

Notice of meeting and agenda

Planning Local Review Body (Panel 2)

10.00 am Wednesday, 5th August, 2020

Meeting will be held by Teams

This is a public meeting and members of the public are welcome watch the live webcast on the Council's website.

Contacts

Email: sarah.stirling@edinburgh.gov.uk

Tel: 0131 529 3009

1. Appointment of Convener

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

2. Order of Business

- 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

- 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

- 4.1** Minute of the Local Review Body (Panel 2) of 27 May 2020 – 7 - 18
submitted for approval as a correct record.

5. Local Review Body - Procedure

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

6. Requests for Review

- 6.1** 30 Belmont Gardens, Edinburgh – Proposed additional storey to previously approved side extension at 30 Belmont Gardens, Edinburgh (14/04547/FUL) as varied (14/04547/VARY) – application no 20/00546/FUL 23 - 80
- (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** 3 Fingal Place, Edinburgh – Convert the existing roof to create a decking area with a sun room attached – application no 20/00099/FUL 81 - 108
- (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 only.
-
- 6.3** 20 Regent Terrace, Edinburgh – Small glass extension at ground level with spa in basement courtyard and outhouse – application no 18/08379/FUL 109 - 142
- (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 only.
-
- 6.4** 8 Saughton Road North, Edinburgh – Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of four new residential flats – application no 19/05935/FUL 143 - 202

- (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 only.

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

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 3 (Listed Buildings - Setting)

Edinburgh Local Development Plan Policy ENV 4 (Listed Buildings - Alterations and Extensions)

Edinburgh Local Development Plan Policy ENV 6 (Conservation Areas - Development)

Edinburgh Local Development Plan Policy HOU 1 (Housing Development)

Edinburgh Local Development Plan Policy HOU 4 (Housing Density)

8. Non-Statutory Guidance

8.1 [Corstorphine Conservation Area Character Appraisal](#)

[Edinburgh Design Guidance](#)

[Guidance for Householders](#)

[Listed Buildings and Conservation Areas](#)

[Managing Change in the Historic Environment: Extensions](#)

[The New Town Conservation Area Character Appraisal](#)

Note: The above policy background papers are available to view on the Council's website 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

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)

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. Meetings are currently being held remotely in order to comply with the Scottish Government's recommendation to practice social distancing and the live webcast can be viewed from the Council's [Webcast Library](#).

Further information

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.

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.

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

Webcasting of Council Meetings

Please note this meeting may be filmed for live and subsequent broadcast via the Council's internet site – at the start of the meeting the Convener will confirm if all or part of the meeting is being filmed.

The Council is a Data Controller under the General Data Protection Regulation and Data Protection Act 2018.

We broadcast Council meetings to fulfil our public task obligation to enable members of the public to observe the democratic process.

Data collected during this webcast will be retained in accordance with the Council's published policy including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Any information presented by individuals to the Council at a meeting, in a deputation or otherwise, in addition to forming part of a webcast that will be held as a historical record, will also be held and used by the Council in connection with the relevant matter until that matter is decided or otherwise resolved (including any potential appeals and other connected processes). Thereafter, that information will continue to be held as part of the historical record in accordance with the paragraphs above.

If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial

damage or distress to any individual, please contact Committee Services (committee.services@edinburgh.gov.uk).

This page is intentionally left blank

Minutes

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

10.00am, Wednesday 27 May 2020

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

1. Appointment of Convener

Councillor Munn was appointed as Convener.

2. Minutes

To approve the minute of the Local Review Body (LRB Panel 2) of 11 March 2020 as a correct record.

3. Planning Local Review Body Procedure

Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted)

4. Request for Review – 2 Bangholm Road, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the single-storey extension to front, side and rear of existing end-terrace dwelling and related alterations at 2 Bangholm Road, Edinburgh. Application no 19/05705/FUL.

Assessment

At the meeting on 27 May 2020, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

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 01-02, Scheme 1, being the drawings shown under the application reference number 19/05705/FUL on the Council's Planning and Building Standards Online Services.

The Planning Adviser also brought to the LRB's attention new information regarding other properties in the area having similar porches over the front door. 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:

- Guidance was sought on whether the proposal would be classified as a porch or an extension and what the guidance allowed under permitted development. The LRB were advised that the proposal significantly exceeded the floor area allowed for a porch under permitted development.
- Clarification on the boundary wall which was higher than the overall height of the porch.
- That the boundary fence was considered acceptable and why a mixed decision had not been issued by officers. The LRB were advised that this request was to primarily to consider whether the extension was permissible.
- For further information to be provided on the conversation with the applicant on dimensions of the extension. The LRB were advised that the report of handling and the statement of reasons indicated there had been a discussion regarding reducing the size of the front porch but that the application had not been amended.
- Whether it was appropriate to take into consideration the appellant's submission regarding the proposal being designed to account for the climate crisis.
- Further details were requested on how far forward the porch sat in relation to the bay window which were provided.
- That the predominant issue was the significant size of the wraparound porch.
- That there had been no objections from neighbours regarding the porch.
- That the proposal would improve the condition of the property.

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 the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would be detrimental to neighbourhood amenity and the character of the property.
2. The proposals were contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as it would be detrimental to neighbourhood amenity and the character of the property.

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

Dissent

In accordance with Standing Order 19.13, Councillor Rose requested that his dissent to the above decision be recorded.

5. Request for Review – 1 Commercial Street, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the new decking area for external tables and chairs including a parasol with 4m cover, portable planters with perspex sound diffusers (in retrospect) at 1 Commercial Street, Edinburgh. Application no 19/04799/FUL.

Assessment

At the meeting on 27 May 2020, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

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 19/05705/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had insufficient information before it and agreed to visit the site before determining the review.

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 1 (Design Quality and Context)
Edinburgh Local Development Plan Policy DES 5 (Development Design - Amenity)

Edinburgh Local Development Plan Policy DES 8 (Public Realm and Landscape Design)

Edinburgh Local Development Plan Policy DES 10 (Waterside Development)

Edinburgh Local Development Plan Policy RET 11 (Food and Drink Establishments)

2) Relevant Non-Statutory Guidelines.

‘Guidance for Businesses’

‘The Leith Conservation Area Character Appraisal’

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 it would be difficult to fully to determine the matter without further information on the site and that a site visit would be beneficial, although the difficulties of arranging this with the current Covid-19 situation were recognised. The LRB decided to ask questions of the Planning Adviser to determine whether a site visit would be necessary.
- Whether any photographs of the decking in situ had been submitted and confirmation that the appellant had not submitted any.
- Whether the decking was removable and whether a site visit could clarify this matter.
- That there were concerns regarding the potential noise impact and whether there had been any complaints regarding the noise. The LRB were advised there had been no noise complaints and that the site was operating within its conditions set by Licensing.
- Whether a response could be requested from Environmental Protection on the proposal.
- That the number of representations appeared to be low and whether the required neighbour notifications had all been issued, including whether the Water of Leith Conservation Trust had been notified.

Conclusion

Having taken all the above matters into consideration the LRB felt that they had insufficient information before it and agreed to continue consideration of the matter in order to allow for a site visit before determining the review, to request a response from Environmental Health on this proposal and to confirm that the required neighbour notifications had been issued.

Decision

To continue consideration of the request for review in order to:

1. Allow for a site visit to be conducted safely under social distancing measures.
2. Request a response from Environmental Protection on this proposal.
3. Confirm that the required neighbour notifications had been issued.

The request for review would be further considered by the LRB at a future meeting, once the information requested had been made available and the appropriate arrangements for a site visit had been cleared by the Chief Planning Officer in order to ensure the Council was fully compliant with the Scottish Government's recommendation to practice social distancing.

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

6. Request for Review – 79 Durham Square, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission to erect a dwelling within garden ground at 79 Durham Square, Edinburgh. Application no 19/04925/FUL.

Assessment

At the meeting on 27 May 2020, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the decision notice and the report of handling.

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, 02A, 03A, Scheme 2, being the drawings shown under the application reference number 19/04925/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 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 HOU 1 (Housing Development)
Edinburgh Local Development Plan Policy HOU 4 (Housing Density)
- 2) Relevant Non-Statutory Guidelines.
'Edinburgh Design Guidance'
- 3) The procedure used to determine the application.

- 4) The reasons for refusal and the arguments put forward in the request for a review.

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 in the applicant's submission there appeared to be a house of similar character opposite the property and whether further information could be provided on this. The LRB were advised that the property referred to in the statement was not a new build and that there was significantly more space between neighbouring properties for this house than for the proposal.

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 policy Des 1 of the Edinburgh Local Development Plan as the modern design and the use timber cladding bore no relation to the traditional building materials used in the area. The introduction of a mono-pitched roof in an area characterised by slate, hipped roofs would also be out of character. The proposal would not respect the character and appearance of the surrounding area.
2. The proposal was contrary to policy Des 4 of the Edinburgh Local Development Plan in that the sub-division of the garden of No. 79 Durham Avenue would result in the formation of two small gardens which would not be characteristic of the area. The introduction of a mono-pitched roof would be visually prominent given that it would be 50 cm higher than the roofs of surrounding properties and the area was characterised by hipped roofs. The proposal would not contribute positively to the setting of the area.
3. The proposal was contrary to policy Des 5 of the Edinburgh Local Development Plan as it represented overdevelopment of the site and would prevent opportunities for adaptability for the future needs of different occupiers.
4. The proposal was contrary to policy Hou 3 of the Edinburgh Local Development Plan in that the amenity space put forward for the new development did not make adequate provision for green space to meet the needs of future and current residents. In addition, it would be contrary to Edinburgh Design Guidance which expected private gardens to be of a reasonable size, adaptable and designed for a range of functions.
5. The proposal was contrary to LDP policy Hou 4 as it disrupted the established character of the area and would not create an attractive residential environment.

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

7. Request for Review – 25 Peffer Bank, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the construction of a building to replace previous in-situ structures and for its use for Class 11 (leisure) purposes at 25 Peffer Bank, Edinburgh. Application no 19/04874/FUL.

Assessment

At the meeting on 27 May 2020, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

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, being the drawings shown under the application reference number 19/04874/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 1 (Design Quality and Context)

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

Edinburgh Local Development Plan Policy EMP 9 (Employment Sites and Premises)

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

Edinburgh Local Development Plan Policy RET 7 (Entertainment and Leisure Developments - Preferred Locations)

Edinburgh Local Development Plan Policy RET 8 (Entertainment and Leisure Developments - Other Locations)

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

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

- 2) Relevant Non-Statutory Guidelines.

'Edinburgh Design Guidance'

- 3) The procedure used to determine the application.

- 4) The reasons for refusal and the arguments put forward in the request for a review.

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 Environmental Protection were consulted on the proposal and confirmation that this was not deemed necessary due to the proposed change of use to Class 11 which was not generally compatible with a residential area.
- Confirmation on the current use of the site and whether this would result in potential noise disturbances for neighbouring properties. The LRB were advised that the site was currently a Class 4 use which could acceptably be adjacent to residential properties and would not result in adverse noise.
- Whether the portacabin that previously occupied the site had planning consent or permitted development. While there was no information available on planning permission the LRB were advised that the portacabin was part of the previous business premises.
- It was felt that there was an undersupply of this type of premise in the area and it currently served the area well.
- That the premises were on the point where residential transitioned into industrial and would therefore be in keeping with the area.
- There were, however, concerns that the broad category of uses under Class 11 could allow the premises to be used inappropriately for the area.
- Whether the hours of operation could be conditioned to limit disturbance to neighbouring properties.
- Whether it would be suitable to also include a condition on noise impact to limit the impact of noise disturbance on neighbouring properties.
- Whether it was possible to include a condition or informative on private cycle parking. The LRB were advised that there was limited space available to include this and so it would be difficult to condition.

Conclusion

Having taken all the above matters into consideration, the LRB finally determined that premises served the area well and that there was an undersupply of such premises in the area, that there was no indication of there being a noise impact on neighbouring residents and that the premises would be in keeping with the area.

Decision

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

- 1. The following conditions:**

- (a) Details of the sound attenuation scheme demonstrating inaudibility for any nearby living apartment would be submitted to the Planning Authority within three months of this decision and implemented within 6 months of this decision.

Reason:

To ensure there would be no significant noise impact caused by the use of the premises on the neighbouring residential properties.

- (b) The hours of operation of the premises would be limited from 7am to 10pm each day.

Reason:

To ensure there would be no significant disturbance caused by the use of the premises on the neighbouring residential area.

2. The following informatives:

- (a) The development hereby permitted would be commenced no later than the expiration of three years from the date of this consent.
- (b) No development would 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 be given in writing to the Council.
- (d) To explore the options to provide cycle parking on the premises in order to comply with LDP Policy Tra 3 (Private Cycle Parking).

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

8. Request for Review – 358 South Gyle Road (at Land 24m West of), Edinburgh

Details were submitted of a request for a review for the refusal of planning permission in principle for the erection of a single dwelling house including car parking space at 358 South Gyle Road (at Land 24m West of), Edinburgh. Application no 19/04343/PPP.

Assessment

At the meeting on 27 May 2020, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

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 01-02, being the drawings shown under the application reference number 19/04343/PPP 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 DEL 4 (Edinburgh Park/South Gyle)
Edinburgh Local Development Plan Policy DES 1 (Design Quality and Context)
Edinburgh Local Development Plan Policy DES 5 (Development Design - Amenity)
Edinburgh Local Development Plan Policy ENV 12 (Trees)
Edinburgh Local Development Plan Policy ENV 21 (Flood Protection)
Edinburgh Local Development Plan Policy HOU 1 (Housing Development)
Edinburgh Local Development Plan Policy HOU 4 (Housing Density)
Edinburgh Local Development Plan Policy TRA 2 (Private Car Parking)
- 2) Relevant Non-Statutory Guidelines.
'Edinburgh Design Guidance'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

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 the proposal would be contrary to policies Hou 1, Hou 4, Des 1, Des 4 Env 12 and Env 21 of the adopted Edinburgh Local Development Plan as it would have an adverse impact on the character and appearance of the surrounding area, would result in the loss of trees and landscaping worthy of retention, would not create a satisfactory residential environment and raised issues in respect of road maintenance and flood prevention.

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:

The proposal was contrary to policies Hou 1, Hou 4, Des 1, Des 4 Env 12 and Env 21 of the adopted Edinburgh Local Development Plan as it would have an adverse impact on the character and appearance of the surrounding area, would result in the loss of trees and landscaping worthy of retention, would not create a satisfactory residential environment and raises issues in respect of road maintenance and flood prevention.

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

This page is intentionally left blank

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.

This page is intentionally left blank

Andrew Megginson Architecture.
FAO: Andrew Megginson
No. 1
29 Jamaica Mews
New Town
Edinburgh
EH3 6HL

Mr Ronnie Hay.
30 Belmont Gardens
Edinburgh
EH12 6JH

Decision date: 3 April 2020

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

Proposed additional storey to previously approved side extension at 30 Belmont Gardens, Edinburgh (14/04547/FUL) as varied (14/04547/VARY).
At 30 Belmont Gardens Edinburgh EH12 6JH

Application No: 20/00546/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 5 February 2020, 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 is contrary to Edinburgh Local Development Plan Policy Des 12 on extensions and alterations as its scale, form and position would result in a dominant and incongruous addition which would adversely impact on the character and appearance of the existing buildings and neighbourhood character.
2. The proposed extension is contrary to the non-statutory Guidance for Householders as its scale, form and position would result in a dominant and

incongruous addition which would adversely impact on the character and appearance of the existing buildings and neighbourhood character.

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 proposed extension in scale, form and position would result in a dominant and incongruous addition which would have an adverse impact on the character and appearance of the existing buildings and neighbourhood character contrary to Edinburgh Local Development 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 or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email localreviewbody@edinburgh.gov.uk.

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

Report of Handling

**Application for Planning Permission 20/00546/FUL
At 30 Belmont Gardens, Edinburgh, EH12 6JH
Proposed additional storey to previously approved side
extension at 30 Belmont Gardens, Edinburgh (14/04547/FUL)
as varied (14/04547/VARY).**

Item	Local Delegated Decision
Application number	20/00546/FUL
Wards	B06 - Corstorphine/Murrayfield

Summary

The proposed extension in scale, form and position would result in a dominant and incongruous addition which would have an adverse impact on the character and appearance of the existing buildings and neighbourhood character contrary to Edinburgh Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders.

Links

<u>Policies and guidance for this application</u>	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 proposal relates to a detached property located on the northern side of Belmont Gardens within a primarily residential area

2.2 Site History

The site has the following planning history:

21 June 2019 - Enforcement enquiry regarding alleged non-compliance with approved drawings - No Further Action (Ref:19/00207/ENCOMP)

12 April 2019 - Proposed additional storey to previously consented side extension (14/04547/FUL) as varied (14/04547/VARY) - Refused (Ref:19/00701/FUL) (14 October 2019 - Upheld by Local Review Body at Appeal)

20 February 2019 - Non-material variation for change in fenestration to front/rear and installation of grey aluminium windows - Varied (Ref: 14/04547/VARY)

16 February 2015 - Proposed erection of sunroom extension - Granted (Ref:14/045471/FUL)

3 November 2011 - Re-build roof over existing single storey and installation of dormers - Granted (Ref:11/02908/FUL)

Main report

3.1 Description Of The Proposal

The application proposes the following works;

-Additional storey to existing two-storey side extension (14/04547/FUL as varied 14/04547/VARY).

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) in their design and form, choice of materials and positioning are compatible with the character of the existing building and neighbourhood character
- b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties
- c) any material comments have been addressed

a) Scale, form, design and neighbourhood character

Local Plan Policy Des 12 seeks to ensure that alterations and extensions are compatible in design, form, and positioning with the character of the existing building and that of the streetscene. Further, the non-statutory guidance states that that extensions should not overwhelm or dominate the original form or appearance of the house or detract from the character of the area.

The proposal is for an additional storey to a previously approved and constructed two storey extension to the side of the house. The addition would be flat-roofed, set back an initial 2m from the front of the extension, of a consistent width and positioned in proximity to the boundary with no.28.

Information has been submitted to support the application which highlights omissions made from the previous scheme and the level of visibility that the addition would occupy from the street. Whilst each application is assessed on its own merits the alterations from the previous scheme are noted. The materials would mirror those existing and rooflights would be installed on the front of a similar scale to existing fenestration on the roofscape. These alterations, in isolation, would be compatible with the finish and design of the existing house and raise no concerns from this perspective.

Having considered the information regarding the proposal's level of visibility, it is recognised that the addition would be partially masked from vantage points on Belmont Gardens to the west and east of the site.

However, notwithstanding this, the height of the addition at 2m would still occupy a visually prominent position from the street facing the site. As shown on the plans, the height of the addition above street level would be marginally in excess of the neighbour's chimney stack whilst its setback from the front elevation would be

comparable. This feature is visually prominent from the front and in this regard, the proposed addition would be too. Aligned to this, its mass and form would erode the spacing between the bay window features of the proposal site and neighbouring property appearing obtrusive and lacking subservience. In this regard the addition would visually compete with the form of these existing features and appear entirely incongruous in this context of the two properties. This would adversely impact on their existing character and the immediate streetscene.

Subsequently, the proposed development would have an adverse impact on the character and appearance of these existing buildings and the surrounding area. In scale, form and design the proposal would be contrary to Local Plan Policy Des 12 and the non-statutory Guidance.

b) Residential amenity

In regard to privacy, the non-statutory guidance recommends that windows should be positioned at least 9m from the facing boundary, and 18m from neighbouring windows to limit any unreasonable impacts upon neighbouring amenity.

The windows proposed are front and rear facing. Those to the front, are within 9m of the boundary. However, they look out onto the front garden of the house and the street and in this regard raise no privacy concerns. The windows to the rear are over 9m from the facing boundary and therefore comply with guidance and would result in no material loss of privacy in this regard.

The proposal complies with the non-statutory guidance in regard to the 45 degree criteria therefore would result no adverse impact on existing daylight to neighbouring property windows.

In terms of sunlight, non-statutory guidance states that in gable to gable situations no account of sunlight will be taken unless the space between the gables is of particular amenity value. In this instance the neighbouring property is built up to the shared boundary and therefore no sunlight issues arise.

Overall, the proposal will not have any unreasonable effect on neighbouring residential amenity and accords with Local Plan Policy Des 12 and the non-statutory guidance in this regard.

c) Public comments

One objection has been received summarised as the following:

- Character and appearance - taken account of in section 3.3 a)
- Terracing effect - taken account of in section 3.3 a)
- Subservience -assessed in section 3.3 a)
- Loss of privacy/ overlooking - addressed in section 3.3 b)
- Accessibility of roof - These comments are noted. Assessment is made on the proposed plans submitted.
- Drainage - This matter is controlled under separate legislation as is not material to the assessment of this planning application.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposed extension is contrary to Edinburgh Local Development Plan Policy Des 12 on extensions and alterations as its scale, form and position would result in a dominant and incongruous addition which would adversely impact on the character and appearance of the existing buildings and neighbourhood character.
2. The proposed extension is contrary to the non-statutory Guidance for Householders as its scale, form and position would result in a dominant and incongruous addition which would adversely impact on the character and appearance of the existing buildings and neighbourhood character.

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

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

One representation has 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

5 February 2020

**Drawing
numbers/Scheme**

01, 02, 03,

Scheme 1

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

Comments for Planning Application 20/00546/FUL

Application Summary

Application Number: 20/00546/FUL

Address: 30 Belmont Gardens Edinburgh EH12 6JH

Proposal: Proposed additional storey to previously approved side extension at 30 Belmont Gardens, Edinburgh (14/04547/FUL) as varied (14/04547/VARY).

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Alan Gardner

Address: 28 Belmont Gardens, Edinburgh EH12 6JH

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. Introduction

Section 2 contains our comments in respect of submission 20/00546/FULL. Many of these refer back to previous applications and for ease of reference, we include an appendix containing the list of our original objections made in respect of the original proposal 19/00701/FUL dated March 2019. We apologise for the inevitable duplication but maintain that these considerations are all relevant in respect of this latest submission. We have attempted to submit four photographs with our submission in section 4 but have not been able to put them through the portal. We will send these to the planning department separately.

2. Response to application 20/00546/FULL: 12 February 2020

It is our view that the scale and volume of the proposals of application remain essentially unaltered from those contained, evaluated and refused in application 19/00701/FUL. For that reason, the extension must still be considered as not being subservient to the main building. That being the case the revisions have not addressed one of the main reasons for refusal of application 19/00701/FUL, also affirmed at appeal.

1. Character and Appearance

2.1.1

Specifically, it is our view that the scale and volume, height and depth, of the proposals that were refused (again, having gone through the full appeal process) remain essentially unaltered. With reference to both the original extension proposal 04547 accepted in 2015 and the subsequent application 00701 refused and appealed over 2019, this proposal must still be considered as domineering and not subservient to the main building with a resultant terracing effect. The details of the original objection in the appendix highlights this issue in more detail. Figure 1 shows the

existing nature, following the completion of the 2-storey extension at 30 Belmont Gardens of the stepping down of houses in height down the steep hill of Belmont Gardens. We fail to see how the addition of a third level, stepping up an additional 2 metres right to the limit of the boundary, rising well above and practically touching the guttering/west roof of 28 Belmont Gardens, cannot do anything other than create a terracing effect, worsening the impact of the effect that has already been created.

2.1.2

The resultant three-storey height of this extension creates a construction that cannot be subservient to the original main building. This was the explicit statement that was contained in the submission granted for the original 2 storey extension granted (reference 14/04547/FUL) We also respectfully suggest that taking a photo from the bottom of the driveway of 30 Belmont Gardens gives one view. The photos from Belmont Terrace or the rear of 28 Belmont Gardens, as produced in Figure 1, Figure 2 and Figure 3 give a completely different, more accurate and representative perspective. We would like to invite you to 28 Belmont Gardens to consider the impact of the proposed development from our rear garden.

2.1.3

We noted that the latest submission states that the roof on the second storey of this extension would be 'inaccessible'. To us, this statement merely proves how the proposal cannot meet the established planning criteria, relating to design and privacy, affirmed in previous planning decisions. We fail to see how this can be enforced - a small change to a window and the roof is accessible - leading to the damaging precedent in terms of design and privacy being established throughout the area. We invite the relevant authorities to consider the realistic outcome of the precedent these proposals would produce.

2.1.4

We also note that none of the photos produced by the applicants reflect situations where the structure on the higher side of a hill has been built to the absolute limit of the boundary line. The examples provided are therefore not relevant when addressing the fundamental challenges for this application and are an obvious attempt to misrepresent the true impact of the application.

2.1.5

We would also invite the planning authorities to consider in detail the wider implications in permitting 2-or 3-storey extensions or buildings built to the maximum of any boundary line, on the higher side on steep hills, have in respect of drainage and Edinburgh's stated commitment to SUDS (sustainable urban drainage systems). We are sure the officers will be alive to these additional concerns given the importance of water issues in respect of Flood Risk and water conservation in the era of global climate change. The property at 30 Belmont Gardens, following the 2-storey extension as permitted in 14/04547/FUL is already, by far, the highest structure on the east (30 Belmont Gardens) ie higher side of the boundary in Belmont Gardens. The application

provides no drainage details. We must emphasise once again that 30 Belmont Gardens along with 28 and 26, are located on one of the steepest gradients in that street and wider surrounding area of Edinburgh. How can this submission, in isolation and of its impact on the existing structure be compatible with Edinburgh council delivering on the stated objectives of SUDS?

The ground level to the rear of the property at 30 Belmont Gardens has been significantly raised during the period of the works. The natural ground level has been adjusted by the addition of soil and rubble from excavation. What is presented as ground floor now, is in effect about first floor in relation to the neighbouring property. This has further issues in respect of drainage down the hill. We again invite you to view the proposed development from the perspective of the rear garden at 28 Belmont Gardens.

2. Overlooking/loss of privacy

2.2.1

Extending the structure of 30 Belmont Gardens to the absolute edge of the boundary at a height representing the absolute maximum height of the structure of 28 Belmont Gardens is in our view a clear breach of privacy in relation to the rear garden of 28 Belmont Gardens.

The response in the planning decision 19/00701/FUL application stated in the refusal that our objection relating to loss of overlooking/loss of privacy were more than 9 metres from the boundary. Could you please confirm how these figures were calculated?

2.2.2

As noted in 2.1.3, we also fail to see how the applicant can state that the flat roof to the front of the extension can be considered inaccessible. In its proposed form it can still be used by the occupant's which would again undermine our privacy in respect of our front garden.

3. Conclusion

For the reasons stated with particular reference to section 2, we remain firmly of the view that the proposals outlined in 20/00546/FULL must be refused, in accordance with previous rulings.

4. Photos

Figure 1. Existing terracing effect from 2 storey extension

Figure 2. Privacy issues from 2 storey extension

Figure 3. Height, terracing effect and privacy issues

Figure 4. Height, volume and terracing effect. Not subservient

Will send these on when we have an address to send them to.

5. Appendix

Reasons for Objection to application (March 2019)19/00701/FUL

We have reviewed the planning officer's decision notice and planning report in relation to application 14/04547/FUL and for ease of reference have adopted the same considerations/general headings addressed there in support of our objection to the current application

1. Character and Appearance

The application completely ignores the specific reasoning used to justify the acceptance of the application for the original extension in 2015, namely 'The proposal extends up to its eastern boundary. However, the subservient form of the extension, the stepping down of the houses in relation to the topography of the street and the bay window feature means that a 'terracing effect' will not occur'.

The extension of the house at 30 Belmont Gardens to the absolute maximum of the height of the structure at 28 Belmont Gardens in addition to extending to the extreme edge of the boundary has implications for the rights of residents in detached houses that are on the lower side of another structure on a hill. These relate, in the main, to loss of amenity, privacy and overshadowing.

Acceptance of this current proposal would ignore the planning officers previous comments in the 2014 planning report highlighted above by creating a terracing effect that impacts upon the whole street.

It is our view that the passing of this proposal would create a voluminous multi-storey extension and provide a damaging and irreversible precedent that would infringe the rights of residents in detached houses on the surrounding area.

This proposal would increase the material impact of the terracing effect from one to two storeys. No house in the street has the higher structure (in this case No 30) built up to the absolute maximum height of the lower structure(No 28) on the boundary. The suggestion in the supporting statement to the application that reducing the overall depth by a modest proportion somehow mitigates the terracing affect is incorrect. The volume of the proposal still constitutes, by far, the

vast majority of the depth of both structures. The impact of accepting this proposal would result in the elevated storeys of detached buildings being only centimetres apart, with no access between the two. We fail to see how this can be classed or viewed as anything other than a terracing effect.

Nowhere in Belmont Gardens at present is the lower structure directly bordered by a structure of more than one storey, most of such storeys being garages. The narrowing of the gap between two multi-storey detached properties is not only unprecedented in this street, but in the surrounding wider area. For this reason and others noted below we are acutely aware of the potential precedent being established.

Design, appearance and materials

We believe the proposed development is not keeping with the character of the street. There is no multi-storey structure on the boundary of any higher structure in Belmont Gardens nor are there any developments with multi-storey glass windows with such proposed coverage in the front elevation.

We draw attention to the material differences in the appearance of the front/south elevations between what was proposed and accepted in 14/04547/FUL compared to the current proposal as demonstrated by documents http://citydev-portal.edinburgh.gov.uk/idoxpa-web/files/D8C54F2049D8D3BBDA2ACAE78BA75E94/pdf/14_04547_FUL-04A-PROPOSED_FLOORPLAN___SOUTH_ELEVATION-3035573.pdf (2014) and http://citydev-portal.edinburgh.gov.uk/idoxpa-web/files/A835E7D832DF37B8291FEA534CBF7875/pdf/19_00701_FUL-03_-_PROPOSED_ELEVATIONS-4160381.pdf (2019).

2. Residential Amenity

- Loss of light or overshadowing

The 14/04547/FUL planning report stated:

"The proposal is in a gable to gable situation with 28 Belmont Gardens and as such no account of daylighting or sunlight is taken in accordance with non-statutory guidance."

The current application fails to address the obvious impact in terms of the loss of light of overshadowing on the rear garden at 28 Belmont Gardens.

The contour of the boundary between 28 and 30 renders the impact through overshadowing and the loss of light even greater on the rear garden of 28 Belmont Gardens

The location plan in <http://citydev-portal.edinburgh.gov.uk/idoxpa->

web/files/A6A2067EAF067AEC122104D71792EAE3/pdf/19_00701_FUL-01_-_LOCATION_PLAN-4160383.pdf does not record the dimensions of the structure of 28 Belmont Gardens accurately.

- Overlooking/loss of privacy

The 14/04547/FUL planning report stated:

"In respect of privacy, the extension is set behind both the front and rear walls of the house and therefore there will be no adverse loss of privacy".

The implementation of the proposed plan would destroy this previous justification. We cannot envisage any way in which this application fulfils the same criteria given the height and windows contained in the design and the proximity to the rear garden.

Extending the structure of 30 Belmont Gardens to the absolute edge of the boundary at a height representing the absolute maximum height of the structure of 28 Belmont Gardens brings about a clear breach of privacy in relation to the rear garden of 28 Belmont Gardens.

The application 14/04547/FUL passed in February 2015 did not have any of these issues and we would refer specifically to the material difference between the rear (north) elevations detailed in documents http://citydev-portal.edinburgh.gov.uk/idoxpa-web/files/D8C54F2049D8D3BBDA2ACAE78BA75E94/pdf/14_04547_FUL-04A-PROPOSED_FLOORPLAN___SOUTH_ELEVATION-3035573.pdf (2014) and http://citydev-portal.edinburgh.gov.uk/idoxpa-web/files/A835E7D832DF37B8291FEA534CBF7875/pdf/19_00701_FUL-03_-_PROPOSED_ELEVATIONS-4160381.pdf (2019).

We also note that the design has allowances for two, we assume frosted, windows. Along with the overshadowing, this would create an invasion of our rights to privacy. The overshadowing issue and the feeling of a clear invasion of privacy would be maintained even if the glass windows were dropped from the design.

- Noise and disturbance resulting from use

The proposed construction of a multi-storey extension immediately next to existing wall. As with many detached houses, the upper floor of 28 Belmont Gardens has the principal use of bedrooms. The acceptance of this proposal would place a wall, in relation to a purportedly detached house, centimetres away from a child's bedroom.

- Hazardous materials

We are very concerned that the passing of this proposal would restrict access for future maintenance and repairs. Without proper maintenance it is conceivable an area between the structures that is restricted would invariably attract leaves/other combustible materials that would accumulate and create an obvious fire risk. This would represent practical consequences resulting from the terracing effect.

We are extremely concerned that the construction of what effectively constitutes a three storey building centimetres from our house also represents a fundamental fire risk. We consider an investigation/validation of these plans by the local fire services as part of the planning and building warrant process to be absolutely essential.

3 Previous planning decisions (including appeal decisions)

We note that this application is described as a single storey extension even as construction on the proposal accepted in 2015 commenced in recent months.

Single storey extensions normally reflect single storeys with no privacy issues given the scale of fences, etc. This is evidently not case in respect of this application as confirmed by the drawings and points already covered. This renders the request in the applicant's supporting statement that permission be granted as it 'reflected an additional storey to previously approved side extension' misleading.

We also note the material difference between the garage/single storey extension presented and passed in 2015 with the drawings presented in support of the current application which in our view undermines its veracity. We also note the timing of the application and how this ties in with the excavation and commencement of construction in late 2018. We are concerned that this manipulation of the process, allied to the lack of public or private consultation presents a risk to the end result and of a number of damaging precedents being established that the planning process is explicitly designed to prevent.

Objection

For the reasons stated we can only conclude that the proposals outlined in 19/00701/FUL should be refused.

Extending the structure of 30 Belmont Gardens to the absolute edge of the boundary at a height representing the absolute maximum height of the structure of 28 Belmont Gardens is in our view a clear breach of privacy in relation to the rear garden of 28 Belmont Gardens.

We also fail to see how the applicant can state that the flat roof to the front of the extension can be considered inaccessible. In its proposed form it can still be used by the occupants which would again undermine our privacy.

Loss of light or overshadowing

The current application fails to address the obvious impact in terms of the loss of light of overshadowing on the rear garden at 28 Belmont Gardens.

The contour of the boundary between 28 and 30 renders the impact through overshadowing and the loss of light even greater on the rear garden of 28 Belmont Gardens

Noise and disturbance resulting from use

As with many detached houses, the upper floor of 28 Belmont Gardens has the principal use of bedrooms. The acceptance of this proposal would place a wall, in relation to a purportedly detached house, centimetres away from a child's bedroom.

Comments for Planning Application 20/00546/FUL

Application Summary

Application Number: 20/00546/FUL

Address: 30 Belmont Gardens Edinburgh EH12 6JH

Proposal: Proposed additional storey to previously approved side extension at 30 Belmont Gardens, Edinburgh (14/04547/FUL) as varied (14/04547/VARY).

Case Officer: Lewis McWilliam

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. Introduction

Section 2 contains our comments in respect of submission 20/00546/FULL. Many of these refer back to previous applications and for ease of reference, we include an appendix containing the list of our original objections made in respect of the original proposal 19/00701/FUL dated March 2019. We apologise for the inevitable duplication but maintain that these considerations are all relevant in respect of this latest submission. We have attempted to submit four photographs with our submission in section 4 but have not been able to put them through the portal. We will send these to the planning department separately.

2. Response to application 20/00546/FULL: 12 February 2020

It is our view that the scale and volume of the proposals of application remain essentially unaltered from those contained, evaluated and refused in application 19/00701/FUL. For that reason, the extension must still be considered as not being subservient to the main building. That being the case the revisions have not addressed one of the main reasons for refusal of application 19/00701/FUL, also affirmed at appeal.

1. Character and Appearance

2.1.1

Specifically, it is our view that the scale and volume, height and depth, of the proposals that were refused (again, having gone through the full appeal process) remain essentially unaltered. With reference to both the original extension proposal 04547 accepted in 2015 and the subsequent application 00701 refused and appealed over 2019, this proposal must still be considered as domineering and not subservient to the main building with a resultant terracing effect. The details of the original objection in the appendix highlights this issue in more detail. Figure 1 shows the

existing nature, following the completion of the 2-storey extension at 30 Belmont Gardens of the stepping down of houses in height down the steep hill of Belmont Gardens. We fail to see how the addition of a third level, stepping up an additional 2 metres right to the limit of the boundary, rising well above and practically touching the guttering/west roof of 28 Belmont Gardens, cannot do anything other than create a terracing effect, worsening the impact of the effect that has already been created.

2.1.2

The resultant three-storey height of this extension creates a construction that cannot be subservient to the original main building. This was the explicit statement that was contained in the submission granted for the original 2 storey extension granted (reference 14/04547/FUL) We also respectfully suggest that taking a photo from the bottom of the driveway of 30 Belmont Gardens gives one view. The photos from Belmont Terrace or the rear of 28 Belmont Gardens, as produced in Figure 1, Figure 2 and Figure 3 give a completely different, more accurate and representative perspective. We would like to invite you to 28 Belmont Gardens to consider the impact of the proposed development from our rear garden.

2.1.3

We noted that the latest submission states that the roof on the second storey of this extension would be 'inaccessible'. To us, this statement merely proves how the proposal cannot meet the established planning criteria, relating to design and privacy, affirmed in previous planning decisions. We fail to see how this can be enforced - a small change to a window and the roof is accessible - leading to the damaging precedent in terms of design and privacy being established throughout the area. We invite the relevant authorities to consider the realistic outcome of the precedent these proposals would produce.

2.1.4

We also note that none of the photos produced by the applicants reflect situations where the structure on the higher side of a hill has been built to the absolute limit of the boundary line. The examples provided are therefore not relevant when addressing the fundamental challenges for this application and are an obvious attempt to misrepresent the true impact of the application.

2.1.5

We would also invite the planning authorities to consider in detail the wider implications in permitting 2-or 3-storey extensions or buildings built to the maximum of any boundary line, on the higher side on steep hills, have in respect of drainage and Edinburgh's stated commitment to SUDS (sustainable urban drainage systems). We are sure the officers will be alive to these additional concerns given the importance of water issues in respect of Flood Risk and water conservation in the era of global climate change. The property at 30 Belmont Gardens, following the 2-storey extension as permitted in 14/04547/FUL is already, by far, the highest structure on the east (30 Belmont Gardens) ie higher side of the boundary in Belmont Gardens. The application

provides no drainage details. We must emphasise once again that 30 Belmont Gardens along with 28 and 26, are located on one of the steepest gradients in that street and wider surrounding area of Edinburgh. How can this submission, in isolation and of its impact on the existing structure be compatible with Edinburgh council delivering on the stated objectives of SUDS?

The ground level to the rear of the property at 30 Belmont Gardens has been significantly raised during the period of the works. The natural ground level has been adjusted by the addition of soil and rubble from excavation. What is presented as ground floor now, is in effect about first floor in relation to the neighbouring property. This has further issues in respect of drainage down the hill. We again invite you to view the proposed development from the perspective of the rear garden at 28 Belmont Gardens.

2. Overlooking/loss of privacy

2.2.1

Extending the structure of 30 Belmont Gardens to the absolute edge of the boundary at a height representing the absolute maximum height of the structure of 28 Belmont Gardens is in our view a clear breach of privacy in relation to the rear garden of 28 Belmont Gardens.

The response in the planning decision 19/00701/FUL application stated in the refusal that our objection relating to loss of overlooking/loss of privacy were more than 9 metres from the boundary. Could you please confirm how these figures were calculated?

2.2.2

As noted in 2.1.3, we also fail to see how the applicant can state that the flat roof to the front of the extension can be considered inaccessible. In its proposed form it can still be used by the occupant's which would again undermine our privacy in respect of our front garden.

3. Conclusion

For the reasons stated with particular reference to section 2, we remain firmly of the view that the proposals outlined in 20/00546/FULL must be refused, in accordance with previous rulings.

4. Photos

Figure 1. Existing terracing effect from 2 storey extension

Figure 2. Privacy issues from 2 storey extension

Figure 3. Height, terracing effect and privacy issues

Figure 4. Height, volume and terracing effect. Not subservient

Will send these on when we have an address to send them to.

5. Appendix

Reasons for Objection to application (March 2019)19/00701/FUL

We have reviewed the planning officer's decision notice and planning report in relation to application 14/04547/FUL and for ease of reference have adopted the same considerations/general headings addressed there in support of our objection to the current application

1. Character and Appearance

The application completely ignores the specific reasoning used to justify the acceptance of the application for the original extension in 2015, namely 'The proposal extends up to its eastern boundary. However, the subservient form of the extension, the stepping down of the houses in relation to the topography of the street and the bay window feature means that a 'terracing effect' will not occur'.

The extension of the house at 30 Belmont Gardens to the absolute maximum of the height of the structure at 28 Belmont Gardens in addition to extending to the extreme edge of the boundary has implications for the rights of residents in detached houses that are on the lower side of another structure on a hill. These relate, in the main, to loss of amenity, privacy and overshadowing.

Acceptance of this current proposal would ignore the planning officers previous comments in the 2014 planning report highlighted above by creating a terracing effect that impacts upon the whole street.

It is our view that the passing of this proposal would create a voluminous multi-storey extension and provide a damaging and irreversible precedent that would infringe the rights of residents in detached houses on the surrounding area.

This proposal would increase the material impact of the terracing effect from one to two storeys. No house in the street has the higher structure (in this case No 30) built up to the absolute maximum height of the lower structure(No 28) on the boundary. The suggestion in the supporting statement to the application that reducing the overall depth by a modest proportion somehow mitigates the terracing affect is incorrect. The volume of the proposal still constitutes, by far, the

vast majority of the depth of both structures. The impact of accepting this proposal would result in the elevated storeys of detached buildings being only centimetres apart, with no access between the two. We fail to see how this can be classed or viewed as anything other than a terracing effect.

Nowhere in Belmont Gardens at present is the lower structure directly bordered by a structure of more than one storey, most of such storeys being garages. The narrowing of the gap between two multi-storey detached properties is not only unprecedented in this street, but in the surrounding wider area. For this reason and others noted below we are acutely aware of the potential precedent being established.

Design, appearance and materials

We believe the proposed development is not keeping with the character of the street. There is no multi-storey structure on the boundary of any higher structure in Belmont Gardens nor are there any developments with multi-storey glass windows with such proposed coverage in the front elevation.

We draw attention to the material differences in the appearance of the front/south elevations between what was proposed and accepted in 14/04547/FUL compared to the current proposal as demonstrated by documents http://citydev-portal.edinburgh.gov.uk/idoxpa-web/files/D8C54F2049D8D3BBDA2ACAE78BA75E94/pdf/14_04547_FUL-04A-PROPOSED_FLOORPLAN___SOUTH_ELEVATION-3035573.pdf (2014) and http://citydev-portal.edinburgh.gov.uk/idoxpa-web/files/A835E7D832DF37B8291FEA534CBF7875/pdf/19_00701_FUL-03_-_PROPOSED_ELEVATIONS-4160381.pdf (2019).

2. Residential Amenity

- Loss of light or overshadowing

The 14/04547/FUL planning report stated:

"The proposal is in a gable to gable situation with 28 Belmont Gardens and as such no account of daylighting or sunlight is taken in accordance with non-statutory guidance."

The current application fails to address the obvious impact in terms of the loss of light of overshadowing on the rear garden at 28 Belmont Gardens.

The contour of the boundary between 28 and 30 renders the impact through overshadowing and the loss of light even greater on the rear garden of 28 Belmont Gardens

The location plan in <http://citydev-portal.edinburgh.gov.uk/idoxpa->

web/files/A6A2067EAF067AEC122104D71792EAE3/pdf/19_00701_FUL-01_-_LOCATION_PLAN-4160383.pdf does not record the dimensions of the structure of 28 Belmont Gardens accurately.

- Overlooking/loss of privacy

The 14/04547/FUL planning report stated:

"In respect of privacy, the extension is set behind both the front and rear walls of the house and therefore there will be no adverse loss of privacy".

The implementation of the proposed plan would destroy this previous justification. We cannot envisage any way in which this application fulfils the same criteria given the height and windows contained in the design and the proximity to the rear garden.

Extending the structure of 30 Belmont Gardens to the absolute edge of the boundary at a height representing the absolute maximum height of the structure of 28 Belmont Gardens brings about a clear breach of privacy in relation to the rear garden of 28 Belmont Gardens.

The application 14/04547/FUL passed in February 2015 did not have any of these issues and we would refer specifically to the material difference between the rear (north) elevations detailed in documents http://citydev-portal.edinburgh.gov.uk/idoxpa-web/files/D8C54F2049D8D3BBDA2ACAE78BA75E94/pdf/14_04547_FUL-04A-PROPOSED_FLOORPLAN___SOUTH_ELEVATION-3035573.pdf (2014) and http://citydev-portal.edinburgh.gov.uk/idoxpa-web/files/A835E7D832DF37B8291FEA534CBF7875/pdf/19_00701_FUL-03_-_PROPOSED_ELEVATIONS-4160381.pdf (2019).

We also note that the design has allowances for two, we assume frosted, windows. Along with the overshadowing, this would create an invasion of our rights to privacy. The overshadowing issue and the feeling of a clear invasion of privacy would be maintained even if the glass windows were dropped from the design.

- Noise and disturbance resulting from use

The proposed construction of a multi-storey extension immediately next to existing wall. As with many detached houses, the upper floor of 28 Belmont Gardens has the principal use of bedrooms. The acceptance of this proposal would place a wall, in relation to a purportedly detached house, centimetres away from a child's bedroom.

- Hazardous materials

We are very concerned that the passing of this proposal would restrict access for future maintenance and repairs. Without proper maintenance it is conceivable an area between the structures that is restricted would invariably attract leaves/other combustible materials that would accumulate and create an obvious fire risk. This would represent practical consequences resulting from the terracing effect.

We are extremely concerned that the construction of what effectively constitutes a three storey building centimetres from our house also represents a fundamental fire risk. We consider an investigation/validation of these plans by the local fire services as part of the planning and building warrant process to be absolutely essential.

3 Previous planning decisions (including appeal decisions)

We note that this application is described as a single storey extension even as construction on the proposal accepted in 2015 commenced in recent months.

Single storey extensions normally reflect single storeys with no privacy issues given the scale of fences, etc. This is evidently not case in respect of this application as confirmed by the drawings and points already covered. This renders the request in the applicant's supporting statement that permission be granted as it 'reflected an additional storey to previously approved side extension' misleading.

We also note the material difference between the garage/single storey extension presented and passed in 2015 with the drawings presented in support of the current application which in our view undermines its veracity. We also note the timing of the application and how this ties in with the excavation and commencement of construction in late 2018. We are concerned that this manipulation of the process, allied to the lack of public or private consultation presents a risk to the end result and of a number of damaging precedents being established that the planning process is explicitly designed to prevent.

Objection

For the reasons stated we can only conclude that the proposals outlined in 19/00701/FUL should be refused.

Extending the structure of 30 Belmont Gardens to the absolute edge of the boundary at a height representing the absolute maximum height of the structure of 28 Belmont Gardens is in our view a clear breach of privacy in relation to the rear garden of 28 Belmont Gardens.

We also fail to see how the applicant can state that the flat roof to the front of the extension can be considered inaccessible. In its proposed form it can still be used by the occupants which would again undermine our privacy.

Loss of light or overshadowing

The current application fails to address the obvious impact in terms of the loss of light of overshadowing on the rear garden at 28 Belmont Gardens.

The contour of the boundary between 28 and 30 renders the impact through overshadowing and the loss of light even greater on the rear garden of 28 Belmont Gardens

Noise and disturbance resulting from use

As with many detached houses, the upper floor of 28 Belmont Gardens has the principal use of bedrooms. The acceptance of this proposal would place a wall, in relation to a purportedly detached house, centimetres away from a child's bedroom.



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100153563-004

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: Andrew Megginson Architecture

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

First Name: * Andrew Building Name: No. 1

Last Name: * Megginson Building Number:

Telephone Number: * Address 1 (Street): * 29 Jamaica Mews

Extension Number: Address 2: New Town

Mobile Number: Town/City: * Edinburgh

Fax Number: Country: * Scotland

Postcode: * EH3 6HL

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="Ronnie"/>	Building Number: <input type="text" value="30"/>
Last Name: *	<input type="text" value="Hay"/>	Address 1 (Street): * <input type="text" value="Belmont Gardens"/>
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="EH12 6JH"/>
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="30 BELMONT GARDENS"/>
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="EH12 6JH"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673256"/>	Easting	<input type="text" value="321766"/>
----------	-------------------------------------	---------	-------------------------------------

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 additional storey to previously approved side extension at 30 Belmont Gardens, Edinburgh (14/04547/FUL) as varied (14/04547/VARY). At 30 Belmont Gardens Edinburgh EH12 6JH

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 believe that our justification for the proposal is firmly outlined within the supporting statement. There are many streetscape features including and not limited to flat roofed dormers, feature gable/ bay elements, stepping down, rooflights, slate, etc. all which sit at varying building lines to Belmont Gardens and we believe when the proposals are read as part of the whole streetscape, they are appropriate/ compatible with this and also the dwelling to which they adjoin to.

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)

Proposal plans and elevations, supporting statement, planning application form, decision notice and report of handling.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/00546/FUL

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

05/02/2020

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

03/04/2020

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)

To understand the proposals in the context of the whole streetscape.

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)

To provide a verbal justification to the proposals.

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 Andrew Megginson

Declaration Date: 17/04/2020



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

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 100153563-003

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.

Please give the application reference no. of the previous application and date when permission was granted.

Application Reference No: *

14/04547/FUL

Date (dd/mm/yyyy): *

16/02/2015

Description of Proposal

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

Proposed additional storey to previously approved side extension at 30 Belmont Gardens, Edinburgh (14/04547/FUL) as varied (14/04547/VARY).

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:	Andrew Megginson Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andrew	Building Name:	No. 1
Last Name: *	Megginson	Building Number:	
Telephone Number: *		Address 1 (Street): *	29 Jamaica Mews
Extension Number:		Address 2:	New Town
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH3 6HL
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Ronnie	Building Number:	30
Last Name: *	Hay	Address 1 (Street): *	Belmont Gardens
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	EH12 6JH
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:

30 BELMONT GARDENS

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH12 6JH

Please identify/describe the location of the site or sites

Northing

673256

Easting

321766

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

585.00

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)

Residential

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? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</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>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<div style="border: 1px solid black; padding: 2px 10px;">1</div>
<p>How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *</p>	<div style="border: 1px solid black; padding: 2px 10px;">1</div>
<p>Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).</p>	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
<p>Will your proposal require new or altered water supply or drainage arrangements? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (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 type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input checked="" 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>	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
<p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>	
<h2 style="margin: 0;">Trees</h2>	
<p>Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>	
<h2 style="margin: 0;">All Types of Non Housing Development – Proposed New Floorspace</h2>	
<p>Does your proposal alter or create non-residential floorspace? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

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: Andrew Megginson

On behalf of: Mr Ronnie Hay

Date: 04/02/2020

☒ 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)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☒ Yes ☐ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

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

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: Mr Andrew Megginson

Declaration Date: 12/02/2019

Proposal Details

Proposal Name	100153563
Proposal Description	Additional storey to already approved side extension.
Address	30 BELMONT GARDENS, EDINBURGH, EH12 6JH
Local Authority	City of Edinburgh Council
Application Online Reference	100153563-004

Application Status

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

Attachment Details

Notice of Review	System	A4
1027-PLA-03 A	Attached	A3
1027-PLA-04 A	Attached	A2
Supporting Statement	Attached	A4
Planning_Permission-2	Attached	A4
20_00546_FUL-DECISION_NOTICE-4557545	Attached	A4
20_00546_FUL-HANDLING_REPORT-4557546	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-004.xml	Attached	A0

30 Belmont Gardens, Edinburgh EH12 6JH

Mr. Ronnie Hay

Supporting Statement for Proposed Additional Storey to 30 Belmont Gardens,
Edinburgh

Date: January 2020



Contents

1. Introduction
2. The Site and Context
3. The Proposed Works
4. Precedents
5. Conclusion



1. Introduction

- 1.1 This supporting Statement has been prepared for Mr. Ronnie Hay in support of a planning application to form an additional storey to a previously approved side extension at 30 Belmont Gardens, Edinburgh.
- 1.2 The application is for a revised proposal to a former proposal which was previously refused under application reference 19/00701/FUL with the decision going to the Local Review Body (LRB) and being upheld by the LRB on a majority vote of three against and two for.
- 1.3 The planning application has been refused for the following reason;
- *“The proposal by reason of its roof form and significant protrusion above the eaves line of the house and the neighbouring property is not subservient to the existing house and results in a dominant feature which is not compatible with the character of the existing buildings. Further, the contrasting materials do not match the main house Development Management report of handling – Page 5 of 7 19/00701/FUL and the roof terrace to the front of the property is an uncharacteristic addition to the front elevation of the house. Overall, the proposal is contrary to policy Des 12 of the Edinburgh Local Development Plan and non-statutory 'Guidance for Householders'.”*
- 1.4 The conclusion for upholding the planning officer's decision at the LRB is as below;
- *“The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:
-Where the glazed balustrade on the roof terrace would be positioned.
-Whether the proposed extension would be above the eaves line of the house and neighbouring property.
-That the proposed extension was not subservient to the existing house.
-That the proposals would be improving the dwelling house.
-That the glazed balustrade at the front of the dwelling might cause reflection.
Having taken all the above matters into consideration and although some members were in favour of the application, 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.”*
- 1.5 This supporting statement has been prepared by Andrew Megginson Architecture (AMA) on behalf of Mr. Ronnie Hay (hereafter referred to as the ‘applicant’). The application site comprises the building and curtilage at 30 Belmont Gardens, Edinburgh (hereafter referred to as either the ‘application site’, ‘site’ or ‘property’). This document is structured as follows;
- Section 2 describes the site and context,
 - Section 3 provides a summary of the proposals and appraises material considerations against which the proposals should be judged.
 - Section 4 discusses precedents used in the design and which form part of the justification the proposals.
 - Section 5 reaches conclusions in relation to the acceptability of the planning application in the context of material considerations.



2. The Site and Context



Figure 2.1 – Location plan with context indicated.

- 2.1 The property is a two-storey detached dwelling, on the North side of Corstorphine Road up Belmont Gardens. The building is not listed and is not located within a Conservation Area, the nearest conservation area is Northwards of the site (West Murrayfield). It should be noted that the planning officer in their site description in application 19/00701/FUL stated that the house is “*predominantly single storey with two storey bay with hipped roof on East side*” and that the “*application site is located within the West Murrayfield Conservation Area*”, as can be seen by the existing plans and figure 4.1, the property is fully two storey and not located in the said conservation area.
- 2.2 The character of the area in which the property lies can be described as built up on either side by detached or semi-detached dwellings predominantly of a two-storey nature, positioned along a road that when travelled from Ellersly Road ascends where from the street level the houses to the North side sit at a higher level than that of the street itself generally behind planting to the street. There is no dominant architectural style along the street with the buildings being individually designed and influenced by styles of the time they were built. The dwellings all have defined front and rear gardens and all follow a similar building line. The main building line of the applicant’s property to the centre of the street is approximately 12 meters.
- 2.3 Below in figure 2.2, photos express some of the different styles and forms of properties along Belmont Gardens (note these are from before the side extension as approved under 14/04547/VARY was constructed).







Figure 2.2 – Photos showing various styles of buildings and features in the area of the property.



3. The Proposed Works

3.1 The planning application seeks consent for an additional storey on top of a previously consented two-storey sun room extension to the side of the existing house. The planner's justification for approval of the two storey extension was as follows;

- *"The proposal is for an extension of a two storey scale. The design of the extension is contemporary in nature and whilst the expanse of glazing facing the street is not characteristic of the surrounding area, its use of materials, positioning next to the two storey bay window feature and set back ensures that it is subservient to the house and its visual impact on the street is minimal. The proposal extends up to its Eastern boundary. However, the subservient form of the extension, the stepping down of the houses in relation to the topography of the street and bay window feature means that a 'terracing effect' will not occur. The proposal will not have an adverse effect on the character and appearance of the house or street." It is then concluded that "The proposal will not adversely affect the character and appearance of the house or street or neighbouring residential amenity. The proposal is acceptable. There are no material considerations which outweigh this conclusion."*

3.2 The main principles of the development include;

- Setting back the additional storey 2.2 meters from the front of the approved side extension so that it will be marginally visible from the street, will keep the overall extension subservient to the existing house and will not form a terracing effect. Note that we have pulled back the extension by a further 200mm from the front of the extension since the previous application 19/00701/FUL,
- Keeping the roof level of the additional storey below the eaves line of the main vertical element to maintain the step down feature seen within the street (see elevation drawings for example of this). By using a flat roof the additional storey takes on a form similar to that of the dormers on the existing house, neighbouring property and other properties in the area. Note that we have angled the front facade, to a similar angle of the neighbouring property 1st floor roof, where the said façade of the additional storey is vertical to a height of 800mm from the finished roof level of the extension below then angles off towards the rear. This is to further reduce any visibility from the street and also allow the additional storey to look more like a pitched roof seen on the existing and neighbouring dwellings so that it blends more into the surrounding area when marginally seen,
- Using materials which match in with the existing streetscape. Previously proposed to be dark metal the new materiality of the front façade is proposed to be slate, this would mitigate the planner's comment on the materials contrasting with the existing house. The general aesthetic of masonry topped with a dark roofing material, which is seen to the existing and neighbouring property, is then replicated, although the slate roofing material of the proposed additional storey in this instance will be marginally visible due to the step back and house sitting at an elevated level from the street. It will also allow the main vertical Eastern masonry element containing the bays to remain prominent. The trees behind the additional storey also provide a backdrop to which the additional storey blends into,



- The balcony to the front and associated glass balustrading of application 19/00701/FUL has since been removed from these proposals. The area in front of the additional storey is now simply an inaccessible flat roof. The glazing to the front of the proposed additional storey has been amended to now become three Velux windows similar to what is seen on the existing and neighbouring property. This further lets the proposal of the additional storey merge in with the surrounding look.

3.3 To evaluate the proposals against the planner's reasons for refusal photomontages of how we believe the proposals will look have been produced to understand the impact to the street, see below figures 3.1, 3.2 and 3.3.





Figure 3.1 – The above shows the additional storey viewed from the East. No visual impact here with the additional storey being unseen.





Figure 3.2 – The above shows the additional storey viewed straight on. This has a very minimal impact with the proposals looking to be part of a roofing element, seen elsewhere in the streetscape and also blending into the backdrop of the trees behind.





Figure 3.3 – The above shows the additional storey viewed from the West. No visual impact here with the additional storey being unseen.



- 3.4 As can be seen from the above images the proposed additional storey does not have an adverse effect on the character of the house or the street overall. When viewed as one is coming up the street from the East or going down the street from the West the view of the additional storey will not be apparent. Getting closer to being directly in front of the extension, existing natural and built elements (the hedge to the front of the applicant's property and the protruding bay of the neighbour's property) continue to screen the additional storey and development overall. Only until one is directly in front of the development do they get a sense of the additional storey but due to the stepped back nature only a small amount of it is seen. Furthermore, to this the use of slate, the trees behind providing a positive backdrop for the development and the general form, the additional storey will be blurred into the existing street form that the context provides.
- 3.5 Specifically evaluating the planner's reasons for refusal against the proposal in the previous application, it is stated that the *"roof form and significant protrusion above the eaves line of the house and the neighbouring property is not subservient to the existing house and results in a dominant feature which is not compatible with the character of the existing buildings."* Firstly, the roof will not protrude above the eaves of the existing house it sits below those to which the proposals are immediately joined to. The roof form is informed by features seen on the applicant's property and on neighbouring properties in the area, namely the pitched roofs with Velux windows and flat roofed dormers. The set back, angled nature and use of slate allows the additional storey to be subservient to the existing house and also take on a similar form to the existing streetscape.
- 3.6 It was stated that the *"roof terrace to the front of the property is an uncharacteristic addition to the front elevation of the house."* The roof terrace and associated balcony have been removed in this recent application.



4. Precedents



Figure 4.1 – The above shows the Murrayfield West Conservation Area hatched and outlined in green. The site is located out with this but is adjacent to it.

4.1 Although it was noted above that the application site lies out with the Murrayfield West Conservation Area and only adjacent to it, it is worth discussing some of the policies within the appraisal and a recent development that has been completed in the area, as the proposals will have been partly evaluated against it and can be compared to the said development. The character appraisal notes that there is 'no dominant architectural style' in the conservation area, and that 'buildings are individually designed and influenced by popular styles of the time or period.' This is same for the area in which the application site lies. A recent development worth noting as a precedent is the Ellersly Road housing development. The reason that this should be used as a precedent is that it is located within the aforementioned conservation area where the contemporary style contrasts other older properties in the area and thus shows the typology of development that Edinburgh City Council are happy to see in these types of situations. The stone and façade layout are similar to the proposals and there is a top storey set back from the main façade. This shows that this specific typology of development is acceptable in the conservation area alongside the more traditional properties which is same as the proposals in which this document relates.





Figure 4.2 – The above shows part of the Ellersly Road development where a lot of similarities can be seen in regard to the application.



Figure 4.3 – The above shows the front elevation of 13 Osborne Terrace.



4.2 Another precedent which is of a very similar nature to the applicant's proposals is that of a conversion of an existing kindergarten into 2 flats at 13 Osbourne Terrace, where a side extension similar to the proposals we are discussing has been approved. The side extension at 13 Osborne Terrace is a masonry GFL storey which then has a metal clad set back second storey. The height of the development is just under the eaves line of the existing building and the street form, with the row of detached properties, is also similar. We feel this is an important precedent as it shows a very similar development which has been accepted by Edinburgh City Council, it is especially more important as this development is within the Coltbridge and Wester Coates Conservation Area and is much more visible to the much busier street to which it faces. It should be noted that the planner in this instance referred to the proposals as subservient to the existing property.



5. Conclusion

5.1 Planning consent is sought by Mr. Ronnie Hay for an additional storey to a previously approved side extension to the property at 30 Belmont Gardens, Edinburgh.

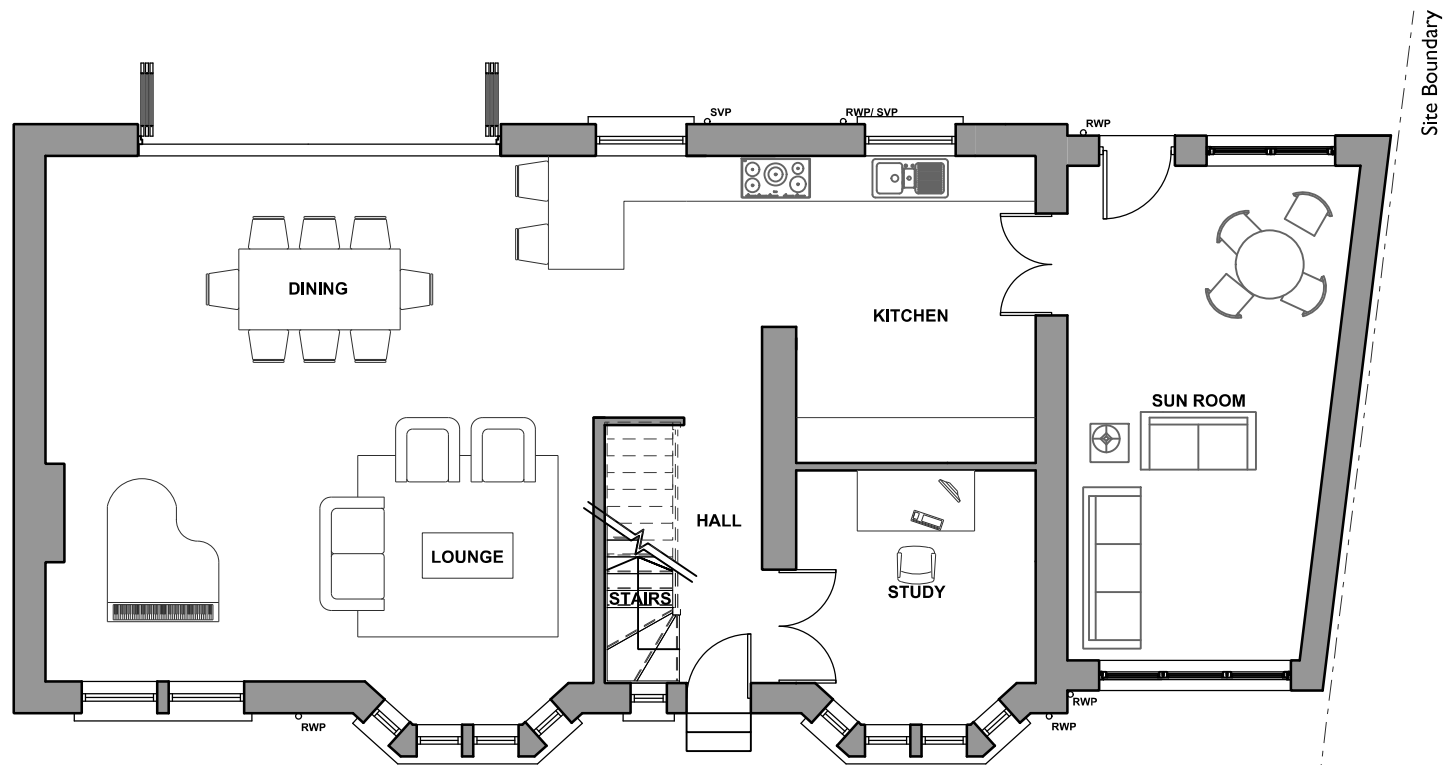
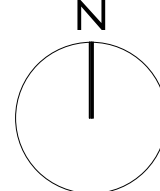
5.2 Planning permission has been refused previously for the following reason;

- *“The proposal by reason of its roof form and significant protrusion above the eaves line of the house and the neighbouring property is not subservient to the existing house and results in a dominant feature which is not compatible with the character of the existing buildings. Further, the contrasting materials do not match the main house Development Management report of handling – Page 5 of 7 19/00701/FUL and the roof terrace to the front of the property is an uncharacteristic addition to the front elevation of the house. Overall, the proposal is contrary to policy Des 12 of the Edinburgh Local Development Plan and non-statutory 'Guidance for Householders'.”*
- As above within this document, it has been proven that the proposed additional storey will have a minimal visual impact to the street and will in fact respond to the existing streetscape sympathetically. The proposal uses in keeping materiality for the additional storey which ties in with the existing street materiality

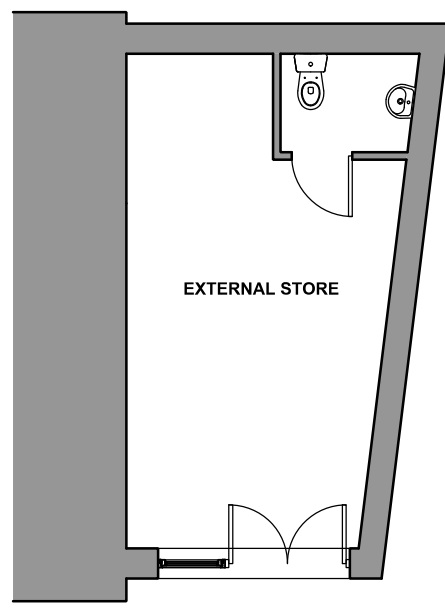
5.3 The newly proposed scheme will still adhere to the approved architectural elements of the previous two storey scheme in that it will still maintain a minimal visual impact to the street. The set back nature of the additional storey and proposed materiality will maintain the aesthetic of the previously approved, with no effect of terracing keeping the extension subservient to the house.

5.4 The applicant therefore respectfully requests that planning consent is granted for the reasons stated above.



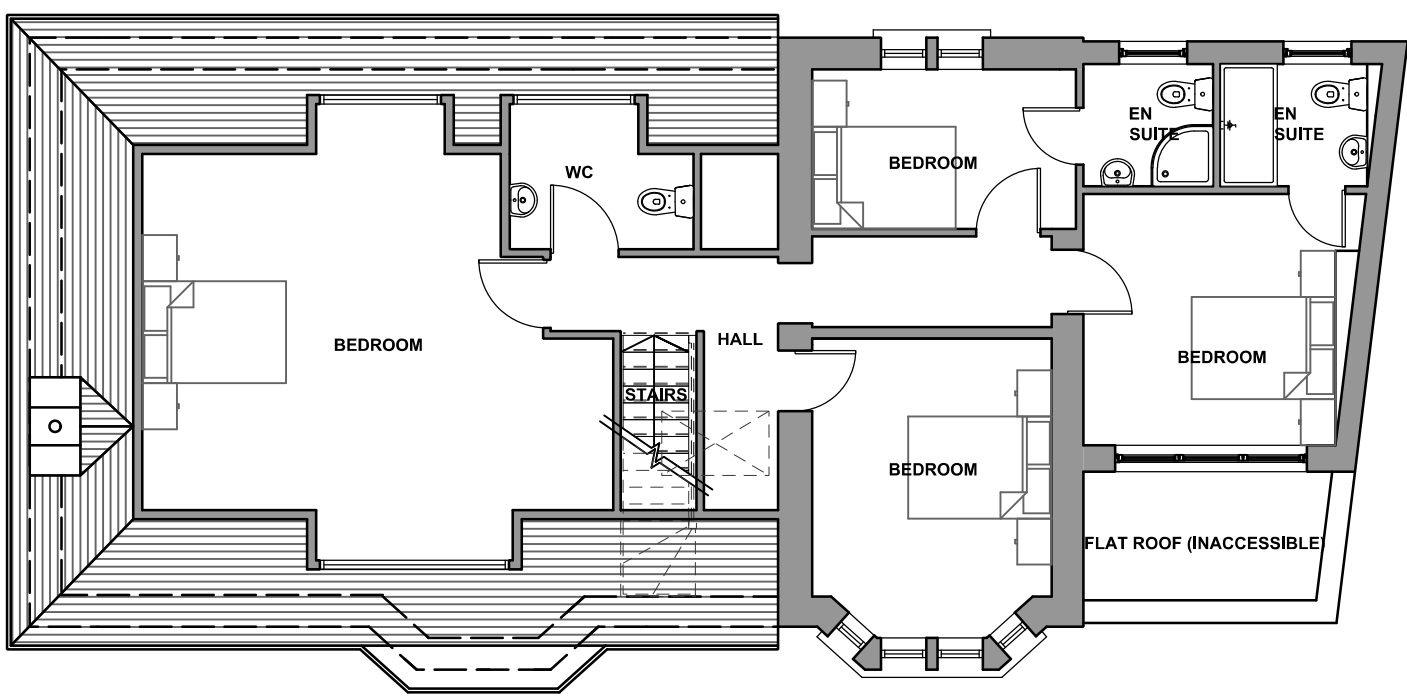


Proposed Ground Floor Plan

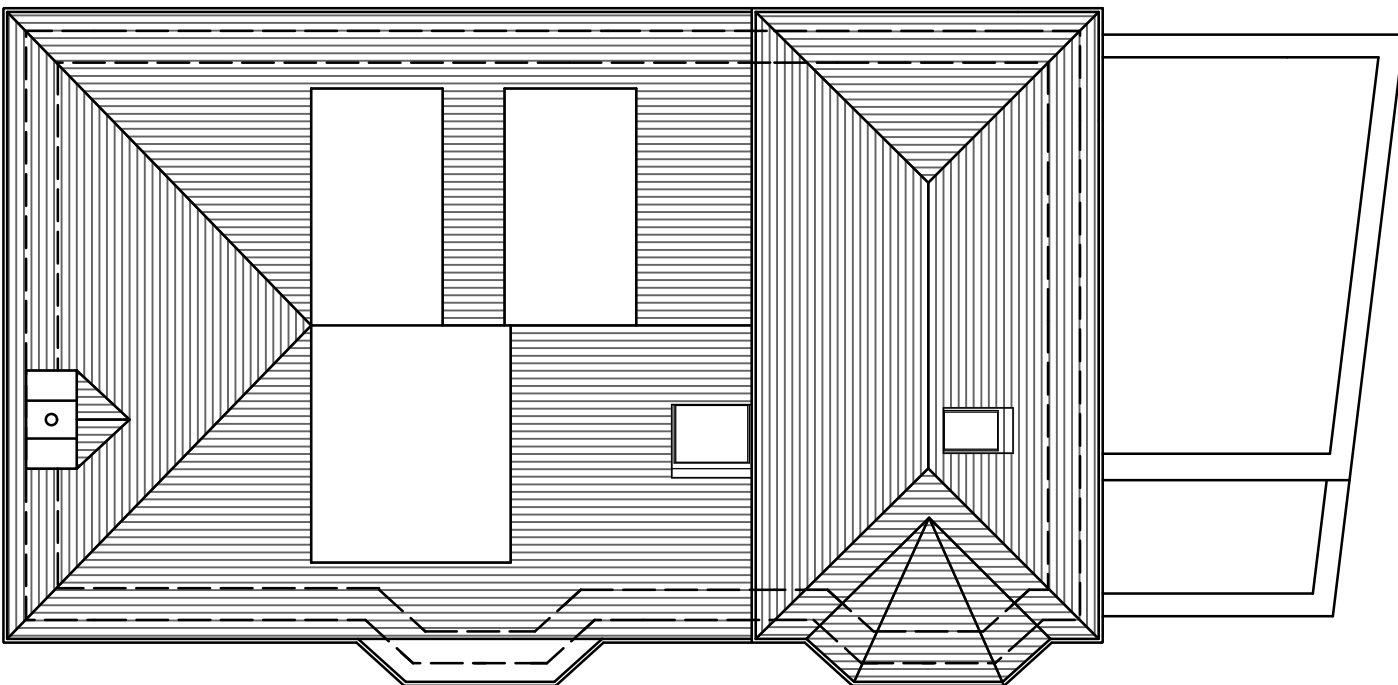


Proposed Lower Ground Floor Plan

Page 80



Proposed First Floor Plan



Proposed Roof Plan

CLIENT	Mr R Hay						
PROJECT	Proposed Extension to House at 30 Belmont Gardens, Edinburgh						
DRAWING	Proposed Plans						
STATUS	PLANNING						
DRAWN	AM	DATE	JAN 19	DRG NO	1027-PLA-03	JOB	1027
						REV	A
						SCALE	1:100 @ A3
							Do not scale from this drawing

This drawing and its data are property of AMA and should not be reproduced without written consent. All dimensions to be checked on site prior to any works and ordering of materials, with any discrepancies reported immediately. Drawings should be read in conjunction with all other relevant building consultants drawings and information. This drawing was prepared to obtain planning and/or building standards permission and can only be used as a working drawing. AMA's liability ends upon receipt of a decision from the planning department and/or the building standards department. AMA accepts no responsibility for any inaccuracy in printing of this drawing by any parties.

No. 1
29 Jamaica Mews
New Town
Edinburgh
EH3 6HL
Tel: 0131 467 5951
Email: info@andrew
megginsonarchitecture.com



ANDREWMEGGINSONARCHITECTURE



Rev A	AM	22/1/20	Additional storey length reduced by 200mm, front elevation now angled with balcony to front removed and Velux windows proposed to angle
Rev	Drawn	Date	

NOTE: Although the proposed additional storey can take on the look of being large in the elevation drawings, this is simply due to the elevations being a true vertical 2D view. Please see images within supporting statement for true reflection of proposals to front as viewed normally.

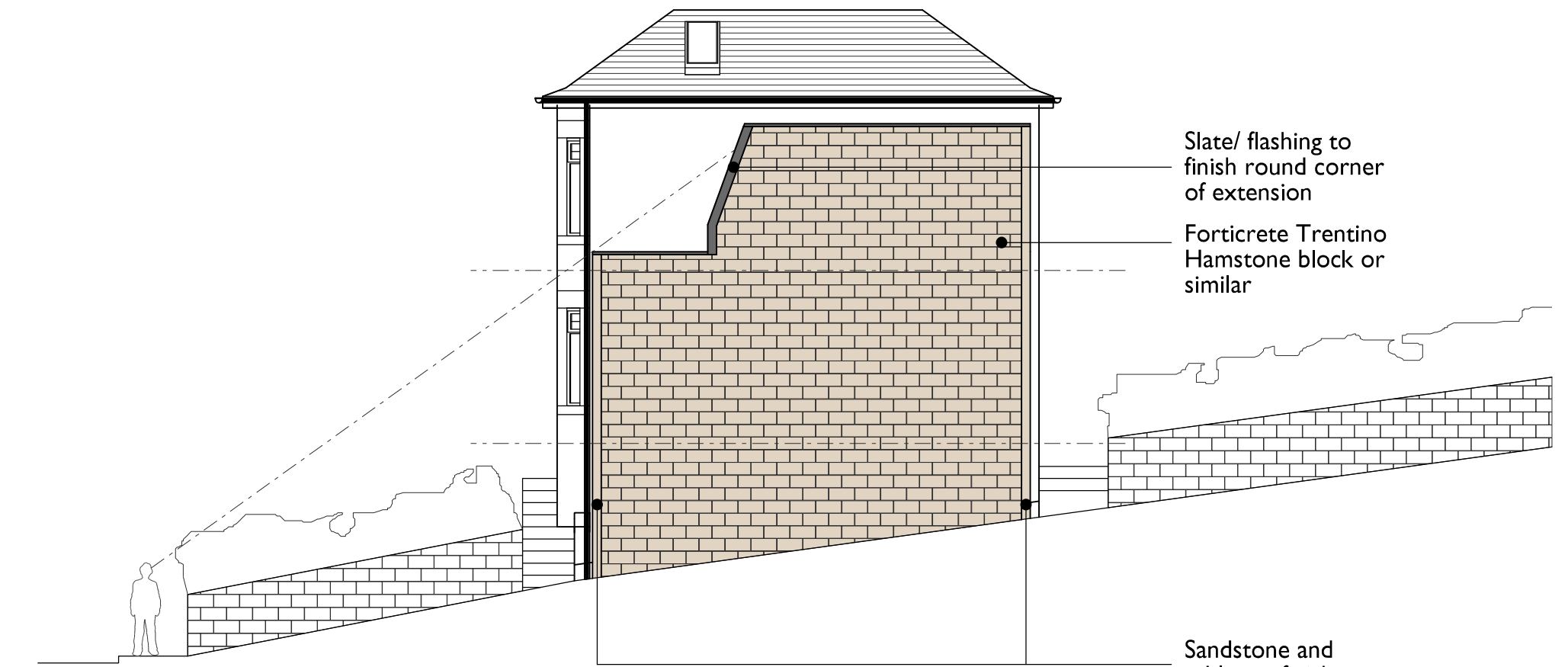


Page 81

Proposed Front Elevation (South)



Proposed Rear Elevation (North)



Proposed Side Elevation (East)

Rev A	AM	22/1/20	Additional storey length reduced by 200mm, front elevation now angled with balcony to front removed and Velux windows proposed to angle
Rev	Drawn	Date	

CLIENT	Mr R Hay				
PROJECT	Proposed Extension to House at 30 Belmont Gardens, Edinburgh				
DRAWING	Proposed Elevations				
STATUS	PLANNING				
DRAWN	AM	DATE	JAN 19	DRG NO	1027-PLA-04
				JOB	1027
				REV	A
				SCALE	1:100 @ A2
				Do not scale from this drawing	

This drawing and its data are property of AMA and should not be reproduced without written consent. All dimensions to be checked on site prior to any works and ordering of materials, with any discrepancies reported immediately. Drawings should be read in conjunction with all other relevant building consultants drawings and information. This drawing was prepared to obtain planning and/or building standards permission and can only be used as a working drawing. AMA's liability ends upon receipt of a decision from the planning department and/or the building standards department. AMA accepts no responsibility for any inaccuracy in printing of this drawing by any parties.

No. 1
29 Jamaica Mews
New Town
Edinburgh
EH3 6HL
Tel: 0131 467 5951
Email: info@andrew
megginsonarchitecture.com



ANDREWMEGGINSONARCHITECTURE



This page is intentionally left blank

Patience And Highmore.
FAO: Keith Cameron
Patience And Highmore, Quadrant
17 Bernard Street
Edinburgh
Scotland
EH6 6PW

Mr Derek Davidson.
3 Fingal Place
Edinburgh
Scotland
EH9 1JX

Decision date: 28 February 2020

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

Convert the existing roof to create a decking area with a sun room attached.
At 3 Fingal Place Edinburgh EH9 1JX

Application No: 20/00099/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 13 January 2020, this has been decided by **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 Env 4 in respect of Listed Buildings - Alterations and Extensions, as it impacts on the character and appearance of the existing listed building
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed decking and sunroom negatively impact on the character and appearance of the conservation area.

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

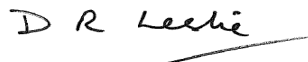
Drawings 01-03, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is an unsympathetic design that will adversely affect the character and form of the high quality and consistent row of terraced villas. The proposal is contrary to LDP Env 4 and LDP Env 6.

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 Rory Kyle directly on 0131 529 3917.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision of the planning authority 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 appeal to the Scottish Ministers under section 47 of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The appeal can be made online at www.eplanning.scot or forms can be downloaded from that website and sent to the Planning and Environmental Appeals Division, 4 The Courtyard, Callendar Business Park, FALKIRK FK1 1XR.
2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Scottish Ministers, 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 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 in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission 20/00099/FUL

At 3 Fingal Place, Edinburgh, EH9 1JX

Convert the existing roof to create a decking area with a sun room attached.

Item	Delegated Decision
Application number	20/00099/FUL
Wards	B15 - Southside/Newington

Summary

The proposal is an unsympathetic design that will adversely affect the character and form of the high quality and consistent row of terraced villas. The proposal is contrary to LDP Env 4 and LDP Env 6.

Links

Policies and guidance for this application	LDPP, LEN04, LEN06, NSG, NSHOU, NSLBCA,
--	---

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 refers to a 2-storey (and basement) terraced villa, built in 1825. The property is in a predominately residential area in Marchmont, adjacent to the southern edge of The Meadows, and the Hospital for Sick children is to the south east.

The property is B listed (LB30371) and is within the Marchmont, Meadows, and Bruntsfield Conservation Area.

This application site is located within the Marchmont, Meadows And Bruntsfield Conservation Area.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

This application is for the conversion of the existing roof to create decking and a sunroom, with first floor access via an internal spiral staircase.

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 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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 of an acceptable scale, form and design, and compatible with neighbourhood character and appearance of the conservation area.
- b) The proposal does not result in an unreasonable loss of neighbouring residential amenity.

a) Conservation area

The building is within a row of high quality Georgian terraced properties. The proposal is unsympathetic to the character of the terrace, significantly eroding the consistent design, and would not be in-keeping with neighbourhood character. The roof decking area and sun room would undermine the integrity of the design of the building, causing unnecessary damage and loss of form.

The infill is not in-keeping with the neighbourhood character and is an alien design, and is unacceptable. The proposal is contrary to LDP Policy Env 6.

b) Residential Amenity

The proposals do not raise any concerns with residential amenity. The development is in-line or below the ridge line of the roof and will not be visible at street level. Additionally, the height of the ridge line means there are no concerns with overlooking into the private gardens at the rear.

The proposal would have no adverse effect on neighbouring residential amenity.

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 Env 4 in respect of Listed Buildings - Alterations and Extensions, as it impacts on the character and appearance of the existing listed building
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed decking and sunroom negatively impact on the character and appearance of the conservation area.

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

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

Four comments of representation objecting to the proposal have been made. Material planning considerations raised are summarised below:

- Impact on the character of a listed building
- Impact on residential amenity

Background reading / external references

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

Statutory Development**Plan Provision**

Edinburgh Local Development Plan

Date registered

13 January 2020

**Drawing
numbers/Scheme**01-03,

Scheme 1

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

Contact: Rory Kyle, Trainee Planner
E-mail:rory.kyle@edinburgh.gov.uk Tel:0131 529 3917

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

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

END

Comments for Planning Application 20/00099/FUL

Application Summary

Application Number: 20/00099/FUL

Address: 3 Fingal Place Edinburgh EH9 1JX

Proposal: Convert the existing roof to create a decking area with a sun room attached.

Case Officer: Rory Kyle

Customer Details

Name: Mr Christian Zante

Address: 2 Fingal Place Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Overall our stance is neutral as we can understand the desire to create some outdoor space. However, as the owner of the neighbouring property most likely to be impacted by this development we want to ensure that the following areas have been fully considered:

Loss of light or daylight - The plans suggest the new structure would block light to our own cupola. This is an important period feature of our property and any reduction of light would have a significant practical and aesthetic impact on the enjoyment of our property. Early morning light is a particular concern as the western boundary of our property is already flanked by a much higher neighbouring property so light is already somewhat limited. We would also like register concern at the possibility of artificial light entering via cupola as there is no way to screen internally.

Noise and disturbance - It is not clear what if any noise insulation is proposed under the decking terrace or the sun pod both of which are in close proximity to both bedrooms, one of which is a children's bedroom. We anticipate there could be noise from footfall and/or entertaining. If noise insulation is considered necessary we would want to know that it will be effective.

Finally the plans do not provide details of how water onto the new flat roof will be diverted. We have concerns about how the new structure would interact with existing shared parapet wall and how rainwater is channelled from the flat roof.

Comments for Planning Application 20/00099/FUL

Application Summary

Application Number: 20/00099/FUL

Address: 3 Fingal Place Edinburgh EH9 1JX

Proposal: Convert the existing roof to create a decking area with a sun room attached.

Case Officer: Rory Kyle

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Overall our stance is neutral as we can understand the desire to create some outdoor space. However, as the owner of the neighbouring property most likely to be impacted by this development we want to ensure that the following areas have been fully considered:

Loss of light or daylight - The plans suggest the new structure would block light to our own cupola. This is an important period feature of our property and any reduction of light would have a significant practical and aesthetic impact on the enjoyment of our property. Early morning light is a particular concern as the western boundary of our property is already flanked by a much higher neighbouring property so light is already somewhat limited. We would also like register concern at the possibility of artificial light entering via cupola as there is no way to screen internally.

Noise and disturbance - It is not clear what if any noise insulation is proposed under the decking terrace or the sun pod both of which are in close proximity to both bedrooms, one of which is a children's bedroom. We anticipate there could be noise from footfall and/or entertaining. If noise insulation is considered necessary we would want to know that it will be effective.

Finally the plans do not provide details of how water onto the new flat roof will be diverted. We have concerns about how the new structure would interact with existing shared parapet wall and how rainwater is channelled from the flat roof.

Comments for Planning Application 20/00099/FUL

Application Summary

Application Number: 20/00099/FUL

Address: 3 Fingal Place Edinburgh EH9 1JX

Proposal: Convert the existing roof to create a decking area with a sun room attached.

Case Officer: Rory Kyle

Customer Details

Name: Mrs Margaret Beveridge

Address: 3 Argyle Place Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I am concerned about the loss of privacy this development would cause. A sun room and outside terrace would completely overlook our garden as well as the bedrooms of ourselves and our children which are at first and second floor level.

There would be problems with noise intrusion also. The organisation of the three streets, Argyle Place, Sylvan Place and Fingal Place, forms a cul-de-sac where sound echoes off the surrounding walls and is amplified. Light from the outside Terrace also would be intrusive in the evenings (especially at bedroom level).

Most importantly however, this is a conservation area of Georgian and Victorian houses and such a development would not be in keeping with this. The back lane, behind the streets is also a conservation area supporting plants and wildlife. The proposed development would not only be highly visible and intrusive, but is likely to create a precedent, completely spoiling the architectural integrity of the area.

Comments for Planning Application 20/00099/FUL

Application Summary

Application Number: 20/00099/FUL

Address: 3 Fingal Place Edinburgh EH9 1JX

Proposal: Convert the existing roof to create a decking area with a sun room attached.

Case Officer: Rory Kyle

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I am concerned about the loss of privacy this development would cause. A sun room and outside terrace would completely overlook our garden as well as the bedrooms of ourselves and our children which are at first and second floor level.

There would be problems with noise intrusion also. The organisation of the three streets, Argyle Place, Sylvan Place and Fingal Place, forms a cul-de-sac where sound echoes off the surrounding walls and is amplified. Light from the outside Terrace also would be intrusive in the evenings (especially at bedroom level).

Most importantly however, this is a conservation area of Georgian and Victorian houses and such a development would not be in keeping with this. The back lane, behind the streets is also a conservation area supporting plants and wildlife. The proposed development would not only be highly visible and intrusive, but is likely to create a precedent, completely spoiling the architectural integrity of the area.

Comments for Planning Application 20/00099/FUL

Application Summary

Application Number: 20/00099/FUL

Address: 3 Fingal Place Edinburgh EH9 1JX

Proposal: Convert the existing roof to create a decking area with a sun room attached.

Case Officer: Rory Kyle

Customer Details

Name: Dr Allan Beveridge

Address: 3 Argyle Place Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I greatly object to the threat to our privacy that this proposal poses.

The occupants would be able to look directly into our garden. In addition our bedroom, children's bedroom and bathroom are all at the back of the house.

There are also issues of noise and lights on at night.

It will mar the appearance of the house and of the area generally.

Comments for Planning Application 20/00099/FUL

Application Summary

Application Number: 20/00099/FUL

Address: 3 Fingal Place Edinburgh EH9 1JX

Proposal: Convert the existing roof to create a decking area with a sun room attached.

Case Officer: Rory Kyle

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I greatly object to the threat to our privacy that this proposal poses.

The occupants would be able to look directly into our garden. In addition our bedroom, children's bedroom and bathroom are all at the back of the house.

There are also issues of noise and lights on at night.

It will mar the appearance of the house and of the area generally.

Comments for Planning Application 20/00099/FUL

Application Summary

Application Number: 20/00099/FUL

Address: 3 Fingal Place Edinburgh EH9 1JX

Proposal: Convert the existing roof to create a decking area with a sun room attached.

Case Officer: Rory Kyle

Customer Details

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Thank you for the opportunity to comment on the above planning application. The proposals relate to a B-listed building within the Marchmont, Meadows and Bruntsfield Conservation Area. The application suggests the conversion of an existing roof to create a decking area with a sun room attached. The Forth & Borders Cases Panel of the AHSS has considered the proposal and wishes to make the following comments.

We believe the current proposal would result in a loss of character as the proposal involves the destruction of major parts of the roof structure, significantly altering the current design of the property. In order to maintain the character of the building, the design should maintain the character of the gable roof as it appears now.

The council guidance 'Listed Buildings and Conservation Areas' (p.6) specifies that 'Any alterations should protect the character and special interest of listed buildings'. Additionally, local plan Policy Env4 Listed Buildings requires there to be no 'unnecessary damage to historic structures' and any additions to be 'in keeping with other parts of the building'.

In our opinion this proposal contravenes both the non-statutory guidance and the Local Development Plan. Accordingly, the AHSS wishes to object to this application.

Comments for Planning Application 20/00099/FUL

Application Summary

Application Number: 20/00099/FUL

Address: 3 Fingal Place Edinburgh EH9 1JX

Proposal: Convert the existing roof to create a decking area with a sun room attached.

Case Officer: Rory Kyle

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Thank you for the opportunity to comment on the above planning application. The proposals relate to a B-listed building within the Marchmont, Meadows and Bruntsfield Conservation Area. The application suggests the conversion of an existing roof to create a decking area with a sun room attached. The Forth & Borders Cases Panel of the AHSS has considered the proposal and wishes to make the following comments.

We believe the current proposal would result in a loss of character as the proposal involves the destruction of major parts of the roof structure, significantly altering the current design of the property. In order to maintain the character of the building, the design should maintain the character of the gable roof as it appears now.

The council guidance 'Listed Buildings and Conservation Areas' (p.6) specifies that 'Any alterations should protect the character and special interest of listed buildings'. Additionally, local plan Policy Env4 Listed Buildings requires there to be no 'unnecessary damage to historic structures' and any additions to be 'in keeping with other parts of the building'.

In our opinion this proposal contravenes both the non-statutory guidance and the Local Development Plan. Accordingly, the AHSS wishes to object to this application.



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100223854-004

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="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="3"/>
First Name: *	<input type="text" value="Derek"/>	Building Number: <input type="text"/>
Last Name: *	<input type="text" value="Davidson"/>	Address 1 (Street): * <input type="text" value="Fingal Place"/>
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="EH9 1JX"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="t"/>	

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="3 FINGAL PLACE"/>
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="EH9 1JX"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="672459"/>	Easting	<input type="text" value="325706"/>
----------	-------------------------------------	---------	-------------------------------------

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)

Convert the existing roof to create a decking area with a sun room attached.

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.

Cannot agree with reasons given for refusal; 'The proposal is an unsympathetic design that will adversely affect the character and form of the high quality and consistent row of terraced villas.' The proposed alterations would not be visible from outwith the property and we would therefore contend the proposals are entirely sympathetic to and will not affect the character and high quality and consistent row of terraced villas.

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)

Amended general arrangement drawing showing roof line elevations front and rear.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/00099/FUL

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

13/01/2020

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

28/02/2020

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 Keith Cameron

Declaration Date: 24/04/2020

Proposal Details

Proposal Name	100223854
Proposal Description	Conversion of the existing rooftop into a decking area with a sun room attached.
Address	3 FINGAL PLACE, EDINBURGH, EH9 1JX
Local Authority	City of Edinburgh Council
Application Online Reference	100223854-004

Application Status

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

Attachment Details

Notice of Review	System	A4
L PL 001	Attached	A3
L PL 002 A	Attached	A1
L PL 003 A	Attached	A1
Refusal Notice	Attached	A4
Design Statement	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-004.xml	Attached	A0

Proposed Alterations to 3 Fingal Place, Edinburgh EH9 1JX

Convert Roof into a decking area with sun room attached.

Design Statement

The proposal is to convert the existing roof of this house to create an external decking area with a sun room attached.

In order to create the new sun room it will be necessary to extend part of the ridge of the rear pitched roof to match the height of the front roof to create the required headroom. The decking area will be enclosed between the ridges of the two pitched roofs and will not be visible from the street, as shown on the plans and sections.

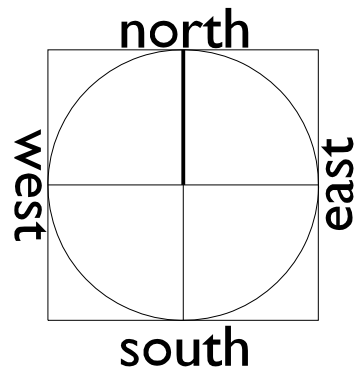
Access to the new sun room will be via a new bespoke timber spiral stair located in the rear first floor bedroom. The handrail, treads and balustrading of the new stair will be a contemporary design.

The stone elevations front and back will not be altered in any way under these proposals and the slated roof at the front will also be unaltered.

In the interest of safety, a decorative protective barrier will be created around the existing cupola construction.

These proposals are instigated by the present owners' desire to create an 'external space' for the property as, at present, there is none. This is due to the fact that the garden flat below retains ownership of what would have been the garden to the original 'complete' property.

NOTES:



APPLICATION SITE

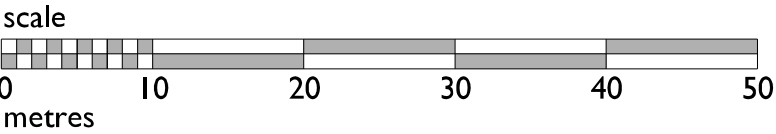
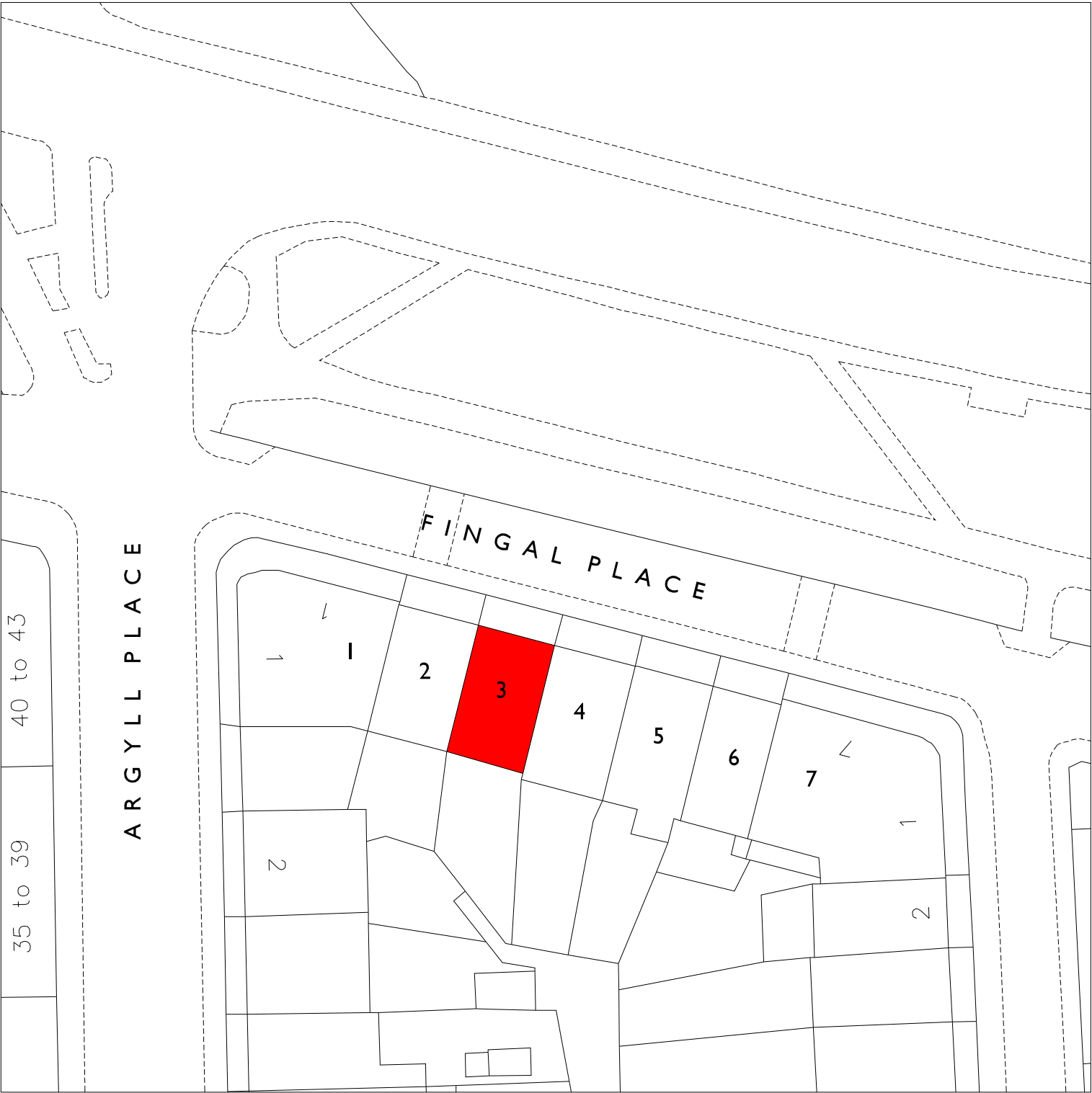
P + H
PATIENCE + HIGHMOREArchitects
QUADRANT
17 BERNARD STREET
EDINBURGH
EH6 6PW
TEL. 0131 555 0644
E-MAIL: mail @ patienceandhighmore.com

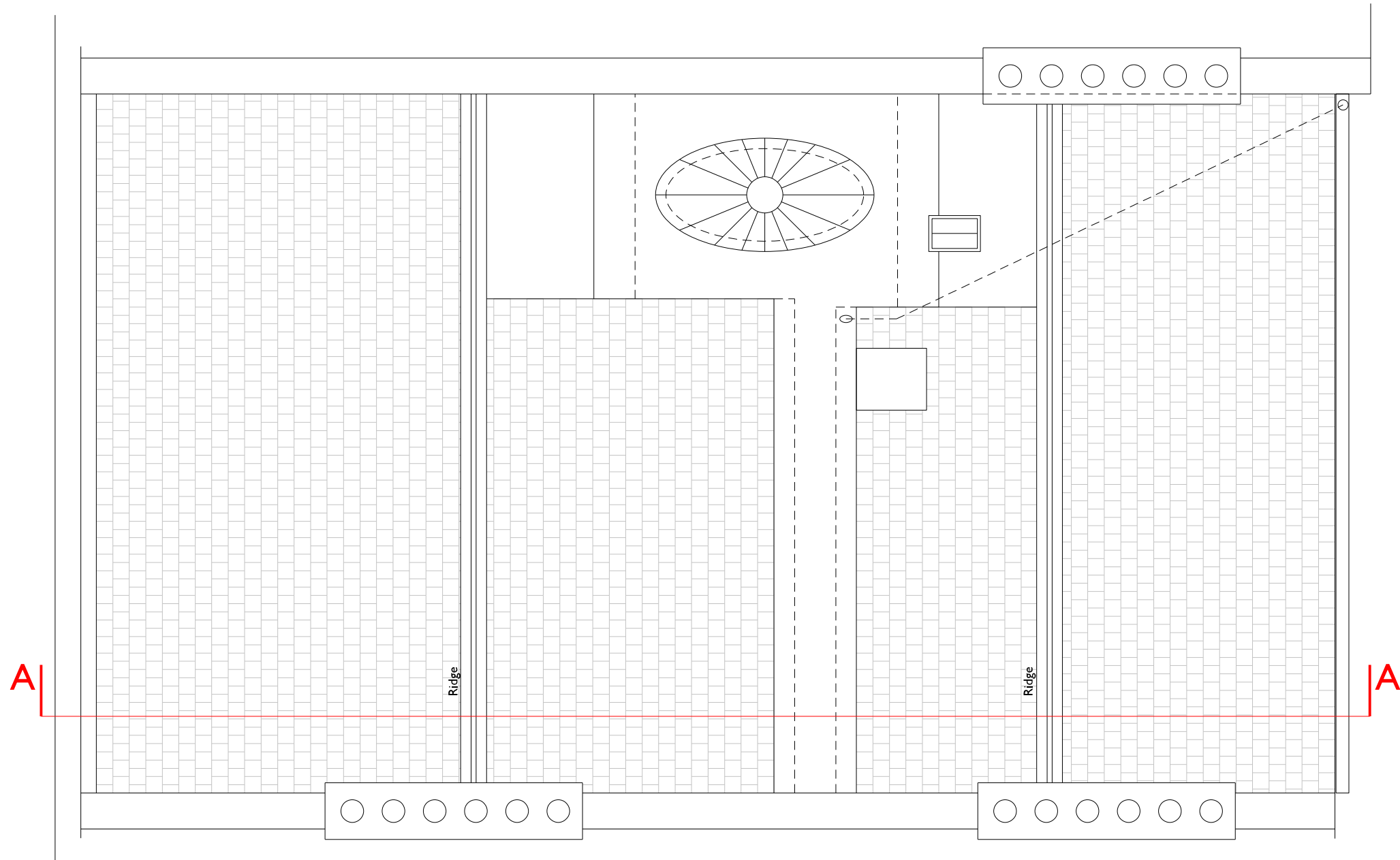
JOB TITLE:
**PROPOSED ATTIC ROOM AND EXTERNAL
ROOF DECK AT
3 FINGAL PLACE, EDINBURGH**

DRAWING TITLE:
LOCATION PLAN

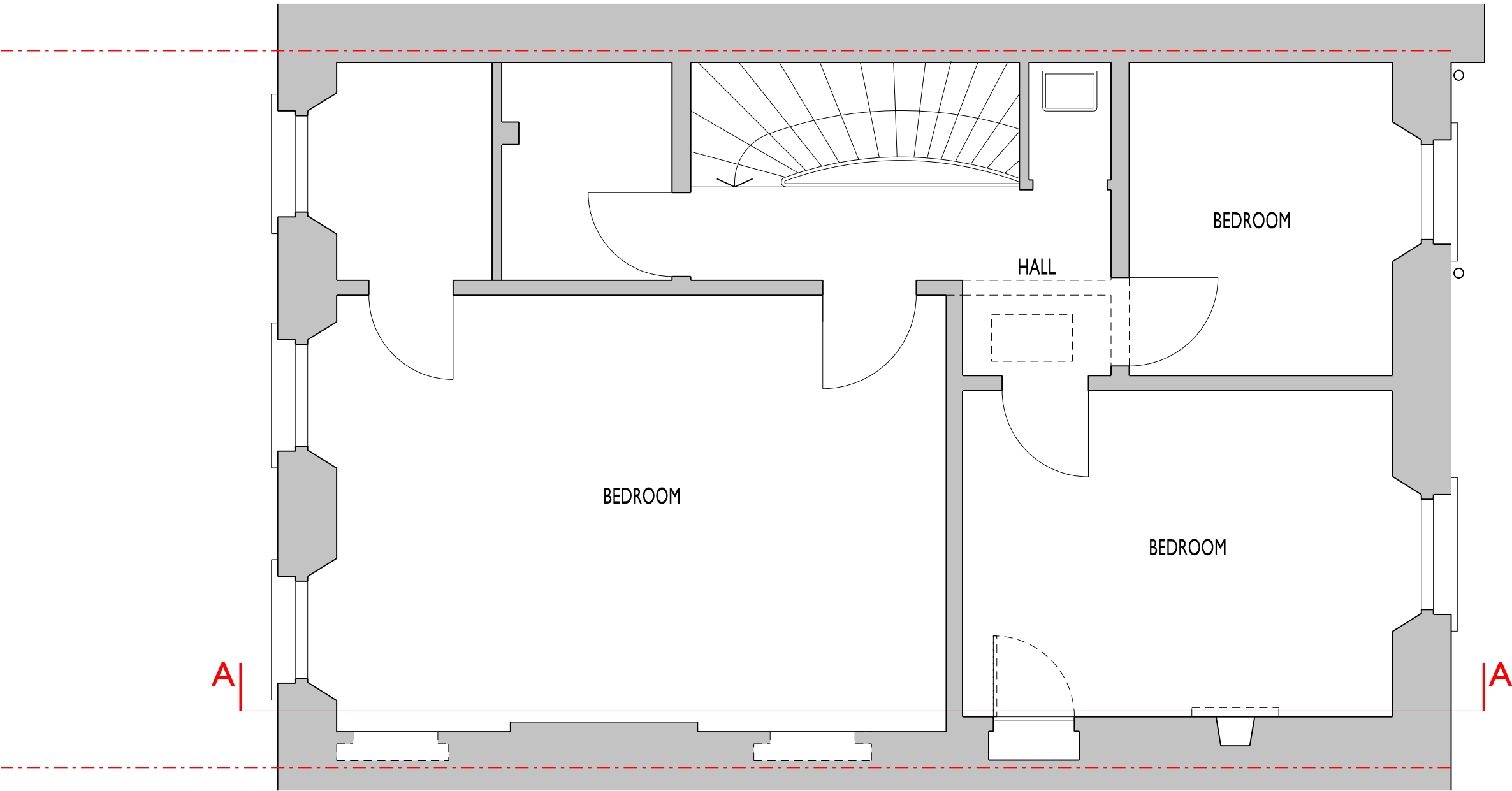
STATUS:
PLANNING & LBC

SCALE:	1:500@A3	DATE:	JAN'20
JOB No:	1912	DRG No:	L(PL)001
DRAWN:	LMG	REV. No:	-

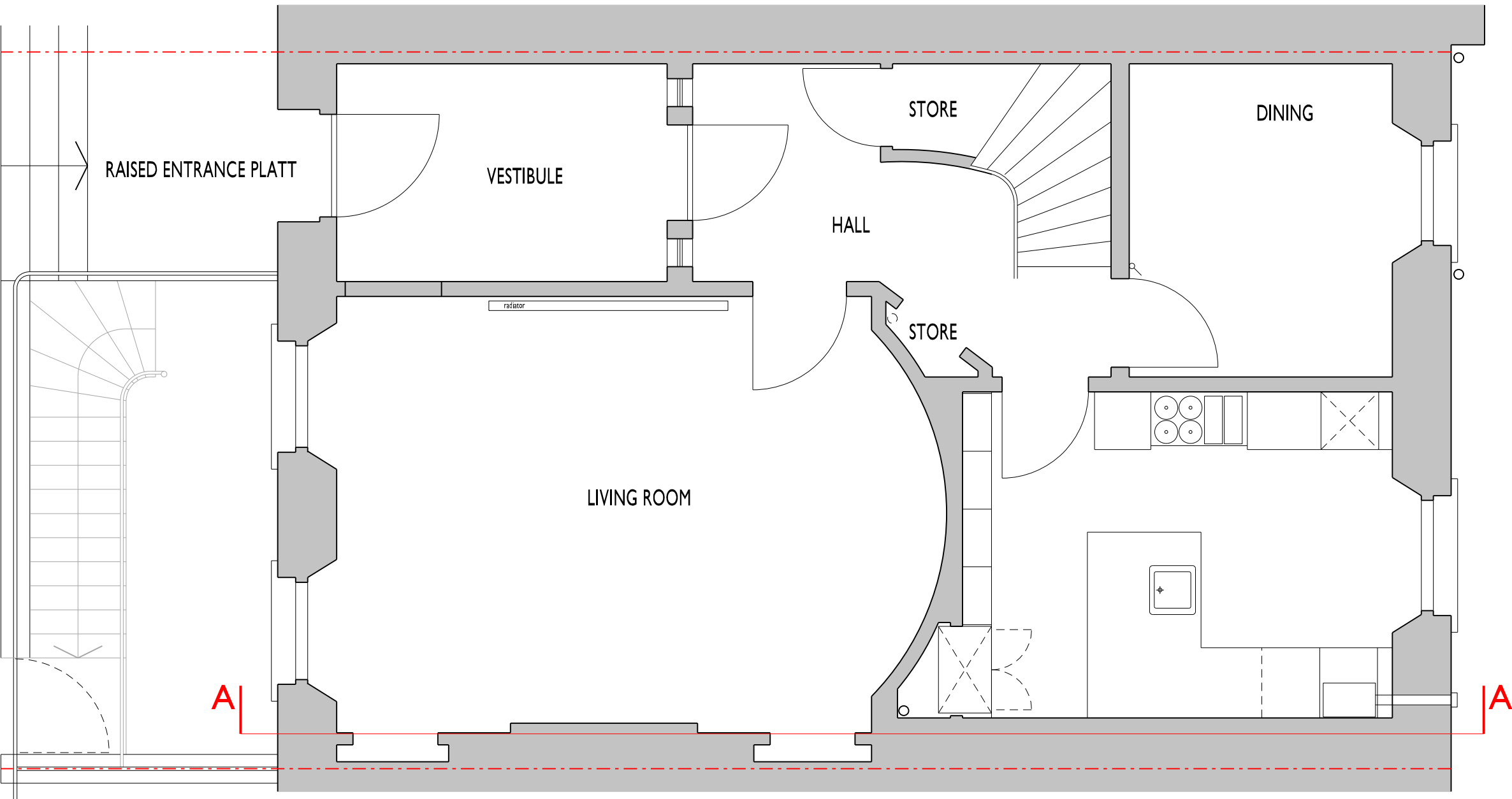




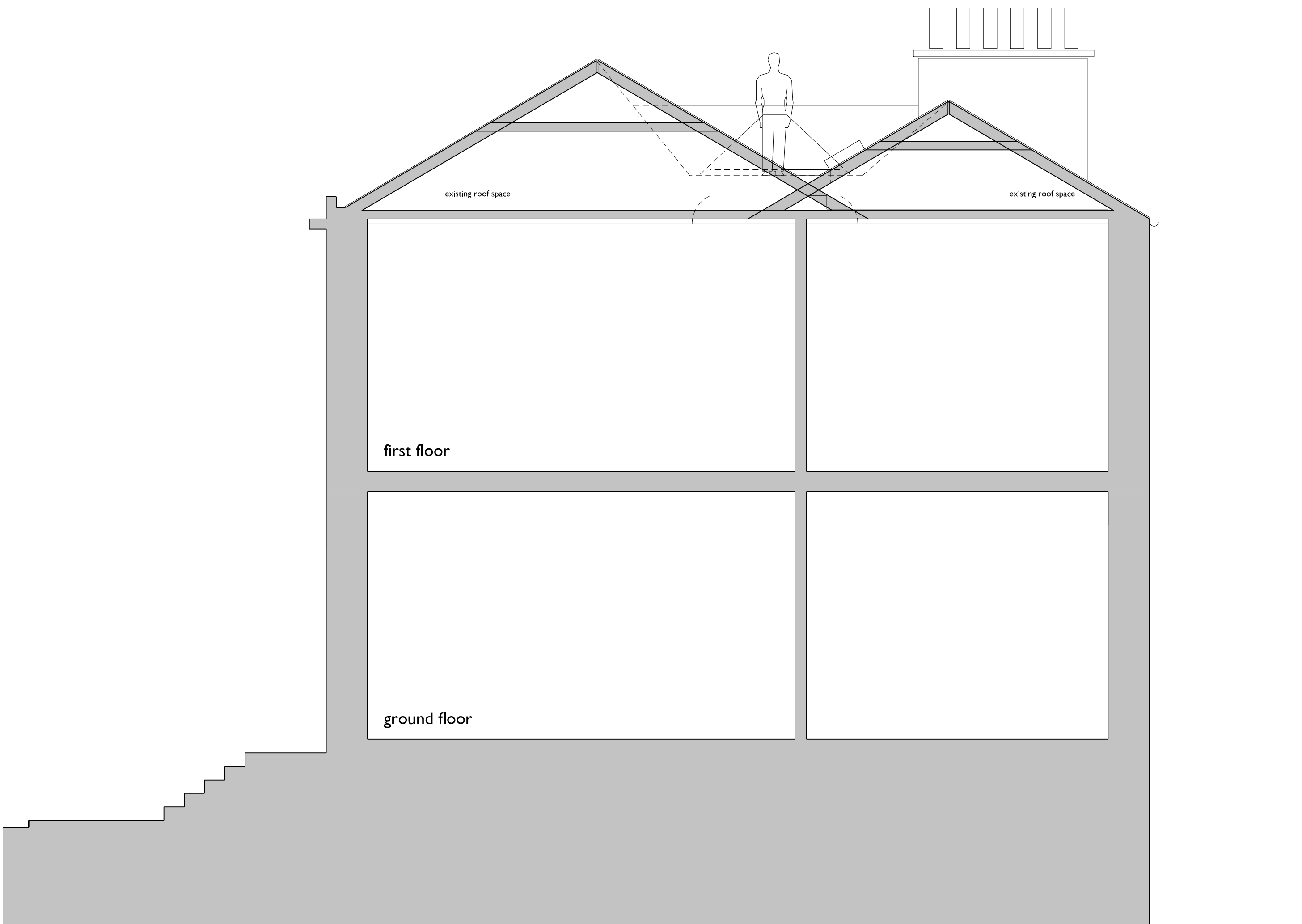
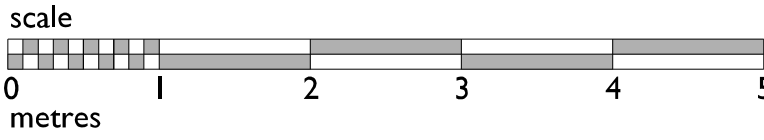
EXISTING ROOF PLAN
1:50



EXISTING 1ST FLOOR
1:50



EXISTING GROUND FLOOR
1:50



EXISTING SECTION A-A
1:50

NOTES:

AMENDMENTS:
Rev A : 11.02.20 : LMG : Existing fireplace at bedroom added.

JOB TITLE:
PROPOSED ATTIC ROOM AND
EXTERNAL ROOF DECK AT
3 FINGAL PLACE, EDINBURGH

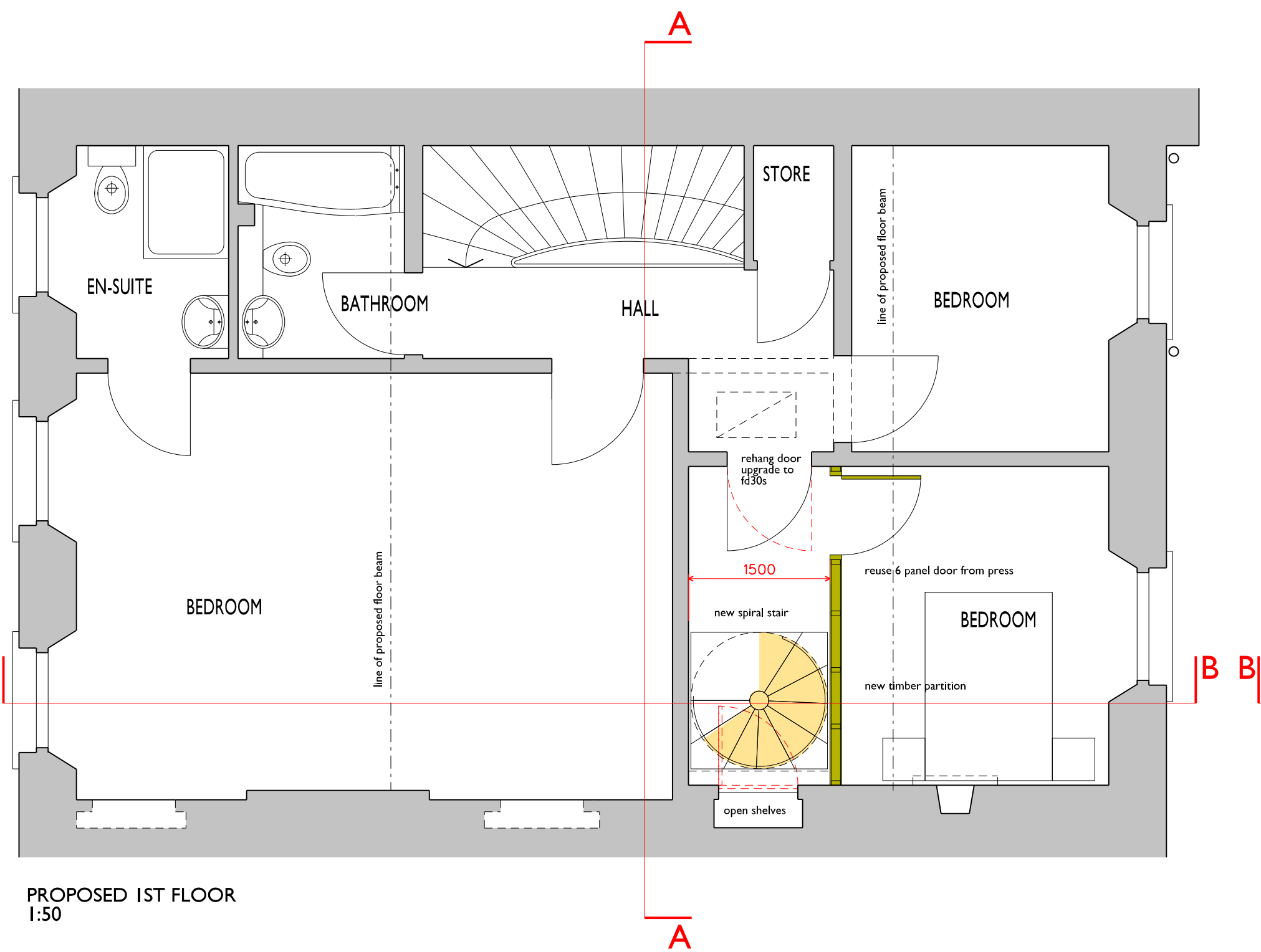
DRAWING TITLE:
EXISTING GROUND, FIRST AND ROOF PLAN

STATUS:
PLANNING & LBC

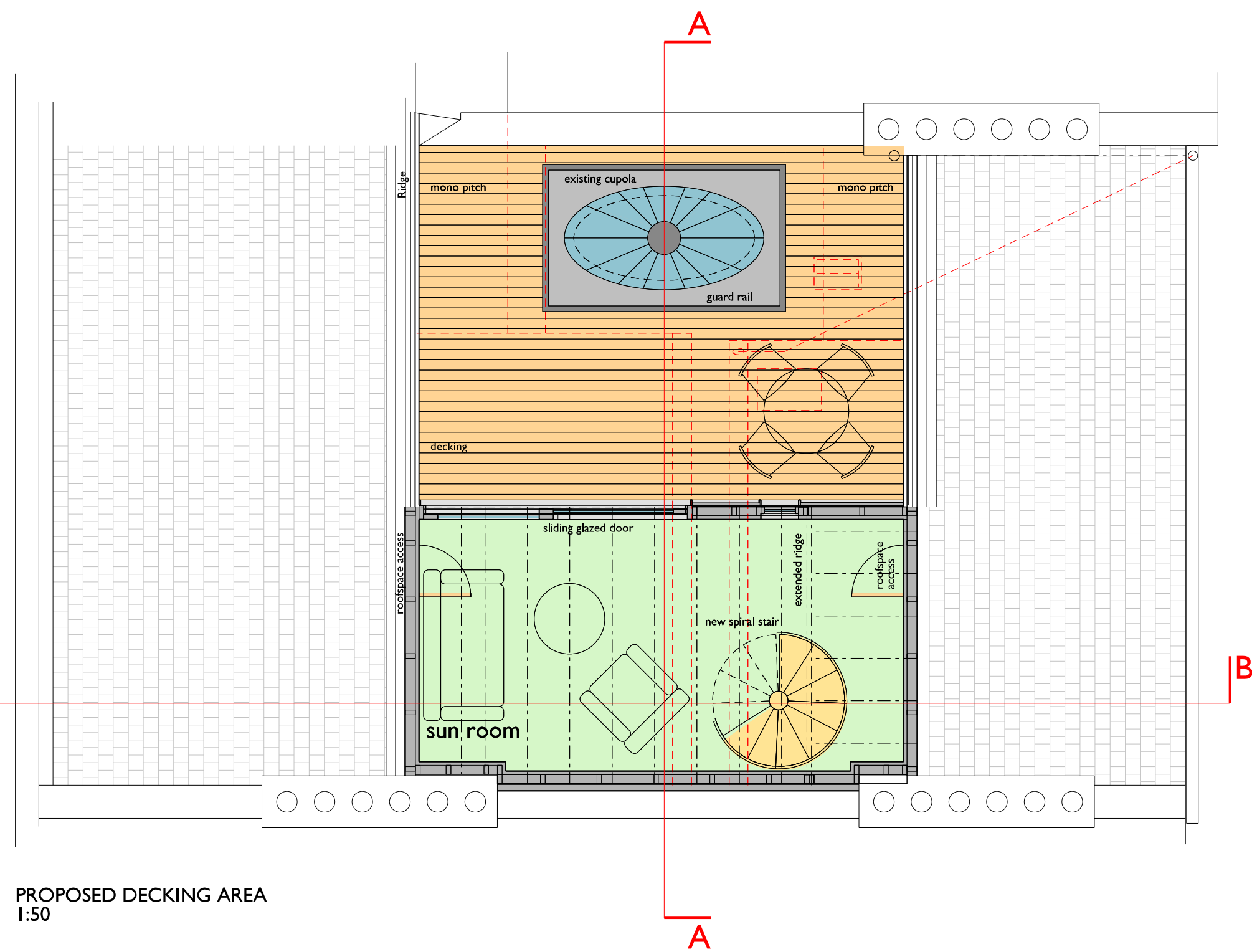
P + H
PATIENCE and HIGHMORE Architects

QUADRANT
17 BERNARD STREET
EDINBURGH
EH6 6PW
TEL. 0131 555 0644
E-MAIL: mail @ patienceandhighmore.com

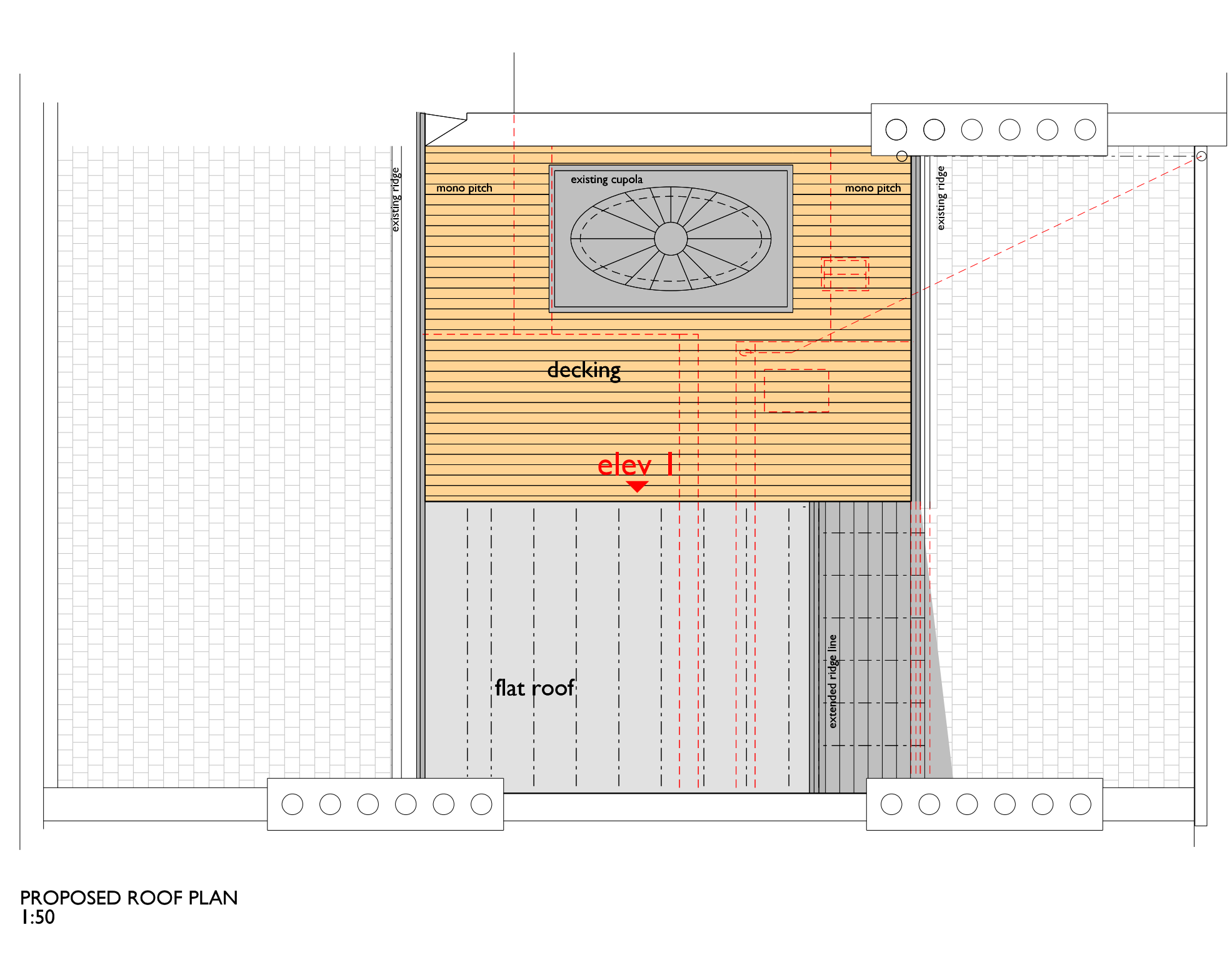
SCALE:	1:50	DATE:	JAN'20
JOB No:	1912	DRG No:	L(PL)002
DRAWN:	LMG	REV. No:	A



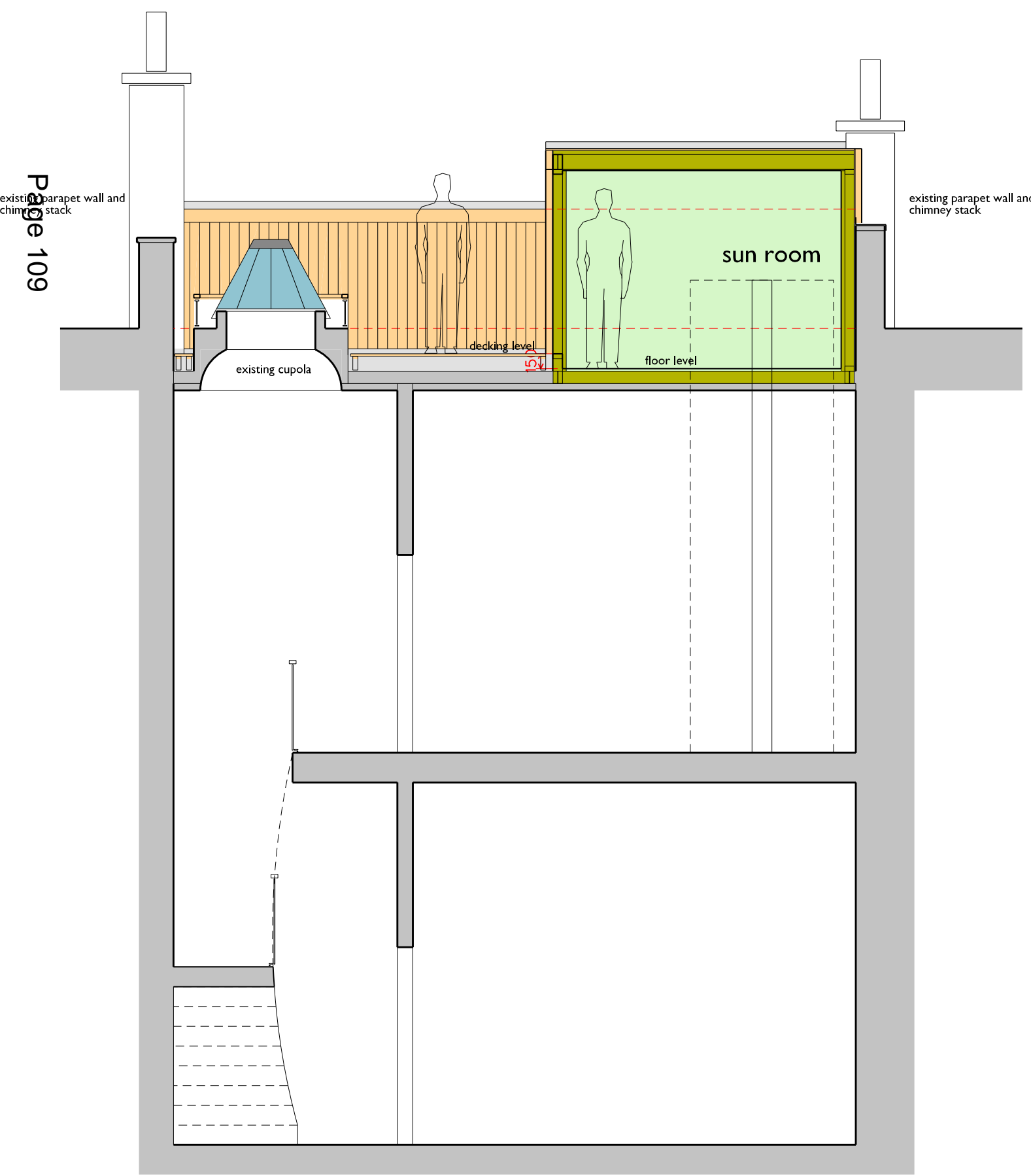
PROPOSED 1ST FLOOR
1:50



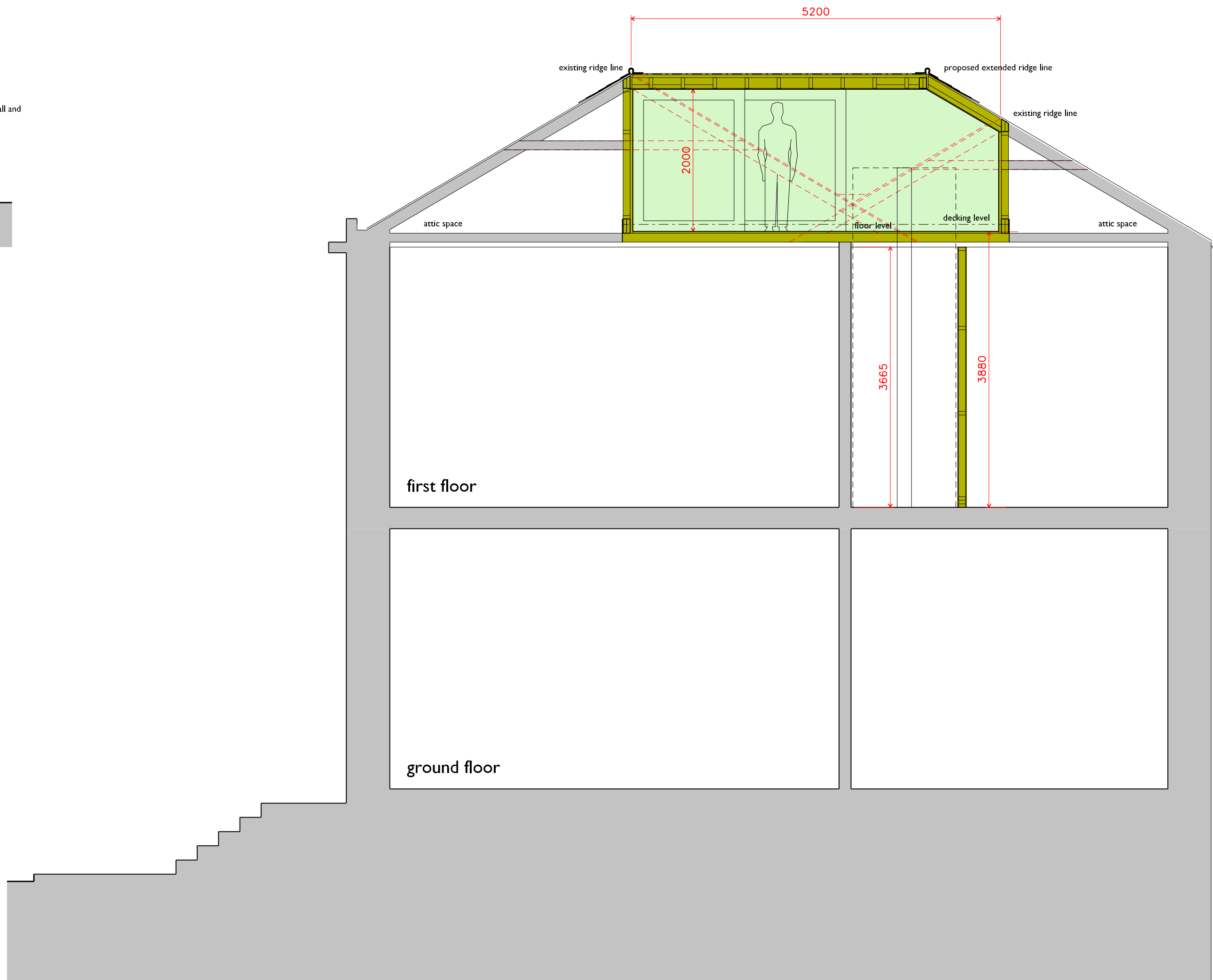
PROPOSED DECKING AREA
1:50



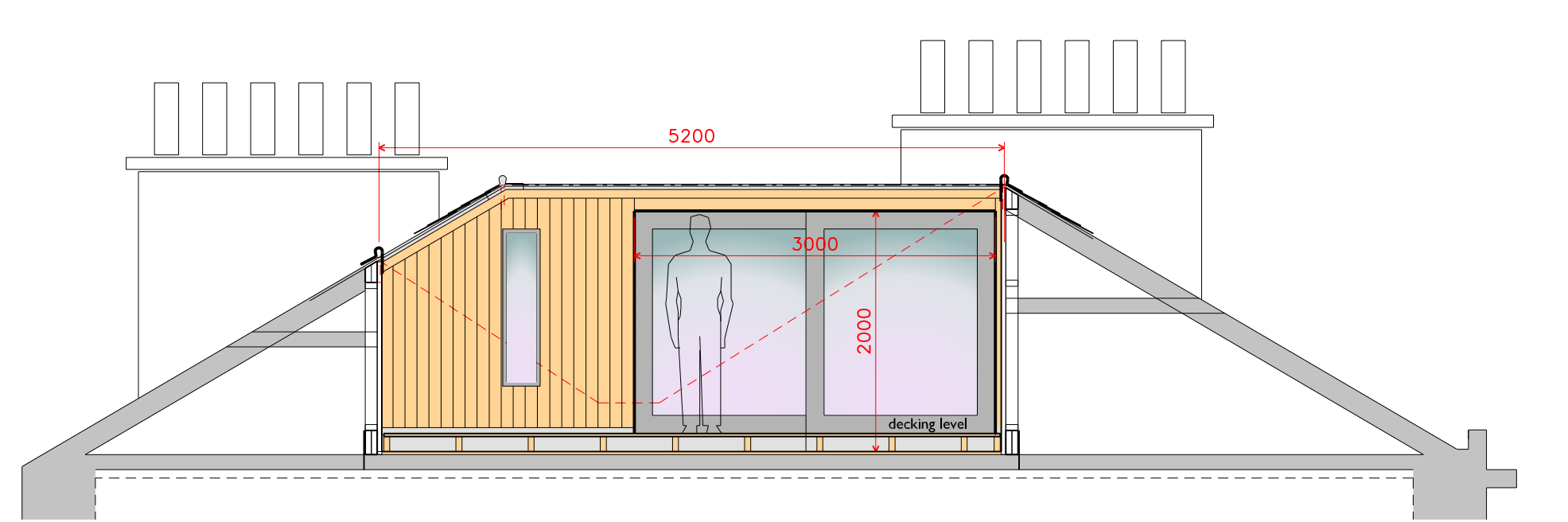
PROPOSED ROOF PLAN
1:50



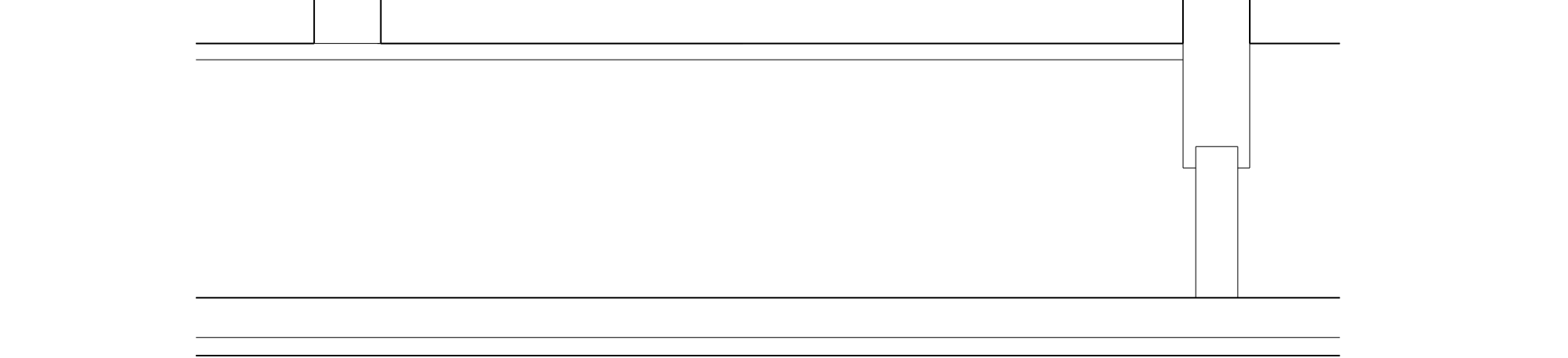
PROPOSED SECTION A-A
1:50



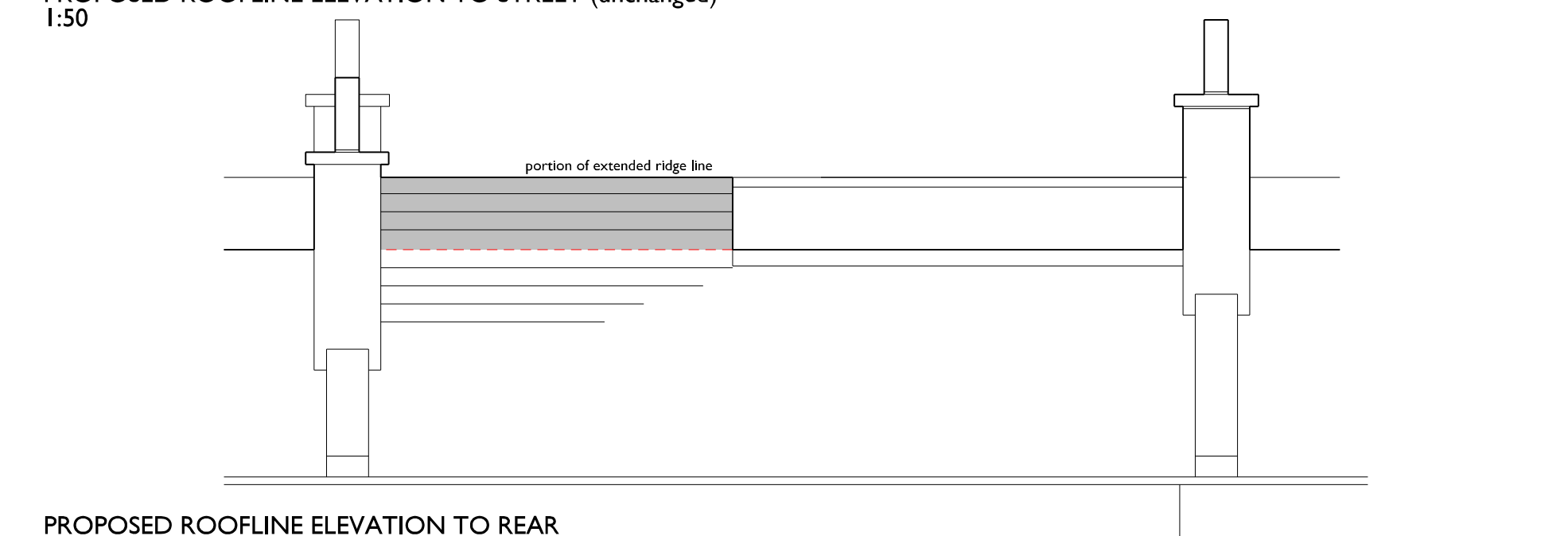
PROPOSED SECTION B-B
1:50



PROPOSED ELEVATION I
1:50

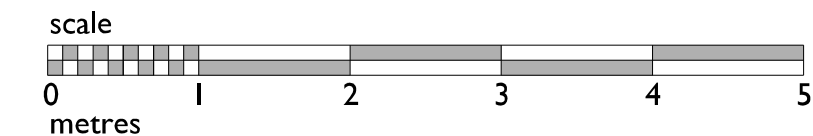


PROPOSED ROOFLINE ELEVATION TO STREET (unchanged)
1:50



PROPOSED ROOFLINE ELEVATION TO REAR
1:50

KEY
-- REMOVALS



STATUS:
PLANNING & LBC APPEAL

P + H
PATIENCE and HIGHMORE Architects

QUADRANT
17 BERNARD STREET
EDINBURGH
EH6 6PW
TEL. 0131 555 0644
E-MAIL: mail @ patienceandhighmore.com

SCALE: **1:50** DATE: **JAN'20**
JOB No: **1912** DRG No: **L(PL)003**
DRAWN: **LMG** REV. No: **B**

NOTES:
AMENDMENTS:
Rev A : 11.02.20 : LMG - Existing fireplace at bedroom added.
Rev B : 15.04.20 : gp - Roof line elevations added, colours amended.

JOB TITLE:
PROPOSED ATTIC ROOM AND
EXTERNAL ROOF DECK AT
3 FINGAL PLACE, EDINBURGH

DRAWING TITLE:
PROPOSED FIRST FLOOR PLAN, ROOF DECK
AND ROOF PLAN

This page is intentionally left blank

Lynne Cranston
15A Cornwall Street
Edinburgh
Midlothian
EH1 2EQ

Ms Yi-Ju Chen
20 Regent Terrace
Edinburgh
Scotland
EH7 5BS

Decision date: 27 February 2020

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

Small glass extension at ground level with spa in basement courtyard and outhouse.
At 20 Regent Terrace Edinburgh EH7 5BS

Application No: 18/08379/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 4 October 2018, 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 Env 4 and Env 3 and HES guidance in respect of Extensions - as the proposals do not have special regard to the desirability of preserving the building and its setting and will adversely impact on its special architectural and historic interest.

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

Drawings 1-6, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

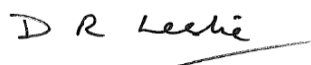
The reason why the Council made this decision is as follows:

The proposals comply with the development plan policy LEN06 and non-statutory guidance, have no adverse effect on the character or appearance of the conservation area, and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no significant detrimental impact on residential amenity.

The proposal will not visually harm the character and appearance of the conservation area, but its intervention to the historic fabric of the building will harm the character of the building as one possessing special interest. There are no identified impacts on human rights and no material considerations that outweigh this conclusion.

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 Diana Garrett directly on 0131 529 3620.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

**Application for Planning Permission 18/08379/FUL
At 20 Regent Terrace, Edinburgh, EH7 5BS
Small glass extension at ground level with spa in basement
courtyard and outhouse.**

Item	Local Delegated Decision
Application number	18/08379/FUL
Wards	B11 - City Centre

Summary

The proposals comply with the development plan policy LEN06 and non-statutory guidance, have no adverse effect on the character or appearance of the conservation area, and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no significant detrimental impact on residential amenity.

The proposal will not visually harm the character and appearance of the conservation area, but its intervention to the historic fabric of the building will harm the character of the building as one possessing special interest. There are no identified impacts on human rights and no material considerations that outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LEN06, LEN04, LEN03, LDES12, NSG, NSLBCA, OTH, CRPNEW, CRPWHS, HESEXT,
---	--

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 site is a three storey and basement, sandstone constructed, terraced townhouse by William Playfair, designed 1825 built 1826-1833. Part of long terrace of 34 classical townhouses; 20 Regent Terrace retains its original 2-storey and attic elevation.

It is Category A listed (item no. 49783), listed 16 December 1965.

The property has a steeply sloping garden upwards towards the private Regent Gardens to the rear of the terrace. The property has basement accommodation with a deep lightwell area to the rear of the property. The basement area is within the same ownership.

The site is located within the World Heritage Site.

This application site is located within the New Town Conservation Area.

2.2 Site History

10.08.2018 - listed building consent application withdrawn to erect new modern glass room to rear and alter outhouse to form steam room with shower, semi sunken plunge pool and hot tub in the courtyard (Ref. No: 18/02276/LBC)

10.08.2018 - planning application withdrawn to erect new modern glass room to rear and alter outhouse to form steam room with shower, semi sunken plunge pool and hot tub in the courtyard (Ref. No: 18/02549/FUL)

Pending consideration - listed building consent application to erect small glass extension at ground level with spa in basement courtyard and outhouse (Ref. No: 18/08317/LBC)

Main report

3.1 Description Of The Proposal

The application is to form a new glazed extension (new dining area) which will wrap around the existing outshot at ground floor level on the rear elevation. The extension would be constructed with structural glass panels with a minimal steel structure. The

glass would be fritted with graduated lines. An existing window would be removed and the stonework below and new French Doors would be formed. The French doors would provide direct access from the existing kitchen to the new extension.

The application also proposes the construction of a new steamroom/hot pool/cold pool (Japanese spa) within the lightwell area on the rear elevation.

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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 proposals will preserve or enhance the character or appearance of the conservation area;
- b) the proposals will adversely impact on the special character and historic interest of the listed building;
- c) there will be any adverse impact on residential amenity; and
- d) any public comments raised have been addressed.

a) Conservation Area

The New Town Conservation Area Character Appraisal notes that: *The overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings, strongly contributes to the character of the area*

LDP policy Env 6 requires proposals to preserve or enhance the special character and appearance of the conservation area, be consistent with the relevant conservation area

character appraisal and demonstrate high standards of design and utilise materials appropriate for the historic environment. The proposal is acceptable in these regards.

Regarding the most relevant essential characteristics of the New Town Conservation Area as identified in the character appraisal, the site is not visible from any public view and so would not have any impact on the public views or routes within or approaching the area. The terraced form of the townhouses and their relationship to the street will not be adversely affected. The proposed extension would be hidden from public view and therefore this change would not damage the character and amenity of the area to any significant degree. There are also several rear extensions in neighbouring streets.

The proposed design and scale of the extension would therefore have a neutral impact on the conservation area and would still preserve and enhance the character and appearance of the conservation area. However, this does not outweigh the harm caused by the proposal on the special architectural and historic interest of the building

b) Listed Building

HES's guidance on *Managing Change - Extensions* set out the principles that apply and how it should inform planning policies.

Policy Env 4 of the local plan states that *Proposals to alter or extend a listed building will be permitted where those alterations or extensions are justified, will not cause any unnecessary damage to historic structures or diminish its interest and where any additions are in keeping with other parts of the building*

Although the footprint of the extension is smaller than the previous applications (18/02276/LBC and 18/02549/FUL) and does not project further than the line of the lightwell area below, the current proposals would necessitate the loss of an unacceptable amount of original fabric in the original 16 pane window and stonework. The proposals would also result in extending an existing modestly scaled extension to form a 'wrap around' glass structure and would disrupt the integrity of this listed building. The proposals would cause unnecessary harm to the historic structure.

The proposed extension would be constructed in in fritted glass with a graduated lines. This material may be appropriate in a different context, but as an addition to a traditional stone built elevation it will not be in keeping with the listed building. The materials, scale and positioning of the extension would diminish the building's special interest.

The impact of the alterations to a section of the railings will be mitigated as these will be replicated and reconstructed to be openable and this is acceptable.

The proposals would adversely impact on the special character and historic interest of the listed building.

c) Neighbouring amenity

The proposed extension will be constructed from glass and there will be no detrimental impact in terms of over shadowing or daylighting. Although the materials specified are proposed to be fritted glass with graduated lines, this specification would be difficult to

enforce and there may be some loss of privacy and overlooking into the neighbouring property from the dining room extension. The use of glass may also cause an issue with light pollution into the neighbouring property.

The addition of the basement courtyard spa would not impact on neighbouring amenity. The issues associated with drainage and ventilation for this facility are not a planning concern and would be assessed in any application for a building warrant.

d) Public Comments

Five letters of representation were received.

Grounds of objection are as follows:

Material objections

- diminish integrity of listed building, assessed in section 3.3 b)
- many additions are historic, assessed in section 3.3 a)
- loss of railings, assessed in section 3.3 b)
- design, scale and materials inappropriate, assessed in section 3.3 a) and b)
- light pollution from glass extension, assessed in section 3.3 c)

Non - material objections

- construction works nuisance for neighbours, this is addressed by separate legislation
- increased maintenance, this is not a planning concern
- drainage and ventilation for spa, this is an issue for Building Standards

Conclusion

The proposals comply with the development plan policy LEN06 and non-statutory guidance, have no adverse effect on the character or appearance of the conservation area, and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no significant detrimental impact on residential amenity.

The proposal will not visually harm the character and appearance of the conservation area, but its intervention to the historic fabric of the building will harm the character of the building as one possessing special interest. There are no identified impacts on human rights and no material considerations that outweigh this conclusion'

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 Env 4 and Env 3 and HES guidance in respect of Extensions -

as the proposals do not have special regard to the desirability of preserving the building and its setting and will adversely impact on its special architectural and historic interest.

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

Pre-application discussions took place on this application.

6.2 Publicity summary of representations and Community Council comments

The application was advertised on the 19 October 2018.

Five letters of representation were received.

Background reading / external references

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

Statutory Development**Plan Provision**

Edinburgh City Local Plan, Urban Area.

Date registered

4 October 2018

**Drawing
numbers/Scheme**

1-6,

Scheme 1

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

Contact: Diana Garrett, Planning officer
E-mail: diana.garrett@edinburgh.gov.uk Tel: 0131 529 3620

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to 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 Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

Other Relevant policy guidance

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Managing Change in the Historic Environment: Extensions sets out Government guidance on the principles that apply to extending listed buildings.

Appendix 1

Consultations

HISTORIC ENVIRONMENT SCOTLAND

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance

END

From: [Diana Garrett](#)
To: [Ann Lee](#)
Subject: FW: Planning application 18/08379/FUL
Date: 30 October 2018 18:16:51

Ann

This is Mr Marriott's address,

Thank you

Diana

Diana Garrett | IHBC | Planning Officer | Listed Buildings West and Local Developments | Planning and Transport Service | Place | The City of Edinburgh Council | Waverley Court, Level G.3, 4 East Market Street, Edinburgh, EH8 8BG | [REDACTED] | [REDACTED]

[Please note my working days are Tuesday to Friday](#)

[An upgrade of the Planning and Buildings Standards systems](#) will take place from 1-7 November.

During this time the planning and building standards portal will be unavailable.

You can keep up to date by following us on Twitter [@planningedin](#) or subscribing to the [Planning Blog](#)

For advice concerning listed buildings and conservation areas please refer to the following guideline:
http://www.edinburgh.gov.uk/downloads/download/199/listed_buildings_and_conservation_areas

From: Peter Marriott [REDACTED]
Sent: 30 October 2018 18:15
To: Diana Garrett [REDACTED]
Subject: Re: Planning application 18/08379/FUL

Dear Diana,

Thank you for your e-mail, my postal address is 19/1, Regent Terrace Edinburgh, EH7 5BS.

Regards, Peter Marriott

On Tuesday, 30 October 2018, Diana Garrett [REDACTED] wrote:

Dear Mr Marriott

Please could you confirm your postal address. It is required for all letters of representation.

Kind regards

Diana

Diana Garrett | IHBC | Planning Officer | Listed Buildings West and Local Developments | Planning and Transport Service | Place | The City of Edinburgh Council | Waverley Court, Level G.3, 4 East Market Street, Edinburgh, EH8 8BG | [REDACTED] | [REDACTED]

[Please note my working days are Tuesday to Friday](#)

[An upgrade of the Planning and Buildings Standards systems](#) will take place from 1-7 November.

During this time the planning and building standards portal will be unavailable.

You can keep up to date by following us on Twitter [@planningedin](#) or subscribing to the [Planning](#)

[Blog](#)

For advice concerning listed buildings and conservation areas please refer to the following guideline:
http://www.edinburgh.gov.uk/downloads/download/199/listed_buildings_and_conservation_areas

From: Peter Marriott [REDACTED]
Sent: 30 October 2018 16:36
To: Diana Garrett [REDACTED]
Subject: Planning application 18/08379/FUL

Dear Ms.Garrett,

I wish to object to the above Planning application 18/08379/FUL for [20,Regent Terrace,Edinburgh](#) on the following grounds

1. The addition of a glasshouse to the rear of the building completely destroys the symmetry of Playfairs original design.
- 2.The proposed materials are not in keeping with the rest of the building and are entirely unsuitable when used on a listed property.
- 3.The glasshouse destroys the building line of this particular group of properties.

[REDACTED]

- 5.The proposal entails work to both the interior and exterior of the building much of which will considerably alter the original design.
- 6.The design statement mentions that several other houses have had additions to the rear of the buildings .It conveniently ignores the fact that the majority of these alterations were carried out long before the current legislation on listed buildings was enacted to prevent this type of vandalism.
- 7.The property already has adequate dining facilities.
- 8.The houses at numbers 3,18,19,[20,21,22,Regent Terrace](#) were built by William Henry to William Playfair's strict specifications.The purity and integrity of the designs were such that the buildings have required no external modifications since the eighteen thirties when they were built.It would be disastrous to destroy Playfair's concepts with such an inappropriate and unnecessary glasshouse structure.
- 9.The noise and dust pollution will rise to unacceptable levels during the course of the work.
- 10.The disruption to traffic and parking in the Terrace caused by the placement of skips will

affect all of the neighbours

Yours sincerely, Peter Marriott,

This email and files transmitted with it are confidential and are intended for the sole use of the individual or organisation to whom they are addressed.

If you have received this eMail in error please notify the sender immediately and delete it without using, copying, storing, forwarding or disclosing its contents to any other person.

The Council has endeavoured to scan this eMail message and attachments for computer viruses and will not be liable for any losses incurred by the recipient.

5. At present the property has more than adequate dining space, so there is no justification for adding a very small lean-to glasshouse.
6. It is stated in the Design Statement that the impact on the existing building will be minimal and easily reversible. This suggests that the glasshouse is a temporary addition to a listed building, and I do not believe this an acceptable approach,
7. It appears that there have been a number of attempts in the planning approach to provide permanent privacy to the neighbours. However this is not the main point of my objection, which is that the addition of a structure totally out of keeping with a listed building, is unacceptable.
8. One other point, which relates to the process of notifying the details of the Planning Application. I believed that a notice of the details should be placed outside number 20, but this has never appeared—is this still a requirement?

Yours sincerely

A solid black rectangular box used to redact the signature of Robin A F Wight.

Robin A F Wight

ROBIN A F WIGHT
22 REGENT TERRACE
EDINBURGH
EH 7 5 BS
T 0131 556 2100

e-mail robin.wight@btinternet.com

✓ ASF
Planning &
Building Standards
- 5 NOV 2018

Chief Planning Officer,
PLACE,
Waverley Court,
4, East Market Street,
Edinburgh,
EH8 8BG.

4 November 2018

Dear Ms Garrett,

Planning Application 18/08379//FUL

I wish to register my objection to the above Planning Application for 20, Regent Terrace Edinburgh, on the following grounds.

1. The Old & New Towns in Edinburgh were designated in 1995 as a UNESCO World Heritage Site. In part this recognised the very great importance of preserving 19th century buildings, such as Regent Terrace, which are listed properties. The proposal to add a lean-to glasshouse to 20 Regent Terrace is totally out of character, and destroys the image of an early Georgian building as designed by Playfair, one of Scotland's leading architects of his time.
2. The houses, 18, 19, 21, and 22 which are the immediate neighbours have no external modifications. I believe it would be unfortunate if an inappropriate, and unnecessary, glasshouse were to be constructed.
3. It is true to say that there are existing extensions to the rear of several houses in Regent Terrace. However we have lived in 22 Regent Terrace since 1986, and almost all of these extensions were added before that time—long before the current legislation was introduced, *inter alia*, to prevent the erosion of Playfair's design for the Terrace.
4. It is suggested that the addition of a glasshouse will improve the connection from the house to the private garden and onto Regent Gardens—apparently the current connection “lets the property down”. In fact the additional structure, by removing part of the patio, will damage the connection.

5. At present the property has more than adequate dining space, so there is no justification for adding a very small lean-to glasshouse.
6. It is stated in the Design Statement that the impact on the existing building will be minimal and easily reversible. This suggests that the glasshouse is a temporary addition to a listed building, and I do not believe this an acceptable approach,
7. It appears that there have been a number of attempts in the planning approach to provide permanent privacy to the neighbours. However this is not the main point of my objection, which is that the addition of a structure totally out of keeping with a listed building, is unacceptable.
8. One other point, which relates to the process of notifying the details of the Planning Application. I believed that a notice of the details should be placed outside number 20, but this has never appeared—is this still a requirement?

Yours sincerely

A black rectangular box redacting the signature of Robin A F Wight.

Robin A F Wight

Res + Scan-kep 10'

Anne Fenton

From: Diana Garrett
Sent: 07 November 2018 14:34
To: Planning Support
Subject: FW: Modifications to 20 Regent Terrace 18/08379/ful and 18/08317/lbc

Please acknowledge to both FUL and LBC,

Thanks
Diana

Diana Garrett | IHBC | Planning Officer | Listed Buildings West and Local Developments | Planning and Transport Service | Place
| The City of Edinburgh Council | Waverley Court, Level G.3, 4 East Market Street, Edinburgh, EH8 8BG | Tel 0131 529 3620 |
diana.garrett@edinburgh.gov.uk

Please note my working days are Tuesday to Friday

An upgrade of the Planning and Buildings Standards systems will take place from 1-7 November. During this time the planning and building standards portal will be unavailable.

You can keep up to date by following us on Twitter [@planningedin](https://twitter.com/planningedin) or subscribing to the [Planning Blog](#)

For advice concerning listed buildings and conservation areas please refer to the following guideline:

http://www.edinburgh.gov.uk/downloads/download/199/listed_buildings_and_conservation_areas

From: Aspinall, Peter A [<mailto:P.A.Aspinall@hw.ac.uk>]
Sent: 07 November 2018 14:22
To: Diana Garrett <Diana.Garrett@edinburgh.gov.uk>
Subject: Modifications to 20 Regent Terrace

Dear Diana

We wish to object to the above planning application on the following grounds.

1. While it is true that some of the houses in Regent Terrace have modified garden exteriors these have by common agreement diminished the integrity of the Georgian terrace design and almost without exception disfigured the rear view of the terrace from the communal gardens. In addition it is also important to emphasise that these changes have occurred before the current planning legislation for listed buildings.
2. Allowing the proposal application would provide an unfortunate precedent for further similar inappropriate modifications to the terrace which are totally out of context with Playfair's design.
3. Attempts in the proposal suggest that a new addition might be in context with the existing building level by use of similar paint colours. While this would obviously minimise the contrast between new and old, it cannot be taken seriously as indicative of a building alteration that is in context.
4. The age of the buildings in the terrace necessitates regular and frequent maintenance work. Optional and unnecessary building work needs to be seen in this context as it is adding to this rather unique

situation of high and essential background maintenance. The proposed changes would lead to additional noise, dust pollution and disruption to both traffic and parking for many of the neighbours.

Professor Peter and Dr Anne Aspinall
16 Regent Terrace
Edinburgh EH7 5BN

Heriot-Watt University is The Times & The Sunday Times International University of the Year 2018

Founded in 1821, Heriot-Watt is a leader in ideas and solutions. With campuses and students across the entire globe we span the world, delivering innovation and educational excellence in business, engineering, design and the physical, social and life sciences.

This email is generated from the Heriot-Watt University Group, which includes:

1. Heriot-Watt University, a Scottish charity registered under number SC000278
2. Edinburgh Business School a Charity Registered in Scotland, SC026900. Edinburgh Business School is a company limited by guarantee, registered in Scotland with registered number SC173556 and registered office at Heriot-Watt University Finance Office, Riccarton, Currie, Midlothian, EH14 4AS
3. Heriot-Watt Services Limited (Oriam), Scotland's national performance centre for sport. Heriot-Watt Services Limited is a private limited company registered in Scotland with registered number SC271030 and registered office at Research & Enterprise Services Heriot-Watt University, Riccarton, Edinburgh, EH14 4AS.

The contents (including any attachments) are confidential. If you are not the intended recipient of this e-mail, any disclosure, copying, distribution or use of its contents is strictly prohibited, and you should please notify the sender immediately and then delete it (including any attachments) from your system.



By email to:
diana.garrett@edinburgh.gov.uk

City of Edinburgh Council
Planning and Strategy
4 Waverley Court
East Market Street
Edinburgh
EH8 8BG

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our ref: HGG/A/LA/5830
Our case ID: 300031881
Your ref: 18/08379/FUL
30 October 2018

Dear Sir/Madam

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

**20 Regent Terrace Edinburgh EH7 5BS - Small glass extension at ground level with spa
in basement courtyard and outhouse.**

Thank you for your consultation which we received on 17 October 2018. We have assessed it for our historic environment interests and consider that the proposals affect the following:

Ref	Name	Designation Type
LB49783	20 REGENT TERRACE INCLUDING RAILINGS AND BOUNDARY WALLS	Listed Building

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information



This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Yours faithfully

Historic Environment Scotland

City of Edinburgh Council
Planning Office,
Waverley Court
4 East Market Street,
Edinburgh EH8 8BG.
Attn: Diana Garrett

ACR SM
26/2

DG/LDL
LB West

21 Regent Terrace

EH7 5BS
31st June 2018

Ref: Planning Application No.18/02549/FUL
20 Regent Terrace.

Dear Sir / Madam,

Thank you for your planning notification (18/02549/FUL) which we received on 11th June 2018. I wish to clearly state my objection to these plans on the grounds that the proposal will have an adverse impact on the character and setting of Regent Terrace.

In the addition to this, the ground floor extension is too large and will severely impact the privacy and sun light towards our rear terrace patio and significantly impact our view towards the rear gardens from our home. We would like to know more about the extent of noise and light pollution as many of our bedrooms are in close proximity to the proposed glass house and noise from having a kitchen/diner effectively outside needs to be quantified so we can sleep with our bedroom windows open at the rear.

We also discussed this proposed operation with our other neighbours in Regent Terrace and all of them have agreed that this new private large extension to No. 20 Regent Terrace clearly will destroy the beauty, setting, uniformity and the character of the rare and back of the Regent terrace. As you know the current uniformity of the Regent terrace and the Carlton terrace can also be elegantly viewed by the aerial view of Regent/Carlton/Royal terrace premises and this planned ground floor extension will certainly destroy that uniformity which is preserved in both Regent terrace and Carlton terrace for over a century. To our knowledge, this is the first time such a large ground floor extension has planned in Regent Terrace or Carlton terrace that adversely affect the beauty, elegance and character of the Regent/Carlton terrace premise and we all unanimously oppose to destroy the century old elegance of this historical area of Edinburgh.

As the building work scope proposed on both levels is considerable, we are also very concerned about the extent and duration of building disturbance and service disruption. This massive operation will also bring health issues to our family. This operation will bring enormous dust and dirt. Our children are asthmatic and they will be severely affected as their rooms in the first and second floors are adjacent to this operation and unable to open their windows or go to the back garden of the house during this operation.

Copy of online Rf

Should you have any questions regarding this letter please do not hesitate to contact me.

Yours Faithfully

Prof Anura Rambukkana
21 Regent Terrace

Building Standards
JUL 2018
Planning

City of Edinburgh Council cc. Unesco

Planning Office,
Waverley Court,
4 East Market Street,
Edinburgh EH8 8BG.
Attn : Diana Garrett

Historic Scotland
Cockburn Association
Regent Terrace Committee

AUC SM
26/2.

19 Regent Terrace
(Ground & Basement flat)
EH7 5BS
20th June 2018

Ref : Planning Application No.18/02549/FUL
20 Regent Terrace.

Dear Sir / Madam,

DG

WGS

copy

FILED

20 JUN 2018

Thank you for your planning notification (18/02549/FUL) which I received on 11th June 2018. I wish to clearly state my objection to these plans on the grounds that the proposal will have an adverse impact on the features, character and setting of a Category A Listed building.

The design statement is 100% correct by stating up front that a key Playfair architectural design feature with the Calton Scheme is the repeated use of railings and stone balconies front and back offering the unique views we have today from the road and garden sides.

With this in mind how can it be acceptable to remove several meters of railing and cover up the stone balcony with a glass house which protrudes in height and depth beyond the line of the existing terrace railings ? When looking from Regent Terrace Gardens back towards the houses, all these railings are in place as far as I can see either side so this application for such a large extension needs to be either rejected or modified so not to break the lines of Playfair's scheme. The proposed height also far exceeds existing outbuildings either side.

Page 2 of the design statement goes on to say that there are several old and new conservatories at ground and basement levels in the area as if there is a precedence for such an extension. It may be more relevant to provide a list of new build glass houses constructed in Regent Terrace at ground level since falling within the UNESCO world heritage site in 1995. It is my understanding that there is no precedence for a ground level new build glass house of this size in Regent Terrace.

Should the planning proposal be approved my specific comments are :

- The height of the extension should be lowered to line up with the guttering on existing stone outbuildings either side of the glass house
- The depth of the extension should be pulled back so that the existing line of railings are retained and does not impair the garden views or privacy from 19 & 21 Regent Terrace windows. This would mean reducing depth of

- extension by minimum of 2.5 metres so that the extension is more in line with the existing stone extension back door.
- Please provide details of how the steel ring will be fixed to the existing boundary walls and what this will look like.
 - Please clarify if the Category A listed stone bridge is to be demolished as part of the plans as this may require listed building consent?
 - Not sure how screened planting will prevent light pollution / afford neighbour privacy. Please clarify. One of the particular attractions of Regent Terrace gardens at night is the quality of darkness (there is no lighting on the garden side) which is no doubt one of the reasons the observatory was built on Calton hill. It should be checked if a glass ceiling is acceptable.
 - Black or clear framing is less obtrusive to the eye.
 - As the downpipe drainage point will be modified please clarify the extent of drain modifications required. The Georgian waste pipes are already small so any reduction in pipe specifications may lead to neighbour discharge issues with spa/ plunge pools at basement level.
 - Please clarify what flood mitigation plans are in place should hot pool / cold tub discharge.
 - Please provide details of the proposed glass clerestory, as this will be highly visible from 19 Regent Terrace, ground floor.
 - Please provide details of tanking / water retention membrane from spa/steam / wet room areas towards boundary walls.
 - Please provide environmental report to clarify expected noise & vibration levels from a) spa / steam room / plunge pool and hot pool heating & circulation pumps and ventilation fans. Clarify where ventilation / steam ducts are to be located. b) The 'outside' dining room if a single pane glass is permitted to be in line with the other window listed design regulations.
 - Please clarify expected disturbance impact to neighbours associated with service disruption. This has been significant for similar projects in the past.

In conclusion, I fully reject the planned development on the ground floor but given appropriate mitigation / responses to my queries I would support the works planned within the basement.

Should you have any questions regarding this letter please do not hesitate to contact me.

Yours Faithfully,

JRS Finlayson

19 Regent Terrace (Ground & Basement flat)

From: Gina Bellhouse
Sent: 12 May 2020 10:46:44 +0000
To: Local Review Body
Cc: Aidan McMillan
Subject: FW: Planning Application 18/08379/FUL

Hi Aidan,

Please can you acknowledge receipt of this representation and upload it onto to the Portal. Although it is late, I have agreed that we will accept it given that the gentleman did not initially receive notification of the Review due to us not being able to print out letters.

Please then pass the letter to the appellant for comment.

Many thanks,
Gina

-----Original Message-----

From: Robin Wight <robin.wight@btinternet.com>
Sent: 11 May 2020 12:36
To: Planning <planning@edinburgh.gov.uk>
Cc: Gina Bellhouse <Gina.Bellhouse@edinburgh.gov.uk>
Subject: Planning Application 18/08379/FUL

Dear Sirs,

20 Regent Terrace, Request for Review

I understand that, following the refusal of a planning application, a request has been made for a review, and that this review will be carried out by the Local Review Body on 5th August 2020.

In the course of the planning application I registered my objections, and I understand that these objections will again be considered by the Local Review Body, in the course of their deliberations. However, having seen the reasons for requesting the review, I do wish to make further comments.

I know that the timetable for making comments has expired. At no time was I informed, by e-mail or post, that the review process was underway, and, when I did become aware of the situation, I raised this issue with Gina Bellhouse. She advised me in an e-mail dated 28th April, that the failure to notify me, was the result of the very difficult situation in which we all find ourselves, and in recognition that I should have been informed she told me that I had 14 days from that date to make further comments, if I so wished—that period expires tomorrow on 12th May, so I shall be grateful if you will ensure this e-mail is included in the papers for the Local Review Body.

I understand that the reason for the request for the review is based solely on the fact that many existing properties on Regent Terrace have rear extensions, and as supporting evidence a photograph was presented showing six such extensions. I believe it is clear from the photograph that these extensions are totally out of character with the inherent quality of Playfair's design for the Terrace—they add nothing to listed buildings, and since all have been in place for many years, I believe would not have been granted planning permission under current legislation.

To allow the addition of a further extension, even one which promises to be “a modern interpretation of the glass conservatory” would only have further adverse impact on what is truly a Terrace of great historic interest in our City. It should be made clear that there will be no further extensions, of any sort.

Yours faithfully,

Robin A F Wight

22 Regent Terrace



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100246656-001

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

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="Yi-Ju"/>	Building Number:	<input type="text" value="20"/>
Last Name: *	<input type="text" value="Chen"/>	Address 1 (Street): *	<input type="text" value="Regent Terrace"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value=""/>	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="EH7 5BS"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

20 REGENT TERRACE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH7 5BS

Please identify/describe the location of the site or sites

Northing

674184

Easting

326666

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)

Small glass extension at ground level with spa in basement courtyard and outhouse.

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.

Many existing properties on Regent, Carlton and Royal Terraces feature rear extensions of varying types and proportions at both the basement and ground floor levels. Of those that are double storey, the upper ground storey is often a traditional conservatory style glazed extension. The proposal for 20 Regent Terrace is a modern interpretation of the glass conservatory with minimal structural framing and a predominance of glazed facade to present as transparent an overall profile as possible.

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)

Refer to attached comparison photographs of existing garden extensions.

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

18/08379/FUL

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

04/10/2018

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

27/02/2020

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

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)

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 James Mason

Declaration Date: 07/04/2020

Proposal Details

Proposal Name	100246656
Proposal Description	review of planning decision
Address	20 REGENT TERRACE, EDINBURGH, EH7 5BS
Local Authority	City of Edinburgh Council
Application Online Reference	100246656-001

Application Status

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

Attachment Details

Notice of Review	System	A4
supporting doc	Attached	A3
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0



Existing rear garden extensions at ground floor level
34 - 23 Regent Terrace

Application Site
20 Regent Terrace

Neil Rothnie Architecture.
FAO: Ian Hislop
73 Huntly Street
Aberdeen
Scotland
AB10 1TE

Cater Group Ltd.
Fao Mr Steve Choi
703 Great Northern Road
Aberdeen
AB24 2DU

Decision date: 2 April 2020

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

Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats.
At 8 Saughton Road North Edinburgh EH12 7HG

Application No: 19/05935/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 19 December 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 the proposal fails to draw on the positive qualities of the area and would be damaging to the character and appearance of the surrounding area.

2. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as the proposed scale, form and design by virtue of being unsympathetic to the neighbouring building which it will adjoin will not have a positive impact on its surroundings.
3. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as future occupiers will have limited amenity in terms of internal floor living spaces.
4. The proposal is contrary to Local Development Plan Policy Env 6 in respect of the detrimental impact on the character and appearance of the conservation area by introducing an incongruous intervention in the street and to the conservation area.

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

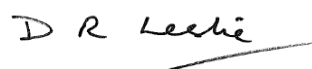
Drawings 01-05., represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is not acceptable as it does not comply with policies of the Local Development Plan. The proposal is not of an appropriate scale, form and design. The proposal will not preserve or enhance the character or appearance of the conservation area and does not provide an acceptable living environment for future occupiers. The design of the car parking dominates the front garden. Although housing could be acceptable on this site, there are no material planning reasons to justify granting the application in view of non-compliance with several policies. There are no material considerations which outweigh this conclusion.

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 Jackie McInnes directly on 0131 469 3731.



Chief Planning Officer

PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

**Application for Planning Permission 19/05935/FUL
At 8 Saughton Road North, Edinburgh, EH12 7HG
Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats.**

Item	Local Delegated Decision
Application number	19/05935/FUL
Wards	B06 - Corstorphine/Murrayfield

Summary

The proposal is not acceptable as it does not comply with policies of the Local Development Plan. The proposal is not of an appropriate scale, form and design. The proposal will not preserve or enhance the character or appearance of the conservation area and does not provide an acceptable living environment for future occupiers. The design of the car parking dominates the front garden. Although housing could be acceptable on this site, there are no material planning reasons to justify granting the application in view of non-compliance with several policies. There are no material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LDES01, LDES04, LDES05, LEN06, LHOU04, NSGD02, NSLBCA, CRPCOR,
---	--

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 site is on the west side of Saughton Road North just before the road turns into Corstorphine High Street near its junction with Kirk Loan. It is currently a vacant builders yard with shed/storage type buildings.

Adjoining the site to the north is a four storey block of flats and to the south is a one and a half storey cottage. To the rear is a row of houses and Corstorphine Bowling Green is opposite. There is a variety of architectural styles in the street and wider area. The surrounding area is predominantly residential although there is a range of land uses including open space, library and the street is a busy thoroughfare.

This application site is located within the Corstorphine Conservation Area.

2.2 Site History

2 November 2017 - permission granted for complete demolition in a conservation area. (application number 17/03626/CON); and

18 July 2018 - planning permission granted for proposed change of use from class 4 business/light industrial to class 9 private residential with the formation 2 new proposed dwellings (application number 18/01184/FUL).

Main report

3.1 Description Of The Proposal

The proposal seeks permission for a change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of four residential flats.

The proposed development would be four storeys high and abut the existing building to the north of the application site.

Garden areas would be provided for the flats and terraces would be provided on the third (top) floor. Two parking spaces will be provided in the front garden and cycle parking for four bicycles will be provided in the rear garden.

A Planning and Design Statement has been submitted with the planning application and is available to view on the Council's Online Services.

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 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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 is acceptable in this location;
- b) The scale, form and design are acceptable;
- c) There is any impact on the character and appearance of the conservation area;
- d) There is a sufficient level of amenity for future occupiers;
- e) There is any impact on the amenity of existing neighbouring properties;
- f) There are any roads or transport impacts;
- g) There are any archaeological impacts;
- h) There are any other considerations; and
- i) The public comments have been addressed.

a) Principle of Development

Policy Hou 1 Housing Development in the Edinburgh Local Development Plan (LDP) states the circumstances that priority will be given to the delivery of the housing land supply. Criteria (d) of policy Hou 1 permits housing on suitable sites in the urban area, provided that the proposals are compatible with other policies in the plan. The application site is in the urban area of the LDP and the street and surrounding area are residential in character.

The existing extant planning permission 18/01184/FUL has established that housing is acceptable on the site. However, full compliance with Policy Hou 1 is dependent on compliance with other policies of the LDP.

b) Scale, form and design

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.

LDP Policy Des 4 (Development Design - Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.

It is acknowledged that there is an extant planning permission to build two four storey townhouses on the site and that this is a material consideration. However, each planning application must be assessed on its own merits and the current application in front of the planning authority is for more (four) residential units which intensifies the proposed use of the land and design differences compared to the existing permission (18/01184/FUL). The assessment, therefore, is on the merits of the current planning application.

The key design changes compared to the extant planning permission (18/01184/FUL) are:

Four residential units (*two residential units in 18/01184/FUL*)

Stairwell access protruding on the front elevation

Flat roof (*pitched butterfly style roof in 18/01184/FUL*)

Terraces on top floor on front (east elevation) (*two balconies on front and two terraces on rear in 18/01184/FUL*)

This part of Corstorphine Conservation Area has a variety of architectural styles. The flatted block is prominent in the streetscene and the proposal to abut the block will detract from its formality and symmetry. The massing and elevational treatment bears no relationship to the frontage in terms of respecting its composition of materials or taking reference from its roof profile, floor-to-floor height, window proportions or geometry.

The proposed building will be a similar height to the neighbouring flatted block located north of the site. The flat roof enables its four storeys to be just under the height of the neighbouring building of three storeys plus a pitched roof. Whilst the building lines on the ground and top floors would align with the adjoining properties, the first and second floors will overhang the ground floor and this would result in a visual discord in terms of scale, positioning and massing. The proposal will sit back from the street and back from the building line of the cottage to the south of the site with its rear building line similar to the rear building line of the cottage. The existing walls of the sheds will be reduced in height and will provide boundary walls and this is acceptable. The massing and positioning will detract from the character of the application site nor of the surrounding area. The proposal's height and scale will not be sympathetic to the neighbouring buildings.

The proposed building typology is at odds with surrounding built form where the street is not characterised by a projecting stairwell at ground floor level, overhanging upper floors or roof terraces.

At street level, the proposed frontage will be dominated by car parking which will interrupt the strong rhythm of garden space found on this street.

Policy Des 1 encourages innovation in the design and layout of new buildings, streets and spaces and the Edinburgh Design Guidance encourages high quality contemporary designs. However, doubling the number of residential units on the site (from two to four) has resulted in, albeit a few and small, design changes which will detract from the street scene and do not sit comfortably abutting the residential flatted block to the north.

The proposed building is a bold modern design which will abut a three storey block of flats and be next to a one and a half storey cottage. Policy Des 4 requires development proposals to have a positive impact on its surroundings. The proposal abuts a defined block and fails to respect the integrity of its defined frontage as evident in the street scene. It is inappropriately positioned in relation to the neighbouring properties on Saughton Road North and, by having car parking in the front garden, it interrupts the rhythm of garden space.

The policies of the LDP and the Edinburgh Design Guidance do encourage high quality contemporary designs. Although the proposal is very similar to the extant planning permission, the intensification of the site in terms of unit numbers and the design changes has resulted in a different scheme that fails to draw on the positive characteristics of the surrounding area and as such the application is being assessed on its own merits..

The proposal is not of an appropriate scale, form and design. It does not comply with LDP policies Des 1 and Des 4.

c) Conservation Area

The Corstorphine Conservation Area Character Appraisal emphasises the retention of the village character and vernacular architecture, the varied grain of the area, the retention of the informal street layout and footpath network, the consistency in the use of traditional materials, and the prevalence of residential uses. It states that the area is characterised by "a mix of plot sizes, building types and forms" and that "a mix of house forms and architectural styles over time in modest sized developments giving a sense of incremental change, respect for prevailing character and fit."

Policy Env 6 of the LDP states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area.

This part of Corstorphine Conservation Area has a variety of architectural styles. The existing flatted block is prominent in the streetscene and the proposal to abut it will detract from its formality and symmetry. The massing and elevational treatment will be an incongruous intervention in the streetscene and will not preserve or enhance the character and appearance of the conservation area.

A prevailing character of the street is front gardens with no parking. The proposal by virtue of introducing parking in the front garden will undermine the defined development pattern in terms of front garden space and will detract from the character and appearance of the conservation area.

The proposal will not preserve or enhance the character or appearance of the conservation area. The proposal does not comply with LDP policy Env 6 or the non statutory guidance on listed buildings and conservation areas.

d) Amenity for future occupiers

LDP Policy Hou 4 (Housing Density) requires an attractive residential environment.

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

The amount of internal floor space advised in the Edinburgh Design Guidance as being the minimum requirement for two bedroom flats is 66 square metres. The proposals have an internal floor space of 61.8 square metres for the ground/first floor flats and 61.9 square metres for the upper flats (second and third floors). This is 4.2 square metres and 4.1 square metres less than the minimum size advised as being acceptable. Taking account of the amount of non-habitable space, this falls to 54.9 square metres and 56.3 square metres respectively giving a shortfall of 11.1 square metres and 9.7 square metres respectively. The proposal does not provide a sufficient amount of internal floor area and, therefore, does not comply with Policy Hou 4 or with the Edinburgh Design Guidance.

Private outdoor space should be usable for a range of functions. The rear garden ground for the ground/first floor flats exceeds the minimum length of 3 metres advised as being acceptable in the Edinburgh Design Guidance. The upper flats have a terrace and access to a communal rear garden of 7 metres in length and 36 square metres.

The proposal will provide a sufficient amount of private outdoor amenity space and complies with Policy Des 5 and the Edinburgh Design Guidance.

The amount of internal amenity space is acceptable and complies with Policy Des 5 and the Edinburgh Design Guidance.

The proposal will not provide an acceptable internal living environment for future occupiers. It does not comply with Policy Hou 4 nor with the Edinburgh Design Guidance.

e) Amenity of existing neighbouring properties

The front windows and terraces will overlook the public street and front gardens of neighbouring properties which are already in public view. The rear windows will be more than 9 metres, the minimum threshold, advised as being acceptable in the Edinburgh Design Guidance. There are no issues regarding overlooking or loss of privacy.

The middle two floors will extend beyond the depth of the existing neighbouring residential flatted block to the north. This will result in a negligible loss of daylighting from the neighbouring windows which is acceptable.

f) Road and Transport

LDP Policies Tra 2 - Tra 4 sets out the requirements for private car and cycle parking. The Council's Parking standards are set out in the Edinburgh Design Guidance.

Two parking spaces are proposed. The Roads Authority has advised that it has no objections to the application and that the number of parking spaces complies with the Parking Standards.

There are no Roads Authority or transport issues. However, the design of the parking spaces will dominate the front garden in part of the street where there is currently no parking in front gardens. Hedges are proposed; however there is no structural planting to minimise the visual impact of the dominance of the parking in the front garden and street scene.

The proposal complies with policies Tra 2 and Tra 3 but does not comply with policy Tra 4.

g) Archaeology

The City Archaeologist has advised that the site is regarded as occurring within an area of archaeological potential in terms of the late-medieval and later development of Corstorphine village. Therefore, a condition requiring a programme of archaeological work is recommended for any grant of planning permission.

h) Other considerations

A Site Investigation and a Surface Water Management Plan will be required to ensure that the proposal can be accommodated on the site.

i) Public comments

Objections

Material

Boundary wall - details of heights. Addressed in 3.3 b).

Non-material

Undertaking work to roughcast boundary wall

Access to and damage to garden

CONCLUSION

The proposal is not acceptable as it does not comply with policies of the Local Development Plan. The proposal is not of an appropriate scale, form and design. The proposal will not preserve or enhance the character or appearance of the conservation area and does not provide an acceptable living environment for future occupiers. The design of the car parking dominates the front garden. Although housing could be acceptable on this site, there are no material planning reasons to justify granting the

application in view of non-compliance with several policies. There are no material considerations which outweigh this conclusion.

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 the proposal fails to draw on the positive qualities of the area and would be damaging to the character and appearance of the surrounding area.
2. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as the proposed scale, form and design by virtue of being unsympathetic to the neighbouring building which it will adjoin will not have a positive impact on its surroundings.
3. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as future occupiers will have limited amenity in terms of internal floor living spaces.
4. The proposal is contrary to Local Development Plan Policy Env 6 in respect of the detrimental impact on the character and appearance of the conservation area by introducing an incongruous intervention in the street and to the conservation area.

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

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

One letter of comment was received.

Background reading / external references

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

Statutory Development**Plan Provision**

The application site is in Corstorphine Conservation Area in Edinburgh Local Development Plan.

Date registered

19 December 2019

Drawing numbers/Scheme

01-05.,

Scheme 1

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

Contact: Jackie McInnes, Planning officer
E-mail:jackie.mcinnnes@edinburgh.gov.uk Tel:0131 469 3731

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

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 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

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 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

The Corstorphine Conservation Area Character Appraisal emphasises the retention of the village character and vernacular architecture, the varied grain of the area, the retention of the informal street layout and footpath network, the consistency in the use of traditional materials, and the prevalence of residential uses.

Appendix 1

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for the proposed change of use from class 4 (business/light industrial) to class 9 private residential with the formation 4 new residential flats

The site lies within the south-eastern limits of the historic medieval village of Corstorphine. As such the site is regarded as occurring within an area of archaeological potential in terms of late-medieval and later development of the village of Corstorphine. Accordingly, this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) ENV5 & ENV9. 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.

Although the buildings proposed for demolition currently occupying the site are not regarded as having archaeological significance, ground breaking works associated with their demolition (e.g., grubbing up of foundations, floor slabs and services) and subsequent construction operations could disturb significant remains relating to the development Corstorphine, from the late-medieval period onwards. Accordingly, it is recommended that a programme of archaeological work is carried out during ground breaking works associated with both demolition and construction in order to fully excavate and record any significant remains that may be disturbed.

Accordingly, it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.

'No demolition/development shall take place on the site until the applicant has secured and implemented 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 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.

Roads Authority

No objections to the application.

Note:

The 2 parking spaces is acceptable based on the Council's parking standards which requires a maximum of 4 parking spaces for the proposed development in Zone 2.

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. Jackie McInnes

From John A Lawson
Archaeology Officer

Date 14th January 2020

Your 19/05935/FUL
ref

Our ref 19/05935/FUL

Dear Jackie,

8 Saughton Road North, Corstorphine

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for the proposed change of use from class 4 (business/light industrial) to class 9 private residential with the formation 4 new residential flats

The site lies within the south-eastern limits of the historic medieval village of Corstorphine. As such the site is regarded as occurring within an area of archaeological potential in terms of late-medieval and later development of the village of Corstorphine. Accordingly, this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) ENV5 & ENV9. 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.

Although the buildings proposed for demolition currently occupying the site are not regarded as having archaeological significance, ground breaking works associated with their demolition (e.g., grubbing up of foundations, floor slabs and services) and subsequent construction operations could disturb significant remains relating to the development Corstorphine, from the late-medieval period onwards. Accordingly, it is recommended that a programme of archaeological work is carried out during ground breaking works associated with both demolition and construction in order to fully excavate and record any significant remains that may be disturbed.

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

john.lawson@edinburgh.gov.uk

Accordingly, it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.

'No demolition/development shall take place on the site until the applicant has secured and implemented 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 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 faithfully



John A Lawson
(Archaeology Officer)

MEMORANDUM

PLACE

To: Jackie McInnes

Our Ref: T/TP/DC/41598/KA

Your Ref: 19/05935/FUL

Date: 15 January 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

PLANNING APPLICATION No: 19/05935/FUL

FOR: Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats.

AT: 8 Saughton Road North, Edinburgh, EH12 7HG

ROADS AUTHORITY ISSUES

No objections to the application.

Note:

The 2 parking spaces is acceptable based on the Council's parking standards which requires a maximum of 4 parking spaces for the proposed development in Zone 2.

Kofi Appiah

Tel: 2-3579



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100214916-003

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: Neil Rothnie Architecture

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

First Name: * Ian Building Name:

Last Name: * Hislop Building Number: 73

Telephone Number: * Address 1 (Street): * Huntly Street

Extension Number: Address 2:

Mobile Number: Town/City: * Aberdeen

Fax Number: Country: * Scotland

Postcode: * AB10 1TE

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" value="c/o Neil Rothnie Architecture"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="73"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Huntly Street"/>
Company/Organisation	<input type="text" value="Cater Group Ltd."/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB10 1TE"/>
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="8 SAUGHTON ROAD NORTH"/>
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="EH12 7HG"/>

Please identify/describe the location of the site or sites

Northings	<input type="text" value="672639"/>	Easting	<input type="text" value="320012"/>
-----------	-------------------------------------	---------	-------------------------------------

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 change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats. [19/05935/FUL] at 8 Saughton Road North, Edinburgh EH12 7HG

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 refer to enclosed 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 All drawings and documents originally submitted in support of the Planning Application Copy of the Report of Handling [Refusal 19/05935/FUL] Copies of all drawings from the previously approved application [Approval 18/01184/FUL] Copy of the Report of Handling [Approval 18/01184/FUL]

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

19/05935/FUL

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

12/12/2019

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

02/04/2020

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 Ian Hislop

Declaration Date: 15/04/2020



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

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 100214916-001

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)

Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats.

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:	Neil Rothnie Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	lan	Building Name:	
Last Name: *	Hislop	Building Number:	73
Telephone Number: *		Address 1 (Street): *	Huntly Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB10 1TE
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:	c/o Neil Rothnie Architecture
First Name: *		Building Number:	73
Last Name: *		Address 1 (Street): *	Huntly Street
Company/Organisation	Cater Group Ltd.	Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB10 1TE
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:

8 SAUGHTON ROAD NORTH

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH12 7HG

Please identify/describe the location of the site or sites

Northing

672639

Easting

320012

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

305.00

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)

Builders yard with storage and office buildings

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? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</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>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<div style="border: 1px solid black; padding: 2px 10px;">3</div>
<p>How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *</p>	<div style="border: 1px solid black; padding: 2px 10px;">2</div>
<p>Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).</p>	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
<p>Will your proposal require new or altered water supply or drainage arrangements? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	
<p>Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *</p> <p><input checked="" type="checkbox"/> Yes – connecting to public drainage network</p> <p><input type="checkbox"/> No – proposing to make private drainage arrangements</p> <p><input type="checkbox"/> Not Applicable – only arrangements for water supply required</p>	
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (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>	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
<p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>	
<h2 style="margin: 0;">Trees</h2>	
<p>Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>	
<h2 style="margin: 0;">Waste Storage and Collection</h2>	
<p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	

If Yes or No, please provide further details: * (Max 500 characters)

Propose site layout includes for provision of 1no. 610 litre general waste bin, 1no. 610 litre recycling bin and 1no. food waste bin.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

☒ Yes ☐ No

How many units do you propose in total? *

4

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

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

Are you able to identify and give appropriate notice to ALL the other owners? *

☒ Yes ☐ No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] 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;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Address:

William T. Thomson & Son/o Campbell Smith LLP, 21, York Place, Edinburgh, Scotland, EH1 3EN

Date of Service of Notice: *

13/12/2019

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Ian Hislop

On behalf of: Cater Group Ltd.

Date: 12/12/2019

☒ 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)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. *

☒ Yes ☐ N/A

A Flood Risk Assessment. *

☐ Yes ☒ N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

☐ Yes ☒ N/A

Drainage/SUDS layout. *

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. *

☐ Yes ☒ N/A

Habitat Survey. *

☐ Yes ☒ N/A

A Processing Agreement. *

☐ Yes ☒ N/A

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

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: Mr Ian Hislop

Declaration Date: 12/12/2019

Payment Details

Online payment: 1

Payment date: 13/12/2019 09:14:00

Created: 13/12/2019 14:45

Proposal Details

Proposal Name	100214916
Proposal Description	Residential Development to Form 4no. Flats
Address	8 SAUGHTON ROAD NORTH, EDINBURGH,
EH12	7HG
Local Authority	City of Edinburgh Council
Application Online Reference	100214916-003

Application Status

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

Attachment Details

Notice of Review	System	A4
Notice of Review Statement	Attached	A4
01 Existing Layouts DPP Application	Attached	A2
02 Proposed Layouts DPP Application	Attached	A1
03 Proposed Boundary Treatments DPP Application	Attached	A4
04 Proposed Site Section DPP Application	Attached	A3
05 Location Plan DPP Application	Attached	A4
06 3D Visual DPP Application	Attached	A3
07 Shading Diagram DPP Application	Attached	A2
Design and Access Statement DPP Application	Attached	A4
Application Form DPP Application	Attached	A4
Covering Letter DPP Application	Attached	A4
Report of Handling Refusal 19-05935-FUL	Attached	A4
04A Ground Floor Layout As Approved 18-01184-FUL	Attached	A3
05A First Floor Layout As Approved 18-01184-FUL	Attached	A3
06A Second Floor Layout As Approved 18-01184-FUL	Attached	A3
07A Third Floor Layout As Approved	Attached	A3

18-01184-FUL		
08A Roof Layout As Approved 18-01184-FUL	Attached	A3
09B Elevation and Section As Approved 18-01184-FUL	Attached	A3
10B Elevations As Approved 18-01184-FUL	Attached	A3
Report of Handling Approval 18-01184-FUL	Attached	A4
Covering Letter Notice of Appeal	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-003.xml	Attached	A0

Our Ref: 3439

PROPOSED DEVELOPMENT TO FORM 4NO. FLATS AT 8 SAUGHTON ROAD NORTH, EDINBURGH FOR THE CATER GROUP LTD.

SUPPORTING STATEMENT TO APPEAL AGAINST REFUSAL OF DETAILED PLANNING PERMISSION

Context

This review application is in connection with an application for Detailed Planning Permission (19/05935/FUL) for Change of Use from Class 4 (Business / Light industrial) to Class 9 (Private Residential) with the formation of 4no. new residential flats. This application was refused planning permission by City of Edinburgh Council.

Detailed Planning Permission was previously granted for this site in July 2018 (18/01184/FUL) for Change of Use from Class 4 (Business / Light Industrial) to Class 9 (Private Residential) with the formation of 2no. new residential dwellings.

Reasons for Review Application

The single and principal reason for this notice of review is based on the fact that Full Planning Permission was granted previously on 18/07/18 (18/01184/FUL) for a development of size, scale, form & design very similar to that proposed on the refused application.

The basis of this Notice of Review will be to compare how the current application was assessed against relevant policy as a comparison with the previously approved application to highlight the differences and discrepancies between each.

Reasons for refusal

- '1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design, Quality and Context, as the proposal fails to draw on the positive qualities of the area and would be damaging to the character and appearance of the surrounding area.'*
- '2. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design – Impact on Setting, as the proposed scale, form and design by virtue of being unsympathetic to the neighbouring building which it will adjoin will not have a positive impact on its surroundings.'*
- '3. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design – Amenity, as future occupiers will have limited amenity in terms of internal floor living spaces.'*
- '4. The proposal is contrary to Local Development Plan Policy Env 6 in respect of the detrimental impact on the character and appearance of the conservation area by introducing an incongruous intervention in the street and to the conservation area.'*

As ultimately the decisions arrived at by City of Edinburgh Planning Department are different, we will compare the assessments made by them in each Report of Handling and follow with our comments.

Report of Handling

Summary

18/01184/FUL

'The proposal complies with the development plan. The proposal is acceptable in this location and will not have a detrimental impact on the character and appearance of the conservation area. There will be no impact on residential amenity, traffic and road safety.'

19/05935/FUL

'The proposal is not acceptable as it does not comply with policies of the Local Development Plan. The proposal is not of an appropriate scale, form and design. The proposal will not preserve or enhance the character or appearance of the conservation area and does not provide an acceptable living environment for future occupiers. The design of the car parking dominates the front garden. Although housing could be acceptable on this site, there are no material planning reasons to justify granting the application in view of non-compliance with several policies. There are no material considerations which outweigh this conclusion.'

Links

We have no comment to make on this section of the report.

Background

2.1 Site Description

18/01184/FUL

'The application site is a builders yard incorporating a large single storey storage shed to the rear and a small two storey office to the front.'

'This application site is located within the Corstorphine Conservation Area.'

19/05935/FUL

'The application site is on the west side of Saughton Road North just before the road turns into Corstorphine High Street near its junction with Kirk Loan. It is currently a vacant builders yard with shed/storage type buildings.'

'Adjoining the site to the north is a four storey block of flats and to the south is a one and a half storey cottage. To the rear is a row of houses and Corstorphine Bowling Green is opposite. There is a variety of architectural styles in the street and wider area. The surrounding area is predominantly residential although there is a range of land uses including open space, library and the street is a busy thoroughfare.'

'This application site is located within the Corstorphine Conservation Area.'

These descriptions differ in information when there should be no reason for this.

2.2 Site History

We have no comment to make on this section of the report.

Main Report

3.1 Description of the Proposal

18/01184/FUL

'Planning permission is sought for the erection of two townhouse style dwelling-houses. The dwellings will have four bedrooms over four floors. The building will be finished in coursed recon stone, off white render/roughcast and profiled metal cladding/roofing. The proposal features a front terrace overlooking a bowling club, a full height glazed front and a gull-winged roof.'

'Scheme One

The initial scheme proposed a rear terrace on the top floor. However, this was then omitted on request of the planner due to concerns with overlooking and privacy.'

19/05935/FUL

'The proposal seeks permission for a change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of four residential flats.'

'The proposed development would be four storeys high and abut the existing building to the north of the application site.'

'Garden areas would be provided for the flats and terraces would be provided on the third (top) floor. Two parking spaces will be provided within the front garden and cycle parking for four bicycles will be provided in the rear garden.'

'A planning and Design Statement has been submitted with the planning application and is available to view on the Council's Online Services.'

Although narrated within the extant consent, there is no specific mention of the change of use of the site within the 'Description of Proposals', albeit this is of no consequence to the final outcome.

3.2 Determining Issues

18/01184/FUL

'Do the proposals harm the character or appearance of the conservation area? If they do there is a strong presumption against granting of permission.'

19/05935/FUL

'Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states – special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.'

All other statements made under this heading are the same, however we would question why these paragraphs differ.

3.3 Assessment

18/01184/FUL

'b) Impact on the Character and Appearance of the Conservation Area'

'Policy Env 6 of the LPD states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area. The Corstorphine Conservation Character Area Appraisal states that the area is characterised by "a mix of plot sizes, building types and forms" and that "a mix of house forms and architectural styles over time in modest sized developments giving a sense of incremental change, respect for prevailing character and fit".'

'The proposal is for a contemporary build which represents the "sense of incremental change" of "architectural styles over time" as stated in the character appraisal. The proposed development will enhance the character and appearance of the Corstorphine Conservation Area. The proposal complies with LDP policy Env 6 and the non statutory guidance on listed buildings and conservation areas.'

19/05935/FUL

'c) Conservation Area'

'The Corstorphine Conservation Area Character Appraisal emphasises the retention of the village character and vernacular architecture, the varied grain of the area, the retention of the informal street layout and footpath network, the consistency in the use of traditional materials, and the prevalence of residential uses. It states that the area is characterised by "a mix of plot sizes, building types and forms" and that "a mix of house forms and architectural styles over time in modest sized developments giving a sense of incremental change, respect for prevailing character and fit".'

'Policy Env 6 of the LDP states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area.'

'This part of Corstorphine Conservation Area has a variety of architectural styles. The existing flatted block is prominent in the street scene and the proposal to abut it will detract from its formality and symmetry. The massing and elevational treatment will be an incongruous intervention in the street scene and will not preserve or enhance the character and appearance of the conservation area.'

'A prevailing character of the street is front gardens with no parking. The proposal by virtue of introducing parking in the front garden will undermine the defined development pattern in terms of front garden space and will detract from the character and appearance of the conservation area.'

'The proposal will not preserve or enhance the character or appearance of the conservation area. The proposal does not comply with LDP policy Env 6 or the non statutory guidance on listed buildings within conservation areas.'

What is proposed is very similar in terms of scale, form, design, overall height (four storeys), shape (small footprint on ground, increased depth at first and second and reduced at third floor), position on the site and relation to adjoining building is all the same. It is therefore incomprehensible that the extant consent is deemed to comply with LDP Policy Env 6 and our proposal does not.

This is argued by the statements, *'it will detract from its formality and symmetry'*. *The massing and elevational treatment will be an incongruous intervention in the street scene'*. How can this be the case when considering the proposals are very similar in terms of scale, form and design.

The Planning Officer further misdirects themselves by stating that 'introducing parking in the front garden will undermine the defined development pattern in terms of front garden space and will detract from the character and appearance of the conservation area'. This was not raised, assessed or considered to be a deficiency in the extant consent which has an almost identical arrangement of two car parking spaces to the front of the development.

18/01184/FUL

'c) Scale, Form and Design'

'The proposed dwelling matches the general height and massing of the neighbouring block of flats in line with Policy Des 4. Policy Des 1 encourages innovation in the design and layout of new buildings, streets and spaces. The proposed development is of an innovative design and introduces a contemporary palette to the area.'

19/05935/FUL

'b) Scale, Form and Design'

'LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.'

'LDP Policy Des 4 (Development Design – Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.'

'It is acknowledged that there is an extant planning permission to build two four storey townhouses on the site and that this is a material consideration. However, each planning application must be assessed on its own merits and the current application in front of the planning authority is for more (four) residential units which intensifies the proposed use of the land and design differences compared to the existing permission (18/01184/FUL). The assessment, therefore, is on the merits of the current planning application.'

'The key design changes compared to the extant planning permission (18/01184/FUL) are:

Four residential units (two residential units in 18/01184/FUL)

Stairwell access protruding on the front elevation

Flat roof (pitched butterfly style roof in 18/01184/FUL)

Terraces on top floor on front [east elevation] (two balconies on front & two terraces on rear in 18/01184/FUL)'

'This part of Corstorphine Conservation Area has a variety of architectural styles. The flatted block is prominent in the street scene and the proposal to abut the block will detract from its formality and symmetry. The massing and elevational treatment bears no relationship to the frontage in terms of respecting its composition of materials or taking reference from its roof profile, floor to floor height, window proportions or geometry.'

'The proposed building will be a similar height to the neighbouring flatted block located north of the site. The flat roof enables its four storeys to be just under the height of the neighbouring building of three storeys plus a pitched roof. Whilst the building on the ground and top floors would align with the adjoining properties, the first and second floors will overhang the ground floor and this would result in a visual discord in terms of scale, positioning and massing. The proposal will sit back from the street and back from the building line of the cottage to the south of the site with its rear building line similar to the rear building line of the cottage. The existing walls of the sheds will be reduced in height and will provide boundary walls and this is acceptable. The massing and positioning will detract from the character of the application site nor of the surrounding area. The proposal's height and scale will not be sympathetic to the neighbouring buildings.'

'The proposed building typology is at odds with surrounding built form where the street is not characterised by a projecting stairwell at ground floor level, overhanging upper floors or roof terraces.'

'At street level the proposed frontage will be dominated by car parking which will interrupt the strong rhythm of garden space found on this street.'

'Policy Des 1 encourages innovation in the design and layout of new buildings, streets and spaces and the Edinburgh Design Guidance encourages high quality contemporary designs. However doubling the number of residential units on the site (from two to four) has resulted in, albeit a few and small, design changes which will detract from the street scene and do not sit comfortably abutting the residential flatted block to the north.'

'The proposed building is a bold modern design which will abut a three storey block of flats and be next to a one and a half storey cottage. Policy Des 4 requires development proposals to have a positive impact on its surroundings. The proposal abuts a defined block and fails to respect the integrity of its defined frontage as evident in the street scene. It is inappropriately positioned in relation to the neighbouring properties on Saughton Road North and, by having car parking to the front garden, it interrupts the rhythm of garden space.'

'The policies of the LDP and the Edinburgh Design Guidance do encourage high quality contemporary designs. Although the proposal is very similar to the extant planning permission, the intensification of the site in terms of unit numbers and the design changes has resulted in a different scheme that fails to draw on the positive characteristics of the surrounding area and as such the application is being assessed on its own merits.'

'The proposal is not of an appropriate scale, form and design. It does not comply with LDP policies Des 1 and Des 4.'

There is a huge discrepancy, firstly in how policies are referred to and summarised and secondly, but obviously due to the first, how they are then interpreted and the conclusions which are drawn from this.

The increased number of units is given as a reason, aside *'few and small design changes which will detract from the street scene...'*. However the number of units is not a material consideration in assessment of scale, form and design, and the few small design changes are not specified. It is therefore difficult if not impossible to make sense of this comment.

The same comment is applied to the following paragraph which asserts that the proposals *'fail to respect the integrity of its defined frontage as evident in the street scene'*, what does this actually mean? The overall scale, form and design is very similar and this is acknowledged in the third paragraph.

It is our opinion that the Planning Officer has misdirected themselves and have highlighted differences between the extant approval and the proposals but with no reasoned or detailed argument as to why these differences are not acceptable in the context having accepted that the *'scale, form and design is very similar'*.

The key design changes compared to the extant planning permission are listed as:

'Four residential units (two residential units in 18/01184/FUL)

Stairwell access protruding on the front elevation

Flat roof (pitched butterfly style roof in 18/01184/FUL)

Terraces on top floor on front [east elevation] (two balconies on front & two terraces on rear in 18/01184/FUL)

What is proposed is four flats, these four flats fit within the same scale, form and design. It is questionable given the reference to minimum areas of flats in later paragraphs, why this is not "clarified" i.e. Four flats compared to two townhouses.

Stairwell access protruding on front elevation; While the central stair extends beyond the footprint at ground floor, it does not extend beyond the footprint of the whole building. The adjacent house to the south sits closer to Saughton Road North, so the stair sitting forward does not obscure not detract from any established or key view. In fact, due to existing walls, etc to the frontages of both adjacent buildings, this "projection" will not be obvious if even noticeable at all. There is no narrative, no justification for, nor any commentary by the planning officer seeking an uncluttered area at ground floor in the extant planning permission.

Flat Roof Design (pitched butterfly style roof in 18/01184/FUL); This is detailed design and is a matter of opinion. Again as per the previous item, there is no narrative, no justification for, nor any commentary by the Planning Officer regarding the design of the roof. Whilst the overall scale, form and design are very similar, we content that the simplicity of the flat roof as proposed is justified and it eludes to a more simpler, cleaner lined design compared to the extant planning permission. If a butterfly roof is strongly desired by the Planning Officer, this was never conveyed to us and it would be possible for this to be changed if this resulted in approval.

Terraces on top floor on front [east elevation] (two balconies on front and two terraces on rear in 18/01184/FUL); We are unclear why this is highlighted as the arrangement of terraces / balconies are identical to the extant planning permission and our proposal is terraces to the third floor east elevation and Juliet balconies to the first floor west elevation.

d) Amenity for Future Occupiers

The actual Internal Floor Area of the proposed flats are 80.9 square metres (ground and first floor flats) and 83.3 square metres (second and third floor flats). Contrary to what is stated within the planning report this well exceeds the minimum requirement demanded by the Edinburgh Design Guidance of 66 square metres for a two bedroom flat. The figures stated within the report are simply incorrect and as such this paragraph should be ignored in its entirety.

Given the corrected internal floor areas above it is clear that the proposal will provide an acceptable internal living environment for future occupiers. Furthermore it does provide a sufficient amount of internal floor area and, therefore does comply with Policy Hou 4 and with the Edinburgh Design Guidance.

None of the other headings within the Report of Handling highlight any deficiencies and generally acknowledge compliance with relevant policies.

Conclusion

The main crux of this Notice of Review is the fact that what is proposed is very similar in scale, form, design, materials, height and site positioning to the extant planning approval (18/01184/FUL) and yet having been assessed against exactly the same set of policy documents the extant planning application was approved but this proposal was refused.

The Planning Officer concedes in the report that *'there is an extant planning permission to build two four storey townhouses on the site and that this is a material consideration'*. Having accepted that the previous approval is a material consideration it must follow given the similarities in each design that this constitutes a strong argument for approval of this proposal. However the Planning Officer having stated this proceeds to ignore the extant approval in every consideration.

Our summary of the reasons for refusal are;

- Massing and elevational treatment bears no relationship to the existing frontage in terms of composition of materials, roof profile, floor to floor height, window proportions or geometry.
(our proposal matches the extant approval in all of these categories)
- Proposed building typology is not characterised by overhanging upper floors or roof terraces.
(our proposal matches the extant approval in all these design features)
- The proposed frontage will be dominated by car parking.
(our proposal has two parking spaces to the front of the site, exactly as per the extant approval)
- The increase of residential units (from two to four) has resulted in design changes which do not sit comfortably abutting the residential flatted block to the North.
(The proposed four flats fit within exactly the same building form and make no difference to the abutment with the existing flatted property)
- The proposed building is inappropriately positioned in relation to the neighbouring properties.
(The proposed building is positioned identically to the extant approval)
- The massing and elevational treatment will be an incongruous intervention in the street scene.
(the massing is exactly the same and the elevational treatment is very similar to the extant approval)
- The proposals do not result in sufficient internal floor space to meet the minimum requirements in the Edinburgh Design Guidance.
(This is simply incorrect, the proposed internal floor areas well exceed the minimum requirements)

It is our considered opinion that the Planning Officer has misdirected themselves. The reason or rationale for the misdirection is not clear as there are no detailed or reasoned arguments why the proposals justify refusal compared to the approval of 18/01184/FUL.

As a result it is also our intention to submit a claim for expenses in association with this Notice of Review and losses associated with the refusal of the planning application.

For all the reasons set out above we would request that the board award the review and grant Detailed Planning Permission.



3439

City of Edinburgh Council
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

Dear Sirs

**PROPOSED RESIDENTIAL DEVELOPMENT AT 8 SAUGHTON ROAD NORTH,
EDINBURGH. EH12 7HG**

Please find enclosed the following as e-development application to apply for Detailed Planning Permission for the above;

1. Copy of drawings no. 3439-01, 02, 03, 04, 05 & 06.
2. Copy of the completed application form.
3. Copy of our Design & Access Statement.
4. Our client's lodgement fee of £1604.00.

We trust the enclosed is sufficient for you to process the application but should you require anything further, please contact the undersigned.

Yours sincerely,

Ian M. Hislop
Neil Rothnie Architecture

3439

City of Edinburgh Council
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

Dear Sirs

**PROPOSED RESIDENTIAL DEVELOPMENT AT 8 SAUGHTON ROAD NORTH,
EDINBURGH. EH12 7HG [PLANNING REF: 19/05935/FUL]**

Please find enclosed the following as application for a Notice of Review in connection with the above application for Full Planning Permission which was refused by City of Edinburgh Planning Department.

1. Copy of Notice of Review Statement.
2. Copies of all documents and drawings originally lodged in support of the Planning Application.
3. Copy of the Report of Handling [Refusal 19/05935/FUL].
4. Copies of all drawings from the previously approved application [Approval 18/01184/FUL].
5. Copy of the Report of Handling [Approval 18/01184/FUL].

We trust the enclosed is sufficient for this Notice of Review application to be processed but should you require anything further please contact our office.

Yours sincerely,

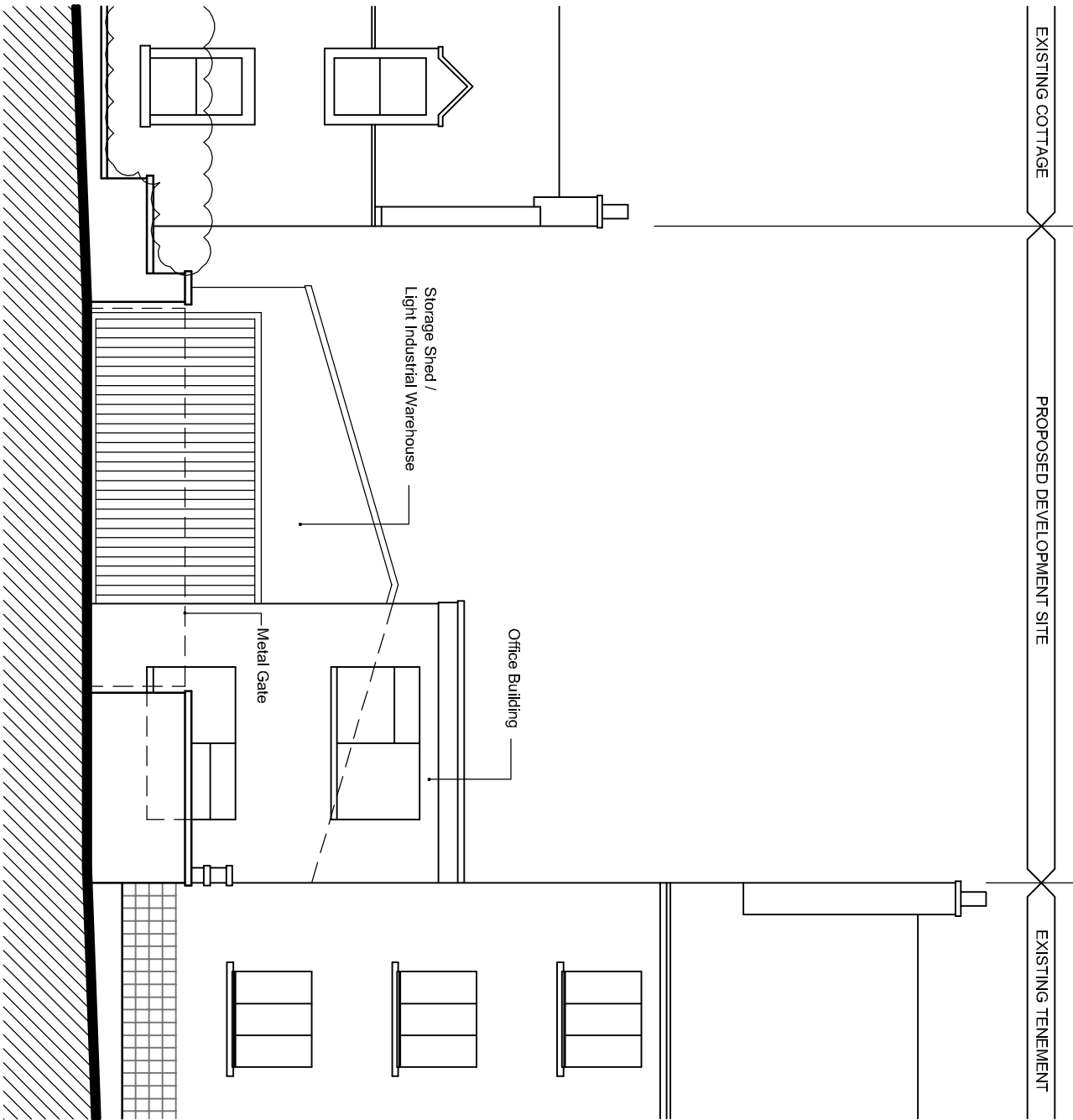
Neil Rothnie Architecture

Proposed Residential Development, 8 Saughton Road, Edinburgh. EH12 7HG

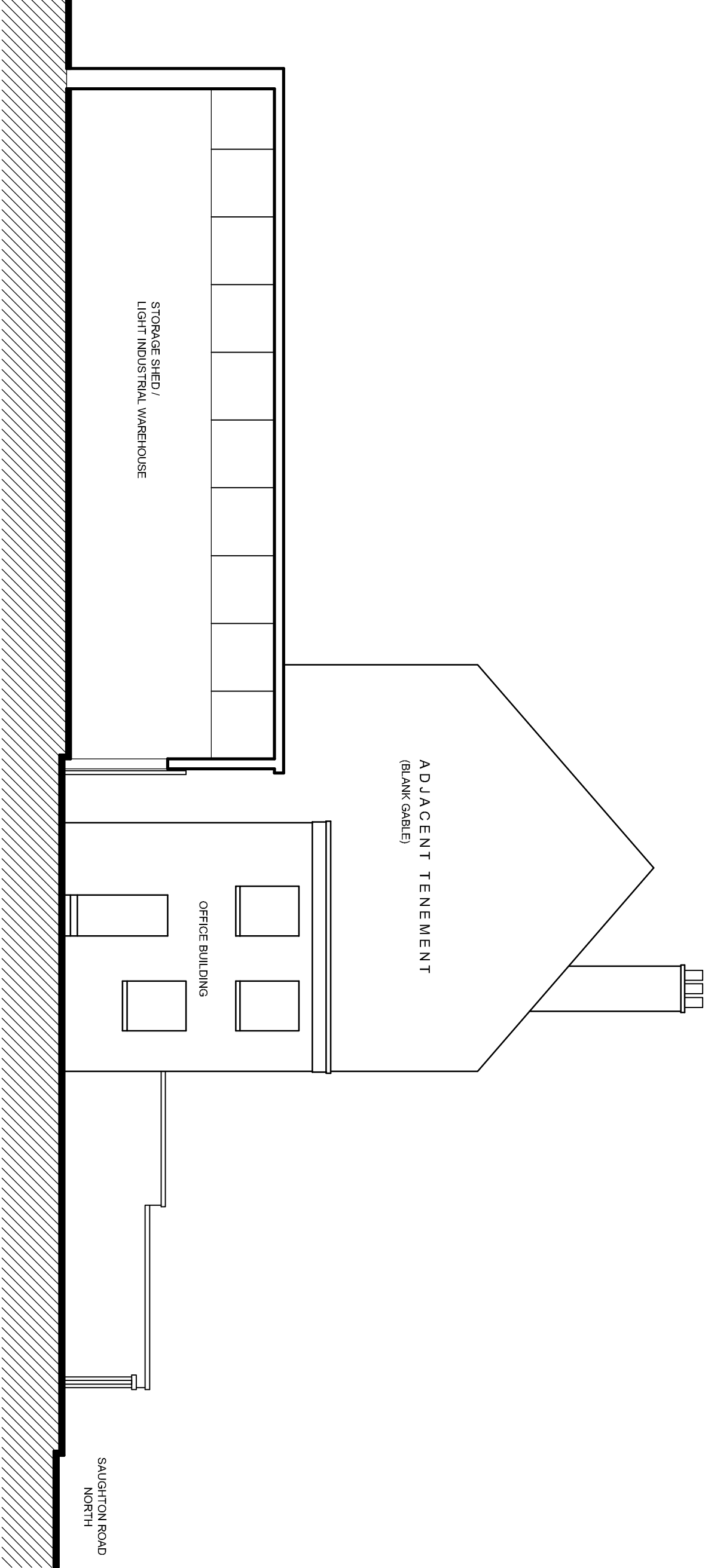
DESIGN + ACCESS STATEMENT

1. PROJECT ; Proposed new-build residential flatted development to site, with extant consent for 2no. dwellings
2. ADDRESS; 8 Saughton Road, Edinburgh. EH12 7HG
3. BRIEF DESCRIPTION ; To amend the existing Planning Approval , 18/01184/FUL to form 4no. flats to the building consented [overall volume, scale etc to be very similar]
4. SITE AREA ; 305 sq m
5. LOCAL AUTHORITY ; City of Edinburgh Council
6. CLIENT ; Cater Group
7. ARCHITECT ; Neil Rothnie Architecture
8. JUSTIFICATION ; The use as residential is established by the consent 18/01184/FUL. All aspects and matters considered in this Planning application have been taken as being agreed and we note the various amendments to the original proposals based on site visits and detailed discussions with the Planning Officer at the time. It should, therefore, be noted that what is stated in this Design and Access statement adds to the revised planning statement for the change of use from Class 4 to Class 9 use. This approval establishes a building of a style, shape and scale which is to be 'copied'. The overall height of what is proposed is marginally lower than that approved and materials to elevations is proposed to be similar as roughcast to the upper floors and horizontal timber linings (as pre-bleached (silver/grey) larch (timber)linings to the uppermost level. The position of windows on elevations are broadly the same as are the functions of rooms which they serve. What is proposed is to split what was two semi detached houses , each over four floors to 4no. flats, each one spread over two floors [duplex] as two flats over two flats. 2no. car parking spaces are proposed and whilst this is less than car parking standards would require, the provision to the consented dwellings was a reduction on standards and is very much in line with policy, in so far as parking standards are set as a maximum, encouraging less parking whilst the site has good access to all modes of public transport; the site is within a walkable distance to Glasgow Road/St John's Road, Corstorphine. In addition there is a car club stance within the Corstorphine neighbourhood centre. This in turn provides all facilities; shops, medical facilities and the like. It is not practical, nor desirable in road safety terms to increase the number of car parking spaces within the site. Whilst the lower two flats will have direct access to their own terraced areas at ground floor level, the upper flats will have private space at third floor level. Windows etc to the rear [west]are restricted to accessing Juliet balconies; again in line with what is approved for the 2no. dwellings. There is a communal open garden area available to all flats to the west. Recycling [bin storage] is provided within the site as is cycle parking [100%]
9. In summary we consider that an amendment to accommodate four flats in lieu of two dwellings is no different in terms of scale and design. It is also no more onerous in terms of amenity and its impact on any neighbouring properties or they on what is proposed. As the proposals effectively copy those previously approved the issue of daylighting etc is no different and this is demonstrated on the specific drawing [section]. The flats will all enjoy an open and east/west aspect, as noted in the original design statement ; 'spectacular views over the bowling green across the road and Edinburgh beyond'

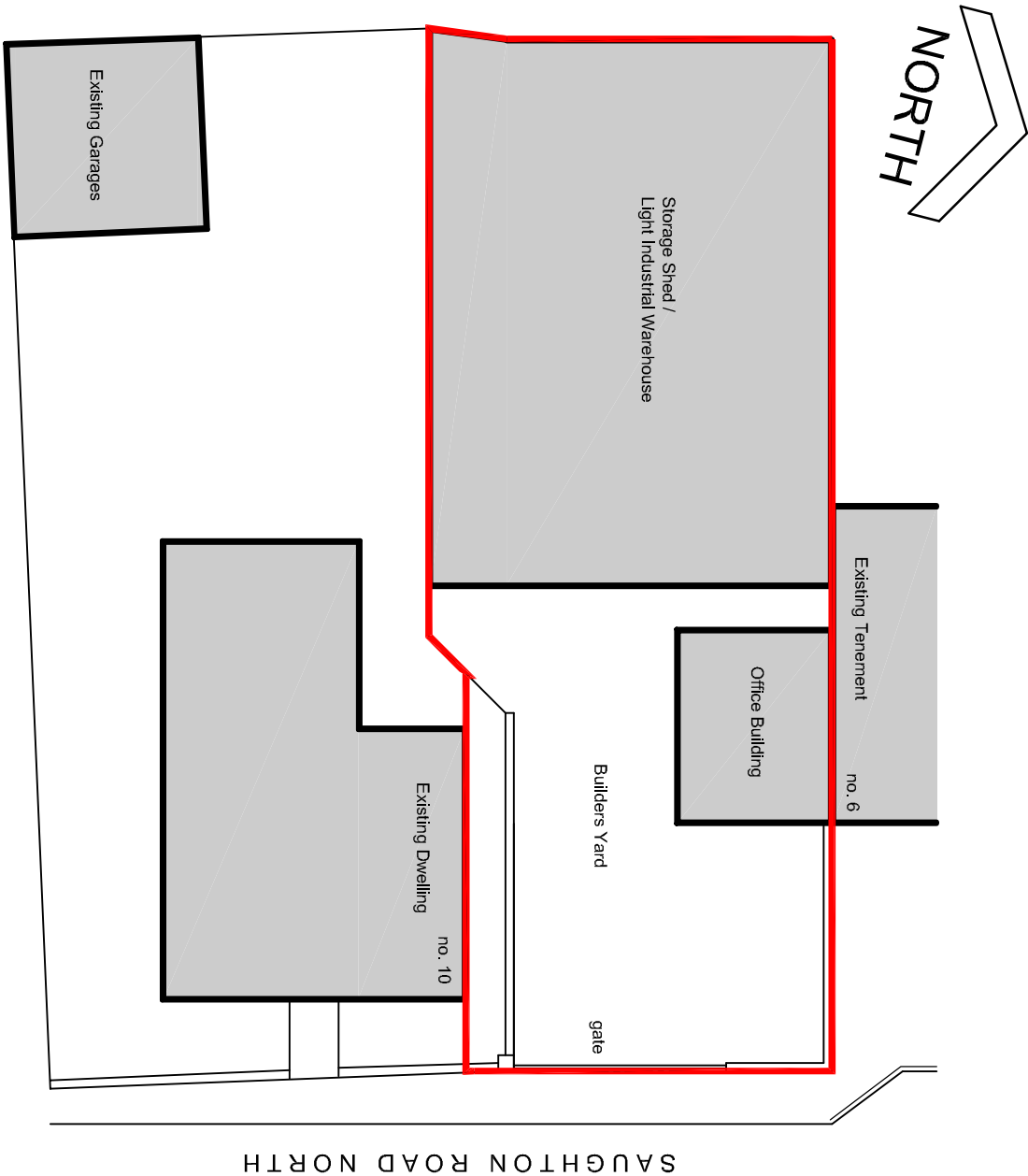
December 2019



Existing East Elevation 1:100



Existing Site Section 1:100



Existing Block Plan 1:200

COPYRIGHT OF NEIL ROTHNIE ARCHITECTURE
This drawing cannot be reproduced or used in any way without the express written permission of the aforementioned. All design intent and content is copyright of the aforementioned.

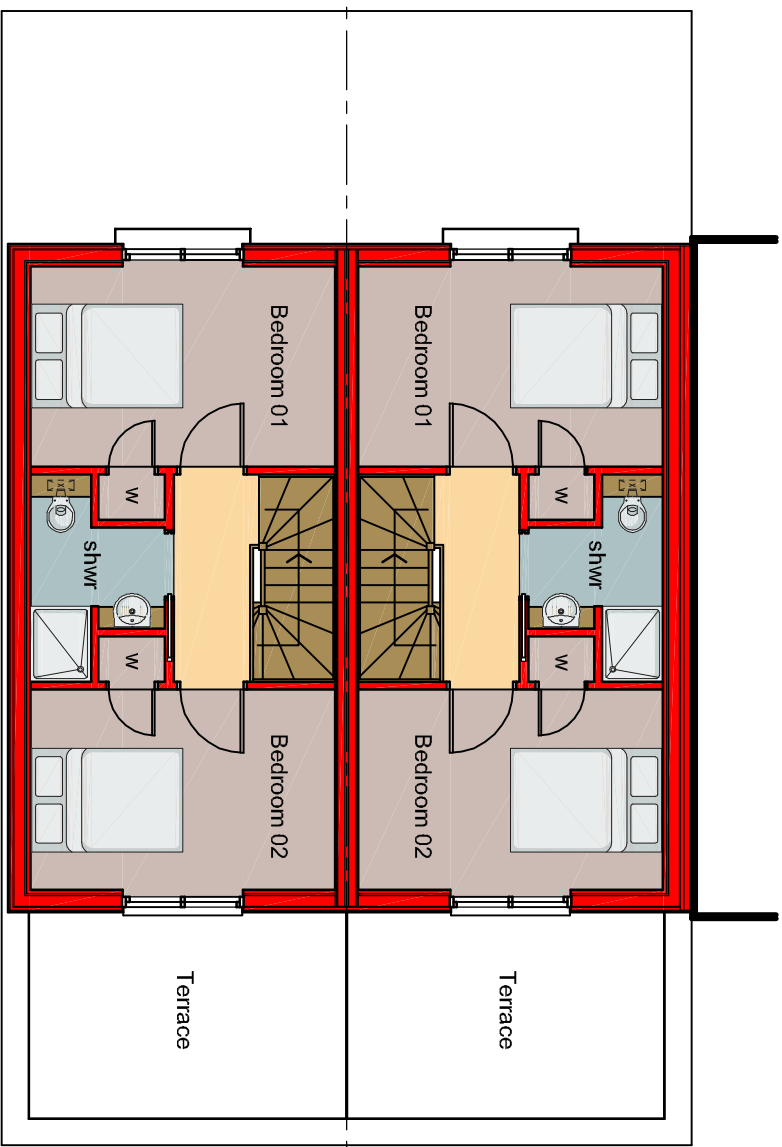
Written sizes to take preference over scaled sizes, large scale details take preference over small. All dimensions must be checked on site, any discrepancies in drawings to be referred to this office for decision.

REV. NO.	DESCRIPTION	DATE

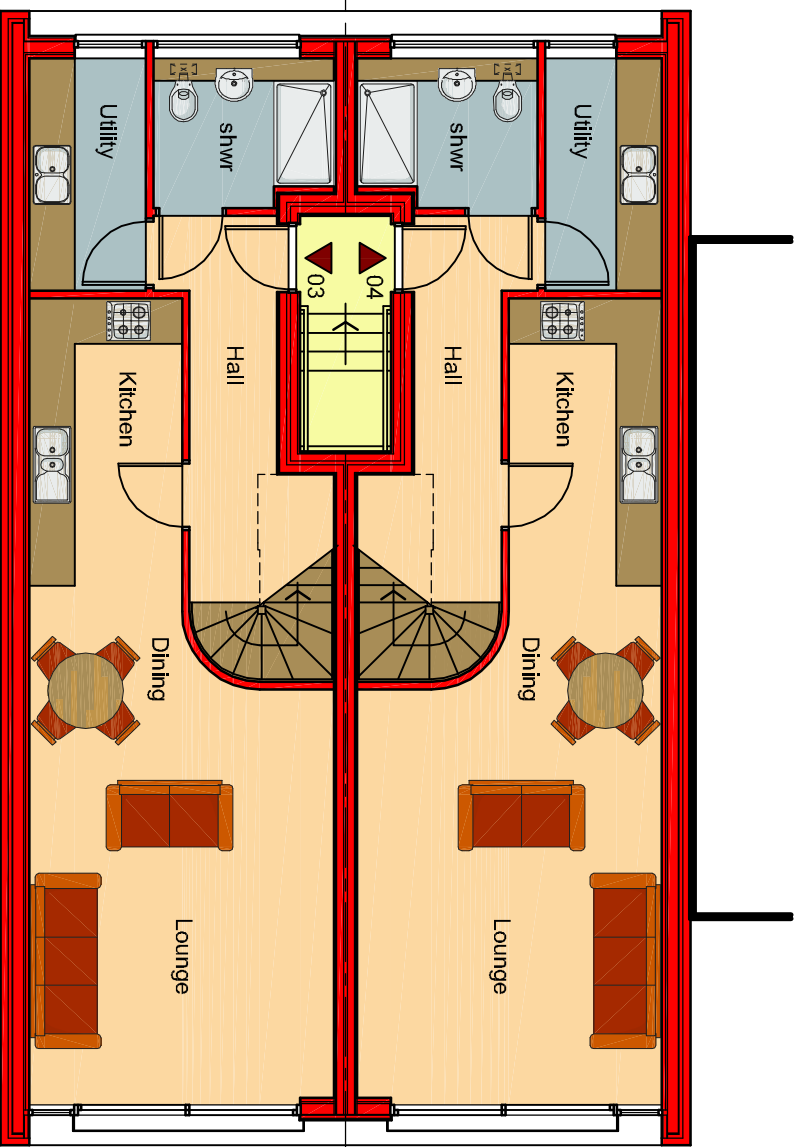


NEIL ROTHNIE ARCHITECTURE
ARCHITECTURE AND DESIGN CONSULTANTS
73 HUNTLY STREET, ABERDEEN, AB10 1TE
TEL 01224 624724 FAX 01224 649394
info@neilrothnie.co.uk www.neilrothnie.co.uk
CLIENT CATER GROUP LTD.

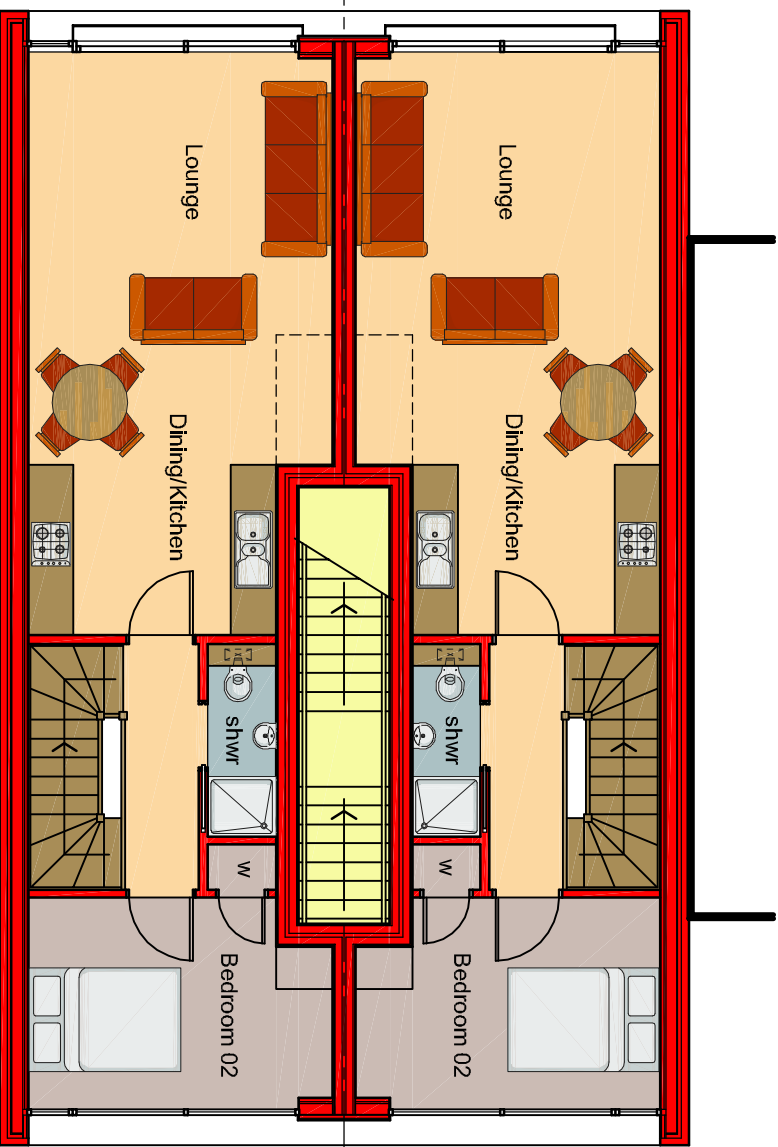
PROJECT	PROPOSED DEVELOPMENT TO FORM 4NO.FLATS
CONTENT	AT 8 SAUGHTON ROAD NORTH, EDINBURGH
SCALE	1:100 / 1:200 @ A2
JOB REFERENCE	3439
DATE	DECEMBER 2019
DRAWING	01
REV	



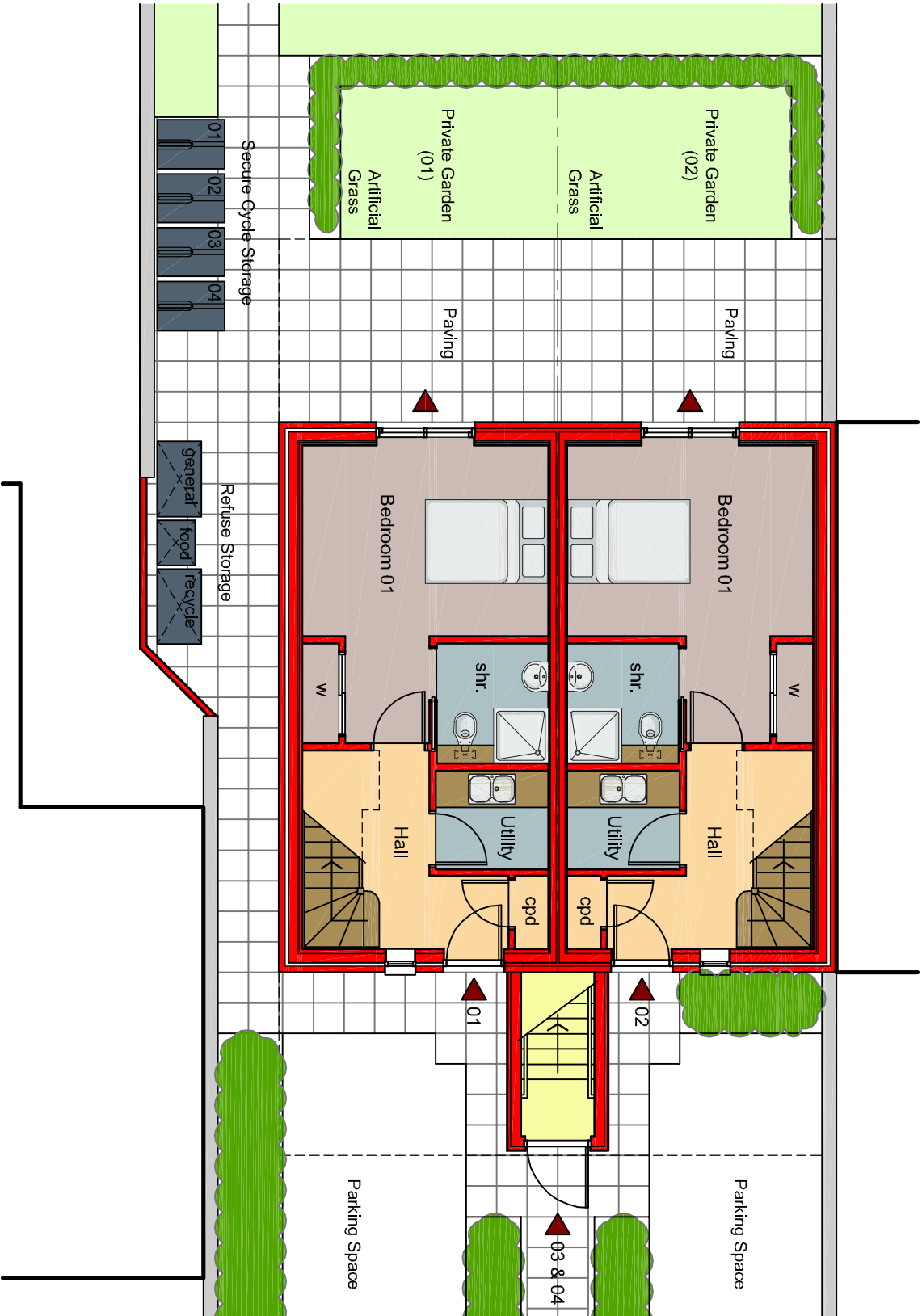
Proposed Third Floor 1:100



Proposed Second Floor 1:100



Proposed First Floor 1:100



Proposed Ground Floor 1:100



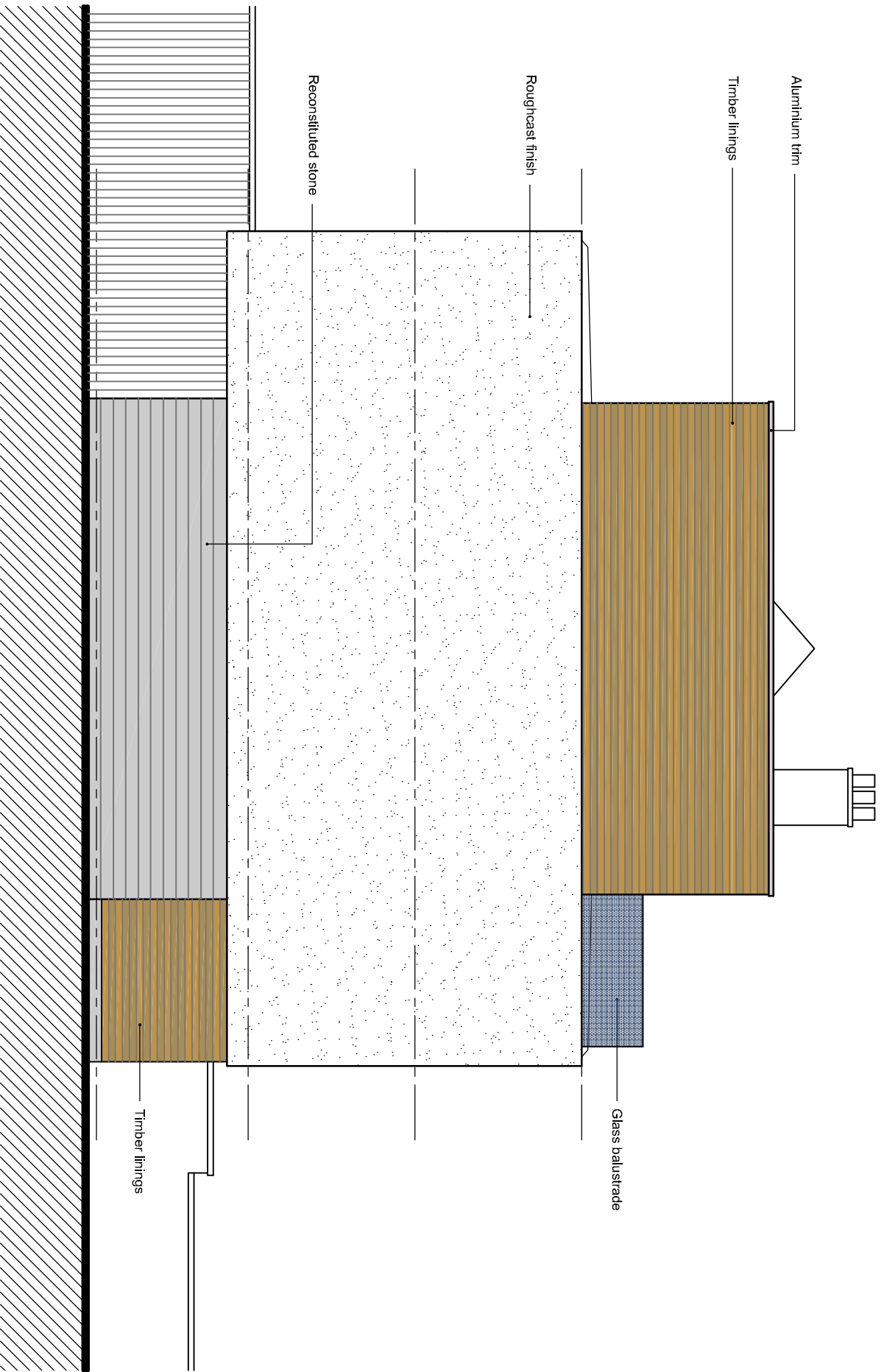
Proposed East Elevation 1:100



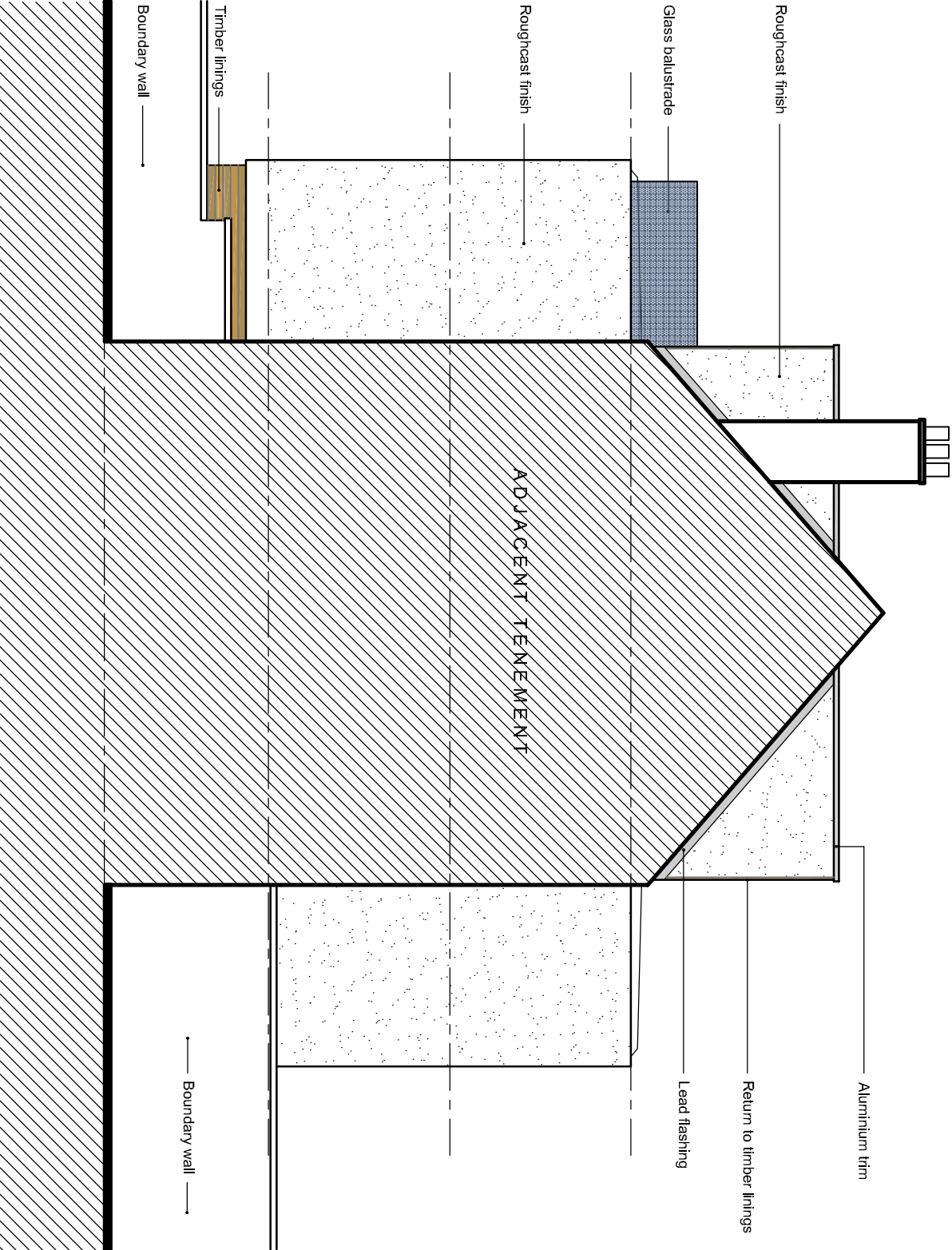
Proposed West Elevation 1:100



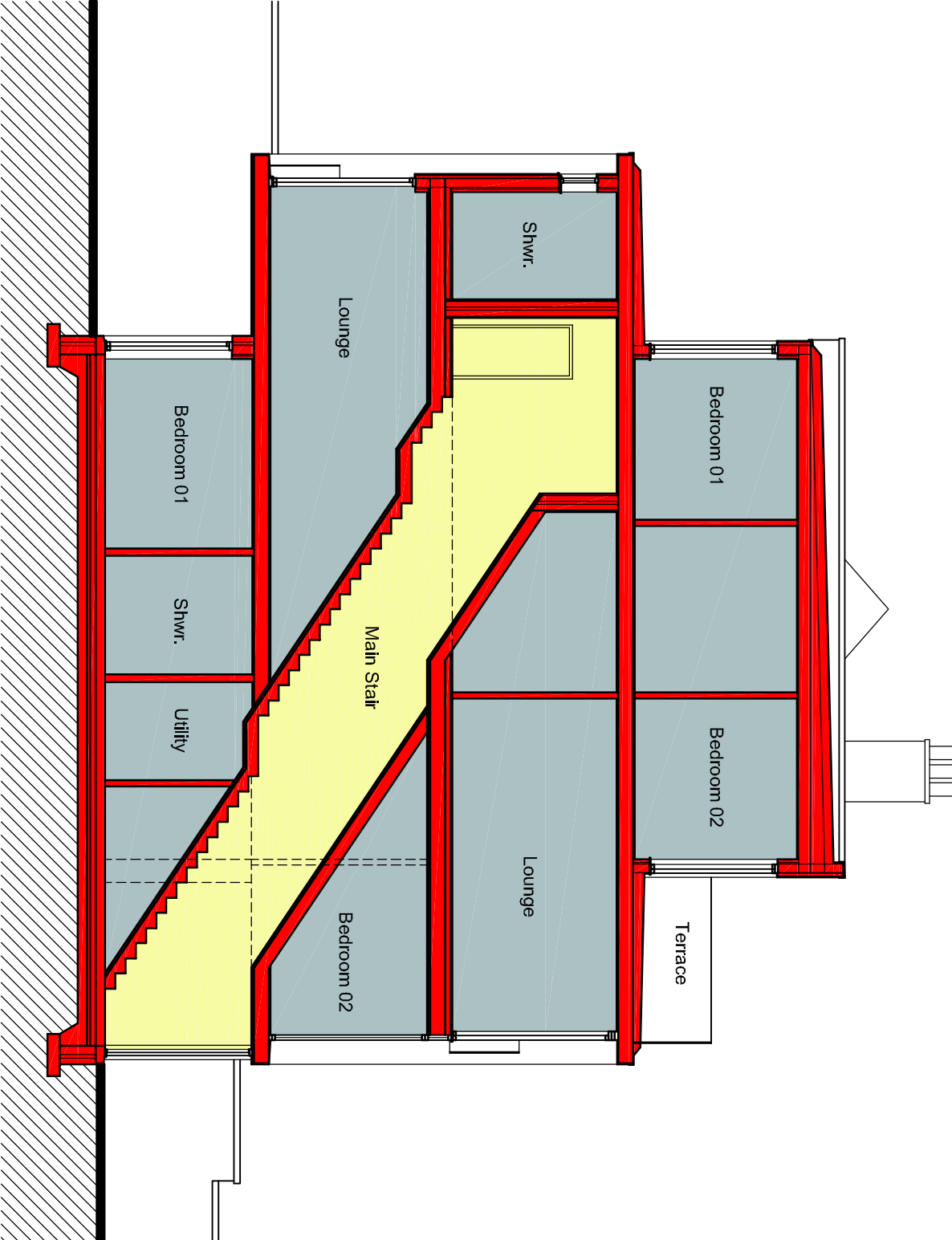
Proposed Block Plan 1:200



Proposed South Elevation 1:100



Proposed North Elevation 1:100



Proposed Cross Section 1:100

FINISHES SCHEDULE	
FLAT ROOFS -	Light grey single ply membrane.
TERRACE -	As above with walk over tiles in dark grey.
TIMBER LININGS -	Larch V-Joint boards jointed to weather to uniform grey / silver.
ROUGHCAST -	Smooth render with surface scraped texture in off white colour (TBC).
GLAZING SYSTEM -	Aluminium narrow frame system with dark grey finish.
PATIO DOORS -	As per glazing system above.
WINDOWS -	As per glazing system above.
GLASS BALUSTRADE -	Clear glass with stainless steel finger (internal).
RECON STONE -	As above block (400 x 215mm) as cement stone mix with mid grey finish.

0 1 2 3 4 5m
1:100

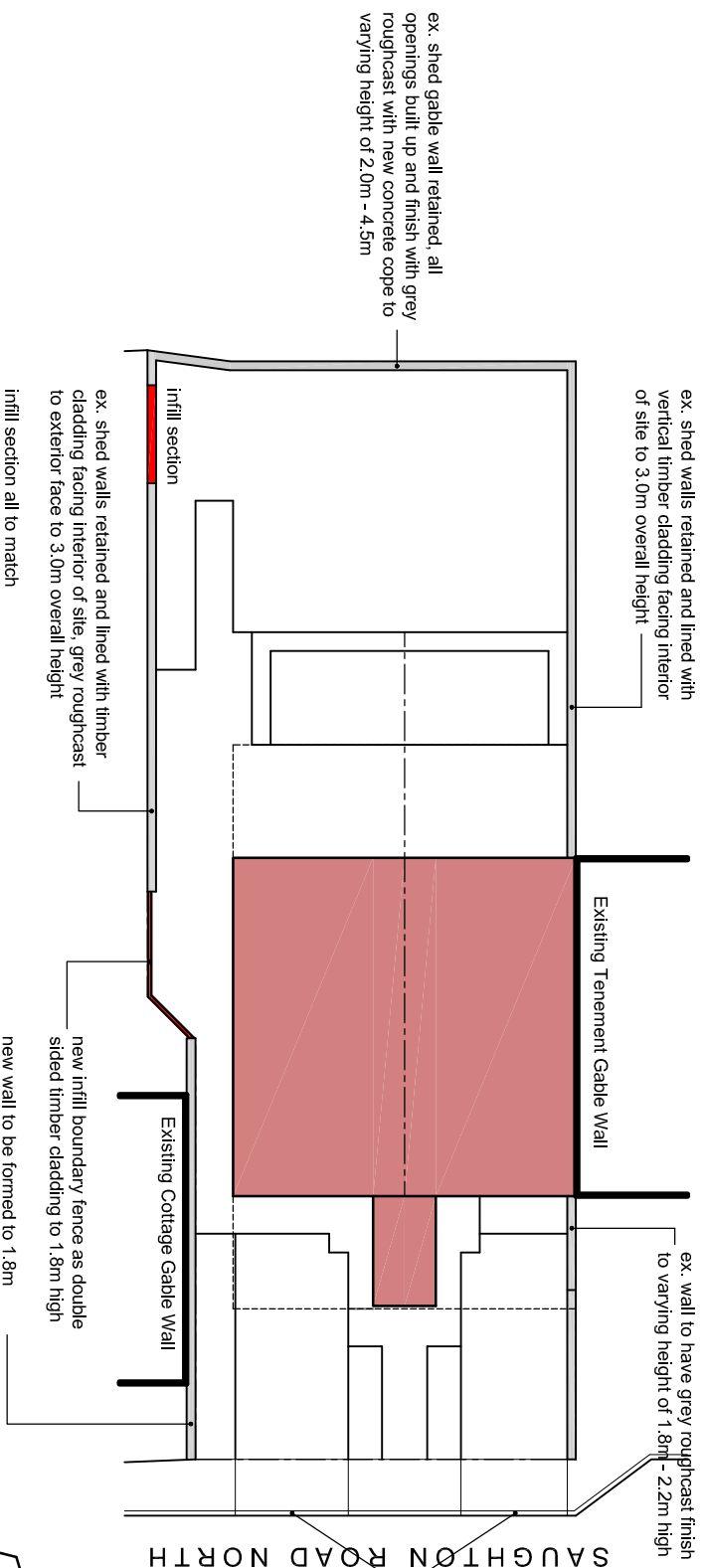
COPYRIGHT OF NEIL ROTHNIE ARCHITECTURE
This drawing cannot be reproduced or used in any way without the express written permission of the aforementioned. All design intent and content is copyright of the aforementioned.
Written sites to take preference over scaled sizes, large scale details take preference over small. All dimensions must be checked on site, any discrepancies in drawings to be referred to the client in writing.

neil rothnie architecture
neil rothnie architecture

NEIL ROTHNIE ARCHITECTURE
ARCHITECTURE AND DESIGN CONSULTANTS
73 HUNTS STREET, ABERDEEN, AB10 1TE
TEL 01224 624724 FAX 01224 646394
www.neilrothnie.co.uk
CLIENT CATER GROUP LTD.

PROJECT PROPOSED DEVELOPMENT TO FORM ANO FLATS
AT 8 SAUGHTON ROAD NORTH, EDINBURGH
CONTENT PROPOSED LAYOUTS

SCALE 1:100 / 1:200 @ A1 DATE DECEMBER 2019
JOB REFERENCE 3439 DRAWING REV 02
DRAWN BY



Proposed Boundary Treatment 1:200



NEIL ROTHNIE ARCHITECTURE
This drawing cannot be reproduced or used in any way without the express written permission of the aforementioned. All design intent and content is copyright of the aforementioned.

Written sizes to take preference over scaled sizes, large scale details take preference over small. All dimensions must be checked on site, any discrepancies in drawings to be referred to this office for decision.

REV. NO.	DESCRIPTION	DATE



neil rothnie architecture

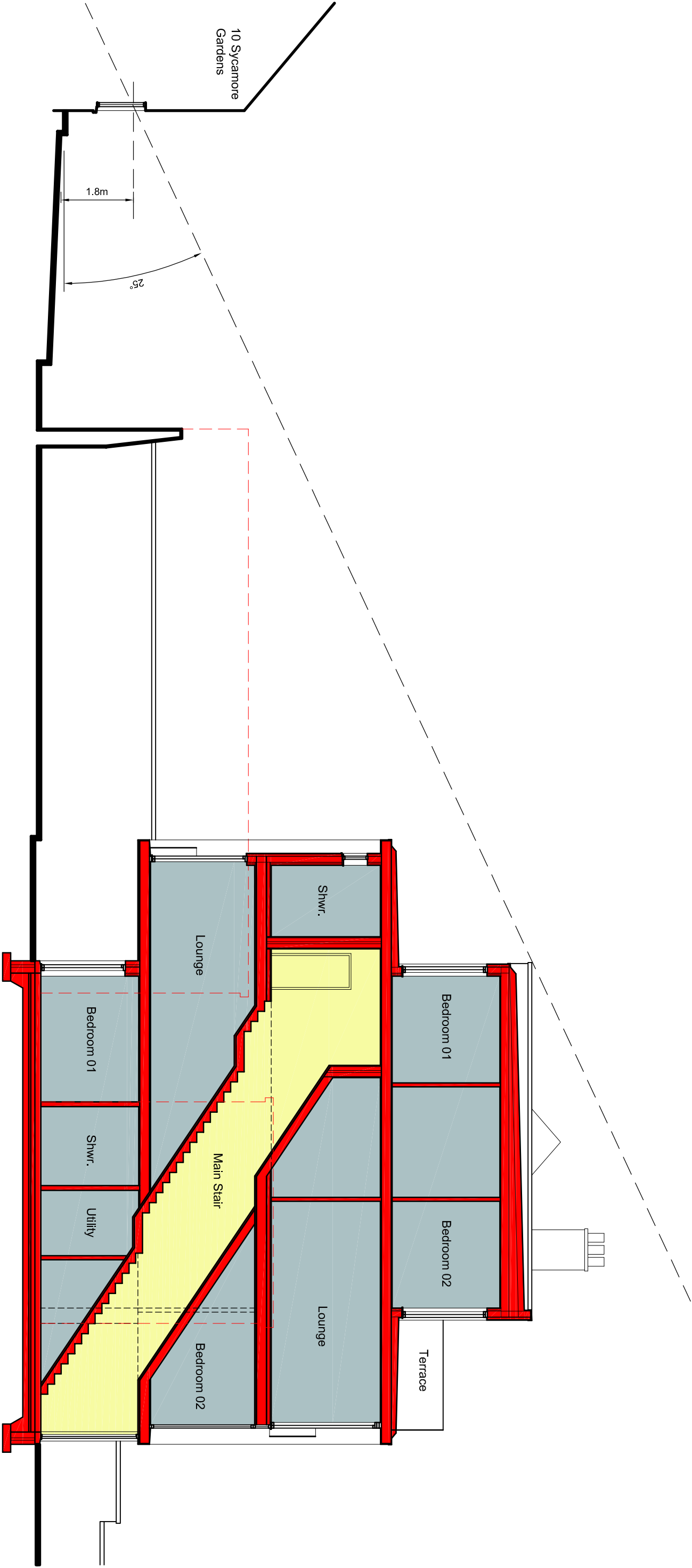
NEIL ROTHNIE ARCHITECTURE
ARCHITECTURE AND DESIGN CONSULTANTS
73 HUNTLY STREET, ABERDEEN AB10 1TE
TEL 01224 624724 FAX 01224 649394
info@neilrothnie.co.uk www.neilrothnie.co.uk

CLIENT CATER GROUP LTD.

PROJECT PROPOSED DEVELOPMENT TO FORM 4NO. FLATS
AT 8 SAUGHTON ROAD NORTH, EDINBURGH
CONTENT PROPOSED BOUNDARY TREATMENTS

SCALE 1:200 @ A4	DATE DECEMBER 2019
JOB REFERENCE 3439	DRAWING REV 03

DRAWN BY



Proposed Site Section 1:100



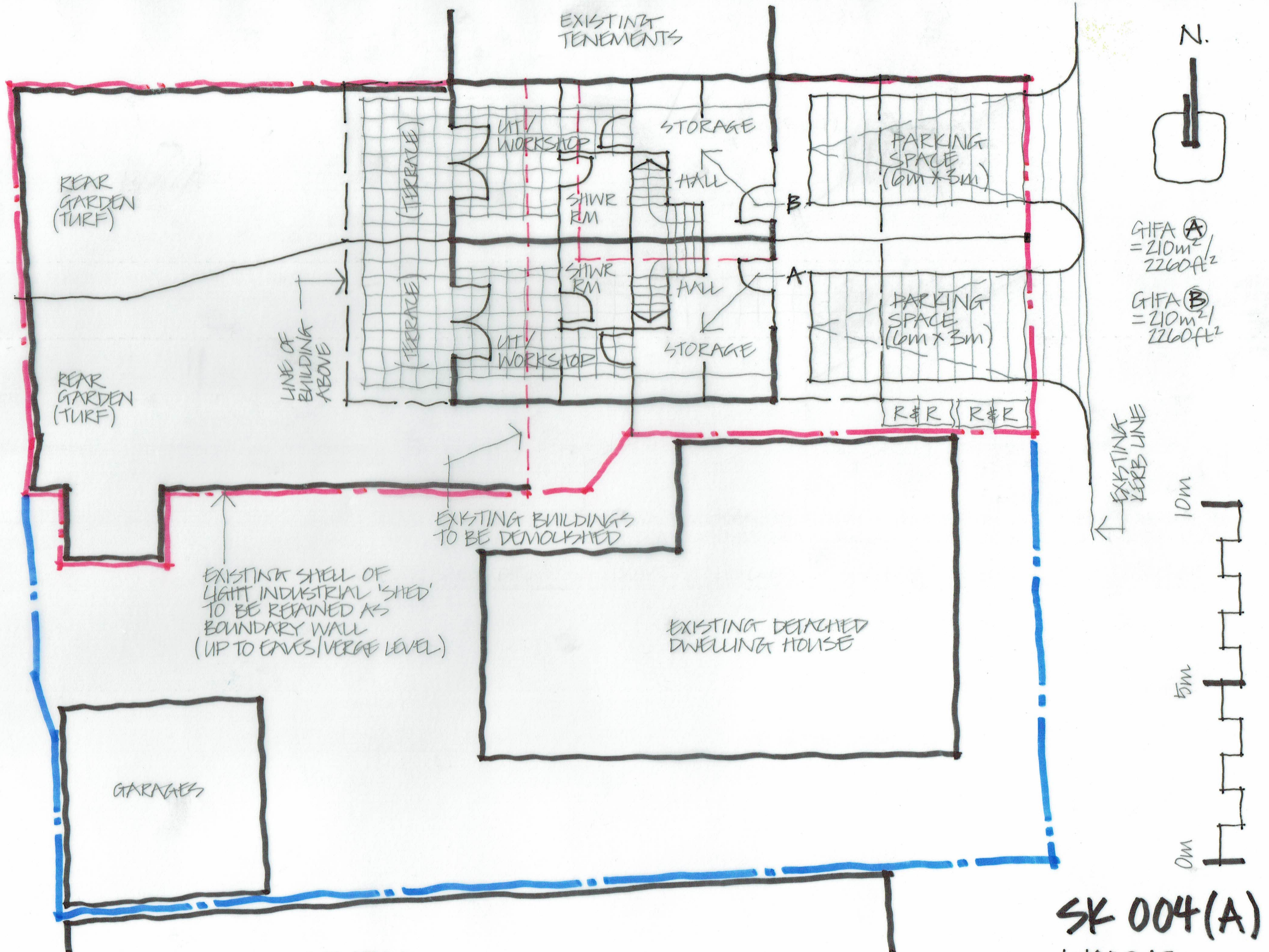
NEIL ROTHNIE ARCHITECTURE
This drawing cannot be reproduced or used in any way without the express written permission of the aforementioned. All design intent and content is copyright of the aforementioned.
Within sizes to help preference over scaled sizes. Large scale details take preference over small. All dimensions must be checked on site any discrepancies in drawings to be referred to his office for decision.

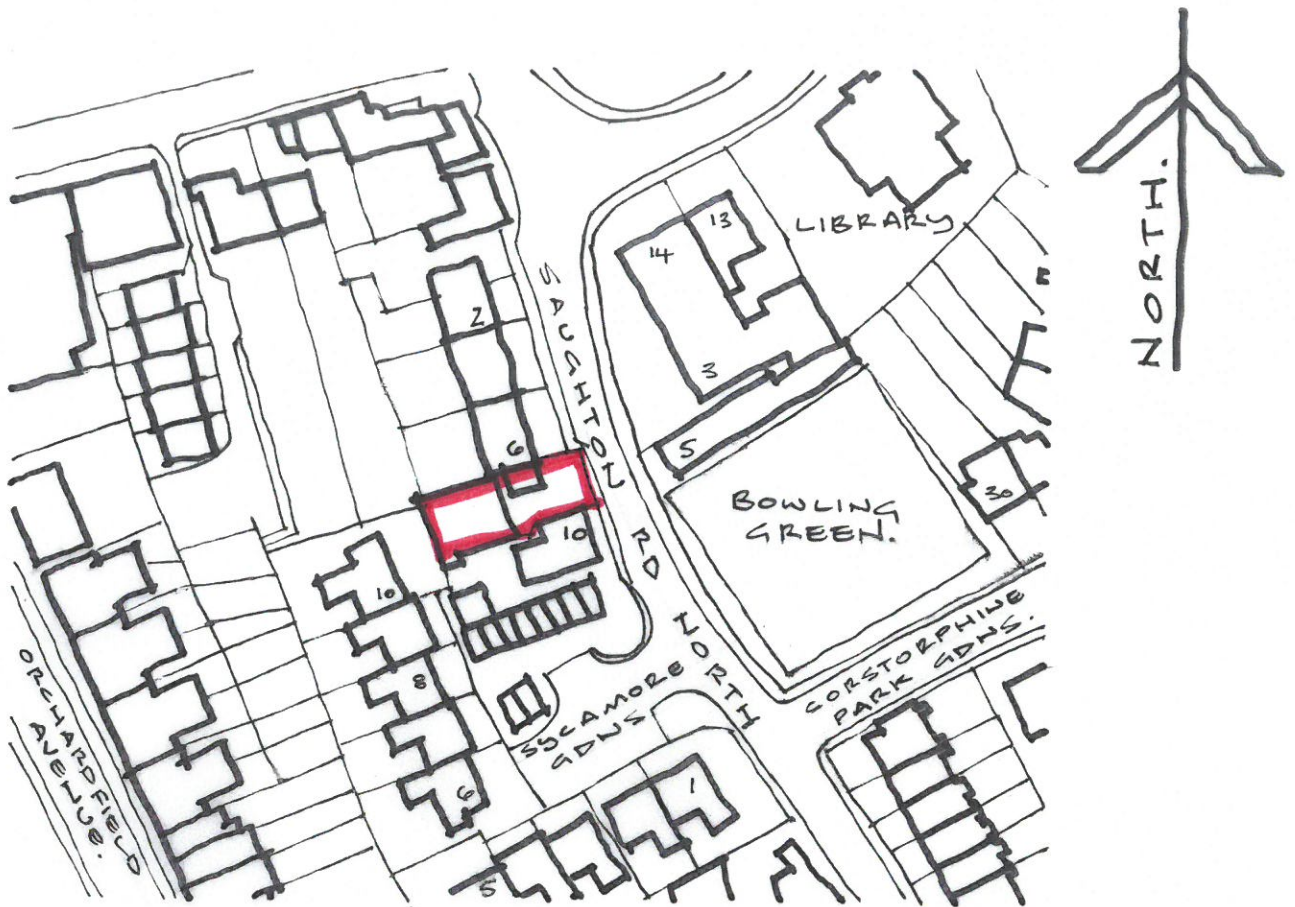


NEIL ROTHNIE ARCHITECTURE
ARCHITECTURE AND DESIGN CONSULTANTS
73 HUNTLY STREET, ABERDEEN, AB10 1TE
TEL 01724 624724 FAX 01724 649394
info@neilrothnie.co.uk www.neilrothnie.co.uk
CLIENT
CATER GROUP LTD.

PROJECT		PROPOSED DEVELOPMENT TO FORM 4NO. FLATS	
CONTENT		AT 8 SAUGHTON ROAD NORTH, EDINBURGH	
REV NO.		DESCRIPTION	
DATE		DATE	
SCALE		1:100 @ A3	
JOB REFERENCE		DRAWING	
3439		04	
DRAWN BY		DECEMBER 2019	

PROPOSED GROUND FLOOR LAYOUT





LOCATION PLAN 1:1250.

0 10 20 30 40 50 60m
1:1250

NEIL ROTHNIE ARCHITECTURE
This drawing cannot be reproduced or used in any way without the express written permission of the aforementioned. All design intent and content is copyright of the aforementioned.

Written sizes to take preference over scaled sizes, large scale details take preference over small. All dimensions must be checked on site, any discrepancies in drawings to be referred to this office for decision.

neil rothnie architecture



NEIL ROTHNIE ARCHITECTURE
ARCHITECTURE AND DESIGN CONSULTANTS
73 HUNTLY STREET, ABERDEEN, AB10 1TE
TEL 01224 624724 FAX 01224 649394
info@neilrothnie.co.uk www.neilrothnie.co.uk

CLIENT CATER GROUP LTD.

PROJECT PROPOSED DEVELOPMENT TO FORM 4NO. FLATS
AT 8 SAUGHTON ROAD NORTH, EDINBURGH

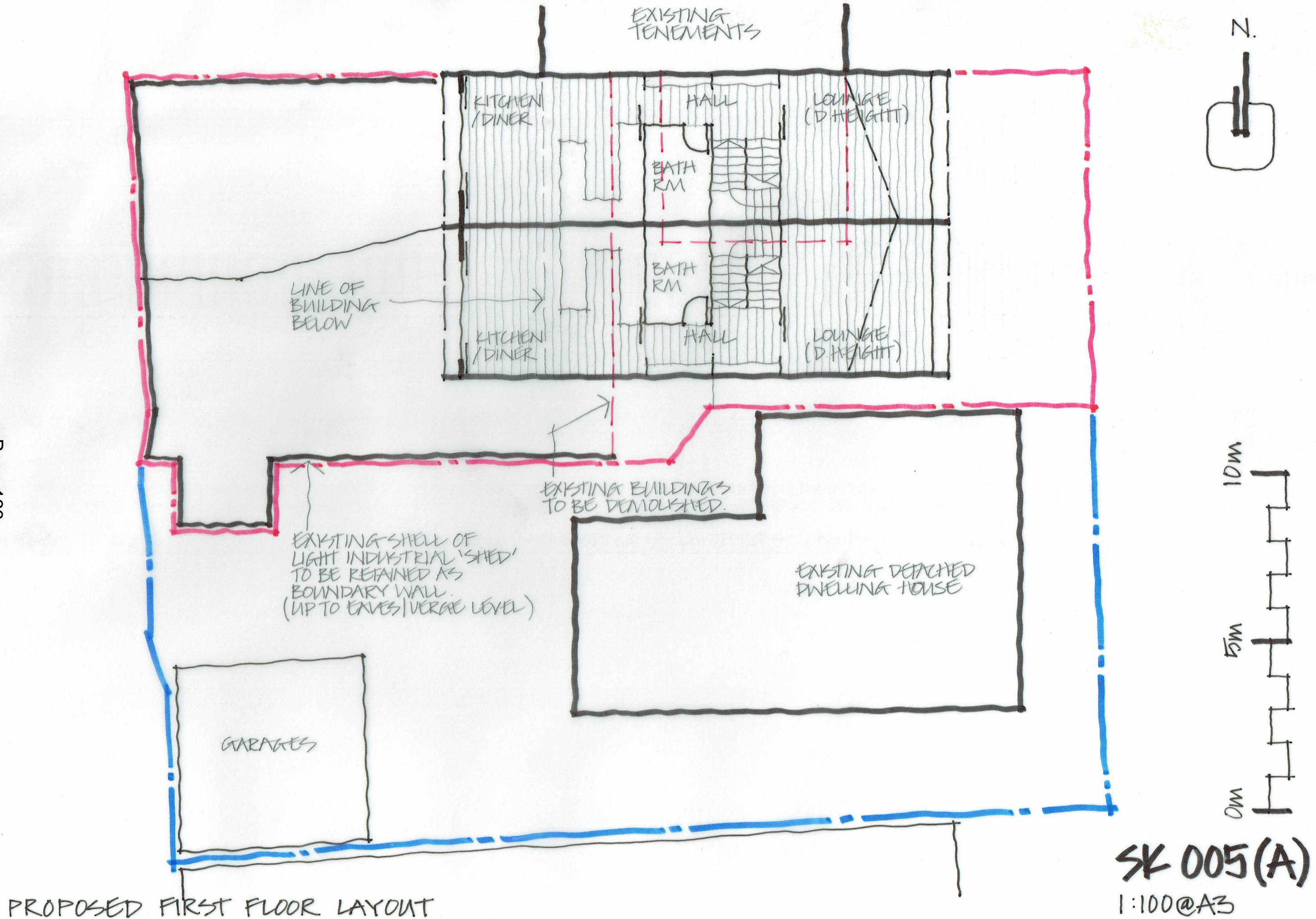
CONTENT LOCATION PLAN

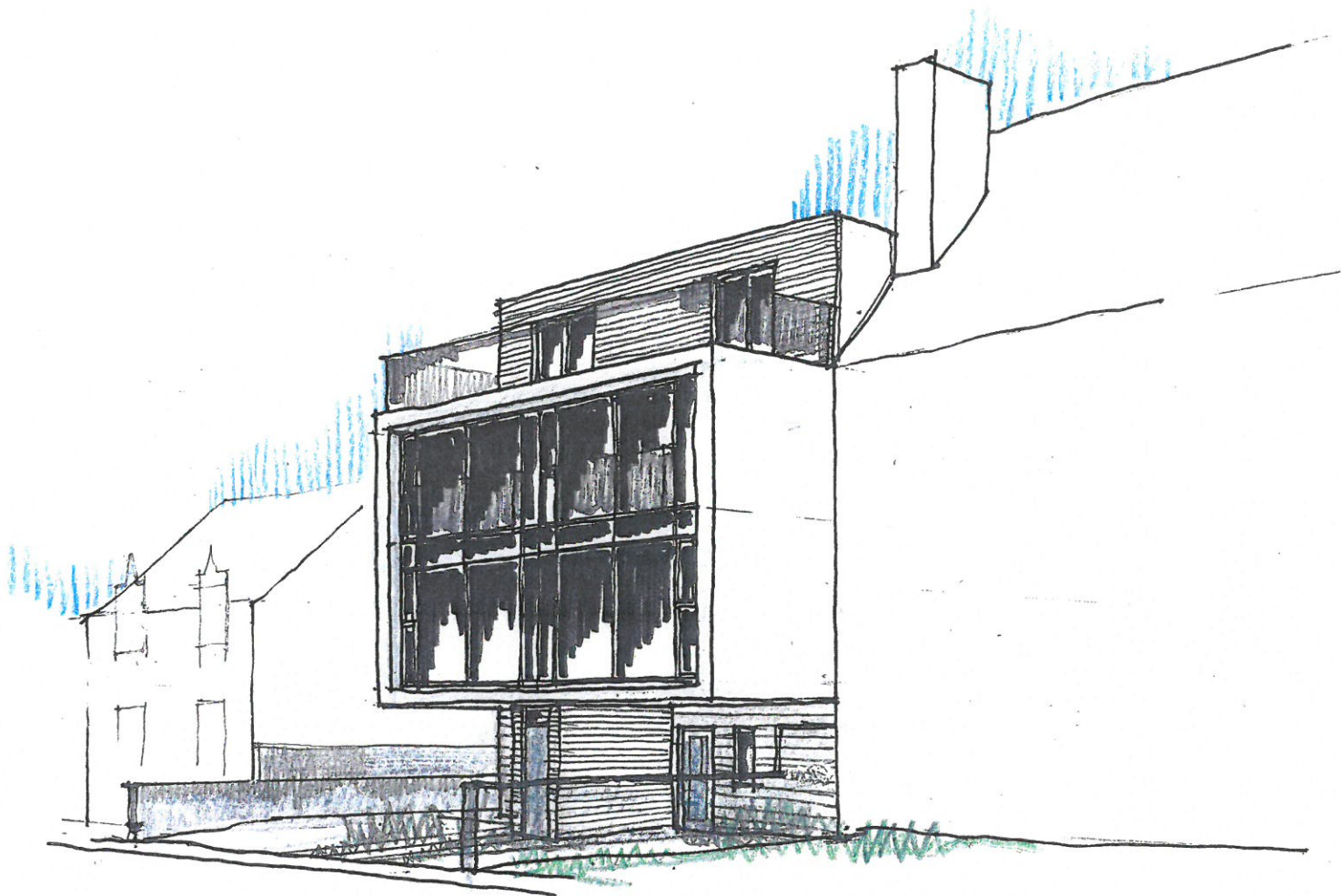
SCALE 1:1250 @ A4 DATE DECEMBER 2019

JOB REFERENCE 3439 DRAWING 05

REV
DRAWN BY

REV NO.	DESCRIPTION	DATE





neil rothnie **architecture**



NEIL ROTHNIE ARCHITECTURE
This drawing cannot be reproduced or used in any way without the express written permission of the aforementioned. All design intent and content is copyright of the aforementioned.

Written sizes to take preference over scaled sizes, large scale details take preference over small. All dimensions must be checked on site, any discrepancies in drawings to be referred to this office for decision.

NEIL ROTHNIE ARCHITECTURE
ARCHITECTURE AND DESIGN CONSULTANTS
73 HUNTLY STREET, ABERDEEN, AB10 1TE
TEL 01224 624724 FAX 01224 648384
info@neilrothnie.co.uk www.neilrothnie.co.uk

CLIENT CATER GROUP LTD.

PROJECT PROPOSED DEVELOPMENT TO FORM 4NO. FLATS
AT 8 SAUGHTON ROAD NORTH, EDINBURGH

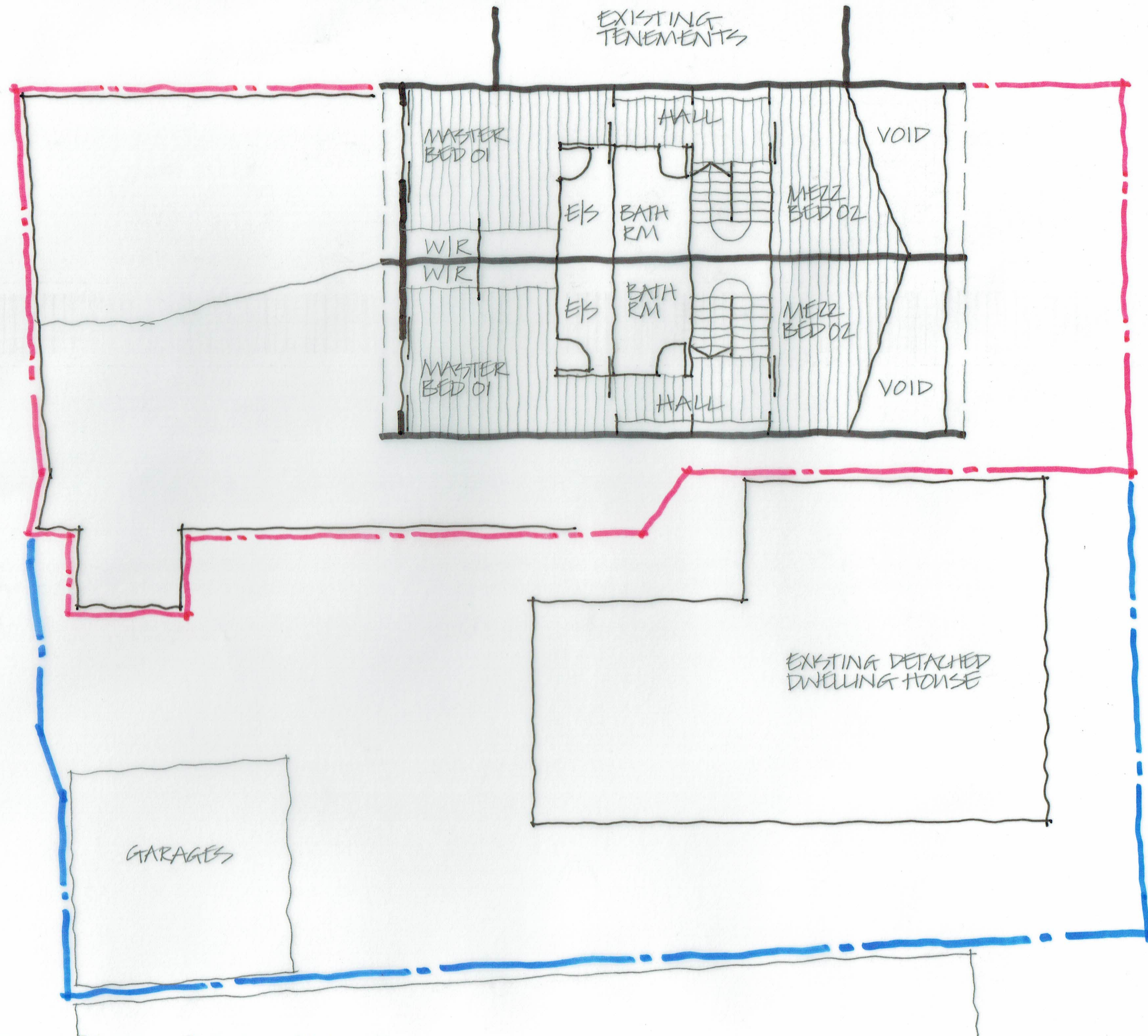
CONTENT 3D IMAGE

SCALE N.T.S. DATE DECEMBER 2019

JOB REFERENCE 3439 DRAWING 06 REV

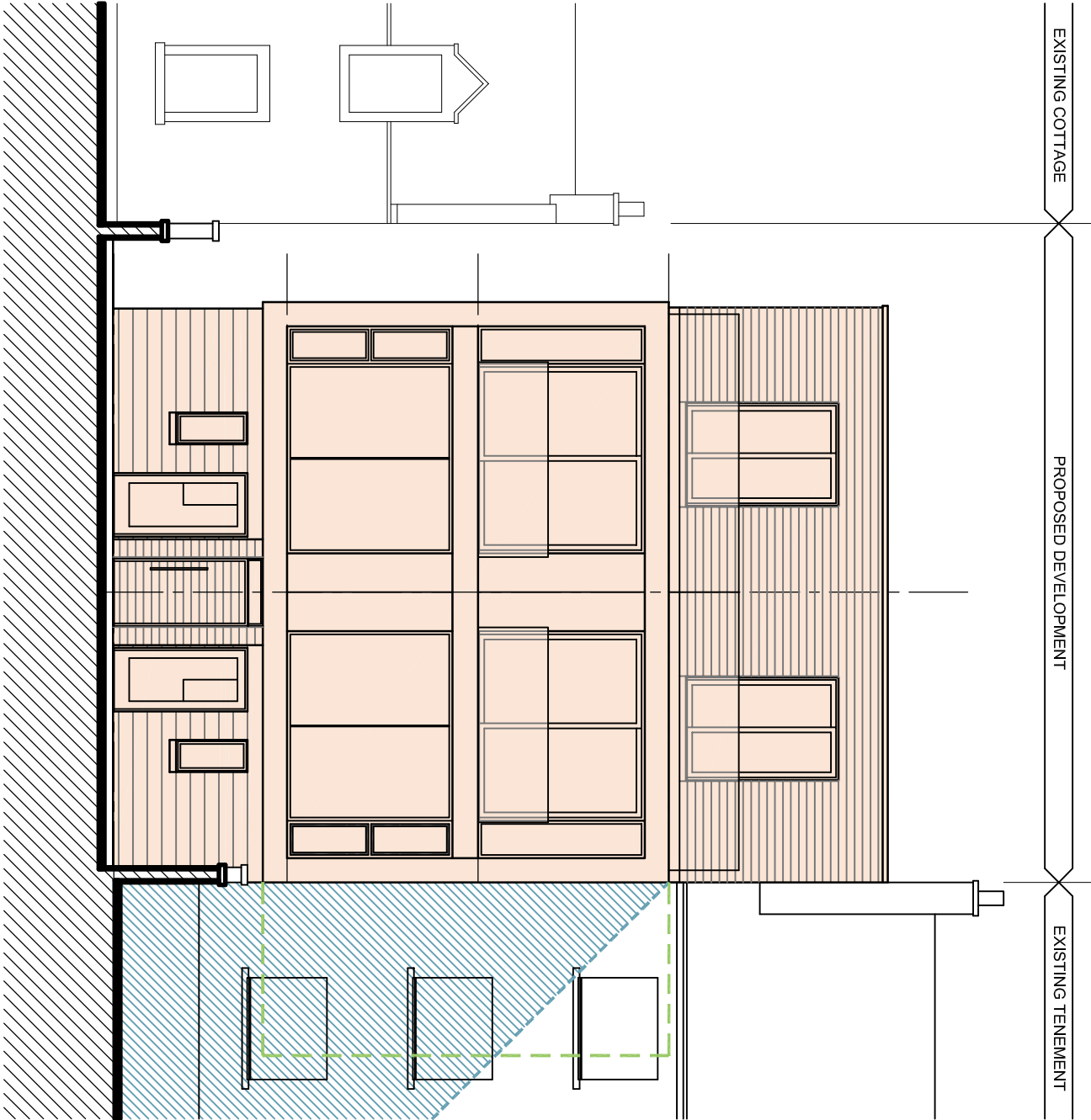
DRAWN BY

REV NO.	DESCRIPTION	DATE

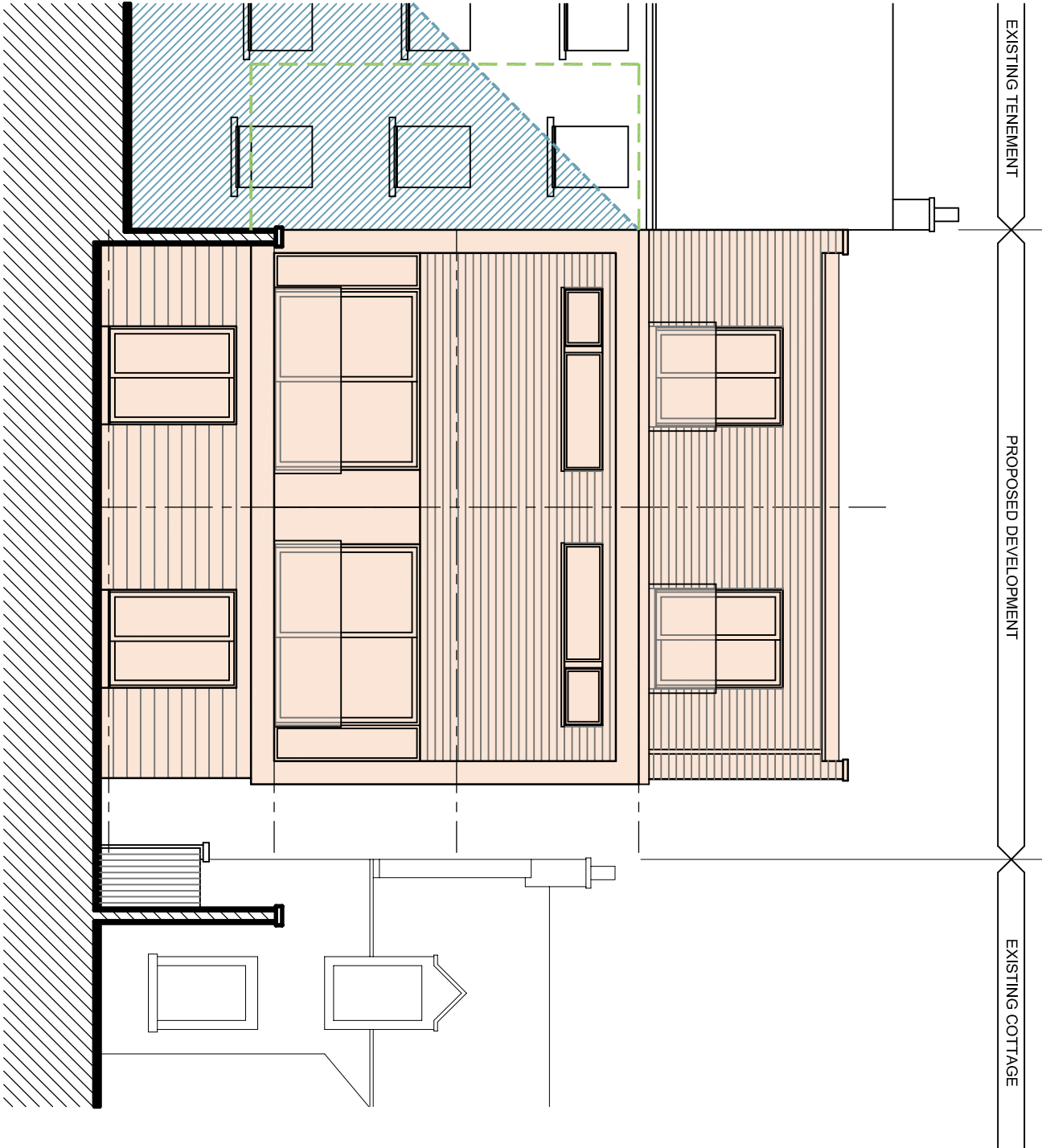


PROPOSED SECOND FLOOR LAYOUT

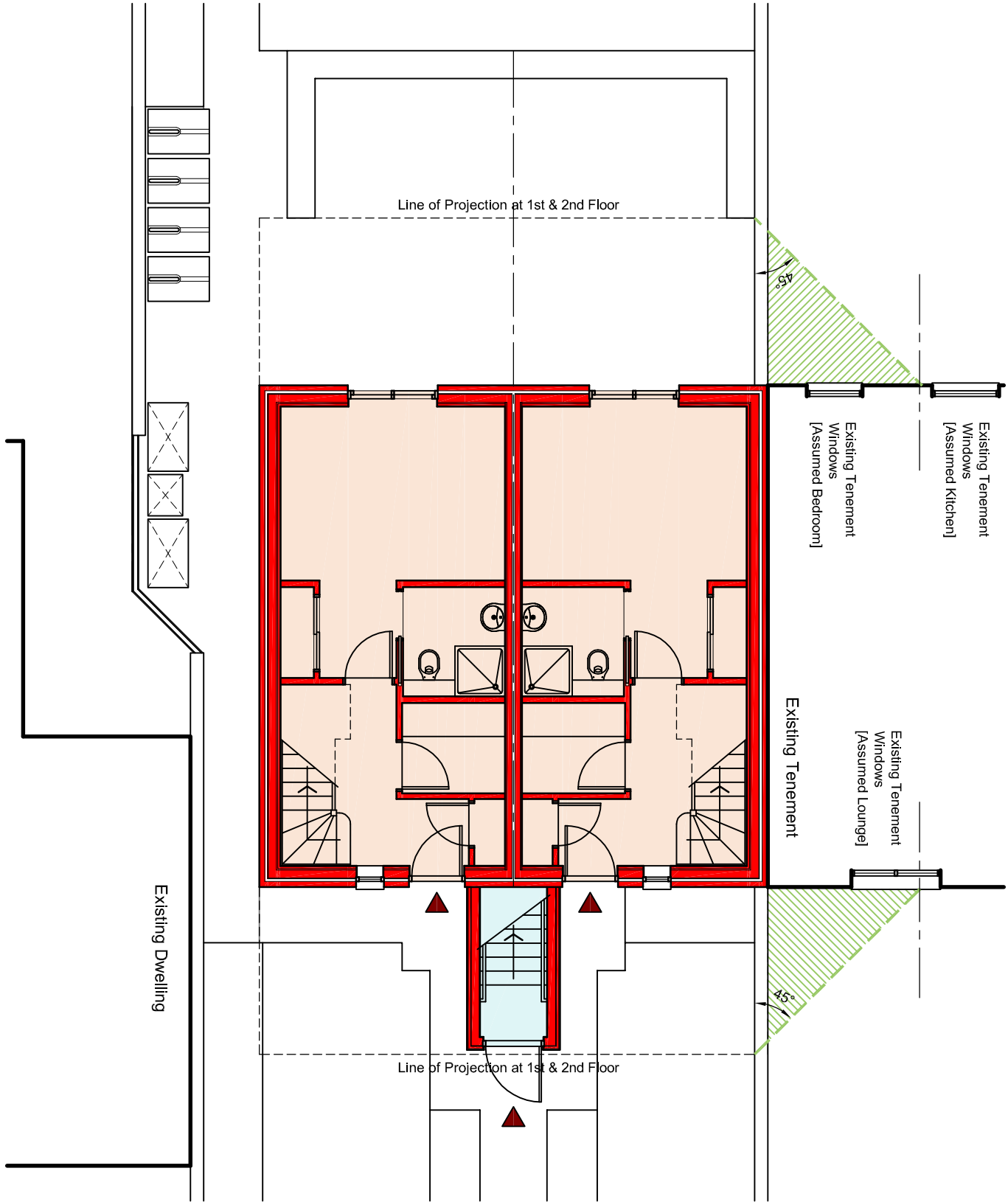
SK 006(A)
1:100@A3



Proposed East Elevation 1:100



Proposed West Elevation 1:100



Proposed Ground Floor 1:100

SHADING LEGEND

- Denotes Shading at 45° on Elevation
- Denotes Shading at 45° on Plan
- Denotes Plan Shading Overlay on Elevations

COPYRIGHT OF NEIL ROTHNIE ARCHITECTURE
This drawing cannot be reproduced or used in any way without the express written permission of the aforementioned. All design intent and content is copyright of the aforementioned.
Written sizes to take preference over scaled sizes, large scale details take preference over small. All dimensions must be checked on site, any discrepancies in drawings to be referred to this office for decision.

REV. NO.	DESCRIPTION	DATE



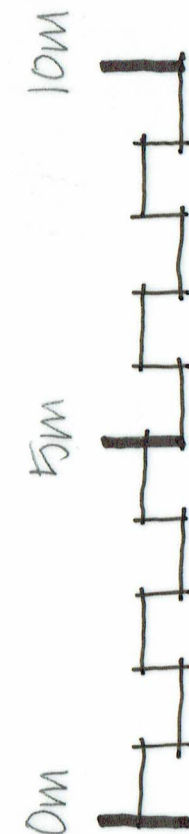
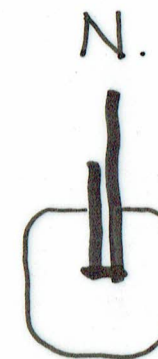
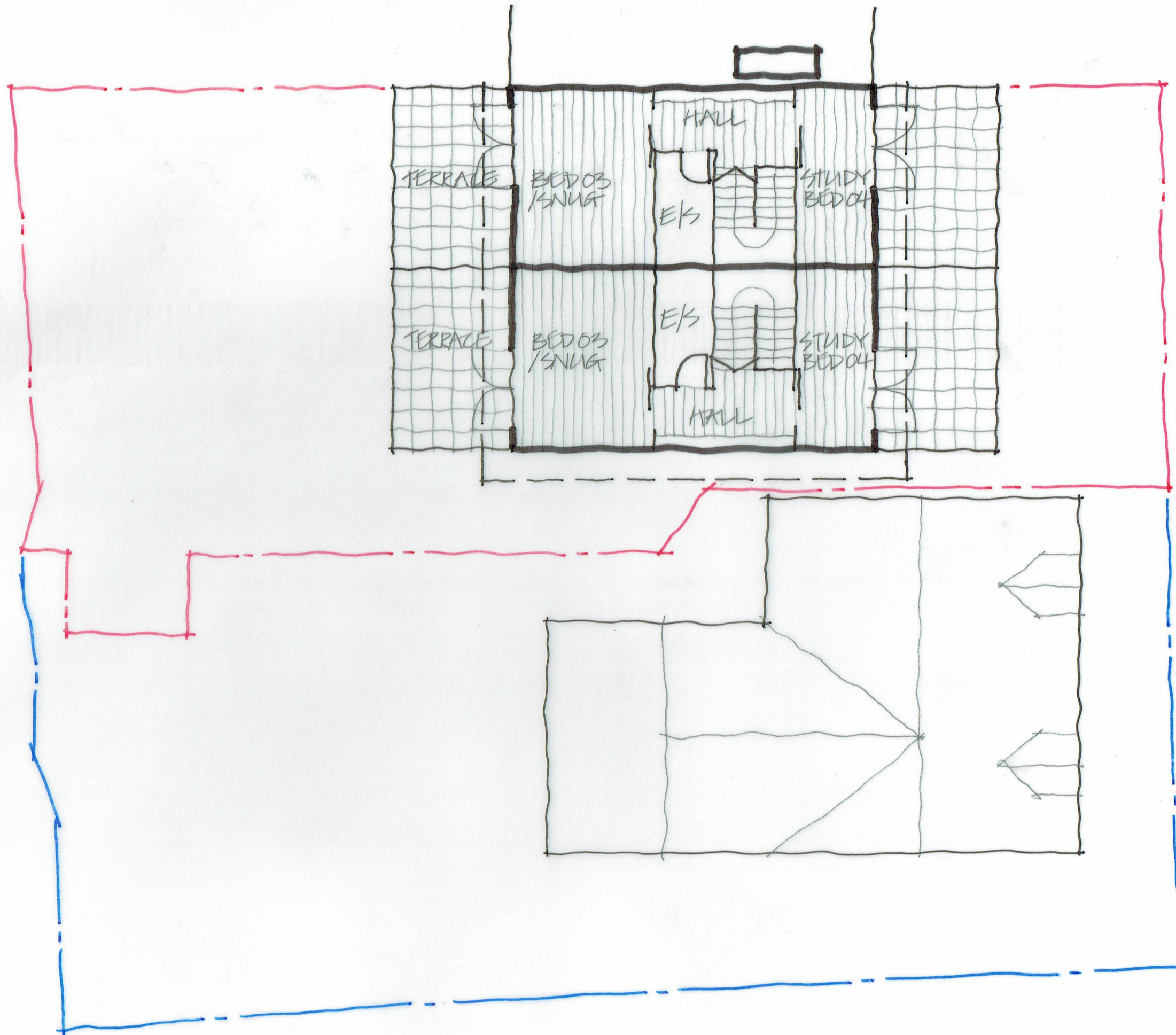
NEIL ROTHNIE ARCHITECTURE
ARCHITECTURE AND DESIGN CONSULTANTS
73 HUNTLY STREET, ABERDEEN, AB10 1TE
TEL 01224 624724 FAX 01224 649394
info@neilrothnie.co.uk www.neilrothnie.co.uk

CLIENT CATER HOMES

PROJECT PROPOSED DEVELOPMENT TO FORM 4NO. FLATS
AT 8 SAUGHTON ROAD NORTH, EDINBURGH

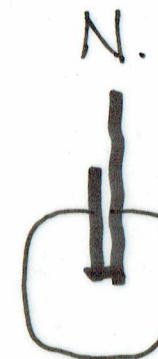
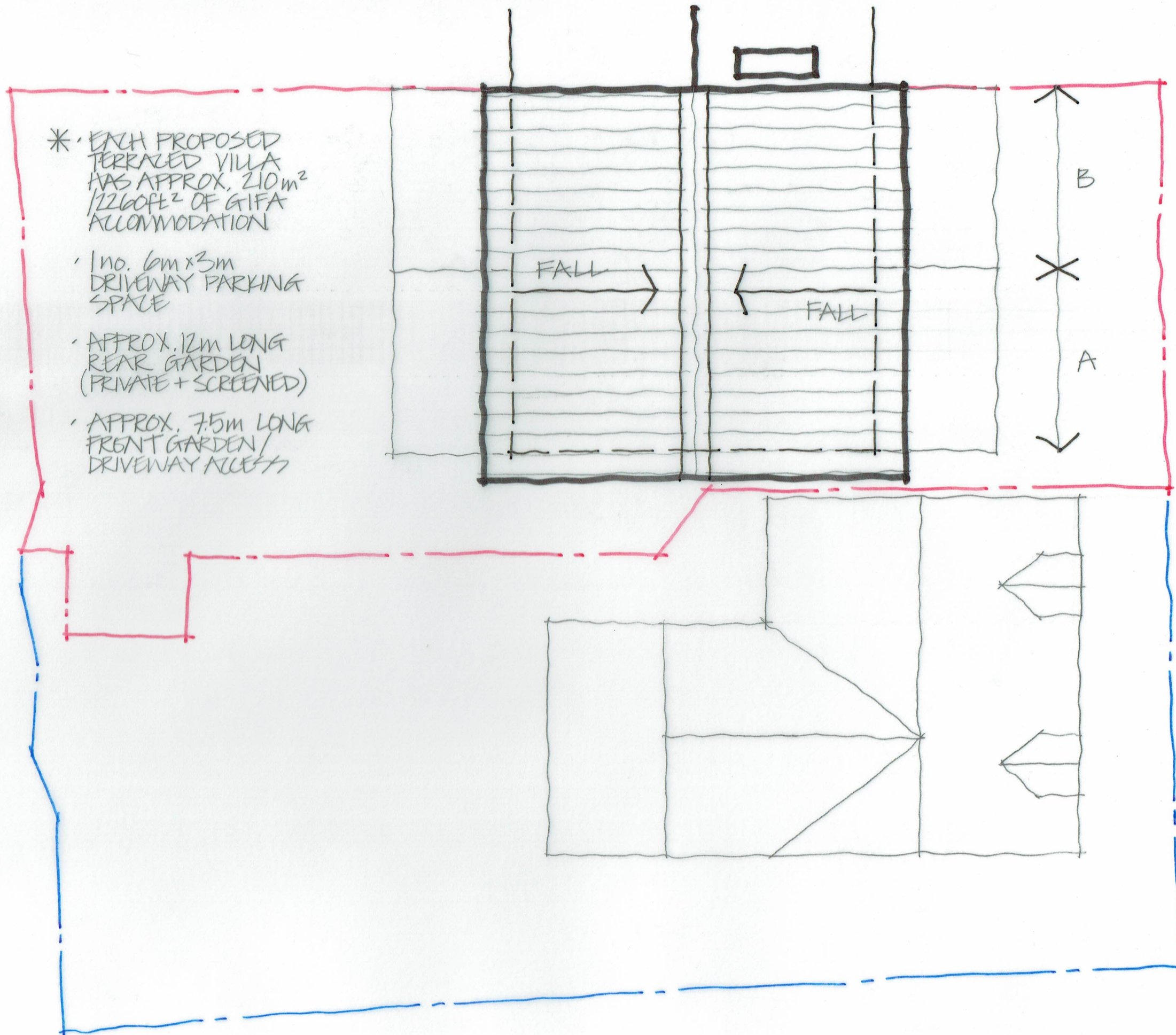
CONTENT SHADING DIAGRAM

SCALE	1:100	DATE	FEBRUARY 2020
JOB REFERENCE	3439	DRAWING	07



PROPOSED THIRD FLOOR LAYOUT

SK 007(A)
1:100 @A3



SK 000(A)
1:100 @ A3

PROPOSED ROOF LAYOUT

12m
9m
6m
3m
0m

OVERALL WIDTH OF SITE

R

OVERALL LENGTH OF SITE

03
02
01
00

EX 'SAED' WALLS
RETAINED AS BOUNDARY
WALLS, LINED WITH
TIMBER

REAR GARDEN
(TURF)

JULIET
BALCONY

TERRACED
AREA

JULIETTE
BALCONY

KITCHEN
/ DINER

UT RM /
WKSHP

BED 03
/ SNUG

E / S

SHWR RM

E / S

STAIR

REC.
HALL

LOUNGE
(DOUBLE HEIGHT)

MEZZ /
BED 02

STUDY
BED 04

TERRACE

DRIVEWAY
PARKING

FULL HEIGHT
GLAZING

BOUNDARY WALL
1.8m HIGH

12m
9m
6m
3m
0m

KEY

- UPPER:
PROFILED METAL
CLADDING / ROOFING
- MIDDLE:
OFF WHITE RENDER
/ ROUGHCAST
- BASE:
COURSED RECON
STONE
- SECTION LINES
/ HATCHING
- TO BE
DEMOLISHED

(A) (B)

SK-021
1:100 @ A3

MAIN
ACCESS
(SAUGHTON RDN)

OVERALL WIDTH OF SITE
(AT REAR)

TENEMENT
RIDGE LINE
& EAVES LINE

SILHETTE
BALCONY

GLASS
SILHETTE
BALCONY

EX. ROUGHCAST GABLE
TO BE RETAINED
(WITH NEW COPE)

KEY.

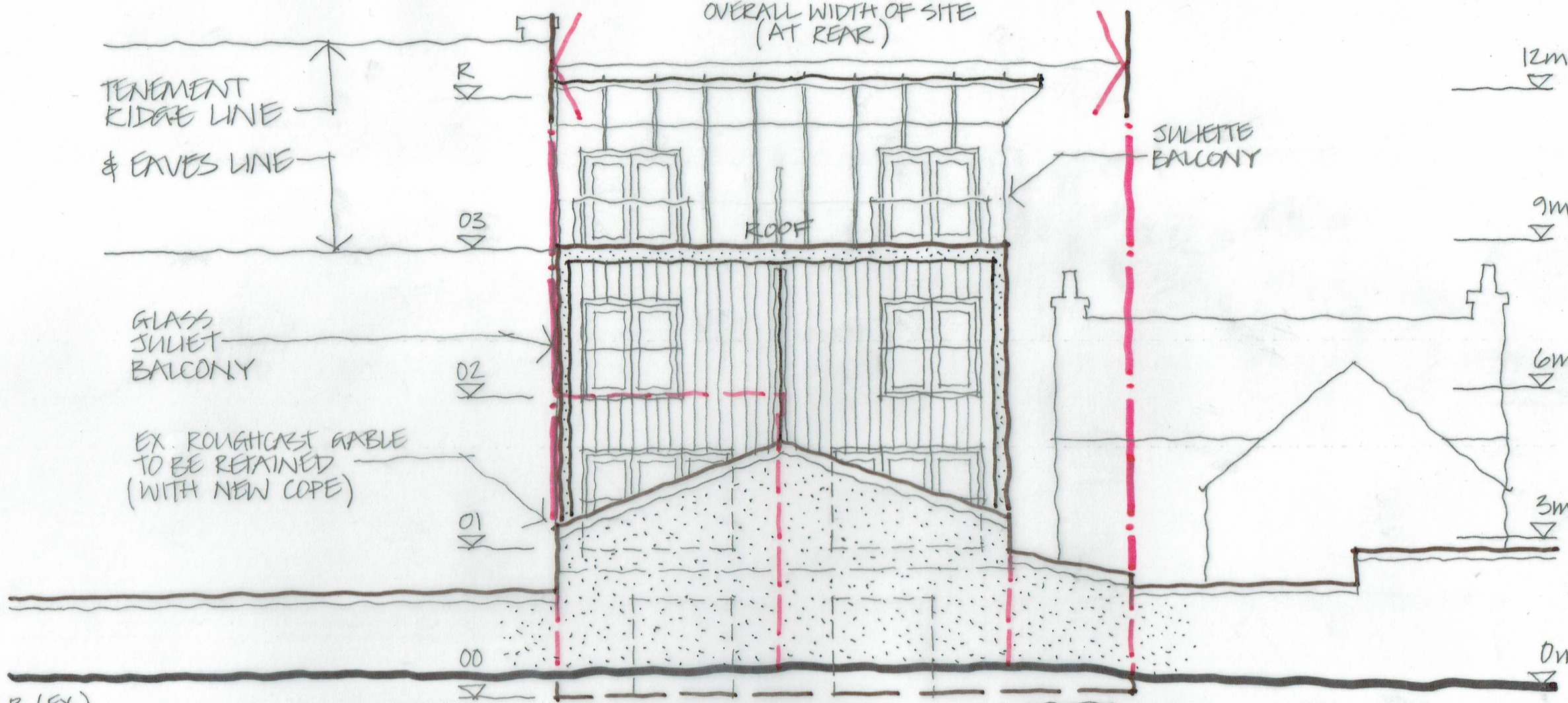
UPPER :
PROFILED METAL
CLADDING/ROOFING

MIDDLE :
OFF WHITE RENDER
/ROUGHCAST

BASE :
COURSED RECON
STONE

VERTICAL TIMBER
CLADDING INFILL
+ FENCING

TO BE
DEMOLISHED



R (EX.)

R (PROPOSED)

OVERALL LENGTH OF SITE

GLASS
BALLUSTRADE

EX. ROUGHCAST 'SHED' WALLS
RETAINED WITH INTERNAL TIMBER

CLADDING/LINING

LINE OF EX.
TENEMENT
BUILDING
BEYOND

ROUGHCAST
BOUNDARY
WALL @ 1.8m

MAIN
ACCESS
(SALVATION
ROAD N.)

SK-022 (A) (B)

1:100 @ A3

This page is intentionally left blank