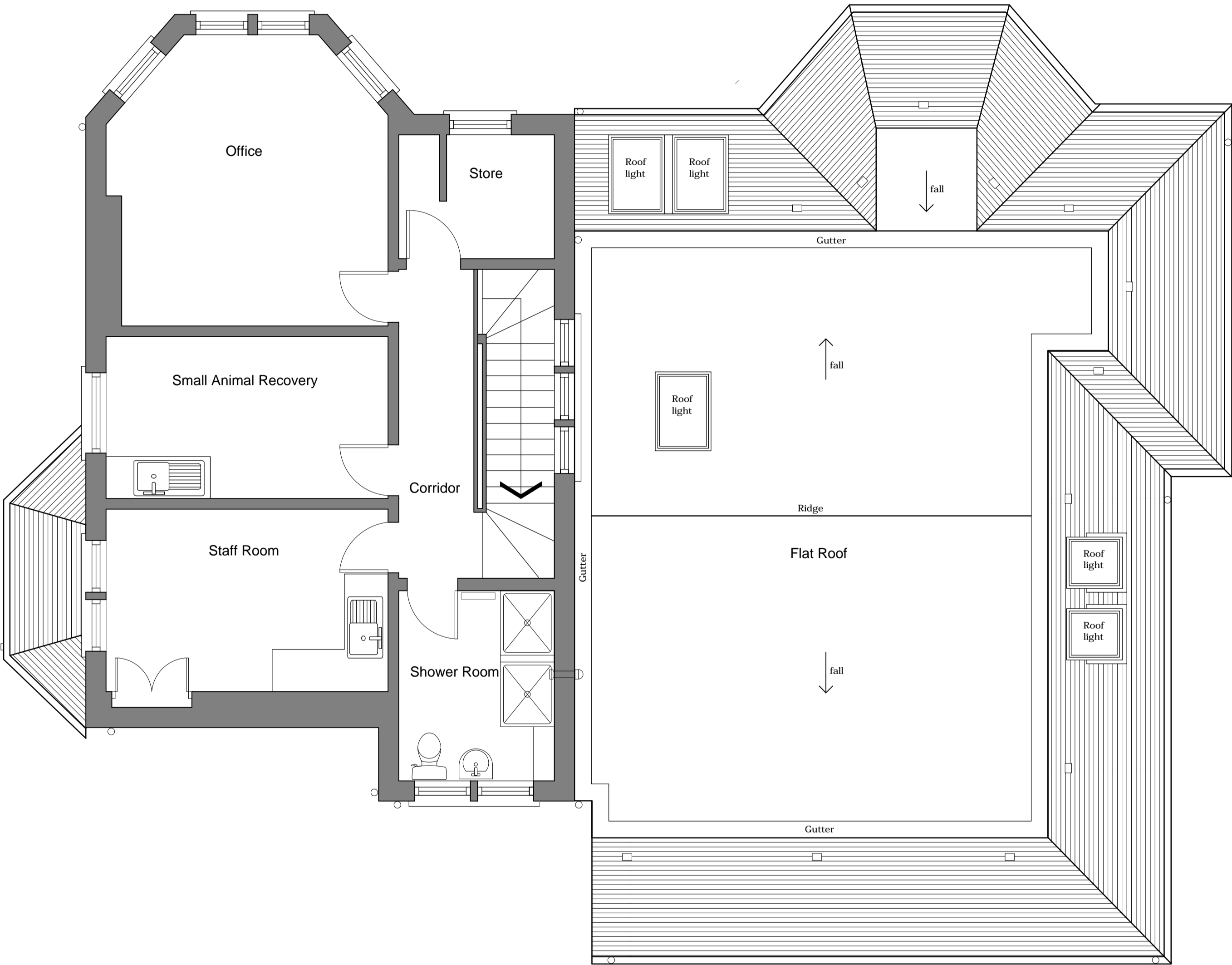


Project  
BDW Veterinary  
Hill House

Drawing  
Existing GA Elevations

Scale 1:50@A0	Drawn CH	Date 06/2019
Drawing Purpose PLANNING SUBMISSION	Status S5	Rev. P1
Drawing Reference 1398-JSA-XX-XX-DR-A-04000	Job No. _____ Stage _____ Type _____	





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The contractor is to check all dimensions on site and report any discrepancies to the architect  
All rights described in chapter IV of the copyright, designs and patents act 1988 have been generally asserted

Notes

P1	Planning Issue	28/06/19	CH	CJR
Rev	Description	Date	By	Chk

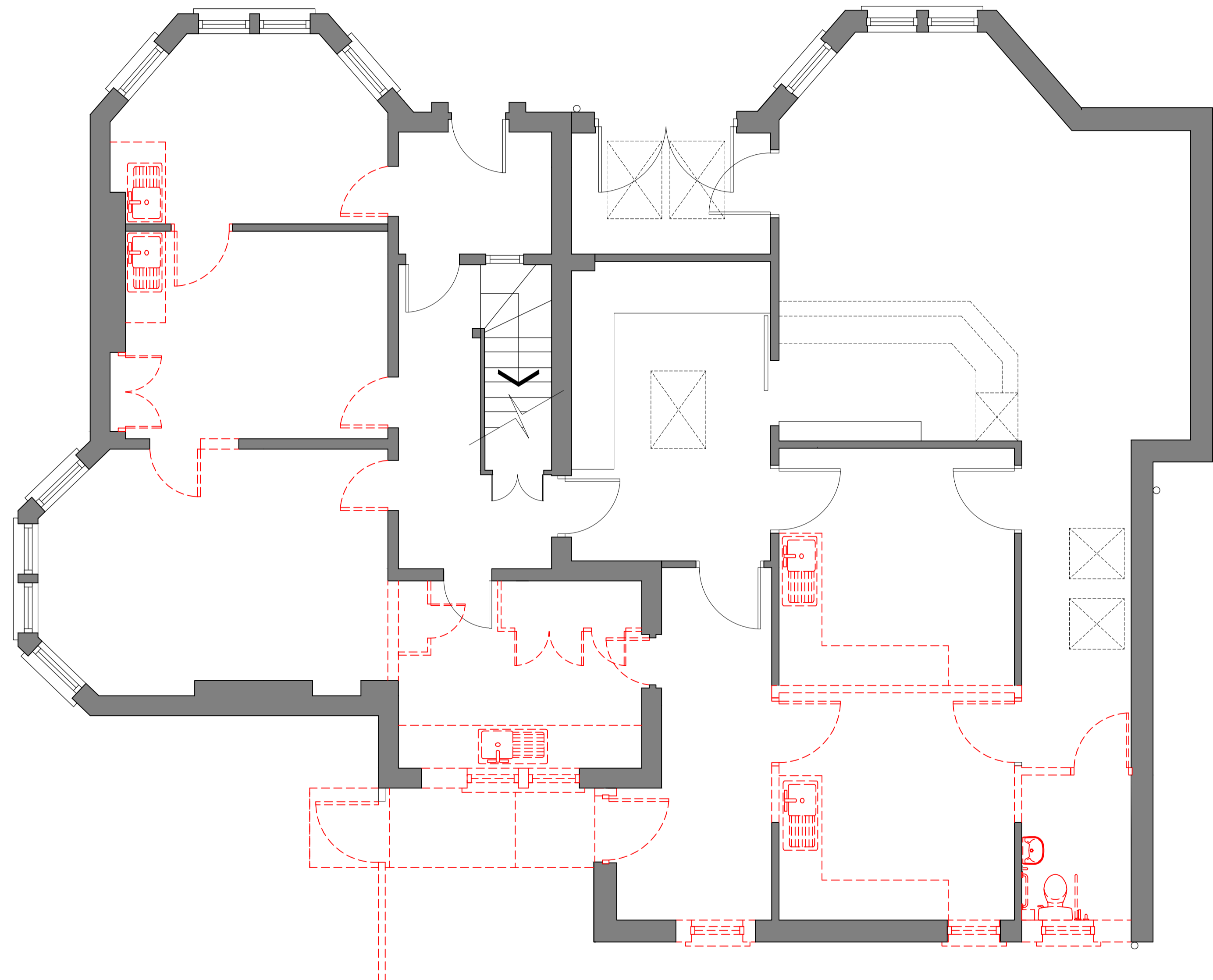
Fulcrum  
2 Sidney Street  
Sheffield S1 4RH  
Telephone +44(0)1142761651  
Website www.jeffersonsheard.com



Project  
BDW Veterinary  
Hill House

Drawing  
Existing Roof  
(& First Floor) Plan

Scale 1:50@A1	Drawn CH	Date 06.2019
Drawing Purpose PLANNING SUBMISSION		Status S5
Ref 1398-JSA-XX-XX-DR-A-02002	Rev. P1	
Job No. Origin Zone Level Type Dis. Number		



P2	Planning Issue, drawing number revised to '02100' from '02200'	28/06/19	CH	CJR
P1	Initial Issue	28/06/18	SC	CJR
Rev	Description	Date	By	Chk

Fulcrum  
2 Sidney Street  
Sheffield S1 4RH

Telephone +44(0)1142761651  
Website [www.jeffersonsheard.com](http://www.jeffersonsheard.com)

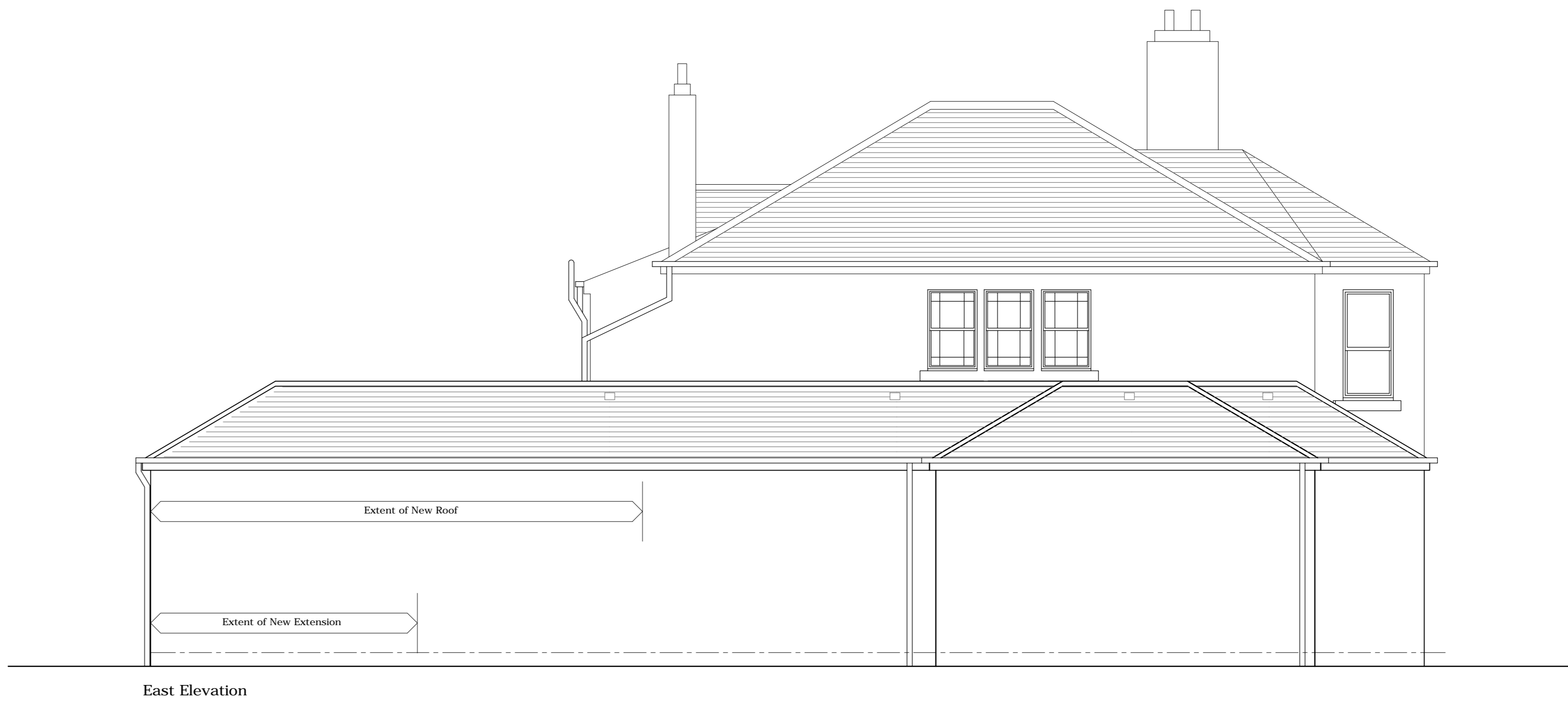
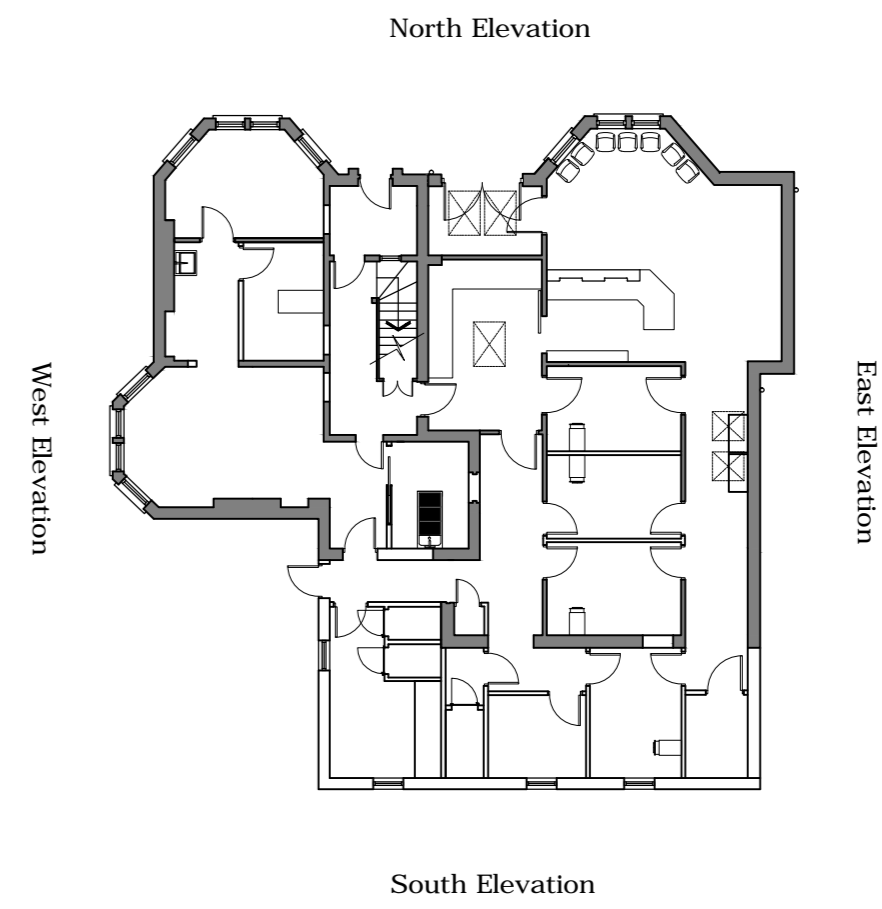


Project  
BDW Veterinary  
Hill House

Drawing  
Proposed Demolitions Plan

Scale 1:50 @ A1	Drawn SC	Date 28/08/18
Drawing Purpose PLANNING SUBMISSION		Status S5
Ref 1398-JSA-XX-XX-DR-A-02100		Rev. P2

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Notes



P2	Planning Issue: Drawing number amended to 14002 from 04007	25/06/19	CH	CLB
P1	Initial Issue	16/06/18	CPJ	CLB
Rev	Description	Issue	By	CHK

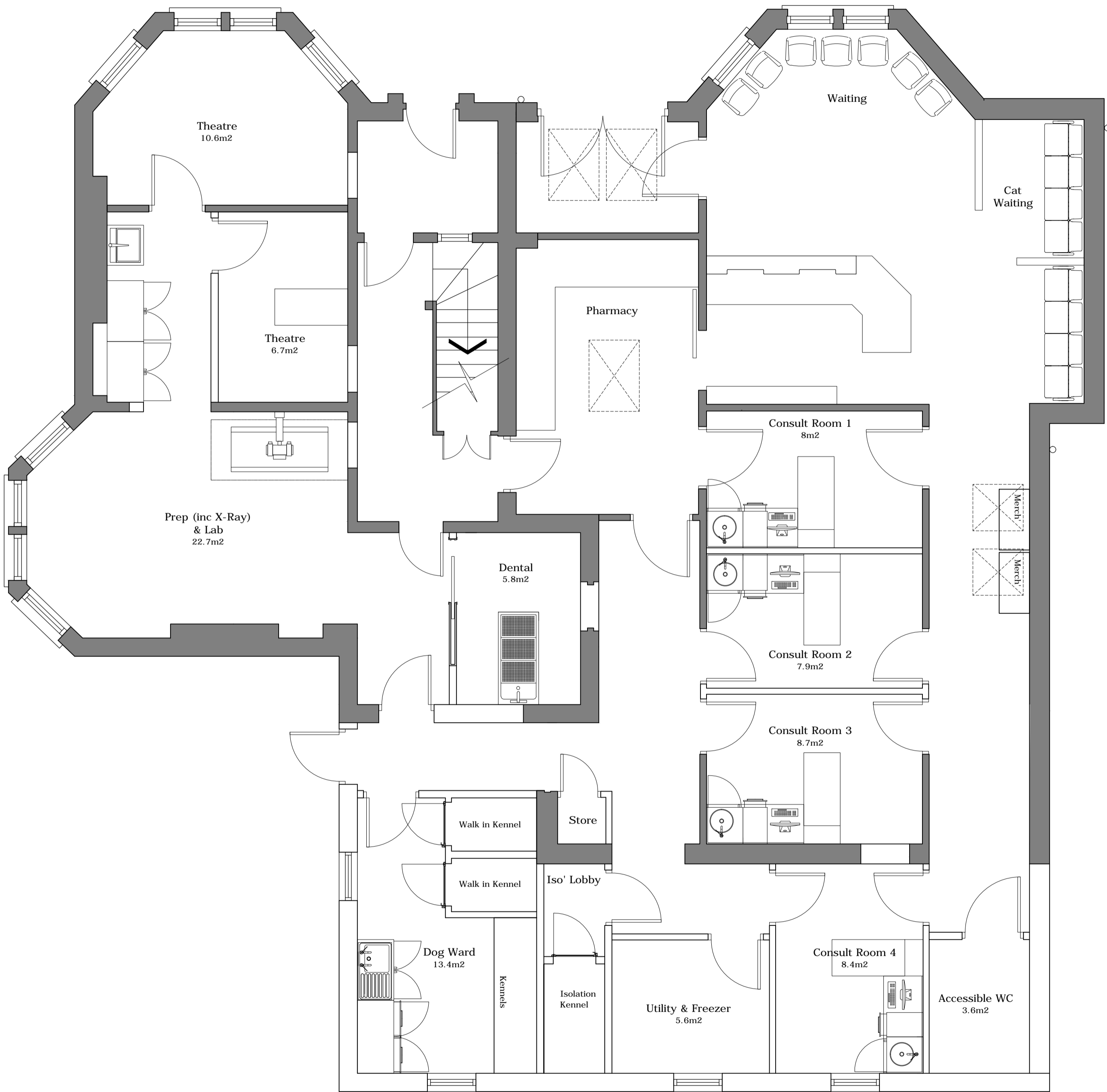
Fulrum  
2 Sidney Street  
Sheffield S1 4BH  
Telephone +44 (0)114 2761651  
Website www.jeffersonsheard.com



Project  
BDW Veterinary  
Hill House

Drawing  
Proposed GA Elevations

Scale 1:50@A0	Drawn CPJ	Date 09/18	Status S5
Drawing Purpose PLANNING SUBMISSION	Rev 1398-JSA-XX-XX-DR-A-04200	Rev P2	



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Notes

P3	Planning Issue	28/08/19	CH	CJR
P2	Windows added to new extension	18/09/18	CPJ	CJR
P1	Initial Issue	28/08/18	SC	CJR

Rev	Description	Date	By	Chk
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Fulcrum  
2 Sidney Street  
Sheffield S1 4RH

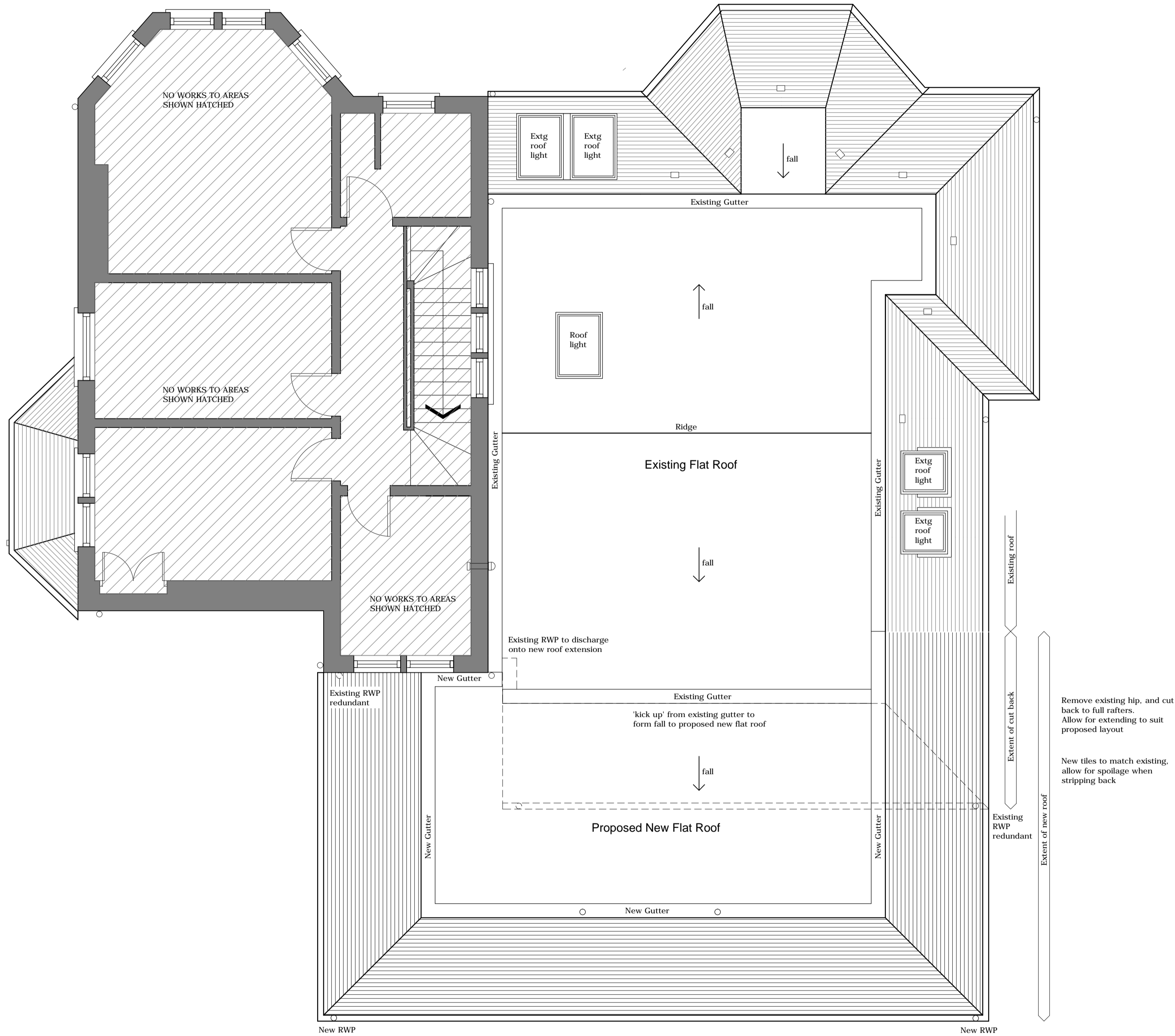
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Website [www.jeffersonsheard.com](http://www.jeffersonsheard.com)



Project  
BDW Veterinary  
Hill House

Drawing  
Proposed GA Plan

Scale 1:50 @ A1	Drawn SC	Date 28/08/18
Drawing Purpose PLANNING SUBMISSION	Status S5	
Ref 1398-JSA-XX-XX-DR-A-02200	Rev. P3	



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Notes

P1	Planning Issue	28/06/19	CH	CJR
Rev	Description	Date	By	Chk

Fulcrum  
2 Sidney Street  
Sheffield S1 4RH

Telephone + 44(0)1142761651  
Website www.jeffersonsheard.com



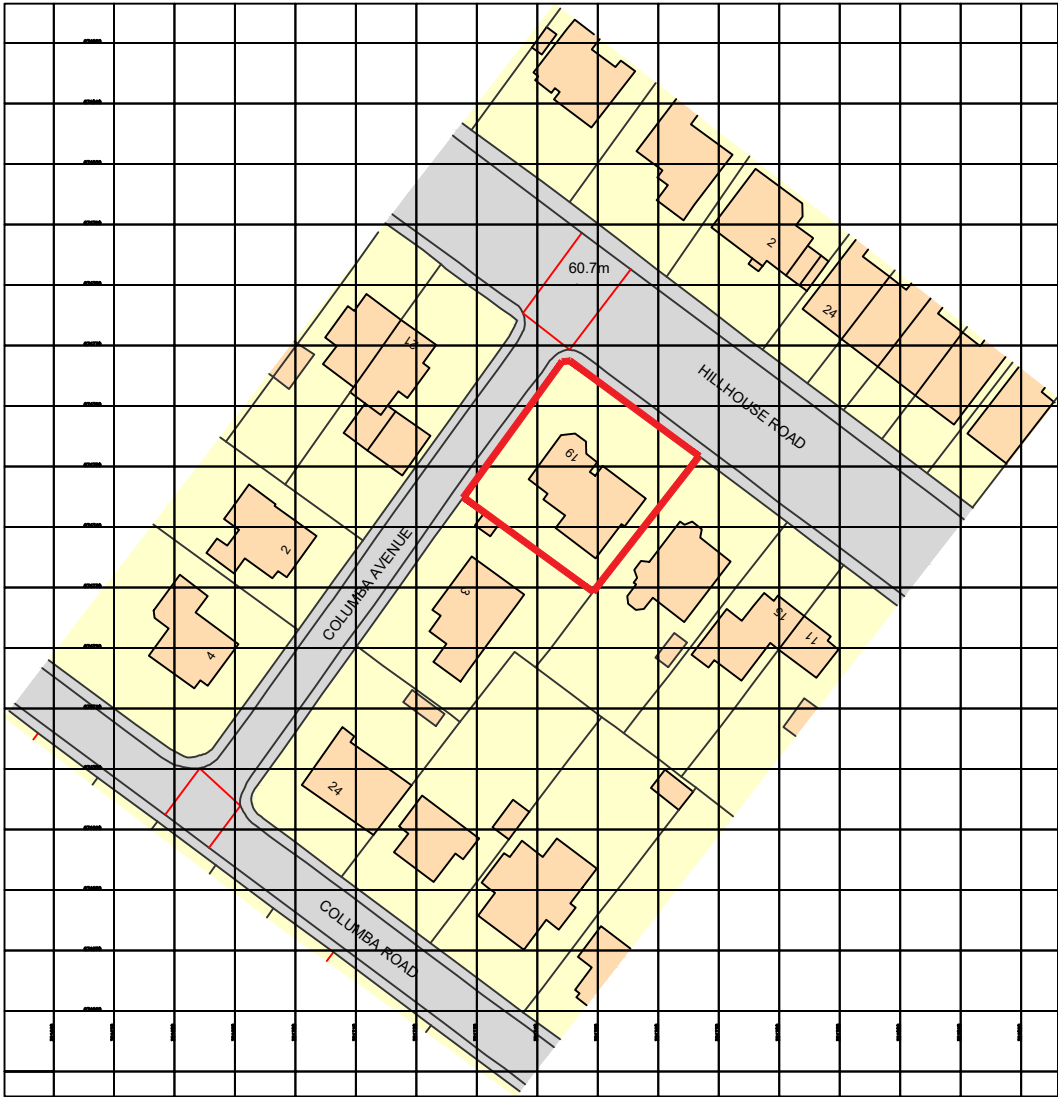
Project  
BDW Veterinary  
Hill House

Drawing  
Proposed Roof Plan

Scale 1:50@A1	Drawn CH	Date 06.2019
Drawing Purpose PLANNING SUBMISSION		Status S5
Ref 1398-JSA-XX-XX-DR-A-02202	Rev. p1	
Job No. Origin Zone Level Type Dis. Number		



VISUAL SCALE 1:1250 @ A3



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Notes

-	Initial Issue	02/07/19	JB	JMF
Rev	Description	Date	By	Chk

Fulcrum  
2 Sidney Street  
Sheffield S1 4RH

Telephone +44(0)1142761651  
Website [www.jeffersonsheard.com](http://www.jeffersonsheard.com)



**Jefferson  
Sheard  
Architects**

Project

**BDW Veterinary  
Hill House**

Drawing

**Site Location Plan**

Scale 1:1250@A3	Drawn JB	Date 07/19
Drawing Purpose PLANNING SUBMISSION		Status S5
Ref. 1398-JSA-XX-XX-DR-A-01000	Rev. P1	

The2Design.  
FAO: Magdalena Barnas-Orszulak  
45 Boswall Avenue  
Edinburgh  
The City Of Edinburgh  
EH5 2EA

Mrs Abha Rodrigues.  
1 Kilmaurs Terrace  
Edinburgh  
United Kingdom  
EH16 5BZ

**Decision date: 1 November 2019**

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

Demolish existing single storey extension and erect new three storey extension.  
At 1 Kilmaurs Terrace Edinburgh EH16 5BZ

**Application No:** 19/02713/FUL

### DECISION NOTICE

With reference to your application for Planning Permission registered on 6 June 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

#### **Conditions:-**

#### **Reason for Refusal:-**

1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would have a detrimental impact on the character and appearance of the surrounding area.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not acceptable in respect of its design and form, and will be detrimental to neighbourhood character.

3. The proposal is contrary to the Local Development Plan Policy Env 12 in respect of Trees, as it would result in damage to trees which are worthy of retention.

4. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it may have an adverse impact on the amenity of neighbouring residents due to loss of sunlight.

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

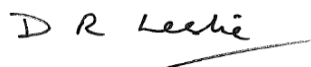
Drawings 01 - 08, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposed development is not compatible with the character of the existing building in respect of its design, form and choice of materials; and would have a detrimental impact on the character and appearance of the surrounding area. In addition, the proposal would damage trees which are worthy of retention and may have a detrimental impact on the amenity of neighbouring developments. The proposed development is contrary to policy Des 1, Des 5, Des 12 and Env 12 of the adopted Edinburgh Local Development Plan (LDP), the Edinburgh Design Guidance (EDG) and the Council's Guidance for Householders.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact James Allanson directly on 0131 529 3946.



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

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at [www.eplanning.scot](http://www.eplanning.scot) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

**Application for Planning Permission 19/02713/FUL  
At 1 Kilmaurs Terrace, Edinburgh, EH16 5BZ  
Demolish existing single storey extension and erect new  
three storey extension.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	19/02713/FUL
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The proposed development is not compatible with the character of the existing building in respect of its design, form and choice of materials; and would have a detrimental impact on the character and appearance of the surrounding area. In addition, the proposal would damage trees which are worthy of retention and may have a detrimental impact on the amenity of neighbouring developments. The proposed development is contrary to policy Des 1, Des 5, Des 12 and Env 12 of the adopted Edinburgh Local Development Plan (LDP), the Edinburgh Design Guidance (EDG) and the Council's Guidance for Householders.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LDES01, LDES12, LEN12, LDES05, LTRA02, NSG, NSHOU, NSGD02,
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# Report of handling

## Recommendations

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**1.1** It is recommended that this application be Refused for the reasons below.

## Background

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### 2.1 Site description

The site is a semi-detached stone built villa situated on the northern side of Kilmaurs Terrace which is currently in use as a guest house. The surrounding area is predominantly residential in nature and is characterised by semi-detached and terraced dwellinghouses of a similar style and tenement flats.

### 2.2 Site History

5 March 2019 - Planning application for the construction of a three storey extension withdrawn (application reference: 18/10583/FUL).

## Main report

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### 3.1 Description Of The Proposal

The proposal seeks planning permission for the construction of a three storey pitched roof extension adjacent to the western gable elevation of the premises. The front and rear elevations of the extension will be clad in natural sandstone with the gable elevation finished in pebble dashed render.

#### Supporting Documents

The applicant has submitted the following supporting documents which are available to view via planning and building standards online services:

- Arboricultural Survey

### 3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### **3.3 Assessment**

To address these determining issues, it needs to be considered whether:

- a) The proposal is appropriate in respect of its scale, form and design, and whether it will have a detrimental impact on the character and appearance of the surrounding area;
- b) The proposal will have a damaging impact on trees or woodland which are worthy of retention;
- c) The proposal raises any issues in respect of parking and road safety;
- d) The proposal will have a detrimental impact on the amenity of neighbouring residents;  
and;
- e) Any matters raised in representations have been addressed.

#### a) Scale, Form and Design and Impact on the Character and Appearance of the Surrounding Area

The majority of residential properties in the surrounding area on Kilmaurs Terrace and Kilmaurs Road have generally retained their original unaltered built form on their front and gable elevations, with any subsequent enlargements confined to rear extensions. The proposed extension would be sited in a highly prominent location and would form a distinctive and incongruous non-original contemporary addition to the host building. The use of pebble dash render in particular as the external material for the gable elevation would contrast sharply with the predominance of natural sandstone which characterises the majority of surrounding properties.

The extension would significantly disrupt the original character of the streetscape, to the detriment of the character and appearance of the surrounding area. The proposal is contrary to policies Des 1 and Des 12 of the adopted Edinburgh Local Development Plan (LDP).

#### b) Impact on Trees and Woodland Worthy of Retention

The application site is located directly adjacent to a group of mature trees situated within the garden of a tenement on Dalkeith Road located to the west. The trees are of a high quality and as a group contribute to the amenity of the surrounding area. The extension would be sited in very close proximity to these trees and has the potential to significantly impact on their crowns and root areas.

A tree survey was submitted by the applicant in support of the application to outline the current condition of the trees in the adjacent rear garden. However, the survey does not include a tree constraints plan detailing both the above and below ground issues which need to be taken into account to ensure the survival of the trees. No information has been provided detailing a root protection area for each tree which should be left undisturbed and protected from damage during construction, and it has not been

conclusively demonstrated by the applicant that the adjoining trees will not be damaged by the construction of the extension

The proposal is likely to have a damaging impact on trees worthy of retention and is contrary to LDP policy Env 12.

#### c) Parking and Road Safety

The parking standards contained within the Edinburgh Design Guidance do not contain any minimum standards for a class 7 premises in this location. The proposal complies with the parking standards.

The Roads Authority was consulted on the proposal and raised no objection on the grounds of parking or road safety.

The proposal does not raise any issues in respect of parking or road safety and complies with LDP policy Tra 2.

#### d) Amenity of Neighbouring Residents

The windows on the front elevation of the premises will be sited an appropriate distance from the residential property situated directly opposite on the other side of the street. The windows on the rear will be set back from the boundary with the neighbouring premises to the north by an acceptable distance and will not result in any adverse overlooking.

The extension does not comply with the vertical sky component (VSC) test in the EDG in respect of its impact on the level of daylight which will be received by the ground floor windows. However, these windows provide daylight to the Ivy Dental Practice which is situated at 169-173 Dalkeith Road which is a commercial premises. The planning system does not safeguard daylight levels to commercial properties.

The extension has the potential to overshadow 58.5 square metres of the tenement rear garden to the west. While it is acknowledged that this garden already encounters overshadowing from the mature trees situated along the boundary, no information has been submitted to demonstrate that the subsequent levels of overshadowing will not result in an increase in current levels of overshadowing. The potential therefore exists that the proposal may have an adverse impact on the level of sunlight received by this garden area.

The proposal may have an adverse impact on the amenity of neighbouring occupants and is contrary to LDP policy Des 5.

#### e) Matters Raised in Representations

### **Objection Comments**

### **Material Considerations**

Proposal will have a detrimental impact on the character and appearance of the surrounding area - addressed in section 3.3 (a).

Increase in traffic and parking - addressed in section 3.3 (c).

Proposal will have a detrimental impact on the amenity of neighbouring residents - addressed in section 3.3 (d).

Proposal involves the removal of trees worthy of retention - addressed in section 3.3 (b).

### **Non-Material Considerations**

- Increase in the number of rooms at the hotel could lead to an unacceptable intensification in the use of the premises as a guest house - The addition of five rooms to the premises does not constitute an intensification of the existing use to the extent that a material change of use in planning terms has occurred.

- Impact of the proposal on private views - this is not a planning matter.

- Proposal has not changed materially from previous application which was withdrawn - the planning authority has no statutory basis on which to decline to determine this planning application.

- Purported temporary structure within the rear garden of the application premises has not been removed and may constitute a breach in planning control - At the time of the determination of this application, the planning authority has not received any enquiries relating to an alleged breach of planning control at the premises.

### **Conclusion**

The proposed development is not compatible with the character of the existing building in respect of its design, form and choice of materials; and would have a detrimental impact on the character and appearance of the surrounding area. In addition, the proposal would damage trees which are worthy of retention and may have a detrimental impact on the amenity of neighbouring developments. The proposed development is contrary to policy Des 1, Des 5, Des 12 and Env 12 of the adopted Edinburgh Local Development Plan (LDP), the Edinburgh Design Guidance (EDG) and the Council's Guidance for Householders.

It is recommended that this application be Refused for the reasons below.

### **3.4 Conditions/reasons/informatives**

#### **Reason for Refusal:-**

1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would have a detrimental impact on the character and appearance of the surrounding area.

2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not acceptable in respect of its design and form, and will be detrimental to neighbourhood character.
3. The proposal is contrary to the Local Development Plan Policy Env 12 in respect of Trees, as it would result in damage to trees which are worthy of retention.
4. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it may have an adverse impact on the amenity of neighbouring residents due to loss of sunlight.

## **Risk, Policy, compliance and governance impact**

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**4.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **5.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Consultation and engagement**

---

### **6.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **6.2 Publicity summary of representations and Community Council comments**

Eight letters of objection were submitted in respect of the proposal, including one letter from the Grange/Prestonfield Community Council. One letter of general comment was also submitted. A full summary of all the matters raised in representations can be found in section 3.3 of the main report.

## **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

## **Statutory Development**

### **Plan Provision**

The site is located in the urban area in the adopted Edinburgh Local Development Plan (LDP).

### **Date registered**

6 June 2019

### **Drawing numbers/Scheme**

01 - 08,

Scheme 1

David R. Leslie  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: James Allanson, Planning Officer  
E-mail:james.allanson@edinburgh.gov.uk Tel:0131 529 3946

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

#### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

# Appendix 1

## Consultations

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### Roads Authority

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

- 1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.*

### *Note:*

*The proposed development retains the existing parking provision.*

END



# Comments for Planning Application 19/02713/FUL

## Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Val Malone

## Customer Details

Name: Dr Thomas Mole

Address: 163 Dalkeith Road Newington Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposal for a three-storey extension in place of the current one-storey structure does not differ significantly from the previous application (18/10583/FUL) submitted for this site, which received a number of objections and was withdrawn.

The proposed development will produce a very significant and detrimental effect on the surrounding dwellings.

In particular, it will obstruct the daylight in the shared garden behind the tenement at 163/165 Dalkeith Road. This garden already receives very limited sunlight, and the proposed extension will further reduce the sunlight that enters the area.

The proposed cutting of trees on adjacent properties involved in the development, as described in the arboricultural report attached to the application, will change the character of the adjacent dwellings, reducing the enjoyment of the property by their occupants.

In addition, the proposed expansion of the guest house at 1 Kilmaurs Terrace into a small hotel will contribute to a shift in the character of the neighbourhood. What was designed as a residential neighbourhood is rapidly becoming an area dominated by hotels and B&Bs. We see this in the increase in short-term lets through Air BnB in our own stairwell, and the proposed expansion of the hotel at 1 Kilmaurs Terrace will further exacerbate this tendency.

The increased capacity of the hotel will result in greater parking congestion in adjacent streets. Adjacent dwellings on Dalkeith Road do not have off-street parking, and cannot park in the bus lane on Dalkeith Road. These dwellings rely on side streets such as Kilmaurs Terrace for parking spaces, as do patients at the Dentist on the corner of Kilmaurs Terrace. Current permit-parking

restrictions do not guarantee spaces for residents, as they operate only for a short time each day.

Finally, the conversion of a modest guest house into a small hotel is likely to result in an increase in noise in an area that is already densely populated.

For these reasons, I wish to lodge my objections to this application.

# Comments for Planning Application 19/02713/FUL

## Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Val Malone

## Customer Details

Name: Dr John Bremner

Address: 5 Kilmaurs Terrace Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I object on the following grounds:

1. Noise and disturbance. Kilmaurs Terrace is one way and very narrow. For example, sometimes the bin lorries get stuck. An extension of this size building vehicles will block the entrance to Kilmaurs Terrace. The traffic cannot proceed from Dalkeith Road into Kilmaurs Terrace.
2. Increased bedroom capacity in a hotel will mean increased parking requirements. Parking spaces are limited already in this area.
3. The extension is out of character with the Terrace.
4. The extension is very large and will overlook our garden and obstruct views.

# Comments for Planning Application 19/02713/FUL

## Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Val Malone

## Customer Details

Name: Mr Martin Sichel

Address: 12 Kilmaurs Road Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I am concerned about the proposal on two counts:

1. How many cars will be generated from six new bedrooms? Bare in mind there is little space in Kilmaurs Terrace and Kilmaurs Road is zoned
2. Will the property look like an extension or clad in traditional stone to match the building?

Please can I have re-assurance on the above.

regards

Martin

# Comments for Planning Application 19/02713/FUL

## Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Robert McIntosh

## Customer Details

Name: Mrs Elaine Bauchop

Address: 22 Kilmaurs Road Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I refer to the neighbourhood notice dated 14 June 2019 in relation to the planning application reference no. 19/02713/FUL submitted in relation to the property at 1 Kilmaurs Terrace, Edinburgh EH16 5BZ. I wish to object to the grant of this planning application for the following reason,

1. The applicant's property is a small guesthouse within a mature residential area. At present we believe the guest house has accommodation for approximately 11 bedrooms, but if the extension to which this planning application has been submitted is granted this will increase their capacity by a further 5 double bedrooms.
2. Over the years there has been considerable traffic generated by an increase in Airbnb properties and existing local guesthouses which has contributed to an increased level of noise and disturbance - especially late evening or during the night. This increase in available rooms in the applicant's guest house will only exacerbate this problem.
3. Kilmaurs Terrace is already a heavily congested street with cars constantly parked along the full length of both sides making it awkward to navigate. I understand from the planning application drawings that the proposed extension will actually remove some of the applicant's existing limited on site private car parking as well as adding the 5 extra guest double bedrooms referred to above. This is bound to lead to even more congestion on Kilmaurs Terrace and the "spill over" into our street Kilmaurs Road.
4. The proposal necessitates removal/cutting back of a significant amount of trees and vegetation in a neighbouring property which currently provides screening and when removed would spoil the amenity and vista currently enjoyed by properties bordering it including our own.

5. The plans submitted the large building/shed which currently completely fills the garden space to the rear of 1 Kilmaurs Terrace which we were assured approximately two years ago was temporary in nature and is still there and is not in my opinion compliant with local regulations in relation to sheds/outbuildings as per your website.

6) Again the Neighbour Notification has been sent out 2nd class post resulting in approximately a week of the timeframe to object being reduced to 2 weeks. Our neighbours at 5 Kilmaurs Terrace did not receive the notification and a number of neighbours are on holiday or let out their property so are unable to/ less likely to respond which seems unfair. Also the owners of 1 Kilmaurs Road in fact live in one of the properties served with a Neighbour Notification which seems inappropriate.

7. The proposal has not changed from the submission earlier this year which was subsequently withdrawn other than there is a requirement to remove trees in addition to the proposed development. There were significant objections raised at that stage so I cannot understand why again we require to repeat the process to object to what will have both a detrimental impact on the area during the work in terms of noise, blocking the one way road etc and the ultimate impact of the extension in terms of impact on the local environment.

# Comments for Planning Application 19/02713/FUL

## Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr Alan Bauchop

Address: 22 Kilmaurs Road Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I refer to the neighbourhood notice dated 14 June 2019 in relation to the planning application reference no. 19/02713/FUL submitted in relation to the property at 1 Kilmaurs Terrace, Edinburgh EH16 5BZ. I wish to object to the grant of this planning application for the following reason,

1. The applicant's property is a small guesthouse within a mature residential area. At present we believe the guest house has accommodation for approximately 11 bedrooms, but if the extension to which this planning application has been submitted is granted this will increase their capacity by a further 5 double bedrooms.
2. Over the years there has been considerable traffic generated by an increase in Airbnb properties and existing local guesthouses which has contributed to an increased level of noise and disturbance - especially late evening or during the night. This increase in available rooms in the applicant's guest house will only exacerbate this problem.
3. Kilmaurs Terrace is already a heavily congested street with cars constantly parked along the full length of both sides making it awkward to navigate. I understand from the planning application drawings that the proposed extension will actually remove some of the applicant's existing limited on site private car parking as well as adding the 5 extra guest double bedrooms referred to above. This is bound to lead to even more congestion on Kilmaurs Terrace and the "spill over" into our street Kilmaurs Road.
4. The proposal necessitates removal/cutting back of a significant amount of trees and vegetation in a neighbouring property which currently provides screening and when removed would spoil the amenity and vista currently enjoyed by properties bordering it including our own.
5. The plans submitted show the large building/shed which currently completely fills the garden space to the rear of 1 Kilmaurs Terrace which we were assured approximately two years ago was temporary in nature and is still there and is not in my opinion compliant with local regulations in relation to sheds/outbuildings as per your website.

6. The proposal has not changed materially from the submission earlier this year which was subsequently withdrawn - other than there is a requirement to remove trees in addition to the proposed development. There were significant objections raised at that stage so I cannot understand why again we require to repeat the process to object to what will have both a detrimental impact on the area during the work in terms of noise, blocking the one way road etc. and the ultimate impact of the extension in terms of impact on the local environment. The withdrawal of the original planning application following significant objections and then the resubmission of effectively the same application less than 6 months later seems an inappropriate use of the planning system.

# Comments for Planning Application 19/02713/FUL

## Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Robert McIntosh

## Customer Details

Name: Dr Janet Sidaway

Address: 13 Marchhall Crescent Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This proposal will add traffic and parking pressure to an already severe problem of congestion on a narrow street, which will adversely affect residents not only of Kilmaurs Terrace but all the adjacent streets.

# Comments for Planning Application 19/02713/FUL

## Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Robert McIntosh

## Customer Details

Name: Mr Tony Harris (Grange/Prestonfield Community Council)

Address: 21 Mentone Terrace Edinburgh

## Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. These comments are submitted on behalf of Grange/Prestonfield Community Council (GPCC), which considered this application at its meeting on 19th June 2019. This application is a re-submission of 19/10583/FUL, withdrawn on 5th March 2019. but now with some changes and it is to demolish an existing single storey side extension and replace it with an extension on 3 floors of greater footprint.

2. GPCC comments are as follows:-

a) We question whether this application should be a Householder Development. The application form states that the existing use is as a Guest House (Class 7) and there is to be no change of use, the proposal being to create 5 additional non-housing rooms within that use. The premises trade as The

Thistle House guest house, offering 11 rooms at present.

b) Compared with the withdrawn application, this new scheme reduces the footprint at the rear of the 1st and 2nd floor levels of the proposed 3 storey extension and this is welcome. It will reduce the visual impact of the large flank wall close to the property boundary. However we think that the front elevation of the extension would not be compatible with the character of the existing frontage.

c) This re-submission also now includes a tree survey, dealing with the impact of the proposal on 6 trees just outside the site, along its southwestern flank boundary. The footprint and height of the proposed extension alongside the existing building would have a greater effect than at present on these trees. To implement the scheme work would have to be carried out on the canopy and maybe the root system of these trees. However, we suggest that the proposal itself does not affect the ability of the landowner to carry out work within the application site on trees located on

neighbouring property and this may not be primarily a planning matter.

d) There is one existing car parking space in the front garden and it is intended to maintain this in front of the proposed extension. Kilmaurs Terrace is in the B7 RPP zone and the adjacent busy Dalkeith Road has weekday parking restrictions. The area as a whole is under considerable parking stress from residents, local businesses, hotels, B&Bs and short term lets. This has been recognised for some time and following pressure from GPCC and local residents CEC Transport published last year a comprehensive review leading to the creation of additional residents' priority parking spaces.

We do not know what proportion of the guest house customers requires car parking. The website advertises "free on street parking in our street and the surrounding area so you will always find a parking space." Observation shows this area at times to be under parking stress. If this application is approved, it could lead to increased demand for on-street parking, thereby diminishing the beneficial changes made last year for neighbours and nearby residents.

e) We draw attention to Local Development Plan Policy Hou7, Inappropriate Uses in Residential Areas. Intensification of non-residential use is cited as being one where this policy could be applicable and we suggest that this need not apply only to a large area. We think it could arise in this case where an increase in non-residential use could perhaps have a disproportionately adverse impact on a predominantly residential area.

3. Therefore for the reasons set out above we object to this application and ask that it be refused.

# Comments for Planning Application 19/02713/FUL

## Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: James Allanson

## Customer Details

Name: Mr Lachlan Riddell

Address: 3 Kilmaurs terrace Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development is totally incongruous with the residential nature of the street and will not help with Edinburgh housing issues. The development will overlook other houses on and around the street. Importantly, this development will also lead to traffic problems on a quiet residential street.

# Comments for Planning Application 19/02713/FUL

## Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: James Allanson

## Customer Details

Name: Mrs Nuala Riddell

Address: 3 Kilmaurs Terrace Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development is totally incongruous with the residential nature of the street and will not help with Edinburgh housing issues. The development will overlook other houses on and around the street. Importantly, this development will also lead to traffic problems on a quiet residential street.

**From:** Mary Bremner  
**Sent:** Tue, 18 Feb 2020 13:33:01 +0000  
**To:** Local Review Body  
**Subject:** Re: Submission re planning application 19/02713/FUL

Dear Sir or Madam,

Re: Planning application number 19/02713/FUL  
for 1 Kilmaurs Terrace, Edinburgh EH16 5BZ

I wish the following comments to be taken into consideration when making a decision on the appeal:

My opinion is that demolishing and rebuilding an extension of this size will create traffic management problems that cannot be resolved.

1. Kilmaurs Terrace is a narrow residential one-way street. Number 1 is located at the opening of the street. Building works will inevitably block the disabled access to the dental practice on the corner.
2. It will be difficult for residents to access their homes.
3. The size of the extension is much higher than the examples provided in the appeal.
4. The appeal photographs show traditional existing extensions of the type that is proposed to demolish and replace.
5. If the building goes ahead there will be a permanent lack of parking spaces for these additional hotel guests.

Kind regards,

Mrs Mary Bremner  
5 Kilmaurs Terrace  
Edinburgh  
EH16 5BZ  
email: marybremner@live.co.uk



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100145237-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:  You must enter a Building Name or Number, or both: \*

First Name: \*  Building Name:

Last Name: \*  Building Number:

Telephone Number: \*  Address 1 (Street): \*

Extension Number:  Address 2:

Mobile Number:  Town/City: \*

Fax Number:  Country: \*

Postcode: \*

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Abha"/>	Building Number: <input type="text" value="1"/>
Last Name: *	<input type="text" value="Rodrigues"/>	Address 1 (Street): * <input type="text" value="Kilmaurs Terrace"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH16 5BZ"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="1 KILMAURS TERRACE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH16 5BZ"/>

Please identify/describe the location of the site or sites

Northings	<input type="text" value="671880"/>	Easting	<input type="text" value="327205"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Demolish existng single storey extension and erect new three storey extension

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

We would be grateful for review of application, as we think that our case officer did not review proposal in full, as well as we have been denied any due process to address esthetics's, tree and overshadowing issues. Matters highlighted within Reasons for Refusal are addressed within the following appendices: Appendix 1 - LDP Policy Des 1 Appendix 2 - LDP Policy ENV 12 Appendix 3 - LDP Policy Des 5 Appendix 4 - Application Timeline

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☒ Yes ☐ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Case officer has not answered our calls and emails seeking update on progress with reviewing our application. We have tried to contact our case officer on number of occasions, as detailed within Appendix 4. The only contact made by case officer was on 30 September 2019, to which we have responded on 2 October 2019 seeking more constructive information for our case. None was provided. Appendix 1 through to 4 address all issues raised within refusal decision.

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Appendix 1 information addressing Local Development Plan Policy Des1 and Des 12 Appendix 2 information addressing Local Development Plan Policy Env12 Appendix 3 information addressing Local Development Plan Policy Des5 Drg A203 supporting Appendix 3 Appendix 4 information detailing time line & lack of interaction with case officer since planned determination deadline of 5Aug19 and Decision date of 1No 2019 Arboricultural Survey supporting Appendix 2 (issued as part of planning application)

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

19/02713/FUL

What date was the application submitted to the planning authority? \*

05/06/2019

What date was the decision issued by the planning authority? \*

01/11/2019

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☐ Yes ☒ No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Magdalena Barnas-Orszulak

Declaration Date: 30/01/2020

**Proposal Details**

Proposal Name	100145237
Proposal Description	Three story extension to existing guest house
Address	1 KILMAURS TERRACE, EDINBURGH, EH16 5BZ
Local Authority	City of Edinburgh Council
Application Online Reference	100145237-002

**Application Status**

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

**Attachment Details**

Notice of Review	System	A4
Appendix 1_LDP Policy Des 1	Attached	A4
Appendix 3_LDP Policy Des 5	Attached	A4
Appendix 4_Application Timeline	Attached	A4
Appendix 4-1-Email_1-11-2019	Attached	A4
A203 South Elevation Overshadowing Analysis	Attached	A2
Arboricultural Survey_1 Kilmaurs Terrace	Attached	A4
Appendix 2_LDP Policy Env 12	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0

## Appendix 1

The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context.

The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not acceptable in respect of its design and form, and will be detrimental to neighbourhood character.

### *Planning Officer Assessment:*

#### **Scale, Form and Design and Impact on the Character and Appearance of the Surrounding Area**

*'...The majority of residential properties in the surrounding area on Kilmaurs Terrace and Kilmaurs Road have generally retained their original unaltered built form on their front and gable elevations, with any subsequent enlargements confined to rear extensions. The proposed extension would be sited in a highly prominent location and would form a distinctive and incongruous non-original contemporary addition to the host building. The use of pebble dash render in particular as the external material for the gable elevation would contrast sharply with the predominance of natural sandstone which characterises the majority of surrounding properties. The extension would significantly disrupt the original character of the streetscape, to the detriment of the character and appearance of the surrounding area. The proposal is contrary to policies Des 1 and Des 12 of the adopted Edinburgh Local Development Plan (LDP)...'*

### **Response:**

There is a presence of side extensions on both Kilmaurs Terrace and Kilmaurs Road. The following are the three examples which are worth highlighting:

#### ***18 Kilmaurs Terrace – 2 story extension on corner of Kilmaurs Terrace and Kilmaurs Road***



#### **26 Kilmaurs Road – Single story extension**



**8 Priestfield Road – Corner of Kilmaurs Road and Kilmaurs Road – Large 2 story Extension**

It is important to note that the current application is a resubmission of the original application **18/10583/Ful**, reviewed by case officer Elizabeth McCarroll. All comments made by Ms. McCarroll under the previous application were carefully considered by the current application. The proposed footprint was decreased in line with her comments as well as a detailed tree survey was commissioned and submitted along with the current application to address all tree related issues.

The proposed side extension – in the original application - was designed with traditional and sympathetic approach to the host building. The existing window rhythm and sandstone features have been replicated on the proposed front and rear elevations.

The proposed materials were sandstone cladding to the front and rear elevations, with render finish to the gable wall. The wall construction can be amended to cavity masonry construction with sandstone outer leaf to the front and the rear as well as gable walls to reinforce the character of the existing streetscape. The Common Ash (Tree NT1) will remain as a key feature. It will overshadow the proposed extension to minimise streetscape change.

All the 3 above noted examples of similar developments on Kilmaurs Terrace and Kilmaurs Road had resulted in tree loss. However, in the case of 1 Kilmaurs Terrace, there is no proposed tree loss, as they are not in our land. Moreover, the independent Arborist's report clearly states the minimal disruption of trees on the adjoining property.

We were strongly hoping for a reasonable level of discussion regarding external finishes – as in the case of previous application - with our current case officer to address potential concerns regarding aesthetics of the proposed use of materials. Despite our proactive and numerous efforts to establish communication with the current officer, we have been denied any dialogue or consultation for the planning application **19/02713/FUL**.

It has been rejected without giving us any chance for discussion or withdrawal.

## Appendix 2

The proposal is contrary to the Local Development Plan Policy Env 12 in respect of Trees, as it would result in damage to trees which are worthy of retention.

### **Planning Officer Assessment:**

#### Impact on Trees and Woodland Worthy of Retention

*'...The application site is located directly adjacent to a group of mature trees situated within the garden of a tenement on Dalkeith Road located to the west. The trees are of a high quality and as a group contribute to the amenity of the surrounding area. The extension would be sited in very close proximity to these trees and has the potential to significantly impact on their crowns and root areas*

*A tree survey was submitted by the applicant in support of the application to outline the current condition of the trees in the adjacent rear garden. However, the survey does not include a tree constraints plan detailing both the above and below ground issues which need to be taken into account to ensure the survival of the trees. No information has been provided detailing a root protection area for each tree which should be left undisturbed and protected from damage during construction, and it has not been conclusively demonstrated by the applicant that the adjoining trees will not be damaged by the construction of the extension.*

*The proposal is likely to have a damaging impact on trees worthy of retention and is contrary to LDP policy Env 12...'*

### **Response:**

Before submitting the current application, an experienced Arborist was requested to throw light on the trees situated in neighbouring tenements at 169-173 Dalkeith Road that would be potentially impacted by the proposed construction.

The Arborist undertook an in-depth site survey and submitted his report which was lodged along with the current planning application.

It is Arborist opinion that the planning officer has made false statements: there is a tree constraints plan showing the root protection areas (below ground constraints) and crown spreads (above ground constraints), and the potential conflicts are discussed in the Arborist report.

All Tree constraints are detailed within section 2 of the Tree Survey. Section 2 has addressed root protection as well as crown spreads (below and above ground), besides also highlighting potential conflicts. These have been addressed in detail within section 3.8 through to 3.13 of the report.

Tree NT1 (the most prominent tree) will not be affected at all by the proposal, with tree's NT4 and NT6 not suitable for retention due to their current condition.

The roots of the other trees will not be impacted at all as the current proposal is reusing the footprint of the existing extension and a smaller section of the existing driveway.

The eastern crowns of some of the trees, if affected, will be addressed by light pruning as detailed in the Arborist's report.

We are disappointed that we approached our case officer on a number of occasions between early August through to late October to discuss this subject, but unfortunately all our calls and emails remained unanswered. It is unclear to us whether the Planning Officer concerns relating to tree survey have been discussed and reviewed by The City of Edinburgh Environmental Team. The Tree Survey is being attached with this Planning Review Appeal.

### Appendix 3

The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it may have an adverse impact on the amenity of neighbouring residents due to loss of sunlight.

#### **Planning Officer Assessment:**

##### Amenity of Neighbouring Residents

*'...The windows on the front elevation of the premises will be sited an appropriate distance from the residential property situated directly opposite on the other side of the street. The windows on the rear will be set back from the boundary with the neighbouring premises to the north by an acceptable distance and will not result in any adverse overlooking.*

*The extension does not comply with the vertical sky component (VSC) test in the EDG in respect of its impact on the level of daylight which will be received by the ground floor windows. However, these windows provide daylight to the Ivy Dental Practice which is situated at 169-173 Dalkeith Road which is a commercial premises. The planning system does not safeguard daylight levels to commercial properties.*

*The extension has the potential to overshadow 58.5 square metres of the tenement rear garden to the west. While it is acknowledged that this garden already encounters overshadowing from the mature trees situated along the boundary, no information has been submitted to demonstrate that the subsequent levels of overshadowing will not result in an increase in current levels of overshadowing. The potential therefore exists that the proposal may have an adverse impact on the level of sunlight received by this garden area. The proposal may have an adverse impact on the amenity of neighbouring occupants and is contrary to LDP policy Des 5...'*

#### **Response:**

We would like to draw to your attention to the fact that applicant property is located north-east of 169-173 Dalkeith Road, with 6 mature trees located within 169-173 Dalkeith Road property. The overshadowing will most likely occur in very early hours during summer months. The existing tenement property at 169-173 Dalkeith Road along with the trees located within their boundary will overshadow the gable wall of the applicant's property, and not the other way round.

It is crucially important to note that the early-hour overshadowing will be caused by their own trees, rather than by the proposed development.

Regarding the vertical sky component (VSC) test in the EDG, please refer to overshadowing diagrams on attached drawing A203. It clearly illustrates compliance with the vertical sky component of the lowest tenement flat. It highlights a 45 degree overshadowing zone of the proposed development, which is much less than overshadowing of mature tree's located within 169-173 Dalkeith Road property.

Therefore the view of the planning officer that "potential therefore exists that the proposal may have an adverse impact on the level of sunlight received by this garden area", and that the "The proposal may have an adverse impact on the amenity of neighbouring occupants and is contrary to LDP policy Des 5..." is untrue.

**Appendix 4**

Timeline of planning application **19/02713/FUL**:

5 June 2019 – Planning Application Issue Date

6<sup>th</sup> June 2019 – Planning Application Received and Validation Date

14<sup>th</sup> June 2019 – Confirmation of Receipt and Registration of Application (Application is assigned to Val Malone) with target determination date set for 5<sup>th</sup> August 2019

29<sup>th</sup> July 2019 – Email from Client Agent to Case officer seeking update on progress with reviewing planning application

13<sup>th</sup> August 2019 – Email response from Val Malone advising that she is no longer case officer, and that application has been reassigned to James Allanson, no formal advise to client or client agent has been provided by Planning Department until this email, online portal has been updated to include James as case officer shortly after this email

13<sup>th</sup> August 2019 – Email from Client Agent to James Allanson seeking update on progress with reviewing planning application

16<sup>th</sup> August 2019 – Client Agent attempted to contact James Allanson via telephone, no response

20<sup>th</sup> August 2019 - Email from Client Agent to James Allanson seeking update on progress with reviewing planning application as no response has been provided

2<sup>nd</sup> September 2019 – Client Agent attempted to contact James Allanson via telephone, no response

13<sup>th</sup> September 2019 - Email from Client Agent to James Allanson seeking update on progress with reviewing planning application as no response has been provided to above noted calls or emails

30<sup>th</sup> October 2019 – Email from James Allanson noting concerns with planning application without providing specifics and requesting response within 7 days

2<sup>nd</sup> October 2019 – Email from client agent to James Allanson seeking more detailed and constructive information relating to concerns raised by James in his email dated 30<sup>th</sup> September

6<sup>th</sup> October 2019 - Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30<sup>th</sup> October – no response

21<sup>st</sup> October 2019 - Email from client agent to James Allanson seeking more detailed and constructive information relating to concerns raised by James in his email dated 30<sup>th</sup> September

24<sup>th</sup> October 2019 - Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30<sup>th</sup> October – call was answered by front desk advising that James is annual leave returning to office on 30<sup>th</sup> October

30<sup>th</sup> October 2019 – Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30<sup>th</sup> October – no response

31<sup>st</sup> October 2019 – Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30<sup>th</sup> October – no response

1<sup>st</sup> November 2019 AM – Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30<sup>th</sup> October – no response

1<sup>st</sup> November 2019 late AM – Planning Application Refusal

1<sup>st</sup> November 2019 PM – James Allanson returns agent call, with record of conversation summarized in attached email dated 1<sup>st</sup> November 2019

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 01 November 2019 23:58  
**To:** 'James Allanson'  
**Cc:** [REDACTED]  
**Subject:** 19/02713/FUL - 1 Kilmaurs Terrace - Record of Call 1-11-2019  
**Attachments:** FW: 19/02713/FUL Update (35.8 KB); 1 Kilmaurs Terrace ref 18/10583/FUL (9.43 KB)

Dear James,

Thank you for your time earlier today. We would like to take this opportunity to record our discussion, which took place today (1<sup>st</sup> November 2019 at 3:13PM) as per following points:

1. Luck of response from our case officer has been noted, to which you have responded by saying that you have provided feedback and your views on application 19/02713/FUL on 2<sup>nd</sup> of October 2019, copy of which is attached for the record.
2. We have noted that we have responded to your email dated 2<sup>nd</sup> of October on the same day, seeking more detailed information justifying refusal of above noted application to allow us to advise our client accordingly, no response was provided.
3. Your comment was, that you do not have to respond to our correspondence referring your feedback dated 2<sup>nd</sup> October.
4. We have noted that we have tried to contact you between 5<sup>th</sup> of August (Determination deadline) and 1<sup>st</sup> October with no luck, and we have noted disappointment with late issue of your comments, as well as for not responding to our various emails, most importantly to our email dated 2<sup>nd</sup> October, email which was seeking more detail to justify potential refusal, to allow our client to make educated decision whether to withdraw application or weather to consider refusal with subsequent route of appeal.
5. You have responded that Determination deadline is set by Scottish Government (SG), and that SG are incorrect in setting timelines for planning applications, and that you do not have to comply with timeline set by SG, moreover you have stated tin your view most of the planning applications are not meeting planning deadlines anyway.
6. We have asked why there is U-turn on Planning Department view on this application, especially that this is 2<sup>nd</sup> attend to seek planning approval with scheme revised in line with Elizabeth McCaroll recommendation provided under application 18/10583/FUL (copy of Elizabeth email is attached for the record).
7. You have responded by saying that Elizabeth recommendations are irrelevant, and they were not taken to consideration under application 19/02713/FUL
8. We have asked for the reason why our client was denied to withdraw application, to which you have responded by yet again referring to your email dated 2<sup>nd</sup> of October, and the fact that you do not have to provide our client of us (theirs agent) more details apart the once already noted in your email from 2<sup>nd</sup> of October.
9. We have asked for contact details of your line-manager to lodge complaint on how this application was handled by Planning Department.
10. You have responded by stating that complaint should be lodged with you, and that you do not have to provide your line manager details.
11. You have hanged up, once we have noted that it is our intention to record this call from this point onwards.

We trust that above noted is true reflection of today's call, should you think otherwise please do not hesitate to contact us.

Kind regards

Pawel Orszulak

M: 



# AVArboriculture

## **Arboricultural Survey** **To British Standard 5837 (2012)**

**Client:** Abha Rodriguez  
**Location:** 1 Kilmaurs Terrace, Edinburgh EH16 5BZ

**Date of Survey:** 23rd May 2019

**Survey Location:**

1 Kilmaurs Terrace  
Edinburgh  
EH16 5BZ

**Survey commissioned by:**

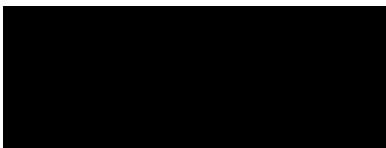
Abha Rodriguez  
1 Kilmaurs Terrace  
Edinburgh  
EH16 5BZ

**Prepared by:**

Mike Charkow MA, Cert Arb L4 (ABC), PTI  
Arbor Vitae Arboriculture Ltd  
2/3 Keir Street  
Edinburgh  
EH3 9EU

Mobile: 07917335066  
Web: [www.avtree.co.uk](http://www.avtree.co.uk)

Signed:



Michael J Charkow

Date: 23rd May 2019

This report has been prepared exclusively for the use of Abha Rodriguez and their agents, on the basis of information supplied, and no responsibility can be accepted for any actions taken by any third party arising from their interpretation of the information contained in this document. No other party may rely on the report, and if they do, then it is at their own risk.

## Contents

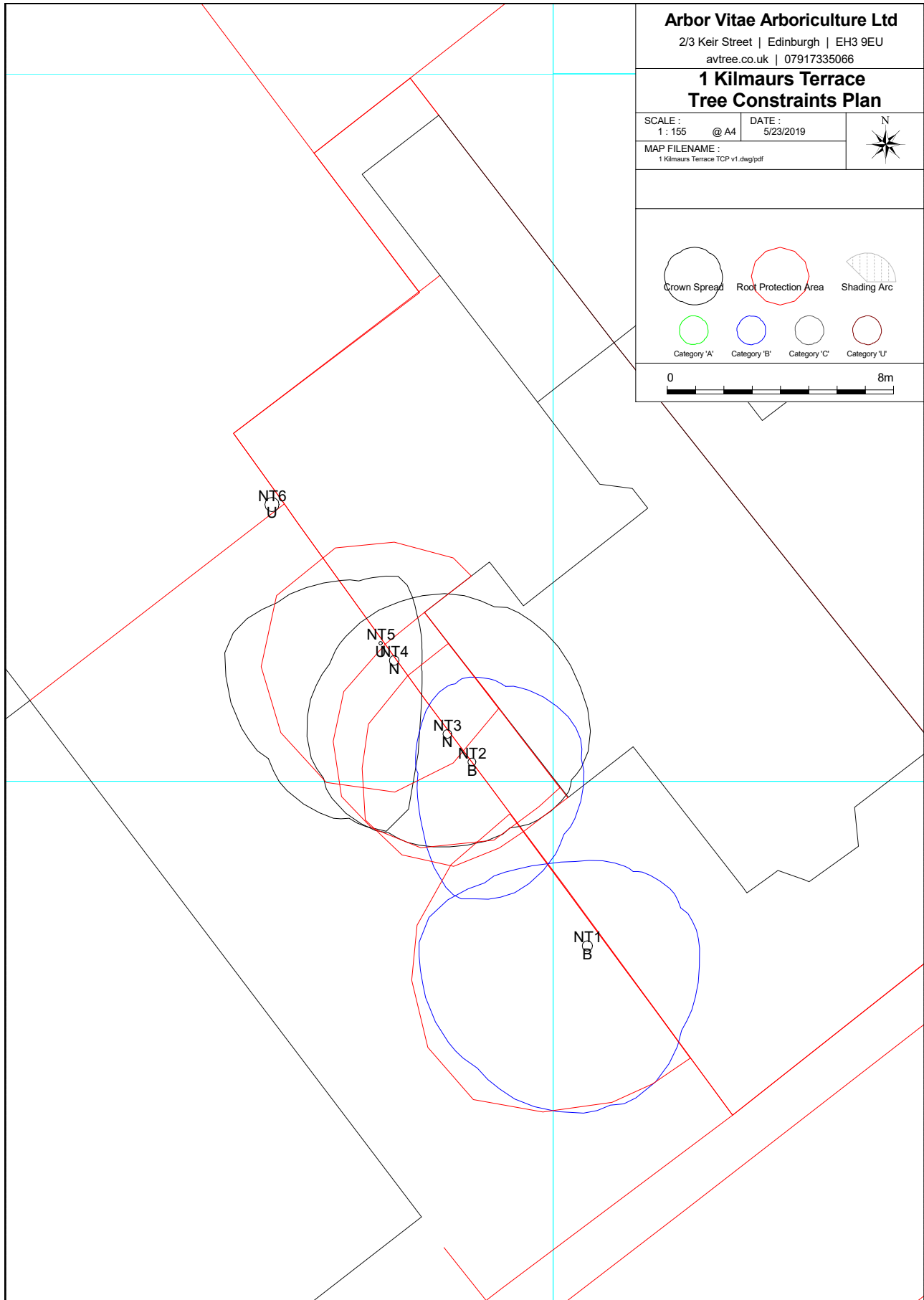
<b>Page</b>	<b>Section</b>	<b>Section Title</b>
4	1	Client Brief and Overview
5	2	Tree Constraints Plan
6	3	Survey Findings

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16	8	BS5837 (2012) Table 1
17	9	Glossary of Arboricultural Terms
20	10	Key to the Tree Schedule
21	11	Tree Schedule
22	12	Proposed Development Plan

## 1 Client Brief and Overview

- 1.1 Mike Charkow of Arbor Vitae Arboriculture Ltd was instructed by Abha Rodriguez to carry out an arboricultural survey of six trees in an neighbouring garden to the west of 1 Kilmaurs Terrace, Edinburgh EH16 5BZ.
- 1.2 Proposed development plans were seen by the author.
- 1.3 The trees are not within a conservation area, nor do any tree preservation orders relate to this site.
- 1.4 The survey was carried out on the 23rd May 2019. Conditions were bright, dry and calm.
- 1.5 The tree survey is a tree management and building design tool which aims to survey the trees in their current context. The aims of the tree survey are:
  - to categorise the trees as to their suitability for retention in terms of their quality and value. Quality is based on the tree's condition, and importance in terms of cultural, species, aesthetic or ecological significance.
  - to minimise unnecessary impact to the retained tree population and demonstrate the constraints and opportunities available in the positioning of building and other work activity.

## 2 Tree Constraints Plan



### 3 Survey Findings

- 3.1 6 individual trees were surveyed.
- 3.2 No trees were categorised as 'A'; 2 were categorised as 'B', none as 'C' and 2 as 'U'. 2 trees could not be categorised. See [appendix 8](#) for retention category definitions.
- 3.3 3 trees were classed as early-mature, 1 as young and 1 as over-mature.
- 3.4 1 tree was rated as being in good condition, 1 as moderate and 2 as poor. 2 trees could not be rated.
- 3.5 See [appendix 11](#) for the full tree survey schedule.

### **Condition and Recommendations**

- 3.6 2 trees (NT5 & 6) were recommended for removal due to their condition.
- 3.7 2 trees were recommended for ivy removal. These trees could not be given a retention category as a full inspection was not possible.

Ivy is an important native plant for wildlife habitat and as a food source, however its presence on trees can be problematic:

- It can impede the inspection of the tree;
- It can smother branches causing foliage to die;
- It can increase the 'sail-area' of the tree, making it more wind resistant and therefore prone to breakage.

It is usually costly and impractical to remove all of the ivy from a tree, however it can be severed from near ground level to around 1.5 metres. This should be done on an annual basis to prevent the ivy from regrowing. The ivy may take a year to die, but then it can be removed much more easily, or it will fall off over time. The reinspection would therefore take place once the tree could be seen. It is the decision of the tree owner whether the risk of the tree warrants complete ivy removal or severing at base.

### **Potential conflicts with the proposed development**

- 3.8 It is proposed that the existing one-storey extension is removed and a new 3-storey extension built that would occupy the same footprint. It would also extend 6.5 metres further to the southeast (see [appendix 12](#)).
- 3.9 The property containing the trees and the client's property are at a similar ground level and are bordered by a 1.8 metre high stone wall. The wall is historic and it can be expected to have fairly shallow foundations.
- 3.10 The area of the additional extension-footprint is currently surfaced with asphalt. Asphalt is highly non-porous and so oxygen and moisture levels in the soil beneath can be expected to be very low. The soil will likely also be highly compacted; no

depressions nor major cracks were seen on the asphalt driveway. It is probable that there are no major tree roots within this area (i.e. northeast of the boundary wall). Therefore the root protection area of tree NT1 has been altered.

- 3.11 The area northwest of the driveway is surfaced with concrete slabs. The slabs will allow oxygen and water to access the soil, depending on the level of compaction. It is expected that there will be rooting in this area.
- 3.12 The area occupied by the current extension will be highly compacted and lacking sufficient oxygen and water to allow rooting.
- 3.13 The crowns of trees NT1-4 extend into the area proposed for development. The crown of NT5 would be close to the development and would conflict with scaffolding. It would be necessary to reduce these crowns in order to accommodate the proposed development.

## Appendix 1: **Bibliography**

British Standards Institute (2010), *BS 3998 'Recommendations for Tree Work'*, BSI, London.

British Standards Institute (2012), *BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations'*, BSI, London.

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National House Building Council, *Building Near Trees*, NHBC Standards, September 1999, chapter 4.2.

National Joint Utilities Group, *NJUG Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees*, Volume 4, Issue 2, November 2007.

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Roberts, J., Jackson, N. & Smith, M. (2006), *Tree Roots in the Built Environment*, TSO, London.

Slater, D. *The structure and risk of junctions in trees*, at The Arboricultural Associations' 46<sup>th</sup> Annual Amenity Arboriculture Conference, (4<sup>th</sup> September 2012), Reading.

Strouts, R.G. & Winter, T.G. (1994), *Diagnosis of Ill-Health in Trees*, TSO, London, UK.

### Legislation

Countryside Rights of Way Act (2000).

Nature Conservation (Scotland) Act (2004).

Town and Country Planning Act (Scotland) (1997).

Appendix 2: **The Author's Qualifications and Experience**

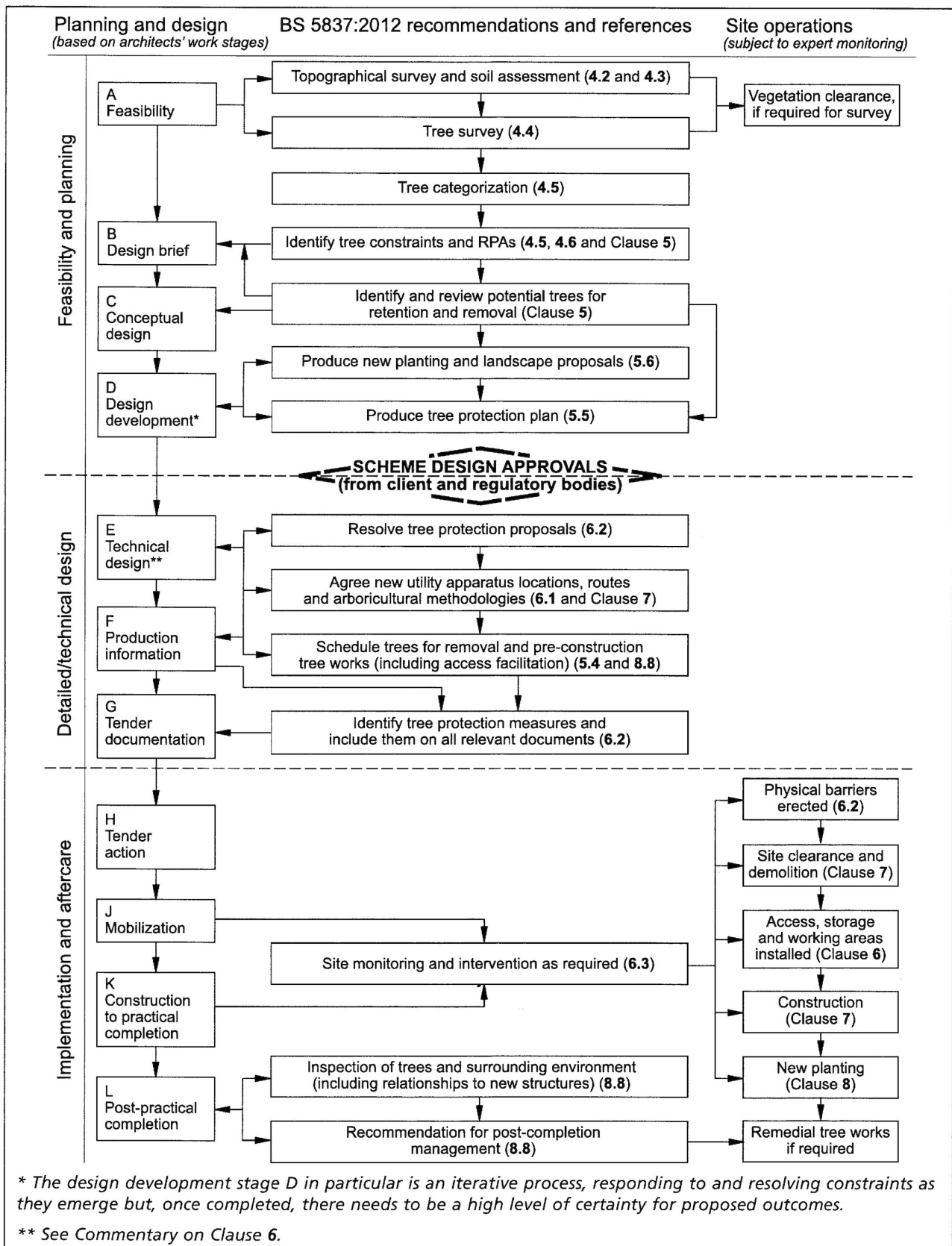
Mike Charkow holds the Level 4 Certificate in Arboriculture, and also the LANTRA Professional Tree Inspection Certificate. He has been working in the industry since 2004 as both a contracting and consulting arborist.

As part of a continual professional development program, Mike regularly attends professional seminars, conferences, training days and meetings.

He has been accredited by 'Echoes Ecology Ltd' as a competent person to inspect trees for bats and their roosts.

He is a member of the Arboricultural Association and the Consulting Arborist Society.

## Appendix 3:

**BS5837 Figure 1: Trees in the Planning Process**

#### Appendix 4: **Tree Survey Methodology**

- A4.1 The criteria for selecting trees for surveying are specified in BS5837 (2012), i.e. they: have a minimum diameter of 75mm at 1.5m above ground level; have part of their crown extending into the site; or their root protection area extends into the site. Only trees plotted on the supplied topographical survey were surveyed.
- A4.2 Only information relevant to the development plans have been recorded, i.e.:
- Trees within the area marked for a tree survey (i.e. the proposed extent of development) have been located and the following details recorded: species, height, diameter, condition, observations, bat habitat potential, retention category, work recommendations, crown spreads.
  - Trees outwith the tree survey area but with root protection areas or crown spreads falling within the area have been located and tagged if possible. The same details have been recorded, with the addition of relevant crown dimensions.
- A4.3 An Ordnance Survey map without any trees plotted was supplied. Trees were located using a laser measure, a measuring tape and on-site features: their exact locations cannot be guaranteed.
- A4.4 Tags were not attached to the trees as they were in a neighbouring property.
- A4.5 A 'Haglof' electronic clinometer was used for measuring tree heights to within 0.5 metres. A diameter tape was used to measure tree diameters to within 10 millimetres.
- A4.6 The tree genus and species have been recorded using their common English name and botanical name.
- A4.7 Recommendations for management of the trees refer mainly to follow-up inspections and tree surgery for remedial work, or for the removal of hazardous trees. These works are recommended where there is a perceived hazard to people or property in the tree's predicted context of a proposed development (see BS5837:2012, clause 4.4.2.1). Any works will require a detailed work specification: this is out-with the scope of this report.
- A4.8 Some retained trees may require facilitative pruning of branches prior to development work. This pruning work protects trees from possible damage caused by contact with machinery during construction. This work can only be specified once the development has been approved and final plans drafted. A suitably qualified arboriculturist should be approached for recommendations for facilitative pruning before the development site is worked on.
- A4.9 Trees were inspected - where possible - using the Visual Tree Assessment method (VTA) as developed by Claus Mattheck and Helge Breloer (1994). This is a widely accepted methodology that takes into account structural and physiological symptoms from which judgements can be made regarding the risk from the tree.

A4.10 The root protection area (RPA) was calculated in accordance with BS5837 (2012). RPAs and root protection radii (RPR) for retained trees are listed in appendix 12. As per the British Standard, it is capped at 707 square metres.

A4.11 **Tree condition criteria** are based approximately on the following requirements:

**Good** = Full healthy canopy. Free from major cavities, wounds, pests or diseases.

**Moderate** = Slightly reduced leaf cover, minor deadwood or isolated major deadwood. Early stages of decay/disease. Structural faults.

**Poor** = Overall sparse leafing or extensive deadwood. Well established decay organisms. Structurally unsound cavities and or large wounds. Structural features prone to failure.

**Very Poor** = Large areas of dead crown. Advanced decay. Structurally unsound.

A4.12 Target-Ratings for Trees (Adapted from Forbes-Laird (2006), Table 5).

Value	Static target examples	Target occupancy examples
Very high (VH)	Building 24 hour use, railway	Constant vehicular traffic/busy playground
High (H)	Building 12 hour use, ≥11Kv power lines	Frequent vehicular traffic/constant pedestrian use
Medium (M)	Building/structure occasional use, <11Kv lines	Peak times traffic/intermittent use, eg commuter run
Low (L)	Garage, Summer house, Listed wall	Occasional traffic/sporadic use, eg slow country road
Very low (VL)	Unlisted wall, paving, garden features	Infrequently used access/public right of way/bridleway
None (N)	Grass	Hardly ever used, eg remote path

Appendix 5: **Caveats and Limitations**

- A5.1 This survey was conducted according to the VTA type 1 method (Mattheck & Breloer, 1994; Mattheck 2007) meaning survey work was carried out from ground level only.
- A5.2 No soil, foliage, wood, fungus or root samples were taken for analysis. Should any further investigation be required, this will be highlighted in the report.
- A5.3 No internal decay measurements were taken. Should any further investigation be required, this will be highlighted in the report.
- A5.4 Even apparently healthy, structurally sound trees can be adversely affected by extreme climatic conditions. Trees should be reinspected after such events.
- A5.5 Trees are living organisms and can decline in health rapidly due to biotic and abiotic influences. Therefore, due to the unpredictability of nature, the unforeseen failure of intact trees can never be ruled out. The findings of this report are based on observations made at one visit, and best judgement has been made to ensure that any remedial work has been recommended; however no guarantee can be given as to the safety of any individual tree. For this reason, findings and recommendations in this report are valid only for a period of 12 months from the survey date, or until any extreme weather event, whichever is soonest.
- A5.6 Only visible pathogens were recorded at the time of the survey. This does not confirm the absence of other pathogens but merely states that no annual fruiting bodies or other indications were observed at the time of the survey.
- A5.7 A Type 1 VTA cannot eliminate the possibility that any of the trees are used as a habitat for protected flora and fauna (e.g. bat roost). Reference to the legal documents 'Countryside Rights of Way Act' (2000) and 'Nature Conservation Act' (2004) (Scotland) is advised. The trees have been assessed for potential bat habitat, as well as bird nesting. Due to the difficulty of assessing the upper stems and crowns of larger trees from the ground (especially evergreen trees), some habitat features may not have been observed.
- A5.8 British Standard 5837 (2012) is not a specification document; as such it is acknowledged that deviance from the recommendations is permitted, so long as it is justified (British Standards Institute 2012, p.iii).
- A5.9 Due to physical constraints inherent on the site, some measurements have been estimated.

Appendix 6: **Tree Management Proposal**

- A6.1 The tree management proposals within this document should be carried out and the timescales for prioritised works respected.
- A6.2 All recommended arboricultural remedial work should be completed to the standards defined in BS3998 (2010) 'Recommendations for Tree Work', and be carried out by professional arborists with the relevant qualifications and insurance.
- A6.3 Standing deadwood is often created or maintained due to its habitat value. However, the deteriorating structural condition of dead trees is often impractical to monitor. Consequently, standing deadwood should not be retained if it is within falling distance of significant targets.
- A6.4 A qualified ecological worker should be consulted prior to any tree work in order to advise on the likely impact of tree work on any protected flora and fauna.
- A6.5 Trees that are potential bat habitats must be inspected by a suitably qualified person no more than 24 hours prior to tree surgery (April-September) or 48 hours (October -March).
- A6.6 Any proposed disturbance to trees containing bird nests should be carried out with mitigation, and only between October and February.
- A6.7 During periods of extreme weather, especially high wind or gusts (i.e. Beaufort Scale 7, above 30 miles per hour), it is advisable to warn residents, visitors and other site users of the potential risks, given the failure rate of trees under such conditions.

Appendix 7: **Generic Arboricultural Method Statement**

- A7.1 This is a non-specific arboricultural method statement only.
- A7.2 Trees are at risk of harm on any development site, and measures must be taken to protect trees from such harm.
- A7.3 The root protection area (RPA) is intended to protect the roots of retained trees from harm as a result of soil-compaction, changes of soil level, trenching, loss of gaseous exchange, chemical damage and fire. The root protection area should be enclosed using a scaffold framework fixed with vertical tubes at 3 metre intervals, and weld-mesh panels (e.g. 'Heras' fencing) secured with wire or scaffold clamps (see BS5837:2012 Figures 2 and 3). The root protection area is designed to exclude people, machinery, materials and equipment, and must not be entered or altered without first consulting an arboriculturist. Root protection areas for retained trees have been listed in appendix 12, and are shown on the tree constraints plan.
- A7.4 Trees are easily damaged by fire. No fire should be allowed where it might damage any part of a tree.
- A7.5 Tree roots are easily damaged by chemicals. No harmful materials (including cement) should be stored, mixed or dumped anywhere on a level above any root protection area, as spillages and run-off may be absorbed by tree roots.
- A7.6 Any new service-runs within the root protection areas should be excavated using compressed air and an air-lance or, as per National Joint Utilities Group guidelines (NJUG vol. 4 (2), 2007) so as to avoid damage to tree roots.
- A7.7 A properly accredited ecologist should be consulted before any tree operations are carried out, in order to assess the trees for protected species. It is a criminal offence to disturb any protected species.
- A7.8 Aerial parts of a tree can be damaged by construction vehicles or cranes. This damage can be avoided by facilitative pruning: branches that are expected to come into contact with machinery or vehicles can be correctly pruned by a tree surgeon before any damage is caused. An arboriculturist should be consulted prior to work starting on site.
- A7.9 All tree surgery operations are governed by the British Standard 3998, 2010: "Recommendations for Tree Works". Any contractor employed must comply with this standard to ensure the pruning work is as damage-limiting as possible.

Table 1 Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention (see Note)				
<b>Category U</b> Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none"><li>Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning)</li><li>Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline</li><li>Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality</li></ul> <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.</i></p>			Trees identified by tree number and coloured circle referring to retention category.
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation	
Trees to be considered for retention				
<b>Category A</b> <b>Trees of high quality</b> with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	<b>Colour</b> Dark Red <b>RGB Code</b> 127-000-000
<b>Category B</b> <b>Trees of moderate quality</b> with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value	<b>Colour</b> Light Green <b>RGB Code</b> 000-255-000
<b>Category C</b> <b>Trees of low quality</b> with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value	<b>Colour</b> Mid Blue <b>RGB Code</b> 000-000-255

## Appendix 9: Glossary of Arboricultural Terms

**Adaptive growth.** In tree biomechanics, the process whereby the rate of wood formation in the cambial zone, as well as wood quality, responds to gravity and other forces acting on the cambium. This helps to maintain a uniform distribution of mechanical stress.

**Adaptive roots.** The adaptive growth of existing roots; or the production of new roots in response to damage, decay or altered mechanical loading.

**Adventitious shoots.** Shoots that develop other than from apical, axillary or dormant buds; see also 'epicormic'.

**Anchorage.** The system whereby a tree is fixed within the soil, involving cohesion between roots and soil and the development of a branched system of roots which withstands wind and gravitational forces transmitted from the aerial parts of the tree.

**Architecture.** In a tree, a term describing the pattern of branching of the crown or root system.

**Bacteria.** Microscopic single-celled organisms, many species of which break down dead organic matter, and some of which cause diseases in other organisms.

**Bark.** A term usually applied to all the tissues of a woody plant lying outside the vascular cambium, thus including the phloem, cortex and periderm; occasionally applied only to the periderm or the phellem.

**Bottle-butt.** A broadening of the stem base and buttresses of a tree, in excess of normal and sometimes denoting a growth response to weakening in that region, especially due to decay by selective de-lignification.

**Branch:**

- **Primary.** A first order branch arising from a stem
- **Lateral.** A second order branch, subordinate to a primary branch or stem and bearing sub-lateral branches.
- **Sub-lateral.** A third order branch, subordinate to a lateral or primary branch, or stem and usually bearing only twigs.

**Branch bark ridge.** The raised arc of bark tissues that forms within the acute angle between a branch and its parent stem.

**Branch collar.** A visible swelling formed at the base of a branch whose diameter growth has been disproportionately slow compared to that of the parent stem; a term sometimes applied also to the pattern of growth of the cells of the parent stem around the branch base.

**Brown-rot.** A type of wood decay in which cellulose is degraded, while lignin is only modified.

**Buckling.** An irreversible deformation of a structure subjected to a bending load.

**Buttress zone.** The region at the base of a tree where the major lateral roots join the stem, with buttress-like formations on the upper side of the junctions.

**Cambium.** Layer of dividing cells producing xylem (woody) tissue internally and phloem (bark) tissue externally.

**Canker.** A persistent lesion formed by the death of bark and cambium due to colonisation by fungi or bacteria.

**Crown clean.** The removal of dead, crossing, weak, and damaged branches, where this will not damage or spoil the overall stability or appearance of the tree.

**Compartmentalisation.** The confinement of disease, decay or other disfunction within an anatomically discrete region of plant tissue, due to passive and/or active defences operating at the boundaries of the affected region.

**Condition.** An indication of the physiological vitality and/or structural stability of the tree.

**Crown/Canopy.** The main foliage bearing section of the tree.

**Crown lifting.** The removal of limbs and small branches to a specified height above ground level.

**Crown thinning.** The removal of a proportion of secondary branch growth throughout the crown to produce an even density of foliage around a well-balanced branch structure.

**Crown reduction/shaping.** A specified reduction in crown size whilst preserving, as far as possible, the optimal tree shape.

**Deadwood.** Branch or stem wood bearing no live tissues. Retention of deadwood provides valuable habitat for a wide range of species and seldom represents a threat to the health of the tree. Removal of deadwood can result in the ingress of decay to otherwise sound tissues and climbing operations to access deadwood can cause significant damage to a tree. Removal of deadwood is generally recommended only where it represents an unacceptable level of hazard. Deadwood sizes: small (<25mm), moderate (<50mm), major (>50mm); the deadwood may be up- or down-rated depending on its overall volume.

**Defect.** In relation to tree hazards, any feature of a tree which detracts from the uniform distribution of mechanical stress, or which makes the tree mechanically unsuited to its environment.

**Dieback.** The death of parts of a woody plant, starting at shoot-tips or root-tips.

**Disease.** A malfunction in or destruction of tissues within a living organism, usually excluding mechanical damage; in trees, usually caused by pathogenic micro-organisms.

**Disfunction.** In woody tissues, the loss of physiological function, especially water conduction, in sapwood.

**Epicormic shoot.** A shoot having developed from a dormant or adventitious bud and not having developed from a first year shoot.

**Girdling root.** A root that circles and constricts the stem or roots possibly causing death of phloem and/or cambial tissue.

**Hazard beam.** An upwardly curved part of a tree in which strong internal stresses may occur without being reduced by adaptive growth; prone to longitudinal splitting.

**Heartwood/false-heartwood/ripewood.** Sapwood that has become disfunctional as part of the natural ageing processes

**Incipient failure.** In woody tissues, a mechanical failure which results only in deformation or cracking, and not in the fall or detachment of the affected part.

**Included bark.** Bark of adjacent parts of a tree (usually forks, acutely joined branches or basal flutes) which is in face-to-face contact.

**Internode.** The part of a stem between two nodes; not to be confused with a length of stem which bear nodes but no branches.

**Lever arm.** A mechanical term denoting the length of the lever represented by a structure that is free to move at one end, such as a tree or an individual branch.

**Lignin.** The hard, cement-like constituent of wood cells; deposition of lignin within the matrix of cellulose microfibrils in the cell wall is termed lignification.

**Loading.** A mechanical term describing the force acting on a structure from a particular source; e.g. the weight of the structure itself or wind pressure.

**Longitudinal.** Along the length (of a stem, root or branch).

**Minor (small) deadwood.** Deadwood of a diameter less than 25mm and or unlikely to cause significant harm or damage upon impact with a target beneath the tree.

**Occluding tissues.** A general term for the roll of wood, cambium and bark that forms around a wound on a woody plant (cf. woundwood)

**Occlusion.** The process whereby a wound is progressively closed by the formation of new wood and bark around it.

**Pathogen.** A microorganism which causes disease in another organism.

**Photosynthesis.** The process whereby plants use light energy to split hydrogen from water molecules, and combine it with carbon dioxide to form the molecular building blocks for synthesising carbohydrates and other biochemical products.

**Phototropism:** The growth of a tree or branch towards the light. Phototropic branches can become exposed and therefore prone to breakage.

**Pollarding:** A pruning system in which the upper branches of a young tree are removed, promoting a dense head of foliage and branches. Historically this was done to keep young shoots above grazing level; now used to keep trees at a manageable level. Not to be confused with topping.

**Reactive Growth/Reaction Wood.** Production of woody tissue in response to altered mechanical loading; often in response to internal defect or decay and associated strength loss (cf. adaptive growth).

**Removal of dead wood.** Unless otherwise specified, this refers to the removal of all accessible dead, dying and diseased branch-wood and broken snags.

**Re-spacing.** Selective removal of trees from a group or woodland to provide space and resources for the development of retained trees.

**Residual wall.** The wall of non-decayed wood remaining following decay of internal stem, branch or root tissues.

**Sapwood.** Living xylem tissues

**Shedding.** In woody plants, the normal abscission, rotting off or sloughing of leaves, floral parts, twigs, fine roots and bark scales.

**Sprouts.** Adventitious shoot growth erupting from beneath the bark

**Stem/s.** The main supporting structure/s, from ground level up to the first major division into branches. The stem (or stems if two or more co-dominant stems are present) may extend to the uppermost part of the tree.

**Stress (plant physiology):** A condition under which one or more physiological functions are not operating within their optimum range, for example due to lack of water, inadequate nutrition or extremes of temperature.

**Stress (mechanics):** The application of a force to an object.

**Structural roots.** Roots, generally having a diameter greater than ten millimetres, and contributing significantly to the structural support and stability of the tree; also containing water conducting vessels.

**Taper.** In stems and branches, the degree of change in girth along a given length.

**Targets.** In tree risk assessment (with slight misuse of normal meaning) persons or property or other things of value which might be harmed by mechanical failure of the tree or by objects falling from it

**Topping.** In arboriculture, the removal of the crown of an older tree, or of a major proportion of it. This is not generally advised as it can allow decay into the upper parts of the tree. Not to be confused with pollarding.

**Torsional stress.** Mechanical stress applied by a twisting force.

**Understorey.** A layer of vegetation beneath the main canopy of woodland or forest or plants forming this

**Wind exposure.** The degree to which a tree or other object is exposed to wind, both in terms of duration and velocity.

**Wind-throw.** The blowing over of a tree at its roots.

**Woundwood.** Wood with a typical anatomical features, formed in the vicinity of a wound.

Appendix 10: **Key to the Tree Schedule**

Abbreviation	Explanation
<b>TN</b>	Tree Number: sequential number of the tree in order inspected.
<b>Tag</b>	Unique number on tag attached to the tree. NT = no tag. Gx.y = Group (plus group number and number of the tree within the group).
<b>Species</b>	Tree species: Common English name (Botanical name)
<b>H</b>	Tree height: measured to nearest metre for trees over 10 m, or nearest 0.5 metres for trees up to 10 metres in height.
<b>D</b>	Stem diameter: measured at 1.5 metres above ground, to the nearest 10 millimetres. Trees with more than one stem are calculated as per BS5837:2012.
<b>AC</b>	<b>Age Class:</b> Young (up to the first 1/3rd of expected height), Semi-mature (1/3rd to 2/3rds of expected height), Mature (close to expected ultimate height with rapid girth expansion), Over-mature (a senescing tree), Veteran (a valued tree surviving beyond the typical age for the species), Dead.
<b>V</b>	Vigour (physiological condition) of the tree. N = normal F = fair P = poor D = dead
<b>Condition</b>	Observations, particularly of structural and/or physiological condition (e.g. the presence of decay, defects and pathological infections), as well as nuisances caused by the tree. <b>Good</b> = Full healthy canopy. Free from major cavities, wounds, pests or diseases. <b>Moderate</b> = Slightly reduced leaf cover, minor deadwood or isolated major deadwood. Early stages of decay/disease. Structural faults. <b>Poor</b> = Overall sparse leafing or extensive deadwood. Well established decay organisms. Structurally unsound cavities and or large wounds. Structural features prone to failure. <b>Very Poor</b> = Large areas of dead crown. Advanced decay. Structurally unsound. <b>TBD</b> = To be determined.
<b>Recommendations</b>	Management recommendations for the tree. 'NWR' = No work required.
<b>U</b>	Urgency of the recommended tree works (in months).
<b>ERC</b>	Estimated remaining contribution of the tree (in years).
<b>RC</b>	Retention Category, as per BS5837 (2012) Table 1. T = To be determined.
<b>1B</b>	Height and direction of first branch.
<b>S (+N/E/S/W)</b>	Crown spread: lateral distance from the tree centre to the canopy extent at each cardinal point.
<b>C (+N/E/S/W)</b>	Crown height: distance from ground to the start of the canopy at each cardinal point.
<b>Bat</b>	Based on observations of possible bat roosting features - this does not indicate the actual presence of bats, rather the possibility of the tree being used by bats. H = high likelihood of roosting feature. L = low likelihood of roosting feature. U = unknown.
<b>RI</b>	Recommended maximum time until the next tree inspection (in months).
<b>RPA</b>	Root Protection Area (square metres).
<b>RPR</b>	Root Protection Radius (metres).

## Appendix 11:

## Tree Schedule

TN	Tag	Species	H	D	AC	V	Condition	Recommendations	U	ERC	RC	1B	SN	SE	SS	SW	CN	CE	CS	CW	Bat	RI	RPA	RPR
1	NT1	Common Ash (Fraxinus excelsior)	15	370	EM	N	GOOD	NWR No work required.	-	>40	B	3W	3	3W	3	4	6.0	6	2	4	L	36	62	4.4
1	NT2	Common Ash (Fraxinus excelsior)	19	280	EM	N	MODERATE Growing very close to a wall; rooting stability is unknown.	NWR No work required.	-	20-40	B	6E	3	6E	3	4	5.0	2	15	7	L	36	35	3.4
1	NT3	Sycamore (Acer pseudoplatanus)	19	300	EM	N	TBD Dense ivy on the stem prevented a full inspection. The lower stem appears to be intact.	IVY Remove or kill the ivy and reinspect when the tree is visible.	3	TBD	T	2S	5	2S	5	5	4.0	5	6	8	L	3	41	3.6
1	NT4	Sycamore (Acer pseudoplatanus)	19	340	EM	N	TBD Dense ivy on the stem prevented a full inspection.	IVY Remove or kill the ivy and reinspect when the tree is visible.	3	TBD	T	6W	3	6W	3	0	6.0	6	9	0	L	3	52	4.1
1	NT5	Sycamore (Acer pseudoplatanus)	12	110	Y	F	POOR Suppressed with stem kink and crown bias to the east.	FELL Remove the tree.	12	<10	U										L	-	-	-
1	NT6	Apple species? (Malus species?)	17	500	OM	N	POOR Extensive decay and stem splits. Ganoderma fruiting bodies on lower stem. Crown bias to east and south. Potential for bat roosting.	FELL Remove the tree or reduce to around 4m and retain as ecological habitat.	3	<10	U										H	-	-	-

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STATUS:

PLANNING

PROJECT:  
THISTLE GUEST HOUSE  
1 KILMAURS TERRACE

CLIENT:

ABHA RODRIGUES

DRAWING:

PROPOSED PLANS:  
SECOND FLOOR

SHEET:

63-A18

DRAWING NO:

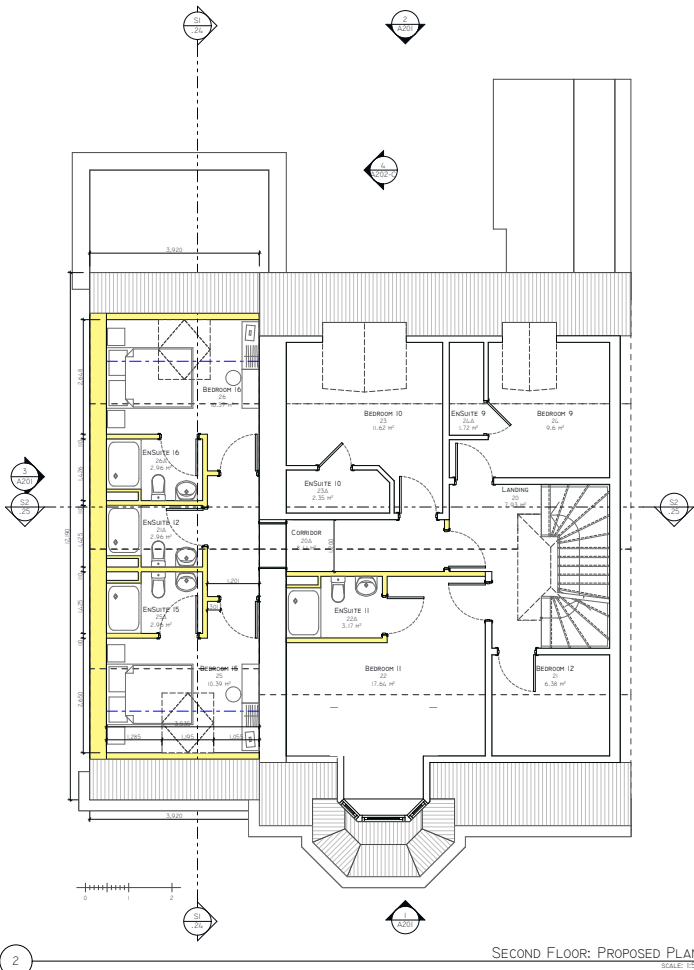
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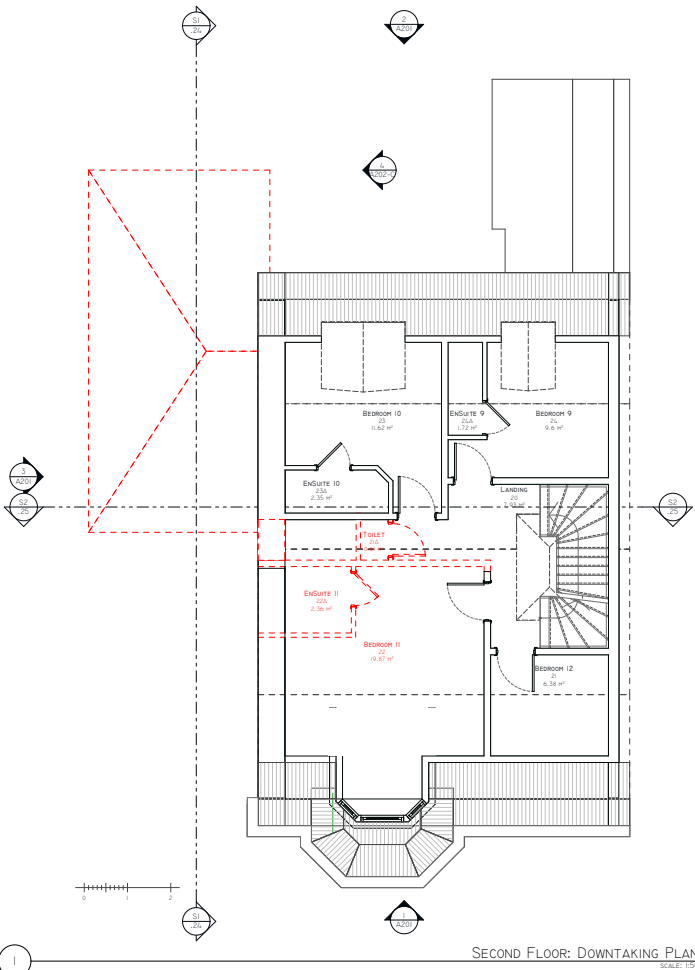
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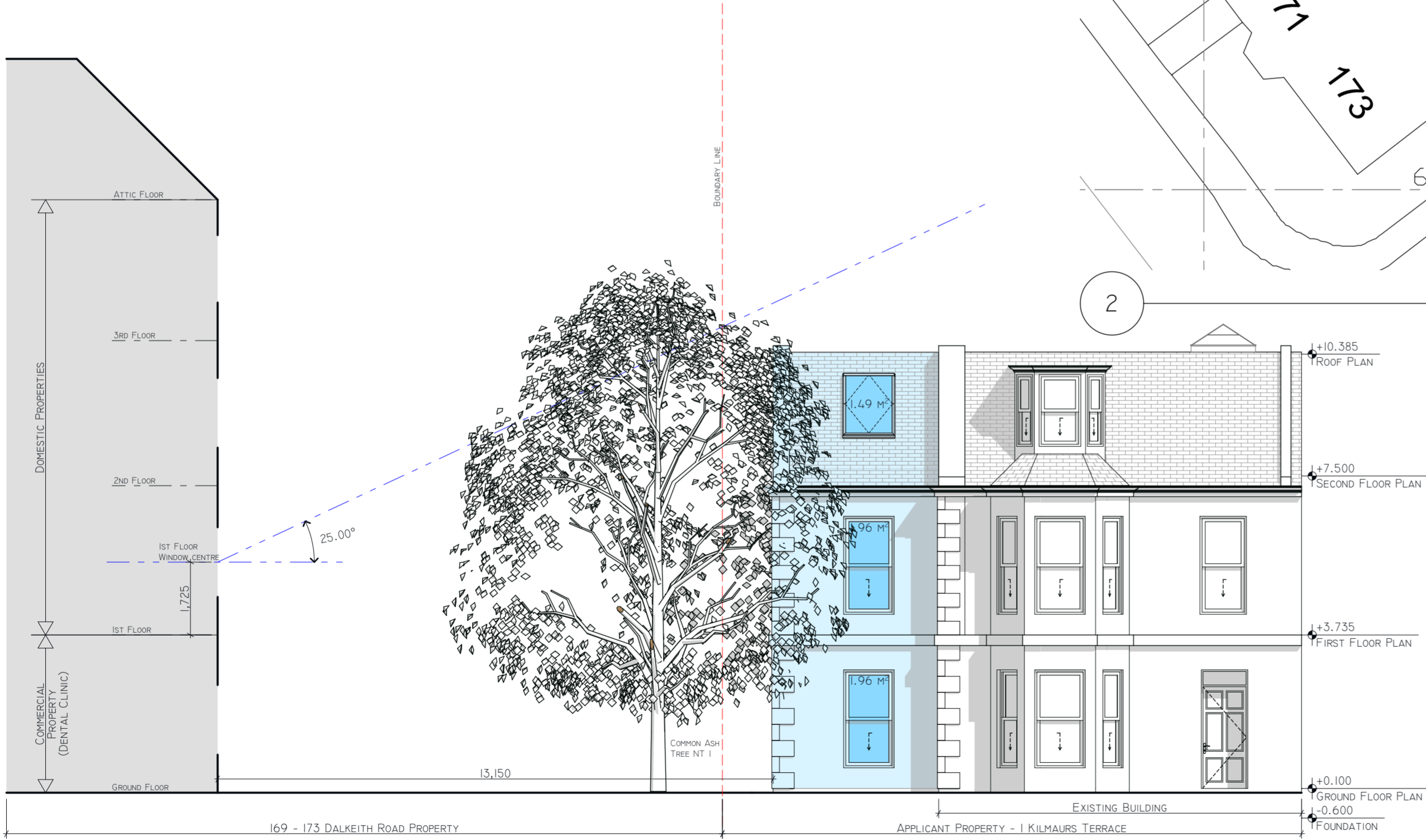
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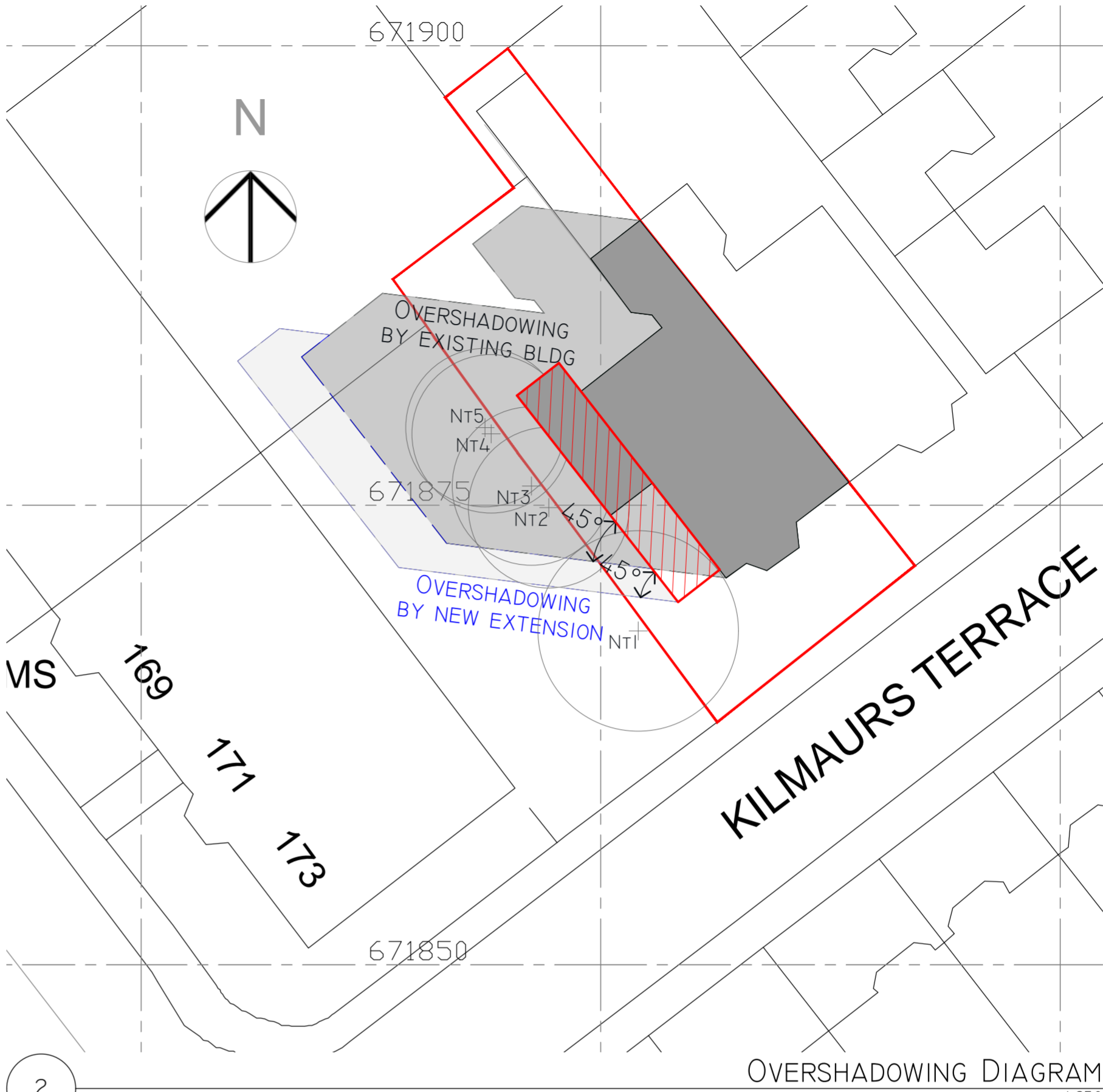
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SCALE: 1:50



SECOND FLOOR: DOWNTAKING PLAN  
SCALE: 1:50



SOUTH ELEVATION OVERSHADOWING ANALYSIS  
SCALE: 1:100



OVERSHADOWING DIAGRAM  
SCALE: 1:250

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**Decision date: 31 October 2019**

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

Proposed family dwelling house.  
At Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

**Application No:** 19/04204/FUL

### DECISION NOTICE

With reference to your application for Planning Permission registered on 4 September 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

#### **Conditions:-**

#### **Reasons:-**

1. The proposal is contrary to policy Env 10 of the Edinburgh Local Development Plan (LDP) in that it does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation. The proposal does not involve an intensification of the existing use, the replacement of an existing building with a new building in the same use, or a change of use of an existing building. The proposal is therefore not acceptable in principle.

2. The proposal is contrary to non-statutory Guidance for Development in the Countryside and Green Belt as no functional need for such a dwelling has been established; it does not relate to meeting the needs of one or more workers employed in agriculture; it is not related to a rural activity or business, and it is not a brownfield site or a gap site.

3. The proposal is contrary to LDP policy Env 3 - Listed Buildings - Setting as the proposal will have a negative impact on the setting of a B listed building. The proposed construction of a dwelling house in this location would alter the traditional layout of the site where development has been located behind the main farmhouse. This will detract from 18 Liberton Brae as the main visual focal point of the site at this principal elevation.

4. The proposal is contrary to LDP policy Des 4 Development Design - Impact on Setting as the position of the dwelling to the west of 18 Liberton Brae does not respect the traditional site layout where buildings have traditionally been located behind the main building, ensuring that this is the main visual focal point of the site from point of entry.

5. The proposal is contrary to non-statutory guidance outlined in Listed Buildings and Conservation Areas. The construction of a new house on open space to the west of 18 Liberton Brae will crowd the B listed property and have a negative impact on its setting.

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

Drawings 01-06, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation. The proposal does not involve an intensification of the existing use, the replacement of an existing building with a new building in the same use, or a change of use of an existing building. The proposal is contrary to policy Env 10 of the Edinburgh Local Development Plan (LDP) and the Council's Guidance for Development in the Countryside and Green Belt; and is not acceptable in principle. The proposal is also contrary to policy Env 3, policy Des 4 and relevant non-statutory guidance as it will have a negative impact on the setting of a listed building.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Christopher Sillick directly on 0131 529 3522.



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

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at [www.eplanning.scot](http://www.eplanning.scot) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

## **Application for Planning Permission 19/04204/FUL At Land 33 Metres Northwest Of 18, Liberton Brae, Edinburgh Proposed family dwelling house.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	19/04204/FUL
<b>Wards</b>	B16 - Liberton/Gilmerton

### Summary

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The proposal does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation. The proposal does not involve an intensification of the existing use, the replacement of an existing building with a new building in the same use, or a change of use of an existing building. The proposal is contrary to policy Env 10 of the Edinburgh Local Development Plan (LDP) and the Council's Guidance for Development in the Countryside and Green Belt; and is not acceptable in principle. The proposal is also contrary to policy Env 3, policy Des 4 and relevant non-statutory guidance as it will have a negative impact on the setting of a listed building.

### Links

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#### **[Policies and guidance for this application](#)**

LDPP, LDES01, LDES04, LDES05, LEN02, LEN03, LEN10, LEN12, LEN16, LEN21, LHOU01, LTRA02, LTRA03, NSG, NSGD02, NSGCGB, NSLBCA,



# Report of handling

## Recommendations

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**1.1** It is recommended that this application be Refused for the reasons below.

## Background

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### 2.1 Site description

The application site is predominately open land located 33 metres north-west of the category B listed farmhouse at 18 Liberton Brae. The site is located in the north-eastern corner of the Braids, Liberton and Mortonhall Special Landscape Area and is identified in the Local Development Plan as being within the greenbelt.

The proposed site is situated within the grounds of the former Tower Mains farm. The site is predominately garden space, although it does host a former storage shed. The site sits adjacent to the existing farmhouse which has been subject to modification over the years; having been sub-divided into three flats.

The site is bounded by outbuildings and steadings to the south and east. These buildings previously formed part of the farm but have mostly been converted to a mix of residential and business units. To the south, former barn units have been converted into modern residential units. To the north and west the site is marked by a stone boundary wall.

### 2.2 Site History

28 August 2018 - planning permission withdrawn to erect a 2.5 storey family dwelling house in the land adjacent to 18 Liberton Brae (18/02319/FUL).

## Main report

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### 3.1 Description Of The Proposal

The application is to erect a two storey, three bedroom, detached dwellinghouse within the curtilage of the B listed farmhouse. The proposed dwelling will have an approximate footprint of 93 square metres and will require the demolition of the existing storage shed on site which is included in the listing. Proposed materials include the extensive use of buff stone, with elements of timber cladding and a standing seam metal roof. Access to the dwelling would be via an existing private access road off Liberton Brae.

### 3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the

development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### **3.3 Assessment**

To address these determining issues, it needs to be considered whether:

- a) The principle of the development is acceptable;
- b) The landscape impacts are acceptable;
- c) The proposal will have a negative impact on the setting of a listed building;
- d) The proposed scale, form and design are acceptable;
- e) The proposal will have a detrimental impact on the amenity of neighbouring residents;
- f) The proposal raises any issues in respect of archaeology;
- g) The proposal raises any concerns in respect of parking or road safety;
- h) The proposal raises any concerns in respect of flood prevention;
- i) Any public comments received have been addressed.

#### Principle of Development

a) The site is designated as being within the Green Belt in the adopted Edinburgh Local Development Plan (LDP). Policy Env 10 of the LDP states that within the green belt and countryside shown on the proposals map, development will only be permitted where it is for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use; and the proposal would not detract from the landscape quality of the area.

The proposal does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation purposes, and a countryside location is not an essential location for the construction of a dwellinghouse. In addition, the proposal does not involve an intensification of the existing use of the site as defined in criteria c) of policy Env 10, as the site is currently predominately open space with a small outbuilding formerly used as storage space. The proposed development of a dwellinghouse would create a new planning unit which is unrelated to the existing use or any other buildings within the site. In addition, the proposal does not involve the replacement of an existing building with a new building of the same use.

Although the old steadings and a number of buildings associated with the Tower Mains farm have been redeveloped for business and residential uses; this proposal is for the development of a new dwellinghouse and not the development of a brownfield site. The Council's Guidance for Development in the Countryside and Green Belt outlines that new houses not associated with countryside use will not be acceptable unless there are exceptional planning reasons for approving them. These reasons include the reuse of brownfield land and gap sites within existing clusters of dwellings.

The Edinburgh Local Development Plan provides a definition of brownfield land as:

*Land which has previously been developed. The term may cover vacant or derelict land, land occupied by redundant or unused buildings*

Although the site has two small outbuildings (previously used as machinery stores); the site is predominately open space. The presence of a small outbuilding does not conclusively change the status of the land to brownfield and nor does the proposal involve the development of a gap site. The site in question hosts an old storage shed linked to the site's former use as a working farm. However, it is predominately open garden space.

Having regard to the above, there are no exceptional planning reasons for approving a new house in this location. Although the development of a new house would contribute to housing targets; the sporadic development of the greenbelt is not acceptable. The proposal does not comply with LDP policy Env 10 or the Council's Guidance for Development in the Countryside and Green Belt. The proposal has not been identified as an area for strategic housing development in the Local Development Plan and as such the principle of the development is unacceptable.

In addition, the proposals fail to comply with LDP Policy Hou 1 as the site is not allocated, is not in the urban area and there is no housing land supply deficit.

### Landscape Impact

b) The site lies within the Braids, Liberton and Mortonhall Special Landscape Area (SLA). Policy Env 11 Special Landscape Areas states that planning permission will not be granted for development which would have an adverse impact on the special character or qualities of the SLA. The Edinburgh Landscape Character Assessment (2010) outlines the pressures upon landscape integrity as "*cumulative impacts upon landscape character and visual amenity.*" Scottish Planning Policy paragraph 202 states that the siting and design of development should take account of local landscape character. Decisions should also take account of potential effects on landscapes and natural environment.

The application site itself forms part of the garden grounds of the Tower Mains site. It is within the boundary wall of the site. It is bounded to the south and east by existing buildings and is bordered by mature tree growth to the west. Although the proposal would result in a loss of open space within the site, it would not impact the wider open farmland within the SLA. The proposed development will be visible from certain viewpoints including Blackford Glen Road; Liberton Tower Lane and Blackford Hill. However, as the proposal is located within an existing cluster of development within the

wider Tower Mains farm site, and is of a modest scale; it is not considered that the proposal will have a negative impact on the special characteristics of the SLA. The proposal complies with Env 11.

#### Impact on Setting of Listed Building

c) Policy Env 3 of the LDP states that development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting. Policy Des 4 Development Design - Impact on setting also states that planning permission will only be granted where it is demonstrated that the proposal will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- a) height and form;
- b) scale and proportions, including the space between buildings;
- c) position of buildings and other features on site;
- d) materials and detailing.

The Council's non-statutory Listed Buildings and Conservation Areas also states that where new development occurs within the grounds of a listed building the siting, design, scale form, density and materials should be sympathetic to the listed building and ancillary buildings. The feeling of spaciousness of the grounds in relation to the building should be protected for the amenity of the property. The scale of new development should be controlled so as not to crowd or obscure the main house. The relationship that exists between the main house and its ancillary buildings should not be disrupted by the new building.

The application site is within the curtilage of the former Tower Mains farmhouse building, which is a B listed building. Although the steadings of the old farm have been redeveloped for a mixture of residential and business uses, the original layout of the farm has remained largely unchanged. As with a number of traditional farms, the former steadings are located behind the main farmhouse ensuring that this is the most visually prominent part of the site when viewed from the principal elevation.

The application site sits to the west of the main farmhouse. It is predominantly open space, although it does host a small shed, this is not visible when viewing the old farmhouse from the access road. The development of this land to form a new dwelling will alter the traditional layout of the site. Although the proposed dwelling is set back from the building line of 18 Liberton Brae, it will still be visible from the access road and the main drive. The proposed construction of a dwelling house in this location would alter the traditional layout of the site where development has been located behind the main farmhouse. This will detract from 18 Liberton Brae as the main visual focal point of the site at this principal elevation and will impact on its setting. On this basis, the application is considered contrary to LDP policy Env 3 and Policy Des 4.

The proposal includes the demolition of former storage sheds identified in the listing. In line with policy Env 2 - Listed Buildings - Demolition, listed building consent will only be granted in exceptional circumstances, taking into account the condition of the building, and the cost of repair, relative to the importance of the building and the value of its continued use. The sheds in question are small and in poor condition and it appears

that one has already been removed. Listed Building Consent will be required to assess the impact of the application on elements of architectural and historical importance of the site.

### Scale, Form and Design

d) Policy Des 1 states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based upon an overall design concept that draws upon the positive characteristics of the area.

The proposed development of a two storey building would be in keeping with the size of some of the former steadings located on the Tower Mains site. The site hosts a range of building sizes; with single storey and two storey buildings present. There is also the larger former farmhouse which has been sub-divided into flats and to the south of the site the former barns which have been converted into modern residential units. In general, the site is characterised by an agricultural feel. Despite the redevelopment of the farmhouse and the old steadings for mixed business and residential use, the buildings have retained a sense of their former use as agricultural buildings. Even in the case of the modern redevelopment of the barns; high quality design has ensured the townhouses are in keeping with the site.

The proposed dwelling would meet the requirements of the Edinburgh Design Guidance in terms of the provision of adequate floorspace, and internal living environment for future occupiers. Likewise, the proposal will have sufficient garden ground for the amenity of occupiers. The proposal includes extensive new tree planting which would tie in well with existing tree growth and contribute positively to the site as a whole. However, the proposed dwelling would be constructed particularly close to existing mature trees on the west of the site. A tree survey would be required to ensure that these trees are not impacted by the development. As the principle of the development is not acceptable, this has not been requested as part of this application.

The application site has been identified as a location of notable wildlife species. Prior to any consent being issued steps would need to be taken to determine if a European protected species is likely to be affected by the development. Therefore, the potential of any trees or buildings, which will be impacted on as a result of development, to support bats should be determined. This is in accordance with policy Env16 Species Protection and the Edinburgh Design Guidance. Bat surveys should be carried out prior to any consent being issued. As the proposal is not acceptable in principle a bat survey has not been requested.

The design of the proposal draws upon the agricultural elements of the surrounding area and is considered to comply with policy Des 1. However, further information would be required to assess the impact of the proposal on trees and wildlife if the principle of the development was acceptable.

### Amenity

Policy Des 5 Development Design - Amenity states that permission will be granted for development where it is demonstrated that the amenity of neighbouring properties is

not adversely affected and that future occupiers have acceptable amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

e) The proposed development is over 15 metres away from buildings to the east and over 30 metres away from the building to the south. The proposal satisfies the 25-degree daylighting criterion outlined in the Edinburgh Design Guidance document. The proposal will not result in the loss of daylight to neighbouring windows. Given the height of the proposal and its orientation in relation to neighbouring properties, it will not overshadow neighbouring amenity space. Guidance states that where windows will look on to neighbours that a minimum distance of 9 metres should be maintained from common boundaries. The proposed dwelling would be located at least 15 metres away from the east boundary and over 20 metres from the south boundary. The proposed dwelling would not look on to other buildings on the north and west elevations. The proposal would not result in an unreasonable loss of neighbouring amenity and is acceptable in this regard.

The proposal complies with policy Des 5.

### Archaeology

f) The site occupies the north-west corner of Liberton Tower Mains Farm constructed in the early 19th century. Although occurring within an area of archaeological significance, the application site is located away from the farm's main historic buildings. Given this, the date of the farm and history it is considered that this scheme is unlikely to have a significant archaeological impact.

### Parking and Road Safety

g) Policy Tra 2 of the LDP states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance.

Transport raised no objection to the development which would be allowed a maximum of one car parking space. Three cycle spaces should be provided as part of the development. The site is well served by public transport and a range of amenities including a nursery and shops are located nearby.

It is noted however that there are a number of dwellings within this area which are currently only served by a private access to the north east of the site. The Council expects all developments with 6 or more residential units to be served by an adoptable road. Further development is likely to require the access to be the subject of road construction consent applications and brought up to an adoptable standard including lighting. As this application is not acceptable in principle further work on this has not been requested.

### Flooding

h) Policy Env 21 of the LDP states that planning permission will not be granted for development that would increase a flood risk.

The SEPA flood maps do not identify this area as being at risk of flooding. A flood risk assessment does not need to be provided prior to determination.

As the applicant has not provided anything in relation to drainage for the proposed site this would be required as a condition. This could be addressed but it is not appropriate to seek this information given that the application is not acceptable in principle.

#### i) Public Comments

#### **Material Representations - Objection:**

- The site is within the Greenbelt and Special Landscape Area - addressed in section 3.3a.
- Access road to the site is too narrow and not appropriate - addressed in section 3.3f.
- Insufficient parking; addressed in section 3.3f.
- Loss of greenbelt land; addressed in section 3.3a.
- Negative impact on Special Landscape Area; addressed in section 3.3b.
- The proposed development does not relate well with the surrounding area; addressed in section 3.3c.

#### **Liberton Community Council**

Liberton Community Council did not request to be a statutory consultee but objected on the following grounds:

- Negative impact on the greenbelt and likely to encourage similar applications; addressed in section 3.3a.
- Access road not of sufficient quality to support additional development; addressed in 3.3f.
- Negative impact on trees; addressed in section 3.3c.

#### **Material Representations - Support:**

- Will not have a detrimental impact on the surrounding area and may improve it by planting more trees; addressed in section 3.3c
- Addresses a lack of housing; addressed in section 3.3a.
- Within the confines of existing development; addressed in 3.3a.
- In keeping with similar development on the same site; addressed in section 3.3a.
- No impact on Special Landscape Area or neighbouring amenity; addressed in section 3.3a.
- Well designed and well located as it is near public transport links to city centre and other amenities; addressed in 3.3c and 3.3f.

It is recommended that this application be Refused for the reasons below.

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The proposal is contrary to policy Env 10 of the Edinburgh Local Development Plan (LDP) in that it does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation. The proposal does not involve an intensification of the existing use, the replacement of an existing building with a new building in the same use, or a change of use of an existing building. The proposal is therefore not acceptable in principle.
2. The proposal is contrary to non-statutory Guidance for Development in the Countryside and Green Belt as no functional need for such a dwelling has been established; it does not relate to meeting the needs of one or more workers employed in agriculture; it is not related to a rural activity or business, and it is not a brownfield site or a gap site.
3. The proposal is contrary to LDP policy Env 3 - Listed Buildings - Setting as the proposal will have a negative impact on the setting of a B listed building. The proposed construction of a dwelling house in this location would alter the traditional layout of the site where development has been located behind the main farmhouse. This will detract from 18 Liberton Brae as the main visual focal point of the site at this principal elevation.
4. The proposal is contrary to LDP policy Des 4 Development Design - Impact on Setting as the position of the dwelling to the west of 18 Liberton Brae does not respect the traditional site layout where buildings have traditionally been located behind the main building, ensuring that this is the main visual focal point of the site from point of entry.
5. The proposal is contrary to non-statutory guidance outlined in Listed Buildings and Conservation Areas. The construction of a new house on open space to the west of 18 Liberton Brae will crowd the B listed property and have a negative impact on its setting.

## **Risk, Policy, compliance and governance impact**

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**4.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **5.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## Consultation and engagement

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### 6.1 Pre-Application Process

There is no pre-application process history.

### 6.2 Publicity summary of representations and Community Council comments

The application attracted twenty two letters of representation, eleven objecting to the planning application, including Liberton Community Council, and eleven in support.

A full assessment of these representations can be found in the main report in the Assessment section.

## Background reading / external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)

## Statutory Development

### Plan Provision

Green Belt and Area of Great Landscape Value within the Edinburgh Local Development Plan.

### Date registered

4 September 2019

### Drawing numbers/Scheme

01-06,  
Scheme 1

David R. Leslie  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Christopher Sillick, Planning Officer  
E-mail:christopher.sillick@edinburgh.gov.uk Tel:0131 529 3522

## Links - Policies

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### Relevant Policies:

#### **Relevant policies of the Local Development Plan.**

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

### **Relevant Non-Statutory Guidelines**

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

**Non-statutory guidelines** DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

# Appendix 1

## Consultations

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### ARCHAEOLOGY

*The site occupies the NW corner of Liberton Tower Mains Farm constructed in the early-19th century. Although occurring within an area of archaeological significance, the application site is located away from the farm's main historic buildings. Given this, the date of the farm and history it is considered that this scheme is unlikely to have a significant archaeological impact.*

*Therefore, it has been concluded that there are no known archaeological implications in regards to this application.*

### TRANSPORTATION

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

- 1. To comply with the 2017 Parking Standards the applicant should be required to provide 3 cycle parking spaces in a secure and undercover location;*
- 2. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;*

*Note:*

- I. The application was assessed under the 2017 Parking Standards, these permit the following:*
  - a. A maximum of 1 car parking space (1 space per unit in zone 2), 1 car parking space is proposed, this is considered acceptable;*
  - b. A minimum of 3 cycle parking spaces (3 spaces per 4+ room house)*
  - c. No requirement for accessible, EV and motorcycle parking as development does not meet the minimum unit requirements;*
- II. It is noted that there are a number of dwellings within this area which are currently only served by a private access. The Council expects all developments with 6 or more residential units to be served by an adoptable road. Further development is likely to require the access to be the subject of road construction consent applications and brought up to an adoptable standard including lighting.*

END

## Memorandum

**To** Head of Planning  
City of Edinburgh Council  
Planning and Transport  
Place  
Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8BG

F.A.O. Christopher Sillick

**From** John A Lawson  
Archaeology Officer

**Your ref** 19/04204/FUL

**Date** 26<sup>th</sup> September 2019

**Our ref** 19/04204/FUL

Dear Christopher,

### Land 33m NW of 18 Liberton Brae

Further to your consultation request I would like to make the following comments and recommendations concerning this application to erect a family dwelling house.

The site occupies the NW corner of Liberton Tower Mains Farm constructed in the early-19th century. Although occurring within an area of archaeological significance, the application site is located away from the farm's main historic buildings. Given this, the date of the farm and history it is considered that this scheme is unlikely to have a significant archaeological impact.

Therefore, it has been concluded that there are no known archaeological implications in regards to this application.

Please contact me if you require any further information.

Yours faithfully

  
**John A Lawson**

**Lynne Halfpenny, Director of Culture, Cultural Services, Place**  
City of Edinburgh Council Archaeology Service, Museum of Edinburgh, 142 Canongate, Edinburgh, EH8 8DD  
Tel 0131 558 1040 Fax 0131 558 1090  
john.lawson@edinburgh.gov.uk

Application No

19/04204/Ful.

Mrs F Baird

No 22 Liberton Brae,

Liberton

EH16 6AF.

Dear Sir,

I would like to object to the proposed  
House up the lane.

We have had 15 years first Mr Drysdale  
developing the units

then 3 Town Houses - Teague.

Then 4 Flats Mr Law.

as you can see I have enclosed pictures  
off my wall this is the second time  
it has been damaged. the first was a  
lorry trying to turn into the lane  
off Liberton Brae next to the bus stop  
one off Teague's houses first day off  
development and now a skip lorry.  
Mr Law hired "Kennie of Broxburn"

Mr Kenzie is ignoring my calls  
and it is now nearly 7 Mths I have  
had to repair the wall at my expense  
cost £2191.

I cannot take any more, every day  
wondering what next. please no more!  
I am 75 yrs old. with a heart + lung  
complaint and cannot take this stress  
the lane is very narrow now there  
is 70+ Children at the Montessori  
+ Boys. with learning difficulties  
the traffic is horrendous and so dangerous  
for the children who walk to school.  
this place use to be a pleasant place to  
live now its a nightmare.

Thank you  
Mrs. F. Barend

I cannot take any more, every day  
wondering what next. please no more!

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live now its a nightmare.

Thank you  
M. f. Baurd

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Dr Declan Valters

Address: 71 St Katharine's Brae, Edinburgh EH16 6QR

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Do not agree with local resident's association objection that this is a detrimental development. A driveway is included in the plans contrary to objections. Other objections seem to be based on speculative future development, rather than the actual plans. Proposal will increase housing stock in Edinburgh. Recent developments of dwellings on the same site to the south have not been detrimental. Proposal also seems to include planting of extra trees.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mr stephen rooney

Address: 1 orchardhead road edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I would like to object to the planning application noted above for a number of reasons:

- The small road leading to the site from Liberton Brae is narrow and sharply angled at its exit.

Vehicles exiting or entering the access road are involved in near-misses with vehicles on the main road.

- During any further development of the overall site, the only realistic access by trucks and lorries is by them driving down Orchardhead Road, as turning off Liberton Brae either going North or South is exceedingly difficult for large vehicles due to the very narrow entrance to the lane. Over the last couple of years while the previous 3 houses were being built on the location next to the Montessori school which is adjacent to that proposed by this application, the heavy lorries frequently got stuck at the bend opposite No. 3 Orchardhead Road because of the number of vehicles parked at the corner.

- There is already insufficient vehicle parking space around the existing premises including the school and business premises that are accessed by the narrow lane off Liberton Brae.

- No car parking or garage is included in the design, which will be likely to result in additional parking in Orchardhead Road and Liberton Brae.

- The narrow lane off Liberton Brae is very heavily used at the start of the school day and then again at the end of the school day. There is no pavement space and so walking up the lane with young children is very very dangerous especially during any build development activities.

- This site is specifically identified in the Local Development Plan as part of the Edinburgh Green Belt. Although the application is for only one house, it will result in loss of green belt land and will encourage other small-scale applications at this site and others, eroding the fringes of this green belt area, designated by the council's own documents as of the highest quality (Grade1) green belt areas (see the Edinburgh Green belt study 2008 for details). This is contrary to LDP policy Env10.

- It seems likely that further development on green belt land to provide garage space may be sought, plus the removal of mature trees to allow construction, contrary to LDP policy Env12.

- The proposed development is in a designated Special Landscape Area, as identified in the approved Review of Local Landscape Designations (Feb 2010), and is therefore contrary to the Local Development Policy Env11.
- The proposed house does not address any of the surrounding land in a positive way, and has a significant visual impact on the area, contrary to policy Des 9 and Env10
- The site is not an allocated housing site within the current LDP, and has deficiencies that are contrary to the LDP policies Des 4,5, 6 and 9, as well as those listed above.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mr Murray Shepherd

Address: 56 Liberton Drive Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My reasons for objection is

\*that it would be another loss of the ever shrinking greenbelt

\*access/egress is onto a busy main road/ buslane

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mr MJ Cambridge

Address: 12 Liberton Brae Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: Development on green belt land, particularly special landscape areas is unwelcome, given the amount of brown-field sites available in Edinburgh. Allowing the development encourages further applications, leading to the gradual complete erosion of green space, loss of mature trees and visual impact on the area.

The site is in the local development plan as high quality green belt and as such allowing development would be contrary to Edinburgh's development policies.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mr Alastair Findlay

Address: 32 Leadervale Road, Edinburgh EH16 6PA

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the planning permission sought in this case due to two main reasons:

- 1) The proximity to the Green Belt and the impact of new builds on land well used by the public for recreational use.
- 2) The small road that serves this site is already overused and dangerous not only for vehicles emerging from it but also for pedestrians when cars attempt to dart out.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Dr Bruce Mair

Address: 6 Liberton Drive Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I object to this application on the following grounds:

- 1) It relates to a development within the Edinburgh Green Belt and a designated Special Landscape Area There is no clear reference to this in the submitted documentation. Any erosion of Edinburgh's Green Belt is to be prevented.
- 2) One visualisation image in the documents states "view of gable end showing integration with landscape". This design does NOT integrate with the landscape in any way and is too high being two storey, would be visible from the west and although contemporary creates a visual intrusion for users of the adjacent footpath.
- 3) There is mention of a parking space in the application but no clear indication of its presence on the plans. It states "one space".
- 4) The exit onto Liberton Brae is already a problem and another dwelling will increase the traffic undoubtedly.
- 5) There are discrepancies between the shapes and extents designated areas and site area as shown on the plans and development reports, and in addition the Edinburgh Green Belt is not shown on any diagrams, or referenced clearly.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Dr David Cavanagh

Address: 9 Kedslie Road Liberton Edinburgh

## Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Objection on behalf of The Liberton Association

Planning Application No. 19/04204/FUL

Proposed family dwelling house at land at 33 metres north-west of 18 Liberton Brae

## Description of the site

The proposed house is within the gardens/green spaces of the existing properties in this former farm, adjacent to a field used for growing crops.

The area to the east and south of the proposed house is already developed, and is served by a narrow single-track road from Liberton Brae.

The site of the proposed house is partially occluded by large mature trees and forms part of the Edinburgh greenbelt.

## Access and transport issues

The small road leading to the site from Liberton Brae is narrow and sharply angled at its exit.

Vehicles exiting or entering the access road are involved in near-misses with vehicles on the main road.

No car parking or garage is included in the design.

## Reasons for objection

This site is specifically identified in the Local Development Plan as part of the Edinburgh Green Belt. Although the application is for only one house, it will result in loss of green belt land and will encourage other small-scale applications at this site and others, eroding the fringes of this green

belt area, designated by the council's own documents as of the highest quality (Grade1) green belt areas (see the Edinburgh Green belt study 2008 for details). This is contrary to LDP policy Env10.

It seems likely that further development on green belt land to provide garage space may be sought, plus the removal of mature trees to allow construction, contrary to LDP policy Env12.

The proposed development is in a designated Special Landscape Area, as identified in the approved Review of Local Landscape Designations (Feb 2010), and is therefore contrary to the Local Development Policy Env11.

The proposed house does not address any of the surrounding land in a positive way, and has a significant visual impact on the area, contrary to policy Des 9 and Env10

The site is not an allocated housing site within the current LDP, and has deficiencies that are contrary to the LDP policies Des 4,5, 6 and 9, as well as those listed above.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mrs Dorothy Burns-Brown

Address: 64 liberton drive Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed house can only be accessed by a narrow and angled road with room for one vehicle. This is an already busy road with a school, residencies and offices and is frequently blocked.

it is to be built on a site that in the Local Development Plan as Edinburgh Greenbelt and designated by the Councils documents as the highest quality grade 1 area and is contrary to the LDP policy ENV 10.

The proposed house is in a designated landscape area and is contrary to LDP ENV 11.

This site is not in an allocated housing site within the LDP and is therefore contrary to policies 4,5,6 & 9

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mr Stuart Heslop

Address: 1 Rosebank Gardens Wallacestone Falkirk

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I work in the City and watch the Edinburgh property market carefully. There is insufficient family housing in the City to meet demand and I can see no reason why this application should be declined as it is being developed within the footprint of the existing residence.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mr Jim Henry

Address: 90 Greenend Gardens Edinburgh

## Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:LIBERTON AND DISTRICT COMMUNITY COUNCIL

PLANNING APPLICATION No. 19/04204/FUL

PROPOSED FAMILY DWELLING HOUSE AT LAND AT 33 METRES NORTHWEST OF  
LIBERTON BRAE

## Introduction

The location of the proposed development is adjacent to an already developed area within the Edinburgh Green Belt. The site is accessed via a narrow road from Liberton Brae which has a very poor access to the aforementioned major road.

The site is a greenfield development and is only for a house which has no provision for a garage. The house is in very close proximity to and below the canopy of what appear to be mature trees.

## Comments

Liberton & District Community Council has consistently opposed new development in the Edinburgh Green Belt be it a single dwelling or an estate unless the site has been removed by virtue of changes to the Local Development Plan (LDP) which has been through due processes.

Whilst this is only one house, adjacent to a group of small properties, approval of this proposal could encourage further applications for single houses and result in additional loss of Green Belt land. In essence "death by a thousand cuts"

Again, whilst this is only one house, it is possible that further greenfield land will be sought to

provide garages and the removal of trees will take place due to their proximity to the proposed house to address overshadowing and potential safety reasons.

## Conclusions

Without considering each and every Local Development Plan policy in detail in this submission Liberton & District Community Council has examined the Local Development Plan and can find no good policy reason for supporting it. Therefore, Liberton & District Community Council considers the proposal is not consistent with the policies of the Plan and should be refused planning permission.

## Further Comment

Given the soon to emerge replacement LDP Main Issues Report, perhaps those interested in developing beyond the existing buildings should seek the removal from the Green Belt of their defined area of interest area. This would allow public debate on the future of this area which has been the subject of ad hoc planning applications and allow the formal consideration of issues relating to access and landscape which have been of concern to the Community Council.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Org Glenmorison Investments

Address: 26 Rutland Square Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: As owners of the estate we have no objections to the proposed single dwelling due to it being an appropriate expansion of this cluster of buildings within the confines of the existing footprint of the former farmhouse and steadings within the criteria of green belt policy.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mrs Sarah Telfer

Address: 16a Liberton Brae Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Proposed family house will make a welcome addition to the former farm estate on currently vacant infill ground.

Similar recent barn development a good example of what can be achieved without developing neighbouring fields.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mrs Jacqueline Carothers

Address: 46, Alnwickhill Rd Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The site of the proposed house is specifically identified in the Local Development Plan as part of the Edinburgh Green Belt. If planning permission is given for this one house, it will eat into the green belt area but more importantly will set a precedent for other small-scale applications at this site and other parts of this Green Belt area which the council itself has designated as a Grade 1 green belt area.

The site has deficiencies that are contrary to the LDP policies Des 4,5,6, 9.

Access to this site is along a narrow road off the very busy Liberton Brae rd with a lot of commuter traffic which turning into this road will obstruct.

Local residents use a route through this land as a means of access to the Green Belt land which is an essential amenity in the area.

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mr David Mackman

Address: 18H Liberton Brae Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Badly needed family home

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Ms Edward Kirby

Address: 18K Liberton Brae Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Proposed house Fits in with the existing mixed residential/ commercial buildings

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mr Steven Hill

Address: 18l liberton brae Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Recently consented barn development on the same estate successfully integrated as will this proposal

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Ms Sarah Smith

Address: 18m liberton brae Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: No impact on surrounding amenity from images provided with application

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Miss Michelle Gorman Jones

Address: 18I Liberton Brae Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Within perimeter walled garden

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Dr James Curruthers

Address: 18 O Liberton Brae Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Great idea - good use of space

# Comments for Planning Application 19/04204/FUL

## Application Summary

Application Number: 19/04204/FUL

Address: Land 33 Metres Northwest Of 18 Liberton Brae Edinburgh

Proposal: Proposed family dwelling house.

Case Officer: Christopher Sillick

## Customer Details

Name: Mrs Gill Crane

Address: 13 chamberlain road Edinburgh

## Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Single plot within a developed former farmhouse/ Steading / barn all enclosed from neighbouring fields by a boundary wall

No impact to neighbouring community

Good transport bus links to city centre and other amenities.

Proposed house will compliment surrounding Steading and recent Barn conversion and looks like a candidate for Grand Design programme.

# MEMORANDUM

## PLACE

**To:** Christopher Sillick

**Our Ref:** T/TP/DC/39817/CB

**Your Ref:** 19/04204/FUL

**Date:** 18<sup>th</sup> October 2019

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

**PLANNING APPLICATION No: 19/04204/FUL**

**FOR: PROPOSED FAMILY DWELLING HOUSE.**

**AT: LAND 33 METRES NORTHWEST OF 18 LIBERTON BRAE, EDINBURGH**

### ROADS AUTHORITY ISSUES

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. To comply with the 2017 Parking Standards the applicant should be required to provide 3 cycle parking spaces in a secure and undercover location;
2. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;

Note:

- I. The application was assessed under the 2017 Parking Standards, these permit the following:
  - a. A maximum of 1 car parking space (1 space per unit in zone 2), 1 car parking space is proposed, this is considered acceptable;
  - b. A minimum of 3 cycle parking spaces (3 spaces per 4+ room house)
  - c. No requirement for accessible, EV and motorcycle parking as development does not meet the minimum unit requirements;
- II. It is noted that there are a number of dwellings within this area which are currently only served by a private access. The Council expects all developments with 6 or more residential units to be served by an adoptable road. Further development is likely to require the access to be the subject of road construction consent applications and brought up to an adoptable standard including lighting.

**Cameron Baillie**

**Tel: 2-3562**

Planning & Liberton Bree  
Edinburgh  
10 FEB 2020 EH16 6 AF.

### Building Standards

Dear Gria Bellhouse.

I have just received your letter and cannot believe they are appealing your verdict, not to let this or any other development up this very narrow lane is the correct one.

The lane was not why the development was not passed but should have been as this is a very narrow lane and everything that has to go up to the schools and units must pass our door and no. 16. I have lost count of how many times my neighbour's fence has been knocked down and my wall now 3 times in 11 months so please no more traffic its dangerous for the children (no pavements). please come and speak to Emma Head mistress of The Monlisson school. she will tell you how concerned she is its only a matter of time before a child is hurt or at worst killed they use the lane

like a speed track we need  
speed Bumps and signs on the road  
to warn large lorries they can not get  
round the Police say they cannot enforce  
speed limit as it is a private road.

If you would like to come out to my  
house between 7.45 - 9.30 <sup>non-frid</sup> any day and  
see this fiasco. I will make you very  
welcome.

Thank you.

Mo. Florence Baird

I am 76 years old with a heart. complaint  
and I do not need this stress  
please help

---

YOUR REF - 20/00015  
REF REF

PLANNING APPLICATIONS

REF NOS 19/04204 / FUL

DISCRIPTION - PROPOSED FAMILY  
DWELLING HOUSE.

MR. DEREK SMITH  
MRS VALERIE WEST  
16 LIBERTON BRAE  
EH16 6AE

GINA/G3

8th / FEB / 2020

SITE LAND 33 METRES NORTHWEST  
OF LIBERTON BRAE EDINBURGH

Dear Gina, RE - your LETTER FOR SAID PLANS.

It All started with a RON HAWKING  
Trying to pass it, Now we have a MR. MICHAEL ALLEN  
Trying to do the same thing.

So.

OUR REASONS TO REJECT THESE PLANS ARE "

1. Very young school children from the  
MONTROSSORI school - we have NO  
PAVEMENT so it is EXTREMELY DANGEROUS

2. SADLY A school for very disabled adults  
ALWAYS TAXIS for them going up & down  
& SOME get ON THE BUS & ARE SCARED OF THE  
TRAFFIC IT IS A WORRY

3. TO MANY cars, TAXIS TRUCKS, VANS having to  
REVERSE onto MAIN ROAD BECAUSE they can  
NOT PASS EACH OTHER THE LANE IS TO  
NARROW.

4. THE CARE HOME practices wheel chair  
USE AT OUR CORNER. (SCARY)

5. WE HAVE REGULAR DOG WALKERS,  
HORSE RIDERS & RUNNERS

6. THE WIDTH OF LANE IS - 4 METRES

7. WE BOUGHT THIS HOUSE 22 YEARS  
AGO - UP THE LANE THERE WAS 1  
RESIDENTIAL PROPERTY PLUS OUT BUILDING  
NOW WE HAVE AT LEAST 60 CARS  
PARKED UP THERE DURING WEEK.  
& THEY ARE FOR STAFF IN all BUILDINGS

WE NOW HAVE 7 MORE BUILDS (RESIDENTIAL)  
& WE CAN'T COPE WITH A 8th.

THIS IS ONLY A SMALL LANE OUR  
NEIGHBOUR HAS BEEN VERY ILL &  
DISTRESSED WITH WORRY HER WALL  
HAS BEEN HIT AT LEAST 3 TIMES  
WITHIN UNDER 11 MONTH.

OUR FENCE RENEWED AFTER BEING  
HIT SO OFTEN WE COULDN'T BEGIN  
TO COUNT.

WE NEED SOME HELP, MY HUSBAND IS  
A PENSIONER & HAS TO TRY TO GUIDE  
TRUCKS INTO THIS SMALL SPACE SO WE DO  
NOT GET DAMAGED.

THIS IS A VERY SMALL LANE  
NOT A MOTORWAY. A SPEED  
BUMP WOULD HELP TO SLOW TRAFFIC THAT  
RACE UP & DOWN THE LANE.  
ONE LAST THING

Looking Forward TO  
Hearing For you & Hopefully  
you can HELP US.

Many thanks

V. WEST

**From:** Jim Sorrell  
**Sent:** Tue, 3 Mar 2020 16:37:46 +0000  
**To:** Gina Bellhouse  
**Cc:** Local Review Body; Sarah Stirling  
**Subject:** Re: 18 Liberton Brae 19/04204/FUL

Dear Gina

I refer to the appeal by Mr Allen against the refusal of planning permission for a single house at Liberton Tower Mains (ref 19/04204/FUL) which is to be considered by the Council's Local Review Body on 11th March. Thank you for notifying us of two representations received by the Council from local residents regarding the appeal, in respect of which I am now responding on behalf of the appellant.

The representations raise concerns regarding the impact of the proposal on the existing access road and the total amount of traffic. We do not consider these matters are relevant to the appeal as there was no objection to the proposal by CEC Transportation and the reasons for refusal include no reference to transportation issues.

Should the LRB Panel find it pertinent to consider these matters, I trust they can be made aware of the appellant's response.

Kind regards

Jim Sorrell

--

Jim Sorrell BA DipTP MRTPI  
Director

Sorrell Associates  
The Green House  
41 St Bernard's Crescent  
Edinburgh  
EH4 1NR

Phone 0131 343 3643  
Mobile 07774 639018

Website [www.sorrellassociates.co.uk](http://www.sorrellassociates.co.uk)

Sorrell Associates Ltd is a company registered in Scotland (No 349916)



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100229142-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:  You must enter a Building Name or Number, or both: \*

First Name: \*  Building Name:

Last Name: \*  Building Number:

Telephone Number: \*  Address 1 (Street): \*

Extension Number:  Address 2:

Mobile Number:  Town/City: \*

Fax Number:  Country: \*

Postcode: \*

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Michael"/>	Building Number: <input type="text" value="18"/>
Last Name: *	<input type="text" value="Allen"/>	Address 1 (Street): * <input type="text" value="Liberton Brae"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH16 6AE"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="18 LIBERTON BRAE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH16 6AE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="670025"/>	Easting	<input type="text" value="327033"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Proposed family dwelling house

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

See submitted Planning Statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Listed in the Planning Statement

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

19/04204/FUL

What date was the application submitted to the planning authority? \*

04/09/2019

What date was the decision issued by the planning authority? \*

31/10/2019

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☐ Yes ☒ No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

Holding one or more hearing sessions on specific matters

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A hearing is merited to ensure correct interpretation is made of LDP Policy Env10 and the guidance for green belt & countryside as the appellant does not consider the policy wording has been properly followed by officials in this case. A hearing would also enable understanding of matters within the appellant's case which have not been adequately appreciated by planning officials including setting of the application site, the wider Tower Mains location and the setting of listed buildings.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

A site visit is required by the LDP Panel members to properly appreciate the character of the application site and its context within the Tower Mains complex which is not apparent simply from documents. The site's enclosure by surrounding buildings, high wall and trees gives it the character of a 'gap site'. Also the complex of buildings and mix of uses at Tower Mains, now excluding any farming uses, must be appreciated in person to give context for consideration under policy Env 10.

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☐ Yes ☒ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Unaccompanied inspection is possible but an accompanied visit is recommended not just of the proposed plot but its setting within the Tower Mains complex. This covers quite a large area with several buildings. There are existing business and occupiers we would not wish to disturb. Viewing points of the site can also be recommended by the appellant's agent

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Jim Sorrell

Declaration Date: 30/01/2020

**Proposal Details**

Proposal Name	100229142
Proposal Description	18 Liberton Brae - Family Dwelling House
Address	18 LIBERTON BRAE, EDINBURGH, EH16 6AE
Local Authority	City of Edinburgh Council
Application Online Reference	100229142-001

**Application Status**

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

**Attachment Details**

Notice of Review	System	A4
Site Location Plan	Attached	A4
Proposed Site Plan	Attached	A1
Proposed Floor Plans	Attached	A1
Proposed Elevations A and B	Attached	A1
Proposed Elevation C	Attached	A1
Visualisation	Attached	Not Applicable
Design and Access Statement	Attached	Not Applicable
Landscape and Visual Appraisal	Posted	Not Applicable
Landscape Strategy	Attached	Not Applicable
Verified View - from south across fields	Attached	Not Applicable
Verified View - from south across fields with proposed house shaded red	Attached	Not Applicable
Verified View - from driveway of main house	Attached	Not Applicable
Verified View - from driveway of main house with proposed house shaded red	Attached	Not Applicable
Decision Notice 31 October 2019	Attached	Not Applicable
Report of Handling	Attached	Not Applicable
Listing Description - Farmhouse and Steadings	Attached	Not Applicable
Appeal case summary - powerpoint	Posted	Not Applicable

slides for Local Review Body meeting

Planning Statement	Attached	Not Applicable
Planning Statement Appendix 1 - Development Plan Policy	Attached	Not Applicable
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

## Listed Building

The only legal part of the listing is the address/name of site. Addresses and building names may have changed since the date of listing – see ‘About Listed Buildings’ below for more information.

# 18 LIBERTON BRAE, LIBERTON TOWER MAINS, FARMHOUSE AND STEADING

LB30305

Status: Designated

## Documents

There are no additional online documents for this record.

## Summary

### Category

B

### Local Authority

Edinburgh

### NGR

NT 27028 70026

### Date Added

20/05/1994

### Planning Authority

Edinburgh

### Coordinates

327028, 670026

### Burgh

Edinburgh

## Description

FARMHOUSE: earlier 19th century. 2-storey, 3-bay rectangular-plan classical farmhouse with single storey pavilions to E and W, sited at head of U-plan steading. Coursed rubble grey sandstone with stugged ashlar dressings. Base, dividing and blocking courses; moulded cornice; long and short quoins and surrounds to openings.

S (ENTRANCE) ELEVATION: central advanced bay; steps up to deeply recessed doorway with painted margins; panelled door with glazed central panels; small- pane fanlight; single window at 1st floor above; blocking course raised at centre. Single windows set in recessed panels at ground in bays to outer left and right; single windows at 1st floor above. Single storey piend-roofed pavilion wings recessed to E and W; single window to E pavilion; modern sun lounge obscuring W pavilion.

N (REAR) ELEVATION: margin-pane glazing to stair window at centre. Single windows at ground and 1st floor in bays to outer left and right (replacement glazing pattern in window at ground to left). Replacement door and window to E pavilion; pitched roof addition with corniced gablehead stack to rear of W pavilion; flat-roofed addition in re-entrant angle.

S ELEVATION: pavilion at ground to left; blinded single window at 1st floor above. Single window at ground in bay to outer right; blinded window at 1st floor above. Round-arched window set in gablehead.

E ELEVATION: 2 single windows at 1st floor. Round-arched window set in gablehead. 12-pane sash and case windows. Grey slate roof; coped skews; coped gablehead stacks to E and W; moulded cans.

STEADING: (TO N OF HOUSE; CATTLE COURTS AT CENTRE) E RANGE: symmetrical E elevation; sloping site; rubble sandstone with droved ashlar dressings. Central cartshed (3 segmental cart-arches to E elevation; 4 to E elevation) with granary above; single storey bothy/grieve's house to N with segmental-arched panel now glazed. Implement stores flanking to S.

S RANGE: 2-storey former barn to W with former kiln to E. Most ground floor openings blocked; stone ventilators at 1st floor; kiln vent and box roof ventilators; gable walls of implement shed remaining to rear.

W RANGE: single storey range of former stables with cobbled area in front; small brick stack at NE corner. Later piend-roofed open implement and machinery stores adjoining at right angles to W and S end of range (roof in

state of collapse). N return elevation corniced (answering that of E range) with blind segmental-arched opening and tablet.

CATTLE COURT: U-plan court to immediate S of farmhouse; single storey cattle sheds around covered courtyard; slate roofs to sheds now collapsed (1994); timber structure with corrugated-iron roof over court.

## Statement of Special Interest

The positioning of the house close to the steading is typical of the earlier 19th century, although the location to the N is more unusual, possibly to exploit fine views to the city. The survival of a complete farmhouse and steading so close to the city centre is rare.

## References

### Bibliography

Appears on 1st edition OS Map (1853). Gifford, McWilliam and Walker EDINBURGH (1984), p491.

## About Listed Buildings

Historic Environment Scotland is responsible for designating sites and places at the national level. These designations are Scheduled monuments, Listed buildings, Inventory of gardens and designed landscapes and Inventory of historic battlefields.

We make recommendations to the Scottish Government about historic marine protected areas, and the Scottish Ministers decide whether to designate.

Listing is the process that identifies, designates and provides statutory protection for buildings of special

architectural or historic interest as set out in the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

We list buildings which are found to be of special architectural or historic interest using the selection guidance published in [Designation Policy and Selection Guidance \(2019\)](#)

Listed building records provide an indication of the special architectural or historic interest of the listed building which has been identified by its statutory address. The description and additional information provided are supplementary and have no legal weight.

These records are not definitive historical accounts or a complete description of the building(s). If part of a building is not described it does not mean it is not listed. The format of the listed building record has changed over time. Earlier records may be brief and some information will not have been recorded.

The legal part of the listing is the address/name of site which is known as the statutory address. Addresses and building names may have changed since the date of listing. Even if a number or name is missing from a listing address it will still be listed. Listing covers both the exterior and the interior and any object or structure fixed to the building. Listing also applies to buildings or structures not physically attached but which are part of the curtilage (or land) of the listed building as long as they were erected before 1 July 1948.

While Historic Environment Scotland is responsible for designating listed buildings, the planning authority is responsible for determining what is covered by the listing, including what is listed through curtilage. However, for listed buildings designated or for listings amended from 1 October 2015, legal exclusions to the listing may apply.

If part of a building is not listed, it will say that it is excluded in the statutory address and in the statement of special interest in the listed building record. The statement will use the word 'excluding' and quote the relevant section of the 1997 Act. Some earlier listed building records may use the word 'excluding', but if the Act is not quoted, the record has not been revised to reflect subsequent legislation.

Listed building consent is required for changes to a listed building which affect its character as a building of special architectural or historic interest. The relevant planning authority is the point of contact for applications for

listed building consent.

Find out more about listing and our other designations at [www.historicenvironment.scot/advice-and-support](http://www.historicenvironment.scot/advice-and-support). You can contact us on 0131 668 8914 or at [designations@hes.scot](mailto:designations@hes.scot).

## Images

There are no images available for this record.

Printed: 03/12/2019 03:14

## **18 LIBERTON BRAE PLANNING APPEAL**

### **APPENDIX 1 DEVELOPMENT PLAN POLICY AND MATERIAL CONSIDERATIONS**

#### **1. DEVELOPMENT PLAN POLICY**

##### **Strategic Development Plan (SDP) for South East Scotland (SESplan, approved 2013)**

**SESplan** provides a strategic vision for the Edinburgh city region. Its policies have little direct relevance to the property but its eight overarching Aims include:

- 'Set out a strategy to enable delivery of housing requirements to support growth and meet housing need and demand in the most sustainable locations'
- 'To conserve and enhance the ....built environment'

##### **Edinburgh Local Development Plan (ELDP, adopted 2016)**

###### **Policy Des 1 'Design Quality & Context'**

*Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.*

###### **Policy Des 4 'Development Design - Impact on Setting'**

*Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:*

- a) height and form*
- b) scale and proportions, including the spaces between buildings*
- c) position of buildings and other features on the site*
- d) materials and detailing*

###### **Policy Des 5 'Development Design - Amenity'**

*Planning permission will be granted for development where it is demonstrated that:*

- a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook*
- b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses*
- c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas*

- d) *a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms*
- e) *refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design*

**Policy Env 3 ‘Listed Buildings - Setting’**

*‘Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.’*

**Policy Env 10 - Development in the Green Belt and Countryside**

*Within the Green Belt and Countryside shown on the Proposals Map, development will only be permitted where it meets one of the following criteria and would not detract from the landscape quality and/or rural character of the area:*

- a) *For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.*
- b) *For the change of use of an existing building, provided the building is of architectural merit or a valuable element in the landscape and is worthy of retention. Buildings should be of domestic scale, substantially intact and structurally capable of conversion.*
- c) *For development relating to an existing use or building(s) such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact.*
- d) *For the replacement of an existing building with a new building in the same use provided:*
  - 1) the existing building is not listed or of architectural / historic merit;*
  - 2) the existing building is of poor-quality design and structural condition,*
  - 3) the existing building is of domestic scale, has a lawful use and is not a temporary structure; and*
  - 4) the new building is of a similar or smaller size to the existing one, lies within the curtilage of the existing building and is of high design quality.*

181 It is necessary to control the type and scale of development in the green belt to enable it to fulfil its important role in terms of landscape setting and countryside recreation as described in Part 1. However, the purpose of the green belt is not to prevent development from happening. This policy sets out the circumstances in which development in the green belt can be supported.

- 182 In Edinburgh, Countryside areas i.e. land outwith existing settlements, which are not designated green belt are considered to be of equivalent environmental importance. For this reason, it is appropriate to apply the same level of protection to both green belt and Countryside areas.
- 183 The key test for all proposals in the green belt and Countryside areas will be to ensure that the development does not detract from the landscape quality and/or rural character of the area. The Council's guidance 'Development in the Countryside and Green Belt' provides more detailed advice.

#### **Policy Env 11 - Special Landscape Areas**

*Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map*

## **2. MATERIAL CONSIDERATIONS**

### **Development in the Green Belt and Countryside (Edinburgh Council non-statutory guidance 2019)**

#### **Justification for New Build Dwellings (p7):**

*Proposals for new build dwellings in the countryside and green belt which are associated with existing or proposed countryside uses will be permitted provided the following criteria are met:*

- a) a functional need for the dwelling is established;*
- b) the need relates to one or more fulltime worker(s), or one who is employed primarily in agriculture, and does not relate to a part time requirement;*
- c) the unit and the rural activity/business are financially sound, and have a clear prospect of remaining so;*
- d) the functional need could not be reasonably fulfilled by an existing building which is suitable and available for occupation by the workers concerned, either on the holding or nearby (this could be an existing dwelling or involve the conversion of a building currently in an alternative use);*
- e) the design, scale and layout of the building accords with Local Development Plan and Edinburgh Design Guidance.*

***New Houses in the Countryside*** - New houses not associated with countryside use will not be acceptable unless there are exceptional planning reasons for approving them. These reasons include the reuse of brownfield land and gap sites within existing clusters of dwellings.

### **Listed Buildings and Conservation Areas (Edinburgh Council non-statutory guidance 2018)**

This includes the following criteria for new development in the grounds of listed buildings:

- Siting, design, scale, form, density and materials must be sympathetic to the listed building
- Protect the feeling of spaciousness for the grounds of the main building
- Control the scale of new build to prevent crowding or obscuring the main house.
- No building of similar or greater bulk close to the main building
- New build must not disrupt the relationship of the main house with its ancillary uses

- New build should be set back from the original building line of the main house
- No development in front of a listed building
- Principal elevations should remain visible in entirety from principal viewpoints
- New build must not restrict views of or from the listed building
- New build must not conceal the silhouette of the listed building from familiar viewpoints

**Land at 18 Liberton Brae  
Liberton Tower Mains  
Edinburgh EH16 6AE**

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**Appeal against the Decision by  
Officials of City of Edinburgh  
Council to Refuse Planning  
Permission for Application  
Reference 19/04204/FUL**

**Proposed Family Dwelling House**

**Planning Statement to the Local  
Review Body**

---

On behalf of:

**Mr Michael Allen**

30<sup>th</sup> January 2020

**Sorrell Associates**

planning | development | consultancy

The Green House  
41 St Bernard's Crescent  
Edinburgh EH4 1NR

W [REDACTED]

## CONTENTS

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## SUPPORTING DOCUMENTATION

### Documents Submitted with Application 19/04204/FUL

1. Location Plan (Drawing HD1021 PL001)
2. Proposed Site Plan (Drawing HD1021 PL005)
3. Proposed Floor Plans (Drawing HD1021 PL010)
4. Proposed Elevations A&B (Drawing HD1021 PL100)
5. Proposed Elevation C (Drawing HD1021 PL101)
6. Visualisation (HD1021 PL300)
7. Design & Access Statement (by Hackland & Dore Architects)
8. Landscape & Visual Appraisal (by Wardell Armstrong)
9. Landscape Strategy (Drawing ED12620revA)
10. Verified View 1 - long view from south across fields (Verified Views by Five Square Imagery)
11. Verified View 2 - front of main house from driveway
12. Verified View 3 - as VV1 with proposed house shaded red
13. Verified View 4 - as VV2 with proposed house shaded red

### Documents from Determination of the Application

14. Planning Officers' Report of Handling
15. Decision Notice, 31<sup>st</sup> October 2019

### Additional Documents for Consideration with this Review

16. Planning Statement (this document)
17. Appendix 1 - Development Plan Policy and Material Considerations
18. Appeal case summary - Powerpoint slides for Local Review Body meeting
19. Listing Description - 18 Liberton Brae, Farmhouse and Steadings

## SECTION 1 INTRODUCTION

- 1.1 This Planning Statement is submitted on behalf of Mr Michael Allen ('the appellant') for consideration by the Local Review Body ('LRB') of City of Edinburgh Council ('the Council'). It concerns the proposed construction of a single dwelling house adjacent to the former farmhouse, known as No18 Liberton Brae, and within the associated complex of steading buildings at Liberton Tower Mains.
- 1.2 Planning permission was refused on 31<sup>st</sup> October 2019 by the Council's planning officials under delegated authority (application reference 19/04204/FUL) and the LRB is therefore requested to uphold the appeal by Mr Allen and overturn that decision.



**Fig 1 - Proposed house**

- 1.3 The documents submitted with the application are listed on page 2 of this Statement. We are also submitting a set of five powerpoint slides which summarise the appellant's case for consideration by the LRB Panel. The slides coincide with the summary section of this planning statement and are intended to assist the summing-up of the appellant's case by the presenting officer at the LRB meeting. The slides include some new images, as well as others submitted with the application, to illustrate the proposed new house in response to matters raised in the refusal.
- 1.4 We disagree with the conclusions of the planning officials and consider that planning permission is justified in all regards as explained in Section 3 below.

### **Request for a Hearing and a Site Visit**

- 1.5 At the outset we would urge the LRB to allow the appellant's case to be presented at a hearing. At the very least the LRB members are requested to visit the site in person as it is otherwise difficult to properly appreciate the circumstances of the proposed house which are at the heart of the justification.
- 1.6 In particular, the proposed plot has the character of a 'gap site' as it is set back and to the side of the main farmhouse, also being located in a secluded enclave between buildings and behind a boundary wall. The separation of the proposed dwelling from the main house will also be properly appreciated, demonstrating it will not impinge on its setting as a listed

building.

- 1.7 A site visit will also demonstrate that the complex of buildings at Tower Mains is now an established and active hub of business, education and residential accommodation. There are no remaining agriculture or traditional rural uses and consequently the proposed house would be an acceptable addition, as an intensification of the current residential use at Tower Mains.
- 1.8 Most importantly we do not consider these matters have been appropriately reflected in the officers' report of handling or the decision notice and we believe this justifies a site visit by the LRB Panel.

**The risk of precedent**

- 1.9 A decision to approve this proposed dwelling will not be a decision that sets an undesirable precedent for unrestricted sprawl of this site, nor a precedent city-wide for dwellings in any green belt location. The enclosure of this plot as a viable gap site is a unique and special circumstance prevailing at Liberton Tower Mains.

## SECTION 2 BACKGROUND TO THE PROPOSAL

### Site Context

- 2.1 The proposed site comprises a plot of 535sqm which is largely grassed and with three storage buildings. It is situated in the grounds of the former Tower Mains Farm and adjacent to the former farmhouse on its west side. It was formerly garden ground associated with the main house but this functional relationship ended when the house was converted into four apartments, each with their own separate amenity space. The plot therefore constitutes a distinct development opportunity.
- 2.2 To the rear of the former farmhouse is a complex of buildings in the southern part of Tower Mains. These comprise original farm steadings which have been converted to a variety of small commercial, residential and educational uses, including the Montessori Art School. The complex also includes the site of some former barn units which have been demolished and replaced with three contemporary townhouses, but there is no longer any remaining farming activity at Tower Mains.
- 2.3 Other than the houses on Liberton Brae to the east, Tower Mains is set amongst open fields in agricultural use with the landscape dominated by Braid Hill and Blackford Hill. A public footpath runs along the edge of the field skirting the west boundary of the site.



**Fig 2 - Landscape setting of Tower Mains**

- 2.4 The main house and steadings are listed category B. In front of the main house is a gravelled parking area which has an open boundary to the adjacent fields other than several mature trees, with clear views from the house across to the prominent Kings Buildings on Blackford Hill.
- 2.5 By contrast the proposed development site is sheltered to the west of the farmhouse, located between adjacent steadings and a high boundary wall with trees beyond, by which it gains a distinct sense of enclosure and the character of a gap site.

### **Proposed Development**

- 2.6 Mr Allen initially sought planning permission in May 2018 for a house of two and a half storeys (application 18/02319/FUL), however the appointed case officer indicated this would not be supported. Mr Allen decided to withdraw the application in August 2018 and instructed Hackland and Dore Architects to consider if a reduced scale house was sustainable.
- 2.7 The architects brought forward a revised design for a two storey house which gives particular attention to the setting of the principal listed house, the adjacent steadings buildings, and the site's landscape context. The current application was submitted on 4<sup>th</sup> September 2019 (19/04204/FUL).
- 2.8 The proposed house will be on two storeys with three bedrooms on the ground floor and open plan living/dining space upstairs. It has an innovative contemporary design with the upper floor including large windows and balconies to benefit from the views to north and west above the boundary walls. The house also features a chevron shaped design that responds to the boundary alignment and features stone elevations at ground level and timber on the first floor.
- 2.9 It is located within the site to be subservient to the Category B listed setting of the former farmhouse, being separated from it to the west and set back from its front building line. The use of timber, stone and glass will achieve an external appearance respectful of the main house and steadings.
- 2.10 Access will be made across the gravelled area shared with the main house and a private parking space is included within the site. The remaining land will be used for garden and amenity space and new trees will be planted in the eastern part of the garden to enhance the setting with the main farmhouse. The existing row of mature trees along the north and west boundaries already provides a visual screen to the open fields.
- 2.11 The rationale and justification for the revised design was fully explained and justified in a Design & Access Statement (Hackland & Dore), a Landscape & Visual Appraisal (Wardell Armstrong) and professionally-prepared 'verified view' photomontages from key vantage points (by Five Square Imagery) (Documents 7, 8 and 10-13).

### **Relevant planning policy**

- 2.12 The development plan comprises the South East Scotland Strategic Plan (SESPlan) and the 2016 Edinburgh Local Development Plan. Given the character of the site and the size of the proposal it is appropriate to concentrate on local policy in the LDP, supported by the council's non-statutory guidance for Development in Green Belt and Countryside,
- 2.13 Key policies are reproduced in Appendix A and we examine the most relevant policy extracts in the justification section of this statement.

### **Acknowledged merits of the proposal**

- 2.14 It is relevant to note that the council officials found many aspects of the proposed house acceptable in terms of its design, setting and relationship with surrounding buildings, as they explain in the report of handling, including:

- Acceptable Landscape Impact
- Acceptable Scale and Form
- Acceptable Design and Appearance
- Compliance with Amenity Standards

### Reasons for Refusal

- 2.15 Despite all these design considerations being acceptable, the planning officials refused planning permission and issued a decision notice on 31<sup>st</sup> October 2019 with five reasons for refusal:

***1. The proposal is contrary to policy Env 10 of the Edinburgh Local Development Plan (LDP) in that it does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation. The proposal does not involve an intensification of the existing use, the replacement of an existing building with a new building in the same use, or a change of use of an existing building. The proposal is therefore not acceptable in principle.***

***2. The proposal is contrary to non-statutory Guidance for Development in the Countryside and Green Belt as no functional need for such a dwelling has been established; it does not relate to meeting the needs of one or more workers employed in agriculture; it is not related to a rural activity or business, and it is not a brownfield site or a gap site.***

***3. The proposal is contrary to LDP policy Env 3 - Listed Buildings - Setting as the proposal will have a negative impact on the setting of a B listed building. The proposed construction of a dwelling house in this location would alter the traditional layout of the site where development has been located behind the main farmhouse. This will detract from 18 Liberton Brae as the main visual focal point of the site at this principal elevation.***

***4. The proposal is contrary to LDP policy Des 4 Development Design - Impact on Setting as the position of the dwelling to the west of 18 Liberton Brae does not respect the traditional site layout where buildings have traditionally been located behind the main building, ensuring that this is the main visual focal point of the site from point of entry.***

***5. The proposal is contrary to non-statutory guidance outlined in Listed Buildings and Conservation Areas. The construction of a new house on open space to the west of 18 Liberton Brae will crowd the B listed property and have a negative impact on its setting.***

### SECTION 3 PLANNING JUSTIFICATION

3.1 There are common themes in the five reasons for refusal and we have sought to simplify the justification for the proposed house by summarising these reasons into two key subjects for consideration:

1. Whether a new house is acceptable 'in principle' in context of the green belt designation and its rural setting, with reference to LDP Policy Env 10 and the non-statutory guidance for Development in the Green Belt and Countryside (Reasons 1 and 2)
2. Whether the design and position of the proposed house is acceptable relative to the setting of the listed former farmhouse, with reference to LDP Policies Env 3, Des 4 and non-statutory guidance for Listed Buildings (Reasons 3-5)

3.2 In both regards we believe the proposed house should be found acceptable and in this section we refer to several matters addressing these two subjects.

3.3 Before proceeding there are three general points we would ask the LRB Panel to bear in mind.

3.4 **The purpose of the green belt** - the supporting text to Policy Env 10 in the LDP (para 181) provides an important context by stating:

*'the purpose of the green belt is not to prevent development from happening. This policy (Env 10) sets out the circumstances in which development in the green belt can be supported.'*

3.5 Env 10 should therefore not be interpreted as a 'presumption against' any development in the green belt but as a positive means of enabling appropriate development. In our view the report of handling suggests that the Council's planning officials have taken an overly-restrictive interpretation of Env 10 in failing to recognise this positive allowance for development.

3.6 **Follow the exact policy wording** - The specific criteria by which development is allowed in the green belt have been set out precisely in the LDP by the wording of Env 10 and the guidance for Green Belt & Countryside. Given the statutory requirement for planning decisions to be made '*in accordance with the development plan*', it is important to apply these criteria precisely and in accordance with their meaning. In our view the officials have not achieved this in certain regards.

3.7 Criterion c) of Env 10 has been incorrectly interpreted by the officials. There is also no acknowledgement that achieving an acceptable landscape setting is a fundamental objective of Env 10 which should be given significant weight.

3.8 **Acceptable characteristics of the proposed design** - The officials confirm in the report of handling that the proposed house will satisfy several key planning policies and design criteria. However, in our view these either directly contradict the reasons for refusal, or the officials have failed to give these matters adequate weight.

- 3.9 It is evident that the officials' decision involved a balanced judgement and the appellant asks the LRB Panel to reverse that decision, by correctly taking into account all relevant matters.

**1. THE PRINCIPLE OF ACCEPTABLE DEVELOPMENT IN THE GREEN BELT**

- 3.10 The appellant considers the proposed house complies with the two key phrases used in Policy Env 10 and two key criteria in the Council's guidance for Development in the Green Belt and Countryside, which further informs Env 10.

**Compliance with LDP Policy Env10 - Development in the Green Belt and Countryside**

- 3.11 We consider the proposed house complies with Env 10 on grounds that:

- i) The proposed house represents an acceptable intensification of existing residential uses at Tower Mains, under Criterion c), and
- ii) It will not detract from the landscape quality and rural character of the area

*'Within the Green Belt and Countryside shown on the Proposals map, **development will only be permitted where it meets one of the following criteria** and **would not detract from the landscape quality and/or rural character of the area**;*

*a) The proposal is for purposes of agriculture, woodland, forestry, horticulture or countryside recreation, or where a countryside location is essential and provided .....and (also with) a scale and quality of design appropriate to the use*

*b) The change of use of an existing building.....*

***c) Development relating to an existing use or building(s) such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact.***

*d) Replacement of an existing building with a new building in the same use.....*

**Fig 3 - Extract from LDP Policy Env 10**

- i) **Green Belt Principle - Appellant's Case Point 1: The proposed house represents an acceptable intensification of existing residential uses at Tower Mains, under Criterion c) of Env 10**

- 3.12 The first key phrase within Policy Env 10 is that ***green belt development will only be permitted where it meets one of four criteria***. It is the appellant's case that the proposed dwelling is justified under Criterion c) as it constitutes an acceptable '***intensification of the uses***' which are established in the complex of buildings at Tower Mains.
- 3.13 The appellant acknowledges that residential use is not one of the preferred green belt uses within Criterion a) comprising '*agriculture, woodland, forestry, horticulture or countryside recreation*'. However, there are many other land uses active within the green belt and Criterion c) allows for these to be continued and expanded.
- 3.14 The policy only requires one of the four criteria to be satisfied for approval to be merited. However, the officials' reference to Criterion c) as being 'additional' to Criterion a) (report of handling p4) suggests they presumed against approval at the outset because residential use is not identified in Criterion a). This approach is contrary to the instruction within Env 10 and

we urge the LRB Panel to recognise that compliance with Criterion c) in its own right would constitute conformity with Env 10.

- 3.15 The complex of land and buildings at Tower Mains originally had an agricultural function when operated as a farm and, when the Green Belt designation was established in previous local plan exercises, it seemingly ‘washed over’ Tower Mains in association with the surrounding farmland.
- 3.16 At the time of more historic local plan allocations this might have made sense. However, there is no longer any aspect of farming activity carried on at Tower Mains, nor any of the other traditional countryside uses under Criterion a) of Env 10. Over the years the buildings have been converted to business, residential and educational purposes, and are now entirely unrelated to agriculture.
- 3.17 This transition has enabled the buildings, and Tower Mains as a whole, to have a continuing useful purpose, avoiding the site becoming disused or buildings falling into disrepair. Furthermore, by careful management, the complex has become a mixed-use hub with



**Fig 4 - Land Use classification by proportion of site area**

several residential dwellings, businesses providing a number of jobs, and the Montessori Arts School providing a highly regarded educational resource.

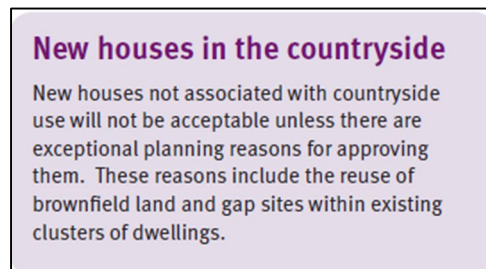
- 3.18 The existing residential dwellings include the conversion of the farmhouse into apartments, the adaption of steadings into apartments and the recent redevelopment of the former barns to create three townhouses. All have been granted planning permission and listed building consent by the Council and have been built-out to a high quality of design and innovation.

- 3.19 The illustration in Fig 4 shows the different land uses now existing at Tower Mains, with agricultural use being notably absent. By contrast, residential buildings and their associated land not only represent a core part of the current mix of uses, they also comprise the largest proportion of the site area by comparison with commercial and education. By this measure residential use is now the predominant land use at Tower Mains.
- 3.20 Further justification for this position derives from the approval of three townhouses as redevelopment of the barns at Tower Mains (granted March 2017, application ref 16/06145/FUL). That decision was based on recognition by the officials that *'the principle of residential use on the site as a non-conforming Green Belt use has already been established'*, in that case from previous unimplemented planning approvals for the barns.
- 3.21 In our opinion the development of the townhouses in addition to the sub-division of the farmhouse and conversion of steadings, has established residential use as a core function amongst the Tower Mains buildings, and which can be acceptably intensified in terms of Policy Env 10.
- 3.22 However the planning officials justification for refusing the proposed house in the current proposal includes that *'it does not involve an intensification of the existing use of the site as defined in criteria c) of Env 10 as the site is currently predominantly open space with a small outbuilding formerly used as storage space'* (report of handling p4).
- 3.23 This relies on a narrow definition of the policy in which the intensification of use could only be achieved within the plot of land proposed for the new house rather than considering the use of the surrounding buildings. In our view this cannot be a correct interpretation of the policy as the wording of Env 10 requires a contextual assessment of the land around the site itself.
- 3.24 Assessing the landscape impact of the proposed house necessarily requires consideration of land in the surrounding area, and how else could the site's character as a 'gap site' be judged than in relation to land outwith the application site? Both these concepts are integral to Env 10. Similarly, assessing the impact of the new dwelling on the setting of the main farmhouse also requires the same approach. It would therefore be entirely consistent for the 'intensification of use' to take account of the use of buildings surrounding the application site.
- 3.25 The Tower Mains complex comprises the land and buildings focused on the original farmhouse and steadings. It has a well-defined boundary which is easily identified and in which the application site is an integral part.
- 3.26 Scottish Planning Policy (SPP) is an important material consideration and it reinforces the appellant's position. With regard to development planning it states (para 52) that the type and scale of appropriate development in the green belt may include *'intensification of established uses subject to the new development being of a suitable scale and form'*.
- 3.27 It is relevant that the location of Tower Mains is closely related to the urban edge and it now comprises a highly active mix of uses including the Montessori School, an elderly care provider and a teenage sleep deprivation charity, integrated with several other small business units and living accommodation. It is a mix of inter-related uses within a well-defined building group whose expansion, in our view, can be regarded as fulfilling the objectives of sustainable planning.

- 3.28 ***We submit that the current mix of uses at Tower Mains must be regarded as acceptable within the green belt, by simple reason that this is the current and accurate picture at the site today. The present day use-mix might not include those listed in Criterion a) but the planning system cannot work on false assumption about desired uses. It has to work on the actual fact of the site's use-mix, as it currently stands. Accordingly it must follow in terms of Criterion c) of Policy Env 10 that the intensification of the residential element of these uses by development of the proposed plot would also be compliant with planning policy.***
- 3.29 We respectfully request the LRB Panel to carefully consider this as a finding of fact and to accept our position that the function of the site can no longer be described as agricultural.
- ii) **Green Belt Principle - Appellant's Case Point 2: The proposed house will not detract from the landscape quality and rural character of the area**
- 3.30 This requirement is the second key phrase within Policy Env 10 and its importance is emphasised by the supporting text in the LDP (para 183) which explains that impact on landscape quality is ***'the key test for all proposals in the green belt'***. This emphasis, and the fact that 'landscape quality and rural character' appear in the principal heading paragraph of the policy, suggests that landscape considerations should be given even greater weight than the four detailed criteria within Env 10.
- 3.31 Considerable attention was paid by the architect to ensure the house would blend with its landscape setting with minimal visual intrusion and this was demonstrated by a Landscape & Visual Appraisal (by Wardell Armstrong) submitted with the application. The low scale impact of the proposed house was also demonstrated by submission of 'verified view' photomontages from specific vantage points (Documents 10-13).
- 3.32 The Council officials notably agree that the design and location of the proposed house would not detract from the landscape quality or rural character of the area, as per the following quotes from the report of handling p5-6:
- *'it would not impact the wider open farmland within the SLA'*
  - *'as the proposal is located within an existing cluster of development within the wider Tower Mains farm site and is of a modest scale, it is not considered the (visibility of the) proposal will have a negative impact on the special characteristics of the SLA', and*
  - *'The proposal complies with Env 11'*
- 3.33 This is a very significant conclusion. The landscape setting is highly sensitive given the importance of the SLA designation and its visibility relative to Braid Hill and Blackford Hill. Many proposals in such sensitive locations would be refused due to detrimental landscape impact and the acceptability of the proposed house at Tower Mains in this regard should not be under-stated.
- 3.34 Acceptable landscape impact is the focus of Policy Env 11, but it is also an integral factor in achieving compliance with Env 10, with the LDP emphasising it is ***'the key test for all proposals in the green belt'***. It is therefore surprising that the officials have only acknowledged compliance with Env 11 and not given landscape setting the significance merited under Env 10. We ask the LRB Panel to take this properly into account in reviewing the decision.

**Compliance with the Council's guidance on 'Development in the Green Belt and Countryside'**

- 3.35 The Council's non-statutory planning guidance for 'Development in the Green Belt and Countryside' (Feb 2019) includes criteria which inform determinations under Policy Env 10.
- 3.36 The section at page 7 entitled 'Justification for New Build Dwellings' explicitly confirms that the reuse of **brownfield land** and the development of **gap sites within existing clusters of dwellings** are two 'exceptional planning reasons' that justify the approval of new houses in the countryside.



**Fig 5 - Extract from Council Guidance 'Development in the Green Belt and Countryside'**

- 3.37 We consider the proposed house complies with these criteria because:
- iii) Development is proposed on a gap site within a cluster of dwellings, and
  - iv) The development plot constitutes brownfield land.
- 3.38 The second reason for refusal asserts that the proposed house fails these criteria. We disagree on the following grounds:
- iii) **Green Belt Principle - Appellant's Case Point 3: Development is proposed on a gap site within a cluster of dwellings**
- 3.39 **Character of a 'gap site'** - The application site comprises a vacant plot to the west of the former farmhouse. The main house has a single storey extension on its west side and this has been further extended to the rear. It links with a steading building which stands on the east boundary of the application site. The side extensions and steading building provide a partial visual barrier and a distinct separation between the main house and the site of the proposed new dwelling.
- 3.40 There is a high stone wall (c2metres in height) along the north and west boundaries of the proposed plot which precludes any views to the adjacent fields from within the site. This is amplified by a row of mature trees beyond the wall on both these boundaries and which provides an enhanced feeling of enclosure.
- 3.41 The rear (south) boundary of the application site comprises a high timber fence beyond which is a further steading that has been converted to office suites. This steading, together with that to the east, screens visibility from the application site towards the other steadings and buildings in the south part of the Tower Mains complex.



**Fig 6 - Plot has character of a gap site**

- 3.42 The plot is largely grassed but includes three storage buildings. It was formerly used as garden ground for the main house but this functional relationship no longer exists as the four new apartments within the main house have been provided with their own separate amenity space.
- 3.43 The site has a distinct sense of enclosure due to the proximity of adjacent buildings, the height of those buildings and the boundary wall, and the adjacent trees. All of these features give the site the character of a gap site between buildings. This is shown by the photo below taken within the site which shows the dominance of the boundary wall in screening views to the north.



**Fig 7 - site is a secluded enclave enclosed by high walls and adjacent buildings**

- 3.44 **Amongst a cluster of dwellings** - The former farmhouse has been converted to apartments and the steading on the east boundary of the site is also in part residential use. Other steadings within the Tower Mains complex have been adapted to residential use and the

large barns to the north have been redeveloped as three townhouses. This demonstrates that the site stands within a cluster of buildings of which a high proportion are residential dwellings.

- 3.45 The proposed house will be integrated with the cluster and will not be an isolated or sporadic development. We acknowledge this may cause concern in other rural situations where a positive planning decision might give rise to precedent and unrestricted urban sprawl out into the green belt, but that is not the case here.
- 3.46 In our view the plot constitutes a distinct gap site and a discrete development opportunity within a substantially enclosed site. The planning officials express the opposite opinion in the report of handling (p5) that *'the proposal does not involve development of a gap site'* but they give no justification for that conclusion. We strongly recommend the LRB members visit the site as this is the only way to properly appreciate the sense of enclosure created by the boundary wall and surrounding buildings.

iv) **Green Belt Principle - Appellant's Case Point 4: The development plot constitutes brownfield land**

- 3.47 There are two storage buildings within the site and until recently there was a third, whose concrete foundations are still present. These structures were not built originally with the farmhouse but have been present for many years. They do not comprise formal residential or commercial space, but they do constitute built development which has been present on the site for a considerable period.
- 3.48 These buildings provide credentials for the plot as a brownfield site in accordance with the definition in the LDP Glossary which defines 'brownfield' as *'land which has been previously developed, including derelict land and land occupied by redundant buildings.'*



**Fig 8 - Existing storage buildings**

- 3.48 In the report of handling the officials consider that despite the presence of outbuildings the site is largely open space and does not constitute a brownfield site. However the LDP Glossary does not specify if a brownfield distinction relies on a certain proportion of site coverage by buildings. We therefore invite the LRB Panel to conclude that the land should be classified as brownfield as it has been previously developed.
- 3.49 The storage buildings will be removed as part of the development and it is notable that their combined site coverage of 65sqm is equivalent to around two-thirds of the proposed footprint for the new house of 93sqm.
- 3.50 Conclusion - The guidance states that development of a house is acceptable if it is either within a cluster of dwellings or constitutes a gap site or brownfield land. Only one of these criteria is required, but the application site displays all three characteristics. This demonstrates the '*exceptional planning reasons*' required to justify planning approval in terms of Policy Env10, and further to achieving an acceptable landscape quality.

## 2. IMPACT ON THE SETTING OF THE MAIN FARMHOUSE

- 3.51 Reasons for refusal Nos 3, 4 and 5 refer to various factors which, in the opinion of the council officials, would compromise the setting of the main farmhouse and be unacceptable with regard to Policy Env 3 (setting of the listed building), Policy Des 4 (design - impact on setting) and the Council's non-statutory guidance 'Listed Buildings and Conservation Areas'.
- 3.52 The specific matters raised are:
- The proposed house would compromise the traditional farm steading layout, (Reasons no3&4)
  - The position of the proposed dwelling adjacent to the main farmhouse would detract from its prominence as the main visual focal point of the site (Reasons no3&4)
  - The proposed house constructed on open space to the west of the main house will 'crowd' the B listed property (Reason no5).
- 3.53 We explain below why we disagree with each of these points but would initially bring the following matters to the attention of the LRB Panel to ensure the impact on setting is considered in the appropriate context.
- 3.54 **Policy Des 1 'Design, Quality and Context'** - This sets the council's primary design principals and the planning officials have accepted in the report of handling that it will be satisfied by the proposed house:
- 'The design of the proposal draws upon the agricultural elements of the surrounding area and is considered to comply with Des 1' (p7)*
- 3.55 Compliance with Des 1 gives specific acceptance that the proposal will have a '**high standard of design**' which will '**create or contribute towards a sense of place**' and with '**a design concept that draws upon the positive characteristics of the site**'. We consider these are fundamental matters which support approval.

- 3.56 **Policy Des 4 'Impact on Setting'** - requires proposals to *'have a positive impact on its surroundings including the character of the wider townscape and landscape, and impact on existing views'*. From our earlier analysis of landscape setting we contend that all of these criteria are satisfied and this has been accepted by the officials.
- 3.57 Des 4 then sets four specific criteria regarding:
- a) Height and form
  - b) Scale and proportions, including spaces between buildings
  - c) Position of buildings
  - d) Materials and detailing
- 3.58 From comments in the report of handling the planning officials have agreed that these are largely satisfied:
- Acceptable Height, Scale and Form - *'The proposed two storey building would be in keeping with the size of some of the former steadings located on the Tower Mains site. The site hosts a range of building sizes with single storey and two storey buildings present. There is also the larger former farmhouse...and the former barns'*(p7)
- This specifically acknowledges the new house will be compatible in height and scale with the farmhouse as well as consistent with the varied building styles at Tower Mains.
- Acceptable Materials and Detailing - - The officers refer to the *'extensive use of buff stone with elements of timber cladding and a standing seam metal roof'* (p3) and confirm that this design draws upon the *'agricultural feel'* of the site which has been retained in the conversion of all the former agricultural buildings at Tower Mains (p7)
- 3.59 **Policy Des 5 'Amenity'** - the officials state (p8) *'the proposal would not result in an unreasonable loss of neighbouring amenity'* and *'the proposal complies with policy Des 5'*. In reaching this view they refer to the proposed house having sufficient separation distance from the main farmhouse to ensure appropriate daylight and privacy. However, this conclusion was then reversed in the officials' final decision.
- 3.60 The only disputed aspect of the council's design policies, and particularly Policy Des 4, is the position of the new house within the site and its consequent separation from the main house. This is also the officials' primary objection with regard to the setting of the farmhouse as a category B listed building relative to Policy Env 3 'Listed Building Setting'.
- 3.61 The applicant finds it perplexing that the acceptance by the officials of so many design considerations and the landscape setting is inconsistent with the reasons for refusal and, in some instances, directly contradictory. For instance if the scale and form of the proposed two storey house is regarded as compatible with the former farmhouse and compliant with Des 1 in achieving a 'sense of place', how can this represent an unacceptable setting for the listed farmhouse?

- 3.62 It is evident from the Design & Access Statement by Hackland & Dore that the innovative design and siting of the proposed house embraces the relationship with the main farmhouse, the other buildings at Tower Mains and the character of the secluded gap site where it will be located.
- 3.63 The appellant contends that the dwelling will be subservient to the farmhouse by being set back from its front building line, of substantially lower height and located distinctly away from the house to the west. It is also contended that this sense of separation will be amplified by the intervening steading building and the positioning of the dwelling within its secluded enclave.
- 3.64 With these matters in mind, we now respond to the three specific points which are raised in reasons for refusal 3, 4 and 5.

i) **Impact on Setting- Appellant's Case Point 1: The proposed house will complement the traditional farm steading layout (reasons 1 and 2)**

- 3.65 It is stated in the report of handling that:

*'As with a number of traditional farms, the former steadings (at Tower Mains) are located behind the main farmhouse' and that 'The proposed construction of a dwelling house to the west of the farmhouse would alter the traditional layout of the site'.*

- 3.66 The officials assert that any new building positioned to one side of the main house should be refused as it will disrupt the traditional pattern and therefore cause detrimental *'impact on its setting'*.
- 3.67 We disagree absolutely with this conclusion as it wholly misrepresents the situation at Tower Mains which is shown by the illustration below.



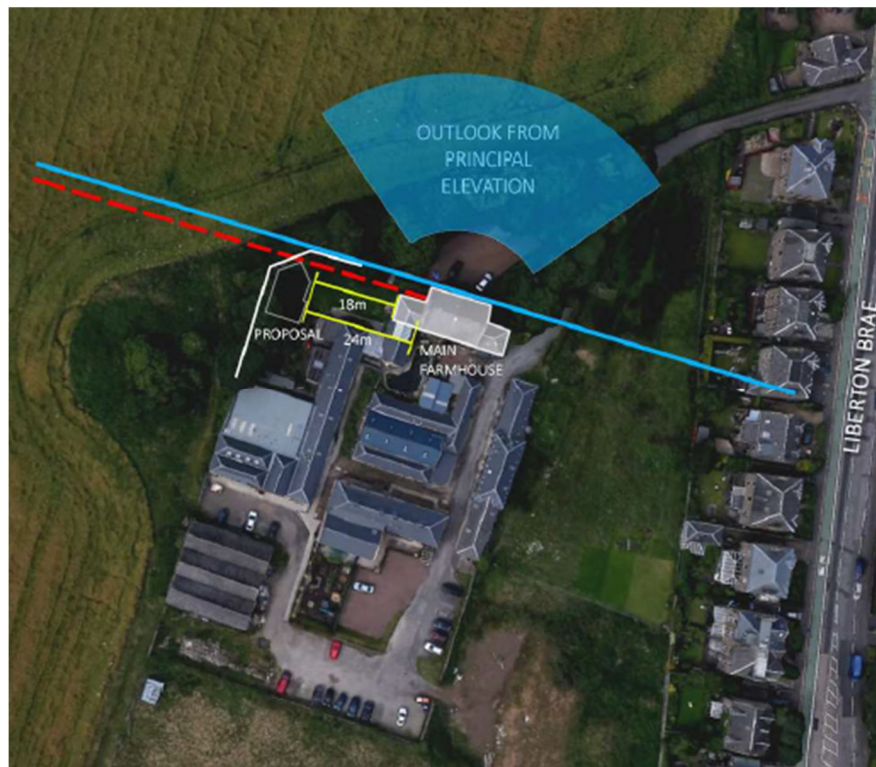
**Fig 9 - Aerial view showing buildings to east and west of the farmhouse (in the foreground)**

- 3.68 While there are some buildings which are directly behind the former farmhouse, there are also several buildings which are positioned to the west of its western elevation and extending up to the west boundary of the site. There are also other buildings located to the east of its eastern elevation. This will be apparent from a site inspection by the LRB Panel.

- 3.69 The buildings extending to the west of the farmhouse include the steadings directly to the south of the application site and the new townhouses which have replaced the former barns.
- 3.70 The development of the three 'barnhouses' is of considerable scale in contrast to the current proposal, and they also extend right up to the edge of the field boundary. These houses were granted planning permission as recently as March 2017 at which time there was no concern indicated by officials at either their size or position within the site. The refusal of the current proposed dwelling is therefore inconsistent.
- 3.71 The existence of these buildings demonstrates that the proposed new house would be in conformity with the traditional building layout and would not disrupt this pattern in any way. We do not know if ancillary buildings are generally located directly behind the main house in other traditional farm steadings across Edinburgh, but it is clearly incorrect for the planning officials to describe this arrangement at Tower Mains.
- 3.72 The Council's Listed Buildings guidance requires that any new building should be set back from the original building line at the front of the main house and there should be no development in front of a listed building.
- 3.73 As an experienced urban design and residential architecture practice, Hackland and Dore has intentionally located the proposed house within the site to be subservient and respectful of the listed setting of the former farmhouse. It will be set back from its front building line by 3.5m and separated from it to the west by 24m. The design of the house, tapering to the front, also reduces visual intrusion.
- 3.74 The positioning of the proposed house is specifically designed not to affect the hierarchy of the Tower Mains complex. The locale of the proposed dwelling does not compromise the visibility of the farmhouse, instead it is nestled in an area which is screened by foliage and the existing farm wall. The siting utilises the existing tree cover and farm boundary wall to screen the development thus ensuring that the proposed dwelling remains subservient to the original farmhouse building and does not impact the wider environment.
- 3.75 For the above reasons we believe the officials are incorrect. The proposed house will not compromise the traditional layout of buildings at Tower Mains and will actually complement the layout, by infilling a gap site with a building in character with those surrounding.
- 3.76 It is also relevant that while the listing description for Tower Mains refers primarily to the farmhouse it also includes the steadings, stables, barns and cattle courts. Consequently it is reasonable to assume that the listed curtilage extends to the entirety of the Tower Mains complex.
- 3.77 Therefore while the impact of the proposed dwelling on the setting of the farmhouse is of importance, its compatibility with the setting of the whole building complex is also relevant. The officials' have been proceeding with an incorrect interpretation of the 'listed curtilage'.

- ii) **Impact on Setting - Appellant's Case Point 2:** The position of the proposed house adjacent to the main farmhouse will not detract from its prominence as the main visual focal point of the site at its principal elevation (reason no3) or when viewed from the point of entry (reason no4)

- 3.78 The Council's Listed Buildings guidance states that principal elevations should remain visible in their entirety from principal viewpoints. Our understanding from the reasons for refusal and the analysis by the planning officials is that the south-facing front elevation of the main farmhouse is regarded as the principal elevation and that no other elevations of the house are afforded the same importance.
- 3.79 The applicant agrees that the proposed new house should not detract from the appearance or setting of the front elevation of the farmhouse, whose primacy is represented by the 'outlook zone' in Fig 11. The architect has sought to ensure this by the respectful and subservient nature of the design and also the setting back of the proposed house behind the building line and off-set to the west, also shown in Fig 11.



**Fig 10 - Separation distance from farmhouse and outlook from principal elevation**

- 3.80 It will also be possible to see the proposed house and the front of the farmhouse from the north, on the footpath that runs along the site boundary.
- 3.81 The view in Fig 12 is from within the field to the north of the footpath and from a slightly raised position to fully illustrate this context. This view amplifies the extent of the 24 m separation between the buildings. The new house will also appear subservient as it will be of substantially lower height and of less bulk and massing. The view is also restricted due to the screening effect of the numerous mature trees.



**Fig 11 - view from north showing separation between proposed house and farmhouse**

- 3.82 The view from 'the point of entry' refers to the view from the driveway as it advances up towards the farmhouse. Verified views were submitted with the application to illustrate the new house when seen from this point, including the view in Fig 13.



**Fig 12 - View from driveway, proposed house behind trees and to right of farmhouse**

- 3.83 In this view the proposed house can be seen set away from the farmhouse to the right (west) with the two buildings remaining totally separate and distinct. This again illustrates the screening of the new house by the mature trees which will remain in place for much of the year.

- 3.84 To assist the LRB Panel, a further image of the proposed house has been submitted with this appeal, reproduced in Fig 14. This shows a similar view from the driveway but taken in winter when the tree screen is reduced.
- 3.85 This again shows the considerable separation between the new house and the farmhouse, its much lower height, lesser bulk and massing and complementary stone and timber construction.



**Fig 13 - View from driveway - Principal elevation of farmhouse  
with proposed new dwelling sited to the west**

- 3.86 In our consideration these images demonstrate that the design and positioning of the new house will be subservient to the listed farmhouse in all regards and will not detract from the views of its principal elevation.
- iii) **Impact on Setting - Appellant's Case Point 3: The proposed house constructed on open space will not 'crowd' the B listed property and will not compromise its setting (reason no5).**
- 3.87 We do not accept that the new house will have the effect of 'crowding' the former farmhouse and we believe this is apparent from the matters already addressed above.
- 3.88 There will be clear separation between the new dwelling and the farmhouse and this will be amplified by the steading building which stands in-between. This is illustrated by Drawing PL101 - 'Elevation A' (Fig 14) which also clearly shows the subservience of the new house from its bulk, scale and height.



**Fig 14 - Elevation PL101A - separation and subservient scale of the proposed house**

- 3.89 The spatial relationship of the new house with the farmhouse is well illustrated from an aerial view, as in Fig 15. This illustrates the separation between the two buildings and also the set back of the new house from the front building line of the farmhouse.



**Fig 15 - Aerial view showing the siting of the proposed new house away from the farmhouse**

- 3.90 Fig 15 also illustrates that the steadings immediately to the rear and east side of the farmhouse are closer to it than the proposed new house. It is difficult to understand how the new house will cause the farmhouse to be 'crowded' on this basis. This view also shows the density of buildings across the whole of the Tower Mains site with which the new house would be compatible.
- 3.91 This view also shows the substantial scale of the new townhouses (right of picture). The redevelopment of the barn with townhouses has set a particular benchmark of design quality at Tower Mains and demonstrates that a larger scale of new build can complement the overall listed curtilage of the former farmhouse and traditional single storey steading buildings. The height of the proposed dwelling will be greater than the steading buildings, but below the eaves of the main farmhouse, and considerably less than the new townhouses.

- 3.92 We acknowledge that when seen from the public footpath along the west boundary of the application site, the proposed new house will conceal part of the side elevation of the main house. However it will inevitably appear larger in this view because the path-walker will be so close to the site.
- 3.93 Consequently it is more reasonable to consider the view from the footpath as it extends out into the field to the south west (Fig 16). This view shows the proposal with the farmhouse in the background and illustrates that the new house will be of a respectful scale. It will also blend into the wider setting which includes the taller townhouses to the south.



**Fig 16 - view from west showing  
subservient scale of proposed house**

- 3.94 It is acknowledged that the new house involves construction on existing open space. However the previous relationship of the farmhouse to this space as garden ground no longer prevails as the four apartments at the main house have their own amenity spaces and do not have access to it.
- 3.95 The suggestion by the officials that the new dwelling will 'crowd' the listed farmhouse is also contradicted by their acceptance it will satisfy the LDP design principles by its high quality design and positioning within the site, generating a new and attractive sense of place, achieving a positive relationship with the farmhouse through its scale and form, and complying with amenity standards from the separation distance between buildings.
- 3.96 In conclusion, the new house will be of a scale, form and position subservient to the main farmhouse, with materials which retain the agricultural feel of the farm buildings. It will be set back from the building line and set away to the west side. This will ensure that views of the principal front elevation of the farmhouse are not interrupted, and that the farmhouse will not be crowded.
- 3.97 These factors satisfy the criteria required by the council's Guidance for Listed Buildings. Consequently in terms of Policy Env 3 the new house '*will not be detrimental to the architectural character, appearance or historic interest of the main building, or to its setting*'.

- 3.97 We believe the proposed house will have a positive effect on the setting of the farmhouse rather than the detrimental effect purported in the reasons for refusal. Planning permission should be granted as the proposal is in accordance with Policies Env 3, Env 10, Des 1 and Des 4.

## **SECTION 4      OTHER MATTERS**

### **Listed Building Consent**

- 4.1 The report of handling includes comment that should planning permission be granted an LBC application would be required for approval to demolish the existing storage buildings within the site, on the basis that they are included in the listing description.
- 4.2 It was presumed LBC would not be required as they are not original structures, being of relatively recent construction, made of timber rather than the stonework of the original buildings, in relatively poor condition and of no architectural or historic merit.
- 4.3 However if the LRB is minded to grant planning permission and considers an LBC application is required, the applicant will submit this.
- 4.4 Recognition of the status of these buildings in the report of handling supports the applicant's case that they are permanent structures by which the site can be regarded as a brownfield opportunity.

### **Transportation / Roads**

- 4.5 The report of handling refers to a possible requirement to upgrade the access drive to adoptable standard. However this is contrary to the representation by Council Transport officials who raised no objection and made no such requirement.

### **Wildlife Survey**

- 4.6 The report of handling refers to the need for a wildlife survey, particularly regarding bats if planning permission is granted. This is acceptable to the applicant and could be made subject of an appropriate planning condition.

### **Tree Survey**

- 4.7 The report of handling refers to the need for a tree survey if planning permission is granted. This is acceptable to the applicant and could be made subject of an appropriate planning condition.

## SECTION 5 SUMMARY

5.1 Given the detail of the key points in this case, we respectfully request a hearing with the LRB so the detailed aspects of this case can be properly presented. At the very least we urge the LRB to conduct a site visit, particularly to appreciate the character of the plot as a gap site and to experience its relationship with the mixed uses in the group of buildings that comprise Tower Mains.

5.2 If a hearing is not accepted, the appellant would be grateful if the presenting officer at the LRB could read out the following summary. Presentation slides are also being provided for display to the LRB where indicated below **(IN GREEN)**.

5.3 It is the appellant's case that planning permission is merited on the following grounds:

### **1. Compliance with Policy Env 10 - Development in the Green Belt**

5.4 The first two reasons for refusal should be reversed because:

**The new house will be appropriate as an acceptable intensification of existing residential use at Tower Mains**

#### **SLIDE 1**

5.5 Policy generally only provides for traditional rural uses in the green belt such as woodland, agriculture, forestry. However Criterion c) of Policy Env 10 allows for an intensification of any existing uses within the green belt and its wording enables this to apply to 'non-conforming' uses.

5.6 Tower Mains no longer has an agricultural function and now comprises an integrated mixed-use hub of residential, commercial and educational uses, amongst which residential is the predominant use.

5.7 As the application site is an integral part of the Tower Mains complex, it must follow that the proposed house is an acceptable intensification of the residential use and compliant with Criterion c). This fulfils the first of two core objectives under Env 10.

**The new house will have an acceptable impact on landscape setting**

5.8 The proposed house design incorporates a Landscape & Visual Appraisal to ensure it blends with its landscape setting which is a designated Special Landscape Area. The planning officials have confirmed the house is acceptable, as it will not detract from landscape quality or rural character and cause no harmful visual impact to the SLA.

5.9 This is of high importance, as it fulfils the second core objective of Env 10, and the LDP also states that acceptable landscape setting is '**the key test**' for all proposals in the green belt.

**The development plot is 'brownfield' land and a 'gap site' amongst a 'cluster of dwellings' and meets the criteria for Development in the Green Belt and Countryside**

#### **SLIDE 2**

5.10 The Council's guidance on Green Belt and Countryside states that gap sites and brownfield sites provide an exceptional justification for new build dwellings in context of Policy Env 10.

5.11 The appellant's case is that the site is a '**gap site**' as it has the character of a secluded enclave, being enclosed by the farmhouse, steading buildings, a high wall and tall trees. It is

also closely related to the building complex at Tower Mains which includes a **cluster in residential use**. These comprise the farmhouse, converted steadings and three townhouses redeveloped from barns. It is important the LRB Panel witness this first-hand at a site visit.

- 5.12 The site constitutes brownfield land from the three storage buildings which have been present for many years, and which fulfil the definition of 'brownfield' in the LDP Glossary

**2. Compliance with Env 3 and Des 4 - Acceptable impact on the setting of the main farmhouse**

- 5.13 Reasons for refusal nos3-5 should be reversed on the following grounds:

**No detrimental impact on the listed building setting**

**SLIDE 3**

**Location to the west of the farmhouse will complement the traditional farmhouse and steading layout**

- 5.14 The officers consider the traditional steading layout has all ancillary buildings directly behind the category B listed main farmhouse so that positioning the new house to the west side will alter and cause harm to the listed setting.
- 5.15 The appellant wishes to submit that this description is entirely false at Tower Mains. There are several existing buildings which extend to both east and west of the main farmhouse, some extending right up to the west boundary of the complex. This includes the three townhouses approved by the Council as recently as 2016.
- 5.16 The officers also fail to recognise that the category B listing includes all the steadings as well as the farmhouse, effectively including the whole Tower Mains complex as listed curtilage.
- 5.17 The proposed position of the new house will complement, not harm, the existing layout pattern and is respectful of the listed character at Tower Mains.

**Ample separation between the proposed house and the farmhouse**

- 5.18 The new house will be set back from the building line by 3.5m and will be aligned with the side wings of the farmhouse. It will also be set away to the west by 24m. This is a considerable separation in the context of the site and will be amplified by the secluded nature of the new house plot.

**The new house will not compromise the view of the front elevation of the farmhouse**

**SLIDE 4**

- 5.19 The most direct view of the principal elevation of the listed farmhouse, as referenced in reason for refusal no3, will be witnessed from the gravel car park in front of the farmhouse or the footpath along the field boundary. This view will clearly demonstrate the separation of the new house, its subservient scale and its building height to maximum effect. The appellant fundamentally disagrees with the officials that appreciation of the listed building would be compromised.
- 5.20 The view of the farmhouse front elevation will also be seen from the driveway, as referenced in reason for refusal no4. This viewpoint is at an angle which would have the effect of reducing the gap between the two buildings. Despite this, the Verified Views

submitted with the application demonstrate the new house will be seen as clearly separate from the farmhouse and also screened by trees in the summer months.

- 5.21 A new image submitted with this appeal shows the view in winter. This reinforces the conclusion that the design of the new house is subservient to the farmhouse and respectful of its setting. The appellant believes any impact is sustainable and will not harm the setting of the listed building.

**High Quality Design agreed by planning officials**

- 5.22 The proposed house offers a high quality and innovative design specifically suited to the character of the site and respecting the setting of the main farmhouse and steadings.
- 5.23 The appellant emphasises that planning officials have approved most aspects of design:
- the overall design in terms of scale, height, appearance and built form.
  - it complies with Policy Des 1, the Council's primary design policy, which confirms the new house will contribute to a 'sense of place', drawing on the positive characteristics of the building group at Tower Mains.
  - the proposed materials for external elevations will be compatible with the 'agricultural feel' of the main house and steadings
  - all amenity standards will be satisfied, including the separation distance between the house and the listed farmhouse to ensure daylight and privacy.
- 5.24 These benefits are inconsistent, and even contradict, the officers' conclusion that the new house will crowd the farmhouse.

**The subservient scale and position of the new house will not 'crowd' the farmhouse**

**SLIDE 5**

- 5.25 The planning officials' main objection on design grounds is that the new house will be too close and will crowd the main house. However the illustrations submitted demonstrate it will be subservient to the farmhouse by being of substantially less mass and lower height. It will be set back from its front building line by 3.5m and located 24m to the west, separated by an intervening steading building. This will be reinforced by the LRB visiting the site.
- 5.26 The new house will be positioned at the far side of the plot and further separated by new trees planted in between. This sense of separation will be amplified by the plot having a secluded gap site character surrounded by buildings (farmhouse and steadings), a high wall and trees. The use of stone and timber on external facades will blend with the stone-built main house and steadings.
- 5.27 The steadings immediately to the rear and east side of the farmhouse are closer to it than the proposed new house. By contrast, it is difficult to understand how the new house will cause the farmhouse to be 'crowded'.
- 5.28 The plot used to be garden ground for the main house but this relationship has ended. The converted apartments in the farmhouse are provided with other amenity areas which leaves the plot as a discrete development opportunity.
- 5.29 The appellant respectfully requests the LRB Panel to reverse all five reasons for refusal and to grant planning permission.

- 5.30 If the LRB decides to grant planning permission, the applicant will gladly carry out a tree survey, wildlife survey and submit a listed building consent for removal of the storage buildings, all of which can be made subject to conditions or informatives.



## **DESIGN AND ACCESS STATEMENT**

NEW DWELLING HOUSE IN TOWER MAINS,  
LIBERTON, EDINBURGH



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### 1.0 SITE

- I. Site Location
- II. Historical Background
- III. Site Appraisal
- IV. Site Photographs

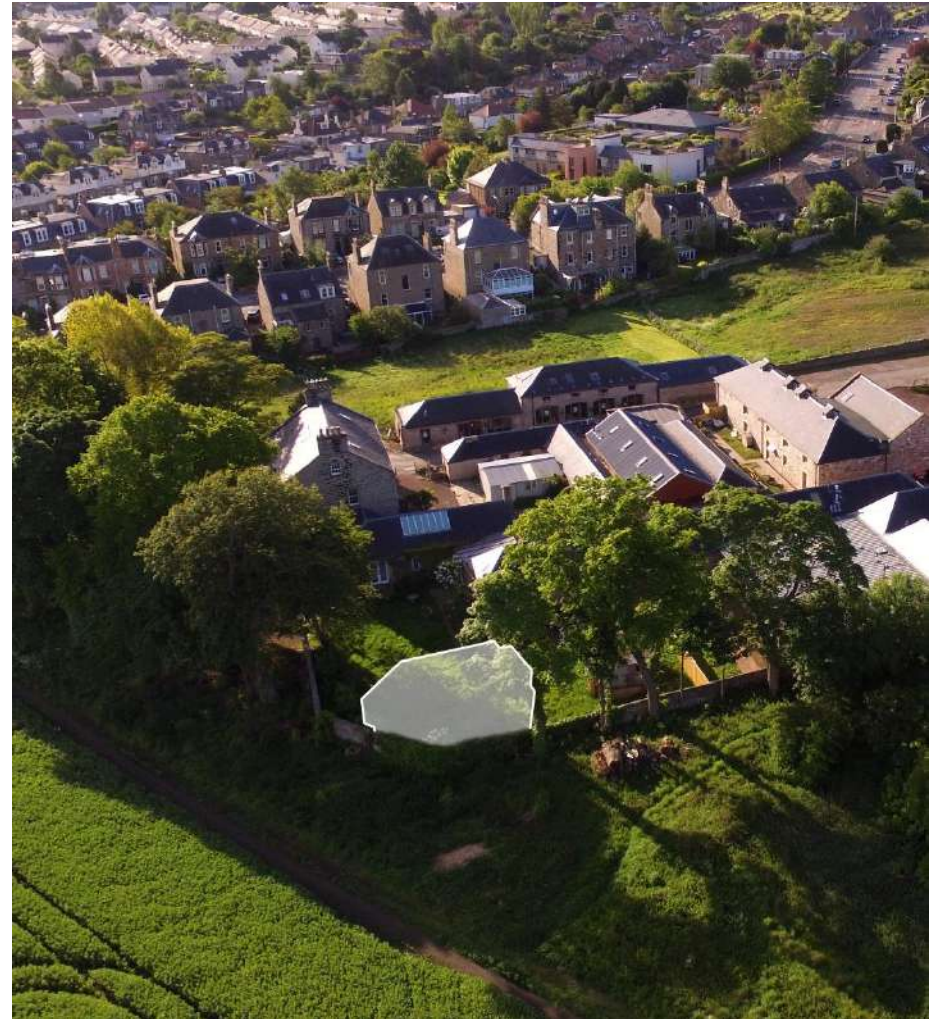
### 2.0 PROPOSED STRATEGY AND ARCHITECTURAL RESPONSE

- I. Proposed Location
- II. Proposal in Relation to Context
- III. Massing and Elevations
- IV. Amenity Space
- V. Response to Setting and LDP Policy

### 3.0 VERIFIED VIEWS – PRODUCED BY 5SQi

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### APPENDIX A RELEVANT LOCAL DEVELOPMENT PLAN POLICIES



## 1.0 - SITE

### SITE LOCATION

The Liberton Tower Mains Farm is situated to the western extent of Liberton. Dating from the early 19<sup>th</sup> century, the existing farmhouse, which comprises a two storey, three bay rectangular building with single storey pavilions to the east and west gables, has been extensively modified and extended in recent years. A single storey modern extension has been built to the west pavilion, forming an L-shape, it connects the original farmhouse building to the existing steadings. The east pavilion and the east bay of the main farmhouse building have been previously sub-divided to create a self-contained 'granny flat'.

Liberton itself is well connected to the city centre and the city bypass via the A701. It is also serviced by a number of bus routes which connect Liberton to the city centre, the coast and Midlothian. It benefits from its close location to the bypass which allows further travel beyond Edinburgh.

### HISTORICAL BACKGROUND

Liberton was a former village situated 2.5 miles from the centre of Edinburgh. The recent history of Liberton dates back to the construction of the Liberton Kirk in 1815, though an ancient church is thought to have been present in the Liberton area as mentioned in the foundation charter of Holyrood 1128. Originally a collection of hamlets, the area of Liberton is now a suburb in the South East of Edinburgh.

The positioning of the house close to the steading is typical of the earlier 19<sup>th</sup> century, although the location to the North is more unusual, possibly to exploit fine views to the city.

Figure 1 – Site Location – [www.google.co.uk/maps](http://www.google.co.uk/maps)

Figure 2 - Historical Map 1940 – [www.edinphoto.org.uk](http://www.edinphoto.org.uk)



Figure 1

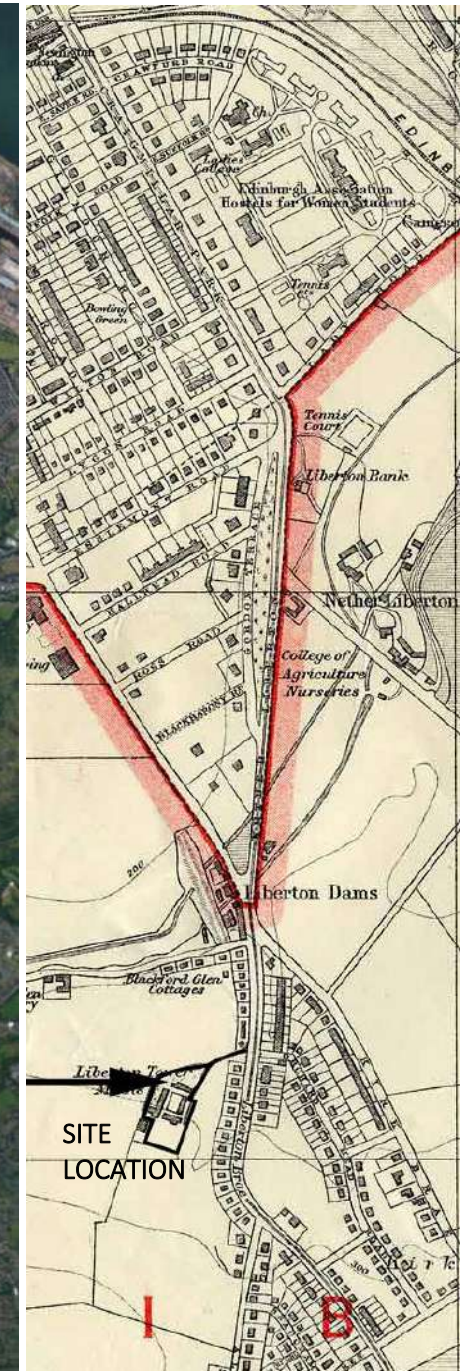


Figure 2

## 1.0 - SITE

### SITE APPRAISAL

The proposed site is situated in the grounds of the former Tower Mains farm at 18 Liberton Brae, Edinburgh.

The site sits adjacent to the existing farmhouse building, as noted above, the farmhouse has been subject to extensive modification and has been extended in recent years. The existing farmhouse has recently been subdivided to form three flats. The site is bounded by outbuilding and steadings to the South and East that formed part of the farm but are now predominately converted and operating as small commercial units.

To the South of the steadings former barn units have been demolished and replaced with three contemporary townhouses by others. To the North and West, the edge of the site is marked by a large one storey stone boundary wall. Beyond this is open views to extensive open space and a public footpath route.



#### KEY

- OWNERSHIP SITE AREA 6720m<sup>2</sup>
  - APPLICATION SITE AREA 535m<sup>2</sup>
  - FORMER BARN RECENTLY REPLACED DEVELOPMENT BY OTHERS
- REF: 16/06145/FUL

Figure 3



Figure 3 – Site Boundaries

Figure 4 Overleaf – Site Arrangement



Figure 4

KEY

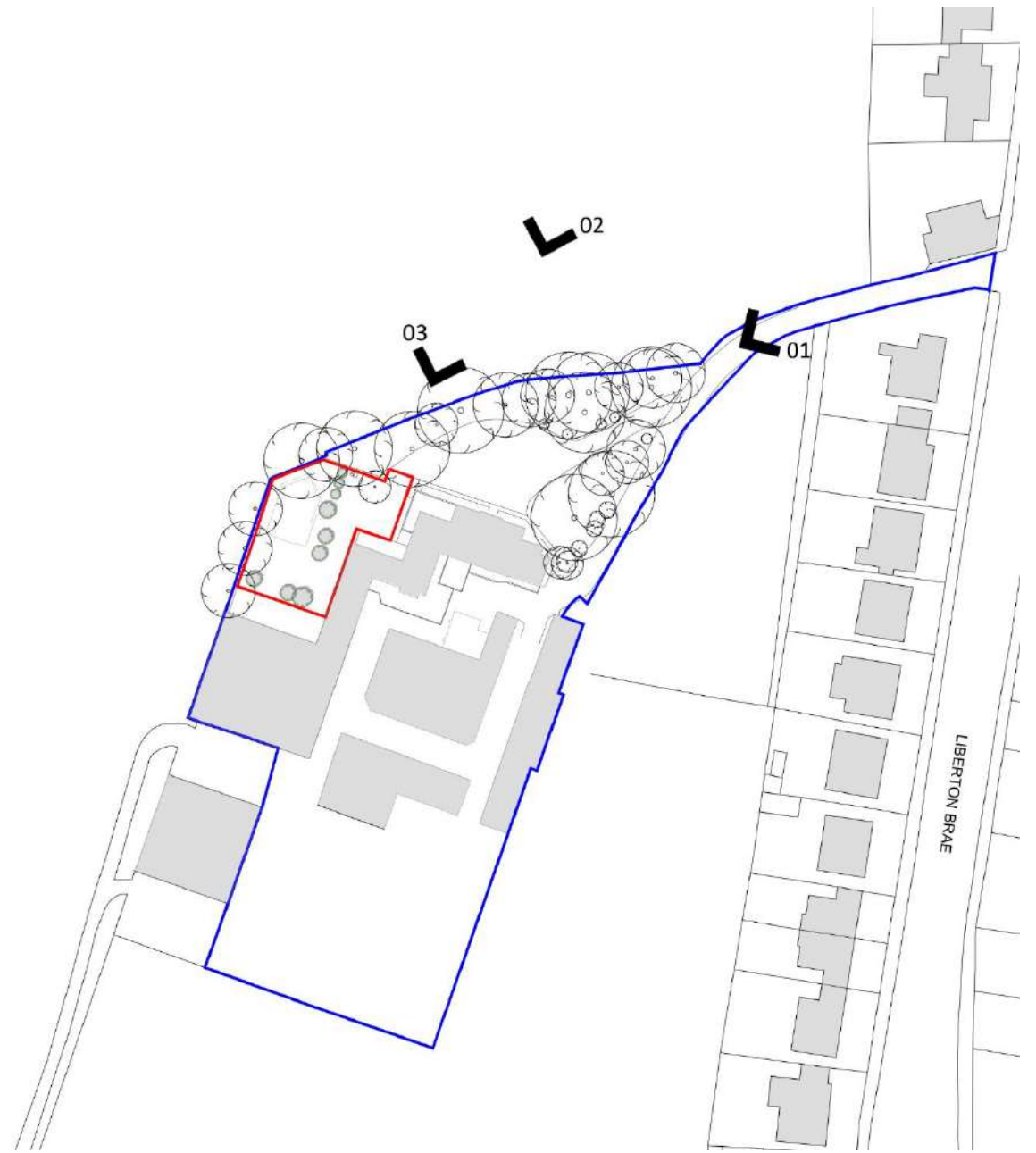
- |  |                     |               |                       |
|--|---------------------|---------------|-----------------------|
| ① FARMHOUSE  | ③ STEADINGS         | ⑤ ACCESS ROAD | ⑦ EXISTING STONE WALL |
| ② FORMER BARN REPLACED WITH 3x CONTEMPORARY TOWNHOUSES | ④ MONTESSORI SCHOOL | ⑥ FOOTPATH    |                       |

## 1.0 - SITE



01

02



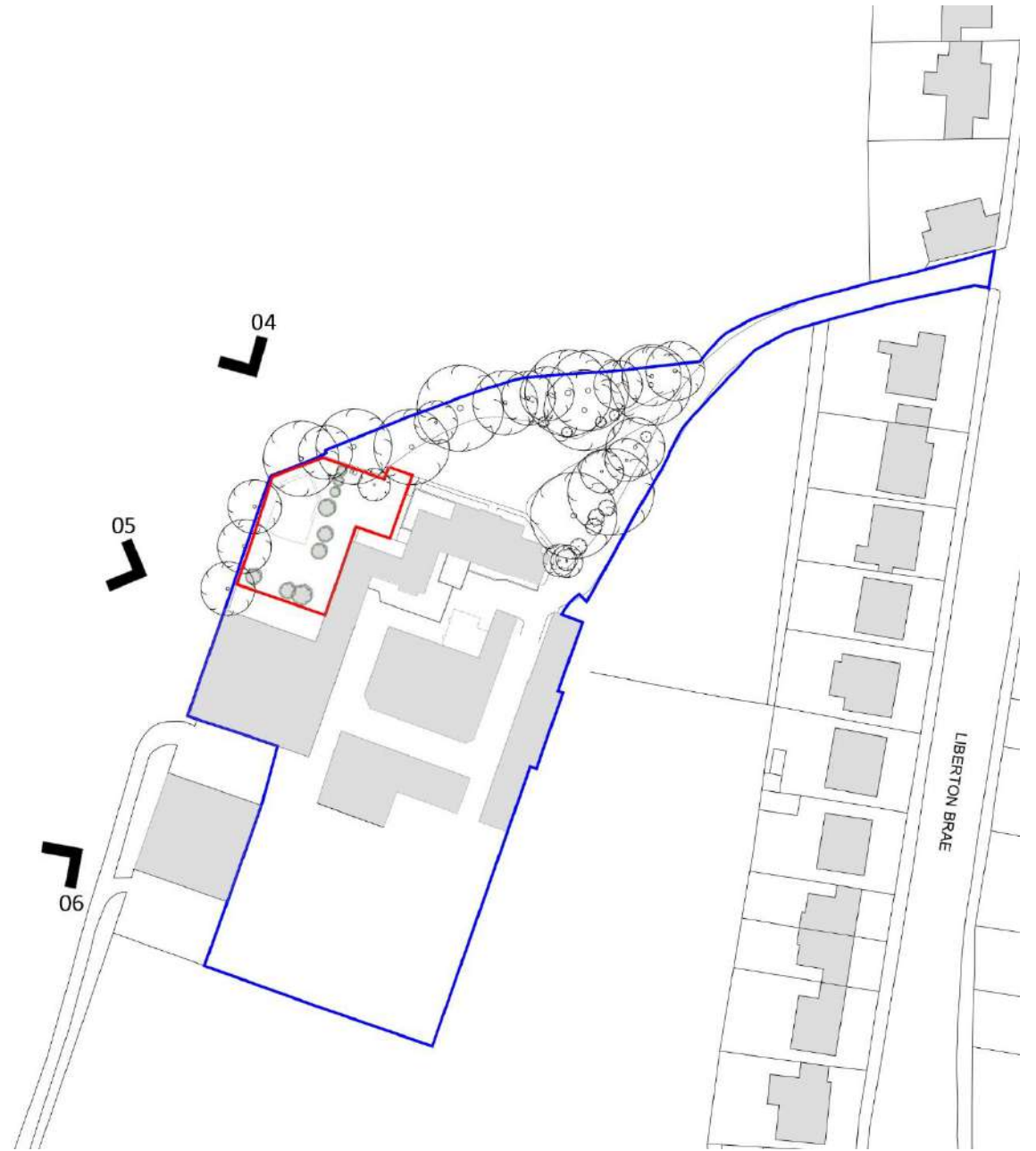
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05



## 2.0 - ARCHITECTURAL RESPONSE

### PROPOSAL LOCATION

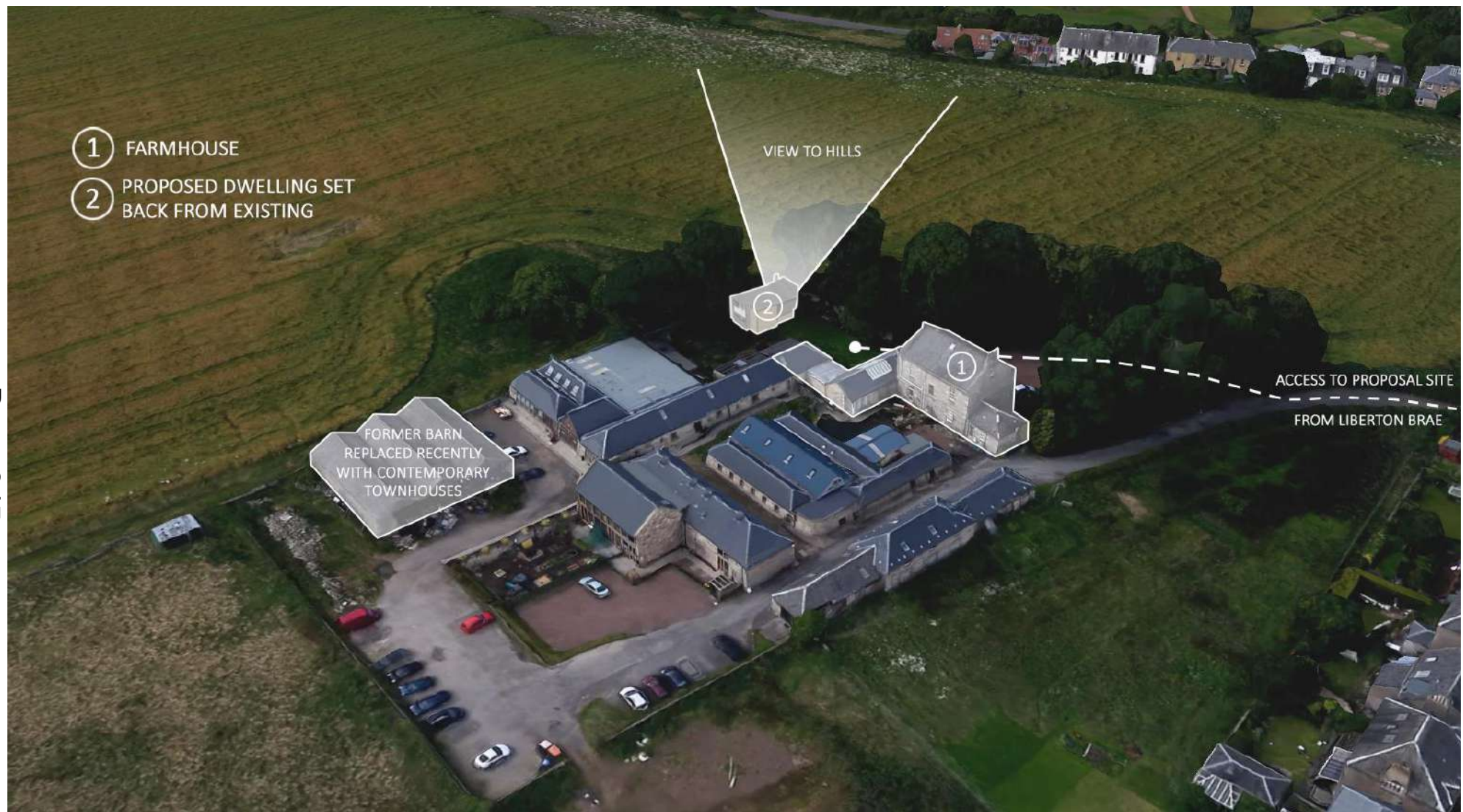


Figure 5

Figure 5 – North East View of Site

## 2.0 - ARCHITECTURAL RESPONSE

### PROPOSAL IN RELATION TO ITS CONTEXT

A key intention of the new dwelling is to enhance this pocket within the listed building curtilage. By removing three poor-quality structures which do not address the surrounding context and adding the proposed dwelling house the result is a more attractive plot. The current poor-quality structures only achieve in detracting from the listing of the farmhouse.

Whilst these structures are noted briefly in the listed building description, they are later additions that have no architectural or historical character.

*'Later piend-roofed open implement and machinery stores adjoining at right angles to W and S end of range (roof in state of collapse).'*

*Historic Environment Scotland Listing Description 18 Liberton Brae*

The proposal intends to replace these poor-quality structures totalling 65m<sup>2</sup> with a high-quality residential dwelling which will enhance the site overall whilst responding to the listed farmhouse.

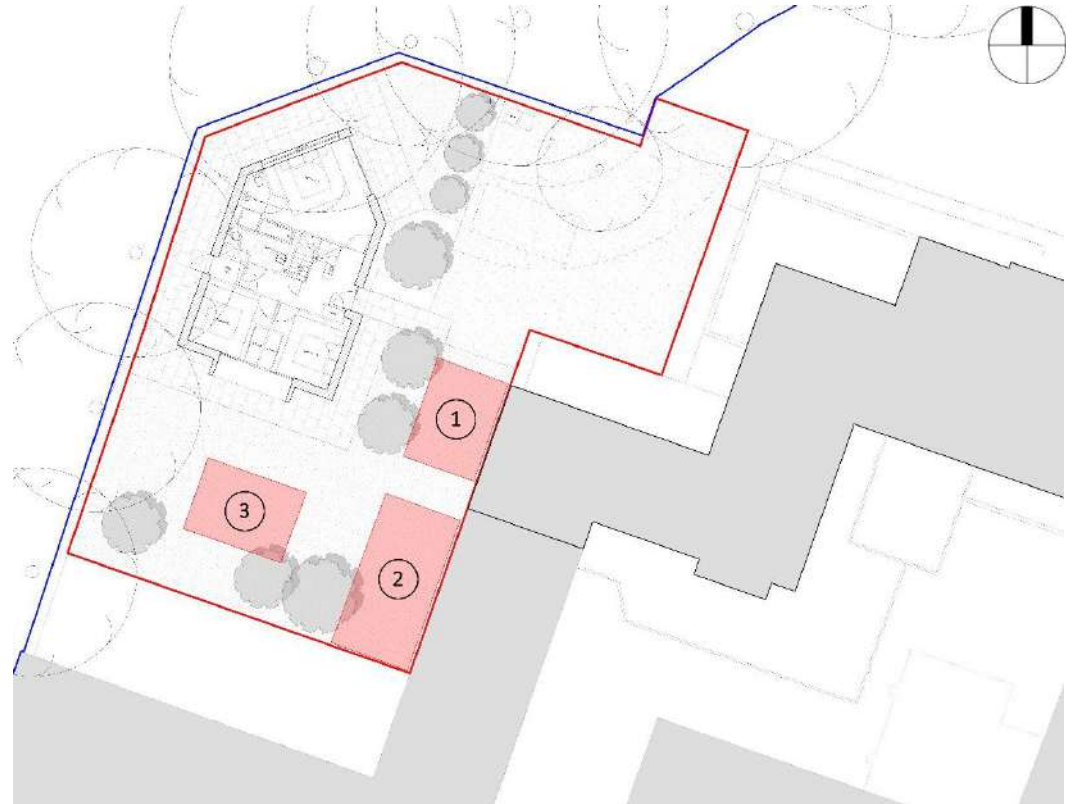


Figure 6



Figure 7

Figure 6 – Location of structures to be removed

Figure 7 – View of structures to be removed

2.0 - ARCHITECTURAL RESPONSE

PROPOSAL IN RELATION TO ITS CONTEXT

The proposal positively addresses the site context in a number of ways.

The proposed volume is set back from the front line of the existing house in order not to affect the hierarchy of the Tower Mains complex. The locale of the proposed dwelling does not compromise the high visibility of the farmhouse, instead it is nestled in an area which is screened by foliage and the existing farm wall. The existing stone wall clearly delineates between the built-up farmhouse curtilage, which is populated with steadings, extensions, a Montessori school and three new domestic properties by others, and the open farming fields which sit adjacent to the site. The new dwelling intends to act as an infill to a gap which is present between the existing structures within the farmhouse development.

- KEY
- ① EXISTING FARMHOUSE FOOTPRINT  
324m<sup>2</sup>
  - ② PROPOSED HOUSE FOOTPRINT  
93m<sup>2</sup>
  - ③ PROPOSED ALLOCATED PARKING
  - ➡ SOUTHERN ASPECT
  - ➡ OPEN VIEWS
  - OWNERSHIP SITE
  - APPLICATION SITE
  - - - EXISTING STONE WALL
  - SCREENED ELEVATION  
FACING EXISTING HOUSE
  - ▲ ACCESS FROM LIBERTON BRAE



Figure 8 – Site Proposal

Figure 8

## 2.0 - ARCHITECTURAL RESPONSE

### MASSING / ELEVATIONS

The site context informs the massing and distinct elevational treatments. The subtle rotation of the massing relates to the adjacent existing buildings and to address the open views.

To this purpose the proposed north-east and south-east elevations facing the existing house are understated and less open. The proposed stone at the ground floor and rear relates to the existing property which are located adjacent to the site. Subtle rotations within the simple volumes of the façade marks the location of the entrance. A lightweight timber volume is nested into the solid stone base. Subtle projections of the timber volume enhance the sense of lightness and provide a sheltered yet subtle entrance feature. Timber louvres to the windows provide a degree of privacy to the occupants.

The proposed north-west and south-west elevations by contrast are very light and open to the views. Glazed contemporary gables emphasise the views out over the surrounding open space and into the south-facing private rear garden space. The lightness and openness are further emphasised by the use of lightweight contemporary materials above the height of the existing stone wall marking the site boundary. Responding to Policy Des 7 the layout overlooks the existing footpath, which runs close to the existing stone wall. The aim is to enhance the safety along this section as laid out in Policy Des 7 criterion c), d) and e).

Internally this language is reflected in an open plan living accommodation benefitting from balconies overlooking the surrounding open space. A semi-open fireplace provides a focal point to the first floor living room that helps frame the views outwards.

The proposed massing associates to the scale of the existing steadings and addresses the character of the wider setting. In the context of Policy Des 4 the positioning of the proposal is designed to integrate the dwelling within the urban enclave of the farmhouse and steadings. The siting utilises the existing tree cover and farm boundary wall to screen the development thus ensuring that the proposed dwelling remains subservient to the original farmhouse building and does not impact the wider environment.

Figure 9 – Proposed massing from position along access drive to the farmhouse demonstrating the level of concealment upon approach



Figure 9

## AMENITY SPACE

The proposed house is to benefit from private garden areas to the side and rear of the property. The provision for one parking space has been allowed for at the front of the property which connects to the existing parking area at the front of the existing farmhouse building. A path is to connect the parking area with the entrance to the dwelling.

For further information on the landscape proposal please refer to Wardell Armstrong's Landscape and Visual Appraisal.

## RESPONSE TO SETTING AND LDP POLICY

Within the LDP, the site is allocated within the green belt and also within a special landscape area. The green belt case for this development is made in the context of policy Env 10, particularly under criterion c). which, amongst other criteria, sets out circumstances in which development can be accepted within the green belt, specifically:

- Development relating to an existing use or building. The single house development functions effectively alongside a predominantly residential use which now prevails around the periphery of the Tower Mains site. This is no longer a site which merits agricultural references from its history. It is clearly now well established as a mixed-use site with a predominantly residential use around the periphery and a mix of businesses and education in the core of the site. In this sense, the proposed single house development does relate to the adjoining farmhouse and other ancillary residential uses at the site, including the 3 recently completed substantial dwellings to the immediate south.
- It is therefore a reasonable case in favour of this development, that it relates as an extension which is ancillary to an intensification of the existing predominantly residential uses on the immediately adjoining plots.
- The further test in criterion c). It is to ensure that, should a new development be accepted in line with the related use argument as above, the proposal is also appropriate in terms of existing use-type, and appropriate in scale, high-quality design and an acceptable traffic impact.

Figure 10 – Visualisation of proposed dwelling in relation to existing farmhouse



Figure 10

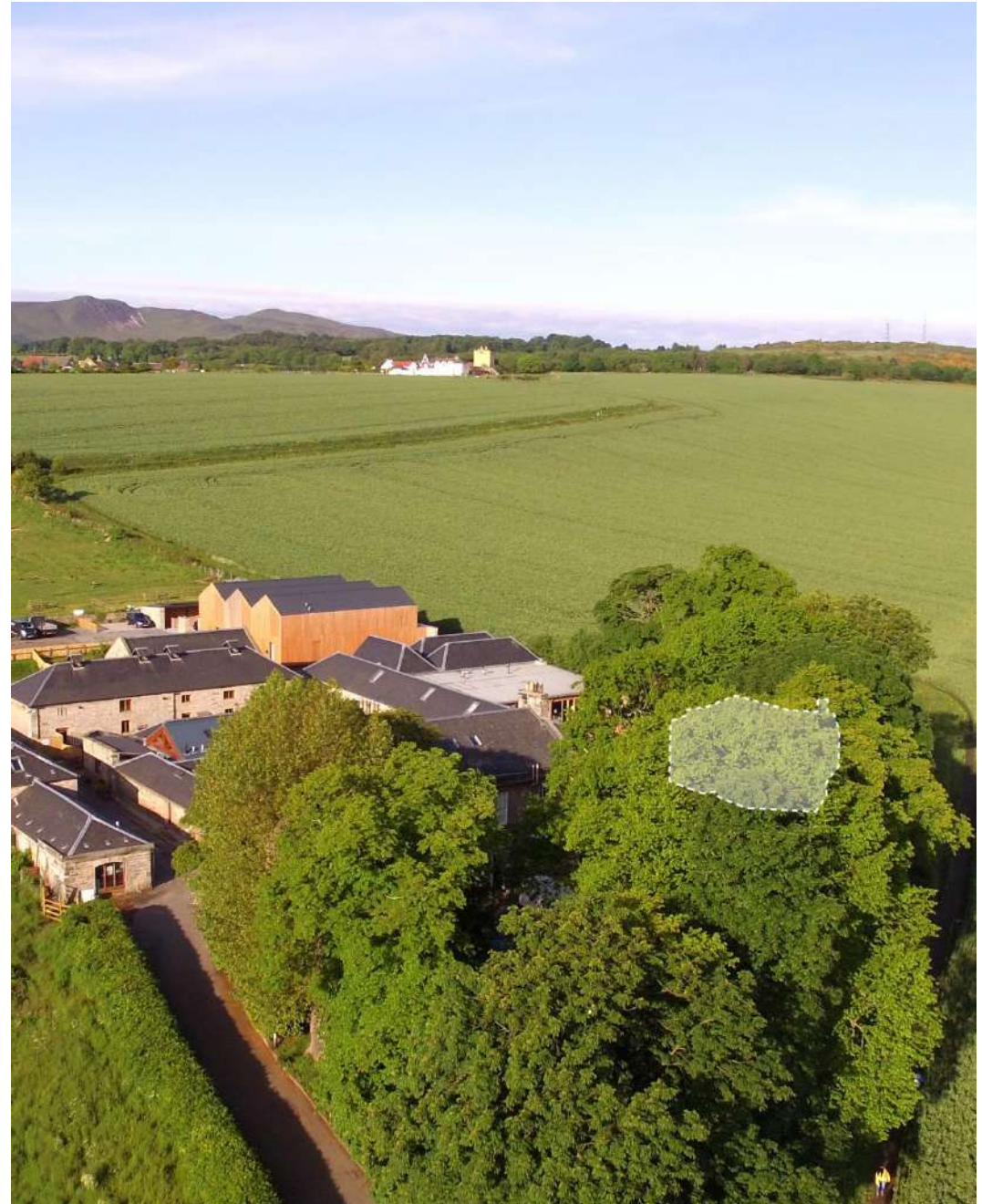
In policy Env 10 there is a salient control on developments, requiring them not to detract from the landscape quality and/or rural character of the area. Again, the house design analysis and landscape and visual and impact assessments with this proposal give a clear demonstration of the way in which the building will be subservient to the primary structures on the site, not least the farmhouse to the east. It is therefore concluded that the proposal does not detract from the landscape quality, nor the rural character of this locality. Indeed, it is the case that rural character has been an element and a significant change in recent years, with the conversion of the adjoining farmhouse, expansion at the local school and with local businesses at Liberton Tower Mains and also the most recent development of the three new dwellings to the south the west of the premises.

It is acknowledged that policy Env 3 requires new developments to respect the setting of the existing listed buildings and in this case, there is a careful approach to the design which respects the adjoining building, the category B listed farmhouse and associated steadings. The massing and elevational treatments as previously noted appropriately addresses Env 3 in that the building responds to the listed setting in a sympathetic manner whilst maintaining the hierarchy of the farmhouse site.

Apart from the adopted development plan policy, the decision on this proposal should equally carry weight attached to other material considerations. In this case, the planning authority has supplementary guidance on development in green belt and the countryside and a salient point from the supplementary guidance is noted below:

- I. The proposal replaces three existing structures of poor quality which are located on the site. As previously stated these structures detract from the adjacent listed property and that replacing them with a high quality residential dwelling on domestic scale would be a justifiable measure that meets a number of criteria which are listed in the City of Edinburgh Council's Guidance for Development in the Countryside and Green Belt document section regarding Replacement Buildings and Replacing a Low-Quality Building

Figure 11 – View from North East showing proposed massing location



The Tower Mains site, as a pocket of relatively intensive development within the green belt, presents special circumstances which should be taken on board as material considerations in this case.

In recent years there has been a considerable intensification of development upon this site and it has proved itself as a successful location for a thriving mix of uses between residential, educational and business.

Taking into account the considerations of the recent intensification of the site and the precedent for higher density development within this relatively urban enclave, which displays a more modern mix of development than is perhaps envisaged in the primary purpose of the green belt and landscape policies. It therefore lies somewhat as an exception within greenbelt context and makes a reasonable request that some leniency is applied to the overall balance of decision-making in this case.

There is a strong policy case for this single house plot development in the fact that it relates to an existing use, is ancillary to recent similar developments and it displays a respectful and subservient design, without attracting from the special landscape quality and rural character of this area. It therefore complies with the development plan policy.

It therefore sets this site apart from other contexts around Edinburgh in more open countryside settings and this site therefore merits a more balanced appraisal with the presumption in favour of a relatively minor development which displays a reasonable physical and functional connection to the existing site.

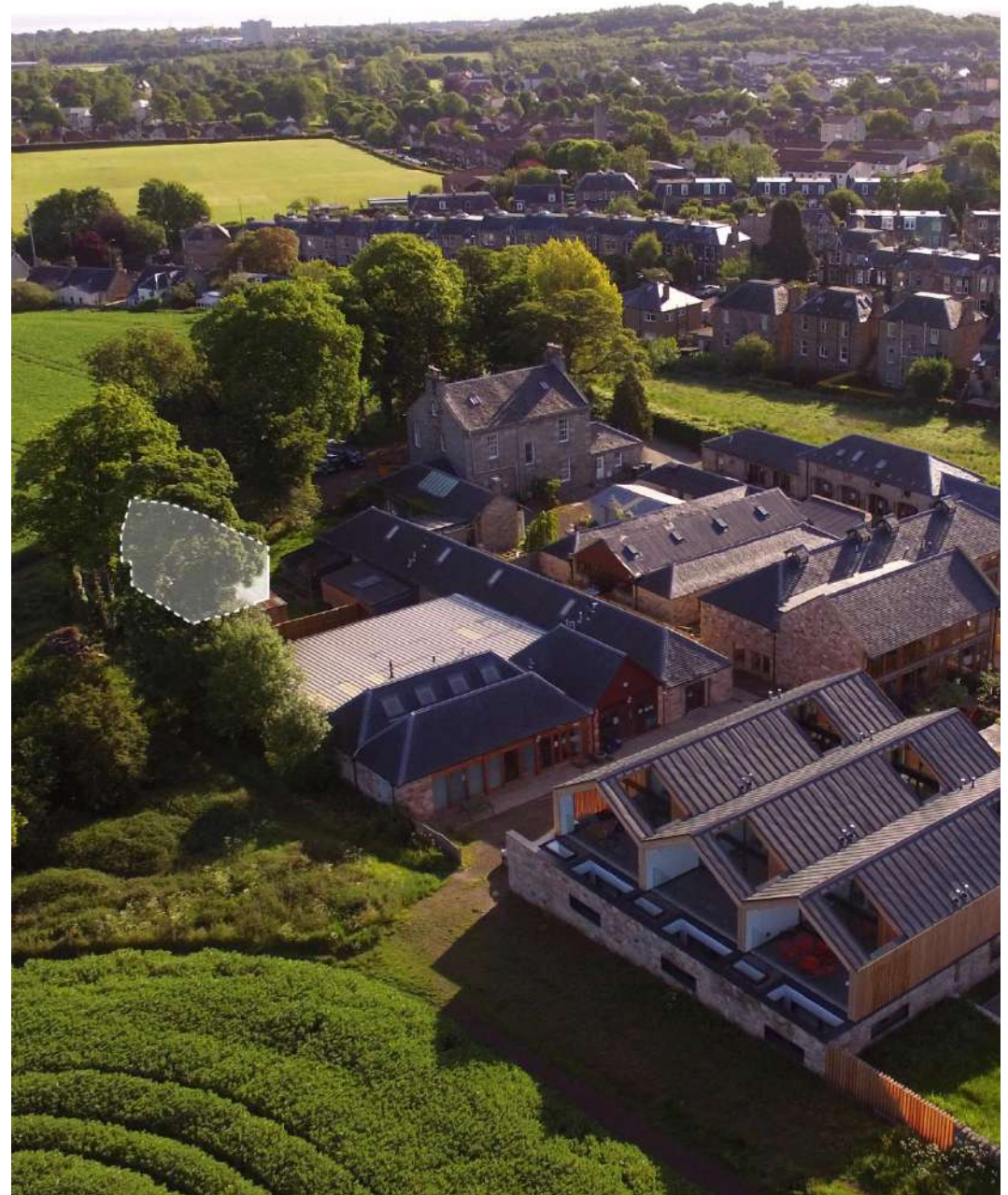


Figure 12 – View from South West showing proposed massing location

3.0 – VERIFIED VIEWS

Further to the above images, verified views from two locations have been produced by 5 Square Imagery based in Edinburgh. These architectural photomontages have been created to a level of verifiable accuracy with collected survey data and precise photography. Additional information can be found in the Verified View Methodology Statement provided by 5 Square Imagery for this application.



Figure 13 – Verified Views locations

Figure 13





#### 4.0 - RESOURCES AND MATERIALS



## APPENDIX A – RELEVANT LOCAL DEVELOPMENT PLAN POLICIES

### POLICY DES 4

#### DEVELOPMENT DESIGN – IMPACT ON SETTING

*Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:*

- a) height and form*
- b) scale and proportions, including the spaces between buildings*
- c) position of buildings and other features on the site*
- d) materials and detailing*

*154 This policy applies to all new development of one or more buildings. Where the built environment is of high quality and has a settled townscape character, new development proposals will be expected to have similar characteristics to the surrounding buildings and urban grain. Where the surrounding development is fragmented or of poor quality, development proposals should help repair the urban fabric, establish model forms of development and generate coherence and distinctiveness – a sense of place. The siting and design of development should also be guided by views within the wider landscape and an understanding of local landscape character, including important topographical features, e.g. prominent ridges, valleys and patterns of vegetation.*

### POLICY DES 7

#### LAYOUT DESIGN

*Planning permission will be granted for development where:*

- a) a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces, services and SUDS features has been taken*
- b) new streets within developments are direct and connected with other networks to ensure ease of access to local centres and public transport and new public or focal spaces are created where they will serve a purpose*
- c) the layout will encourage walking and cycling, cater for the requirements of public transport if required and incorporate design features which will restrict traffic speeds to an appropriate level and minimise potential conflict between pedestrians, cyclists and motorised traffic*
- d) car and cycle parking areas and pedestrian and cycle paths are overlooked by surrounding properties*
- e) safe and convenient access and movement in and around the development will be promoted, having regard especially to the needs of people with limited mobility or special needs*

*f) public open spaces and pedestrian and cycle routes are connected with the wider pedestrian and cycle network including any off-road pedestrian and cycle routes where the opportunity exists.*

*162 This policy is relevant for all new development involving one or more new buildings. The layout of development should enhance community safety and urban vitality and provide direct and convenient connections on foot and by cycle. Where new road space is required as an integral and necessary part of new development, layouts should not encourage greater car use or cause or add to congestion in the surrounding area.*

### POLICY ENV 2

#### LISTED BUILDINGS – DEMOLITION

*Proposals for the total or substantial demolition of a listed building will only be supported in exceptional circumstances, taking into account:*

- a) the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value to be derived from its continued use*
- b) the adequacy of efforts to retain the building in, or adapt it to, a use that will safeguard its future, including its marketing at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.*
- c) the merits of alternative proposals for the site and whether the public benefits to be derived from allowing demolition outweigh the loss.*

### POLICY ENV 3

#### LISTED BUILDINGS - SETTING

*Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.*

DEVELOPMENT IN THE GREEN BELT AND COUNTRYSIDE

*Within the Green Belt and Countryside shown on the Proposals Map, development will only be permitted where it meets one of the following criteria and would not detract from the landscape quality and/or rural character of the area:*

*a) For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.*

*b) For the change of use of an existing building, provided the building is of architectural merit or a valuable element in the landscape and is worthy of retention. Buildings should be of domestic scale, substantially intact and structurally capable of conversion.*

*c) For development relating to an existing use or building(s) such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact.*

*d) For the replacement of an existing building with a new building in the same use provided:*

- 1) the existing building is not listed or of architectural / historic merit;*
- 2) the existing building is of poor-quality design and structural condition,*
- 3) the existing building is of domestic scale, has a lawful use and is not a temporary structure; and*
- 4) the new building is of a similar or smaller size to the existing one, lies within the curtilage of the existing building and is of high design quality.*

*181 It is necessary to control the type and scale of development in the green belt to enable it to fulfil its important role in terms of landscape setting and countryside recreation as described in Part 1. However, the purpose of the green belt is not to prevent development from happening. This policy sets out the circumstances in which development in the green belt can be supported.*

*182 In Edinburgh, Countryside areas i.e. land outwith existing settlements, which are not designated green belt are considered to be of equivalent environmental importance. For this reason, it is appropriate to apply the same level of protection to both green belt and Countryside areas.*

*183 The key test for all proposals in the green belt and Countryside areas will be to ensure that the development does not detract from the landscape quality and/or rural character of the area. The Council's guidance 'Development in the Countryside and Green Belt' provides more detailed advice.*

*181 It is necessary to control the type and scale of development in the green belt to enable it to fulfil its important role in terms of landscape setting and countryside recreation as described in Part 1. However, the purpose of the green belt is not to prevent development from happening. This policy sets out the circumstances in which development in the green belt can be supported.*

*182 In Edinburgh, Countryside areas i.e. land outwith existing settlements, which are not designated green belt are considered to be of equivalent environmental importance. For this reason, it is appropriate to apply the same level of protection to both green belt and Countryside areas.*

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POLICY ENV 11

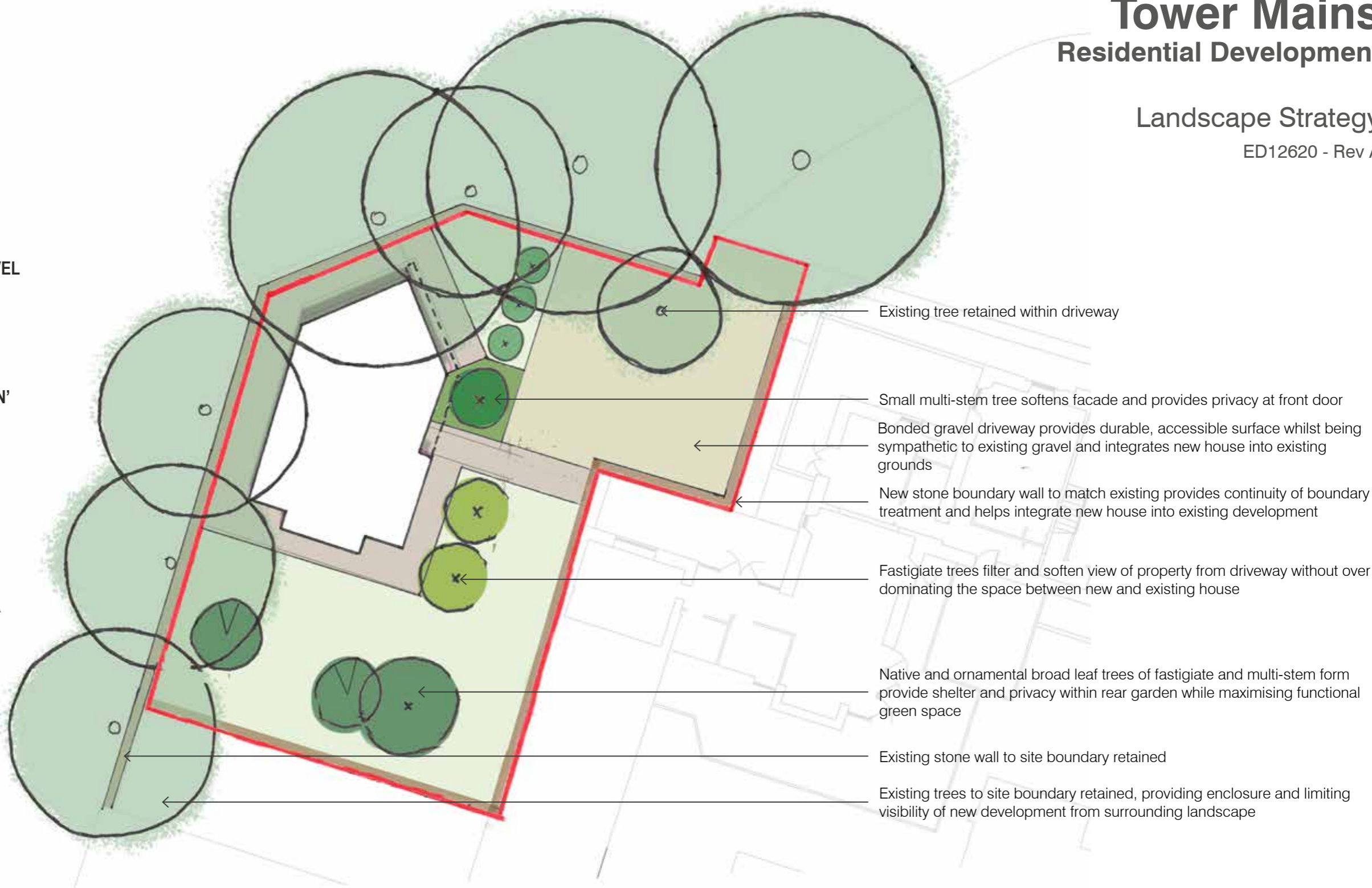
SPECIAL LANDSCAPE AREAS

*Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map*

*184 This policy aims to protect Edinburgh's unique and diverse landscape which contributes to the city's distinctive character and scenic value. Special Landscape Areas (SLA) are local designations, which safeguard and enhance the character and quality of valued landscapes across the Council area.*

*185 A Statement of Importance has been prepared for each SLA and can be viewed on the Council's website. This sets out the essential qualities and characteristics of the area and the potential for enhancement. The Statements of Importance should be 102 Edinburgh Local Development Plan November 2016 Part 2 Section 3 - Caring for the Environment used to guide development proposals in SLAs and will be a material consideration in assessing planning applications. A landscape and visual impact assessment is likely to be needed in support of proposals affecting a SLA.*

- Page 358
- ORNAMENTAL PLANTING
  - LAWN
  - SANDSTONE FLAG PAVING
  - BONDED/ SELF BINDING GRAVEL
  - EXISTING TREES
  - PRUNUS SERRULA 'BRANKLYN'
  - LIRIODENDRON TULIPIFERA 'FASTIGIATA'
  - BETULA PAPYRIFERA
  - QUERCUS ROBUR FASTIGIATA
  - SHRUB PLANTING



Betula papyrifera



Quercus robur fastigiata



Liriodendron tulipifera fastigiata



Ligustrum japonicum



Prunus serrula 'Branklyn'



Cornus alba 'Elegantissima'



Sandstone Flag paving



Existing Stone wall



ELEVATION C

1m 5m 10m

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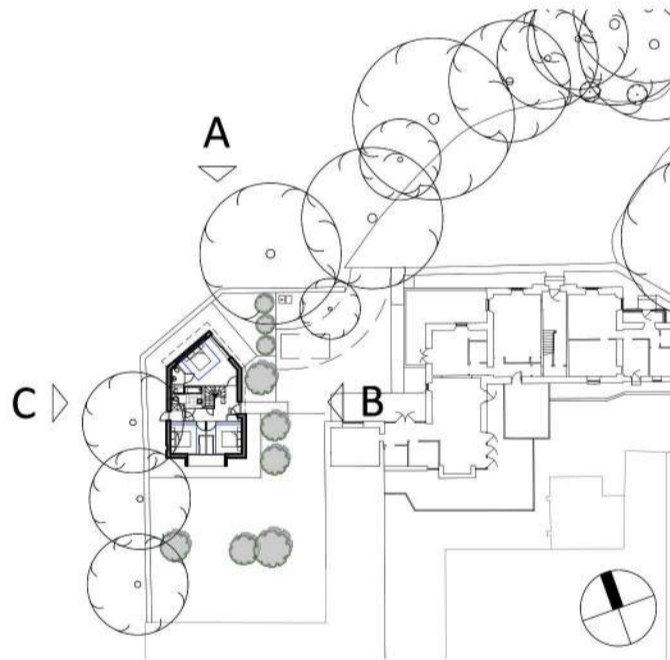
DO NOT SCALE. IF IN DOUBT, ASK

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- 1 BUFF STONE
- 2 GREY TIMBER CLADDING
- 3 STANDING SEAM METAL ROOFING
- 4 METAL FLASHING
- 5 RECESSED RWP
- 6 DOOR WITH TIMBER FINISH TO MATCH TIMBER CLADDING



ELEVATIONS KEY

Hackland

Dore

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16 Annandale Street  
Edinburgh EH7 4AN

t 0131 538 7707  
e admin@hackland-dore.com  
w www.hackland-dore.com

Michael Allen

Residential Accomodation  
Tower Mains, Liberton, Edinburgh

PROPOSED ELEVATIONS

drawn  
JH  
scale  
1:100 @ A1

checked  
MM

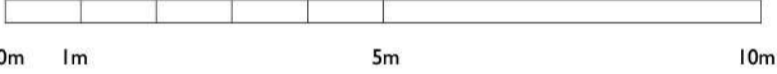
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PLANNING

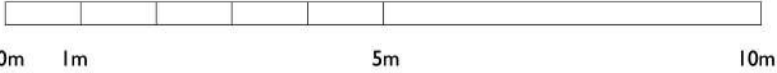
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ELEVATION A



ELEVATION B



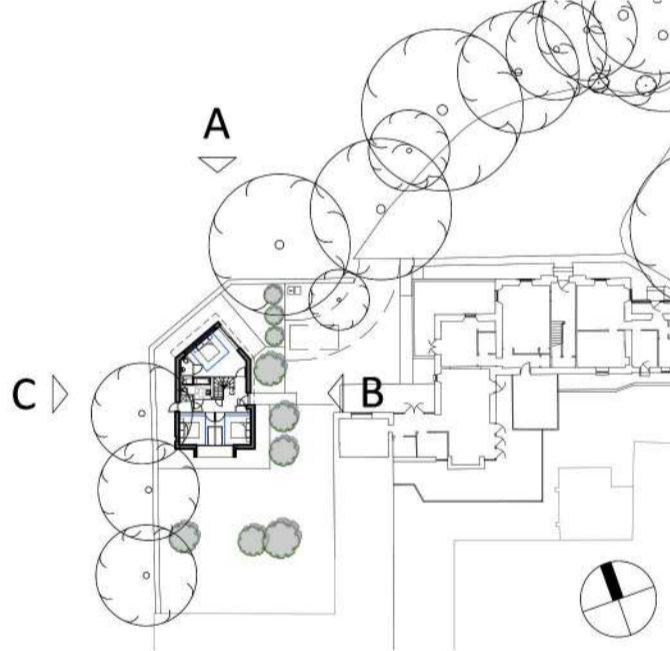
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Michael Allen

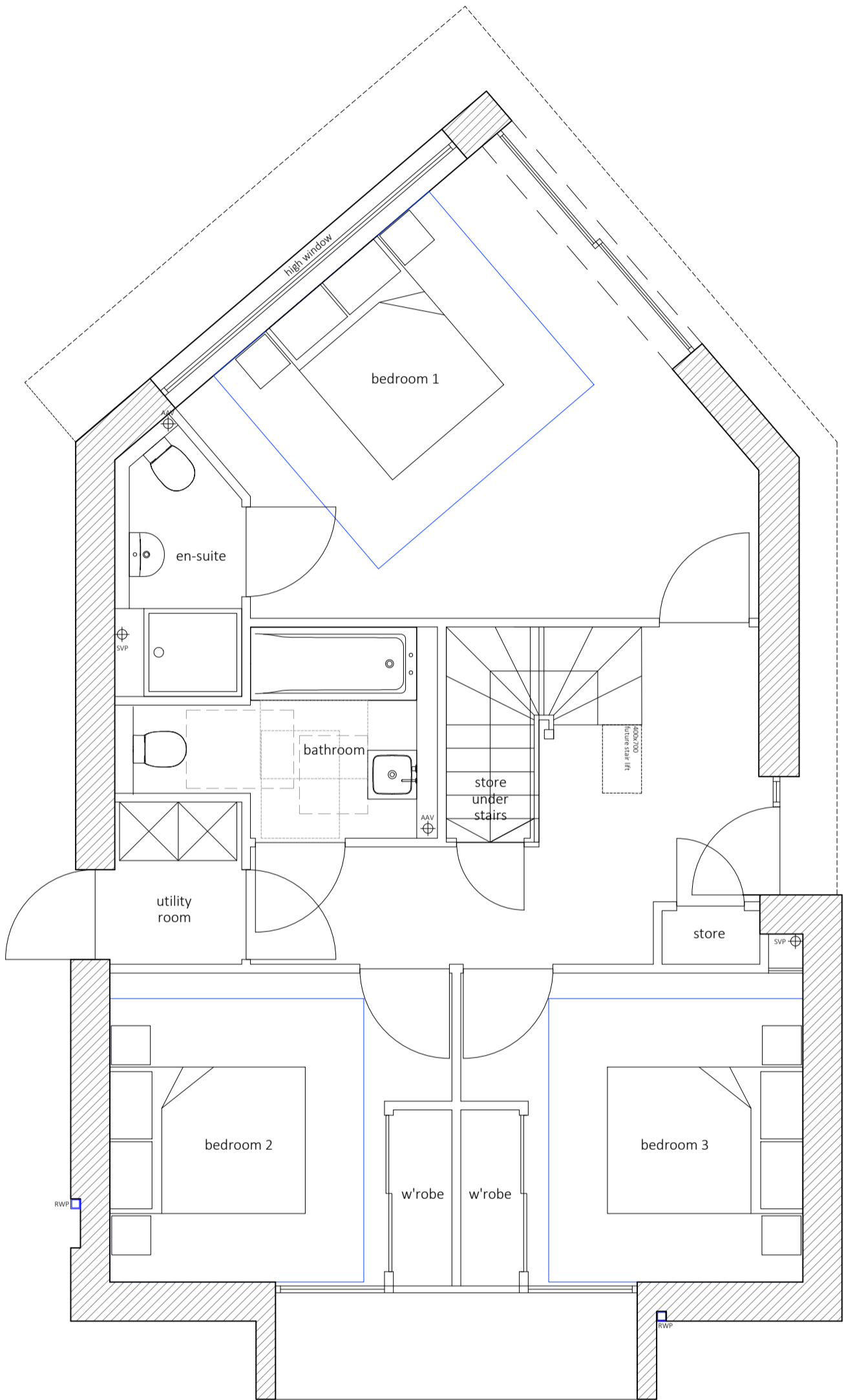
Residential Accomodation  
Tower Mains, Liberton, Edinburgh

PROPOSED ELEVATIONS

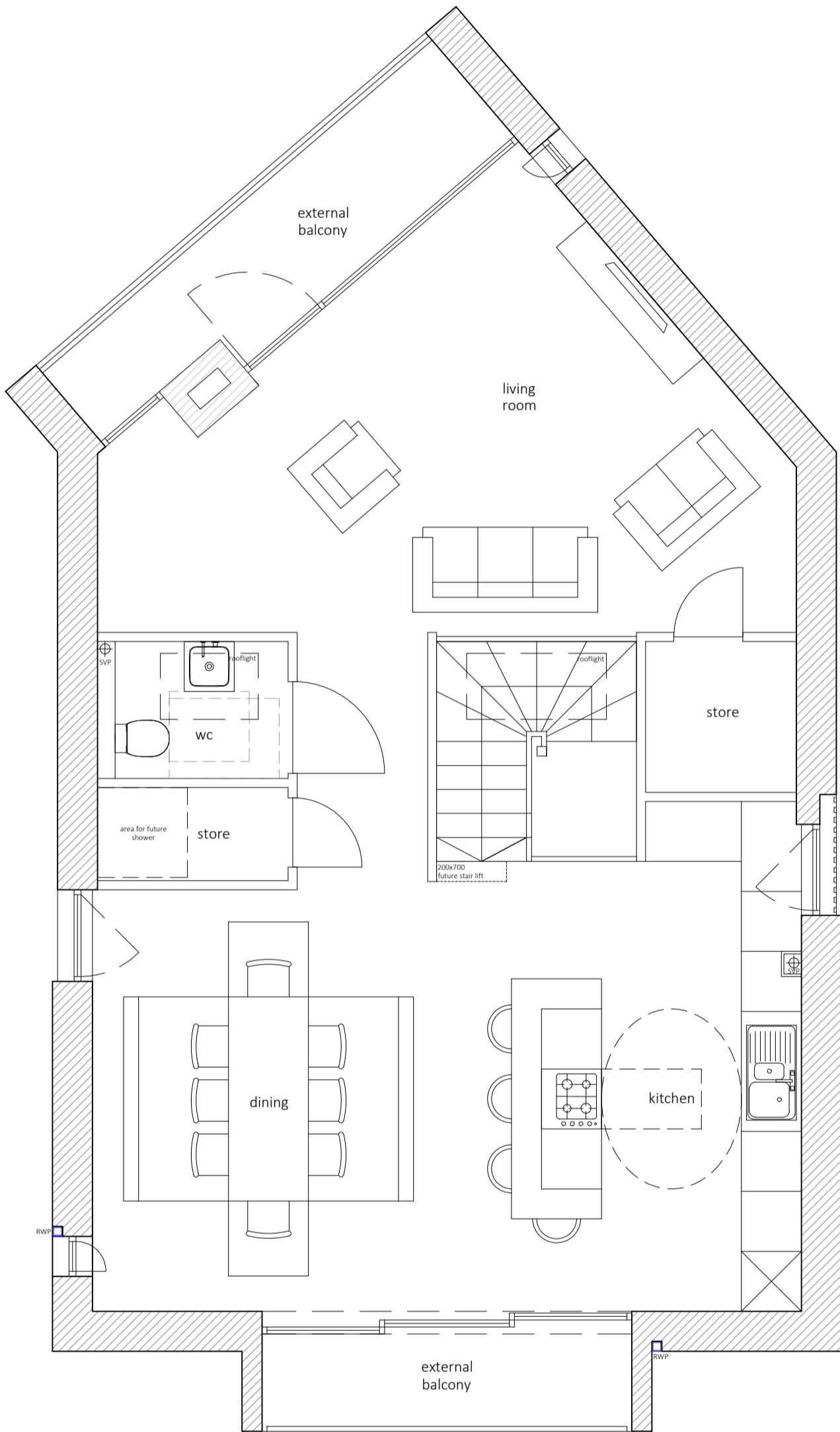
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PLANNING

HD1021 (PL)100



GROUND FLOOR PLAN



FIRST FLOOR PLAN

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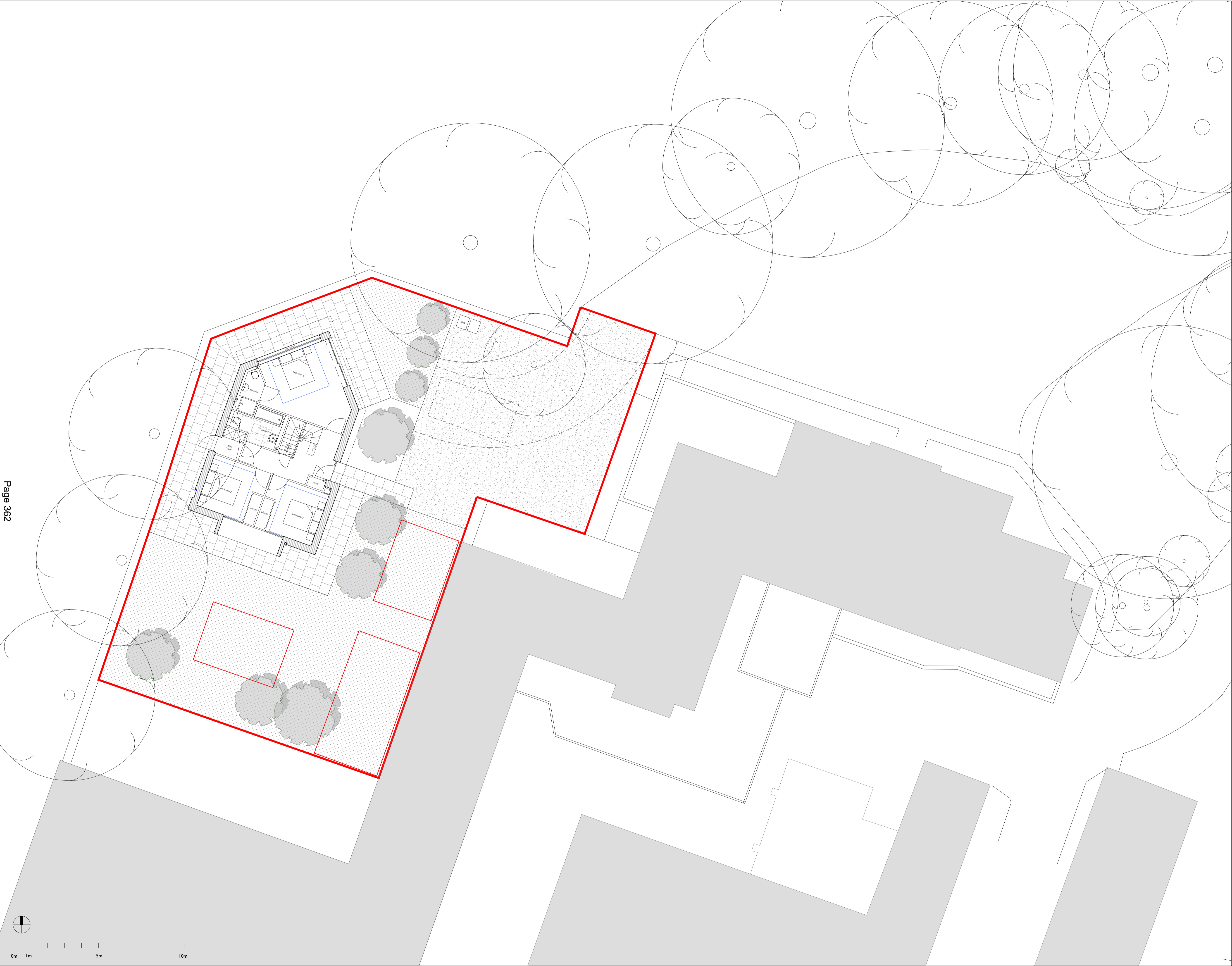
Residential Accomodation  
Tower Mains, Liberton, Edinburgh

PROPOSED FLOOR PLANS

drawn JH checked MM scale 1:50 @ A1 created 03.09.19

PLANNING

HD1021 (PL)010



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KEY TO PLAN

- Gravel drive area to give consistency with existing gravel area to front of main house.
- Grass to rear garden area with foliage introduced along boundaries.
- Paving slabs to hard landscaping areas and access path
- Proposed tree - refer to landscape architect's layout plan



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Michael Allen

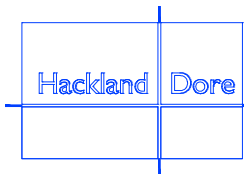
Residential Accomodation  
Tower Mains, Liberton, Edinburgh

PROPOSED SITE PLAN

drawn	checked	created
JH	MM	03.09.19
scale		
1:100 @ A1		

PLANNING

HD1021 (PL)005



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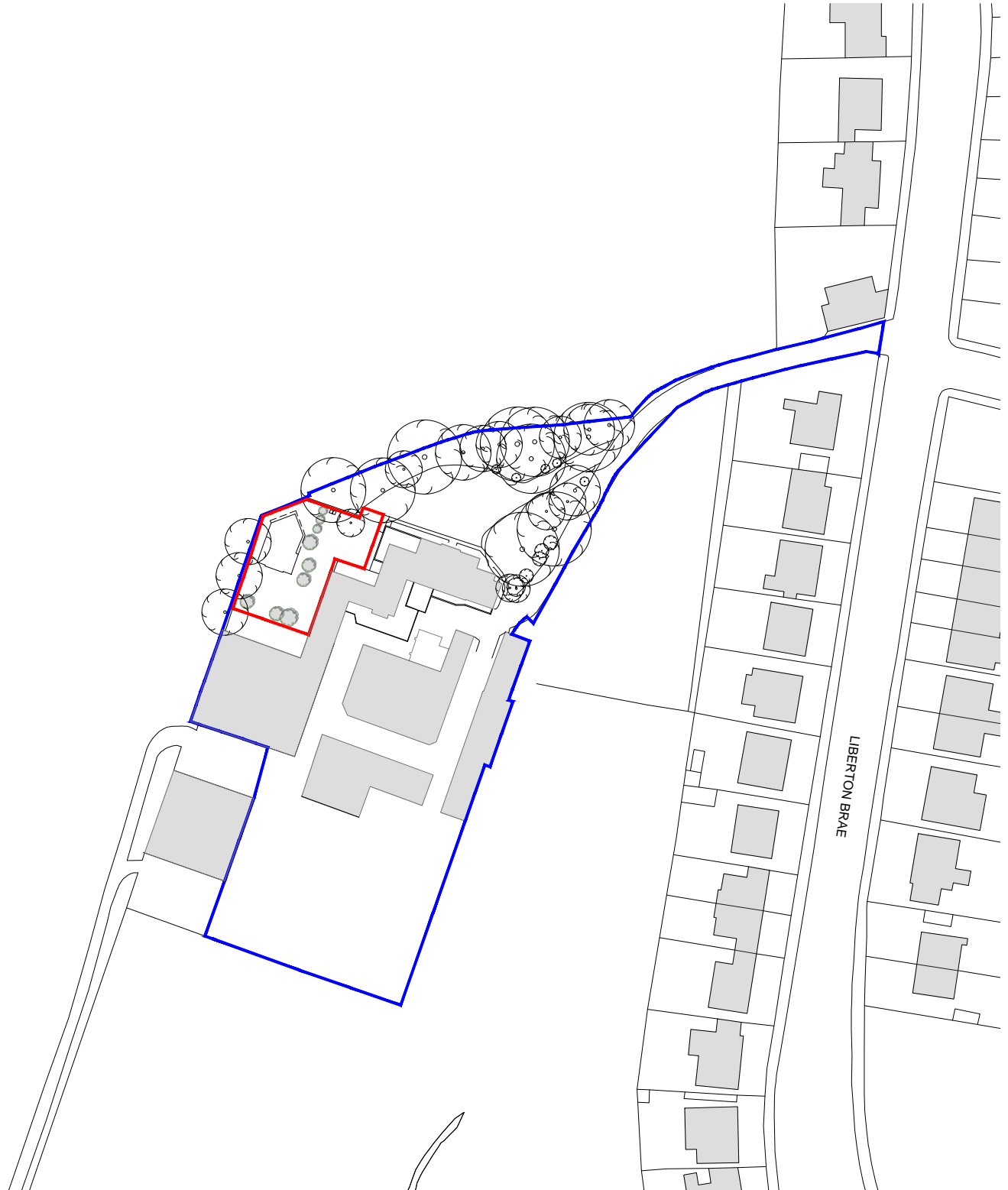
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0m 10m 20m 50m

 Application Boundary

 Ownership Boundary



Residential Accommodation Tower Mains, Liberton, Edinburgh	LOCATION PLAN	Date 03.09.19	Scale 1:1250	Drawn By JH	Chkd By MM
Michael Allen	PLANNING	Page 363		HD1021 (PL)001 -	











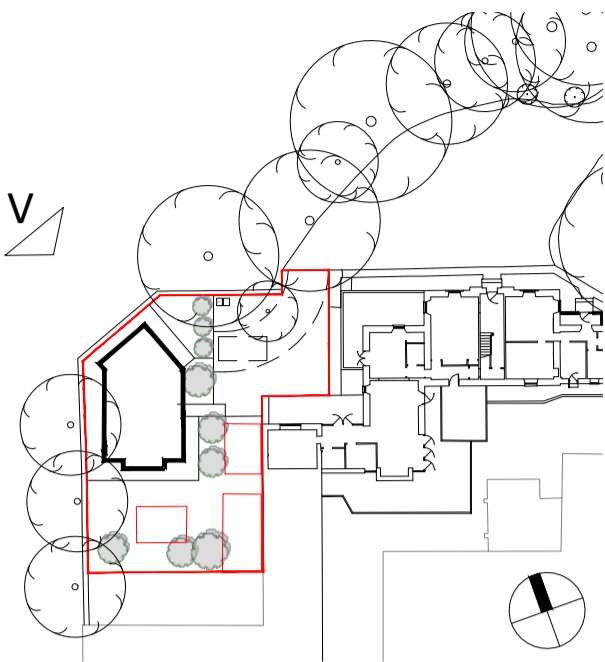
Page 368

DO NOT SCALE. IF IN DOUBT, ASK

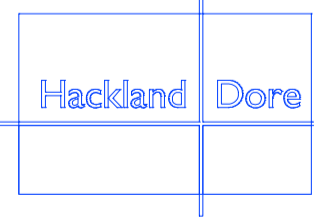
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KEY



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Michael Allen

Residential Accomodation  
Tower Mains, Liberton, Edinburgh

VISUALISATION

drawn	checked	created
JH	MM	03.09.19
scale		
NTS		

PLANNING

HD1021 (PL)300

VISUALISATION - VIEW OF GABLE END SHOWING INTEGRATION WITHIN LANDSCAPE

# LIBERTON TOWER MAINS LRB APPEAL CASE

## SUMMARY OF OVERALL CASE.

# 1. APPROPRIATE USE (Policy Env 10).

- Current mixed use complex of residential / commercial / education has replaced agricultural use
- Criterion c) enables appropriate intensification of existing residential use
- House design and position blends with Special Landscape Area setting

**Policy Env 10 Development in the Green Belt and Countryside**

Within the Green Belt and Countryside shown on the Proposals Map, development will only be permitted where it meets one of the following criteria and **would not detract from the landscape quality and/or rural character of the area:**

- For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use.
- For the change of use of an existing building, provided the building is of architectural merit or a valuable element in the landscape and is worthy of retention. Buildings should be of domestic scale, substantially intact and structurally capable of conversion.
- For **development relating to an existing use or building(s)** such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact.
- For the replacement of an existing building with a new building in the same use provided:
  - the existing building is not listed or of architectural / historic merit;
  - the existing building is of poor quality design and structural condition;
  - the existing building is of domestic scale, has a lawful use and is not a temporary structure; and
  - the new building is of a similar or smaller size to the existing one, lies within the curtilage of the existing building and is of high design quality.

LDP - ENV10



KEY

- |   |                       |
|---|-----------------------|
| 1 Farmhouse converted into flats          | 3 Local Businesses    |
| 2 Former barn replaced with 3x townhouses | 4 Montessori School   |
|   | 5 Existing Stone Wall |

TOWER MAINS SITE USAGE DIAGRAM



KEY

<span style="display:inline-block; width:15px; height:15px; background-color:brown; border:1px solid black;"></span> Residential including garden areas	18.6%
<span style="display:inline-block; width:15px; height:15px; background-color:yellow; border:1px solid black;"></span> Commercial	13.3%
<span style="display:inline-block; width:15px; height:15px; background-color:purple; border:1px solid black;"></span> Education (Montessori) including external areas	15.3%
<span style="display:inline-block; width:15px; height:15px; background-color:grey; border:1px solid black;"></span> Parking and access	37.1%
<span style="display:inline-block; width:15px; height:15px; background-color:darkbrown; border:1px solid black;"></span> Ancillary Areas	8.8%
<span style="display:inline-block; width:15px; height:15px; background-color:green; border:1px solid black;"></span> Rural/Agriculture	0%
<span style="display:inline-block; width:15px; height:15px; border:2px solid red;"></span> Proposed Site	7.0%
<b>TOTAL</b>	<b>100%</b>

TOWER MAINS SITE USAGE CLASSIFICATION BREAKDOWN

## 2. MEETS CRITERIA FOR 'DEVELOPMENT IN GREEN BELT AND COUNTRYSIDE'.

- Development plot is a 'gap site' amongst a cluster of surrounding dwellings
- 'Brownfield site' due to existing storage buildings

Page 371



AERIAL PHOTO OF SITE WITHIN WALLED GARDEN

### New houses in the countryside

New houses not associated with countryside use will not be acceptable unless there are exceptional planning reasons for approving them. These reasons include the reuse of brownfield land and gap sites within existing clusters of dwellings.

From CEC 'DEVELOPMENT IN THE GREEN BELT AND COUNTRYSIDE'



PLAN OF PROPOSED REMOVALS



TOWER MAINS GAP SITE DIAGRAM



PROPOSED REMOVALS

### 3. NO DETRIMENT TO LISTED BUILDING SETTINGS (Env 3).

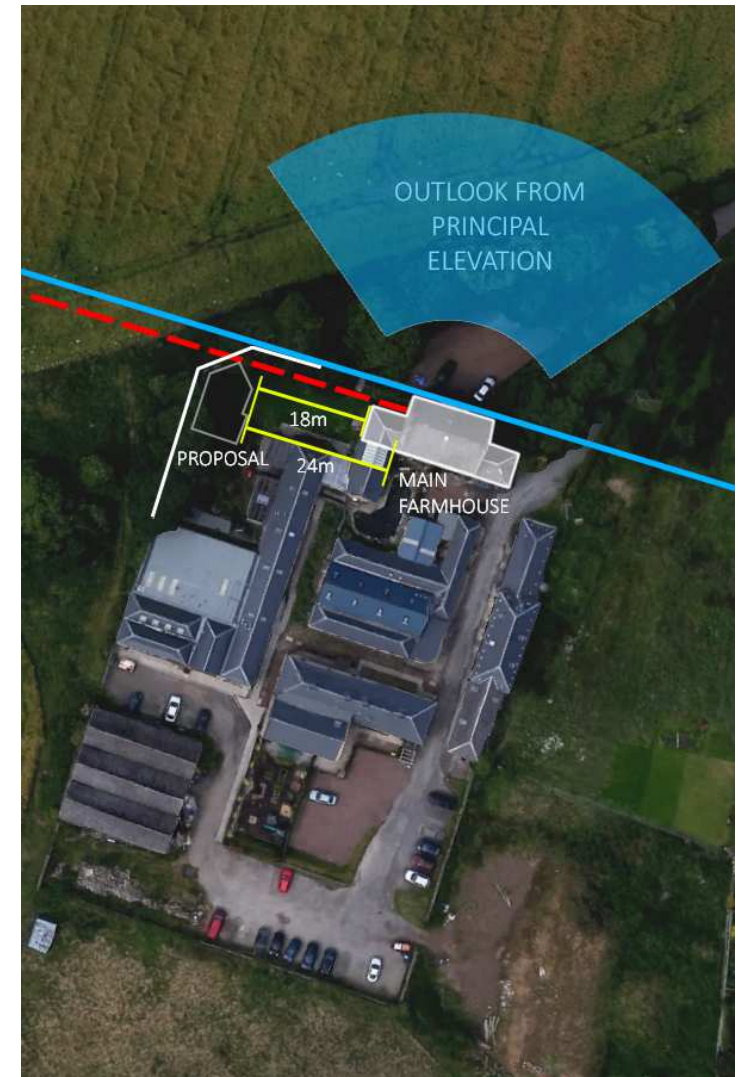
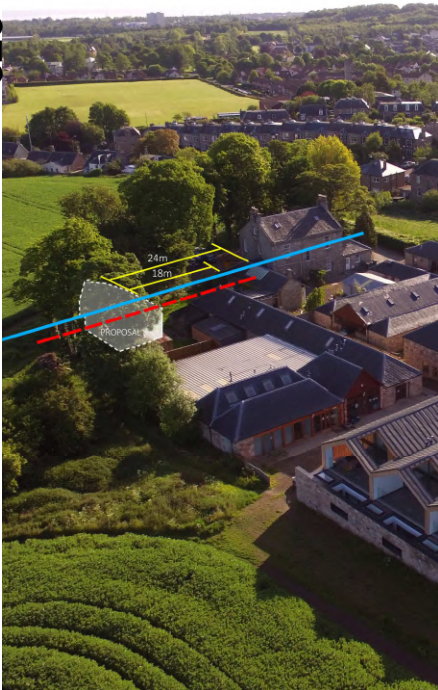
- Location to west of the farmhouse will complement, not harm, the traditional farm building layout
- New house separated to west of farmhouse by 24m, set back 3.5m from building line and set in a secluded gap site
- Will not harm views of its principal elevation from the south

#### KEY

— Proposed dwelling set back from Farmhouse frontage

- - - Proposed dwelling aligned with frontage of set-back Farmhouse wings

Page 372



TOWER MAINS FRONTAGE LINES DIAGRAMS

#### 4. HIGH QUALITY DESIGN ACHIEVES ACCEPTABLE SETTING (Des 4).

i) Officers agree :

- compliance with Des 1 - house will contribute to a 'sense of place'
- scale, height, appearance and built form compatible with Tower Mains
- materials for external elevations compatible with the 'agricultural feel' of the buildings
- all amenity standards are satisfied, including the separation distance between the new and listed houses



Page 373



PROPOSED VIEW FROM FIELDS TO THE NORTH



PROPOSED VIEW FROM DRIVEWAY

## 5. HIGH QUALITY DESIGN ACHIEVES ACCEPTABLE SETTING (Des 4).

ii) Subservient scale and position of the new house will complement, not 'crowd', the farmhouse



PHOTOMONTAGE LOCATIONS



A - PROPOSED VIEW FROM DESIRE PATH



B - PROPOSED VIEW FROM CORE PATH



PROPOSED VIEW FROM DRIVEWAY

Note -this image supports the design and architecture case. It is illustrative and not intended as a precise verified view montage.

Mozolowski + Murray.  
Greig Ramsay  
2-8 Clashburn Way  
Bridgend Industrial Estate  
Kinross  
KY13 8GA

Ms E Thompson.  
18 Redhall House Drive  
Edinburgh  
EH14 1JE

**Decision date: 24 December 2019**

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

Proposed extension and house alterations. (as amended)  
At 18 Redhall House Drive Edinburgh EH14 1JE

**Application No: 19/05125/FUL**

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 25 October 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

**Reasons:-**

1. The proposed extension in position and form would result in an incongruous addition harmful to the character and appearance of the existing lodge house, the former grounds of Redhall House and the wider streetscene. The proposal would therefore be contrary to Local Plan Policy Des 12 and the non statutory Guidance for Householders.

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

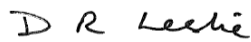
Drawings 01, 02, 03A, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposed extension in position and form would result in an incongruous addition harmful to the character and appearance of the existing dwelling and wider streetscene. The proposal would therefore be contrary to Local Plan Policy Des 12 and the non statutory Guidance for Householders.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Lewis McWilliam directly on 0131 469 3988.



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

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at [www.eplanning.scot](http://www.eplanning.scot) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

## **Application for Planning Permission 19/05125/FUL At 18 Redhall House Drive, Edinburgh, EH14 1JE Proposed extension and house alterations. (as amended)**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	19/05125/FUL
<b>Wards</b>	B09 - Fountainbridge/Craiglockhart

### Summary

---

The proposed extension in position and form would result in an incongruous addition harmful to the character and appearance of the existing dwelling and wider streetscene. The proposal would therefore be contrary to Local Plan Policy Des 12 and the non statutory Guidance for Householders.

### Links

---

<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LDES12, NSG, NSHOU,
---	---------------------------

# Report of handling

## Recommendations

---

**1.1** It is recommended that this application be Refused for the reasons below.

## Background

---

### 2.1 Site description

The application concerns the stone lodge building which is historically related to Redhall House. It is located at the junction between Craiglockhart Drive South and Redhall House Drive. To the east of the site is a modern housing development and to the south lies an area of woodland.

### 2.2 Site History

The site has the following planning history:

24 March 2014 - Retrospective permissions required for the works to trees within Redhall House Drive - Granted (Ref: 14/01076/TPO).

27 August 2008 - Variation to planning approval (07/00287/CEC), to remove the patio area and alter the front door arrangement + associated alterations for security purposes, reinstate window on stone boundary wall - Granted (Ref: 08/02741/FUL).

21 March 2007 - Proposed internal alterations and rear extension - Approved (Ref: 07/00287/CEC).

Enforcement History:

2 October 2009 - Alleged, unauthorised erection of wooden fence - Fence removed - No Further Action (Ref: 09/00516/EOPDEV).

## Main report

---

### 3.1 Description Of The Proposal

The application proposes the following works;

-Single storey extension.

Not Development

Internal alterations

### 3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### 3.3 Assessment

To address these determining issues, it needs to be considered whether:

- a) the proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;
- b) the proposal will not cause an unreasonable loss to neighbouring amenity; and
- c) any comments raised have been addressed

a) Scale, form, design and neighbourhood character

Policy Des 12 of the Edinburgh City Local Plan and non-statutory 'Guidance for Householders' sets out relevant design criteria for alterations and extensions. In essence, these seek to ensure that alterations and extensions are compatible with the character of the existing dwelling and that of the wider locality.

The property is a former lodge house located in a visible location on the corner plot between Redhall House Drive and Craiglockhart Drive South. As a result, it is visible and adds to the amenity of the area, forming the entry and exit point into the former grounds of Redhall House. Whilst the property has already been extended, the original lodge character is still evident and the existing extensions are generally subservient to the original property. The original stone elevation to the south west remains particularly visible.

There is a uniform design to the building as viewed from Redhall House Drive where the principal elevation is located. The later additions are in white render and they mirror the hipped roof form of the original building and project from this roofscape in a similar manner. This results in a coherent design to the overall building and the original character of the stone lodge house is retained.

The proposed extension would project beyond the existing footprint and would impinge on the original stone south west elevation of the lodge property and this adversely impacts on the lodge character in terms of the individual building but also the wider Redhall House grounds.

It is noted that the revised scheme is more in-keeping with the existing dwelling in terms of window design and materials. However, its projection forward of the existing

building in tandem with its detachment from the existing house would break from the coherent design on this principal elevation and appear an obtrusive and incongruous addition.

In light of this, the proposal in position and form would have an adverse impact on the character and appearance of the lodge house and the wider streetscene. The proposal would be contrary to Local Plan Policy Des 12, and the non statutory Guidance for Householders.

#### b) Neighbouring Amenity

In regard to privacy, the non-statutory guidance recommends that windows should normally be positioned at least 9m from any common boundary. However, that ground floor windows can sometimes be closer than 9m if they can be sufficiently screened by boundary treatment.

The proposed openings would meet this guidance and face the applicant's own garden / adjacent street therefore do not raise any issues to neighbours privacy.

Further the proposal would have no impact on daylight or sunlight to neighbouring property windows and garden spaces.

In light of the above, the proposal in terms of neighbouring amenity accords with the Local Plan Policy Des 12, and the non-statutory Guidance for Householders.

#### c) Public comments

No public comments have been received.

It is recommended that this application be Refused for the reasons below.

### 3.4 Conditions/reasons/informatives

#### Reasons:-

1. The proposed extension in position and form would result in an incongruous addition harmful to the character and appearance of the existing lodge house, the former grounds of Redhall House and the wider streetscene. The proposal would therefore be contrary to Local Plan Policy Des 12 and the non statutory Guidance for Householders.

## Risk, Policy, compliance and governance impact

---

**4.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

---

### **5.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Consultation and engagement**

---

### **6.1 Pre-Application Process**

### **6.2 Publicity summary of representations and Community Council comments**

No representations have been received.

## **Background reading / external references**

---

- To view details of the application go to
- [Planning and Building Standards online services](#)

**Statutory Development****Plan Provision**

Policies - Edinburgh Local Development Plan - Urban Area

**Date registered**

25 October 2019

**Drawing numbers/Scheme**01, 02, 03A,  
Scheme 2

David R. Leslie  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer  
E-mail:lewis.mcwilliam@edinburgh.gov.uk Tel:0131 469 3988

**Links - Policies**

---

**Relevant Policies:****Relevant policies of the Local Development Plan.**

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

**Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

# Appendix 1

## Consultations

---

No Consultations received.

END



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100194604-004

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number:  You must enter a Building Name or Number, or both: \*

First Name: \*  Building Name:

Last Name: \*  Building Number:

Telephone Number: \*  Address 1 (Street): \*

Extension Number:  Address 2:

Mobile Number:  Town/City: \*

Fax Number:  Country: \*

Postcode: \*

Email Address: \*

Is the applicant an individual or an organisation/corporate entity? \*

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="E"/>	Building Number: <input type="text" value="18"/>
Last Name: *	<input type="text" value="THOMPSON"/>	Address 1 (Street): * <input type="text" value="REDHALL HOUSE DRIVE"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="EDINBURGH"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH14 1JE"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="18 REDHALL HOUSE DRIVE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH14 1JE"/>

Please identify/describe the location of the site or sites

Northings	<input type="text" value="670186"/>	Easting	<input type="text" value="322080"/>
-----------	-------------------------------------	---------	-------------------------------------

## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Proposed extension and house alterations.

## Type of Application

What type of application did you submit to the planning authority? \*

- ☒ Application for planning permission (including householder application but excluding application to work minerals).
- ☐ Application for planning permission in principle.
- ☐ Further application.
- ☐ Application for approval of matters specified in conditions.

What does your review relate to? \*

- ☒ Refusal Notice.
- ☐ Grant of permission with Conditions imposed.
- ☐ No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

STATEMENT UPLOADED IN SUBMISSION SECTION.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

☐ Yes ☒ No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

SUPPORTING STATEMENT. 01 LOCATION PLAN 03 PROPOSED FLOOR PLAN 04 PROPOSED NORTH WEST ELEVATION 05 PROPOSED SOUTH WEST & SOUTH EAST ELEVATIONS 06 EXISTING FLOOR PLAN AND SITE PHOTO

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

19/05125/FUL

What date was the application submitted to the planning authority? \*

25/10/2019

What date was the decision issued by the planning authority? \*

24/12/2019

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

☒ Yes ☐ No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

☒ Yes ☐ No

Is it possible for the site to be accessed safely and without barriers to entry? \*

☒ Yes ☐ No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

☒ Yes ☐ No

Have you provided the date and reference number of the application which is the subject of this review? \*

☒ Yes ☐ No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

☒ Yes ☐ No ☐ N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

☒ Yes ☐ No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

☒ Yes ☐ No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Greig Ramsay

Declaration Date: 30/01/2020

**Proposal Details**

Proposal Name	100194604
Proposal Description	PROPOSED EXTENSION AND HOUSE ALTERATIONS
Address	18 REDHALL HOUSE DRIVE, EDINBURGH, EH14 1JE
Local Authority	City of Edinburgh Council
Application Online Reference	100194604-004

**Application Status**

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

**Attachment Details**

Notice of Review	System	A4
SUPPORTING STATEMENT	Attached	A4
ORIGINAL HOUSEHOLDER APPLICATION FORM	Attached	A4
DECISION NOTICE	Attached	A4
REPORT OF HANDLING	Attached	A4
SITE LOCATION PLAN - 01	Attached	A3
PROPOSED FLOOR PLAN - 03	Attached	A3
PROPOSED NORTH WEST ELEVATION - 04	Attached	A3
PROPOSED SOUTH WEST AND SOUTH EAST ELEVATIONS - 05	Attached	A3
EXISTING FLOOR PLAN AND SITE PHOTO - 06	Attached	A3
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-004.xml	Attached	A0

## **SUPPORTING STATEMENT**

Town and Country Planning (Scotland) Acts

Notice of Review of Decision by City of Edinburgh Chief Planning Officer

Planning Application – Sunroom Extension to House, 18 Redhall House Drive, Edinburgh, EH14 1JE

Planning Application Reference No. 19/05125/FUL

### **Introduction**

On 25<sup>th</sup> October 2019, an application for planning permission was submitted to the Council for a modest, single storey extension to the side of our client's house at 18 Redhall House Drive on the south side of Edinburgh. The proposed sunroom would extend from an existing study, with double width entrance doors providing access to and from the surfaced front garden.

Following receipt of the Planning Officer's comments on 22<sup>nd</sup> November, amended plans were submitted for approval on 2<sup>nd</sup> December. Regrettably, despite the various changes, the officer was unable to lend his support to the development. The application for planning permission was refused on 24<sup>th</sup> December 2019. The reason for the decision was as follows.

**The proposed extension in position and form would result in an incongruous addition, harmful to the character and appearance of the existing lodge house, the former grounds of Redhall House and the wider street scene. The proposal would therefore be contrary to Local Plan Policy DES 12 and the non-statutory guidance for Householders.**

Having read the Report of Handling for this Local Delegated Decision, and noted the determining issues, we are naturally disappointed with the content, the absence of important detailed analysis, the general balance of reporting and the consequential conclusions. We believe there are no reasonable grounds for withholding planning permission, and therefore invite the Local Review Body (LRB) to grant planning permission, subject to any conditions it sees fit.

### **Grounds of Appeal / Review**

We would like the members of the LRB to carefully consider the following information and analysis which represents the grounds of review.

1. The Planning Officer's Report of Handling identifies three determining issues. Of these, he concludes that the development complies with two of the criteria. Firstly, in relation to privacy, daylight and sunlight enjoyed by neighbouring properties, the proposal will not cause any unreasonable loss of amenity. And secondly, no adverse public comments were received.
2. The only other determining issue is therefore the scale, form and design of the extension, in the context of local plan policy guidance. Accordingly, within that same local plan context, we assume that the plans meet all other local plan policy tests that may be relevant, including those relating to amenity, safety and sustainable development. Arguably, therefore, despite the tests set out in Policy Des 12, the proposals otherwise enjoy broad local plan support. As a footnote to this, we know that it is the Local Plan which must form the basis of decision making. And yet, in all the correspondence with the Planning Officer, reference to the Local Plan was conspicuously absent. The impression was that the assessment relied on the officers personal views expressed out with this planning policy framework.
3. However, turning to what emerges from the Report of Handling as the key issue, namely guidance on form and design set out in Policy DES 12, we would ask members of the LRB to consider carefully the following observations.

The planning officer initially had three areas of concern: the position forward of the existing study; the detachment of the roof from the existing roof; and the predominant use of glazing. In response, we submitted the amended drawings that are now before the LRB for decision.

The officer then said that "any projection forward of the side wall of the study room appears a little disjointed." He added that "the design of the roof should match the existing, with the hip roof continued at the existing height." We received no other comments on the submission, although the final report acknowledges that the revised scheme is more in keeping with the existing house in terms of the window design and materials.

If we untangle these comments, the LRB needs to decide whether the position of the extension and roof design are substantive grounds for refusing planning permission for this small addition to our client's house. To assist members of the LRB reach an informed decision, we set out below the key influences and parameters that guided the design process, and the **precise** factors that persuade us that the proposals are acceptable.

**(i). The study room itself is not an original part of the lodge house. It was a later addition.**

**(ii). The side wall of the study is almost 6 metres behind the principal elevation of the house, that being the wall facing Redhall House Drive.**

**(iii). The extension, although clearly visible from the adjacent road, will be more than 4 metres behind that same front elevation.**

**(iv). The position of the extension makes productive use of underused driveway space and safeguards the raised back garden. This is a commendable approach, and one that could not be achieved by following the approach advocated by the planning officer.**

**(v). The surrounding area, once the grounds of Redhall House, is now characterised by a relatively new, high quality, housing development. The houses, and public spaces, have been designed to a high standard. Each of these houses have an often-complex mix of walls, roofs, terraces, openings and projections. In many respects, the position of the**

**planned extension emulates the design themes expressed in this new environment. We are at a complete loss to understand how our proposal affects the former grounds of Redhall House and the wider street scene, as expressed in the reason for the refusal of planning permission. It is a completely misleading statement, if not factually incorrect. (vi). Many of the specific design features of the existing house are captured in the extension. Eg the wallhead height is unchanged; The smooth wall render will be repeated throughout; The pattern, proportions and cill height of window openings is maintained; The 30-degree roof pitch will continue; And the roof will be clad in matching slate. With these collective circumstances, it is regrettable to find the decision notice expressing terms such as incongruous and harmful without clear explanation.**

So these are some of the compelling factors to be weighed against the somewhat looser assertions of uniformity, visibility and coherent design expressed in the Report of Handling that appear to have driven the final decision to withhold planning permission. The report also suggests that the extension would somehow “impinge” on the original south west stone elevation. This is wrong. For the avoidance of doubt, the original stonework that, perhaps more than anything else, contributes to the character of the house, is completely untouched by our proposals. The character of the original lodge house will remain intact.

## **Conclusion**

It was disappointing to find that not only had the Planning Officer been unable to support our original proposals to add a small sunroom onto this house at Redhall House Drive, but he then decided that our changes were insufficient to overcome an apparent area of design policy conflict. Our examination of the circumstances reveals that, on closer inspection, there can be no reasonable interpretation of policy conflict. Our reading of the officer’s approach is that he was striving for what was perceived to be an optimum design solution, and in principle, we would not be critical of that stance as a starting point in any planning assessment process. However, that cannot be the foundation for any decision to withhold planning permission. We have presented (amended) proposals which enjoy broad policy support, safeguard the character of the house, and which have attracted no objections from any 3<sup>rd</sup> party. Our client simply wishes to continue to invest in the fabric of the property in a sustainable manner, and we respectfully urge members of the LRB to grant planning permission in these favourable circumstances.



Site Photograph  
scale : 1.100

**Mozolowski & Murray**

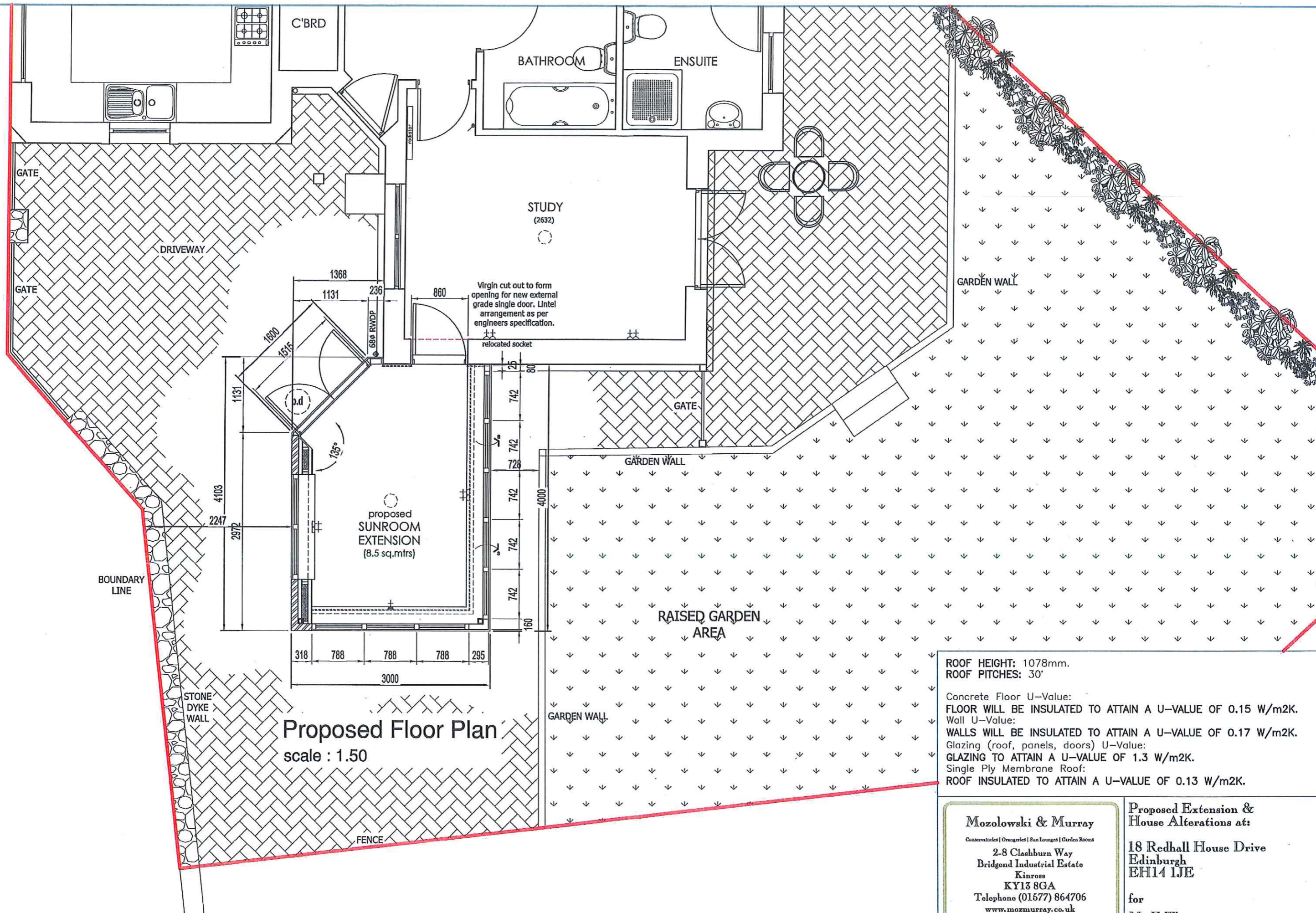
Conservatories | Orangeries | Sun Lounges | Garden Rooms  
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Kinross  
KY13 8GA  
Telephone (01577) 864706  
www.mozmurray.co.uk

**Proposed Extension &  
House Alterations at:**

18 Redhall House Drive  
Edinburgh  
EH14 1JE

for  
Ms E Thompson

Drawn: Greig Ramsay	Date: 18/10/2019	Drawing No.: 06	Contract: 11247	Revision
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ROOF HEIGHT: 1078mm.  
ROOF PITCHES: 30°

Concrete Floor U-Value:  
FLOOR WILL BE INSULATED TO ATTAIN A U-VALUE OF 0.15 W/m<sup>2</sup>K.

Wall U-Value:  
WALLS WILL BE INSULATED TO ATTAIN A U-VALUE OF 0.17 W/m<sup>2</sup>K.

Glazing (roof, panels, doors) U-Value:  
GLAZING TO ATTAIN A U-VALUE OF 1.3 W/m<sup>2</sup>K.

Single Ply Membrane Roof:  
ROOF INSULATED TO ATTAIN A U-VALUE OF 0.13 W/m<sup>2</sup>K.

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### Proposed Extension & House Alterations at:

18 Redhall House Drive  
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EH14 1JE

for  
Ms E Thompson

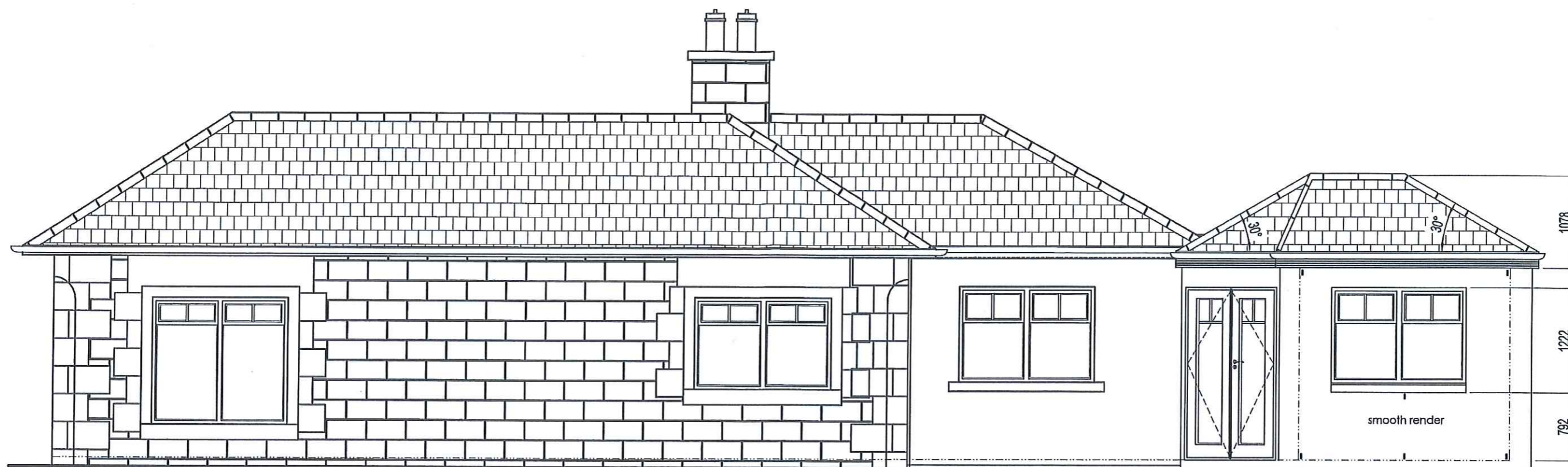
Drawn:  
Greig Ramsay

Date: 18/10/2019

Drawing No.:	03
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Contract:	11247
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Revision
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PLATFORM or STEP NOT REQUIRED  
AS GROUND TO FLOOR LEVEL IS  
LESS THAN 170mm.

**Proposed North West Elevation**  
scale : 1.50



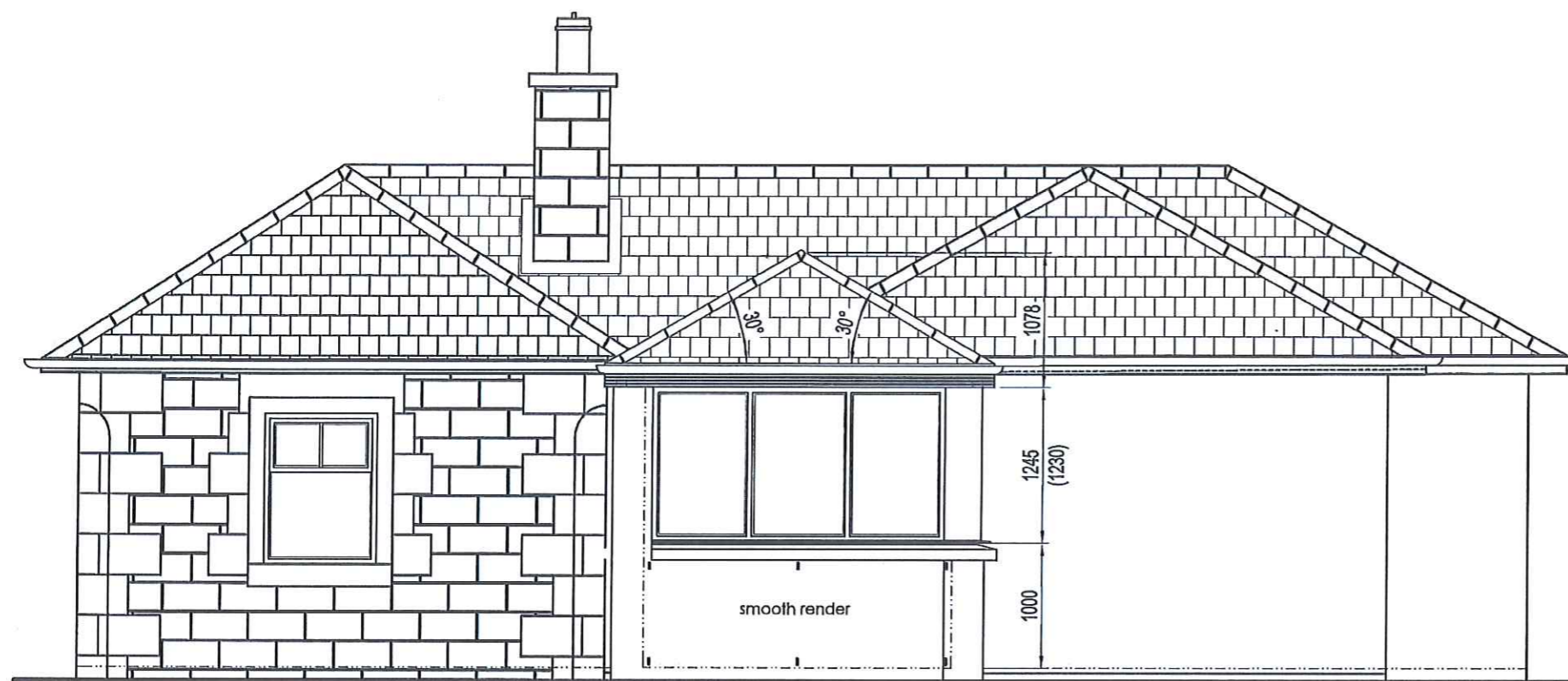
**Existing North West Elevation**  
scale : 1.50

DISTANCE TO NORTH WEST BOUNDARY = 2.24m  
2.24 x 6 = 13.44 sq.mtrs (UNPROTECTED  
AREA ALLOWED).  
Actual unprotected area adjacent to boundary  
= 6.13 sq.mtrs.  
DISTANCE TO SOUTH WEST BOUNDARY = 3.22m  
3.22 x 6 = 19.32 sq.mtrs (UNPROTECTED  
AREA ALLOWED).  
Actual unprotected area adjacent to boundary  
= 4.21 sq.mtrs.

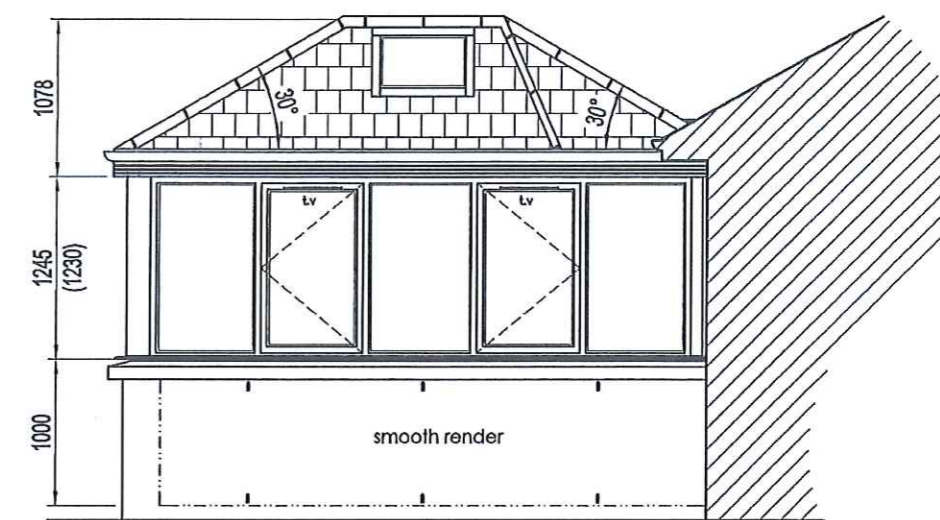
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**Proposed Extension &  
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Edinburgh  
EH14 1JE**  
for  
**Ms E Thompson**

Drawn: Greig Ramsay	Date: 18/10/2019	Drawing No.: 04	Contract: 11247	Revision
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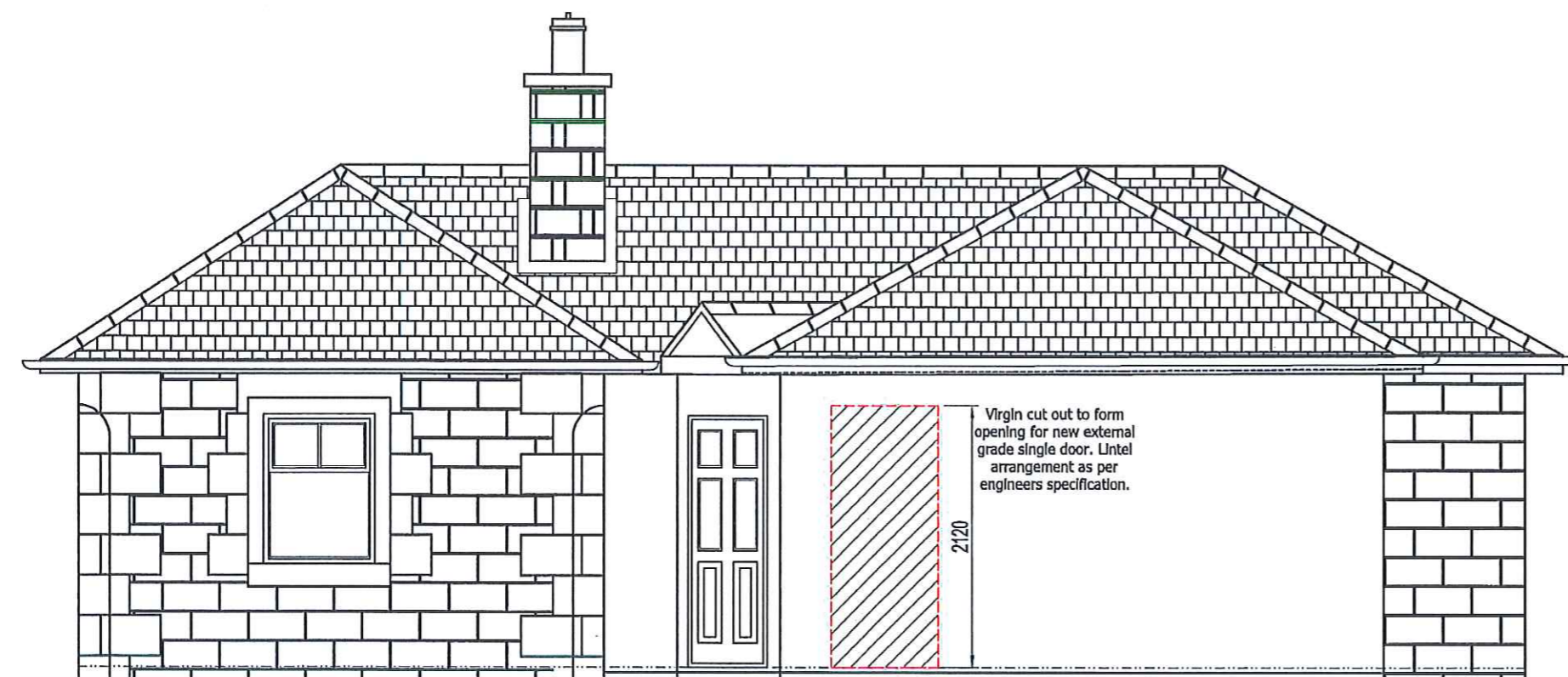


Proposed South West Elevation  
scale : 1.50

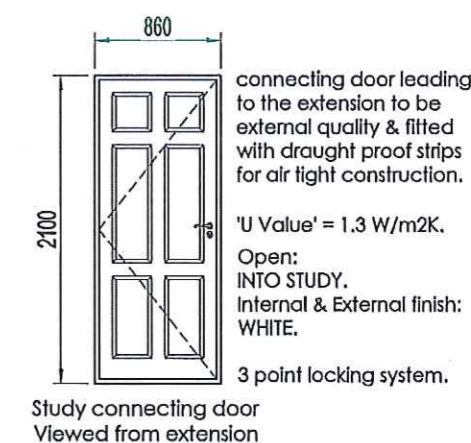


Proposed South East Elevation  
scale : 1.50

*BED-JOINT REINFORCEMENT:  
STAINLESS STEEL BRICKFORCE SBF40W60  
BED-JOINT REINFORCEMENT TO BE USED IN  
EVERY COURSE OF EXTERNAL LEAF.*



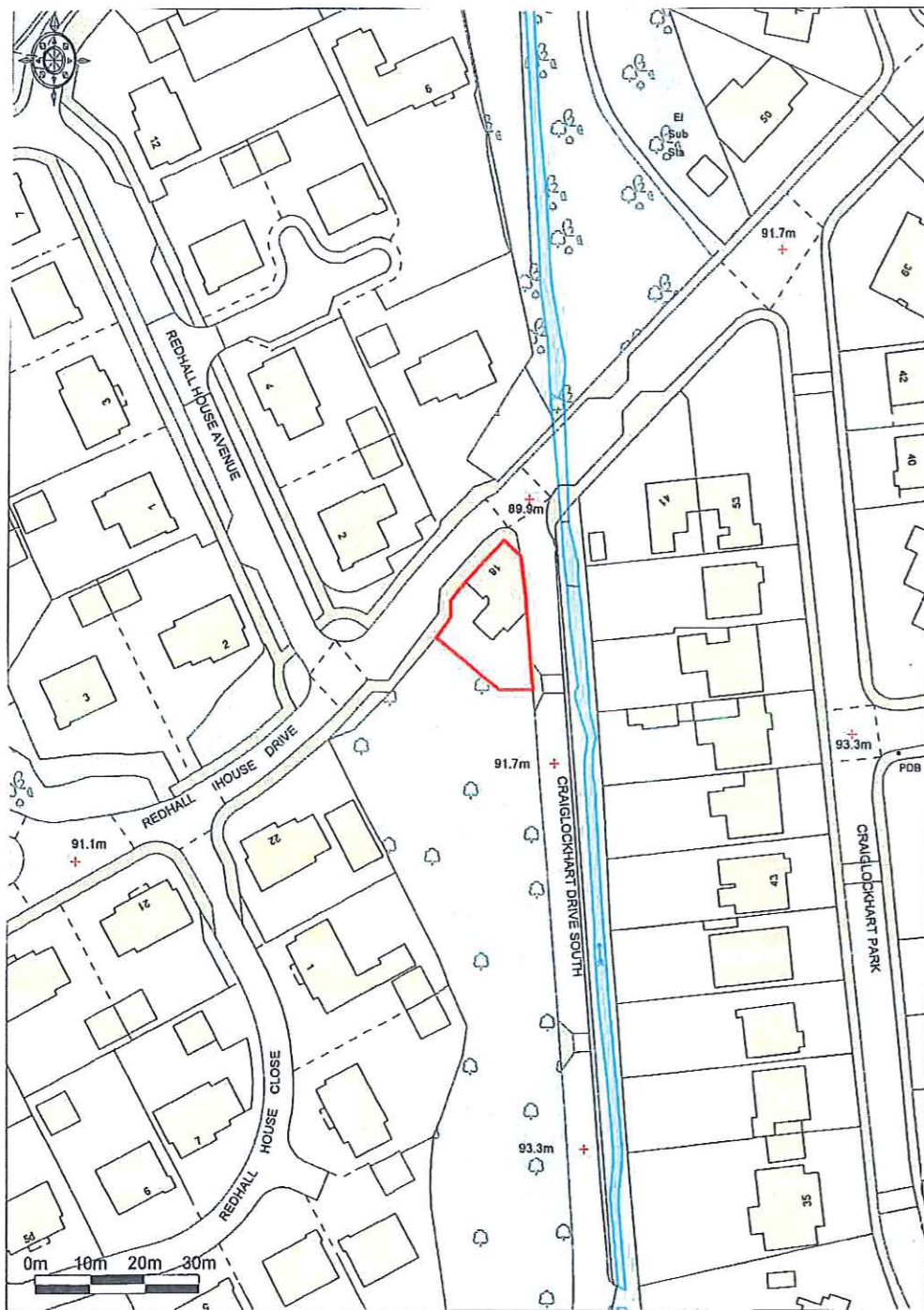
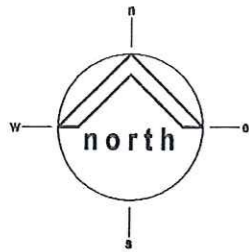
Existing South West Elevation  
scale : 1.50



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**Edinburgh**  
**EH14 1JE**  
**for**  
**Ms E Thompson**

Drawn: Greig Ramsay	Date: 18/10/2019	Drawing No.: 05	Contract: 11247	Revision
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**Site Location Plan**  
scale : 1.1250



**Site Layout Plan**  
scale : 1.500

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Drawn: Greig Ramsay	Date: 18/10/2019	Drawing No.: 01	Contract: 11247	Revision
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