

Notice of meeting and agenda

Planning Local Review Body (Panel 1)

10.00 am Wednesday, 15th January, 2020

Dean of Guild Court Room - City Chambers

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

The law allows the Council to consider some issues in private. Any items under “Private Business” will not be published, although the decisions will be recorded in the minute.

Contacts

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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 1) of 30 October 2019 - 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** 18 Bonaly Brae, Edinburgh – Re-submission of application following refusal for construction of 1.5 storey extension to front of house with dormer and roof lights. Re-model existing front dormer and form new dormer to rear fit concertina doors to side of existing extension – application no 19/03241/FUL 23 - 44
- (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.
- 6.2** 4 Briery Bauks, Edinburgh – Attic conversion with roof dormers – application no 19/04337/FUL 45 - 62
- (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** 15 Gilmerton Dykes Drive, Edinburgh – Proposed two storey extension to side of property – application no 19/03114/FUL 63 - 94
- (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.
- 6.4** 13 Hyvot Bank, Edinburgh - Creation of new driveway into the front garden – application no 19/03726/FUL 95 - 132
- (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.

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 12 (Alterations and Extensions)

8. Non-Statutory Guidance

8.1 [Guidance for Householders](#)

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 George Gordon, Councillor Joan Griffiths, Councillor Max Mitchell, Councillor Joanna Mowat and Councillor Mary Campbell

Information about the Planning Local Review Body (Panel 1)

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

request for a review of a decision on a planning application submitted in terms of the Regulations.

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

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

Further information

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 Blair Ritchie, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4085, email blair.ritchie@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.

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Minutes

The City of Edinburgh Planning Local Review Body (Panel 1)

10.00am, Wednesday 30 October 2019

Present: Councillors Mary Campbell, Gordon, Mitchell, Mowat, Munn (substituting for Councillor Gordon for items 5 to 10) and Rose (for item 4)

1. Appointment of Convener

Councillor Mowat was appointed as Convener.

2. Minutes

To approve the minute of the Local Review Body (LRB Panel 1) of 18 September 2019 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. Continued Request for Review – 13 (GF) Clarendon Crescent, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the proposed extension to rear at garden level to form new dining and kitchen area at 13(GF) Clarendon Crescent, Edinburgh. Application No. 19/01254/FUL.

The application was continued at the meeting on Wednesday 18 September 2019 to allow the appeal decision from the DPEA against the part-refusal of listed building consent by the Council, to be considered by the Panel.

The appeal decision by the DPEA was duly circulated and the request was considered by the City of Edinburgh Planning Local Review Body (LRB) at the meeting on Wednesday 30 October 2019.

Assessment

At the meeting on 30 October 2019, 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, the report of handling and the requested further information relating to the Listed Building application appeal decision by the DPEA.

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

The plans used to determine the application were numbered 01-06, Scheme 1, being the drawings shown under the application reference number 19/01254/FUL on the Council's Planning and Building Standards Online Services.

The LRB in their 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 LDP Policy Des 12 (Alterations and Extensions)

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

Edinburgh Local Development Plan Policy LDP Policy Env 6 (Conservation Areas - Development)
- 2) Relevant Non-Statutory Guidelines and Other Relevant Policy Guidance

'Guidance for Householders'

'Listed Buildings and Conservation Areas'

'The New Town Conservation Area Character Appraisal'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.
- 5) The further information as requested at the meeting on 18th September 2019.

Conclusion

Having received information from the DPEA, which allowed the appeal and granted listed building consent, the LRB considered all the arguments put before it in respect of the proposed planning application and determined the following:

- (a) The proposals were not contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings – Alterations and Extensions, as the works would not result in unnecessary damage to the diminution of the buildings character.
- (b) The proposals were not contrary to Local Development Plan Policy Env 6 in respect of Conservation Areas – Development, as the proposed rear extension did not fail to preserve the character of the conservation area.

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

Decision

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

The following informatives:

- (a) The development hereby permitted should be commenced no later than the expiration of three years from the date of the consent.
- (b) No development should take place on the site until a 'Notice of Initiation of Development' had been submitted to the Council stating the intended date on which the development was to commence. Failure to do so constituted a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
- (c) As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a Notice of Completion of Development must be given in writing to the Council.

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

5. Request for Review – 5 (Flat 2) Dalry Gait, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the permission for the proposed change of use of residential flat to short term commercial let at 2 Dalry Gait, Edinburgh. Application No. 19/02382/FUL.

Assessment

At the meeting on 30 October 2019, 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 hearing. 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 19/02382/FUL on the Council's Planning and Building Standards Online Services.

The LRB in their 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 Hou 7 (Inappropriate Uses in Residential Areas)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Businesses'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

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

- Although the conversion of a single flat to holiday let would not adversely affect the other 76 properties, which were in residential use, a large proportion were already used for holiday lets.
- Whether this change of use was compatible with residential accommodation.
- The residents seemed to support the proposals.
- There were concerns about how this use would be managed.

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 adopted Edinburgh Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as the proposed use had the potential to adversely affect the residential character and amenity of the area.

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

6. Request for Review – 2 Ettrick Grove, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission to remove store, section of wall and openings to rear and form new single storey, flat roof extension to accommodate open plan lounge/kitchen/dining space. Remove WC window and form opening into new single storey extension, to accommodate new WC and utility room at 2 Ettrick Grove, Edinburgh. Application No. 19/01564/FUL.

Assessment

At the meeting on 30 October 2019, 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 01-05, Scheme 1, being the drawings shown under the application reference number 19/01564/FUL on the Council's Planning and Building Standards Online Services.

The LRB in their 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 LDP Policy Des 12 (Alterations and Extensions)
- 2) Relevant Non-Statutory Guidelines and Other Relevant Policy Guidance
'Listed Buildings and Conservation Areas'
'Guidance for Householders'

- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

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

- There was some confusion about the front elevation as shown on the drawings. If this was a boundary wall with adjoining properties, it might not be visible.
- One of the members did not agree with the reasons given for refusal, because of the location of the proposed extension.
- The decision by the authority was a mixed decision to part-approve and part-refuse the application.
- That the proposals were set back and subservient to the building.
- There was no detriment to the conservation area, this was a minor infringement of guidance and it was not unusual for there to be small flat roof extensions.

Having taken all these matters into consideration, the LRB determined that the side extension only represented a minor infringement of statutory guidance for householders and was not detrimental to the character and appearance of the conservation area and was not contrary to LDP policies Des 12 and Env 6.

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

Decision

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

The following informatives:

- (a) The development hereby permitted should be commenced no later than the expiration of three years from the date of this consent.
- (b) No development should take place on the site until a 'Notice of Initiation of Development' had been submitted to the Council stating the intended date on which the development was to commence. Failure to do so constituted a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
- (c) As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a Notice of Completion of Development must be given in writing to the Council.

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

7. Request for Review – 1 Littlejohn Road, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for single storey extension to rear, new off-street parking at 1 Littlejohn Road, Edinburgh. Application No. 19/01966/FUL.

Assessment

At the meeting on 30 October 2019, 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 - 05, Scheme 1, being the drawings shown under the application reference number 19/01966/FUL on the Council's Planning and Building Standards Online Services.

The LRB in their 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)
Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
Edinburgh Local Development Plan Policy Env 12 (Trees)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Householders'
'The Craiglockhart Hills 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.

Conclusion

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:

- That there appeared to be nothing in the report to overturn the recommendations of the Chief Planning Officer.
- That off-street parking had been granted previously.
- In previous years, there was more sympathy with site development, but currently, there was greater presumption against the removal of trees and other characteristics.
- That the proposed addition was an unsympathetic addition to an attractive property.

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 application was contrary to Edinburgh Local Development Plan Policy Des 12, Env 6 and the non-statutory Guidance for Householders. The proposed extension in form, design, scale and positioning would be a visually obtrusive addition that would lack architectural cohesion to the existing dwelling. The proposal would have an adverse impact on the character and appearance of the existing house and fail to preserve or enhance this part of the conservation area.
2. The application was contrary to Edinburgh Local Development Plan Policy Env 6 and the non-statutory Guidance for Householders. The proposed off street parking including new vehicular access and removal of front boundary railings would result in an incongruous feature on the streetscene subsequently harmful to the visual amenity and the character and appearance of this part of the conservation area.

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

8. Request for Review – 15 Stenhouse Mill Crescent, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for a request for change of use of existing garages x4 and office space into studio apartments x2 including garage at 15 Stenhouse Mill Crescent, Edinburgh. Application No. 19/01836/FUL.

Assessment

At the meeting on 30 October 2019, the LRB had been provided with copies of the notice of review submitted by you 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 19/01836/FUL on the Council's Planning and Building Standards Online Services.

The LRB in their 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 LDP Policy Hou 1 (Housing Development)

Edinburgh Local Development Plan Policy LDP Policy Hou 3 (Private Green Space in Housing Development)

Edinburgh Local Development Plan Policy LDP Policy Hou 5 (Conversion to Housing)

Edinburgh Local Development Plan Policy LDP Policy Tra 2 (Private Car Parking)

- 2) The procedure used to determine the application.
- 3) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

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

- Although there was no provision of communal open space and lack of amenity in terms of daylight, there were plenty of opportunities to access open space nearby.
- For this type of conversion, it was necessary to consider the opportunities being presented for housing.
- There was sufficient amenity in the nearby area and the proposals were only a minor infringement of guidance.

Having taken all the above matters into consideration the LRB determined that there was sufficient amenity and greenspace in the area and that the re-use of the existing building justified minor infringements to Edinburgh Design Guidance and LDP Policies Hou 3 and 5.

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

Reasons for Refusal:

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

The following informatives:

- (a) The development hereby permitted should be commenced no later than the expiration of three years from the date of this consent.
- (b) No development should take place on the site until a 'Notice of Initiation of Development' had been submitted to the Council stating the intended date on which the development was to commence. Failure to do so constituted a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
- (c) As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a Notice of Completion of Development must be given in writing to the Council.
- (d) A private pavement/footway of 0.7m wide to be provided in front of the proposed change of use and with additional planters to provide protection/safety from turning vehicles.

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

9. Request for Review – 108A West Bow (Unit 1), Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for a request for change of use from residential to furnished holiday let (in retrospect) at 108A West Bow (Unit 1), Edinburgh. Application No. 19/00691/FUL.

Assessment

At the meeting on 30 October 2019, 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 - 02, Scheme 1, being the drawings shown under the application reference number 19/00691/FUL on the Council's Planning and Building Standards Online Services.

The LRB in their 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 Hou 7 (Inappropriate Uses in Residential Areas)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Businesses'
The Old Town Conservation Area Character Appraisal
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

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:

- That the current use did result in a material change of use from a sui generis residential flat and this was a largely residential area.
- The proposals seemed to contravene guidance for businesses.
- There had been objections for the Grassmarket Association and other bodies.
- Five out of every six properties in the ward were in residential use.

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 and take enforcement action.

Reasons for Refusal:

The use of the property for the purposes of short stay, commercial visitor accommodation had the potential to have a detrimental impact on the amenity of neighbouring residents. The development was contrary to Policy Hou7 (Inappropriate Uses in Residential Areas) of the Edinburgh Local Development Plan, as it could introduce activities that would cause significant noise and disturbance to other residents of the building.

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

10. Request for Review – 11 Zetland Place, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for a request for forming a driveway and parking space to the front of the house at 11 Zetland Place Edinburgh. Application No. 19/02454/FUL.

Assessment

At the meeting on 30 October 2019, 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 further written submissions. 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 19/02454/FUL on the Council's Planning and Building Standards Online Services.

The LRB in their 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 Env 6 (Conservation Areas - Development)
Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Householders'
'The Trinity 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.

Conclusion

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:

- Whether the equalities impact assessment discriminated against disabled people.
- That there was nothing to suggest that the residents of the appeal property were disabled. It was the residents of properties that were within the scope of disability assessments.
- There was some sympathy with the applicant.
- There were issues with the boundary wall and the driveway did not conform to standards.
- There were concerns about a proposed driveway that went through an original stone boundary wall.

Having taken all the above matters into consideration and although one of the 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.

Decision

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

Reasons for Refusal:

The application would be detrimental to neighbourhood character and to the character and appearance of the conservation area.

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

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City of Edinburgh Planning Local Review Body (the LRB)

General

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

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

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

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

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

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

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

Considering the Request for Review

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

Procedure after determination

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

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Arctec Build Ltd.
 FAO: Andrew Dodds
 4 The Maltings
 Haddington
 East Lothian
 EH41 4EF

Mr And Mrs Clark.
 18 Bonaly Brae
 Edinburgh
 EH13 0QF

Decision date: 28 August 2019

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

Re-submission of application following refusal for construction of 1.5 storey extension to front of house with dormer and roof lights. Re-model existing front dormer and form new dormer to rear fit concertina doors to side of existing extension.
 At 18 Bonaly Brae Edinburgh EH13 0QF

Application No: 19/03241/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 4 July 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposed front extension incorporating a front dormer is of an inappropriate scale, design and position and is not compatible with the existing building or neighbourhood character. It would be a visually prominent and obtrusive element in the street. It is therefore contrary to ELDP Policy Des 12 and also the non-statutory Guidance for Householders.

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

Drawings 01-03, 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 front extension incorporating a front dormer is of an inappropriate scale, design and position and is not compatible with the existing building or neighbourhood character. It would be a visually prominent and obtrusive element in the street. The proposal is therefore contrary to ELDP Policy Des 12 and also 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.

D R Leech

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 19/03241/FUL
At 18 Bonaly Brae, Edinburgh, EH13 0QF
Re-submission of application following refusal for
construction of 1.5 storey extension to front of house with
dormer and roof lights.Re-model existing front dormer and
form new dormer to rear fit concertina doors to side of
existing extension.**

Item	Local Delegated Decision
Application number	19/03241/FUL
Wards	B08 - Colinton/Fairmilehead

Summary

The proposed front extension incorporating a front dormer is of an inappropriate scale, design and position and is not compatible with the existing building or neighbourhood character. It would be a visually prominent and obtrusive element in the street. The proposal is therefore contrary to ELDP Policy Des 12 and also the non-statutory Guidance for Householders.

Links

Policies and guidance for this application	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 at the end of a cul-de-sac within a primarily residential area.

2.2 Site History

20th November 2018 - Construct one and a half storey extension to front of house with dormer and velux rooflights. Re-model existing dormer on front pitch of existing roof and form new dormer on rear pitch of roof. Fit concertina doors to side of existing - Refused (Ref: 18/07864/FUL)

14th February 2018 - Construction of one-and-a-half storey extension to front of house to form new entrance hallway with study above. Form revised parking spaces to front of house. Fit concertina doors to side of existing rear extension - Granted (Ref: 17/05928/FUL)

23rd June 2011 - Construct one and a half storey extension to rear of dwelling house - Granted (Ref: 11/01382/FUL)

Main report

3.1 Description Of The Proposal

The application proposes the following works;

- Front extension including new front dormer and rooflights
- Alterations to existing front dormer

- Rear dormer: These works are permitted development under Class 1D of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No assessment of its merits are therefore required.

- Installation of rooflights and alterations to existing openings on existing house: These works are permitted development under Class 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No assessment of its merits are therefore required.

-Alterations to existing rear extension: These works do not constitute development as defined under Section 26 of the Town and Country Planning (Scotland) Act 1997 and no planning consent is required. No assessment of its merits are therefore required.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;
- b) The proposal will cause an unreasonable loss to neighbouring amenity;
- c) Any comments raised have been addressed.

a) Scale, form, design and neighbourhood character

The non-statutory Guidance for Householders states that generally developments on the front elevation other than porches are not acceptable in front of the building line as they disrupt the character and appearance of the street.

The front extension with dormer would cover a floor space of approximately 25sqm and would be a substantial addition to the front of the property. It is recognised that there are existing front projections evident on the street. However, the overall height, width and proximity of the development to the road would be significantly in excess of these existing features. In light of this, it would result in a conspicuous intervention on the street scene harmful to its overall character and appearance.

The detailed design of the extension will also compromise the design of the principal elevation of the property. This element of the scheme is of an inappropriate scale, disrupting the character and appearance of the property. The proposed extension fails to complement or fit in with the existing building and would introduce a visually incongruous and obtrusive addition to the immediate streetscene.

Additionally, alterations to the existing front dormer raise no concern from a visual amenity perspective and are acceptable in this regard.

In light of the above, the proposed front extension and dormer is of an unacceptable scale, siting and design and would significantly detract from the appearance of the

property and will harm the character and appearance of the area contrary to Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders.

b) Neighbouring amenity

In terms of privacy, the non-statutory Guidance for Householders requires that all new windows are located at least 18m from an existing window or 9m from a common boundary.

The windows of the front extension and dormer would predominantly face the applicant's and neighbouring front gardens, which by virtue of their position adjacent to the street occupy a prominent visual position as existing. In this respect, the presence of the extension would have no net impact on the privacy levels of neighbouring occupiers to these garden spaces.

In terms of daylighting the proposed extension complies with the non-statutory Guidance for Householders and will not cause an unreasonable loss of daylight into neighbouring properties.

In terms of sunlight, the proposed extension will not result in any significant overshadowing to neighbouring properties windows or garden spaces.

c) Public comments

No public comments have been received.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposed front extension incorporating a front dormer is of an inappropriate scale, design and position and is not compatible with the existing building or neighbourhood character. It would be a visually prominent and obtrusive element in the street. It is therefore contrary to ELDP Policy Des 12 and also the non-statutory Guidance for Householders.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

Pre-application discussions took place on this application.

6.2 Publicity summary of representations and Community Council comments

No representations have been received in regard to the proposal.

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 4 July 2019

Drawing numbers/Scheme 01-03,
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

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 100206440-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:

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

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Neil"/>	Building Number:	<input type="text" value="18"/>
Last Name: *	<input type="text" value="Clark"/>	Address 1 (Street): *	<input type="text" value="Bonaly Brae"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH13 0QF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="18 BONALY BRAE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH13 0QF"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="668057"/>	Easting	<input type="text" value="321469"/>
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Description of Proposal

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

Re-submission of application following refusal for construction of 1.5 storey extension to front of house with dormer and roof lights. Re-model existing front dormer and form new dormer to rear fit concertina doors to side of existing extension.

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

See attached supporting 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)

Floor plans and elevation drawing as existing Floor Plans as proposed Elevations as proposed Supporting statement

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/03241/FUL

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

04/07/2019

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

28/08/2019

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Andrew Dodds

Declaration Date: 21/11/2019

Proposal Details

Proposal Name	100206440
Proposal Description	LRB Appeal
Address	18 BONALY BRAE, EDINBURGH, EH13 0QF
Local Authority	City of Edinburgh Council
Application Online Reference	100206440-001

Application Status

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

Attachment Details

Notice of Review	System	A4
22410-24	Attached	A1
22410-25	Attached	A1
22410-26	Attached	A1
Planning statement	Attached	Not Applicable
Decision Notice	Attached	Not Applicable
Handling Report	Attached	Not Applicable
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

SUPPORTING STATEMENT IN RELATION TO PLANNING APPLICATION FOR
ALTERATIONS AND EXTENSION TO DWELLING HOUSE AT

18 BONALY BRAE, EDINBURGH

RE-SUBMISSION OF APPLICATION, FOLLOWING EARLIER REFUSAL

1. There were no objections to the previous submission, in fact to the contrary, the residents of Bonaly Brae were encouraged by what would be a positive change on the street
2. Parking, we sincerely believe that by opening up the front garden to provide more off-street parking for ourselves would significantly improve the visual appeal of the street (less cars on the street) and more importantly the safety of the street during times of high activity (school pick up and drop off)
3. There is no view blocking, overshadowing or overlooking to any of our neighbours
4. We believe that our proposed design is similar both in nature and "spirit" to 50% of the houses on Bonaly Brae. Half the houses have their garages in the same position as ours is proposed, albeit in a different orientation. We feel that the orientation of our proposed garage entrance (perpendicular to the house) is a positive as we would be able to park in front of the garage where as many of our neighbours cannot
5. Visual appeal of the houses, we sincerely believe that this addition to the front of our house will significantly improve the visual appeal of the street in an in keeping manner



1:100 FRONT ELEVATION AS EXISTING



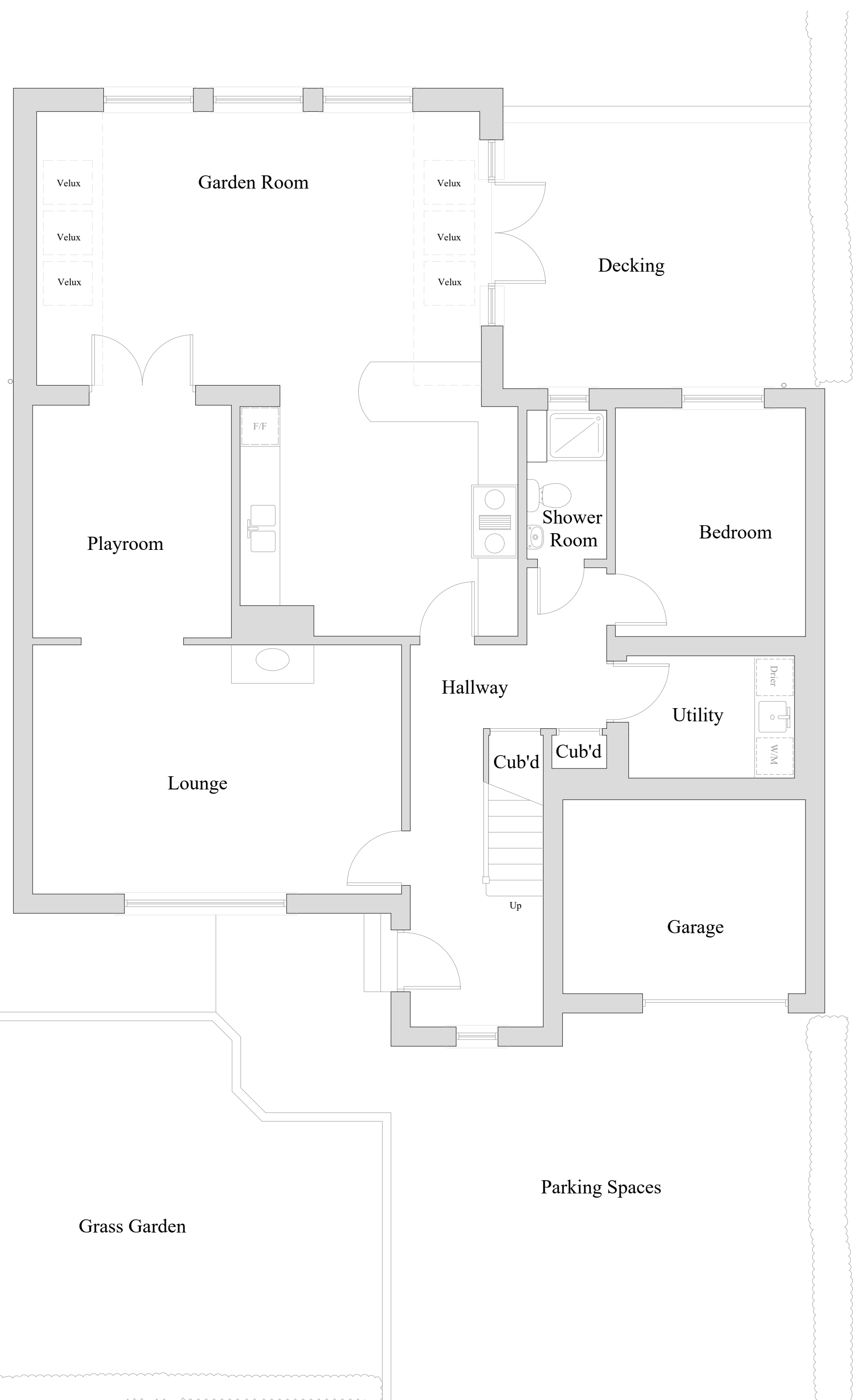
1:100 SIDE ELEVATION AS EXISTING



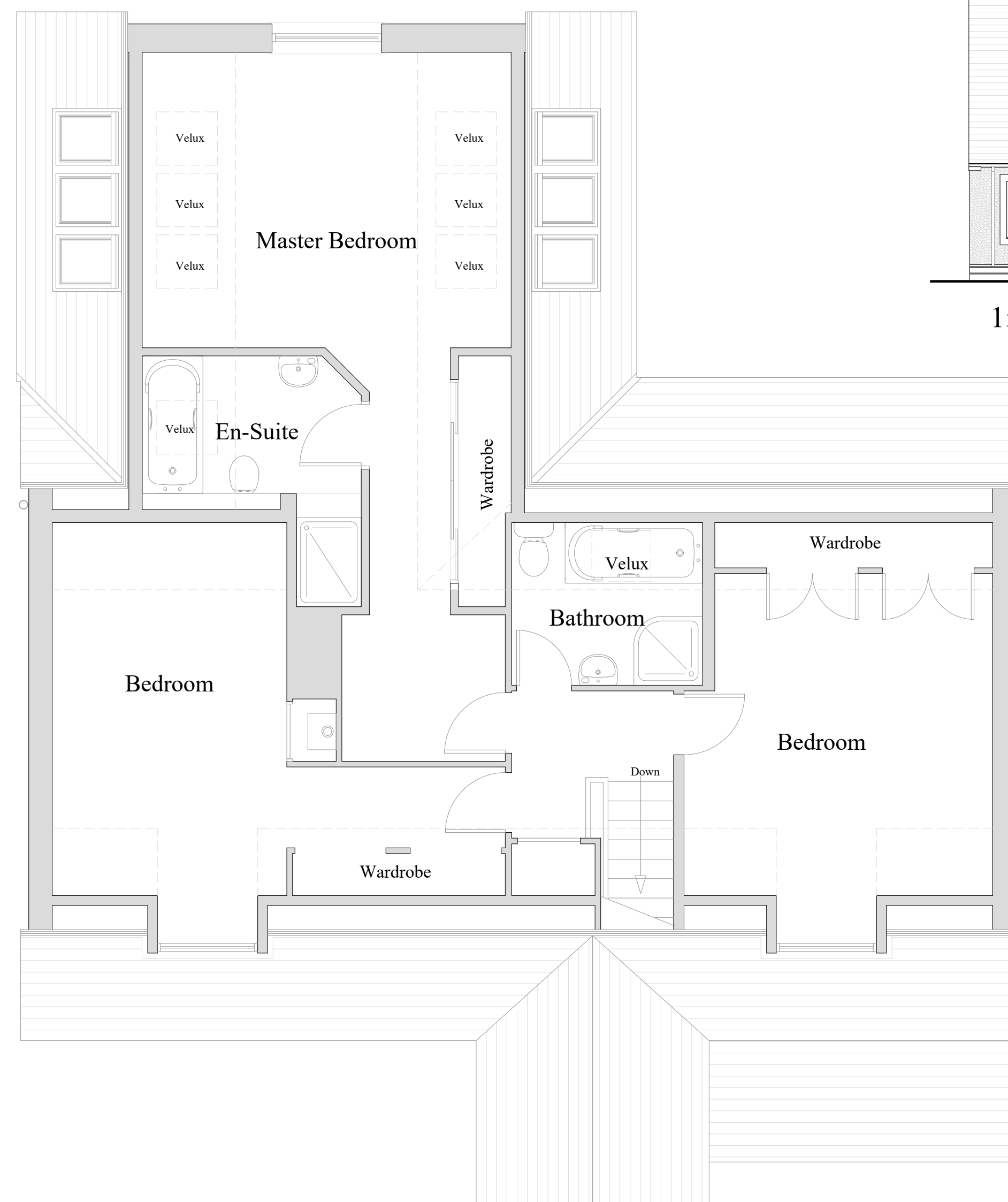
1:100 SIDE ELEVATION AS EXISTING



1:100 REAR ELEVATION AS EXISTING



1:50 GROUND FLOOR PLAN AS EXISTING



1:50 FIRST FLOOR PLAN AS EXISTING

Alterations to Dwelling House at
18 Bonaly Brae, Edinburgh
for Mr & Mrs Clark

Existing Plans and Elevations

1:50 1:100
Sept 16

22410 - 24

**ARCTEC
BUILD LTD**

ANDREW DODDS

4 The Maltings

Haddington

EAST LOTHIAN

EH41 4EF

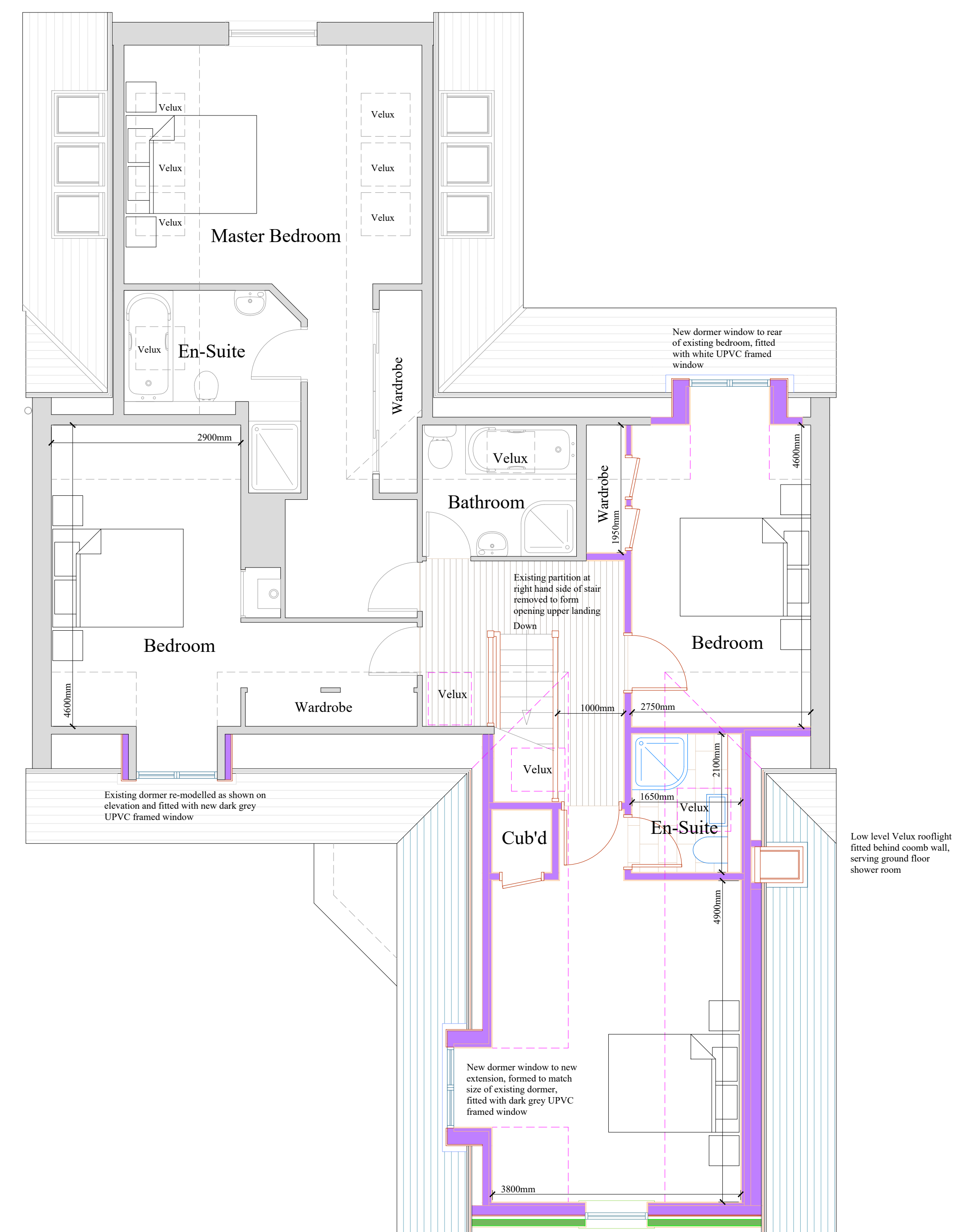
Tel - 01620 820960

Mob. 07715 049752

Andrew.dodds1@btopenworld.com



1:50 GROUND FLOOR PLAN AS PROPOSED



1:50 FIRST FLOOR PLAN AS PROPOSED

Alterations to Dwelling House at
18 Bonaly Brae, Edinburgh
for Mr & Mrs Clark

Proposed Floor Plans
1:50
Sept 18

22410 - 25

**ARCTEC
BUILD LTD**
ANDREW DODDS
4 The Maltings
Haddington
EAST LOTHIAN
EH41 4EF
Tel - 01620 820960
Mob. 07715 049752
Andrew.dodds1@bopenworld.com



1:50 SIDE ELEVATION AS PROPOSED

New window opening formed through side wall of existing house and fitted with white UPVC framed window

Roof to be finished with concrete roofing tiles to match existing roof

New dormer on extension roof to be clad externally with cedar coloured composite cladding boards. Pitched roof over dormer formed with white fascia boards and roof finished with tiles to match existing roof

Existing dormer to front elevation of existing house re-modelled to match dormer on the new extension. Dormer built out at either side and clad with cedar coloured composite cladding.

Existing roof and new extension roof to be fitted with Velux rooflights, to provide daylight to first floor landing.

New dark grey UPVC framed windows installed to new extension and existing window openings to front of house, within existing lounge and dormer.

Render to remaining front wall of existing house removed. Existing wall, together with new walls of extension finished with smooth white K-render.

Front entrance door area fitted with composite dark grey external doorset. All walls finished with smite smooth render with overhanging flat roof formed over front door, finished with dark grey edge fascias.

Cedar coloured composite cladding feature panels formed on external walls of extension. Cladding to be extended around garage door and returned onto front elevation as shown.

New electrically operated rolled shutter door to front of new garage



1:50 FRONT ELEVATION AS PROPOSED



Low level Velux rooflight provided at base of roof, to provide natural daylight and ventilation to new ground floor shower room

Velux rooflight serving en-suite shower room

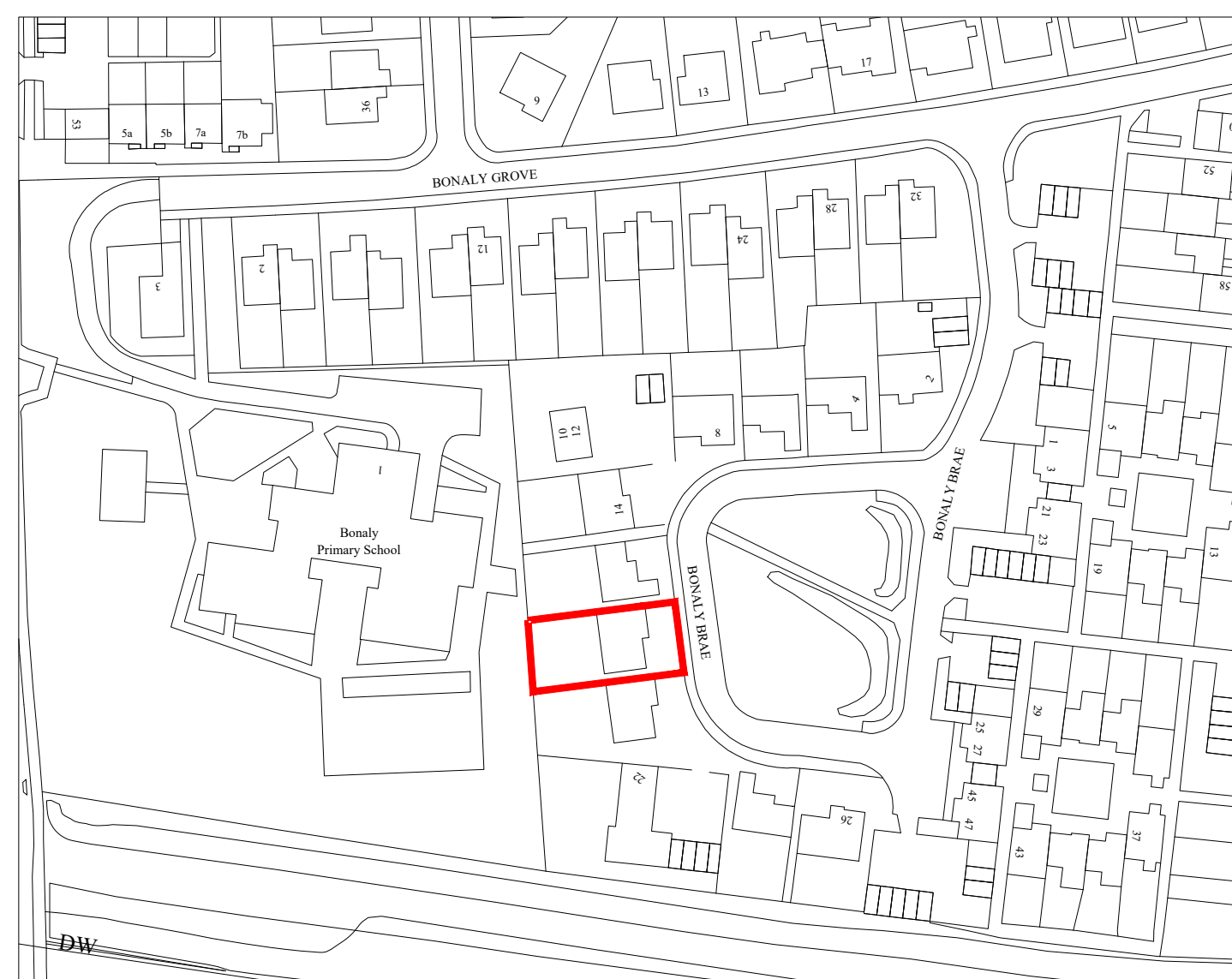
New dormer window formed on rear elevation. Dormer to be positioned directly above the ground floor window. Dormer walls to be finished with render, to match existing external walls to rear elevation. Dormer fitted with white UPVC framed window

Existing French doors and side windows removed to side wall of existing rear extension and opening altered. New opening fitted with new white UPVC framed concertina glazed doors.



1:50 REAR ELEVATION AS PROPOSED

1:50 SIDE ELEVATION AS PROPOSED



1:1250 SITE LOCATION PLAN



1:200 OVERALL BLOCK PLAN

Alterations to Dwelling House at
18 Bonaly Brae, Edinburgh
for Mr & Mrs Clark

Elevations and Site Plan as Proposed
1:50 1:200
Sept 18

22410 - 26

ARCTEC
BUILD LTD
ANDREW DODDS
4 The Maltings
Haddington
EAST LOTHIAN
EH41 4EF
Tel - 01620 820960
Mob. 07715 049752
Andrew.dodds1@btpenworld.com

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Lothian Plans.
 Stephen Lothian
 Lothian Plans
 18 Laidlaw Gardens
 Tranent
 Scotland
 EH33 2QH

Mr Allan McDougall.
 4 Briery Bauks
 Edinburgh
 Scotland
 EH8 9TE

Decision date: 1 November 2019

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

Attic conversion with roof dormers.
 At 4 Briery Bauks Edinburgh EH8 9TE

Application No: 19/04337/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 11 September 2019, this has been decided by **Householder fast track**. 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 Second Proposed Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would be detrimental to the character of the hostproperty and the neighbourhood.
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as the dormer windows are not of an acceptable scale, form or design to the detriment of the property and the wider area.

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

Drawings 01 to 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 not of an acceptable scale, form or design, would be detrimental to neighbourhood character and the character of the host building and the neighbouring privacy. It would not comply with Edinburgh Local Development Plan Policy Des 12 or the non-statutory "Guidance for Householders". There are no material planning considerations which would justify approval.

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 Val Malone directly on 0131 529 3485.

D R Leech

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 19/04337/FUL At 4 Briery Bauks, Edinburgh, EH8 9TE Attic conversion with roof dormers.

Item	Householder fast track
Application number	19/04337/FUL
Wards	B15 - Southside/Newington

Summary

The proposal is not of an acceptable scale, form or design, would be detrimental to neighbourhood character and the character of the host building and the neighbouring privacy. It would not comply with Edinburgh Local Development Plan Policy Des 12 or the non-statutory "Guidance for Householders". There are no material planning considerations which would justify approval.

Links

Policies and guidance for this application	LDES12, NSHOU,
--	----------------

Report of handling

Recommendations

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

Background

2.1 Site description

The application site is a two-storey, modern terraced house in a row of similar properties on the south side of the street known as Briery Bauks. It is part of a development of four-storey flats and two-storey terraced properties to the east of The Pleasance, between New Arthur Place and Brown Street and characterised by ayssemmetrical rear roof profiles. To the west are traditional stone-built tenements on the Pleasance, with the flatted residential development of Dumbiedykes to the east.

The property is brick-built with a small front courtyard area and a secluded rear garden which backs onto the public park known as Bauks View. The rear roof plane of the property is visible from this park, from Brown Street and from the Pleasance.

2.2 Site History

No relevant property history.

Main report

3.1 Description Of The Proposal

The application proposes the insertion of a dormer window and a roof light into each of the front and rear roof planes. The dormer windows would have flat roofs with windows matching others in the host property. They would be clad but no details of the proposed cladding material is given and no details of materials are given for the roof lights. The dormer on the rear roof plane would include a side window on its western elevation.

Conversion of the attic space to habitable accommodation would not constitute development as defined in Section 26 of the Town and Country Planning (Scotland) Act 1997, as amended, and does not require to be assessed.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- (a). The proposed scale, form and design is acceptable and would accord with neighbourhood character;
- (b). The proposal will cause an unreasonable loss to neighbouring amenity;
- (c). Any impacts on equalities or human rights are acceptable;
- (d). Any comments raised have been addressed.

(a). The proposal must be assessed against Edinburgh Local Development Plan Policy Des 12 which would permit alterations which are compatible with the character of the existing building and which would not be detriment to neighbourhood character and against specific advice on dormer windows in the non-statutory "Guidance for Householders".

There are no interventions at roof level in any terraced or flatted property in the Briery Bauks development and dormer windows are not common features in other modern or traditional tenements in the wider Pleasance area. This modern development has a strong roof form, with its asymmetrical rear roof planes. The proposed dormer windows would be contrary to that design ethos and would not be compatible with the character of the existing building or the character of the neighbourhood. The dormer on the rear roof plane would be a particularly conspicuous and discordant feature in the public domain.; it would dominate that roof plane. Neither proposed dormer window retains visible expanses of roof on all four sides and they do not align with any existing fenestration. Together, the proposed dormers and roof lights would dominate their roof planes, to the detriment of the character of the host building.

The proposal is not of an acceptable scale, form or design, would be detrimental to neighbourhood character and the character of the host building. It would not comply with Edinburgh Local Development Plan Policy Des 12 or the non-statutory "Guidance for Householders".

(b). There would be no effect on daylight to adjoining windows or any detriment by way of loss of sunlight or overshadowing to neighbouring properties. The side window in the dormer window on the southern elevation would not meet the privacy distance criterion in the non-statutory "Guidance for Householders" and would result in overlooking and loss of privacy in the neighbouring rear garden area.

(c). There would be no impact on equalities and human rights.

(d). There are no public comments to be addressed.

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 Second Proposed Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would be detrimental to the character of the hostproperty and the neighbourhood.
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as the dormer windows are not of an acceptable scale, form or design to the detriment of the property and the wider 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

No representations have been received.

Background reading / external references

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

Statutory Development

Plan Provision

The application site is identified as being within the Urban Area of the Edinburgh Local Development Plan.

Date registered

11 September 2019

Drawing numbers/Scheme

01 to 03.,

Scheme 1

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

Contact: Val Malone, Senior planning officer
E-mail:val.malone@edinburgh.gov.uk Tel:0131 529 3485

Links - Policies

Relevant Policies:

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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

Appendix 1

Consultations

No consultations undertaken.

END

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

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 100179773-003

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:	Lothian Plans		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stephen	Building Name:	
Last Name: *	Lothian	Building Number:	18
Telephone Number: *	[REDACTED] 1	Address 1 (Street): *	Laidlaw Gardens
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Tranent
Fax Number:		Country: *	Scotland
		Postcode: *	eh33 2qh
Email Address: *	[REDACTED]		

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="Allan"/>	Building Number:	<input type="text" value="4"/>
Last Name: *	<input type="text" value="McDougall"/>	Address 1 (Street): *	<input type="text" value="Briery Bauks"/>
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="EH8 9TE"/>
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="4 BRIERY BAUKS"/>
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="EH8 9TE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673197"/>	Easting	<input type="text" value="326368"/>
----------	-------------------------------------	---------	-------------------------------------

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)

Attic conversion with roof dormers

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.

My client and I disagree with the planners comments on the dormer not being suitable for the area.

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)

We were not contacted by the planner and given the chance to make a slight tweak to the scale or appearance in any way to help the application.

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)

Covering Letter Attached

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/04337/FUL

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

18/09/2019

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

05/11/2019

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Stephen Lothian

Declaration Date: 28/11/2019

Proposal Details

Proposal Name	100179773
Proposal Description	Attic conversion with roof dormers
Address	4 BRIERY BAUKS, EDINBURGH, EH8 9TE
Local Authority	City of Edinburgh Council
Application Online Reference	100179773-003

Application Status

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

Attachment Details

Notice of Review	System	A4
Letter to planning	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-003.xml	Attached	A0

Stephen Lothian
18 Laidlaw Gardens
Tranent
East Lothian
EH33 2QH

12/11/2019

Planning Appeal

Dear Sir/Madam,

Further to your Decision notice being sent out, We would like to provide a case for our proposal being considered for approval.

Within the street of our application site, the properties are quite modern by design. With this in mind, we proposed a modern looking dormer to compliment the property rather than a traditional style and fully believe it to be a positive addition and not be detrimental to the original design as mentioned refusal point 1 of the decision notice.

With this planning application we expected the appointed planner to reach out with any concerns in advance of reaching a decision and were quite disappointed to not have no communication other than a decision notice. We were flexible with the scale and design and had we have been contacted, we would have been happy to take any advice and tweaked the proposal slightly to help our application over come things mentioned in point 2 of the decision notice.

While on the phone discussing the decision, the planner indicated that even though we would be flexible with regards to scale and looks, she would not be in favour of a dormer to these roof types and indicated that no one else had any. Within any street, there always needs to be someone who carries out an alteration first weather it be a dormer or extension so we believe that point to be irrelevant.

We are making an appeal to have the decision over ruled for dormer windows to the roof of the application property. If we need to make any amendments to the design in terms of scale/looks then we would be happy to discuss this in order to help the appeal.

I hope that this is all satisfactory.

Kind regards,

Stephen Lothian.

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Les McCaskey (Rothesay Place).
18A Rothesay Place
Edinburgh
EH37SQ

Mr Tony Neilson
15 Gilmerton Dykes Drive
Edinburgh
EH17 8LA

Decision date: 26 August 2019

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

Proposed two storey extension to side of property.
At 15 Gilmerton Dykes Drive Edinburgh EH17 8LA

Application No: 19/03114/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 27 June 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 12, and the non-statutory Guidance for Householders, as the two-storey side extension by virtue of its scale, form and positioning is detrimental to the character and appearance of the house and surrounding area.

Informatives

It should be noted that:

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

2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

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

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

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

The proposal is contrary to the Local Development Plan Policy Des 12, and the non-statutory Guidance for Householders, as the two-storey side extension by virtue of its scale, form and positioning is detrimental to the character and appearance of the house and surrounding area.

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.

D R Leech

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 19/03114/FUL At 15 Gilmerton Dykes Drive, Edinburgh, EH17 8LA Proposed two storey extension to side of property.

Item	Local Delegated Decision
Application number	19/03114/FUL
Wards	B16 - Liberton/Gilmerton

Summary

The proposal is contrary to the Local Development Plan Policy Des 12, and the non-statutory Guidance for Householders, as the two-storey side extension by virtue of its scale, form and positioning is detrimental to the character and appearance of the house and surrounding area.

Links

Policies and guidance for this application	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 semi-detached property located on a corner plot between Gilmerton Dykes Drive and Gilmerton Dykes Loan. The site lies within a predominantly residential area in which there is relative consistency to the scale, massing and design of houses present.

2.2 Site History

7th November 2016 - Non material variation to consent 16/3162/FUL- Granted (Ref: 16/03162/VARY)

11th August 2016 - Erect single storey gable extension - Granted (Ref: 16/03162/FUL)

Main report

3.1 Description Of The Proposal

The application proposes the following works;

-Two storey side extension

Additionally, the following works are shown on the plans submitted;

-Conversion of garden ground to hard surface (porous): These works are permitted development under Class 3C of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No assessment of its merits are therefore required.

-Formation of a new driveway: These works require a road permit but do not require planning permission therefore have not been materially assessed as part of the proposal.

-Outbuilding to rear: Insufficient information has been provided on this element (elevations) to assess its suitability.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;
 - b) the proposal will not cause an unreasonable loss to neighbouring amenity; and
 - c)) any comments raised have been addressed
- a) Scale, form, design and neighbourhood character

In design terms, the scale and massing of the side extension would be significant and would not read as subservient to the existing house. Contrary to guidance, there would be no clear definition between the existing house and the extension with the result that it would harm the appearance of the house and the existing symmetry of the pair of semi-detached houses.

In terms of the neighbourhood character, the area of land which the extension would be sited on is an area of space that the directly facing properties on Gilmerton Dykes Drive look onto. This area acts as a buffer between the proposal site and adjacent street. This existing space provides a spatial separation between the property and street softening the appearance of the semi-detached houses, defining the original building line to the west on Gilmerton Dykes Loan and subsequently contributing positively to the spatial character of the area.

Whilst it is recognised that there is an existing garage positioned over part of this land, it is of a modest scale partially masked from the street by the existing boundary hedge and therefore has no discernible impact on the existing character of the area. Further, in line with this the previous permission (16/03162/FUL) granted for an extension over this area was ground floor only and as such was of a limited visual impact.

The scale and massing of the extension as a two storey structure would significantly exceed this existing garage and that previously approved, which, in tandem with its proximity to the boundary would result in an overly obtrusive addition as viewed from the adjacent streets subsequently harmful to the character and appearance of the area.

Overall, the proposed side extension is of an unacceptable scale, form and design and will be detrimental to neighbourhood character, contrary to Policy Des 12 and the non-statutory Guidance for Householders.

b) Neighbouring amenity

In terms of privacy, the Non Statutory Guidance for Householders requires that all new windows are located at least 18m from an existing window or 9m from a common boundary. To the rear, the proposed openings would be in excess of this guidance whilst those to the front would primarily face the street which would be sufficient to prevent harm to the neighbour's privacy.

In terms of daylighting the proposed extensions comply with the non-statutory Guidance for Householders and will not cause an unreasonable loss of daylight into neighbouring properties.

The extension, due to its siting will not affect sunlight into or cause overshadowing of adjoining properties. The proposal complies with the non-statutory Guidance for Householders.

Based on the above, the proposal accords with the Policy Des 12 and broadly accords with the Non Statutory Guidance for Householders with regard to neighbouring amenity.

c) Public comments

No comments were received.

In conclusion, the proposed side extension by virtue of its scale and positioning would have a harmful impact on the character and appearance of the existing house and that of the wider streetscene. The proposal is therefore recommended for refusal.

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 12, and the non-statutory Guidance for Householders, as the two-storey side extension by virtue of its scale, form and positioning is detrimental to the character and appearance of the house and surrounding area.

Informatives

It should be noted that:

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

2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

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:

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

Consultation and engagement

6.1 Pre-Application Process

5. There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

6. No representations have been received in regard to the proposal.

Background reading / external references

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

Statutory Development

Plan Provision

7. Policies - Edinburgh Local Development Plan - Urban Area

Date registered

27 June 2019

Drawing numbers/Scheme

01-09,

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:

8. Relevant policies of the Local Development Plan.

9. LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

10. Relevant Non-Statutory Guidelines

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

Appendix 1

Consultations

END

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect
of Decisions on Local Developments
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)
Regulations 2013
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS
ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	TONY	Forename	LES
Surname	NEILSON.	Surname	MCCASKEY
Company Name		Company Name	
Building No./Name	15	Building No./Name	18A
Address Line 1	GILWERTON	Address Line 1	ROTHESAY PLACE
Address Line 2	DYICES DRIVE	Address Line 2	
Town/City	EDINBURGH	Town/City	EDINBURGH
Postcode	EH17 8LA	Postcode	EH3 7SQ
Telephone	-	Telephone	-
Mobile	[REDACTED]	Mobile	[REDACTED]
Fax	-	Fax	-
Email	[REDACTED]	Email	[REDACTED]
3. Application Details			
Planning authority	CITY OF EDINBURGH COUNCIL		
Planning authority's application reference number	19/03114/FUL		
Site address	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> 15. GILWERTON DYICES EDINBURGH EH17 8LA </div>		
Description of proposed development	<div style="border: 1px solid black; padding: 5px; display: inline-block;"> PROPOSED TWO STOREY EXTENSION TO SIDE OF PROPERTY </div>		

Date of application

27/6/19

Date of decision (if any)

26/8/19

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)

Application for planning permission in principle

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

Application for approval of matters specified in conditions

5. Reasons for seeking review

Refusal of application by appointed officer

Failure by appointed officer to determine the application within the period allowed for determination of the application

Conditions imposed on consent by appointed officer

6. 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.

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

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

[Empty box for explanation]

7. Site inspection

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

Can the site be viewed entirely from public land?

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

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

REFER TO ATTACHED SUPPORTING STATEMENT
PAGES 1, 2, 3, 4 and 5.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

✓ APPLICATION FORM
✓ COUNCIL DECISION NOTICE
✓ SUPPORTING STATEMENT + PHOTOGRAPHS (PAGES 1-5)
✓ DRAWING No's . 01, 02, 03, 04, 05, 06, 07, 08, 09.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requesting a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature: Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

Notice of Review

SUPPORTING STATEMENT

In response to the planning authorities reasons for refusal.

The applicant would strongly disagree with and dispute the planning authorities decision for refusal of this application.

It is the applicants strong opinion that the proposed two storey extension to the side of the property in terms of scale, form and position would certainly not have a detrimental impact on either the property or the surrounding street scene generally.

The applicant would advise that the introduction of said extension would sit comfortably against the side elevation of the existing property which forms part of a large plot.

It would not present an overly obtrusive addition as viewed from the adjacent streets or in respect of the surrounding properties.

The applicant is of the firm opinion that the proposed new extension results in the most practical and best use of space within the property, whilst providing the required additional living accommodation to suit growing family requirements.

The location of the extension, directly opposite a substantial open aspect actually assists in reducing any perceived visual impact in this particular instance.

The scale, design and materials proposed in respect of extension reflect generally what is currently in place and in adjacent properties and would not have a detrimental impact or look out of place.

In regards the comment in respect of the 18m minimum distance between windows. The applicant would highlight that the property to the rear no 24 Gilmerton Dykes Loan is a gable elevation, no overlooking issues.

The applicant would like to point out that the proposals as submitted reflect similar two storey extensions to nearby properties, addresses and photos enclosed.

No public objections or complaints have been submitted in respect of the proposals.

It is hoped that the review board shall look favourably in respect of this appeal and take into consideration the points raised by the applicant in support of his appeal.

In reference to application for extension at 15 Gilmerton Dykes Drive, EH17 8LA. We refer to the report attached in the refusal for this extension, wherein it states that an extension of this size would not suit the surrounding area. Below we list several other extensions of a similar size which have been granted and built, or are currently under construction which are in the surrounding area:

94 Gilmerton Dykes Drive (Before & After):



This extension is in our street and is not only two stories, but is of almost an identical square footage to the extension we wish to build (if not slightly larger than ours) It is also on a corner plot like ours and is more visible than ours, being on a main road, therefore more imposing on the surrounding area than ours.

29 Gilmerton Dykes Drive:



This extension is not only a double storey, but is directly facing the 'green area' that the report specifically mentions as being impacted by our extension and therefore appears to be more imposing than our extension would be on the area that seems to need protecting. It is also visible from our house and he would have passed it coming to do our site survey and it is directly opposite, so you see it when you are looking at the green area from our house.

58 Gilmerton Dykes Drive:



This extension which is currently under construction is going to be double storey from what we can see and having checked the records online. It is also in our street and will be visible from the green area.

20 Gilmerton Dykes Loan:



Although this is only a single storey extension and the bulk of it's extension is to the rear, I have included it to illustrate that in the report he specifically makes reference to the fact that the previous extension on our property (being a single storey extension) was only approved because it would be hidden by hedges and foliage and would therefore not be seen from the green area. Similarly, he had no issue with our current garage for the same reasons. The single storey extension at 20 Gilmerton Dykes Loan is completely visible and unhidden and is only a few doors down from our house – he would have seen it when he was here doing the site survey.

12 Gilmerton Dykes Gardens:



This is another double storey extension in our local area.

44 Gilmerton Dykes Crescent:

This is another double storey extension in our local area, but I cannot get a picture from street maps.

With regards to the section in the report concerning our extension's ability to see in to our neighbour's windows, we were somewhat confused by this section when first reading to be honest, as this is our current view of our rear neighbour's house:



No. 24 GILMERTON DYKES CRES

Which as you can see, there are no windows to look in to.

Once we thought about where the extension would go out to, we realised that the report must be referring to the windows on the front of their house. However, having erected a ladder at the edge of our garden against our garage to take a photo, as this is the only place we could take a photo with the garage being in the way at the moment (the garage would be moved for an extension to be built), we can illustrate below that the angle would be too acute to be able to see in to our neighbours window from the extension, therefore there would be no infringement on their privacy. To be clear, our garage currently cuts right in to the hedges, which is further out than our extension would be built, so this photo is taken from as far to the right as our windows would go:



In addition to this, along the bottom fence line of the garden, our garage would be moved to cover the left half and we would continue the 'double layering' of the fencing along the right half, so that there would be no way to see in to their garden from our windows. This would mean only top window frames would be visible, and this would be from our bottom window (there will only be a bathroom window on the top level of our extension to the rear), making the angle even more acute and glass even less visible.

We hope this has provided enough information to support our appeal but should you require any further information please don't hesitate to contact us.

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying **Guidance Notes** when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	<input type="text" value="MR."/>	Ref No.	<input type="text"/>
Forename	<input type="text" value="TONY"/>	Forename	<input type="text" value="LES"/>
Surname	<input type="text" value="NEILSON"/>	Surname	<input type="text" value="McCIA SKEY"/>
Company Name	<input type="text"/>	Company Name	<input type="text"/>
Building No./Name	<input type="text" value="15"/>	Building No./Name	<input type="text" value="18A"/>
Address Line 1	<input type="text" value="GILMERTON"/>	Address Line 1	<input type="text" value="ROTHERSAY PLACE"/>
Address Line 2	<input type="text" value="DYKES DRIVE"/>	Address Line 2	<input type="text"/>
Town/City	<input type="text" value="EDINBURGH"/>	Town/City	<input type="text" value="EDINBURGH"/>
Postcode	<input type="text" value="EH17 8LA"/>	Postcode	<input type="text" value="EH3 7SQ"/>
Telephone	<input type="text" value="-"/>	Telephone	<input type="text" value="-"/>
Mobile	<input type="text" value=""/>	Mobile	<input type="text" value=""/>
Fax	<input type="text" value=""/>	Fax	<input type="text" value="-"/>
Email	<input type="text" value=""/>	Email	<input type="text" value=""/>
3. Address or Location of Proposed Development (please include postcode)			
<input style="width: 100%; height: 80px;" type="text" value="15 GILMERTON DYKES DRIVE
EDINBURGH
EH17 8LA"/>			
NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.			
4. Describe the Proposed Works			
Please describe accurately the work proposed:			
<input style="width: 100%; height: 60px;" type="text" value="PROPOSE TWO STOREY EXTENSION
TO SIDE OF PROPERTY."/>			
Have the works already been started or completed Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
If yes, please state date of completion, or if not completed, the start date:			
Date started:	<input type="text"/>	Date completed:	<input type="text"/>

If yes, please explain why work has already taken place in advance of making this application.

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

6. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

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 reduced number of spaces)

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, etc.)

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

DECLARATION

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

Signature: [REDACTED] Name: L MCCASKEY Date: 12/6/19

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997
 Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than myself APPLICANT was owner 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 application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed:

On behalf of:

Date:

CERTIFICATE B

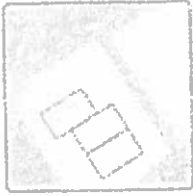
Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

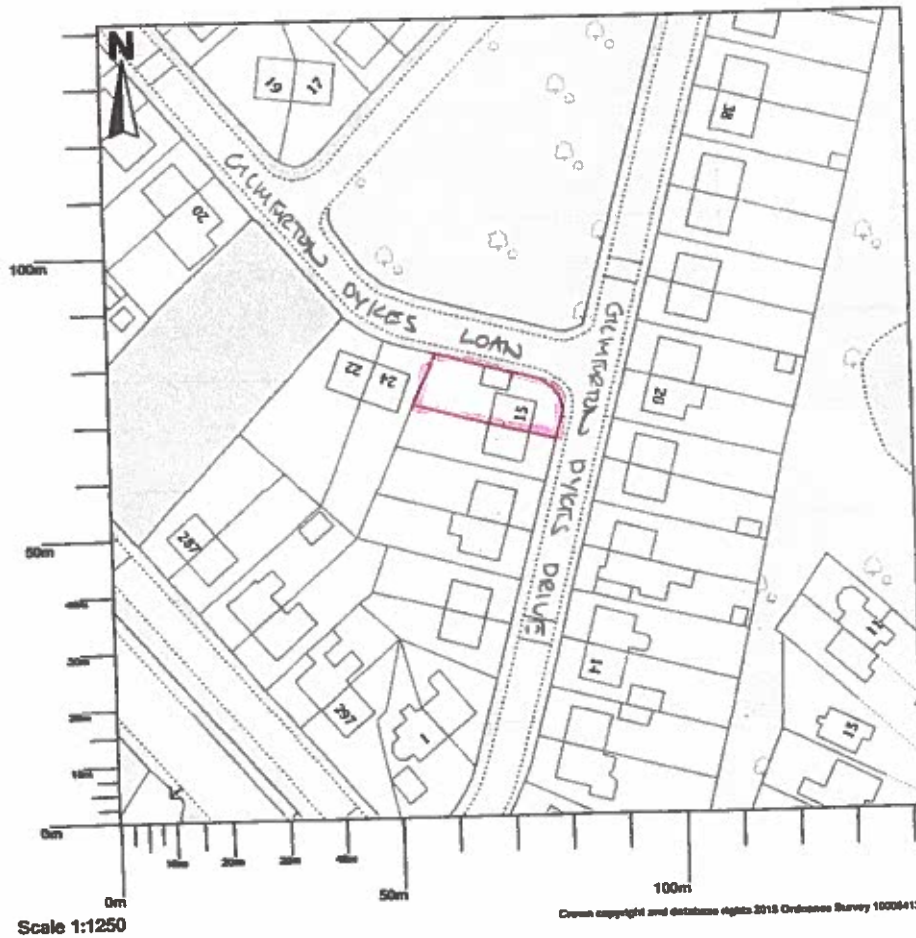
- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land.
- or
- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:



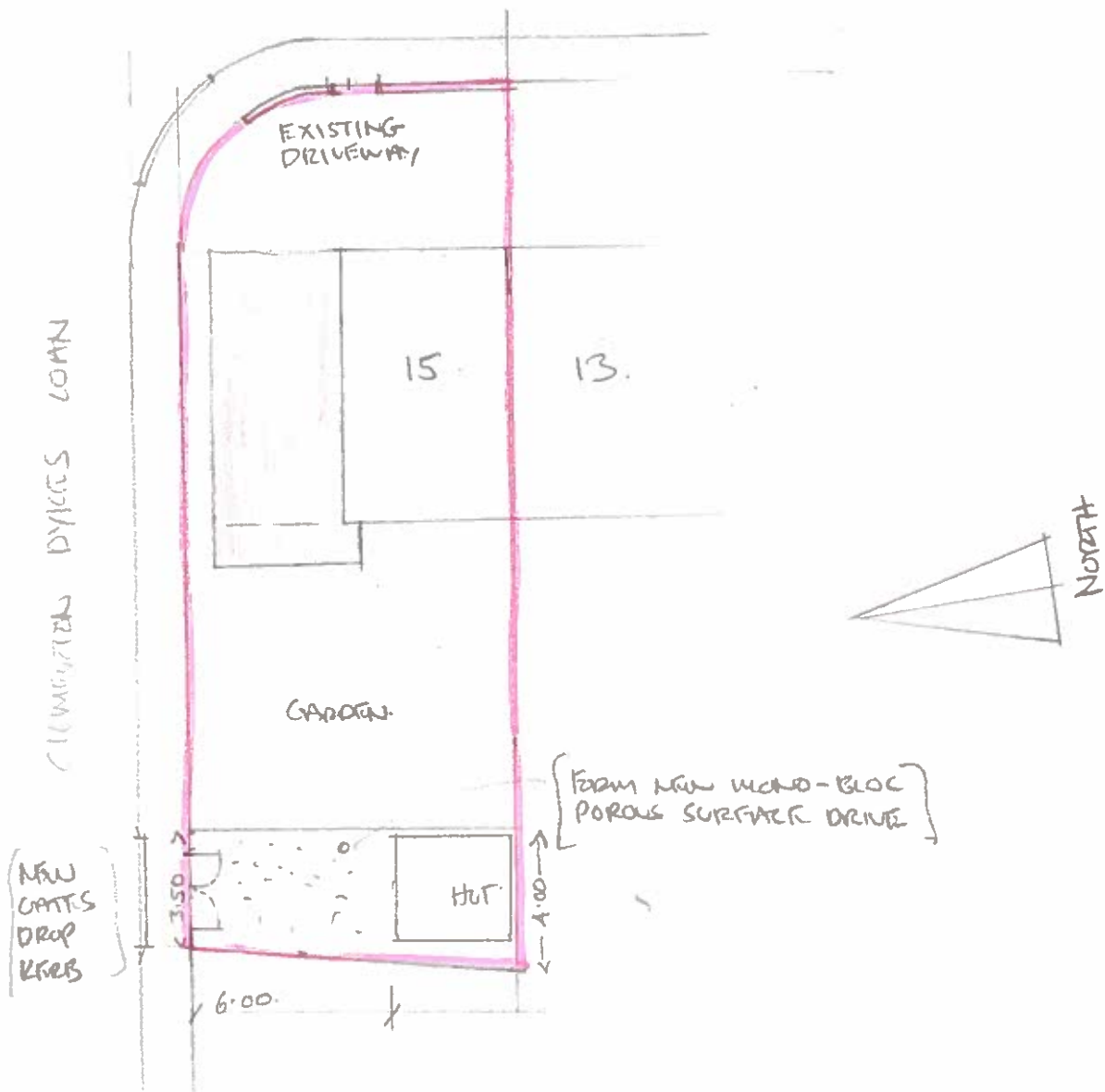
15 Gilmerton Dykes Drive, Edinburgh, EH17 8LA



Map area bounded by: 328512,668060 328654,668202. Produced on 03 June 2019 from the OS National Geographic Database. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2019. Supplied by UKPlanningMaps.com a licensed OS partner (100054135). Unique plan reference: p2buk/354306/481380

01

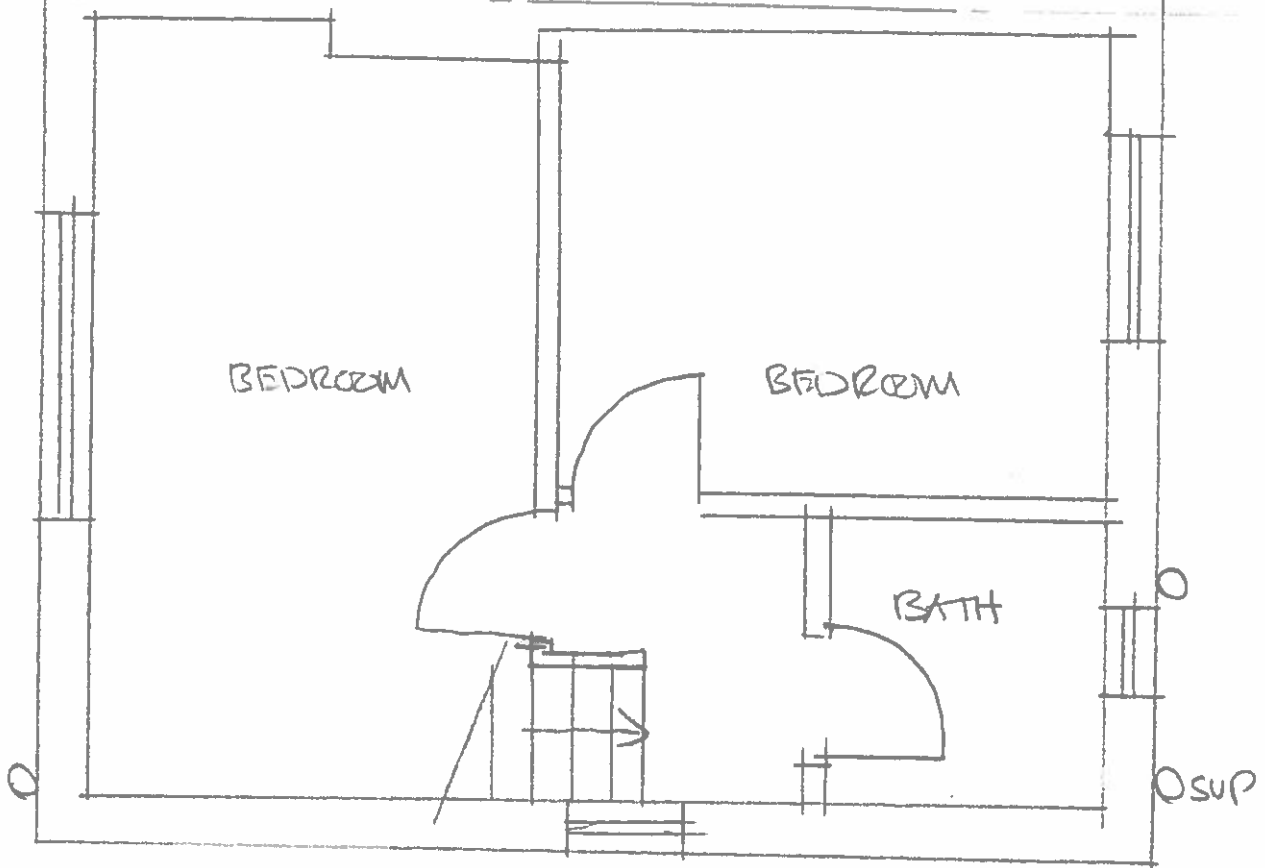
GILMERTON DYKES DRIVE



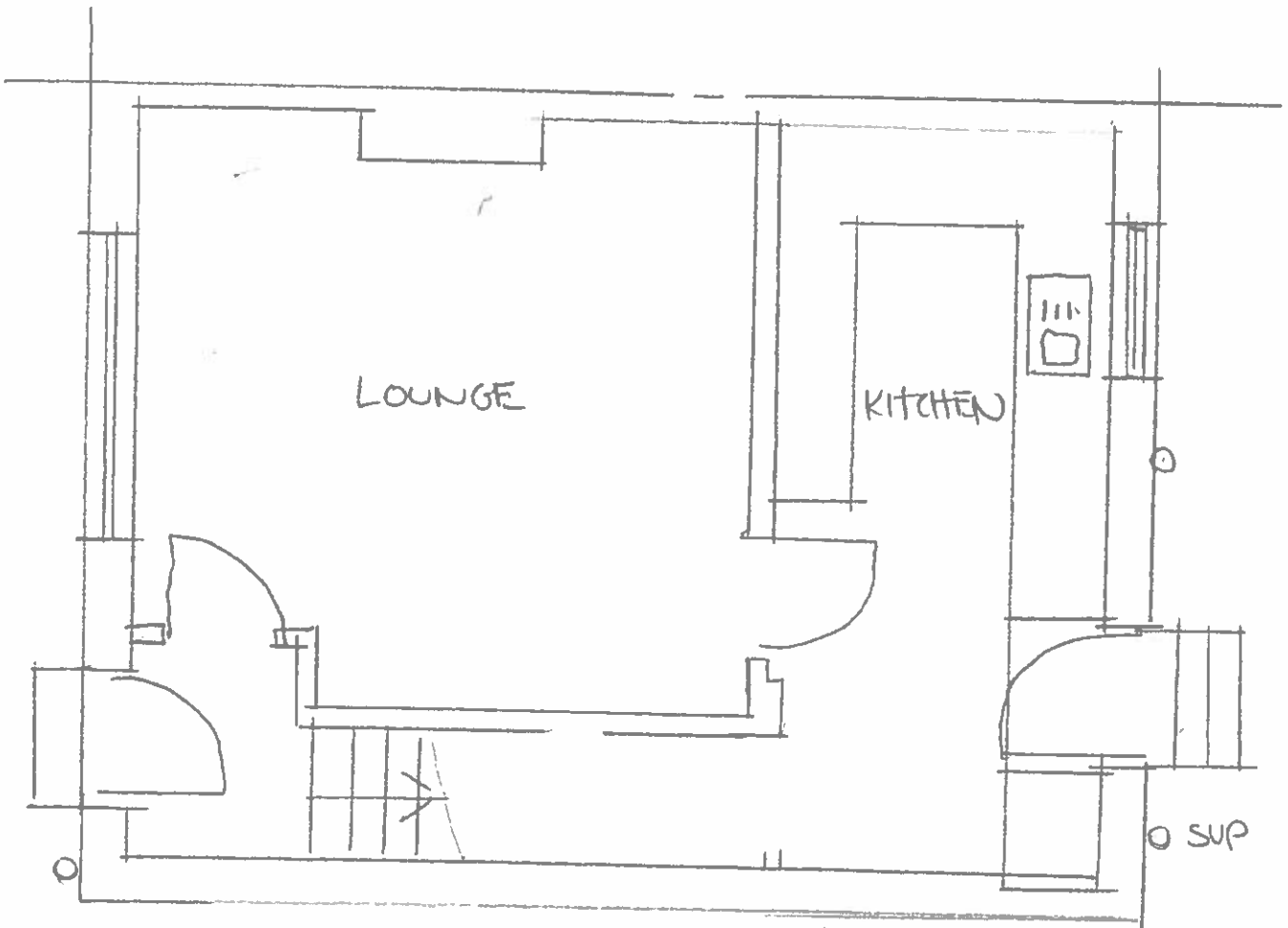
SITE PLAN 1:200

15 GILMERTON DYKES DRIVE, EDINBURGH

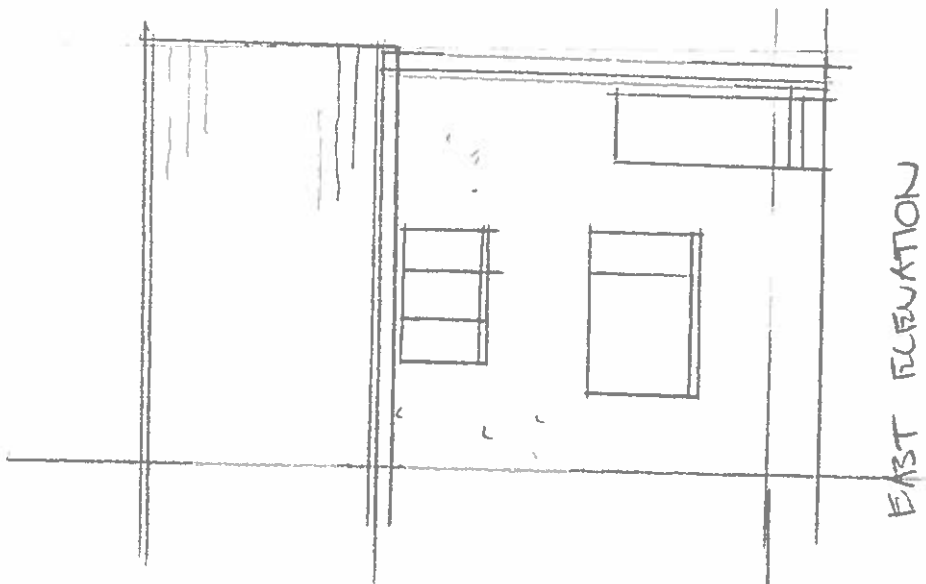
15 GILMERSON DYKES DRIVE



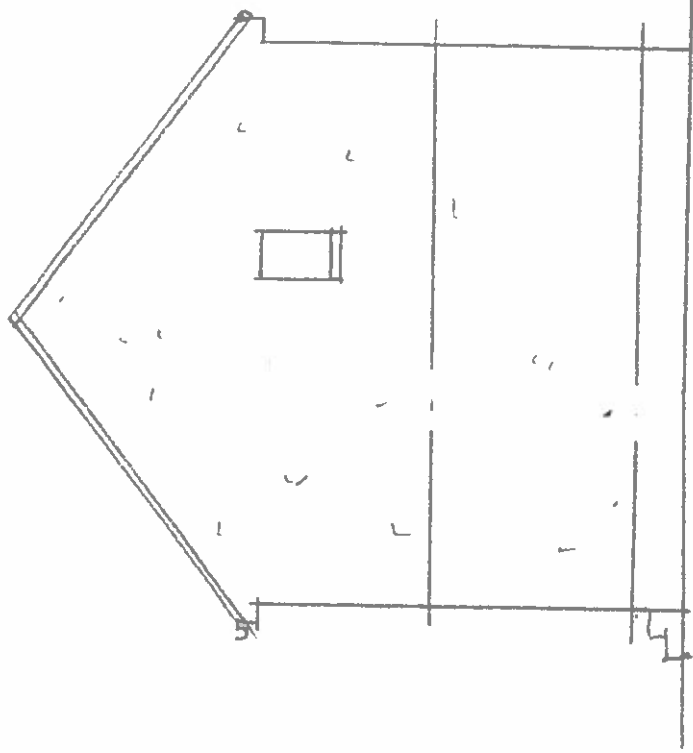
FIRST FLOOR PLAN (EXISTING) 1:50



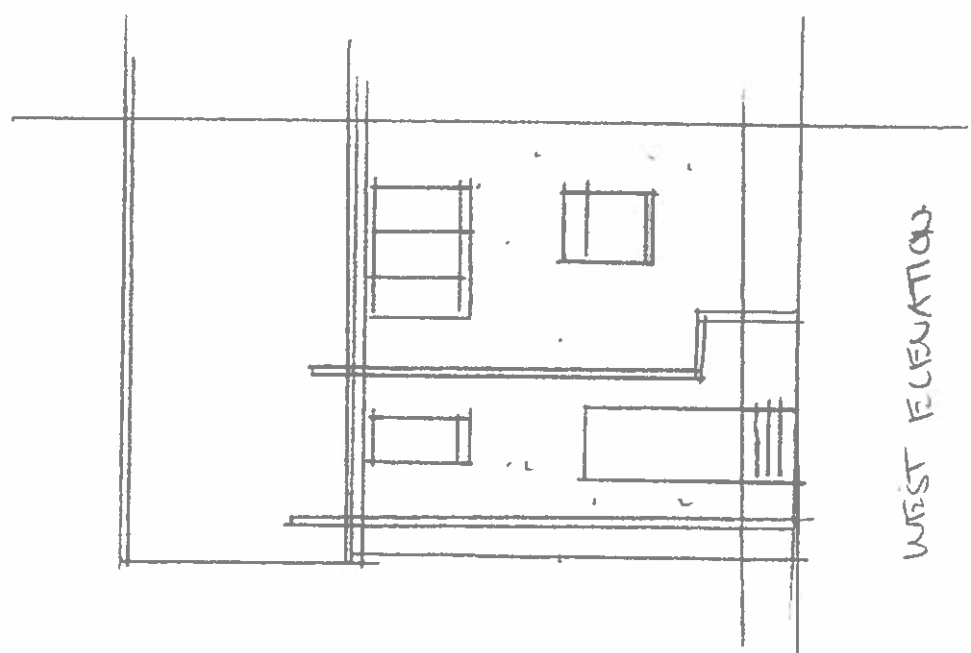
GROUND FLOOR PLAN (EXISTING) 1:50



EAST ELEVATION

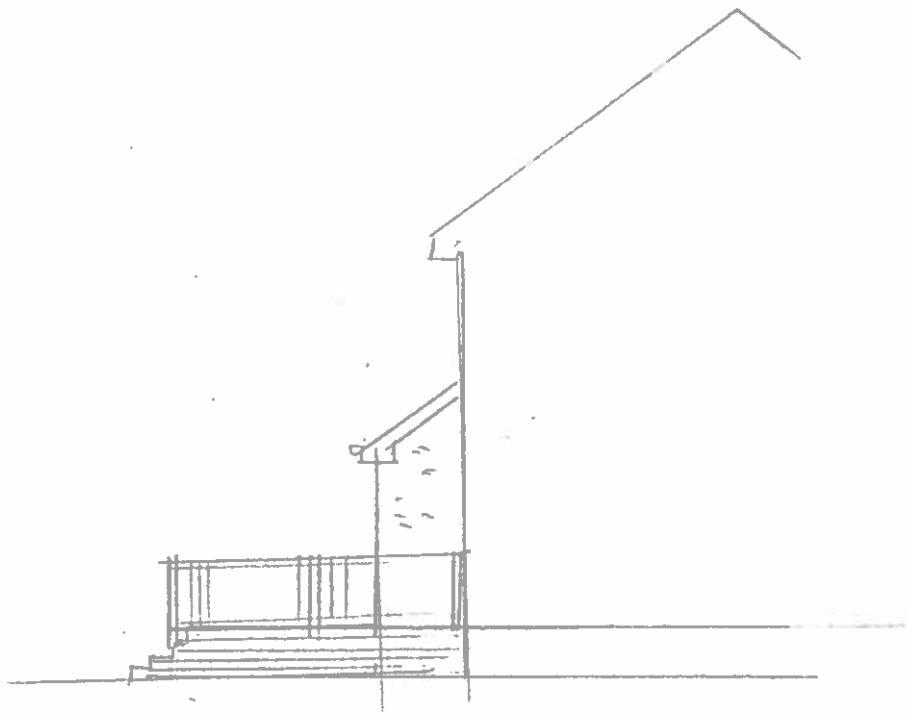


NORTH ELEVATION

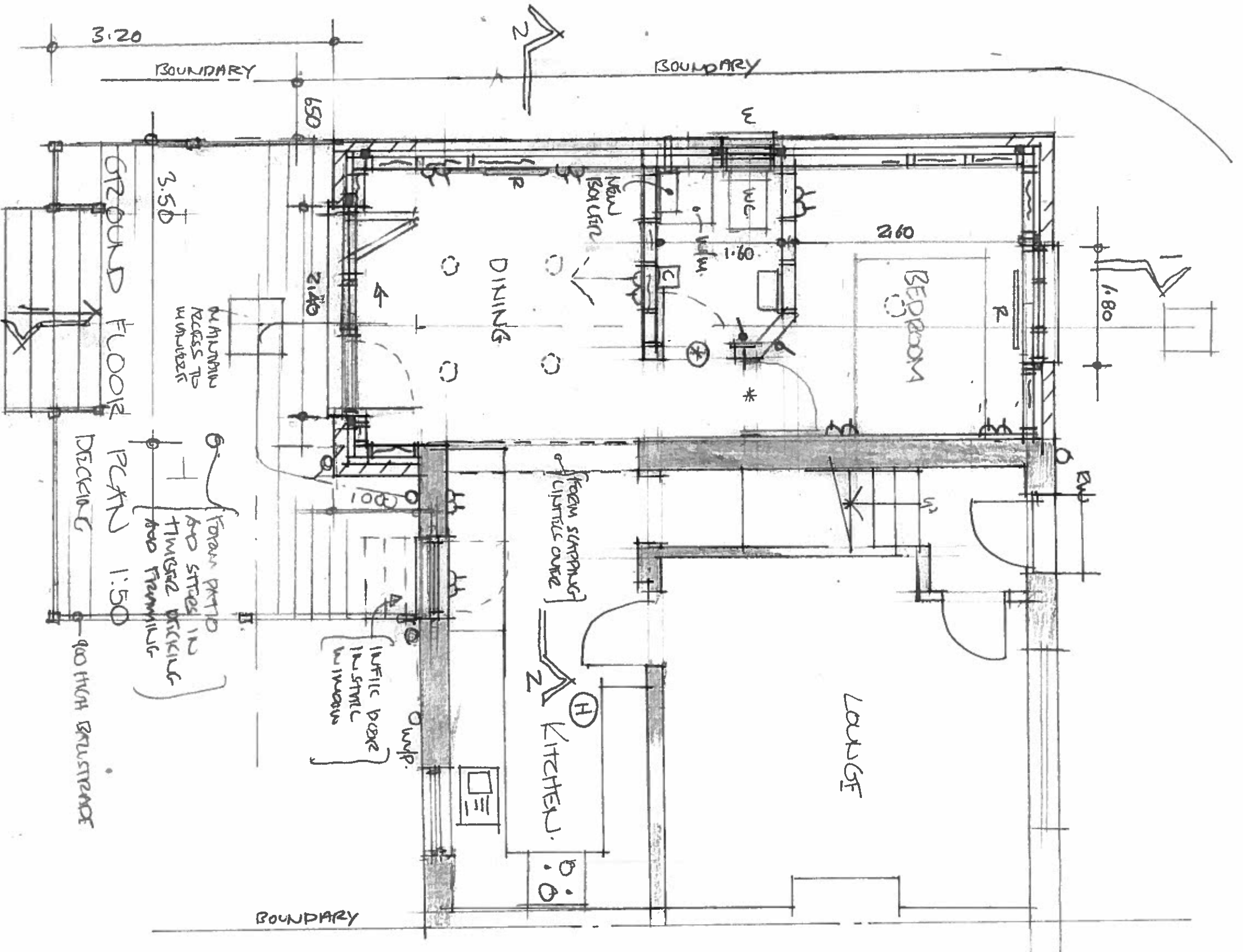


WEST ELEVATION

EXISTING ELEVATIONS 1:100 SCALE
15. GILMERTON DYKES DRIVE



SOUTH ELEVATION 1:100



REMOVALS

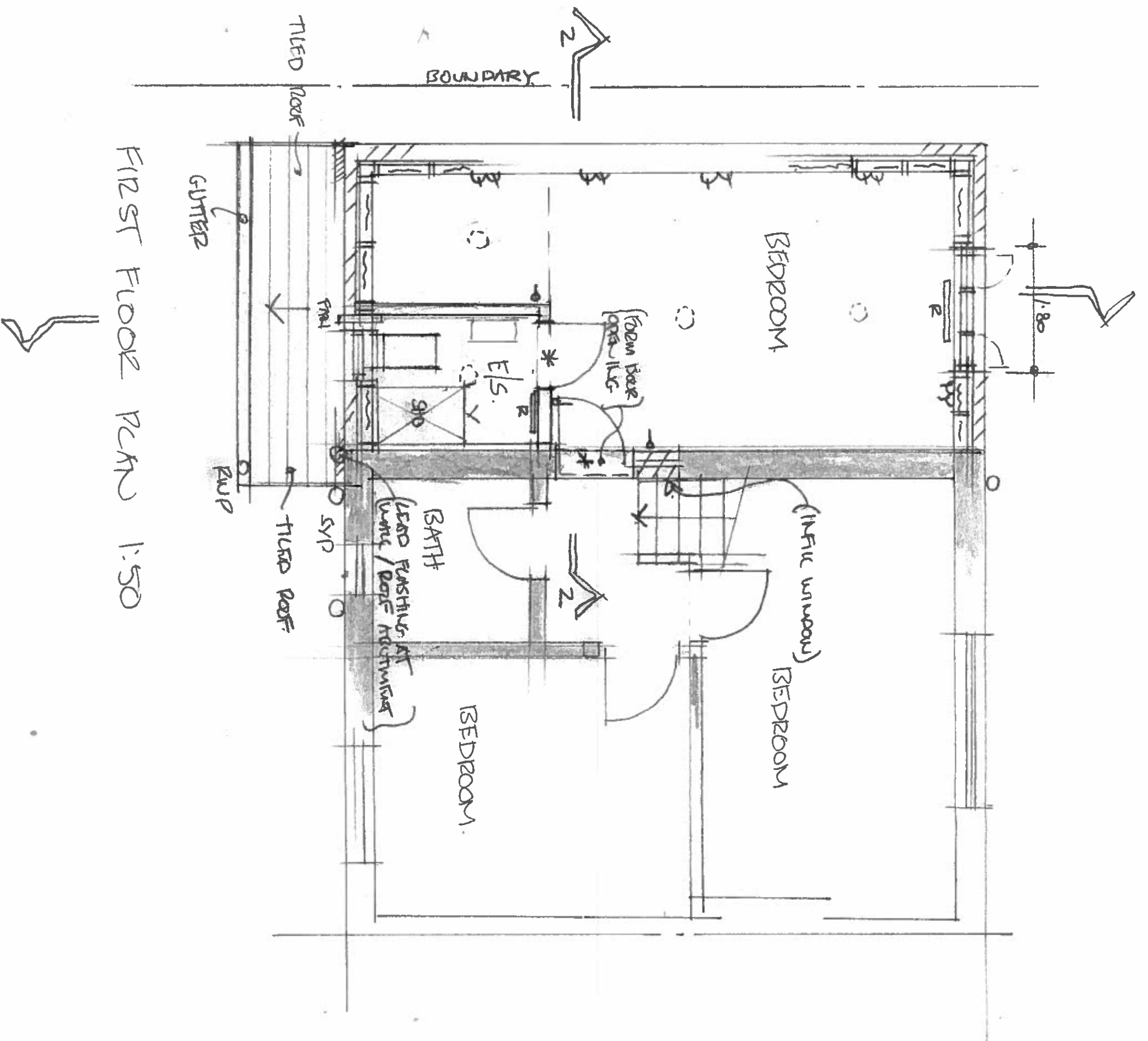
- * TIMBER FRAME
- * SUSPENDED TIMBER FLOOR
- * TILED PASS
- * WALLS - FRING BLOCK, AS EXISTING
- * WINDOWS / DOORS - WHITE UPVC DOOR GUARD

NEW STUD PROVISION

- CRUTY BRACKET.
- ↓ MINIMUM CLEARANCE DOOR OPENING WIDTH 775mm
- ⊕ ROOM CLEARANCE OPENING WIDTH
- LIGHT FITTING
- ⌋ LIGHT SWITCH
- ⊥ DRAIN POURER OUTLET
- Ⓜ HEAT DETECTOR
- Ⓝ SMOKE DETECTOR
- Ⓛ CARBON DIOXIDE DETECTOR.
- ⊥ EXTRACTOR

PROPOSED EXTENSION
15. GILBERTON DYKES DRIVE
EDINBURGH

MAY 2019.



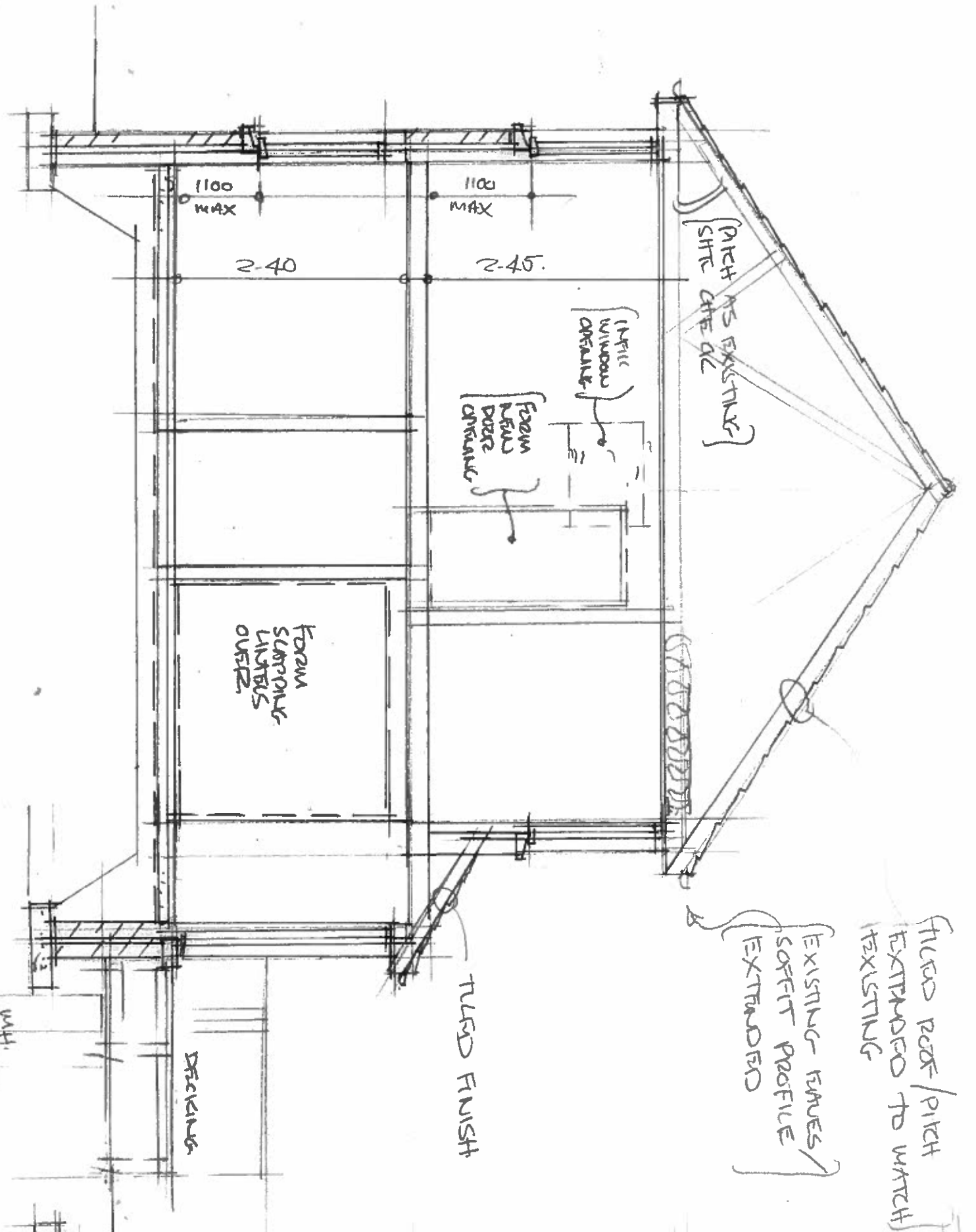
FIRST FLOOR PLAN 1:50

REMOVALS

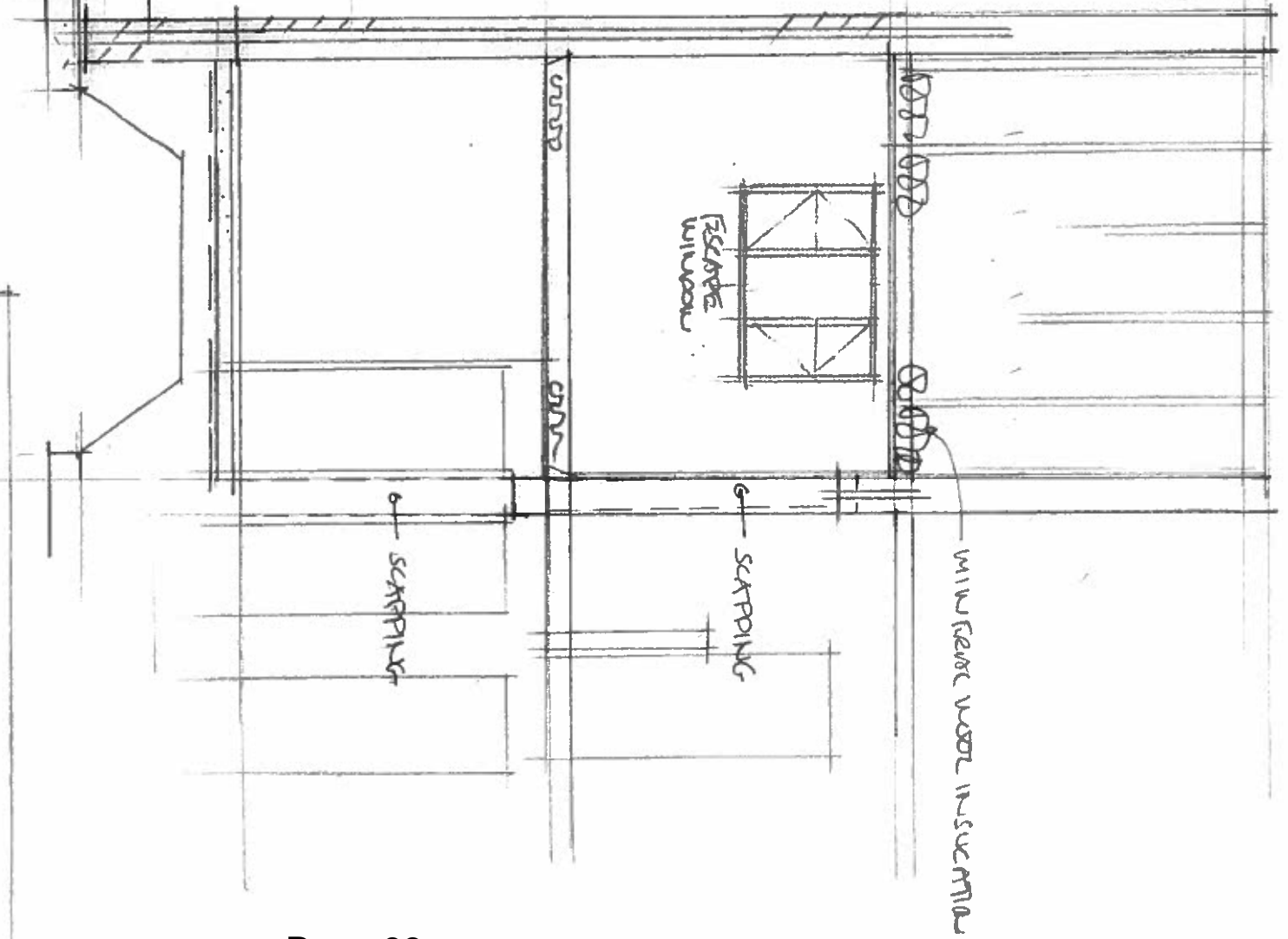
PROPOSED EXTENSION.
 15. GILMERDA DYKES DRIVE
 EDINBURGH

MAY 2019.

SECTION 1-1 1:50

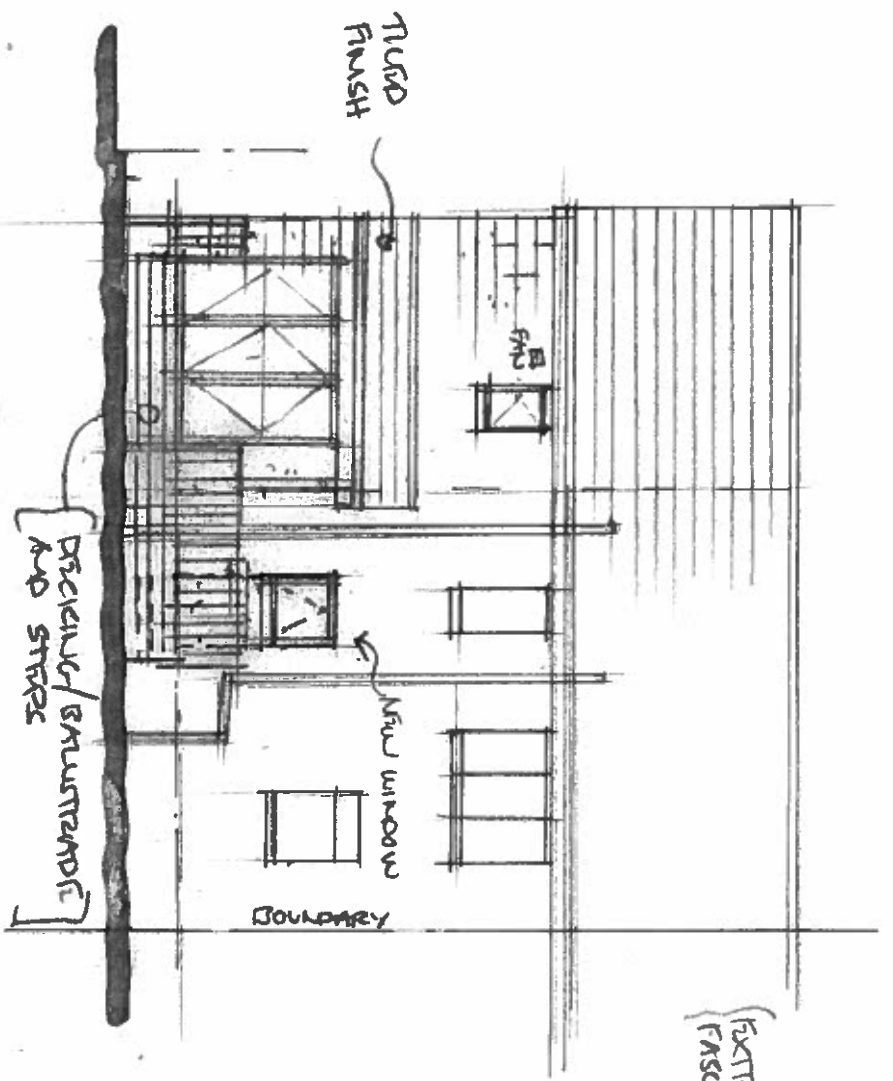


SECTION 2-2

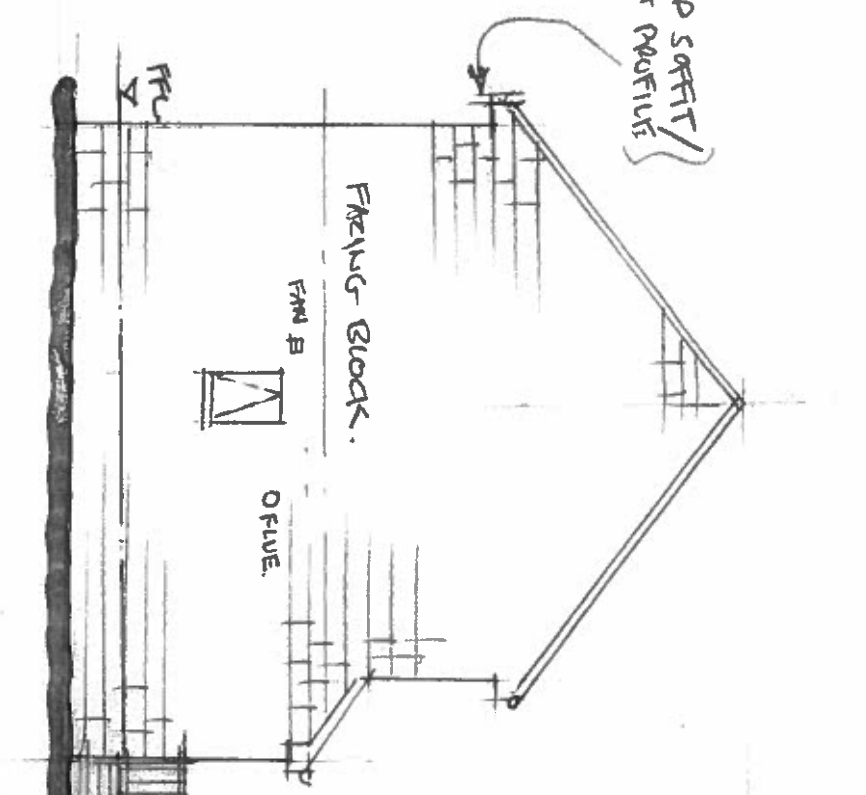


PROPOSED EXTENSION
15. GILBERTS DYKES DRIVE
EDINBURGH

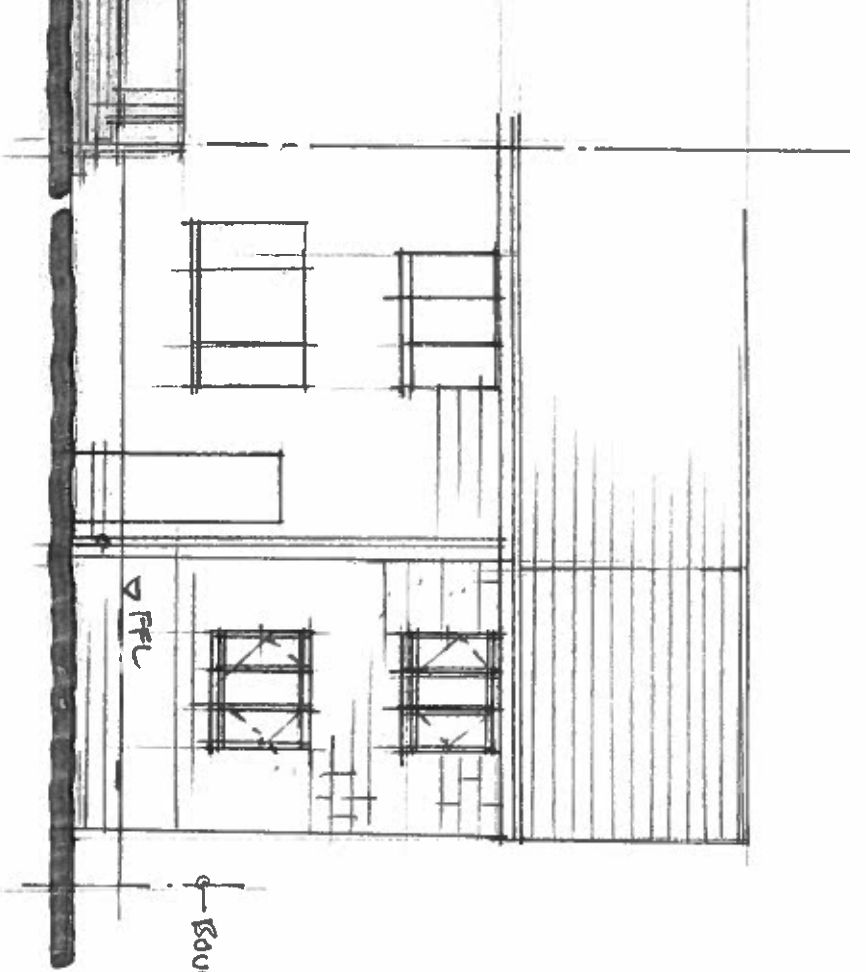
JUNE 2019



WEST ELEVATION 1:100



NORTH ELEVATION 1:100



EAST ELEVATION 1:100

- * WALLS - FACING BLOCK / AS EXISTING
- * ROOF - TRUED FINISH
- * WINDOWS / DOORS - WHITE UPVC DOUBLE GLAZED

PROPOSED EXTENSION
15 GILMEIRTD D'YKES DRIVE
EDINBURGH
JUNE 2019

Bartosz Knuta.
 2
 17 Mearenside
 Edinburgh
 Scotland
 EH12 8UQ

Mr Krzysztof Skierkowski.
 13 Hyvot Bank Avenue
 Edinburgh
 Scotland
 EH17 8NH

Decision date: 4 October 2019

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

Creation of new driveway into the front garden.
 At 13 Hyvot Bank Avenue Edinburgh EH17 8NH

Application No: 19/03726/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 6 August 2019, this has been decided by **Householder fast track**. 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 12 in respect of Alterations and Extensions, as it does not meet the required safety and access standards for the formation of a vehicle run-in.
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they do not meet the required safety and access standards for the formation of a vehicle run-in.

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

Drawings 01 and 02., 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 of an acceptable scale or form and does not comply with safety and access standards set in the non-statutory "Guidance for Householders" or with Edinburgh Local Development Plan Policy Des 12. There are no material planning considerations which would justify approval.

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 Val Malone directly on 0131 529 3485.

D R Leech

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 19/03726/FUL At 13 Hyvot Bank Avenue, Edinburgh, EH17 8NH Creation of new driveway into the front garden.

Item	Householder fast track
Application number	19/03726/FUL
Wards	B16 - Liberton/Gilmerton

Summary

The proposal is not of an acceptable scale or form and does not comply with safety and access standards set in the non-statutory "Guidance for Householders" or with Edinburgh Local Development Plan Policy Des 12. There are no material planning considerations which would justify approval.

Links

<u>Policies and guidance for this application</u>	LDES12, NSHOU,
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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 one of a four-in-a-block, two-storey residential properties on the north side of Hyvot Bank Avenue. It has an access path and rectangular piece of grass to the front (enclosed by fencing) and a shared rear garden. The neighbouring property has an access ramp for persons with limited mobility and the property at the end of the block has a vehicular run-in.

A street lighting column is located on the pavement where the run-in is proposed.

2.2 Site History

06 May 2019: Planning application 19/02101/FUL for the formation of a run-in was returned to the agent; it was deficient in three separate areas and could not be accepted.

Main report

3.1 Description Of The Proposal

The application proposes the formation of a mono-block vehicular run-in in the front garden. a line of gravel with a perforated pipe connected to a soakaway for drainage. The run-in would be 5.5 metres deep and 2.7 metres wide. It would adjoin a 1.2 metre wide pedestrian access.

There are a number of run-ins in the street, some with and some without an associated drop kerb crossings. However, planning permission has been previously granted for only five run-ins since 1991; others will be lawful by virtue of being in place over 4 years.

A street lighting column is located on the pavement where the run-in is proposed. To accommodate the run-in, this would be required to be moved at the expense of the applicant through a legal agreement.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the

development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- (a). The proposed scale, form and design is acceptable and would accord with neighbourhood character;
- (b). The proposal will cause an unreasonable loss to neighbouring amenity;
- (c). Any impacts on equalities or human rights are acceptable;
- (d). Any comments raised have been addressed.

(a). The non-statutory "Guidance for Householders" sets a standard for the adequate incorporation of vehicular run-ins in domestic front gardens and seeks to protect the integrity of residential/street boundaries and to minimise the disruption of too many or too large openings. It normally requires a minimum depth of 6 metres, to accommodate vehicles properly; less than this can lead to problems of vehicles overhanging pavements, with consequent disruption to safe pedestrian passage.

It would not be possible to increase the run-in depth to 6 metres, without disrupting/removing pedestrian access on the side gable leading to the rear garden. The proposed run-in would not meet the safety standards set in this Guidance. The Guidance also states that vehicular access must not be formed where it would interfere with street lighting; a street light is located close to what would be the western edge of the run-in and is likely to be compromised.

The application does not make clear if there is an intention to remove the existing fence bordering the pedestrian path; if this were to be removed, the resultant opening would exceed the recommended maximum width of 3 metres.

The proposal is not of an acceptable scale or form and does not comply with non-statutory "Guidance for Householders" or with Edinburgh Local Development Plan Policy Des 12.

- (b). The proposal complies with the aims and objectives of the non-statutory "Guidance for Householders" in relation to the protection of neighbouring residential amenity.
- (c). There would be no impact on equalities and human rights.
- (d). There are no public comments to be addressed.

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 12 in respect of Alterations and Extensions, as it does not meet the required safety and access standards for the formation of a vehicle run-in.
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they do not meet the required safety and access standards for the formation of a vehicle run-in.

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

No representations have been received.

Background reading / external references

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

Statutory Development

Plan Provision

The application site is identified as being within the Urban Area in the adopted Edinburgh Local Development Plan 2016.

Date registered

6 August 2019

Drawing numbers/Scheme

01 and 02.,

Scheme 1

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

Contact: Val Malone, Senior planning officer
E-mail:val.malone@edinburgh.gov.uk Tel:0131 529 3485

Links - Policies

Relevant Policies:

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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

Appendix 1

Consultations

No consultations undertaken.

END

19/00162 / REUREF

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

Edinburgh Standards
4 DEC 2019
Planning &

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mr	Ref No.	
Forename	KRYSZTOF	Forename	
Surname	SKIERKOWSKI	Surname	
Company Name		Company Name	
Building No./Name	13	Building No./Name	
Address Line 1	HYVOT BANK	Address Line 1	
Address Line 2	AVENUE	Address Line 2	
Town/City	EDINBURGH	Town/City	
Postcode	EH17 8NH	Postcode	
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	THE CITY OF EDINBURGH COUNCIL		
Planning authority's application reference number	19/03726/FUL		
Site address	13 HYVOT BANK AVENUE EDINBURGH EH17 8NH		
Description of proposed development	CREATION OF NEW DRIVEWAY INTO THE FRONT GARDEN		

Date of application

06/08/2019

Date of decision (if any)

04/10/2019

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

Application for planning permission (including householder application)

Application for planning permission in principle

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

Application for approval of matters specified in conditions

5. Reasons for seeking review

Refusal of application by appointed officer

Failure by appointed officer to determine the application within the period allowed for determination of the application

Conditions imposed on consent by appointed officer

6. 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.

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

Further written submissions

One or more hearing sessions

Site inspection

Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

[Empty rectangular box for explanation]

7. Site inspection

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

Can the site be viewed entirely from public land?

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

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Dear Sirs

On the 5th October 2019 I received information from my contractor that my application was refused. When I was analyzing all information about my application I noticed that person who was applied of my behalf made mistakes in the sketch, dimensions and did not inform your department that the whole fence will be removed.

Have you raised any matters which were not before the appointed officer at the time your application was determined?

Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

Explanation on additional page.

8.a. The new material is raising because I have to clarified mistakes made by my contractor. My explanation shows that my application meets the required criteria for obtaining planning permission. The attached map from The City of Edinburgh District Council Department of Economic Development and Estates year 1990 show that:

- there is more than 6 meters run in depth but still retain access to the path
- 3 meters wide for car and 1 meter for path (together 4 meters)
- there is enough space to avoid lamp post

8.b. I was sure that my contractor will present all the necessary details that will help in a positive decision, but unfortunately it did not happen. Maybe this is due to the many work performed and the heavy load of duties, which resulted in the presentation of incorrect details.

8.c. I believed that my explanation and materials provided can illustrate the situation and on this basis my application will be approved

Kind regards

Krzysztof Skierkowski

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

- 1 - Application
- 2 - Decision notice
- 3 - Report of handling
- 4 - Site plan made by contractor with mistakes
- 5 - 5x printing pictures shows the situation
- 6 - Property map from year 1990 with scale (Edinburgh District Council)
- 7 - Street Lighting Section decision.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

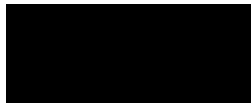
All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:



Name:

KRZYSZTOF SKIERKOUSK

Date:

01/12/2019

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.

EDINBURGH

THE CITY OF EDINBURGH COUNCIL

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 100175942-001

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)

Creation of new driveway into the front garden

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

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:

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:

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

Other Title:

Building Name:

First Name: *

Building Number:

Last Name: *

Address 1 (Street): *

Company/Organisation:

Address 2:

Telephone Number: *

Town/City: *

Extension Number:

Country: *

Mobile Number:

Postcode: *

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:

13 HYVOT BANK AVENUE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH17 8NH

Please identify/describe the location of the site or sites

Northing

668714

Easting

329072

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

previous application returned by Mr. Steven Leslie. Mr. Leslie kindly included guidance and some directions for new application

Title:

Mr

Other title:

First Name:

Steven

Last Name:

Leslie

Correspondence Reference Number:

19/02101/FUL

Date (dd/mm/yyyy):

06/05/2019

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

15.00

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)

front garden covered with turf and surrounded by fence

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.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? *

Yes No

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.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

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)? *

1

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).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? *

Yes No

Do your proposals make provision for sustainable drainage of surface water?? * (e.g. SUDS arrangements) *

Yes No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

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

Yes No Don't Know

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

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

Yes No Don't Know

Trees

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

Yes No

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

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? *

Yes No

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

not required, property bin are stored elsewhere

Residential Units Including Conversion

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

Yes No

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Bartosz Knuta

On behalf of: Mr Krzysztof Skierkowski

Date: 06/08/2019

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

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

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 Bartosz Knuta

Declaration Date: 06/08/2019

Payment Details

Online payment: [REDACTED]

Payment date: [REDACTED]

Created: 06/08/2019 12:05



Krzysztof Skierkowski <k.skierkowski1@gmail.com>

Driveway

2 messages

Colin Fairgrieve <[REDACTED]>

19 June 2019 at 12:58

To: "[REDACTED]"

Hi Krzysztof,

Further to my site visit today,

If you feel you can create your driveway without needing to get our street light moved ,then please go ahead with this,

Regards Colin

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Krzysztof Skierkowski [REDACTED]

19 June 2019 at 22:42

To: LOTHIAN PAVING COMMERCIAL [REDACTED]

[Quoted text hidden]

Paul Clarke - Business Support Officer - Business Support Services-Customer- Place-City of Edinburgh Council - [14 Bankhead Avenue](#) Edinburgh EH11 4HD - Telephone: 0131 458 8040- Fax: 0131 453 5188 - E:Mail: paul.clarke@edinburgh.gov.uk

[Quoted text hidden]

[Quoted text hidden]

Krzysztof Skierkowski [REDACTED]

11 June 2019 at 07:21

To: Street Lighting [REDACTED]

Dear Sir

Thank you for your email.

My telephone contact number is: [REDACTED]

KRZYSZTOF SKIERKOWSKI
13 Hyvots Bank Avenue
EDINBURGH
Midlothian
EH17 8NH

Kind regards

[Quoted text hidden]

Krzysztof Skierkowski

[Quoted text hidden]

Krzysztof Skierkowski [REDACTED]

10 June 2019 at 07:20

To: [REDACTED]

Dear Sirs

I am writing to you regards to my case. I am an owner of a flat 13 Hyvots Bank Avenue, Edinburgh EH17 8NH

I would like to make a parking space on the front of my property but there is placed a lamp, it is on the site of the entrance of the property.

I have applied to Edinburgh Council for Planning Permission and Footway Dropped Crossing.

Two weeks ago I have received a phone call from Edinburgh Council with message that they do not know what to answer because the lamp is located there and I need to contact to with you and ask about your opinion of this case. Is it possible if you can help me with this issue?

I have attached some pictures with dimensions to show you the lamp and my place. I have a question:

Do I have to move or make a special cover for this lamp?

I need your opinion regarding to this issue. I am not sure what is the procedure in this kind of situation.

Kind Regards

Krzysztof Skierkowski

[Quoted text hidden]

2 attachments

 **001.pdf**
823K

 **002.pdf**
710K

Street Lighting <[REDACTED]>

10 June 2019 at 08:52

To: Krzysztof Skierkowski [REDACTED]

Dear Mr Skierkowzski,

To allow the Street Lighting section to fully address your enquiry could you please provide them with a contact telephone number ?.

Yours sincerely,

Paul Clarke

Business Support Officer



Krzysztof Skierkowski <[redacted]>

Street Lighting Question

5 messages

Derek Roden <[redacted]>

30 May 2019 at 10:31

To: [redacted]

Dear Mr Skierkowski

Further to our meeting yesterday I have spoken to our Street Lighting section and they think that the lighting column may need to be resited. It is difficult to determine if this is possible until an Inspector can visit the site to inspect it. The best course of action would be to contact Street Lighting, explain what you are looking to do and request that they carry out an inspection to see if it is possible to resite the column to allow you to construct your driveway. Please note that if the column needs to be moved there would be a charge for this.

You should contact them via email on [redacted]

If you have any queries please call me on 0131 529 3720.

Regards

Derek Roden

South East Locality

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Krzysztof Skierkowski <[redacted]>

31 May 2019 at 15:56

To: Derek Roden <[redacted]>

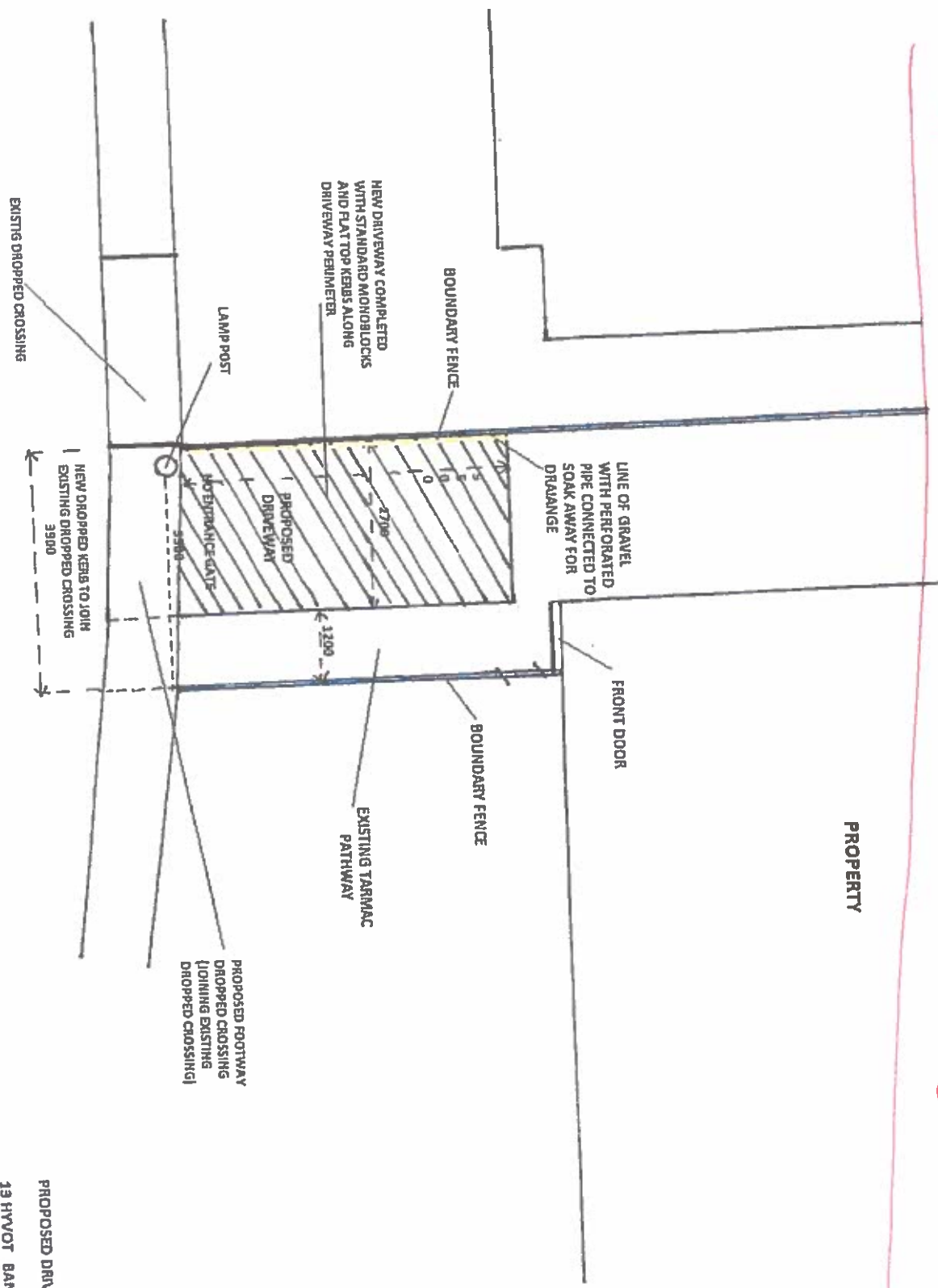
Dear Sir

Thank you for your email.

I would like to thank you very much for your invaluable help. I really appreciate it.

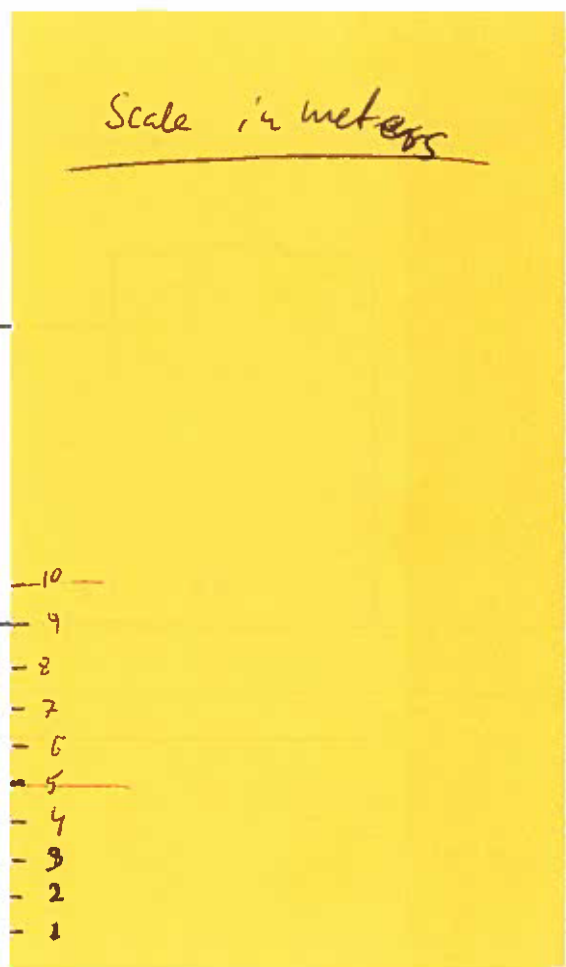
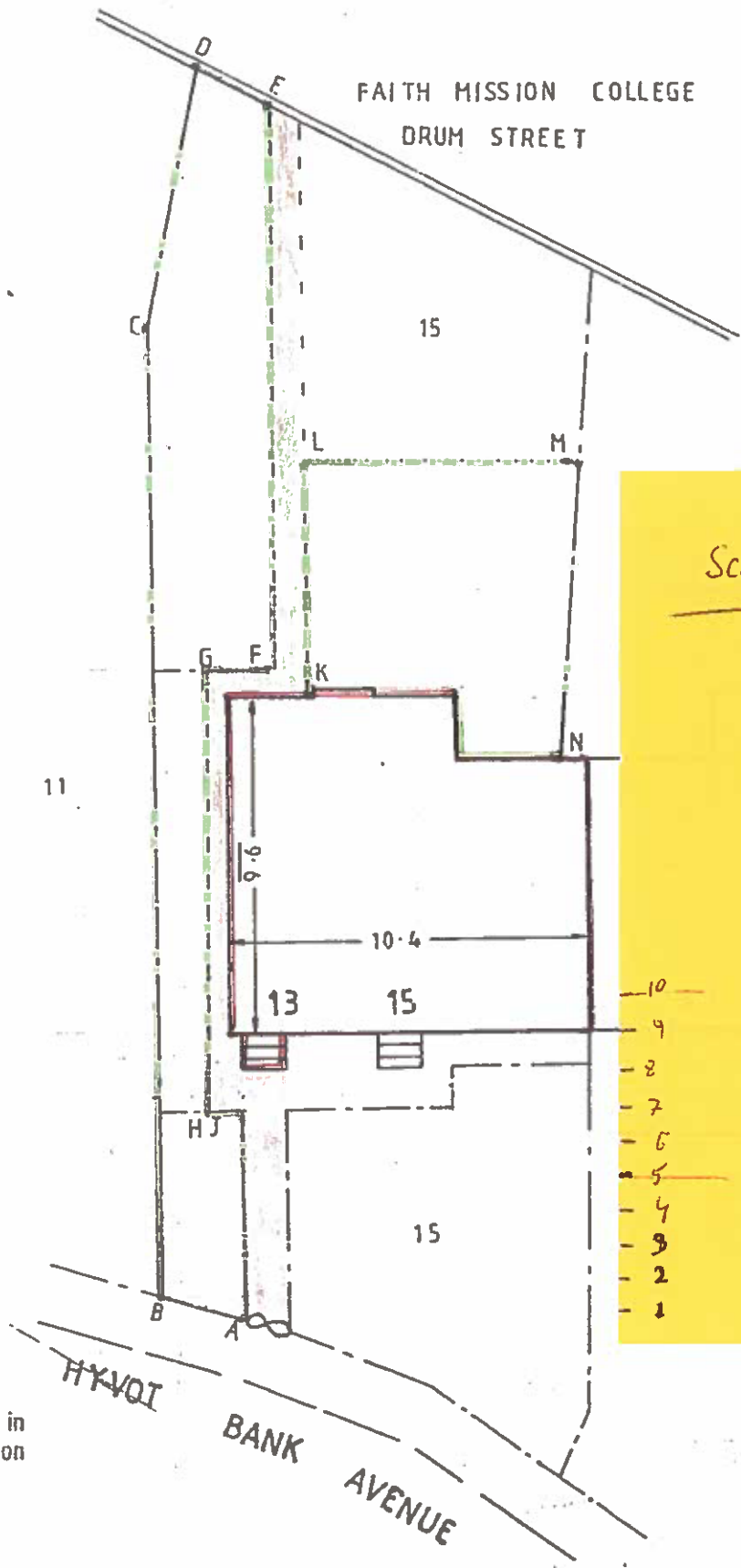
Kind regards

DRAFT WITH MISTAKES PROVIDED BY CONTRACTOR



PROPOSED DRIVEWAY
13 HYVOT BANK AVENUE
EDINBURGH
EH17 8NH
SCALE 1:100

Address: 13 Hyvoit Bank Avenue



This is the plan referred to in the foregoing Feu Disposition



Director of Administration



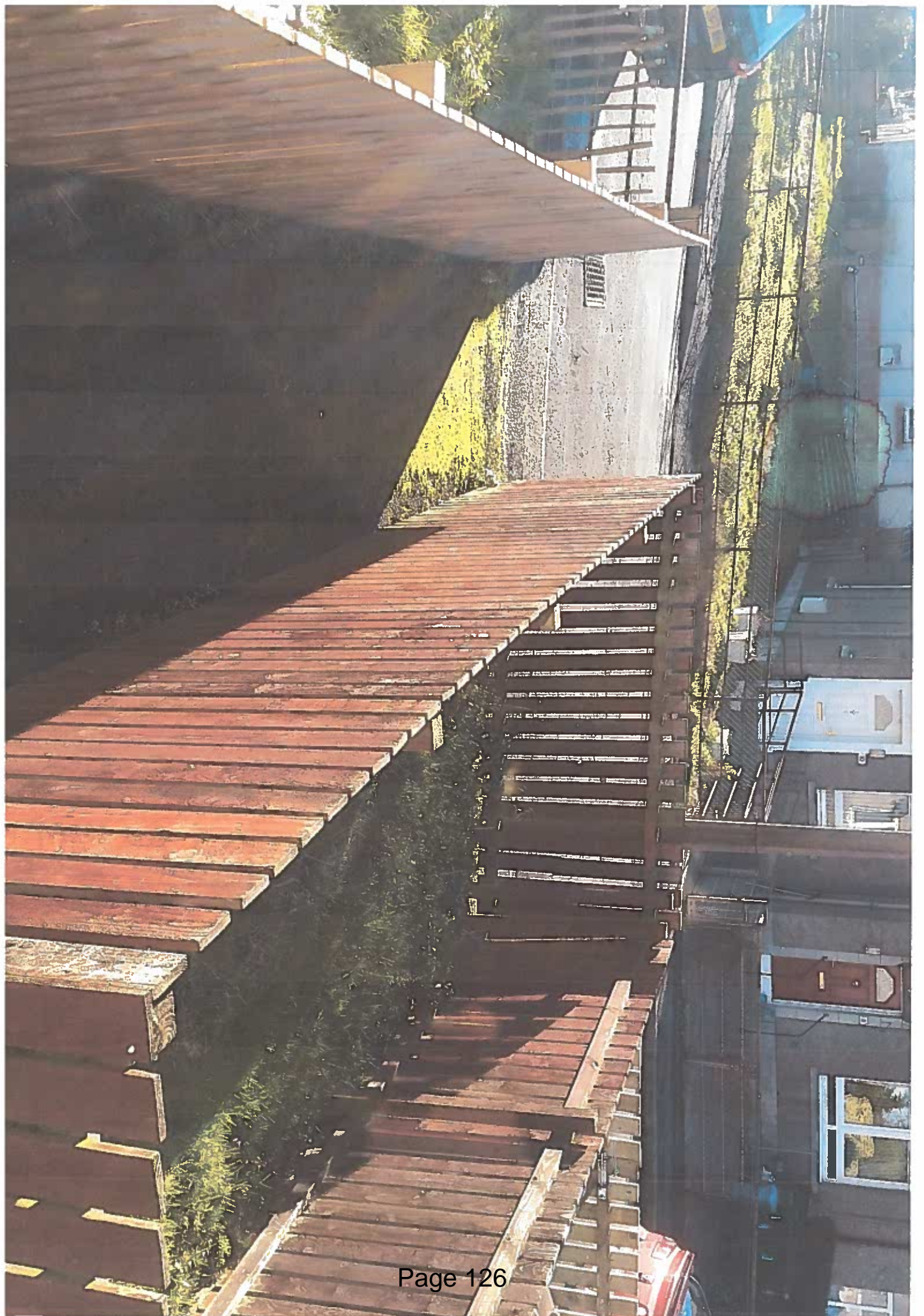
Surveyed By AH NR	Drawn By AH	Traced By AH
Drawing / Neg No CHS 6/ 90/1044		
Date 28/12/00	Checked By ML 91 0871	Scale 1:200

The City of Edinburgh District Council
 Department of Economic Development
 and Estates
 High Street Edinburgh EH 1 1GF
 Telephone 031 225 2424

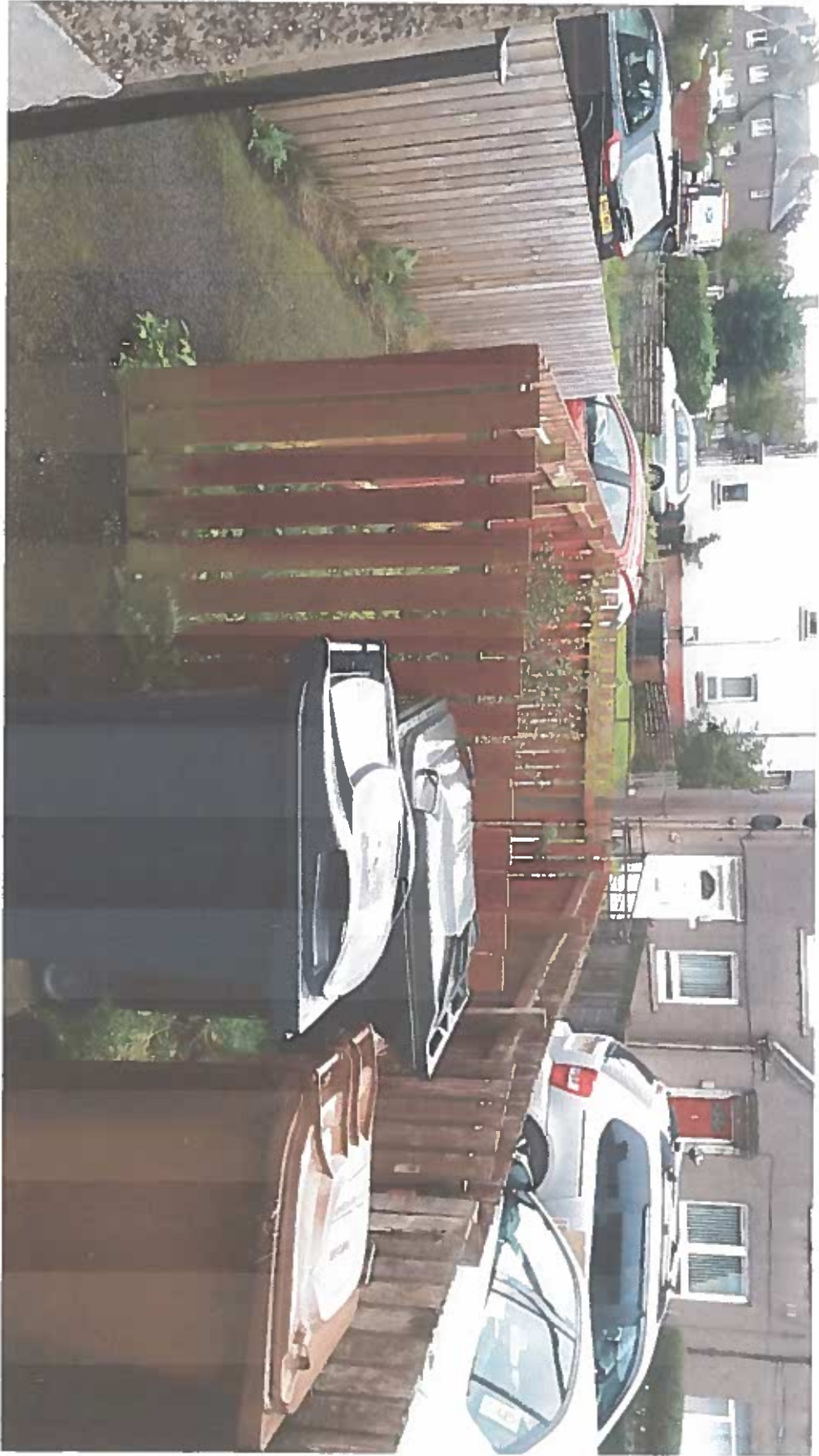












Neighbours Notified for 19/03726/FUL Date 22 August 2019



Location Plan

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14 Hyvot Bank Avenue Edinburgh EH17 8NJ

12 Hyvot Bank Avenue Edinburgh EH17 8NJ

8 Hyvot Bank Avenue Edinburgh EH17 8NJ

6 Hyvot Bank Avenue Edinburgh EH17 8NJ

4 Hyvot Bank Avenue Edinburgh EH17 8NJ

10 Hyvot Bank Avenue Edinburgh EH17 8NJ

27 Hyvot Bank Avenue Edinburgh EH17 8NH

25 Hyvot Bank Avenue Edinburgh EH17 8NH

23 Hyvot Bank Avenue Edinburgh EH17 8NH

21 Hyvot Bank Avenue Edinburgh EH17 8NH

548 Gilmerton Road Edinburgh EH17 7JD

4B Drum Street Edinburgh EH17 8QG

The Faith Mission College Unit 12 Drum StreetEdinburgh

19 Hyvot Bank Avenue EdinburghEH17 8NH

17 Hyvot Bank Avenue EdinburghEH17 8NH

15 Hyvot Bank Avenue EdinburghEH17 8NH

11 Hyvot Bank Avenue EdinburghEH17 8NH

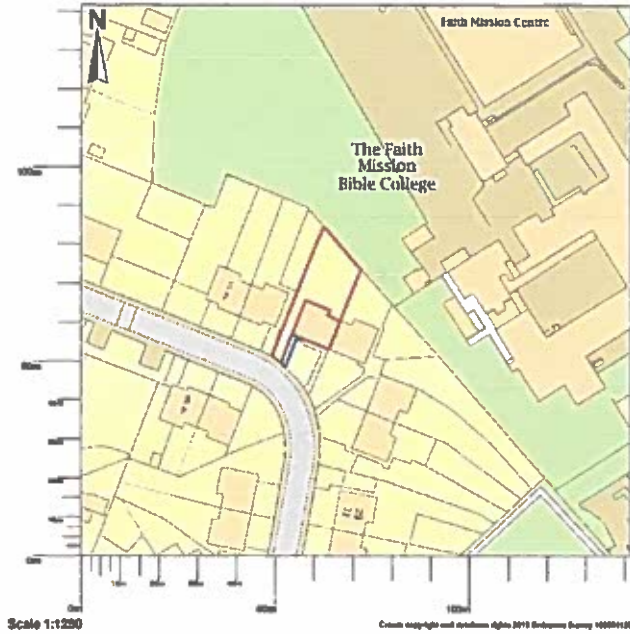
9 Hyvot Bank Avenue EdinburghEH17 8NH

7 Hyvot Bank Avenue EdinburghEH17 8NH

5 Hyvot Bank Avenue EdinburghEH17 8NH



13 Hyvots Bank Avenue, Edinburgh, EH17 8NH



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