

Notice of meeting and agenda

Planning Local Review Body (Panel 1)

10.00 am Wednesday, 10th March, 2021

Virtual Meeting – via Microsoft Teams

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

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 3 February 2021 – 7 - 20
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 21 - 24

6. Requests for Review

- 6.1** 47 Clovenstone Park, Edinburgh – Formation of new raised roof fitted with dormer windows and Velux rooflights – application no. 20/03303/FUL 25 - 50
- (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** 111 Corstorphine Road, Edinburgh – Cellar conversion of ground floor flat to form new residential property with side extension creating access – application no. 20/03482/FUL 51 - 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.
- 6.3** 86 (2F2) Leamington Terrace, Edinburgh – Replacement windows to front and rear – application no. 20/04866/FUL 133 - 164
- (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 1 (Design Quality)

and Context)

Edinburgh Local Development Plan Policy Des 4 (Development Design - Impact on Setting)

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

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

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

Edinburgh Local Development Plan Policy Hou 1 (Housing Development)

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

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

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

8. Non-Statutory Guidance

8.1 [Guidance for Householders](#)

[Edinburgh Design Guidance](#)

[The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal](#)

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

Andrew Kerr

Chief Executive

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.

This meeting of the LRB is being held virtually by Microsoft Teams.

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 3009, email sarah.stirling@edinburgh.gov.uk.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to the Council's online [Committee Library](#).

Live and archived webcasts for this meeting and all main Council committees can be viewed online by going to the Council's [Webcast Portal](#).

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

Minutes

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

10.00am, Wednesday 3 February 2021

Present: Councillors Mary Campbell, Griffiths, Mitchell, Mowat and Frank Ross (substituting for Councillor Gordon).

1. Appointment of Convener

Councillor Mary Campbell was appointed as Convener.

2. Minutes

To approve the minute of the Local Review Body (LRB Panel 1) of 16 September 2020 as a correct record.

3. Planning Local Review Body Procedure

Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted)

4. Request for Review – 40 Corslet Road, Currie.

Details were submitted of a request for a review for the refusal of planning permission for a first-floor extension to existing one and a half storey semi-detached dwelling at 40 Corslet Road, Currie. Application No. 20/04166/FUL.

Assessment

At the meeting on 3 February 2021, 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 01-13, Scheme 1, being the drawings shown under the application reference number 20/04166/FUL on the Council's Planning and Building Standards Online Services.

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

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

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

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 there were any other similar dwellings in the vicinity.
- There seemed to be a similar property on the junction with Muirwood Road, which would be within the area.
- That on this occasion LDP Policy Des 12 had been correctly applied, although there was some sympathy with the applicant.
- Although the proposed extension might improve the appearance of the building, this was insufficient to overturn decision by the Chief Planning Officer.

Having taken all the above matters into consideration, although there was some sympathy for the proposals, the LRB was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Chief Planning Officer.

Decision

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

Reasons for Refusal:

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

- 4) The proposals were contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they would impact on the existing building, neighbouring amenity and the neighbourhood character.

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

5. Request for Review – 12 Earliston Place, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the change of use from shop to 2 residential units at 12 Earliston Place, Edinburgh. Application No. 20/00760/FUL.

Assessment

At the meeting on 3 February 2021, 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 1-3, Scheme 1, being the drawings shown under the application reference number 20/00760/FUL on the Council's Planning and Building Standards Online Services.

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

The LRB in their 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 Env 4 (Listed Buildings - Alterations and Extensions)
Edinburgh Local Development Plan Policy LDP Policy Hou 1 (Housing Development)
Edinburgh Local Development Plan Policy LDP Policy Hou 5 (Conversion to Housing)
- 2) Relevant Non-Statutory Guidelines.
'Listed Buildings and Conservation Areas'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

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

Clarification was sought regarding the reasons for refusal and it was confirmed that the decision letter referred to two grounds for refusal; the listed building issue as well as the daylighting.

Clarification was sought regarding what was visible when looking through the westerly window on the front elevation. It was confirmed that the plans appeared to show a gap between the windows and the stairwell, the windows would probably open on to stairwell and the applicant might have “borrowed” light, from the stairwell into the lower ground floor flat. Therefore, there would probably not be an obstruction.

Having taken all the above matters into consideration, the LRB was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Chief Planning Officer.

Decision:

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

Reasons for Refusal:

- 1) The proposal was contrary to the Local Development Plan Policy Hou 5 in respect of Conversion to Housing, as the proposed basement level was unsuitable for residential use due to limited access to daylight.
- 2) The proposal was contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed windows would adversely affect the character of the listed building.

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

6. Request for Review – 39 Hutchison Medway, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the proposed 1 1/2 storey 3-bedroom house at 39 Hutchison Medway Edinburgh. Application No. 20/03877/FUL

Assessment

At the meeting on 3 February 2021, 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, 02, 03, 04, 05, 06, 07, Scheme 1, being the drawings shown under the application reference number 20/03877/FUL on the Council’s Planning and Building Standards Online Services.

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

The LRB in their 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 4 (Development Design - Impact on Setting)
 Edinburgh Local Development Plan Policy Des 5 (Development Design - Amenity)
 Edinburgh Local Development Plan Policy Hou 1 (Housing Development)
 Edinburgh Local Development Plan Policy Hou 3 (Private Green Space in Housing Development)
 Edinburgh Local Development Plan Policy Hou 4 (Housing Density)
 Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)
 Edinburgh Local Development Plan Policy Tra 3 (Private Cycle Parking)
- 2) Relevant Non-Statutory Guidelines.
 'Edinburgh Design Guidance'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

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:

- Clarification was sought regarding the height of the proposed building in comparison with the 2-storey building next door. It was advised that as the proposed building was one and a half storey, it would sit at a lower level.
- The applicant referred to three other applications for similar properties in the area. It was advised that although the applicant had included the addresses of the properties in the area, in a contextual sense, it was necessary to consider all applications on their own merits, taking into account the surrounding area.
- The application for 62 Fords Road was approved by the Panel in October 2017, 3 Eltringham Grove was approved in August 2020 and 2 Allan Park Crescent was approved by the Development Management Sub-Committee on 25.11 2020. However, the Eltringham Grove site was quite different to this application.
- The applicant owned the adjoining property, therefore, clarification was sought as to whether moving the boundaries could provide an acceptable garden area for both properties.
- Regarding the garden ground, it was difficult to know if moving buildings would work, it was necessary to consider what was being proposed. The Panel had to base their decision on the information available.

- It was possible that the garden space could be changed, but the proposals did not comply with LRB Policy Des 4.
- Some of the properties, with which comparisons were being made, were quite a distance away. The proposals represented an unacceptable impact on open space in this context.

Having taken all the above matters into consideration, the LRB was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Chief Planning Officer.

Decision

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

Reasons for Refusal:

- 1) The proposal was contrary to LDP policy Hou 1 as it was not a suitable site in the urban area for a new house.
- 2) The proposal was contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the position of the building on this side garden had an unacceptable impact on the spatial character and density of the area.
- 3) The proposal was contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form, position and spacing of the building was an incongruous addition in its surroundings that would have an unacceptable impact on the established character of the townscape.
- 4) The proposal was contrary to Edinburgh Local Development Plan Policy Des 5 as an insufficient amount of garden space would be provided for the amenity of 39 Hutchison Medway, which would unacceptably compromise the living conditions for occupiers of this existing property on the application site.

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

7. Request for Review – 59 North Gyle Loan, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the proposed 1 1/2 storey extension to the side, new dormers to 1st floor, single storey flat roof extension to the rear and re-tile existing roof in dark grey to match extension at 59 North Gyle Loan Edinburgh. Application No. 20/04212/FUL

Assessment

At the meeting on 3 February 2021, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

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

The plans used to determine the application were numbered 01, 02, 03, 04, 05, 06, Scheme 1, being the drawings shown under the application reference number 20/04212/FUL on the Council's Planning and Building Standards Online Services.

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

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

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

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 large hedge, encompassing the back garden and might conceal the rear part of the extension, but not the side part of the extension.
- This seemed to be a hedge along the rear boundary, but there was a solid line on the plans indicating a proposed 1.8m timber fence.
- Clarification was sought on whether the proposed 1.8 m boundary fence encompassed the entire property.
- It was confirmed that at the rear of the property, there would be 1.8 m high timber fence, reducing in height towards the front. The existing hedge was proposed to be removed.
- One of the reasons for refusal was that the proposed scale was discordant with the street. However, the north side of North Gyle Loan was composed of flats. It was necessary to determine the context of the street, as there seems to be mixture of types of properties in the surrounding area.
- The officer was referring to North Gyle Loan as the context of the street.
- Apparently, the proposals were harmful to character of the area, but this area was of a diverse nature and it was not obvious how its character was being disrupted.
- The proposals had no impact on the neighbours and there was sympathy for a resident wanting to increase the size of the property and to make the best use for their house for their family.

- The only concern was about the back of the building and it might be necessary to impose a condition to retain the hedge.
- According to permitted development rights, the fence could only be 1.0 m in height adjacent to a road, and should the applicant want a higher fence, an application for planning permission would be required. A condition to retain the existing hedge could be added.
- The appeal should be refused as the proposed extension would be very dominant and would represent a large increase in scale.

Having taken all the above matters into consideration, although one of the members thought the appeal should be refused, the LRB determined that the proposals were not contrary to Local Development Policy Des 12 (Alterations and Extensions) and the non-statutory guidelines on Guidance for Householders. The proposal in scale, form and position was not a particularly dominant addition, harmful to its character and appearance, additionally, the proposed scale was not discordant in the context of the street or harmful to the existing neighbourhood character.

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:

Conditions:

The proposed new 1.8m boundary fence with gate for rear garden access, identified as item 6 on drawing number 04 (your ref 2040-(PL)03), was not approved. The existing boundary hedge shown on drawing 02 (your ref 2040-(PL)01) should be retained.

Reasons:

In the interests of visual amenity for the area.

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)

Dissent

Councillor Mary Campbell requested that her dissent be recorded in respect of the above item.

8. Request for Review – 1 Sighthill Avenue, Edinburgh

Details were submitted of a request for a review submitted on behalf of Mr Chaudry for the refusal of planning permission for attic conversion incorporating dormer windows to front and side of property at 1 Sighthill Avenue Edinburgh, which was dealt with by the Chief Planning Officer under delegated powers. Application No. 20/03600/FUL

Assessment

At the meeting on 3 February 2021, 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 numbers 01, 02, 03, 04, 05, 06, 07, Scheme 1, being the drawings shown under the application reference number 20/03600/FUL on the Council's Planning and Building Standards Online Services.

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

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

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

Conclusions

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:

- Clarification was sought regarding a statement in the Report of Handling. The report also referred to the non-statutory Guidance for Householders, which was the primary document against which the proposals should be assessed, and it was clear that the statement referred to was a typing error.

- The applicant would have referred to the correct guidance and the non statutory guidance was very clear, the proposed side dormer was contrary to non statutory guidance.
- Clarification was sought as to whether the property's outlook over a dual carriageway would have an impact on how the panel considered the appeal.
- The main consideration was that a proposal was subservient to the building and the impact it had on the building, not the outlook of the property.
- Whether there had been discussions between the planners and applicant about only one of the dormers being problematical.
- The proposed attic conversion represented not a subtle intervention, but quite substantial alterations with a large amount of building activity on the top of the building.
- There were four properties in the block, therefore, permitted development rights did not apply and the proposed works would impact on neighbours and the block as a whole.
- The proposed front dormer was acceptable, but the scale, form and position of the side dormer was unacceptable.

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 scale, form and position of the side dormer failed to respect the established form of the existing property harmful to its character and appearance. It was an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The proposal was therefore contrary to Edinburgh Local Development Plan policy Des 12 (Alterations and Extensions) and the non-statutory guidance.

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

9. Request for Review – 20 Wester Coates Gardens

Details were submitted of a request for a review for the refusal of planning permission for alterations with conversion of attic and associated roof windows and dormer balcony at 20 Wester Coates Gardens. Application No. 20/04417/FUL

Assessment

At the meeting on 3 February 2021, 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 numbers 01 - 17, Scheme 1, being the drawings shown under the application reference number 20/04417/FUL on the Council's Planning and Building Standards Online Services.

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

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

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.

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

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

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

Edinburgh Local Development Plan Policy Env 6 (Conservation Areas – Development)

- 2) Relevant Non-Statutory Guidelines.

'Guidance for Householders'

'Listed Buildings and Conservation Areas'

- 3) The procedure used to determine the application.

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

Conclusion

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

- The property was in a conservation area, but not listed, therefore no listed building consent was required. The proposed dormer roof terrace was not so much a terrace as a large balcony.
- Regarding the privacy aspect, the other buildings seemed to be at some distance away, such as the property on Wester Coates Gardens which was 45 metres away.
- Whether privacy would be and an issue, especially when the trees were in full bloom.

- The distance was 11.5 metres from the balcony to the boundary, the property looked on to woodland, not other buildings, therefore, there were no major privacy issues.
- Clarification was sought as to whether the property immediately to the south, 19 Wester Coates Gardens, which was a multi- storey building with a significant roof terrace, was in the conservation area. It was confirmed that it was in the Conservation Area.
- The modern adjacent building in question had a wrap round balcony area, which was probably higher than the property being considered.
- The adjacent building also had considerable alterations and was located in a conservation area, and this should be taken into account when considering the character of the conservation area.
- The impact of the proposed works on the conservation area would be minimal, the small balcony would be screened, there would not be a privacy issue and it would not be detrimental to the character of the conservation area.
- The issue in question was about the quality of design for the area, rather than particular style of design. There has been large properties in the vicinity, which had been sub-divided.
- This was well-designed, was of sufficient quality of design and was not detrimental to the wider area. The only reservation was the use of glass for the balustrade.
- There were some concerns about compliance with non-statutory guidance, in relation to Listed Buildings and Conservation Areas, however, this was not a listed building, was only a small part of a conservation area and was on the corner of the street.

Having taken all the above matters into consideration, the LRB determined that the proposals were not contrary to the Local Development Plan Policies:

- 1) Des 12 in respect of Alterations and Extensions, as the proposal was compatible with the character of the property or the surrounding area.
- 2) Env 6 in respect of Conservation Areas - Development, as it could not be stated that the proposal failed to preserve or enhance the special 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:

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 is to commence. Failure to do so constituted a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
- (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)

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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
EH41 4EF

Mr George Aitken.
47 Clovenstone Park
Edinburgh
EH14 3BW

Decision date: 21 October 2020

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

Formation of new raised roof fitted with dormer windows and Velux rooflights
At 47 Clovenstone Park Edinburgh EH14 3BW

Application No: 20/03303/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 12 August 2020, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

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

Drawings 01-04, 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 application for development is not in accordance with the Edinburgh Local Development Plan as it does not comply with policies Des 12 (Alterations and Extensions) or the non-statutory Guidance for Householders. It would have an adverse impact on the appearance of the property and it is not compatible with the character of the area. There are no material considerations which outweigh this conclusion.

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

Should you have a specific enquiry regarding this decision please contact Luke Vogan directly at luke.vogan@edinburgh.gov.uk.

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 20/03303/FUL At 47 Clovenstone Park, Edinburgh, EH14 3BW Formation of new raised roof fitted with dormer windows and Velux rooflights

Item	Local Delegated Decision
Application number	20/03303/FUL
Wards	B02 - Pentland Hills

Summary

The application for development is not in accordance with the Edinburgh Local Development Plan as it does not comply with policies Des 12 (Alterations and Extensions) or the non-statutory Guidance for Householders. It would have an adverse impact on the appearance of the property and it is not compatible with the character of the area. There are no material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LDES12, NSG, 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 property is a two storey, semi-detached dwellinghouse. Previously consented works to extend the property have been completed. The rear of the property overlooks Clovenstone Gardens. Located within an established residential area, Kingsknowe Golf Club lies to the north and east of the property and Lanark Road lies to the south and east.

2.2 Site History

25.06.2008 Planning permission granted for the erection of a two storey extension to the side of the property (08/00561/FUL),

19.01.2012 Planning permission granted for the erection of a single storey porch and single storey extension to the front of the property (11/03752/FUL),

27.05.2015 Planning permission granted for the erection of a single storey extension to the rear of the property (15/01578/FUL).

Main report

3.1 Description Of The Proposal

The application proposes to raise the roof of the property and erect a total of three dormers, two to the front elevation and one large dormer to the rear elevation. Works also include the installation of four velux rooflights, one to the front elevation and three to the rear elevation.

The installation of velux rooflights benefit from permitted development rights under section 3 class 2B of the General Permitted Development Order 1992.

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, would accord with neighbourhood character and would preserve or enhance the character and appearance of the surrounding area;

b) Any impacts to neighbouring amenity are acceptable;

a) The ELDP policy Des 12 states:

"Planning permission will be granted for alterations and extensions to existing buildings which:

a) in their design and form, choice of materials and positioning are compatible with the character of the existing building

b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties

c) will not be detrimental to neighbourhood amenity and character"

Clovenstone Park and Clovenstone Gardens is a suburban area which forms part of the overall area of Clovenstone. The property is located on Clovenstone Park and the rear borders onto the public open green space of Cloventone Gardens. The property forms part of a cul-de-sac of properties at Clovenstone Gardens. The area benefits from a wealth of good quality open green spaces and borders onto Kingsknowe Golf Course.

The character of the cul-de-sac at Clovenstone Gardens can be defined as a collection of new build properties, primarily two storey properties, both semi-detached and detached, with modest gardens to the front and rear. There are two three storey flatted developments which occupy corner lots onto Clovenstone Park. The properties are all located around the communal green space and are all of a set design which creates a uniform quality within the appearance of the properties.

Due to the sloping topography, the properties along Clovenstone Park exemplify a stepped down design of the properties west to east. Therefore, the character of the roofscape can be defined as a stepped down roofscape. Given the location of the property at the bottom of the row of properties along Clovenstone Park, its ridge height is the lowest of the properties along the row.

The non-statutory Guidance for Householders (2019) states that:

'Development above the existing roof ridge will not be permitted.'

The proposed extension of the walls to the first floor and heightened roof would increase the ridge height of the property by 0.83 metres approximately. The proposed ridge height would surpass the ridge height of the neighbouring property (west) attached by 0.33 metres approximately. The proposed works would disrupt the existing roofscape and pattern to the detriment of the property and the area. These works would result a significant alteration to the scale, design and, form of the property and would have an adverse impact on the character of neighbouring properties, the roofscape of Clovenstone Park, the pattern of development and, the wider streetscape. This element of the proposal does not align with ELDP policy Des 12 criterion a) and c) and, the non-statutory Guidance for Householders and is therefore not acceptable.

The non-statutory Guidance for Householders states:

'On principal elevations a single dormer should be no greater in width than one third of the average roof width. If there are two or more dormers, their combined width should be less than 50% of the average width of the single roof plane on which they are located.'

The proposed erection of two dormer windows to the front elevation of the property have a combined width of 4.8 meters at their widest points approximately and therefore exceed 50% of the width of the roof plane which sits at 9.55 meters approximately. These dormers as proposed therefore do not align with the Guidance for Householders and are not acceptable.

The non-statutory Guidance for Householders states:

'On rear elevations which are not publicly visible or not readily visible from public viewpoints a larger dormer may be acceptable where this fits in with the character of the building and surrounding area.'

The proposed dormer to the rear elevation of the property measures 4.2 meters at its widest point, approximately 44% of the roof plane. Given the exposed location of the rear of the property, overlooking the open green space of Clovenstone Gardens and the cul-de-sac of properties, combined with insufficient screening in place to offset the public view to the rear of the property, the erection of a large dormer window of this scale does not align with the guidance for householders and is therefore not acceptable.

Given the absence of dormer window extensions to any of the properties located within the cul-de-sac of Clovenstone Gardens, the erection of dormer windows to the front and rear elevations of the property does not align with LDP policy Des 12 criterion a) and c). The proposed dormers would be out with the character of the host property, neighbouring properties and surrounding streetscape. The erection of the proposed dormers is therefore not acceptable.

The installation of velux rooflights benefit from permitted development rights under section 3 class 2B of the General Permitted Development Order 1992.

b) The proposal was assessed in terms of neighbouring residential amenity. The proposed development would have no adverse impact on daylighting, sun lighting or overshadowing to neighbouring properties. With regard to the proposed dormer window to the rear of the property, given the increased height of the roof and scale of the dormer, there is concern for overlooking to neighbouring rear gardens. This is accentuated given the lack of appropriate screening to neighbouring boundaries and introduction of windows at a height that would not be possible without extending the roof height. It is anticipated the rear dormer would create an adverse impact to neighbouring privacy amenity and is therefore not acceptable.

In conclusion, these works are considered to have a detrimental visual impact to the property and to the streetscape. There is likely to be an unacceptable impact to neighbouring privacy and therefore, the proposal does not accord with ELDP Policy Des 12, or the non-statutory Guidance for Householders. The proposed development is therefore not acceptable.

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

3.4 Conditions/reasons/informatives

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 Edinburgh Local Development Plan.

Date registered 12 August 2020

Drawing numbers/Scheme 01-04,
Scheme 1

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

Contact: Luke Vogan, Planning Officer
E-mail:luke.vogan@edinburgh.gov.uk

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 undertaken.

END

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100290659-003

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:	Arctec Build Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andrew	Building Name:	
Last Name: *	Dodds	Building Number:	4
Telephone Number: *	07715049752	Address 1 (Street): *	4
Extension Number:		Address 2:	The Maltings
Mobile Number:		Town/City: *	Haddington
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH41 4EF
Email Address: *	andrew.dodds1@btopenworld.com		

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="George"/>	Building Number:	<input type="text" value="47"/>
Last Name: *	<input type="text" value="Aitken"/>	Address 1 (Street): *	<input type="text" value="Clovenstone Park"/>
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="EH14 3BW"/>
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="47 CLOVENSTONE PARK"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH14 3BW"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="669508"/>	Easting	<input type="text" value="320652"/>
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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)

Formation of new raised roof fitted with dormer windows and Velux rooflights

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 supporting attached document

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)

Planning Decision Notice LRB Supporting Statement Plans and Elevations as Existing Plans and Cross Section as Proposed Elevations as Proposed

Application Details

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

20/03303/FUL

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

12/08/2020

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

21/10/2020

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Andrew Dodds

Declaration Date: 14/01/2021

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

Mr George Aitken.
47 Clovenstone Park
Edinburgh
EH14 3BW

Decision date: 21 October 2020

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

Formation of new raised roof fitted with dormer windows and Velux rooflights
At 47 Clovenstone Park Edinburgh EH14 3BW

Application No: 20/03303/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 12 August 2020, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

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

Drawings 01-04, 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 application for development is not in accordance with the Edinburgh Local Development Plan as it does not comply with policies Des 12 (Alterations and Extensions) or the non-statutory Guidance for Householders. It would have an adverse impact on the appearance of the property and it is not compatible with the character of the area. There are no material considerations which outweigh this conclusion.

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

Should you have a specific enquiry regarding this decision please contact Luke Vogan directly at luke.vogan@edinburgh.gov.uk.

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.

Formation of new raised roof fitted with dormer windows and Velux rooflights

47 Clovenstone Park Edinburgh EH14 3BW

NOTICE OF REVIEW APPLICATION, FOLLOWING EARLIER REFUSAL OF PLANNING APPLICATION REF 20/03303/FUL

We hereby submit an application for an LRB review of the above Planning Application, which was refused Planning permission on 21st October 2020.

The application sought consent to create a new uniform pitched roof over the existing house and current side extension, created at a raised level to the existing roof and fitted with dormer windows to front and rear, together with Velux rooflights.

We would hereby request that the following points are taken into consideration when the review is carried out: -

1. There were no objections to the Planning Application from adjoining neighbours.
2. Reference in the Planning Report is made to there not being any other dormer windows within the streetscape. Whilst this is the case, we do not consider this a reasoning to prevent the creation of dormers in this instance, as in all cases 'someone has to be the first'
3. The overall size of the dormers to the frontage is a very small percentage over the 50% guidance figure stated in non-statutory Guidance for Householders. This size could have been adjusted accordingly if requested to bring within the guidance percentage.
4. The dormer to the rear again could have been reduced in overall width to bring within / very close to the non-statutory Guidance for Householders, should this have been requested.
5. The Overall variation to the roof height simply reverses the current stepped roof arrangement. The current neighbouring house roof is stepped circa 500mm higher than the application property. By raising the roof in this instance, the step simply reverses. Whilst we acknowledge the Planning Officer's report which outlines the step downs to the current house are due to the topography of the ground levels, it is considered by this part of the street there is very little change in level of the ground and thus the continuing of the lowering roof proposals are not essential.
6. As part of the Planning Application it was suggested that the proposed roof could be lowered slightly from what shown on the submitted drawings, which is still also an option. This would have reduced the overall increase in height of the proposed roof.
7. The applicant has invested a considerable amount within the property to date. They have lived in this property since newly built, with their entire family settled in the area. They do however require additional bedroom accommodation for their family requirements and this is the reasoning that the loft conversion was essential to them.
8. The conversion simply cannot be achieved within the current roof height constraints and thus the reasoning the applicant is prepared to invest significantly further into the property to create the revised roof, allowing the new bedroom accommodation to be created.

It is hoped that the above points will be taken into consideration when the review is carried out.

ARCTEC BUILD LTD

Proposal Details

Proposal Name	100290659
Proposal Description	Revised Roof over dwelling house with dormers to front and rear
Address	47 CLOVENSTONE PARK, EDINBURGH, EH14 3BW
Local Authority	City of Edinburgh Council
Application Online Reference	100290659-003

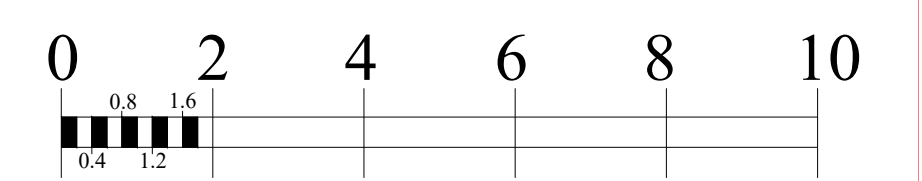
Application Status

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

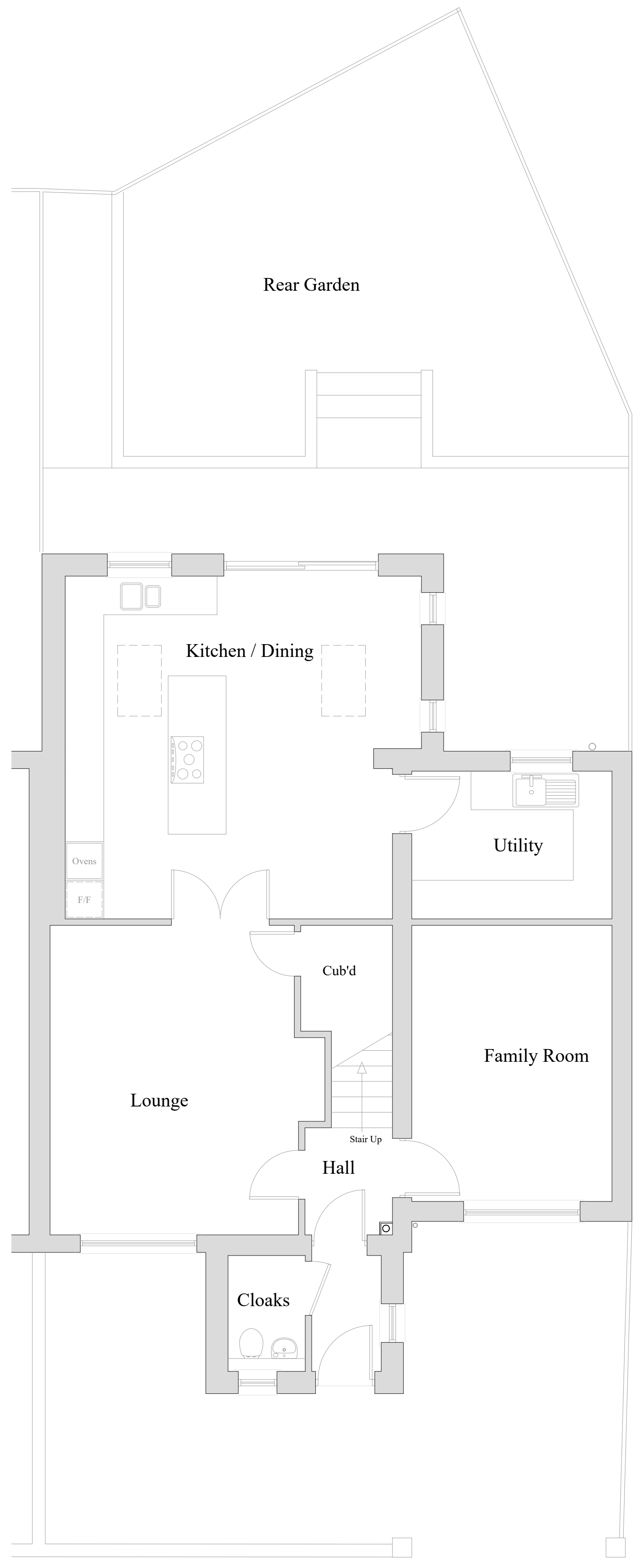
Attachment Details

Notice of Review	System	A4
20-03303-FUL	Attached	Not Applicable
LRB Supporting Statement	Attached	Not Applicable
25411-20B	Attached	A1
25411-21B	Attached	A1
25411-22A	Attached	A1
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-003.xml	Attached	A0

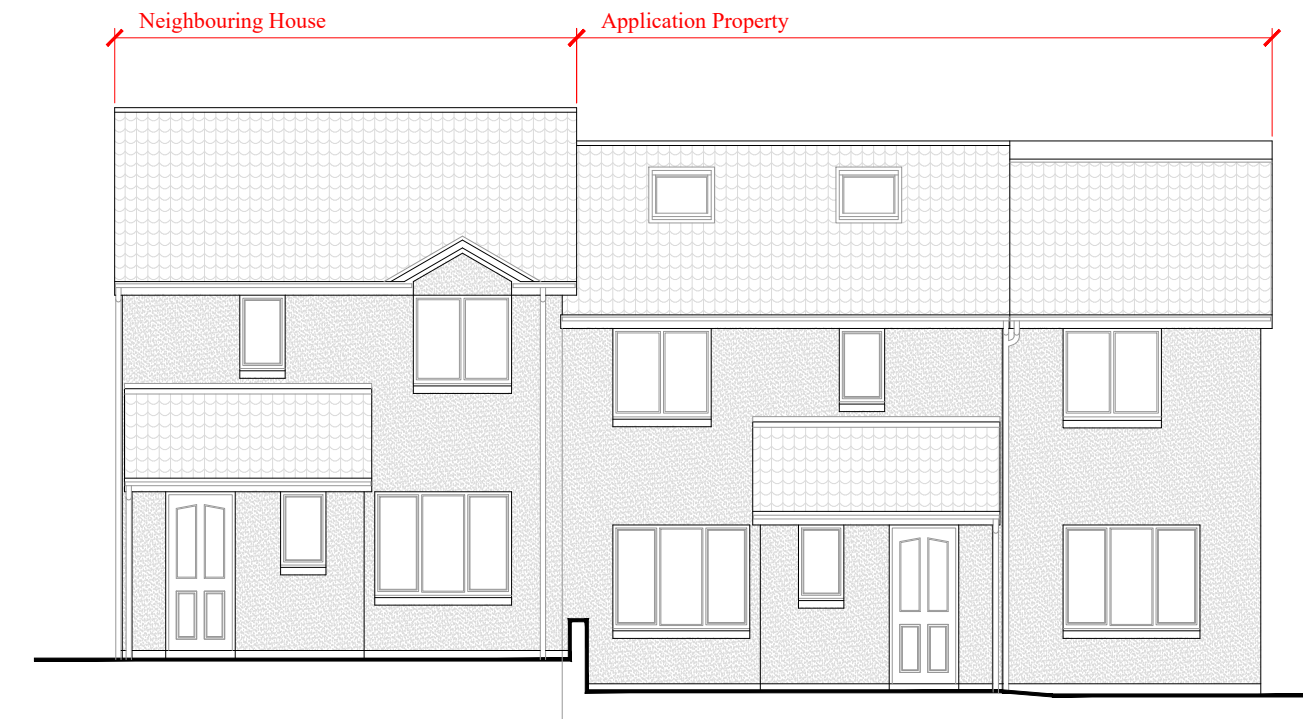
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All dimensions to be checked on site.
Any discrepancy to be notified immediately.



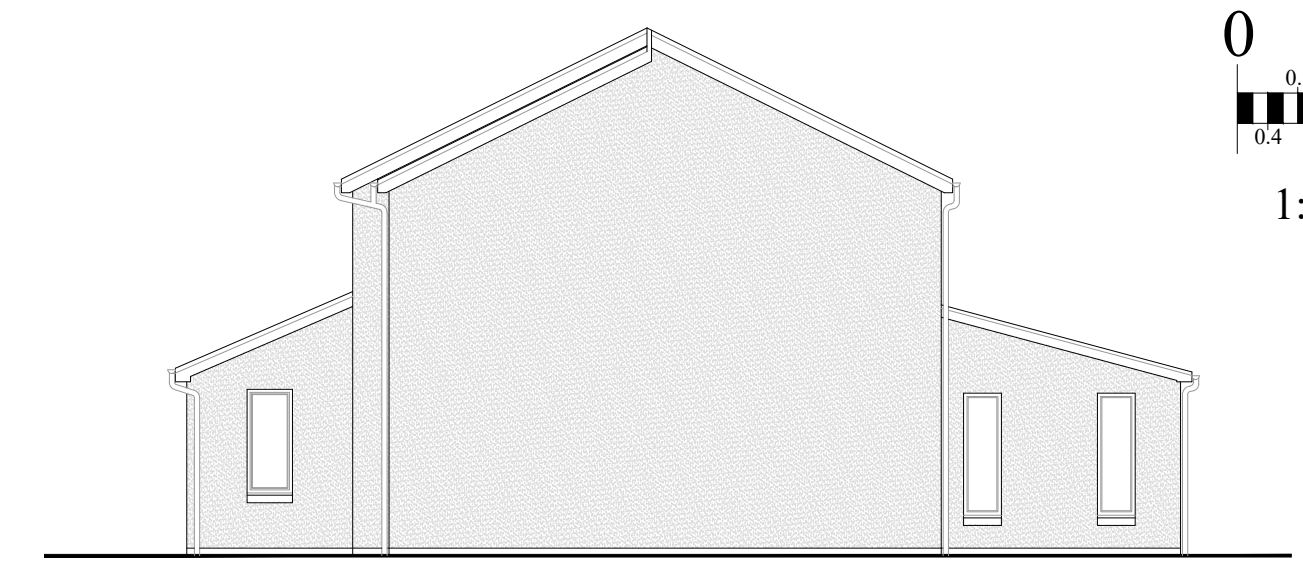
1:100 SCALE BAR



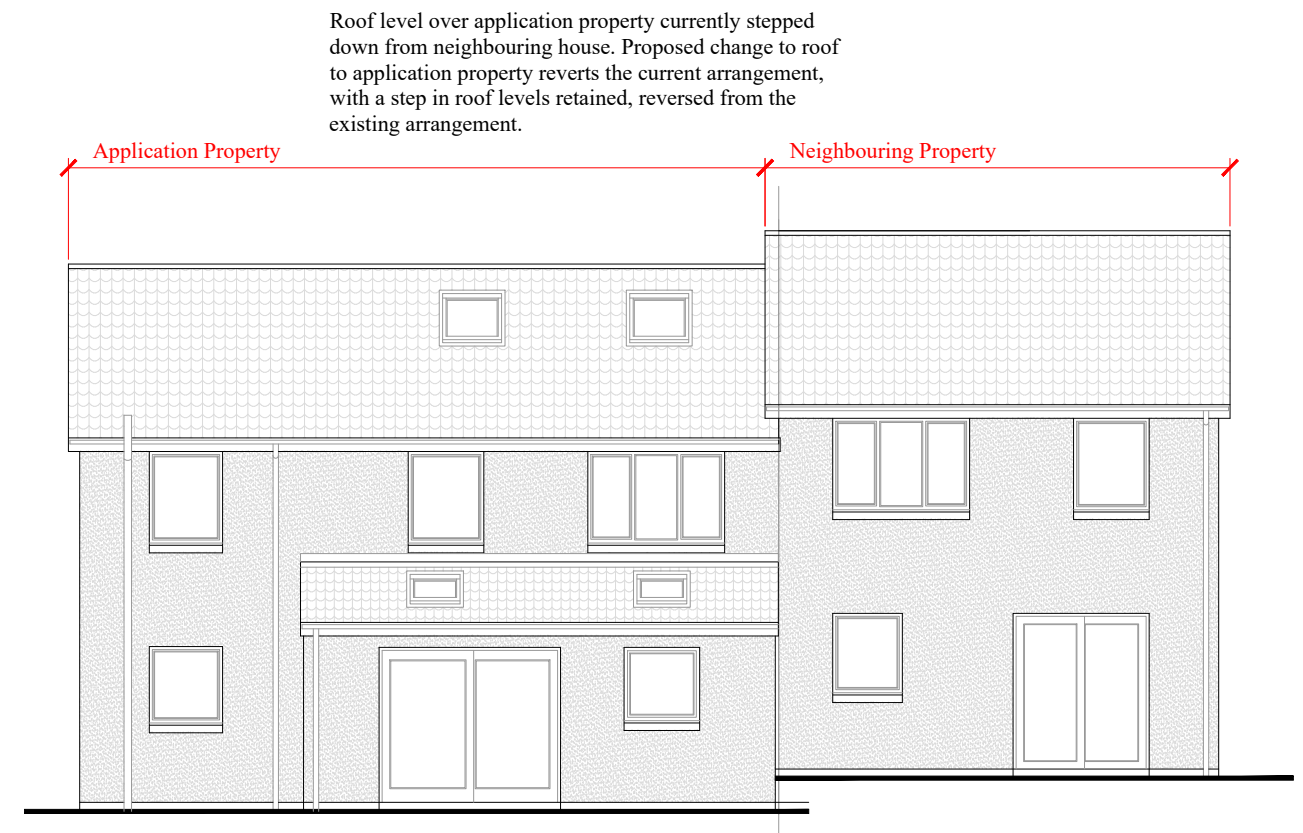
1:50 GROUND FLOOR PLAN AS EXISTING



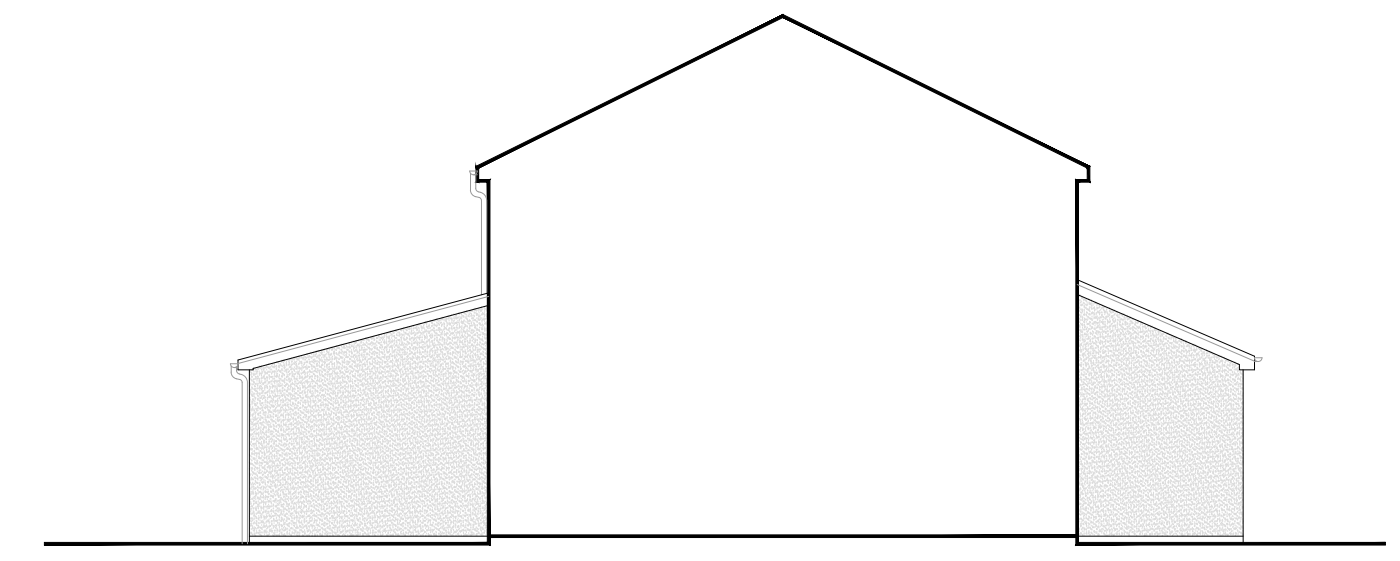
1:100 FRONT ELEVATION AS EXISTING



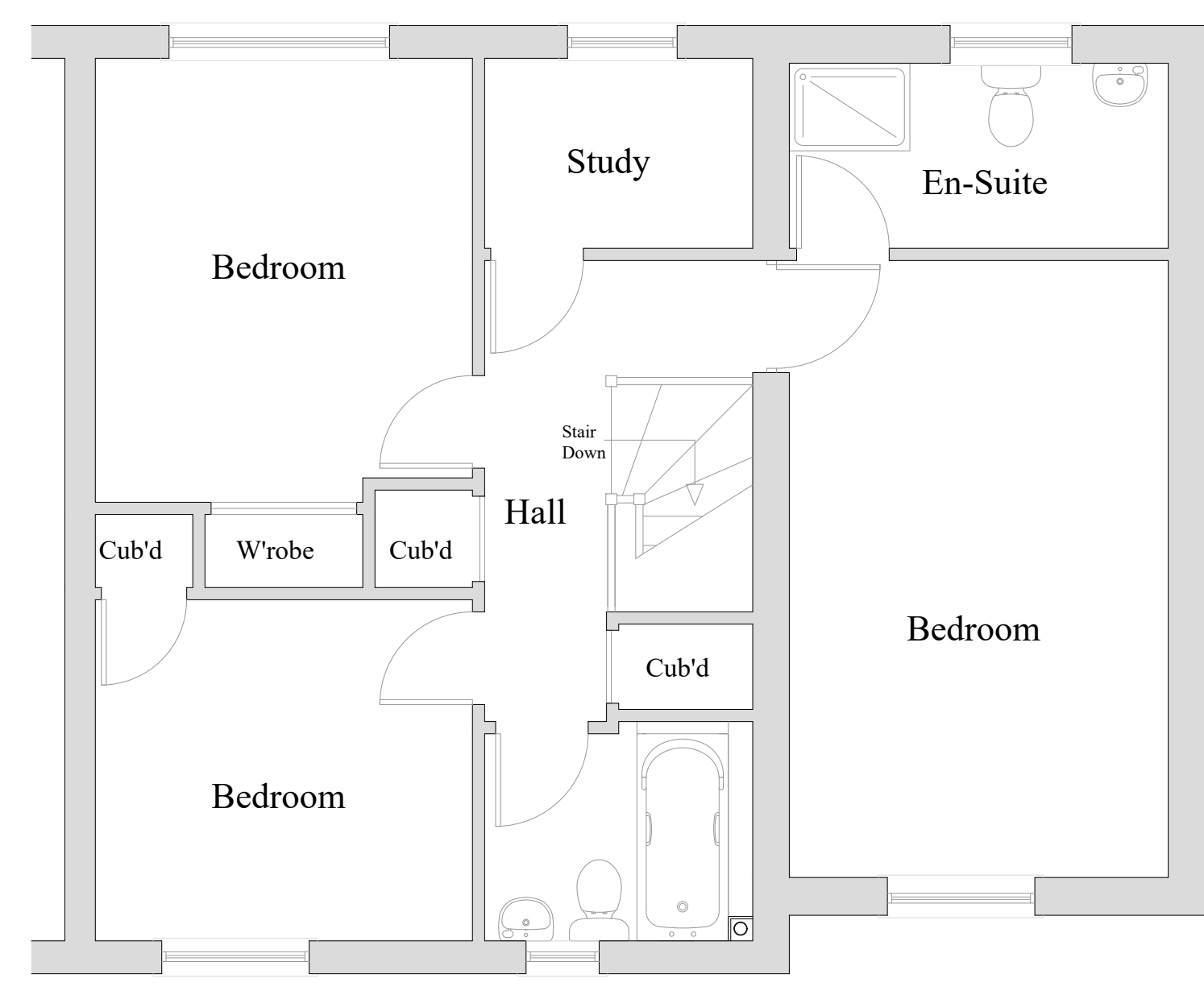
1:100 SIDE ELEVATION AS EXISTING



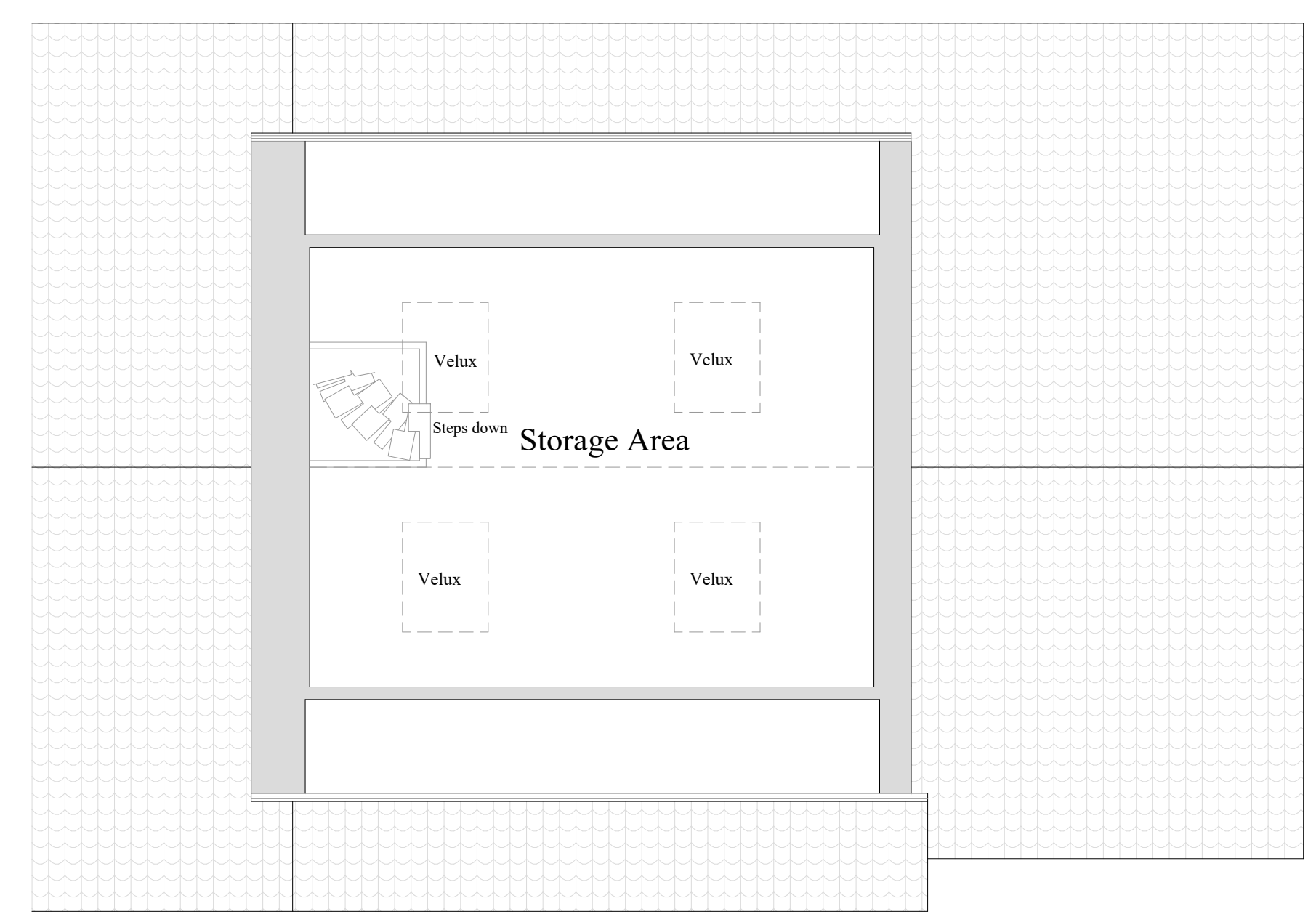
1:1000 REAR ELEVATION AS EXISTING



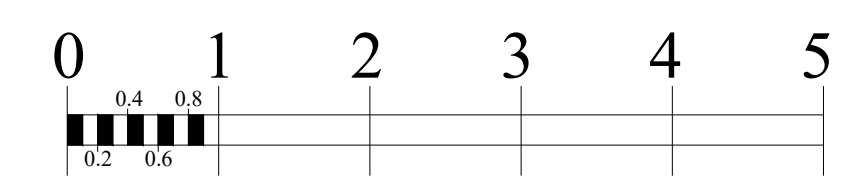
1:100 SIDE ELEVATION AS EXISTING



1:50 FIRST FLOOR PLAN AS EXISTING



1:50 ROOFSPACE FLOOR PLAN AS EXISTING



1:50 SCALE BAR

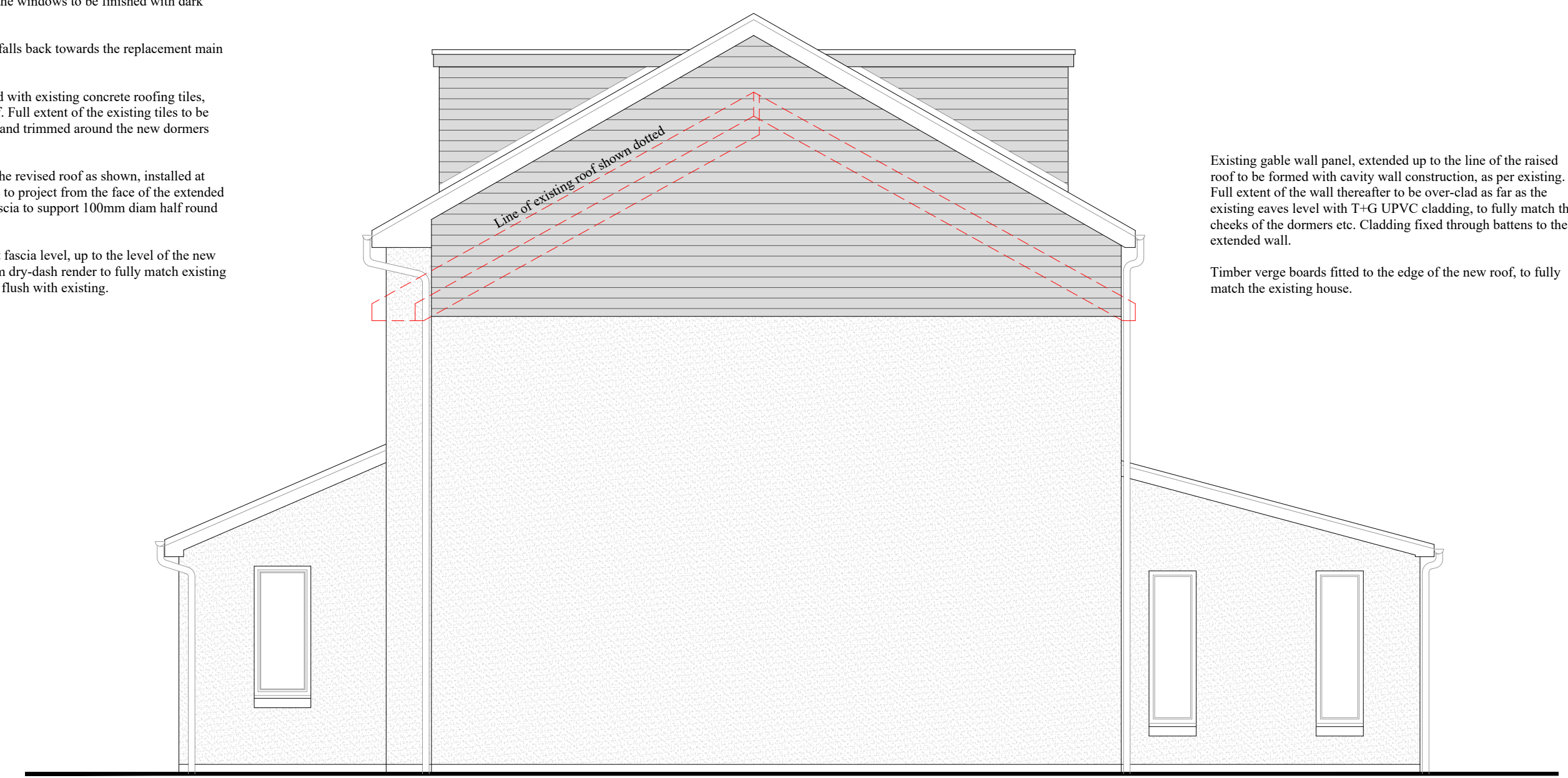
<p>Alterations to Dwelling House at 47 Clovenstone Park, Edinburgh for Mr George Aitken</p>		<p>ARCTEC BUILD LTD ANDREW DODDS 4 The Maltings Haddington EAST LOTHIAN EH41 4EP Tel - 01620 820960 Mob. 07715 049752 Andrew.dodds1@btopenworld.com</p>
<p>Existing Floor Plans and Elevations</p>		
1:50	1:100	25411 - 20
Aug 20		

No dimensions to be scaled from drawing.
All dimensions to be checked on site.
Any discrepancy to be notified immediately.



1:50 FRONT ELEVATION AS PROPOSED

2 No dormers to the front elevation to be fitted with white UPVC framed windows. Window to be formed with tilt and turn opening casements.
Full extent of dormers around the windows to be finished with dark grey UPVC cladding boards.
Flat roof over dormers, laid to falls back towards the replacement main pitched roof.
New pitched roof to be finished with existing concrete roofing tiles, removed from the existing roof. Full extent of the existing tiles to be refitted to the revised roof, cut and trimmed around the new dormers and rooflights.
Timber fascia boards fitted to the revised roof as shown, installed at raised level. New fascia boards to project from the face of the extended wall to match existing. New fascia to support 100mm diam half round UPVC gutters.
Extended wall from the current fascia level, up to the level of the new fascia to be finished with 18mm dry-dash render to fully match existing house. All new render finished flush with existing.

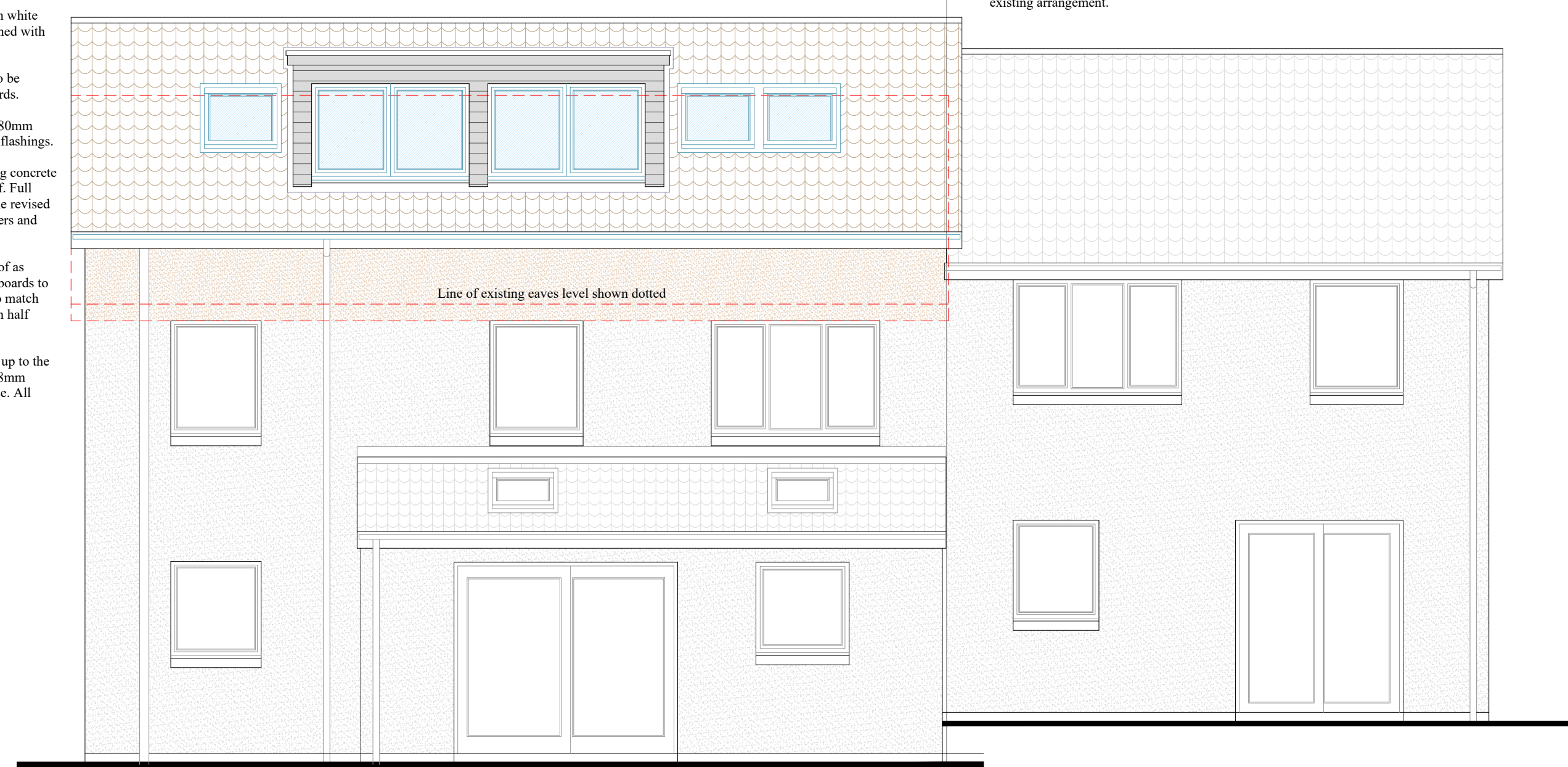


1:50 SIDE ELEVATION AS PROPOSED

Existing gable wall panel, extended up to the line of the raised roof to be formed with cavity wall construction, as per existing. Full extent of the wall thereafter to be over-clad as far as the existing eaves level with T+G UPVC cladding, to fully match the checks of the dormers etc. Cladding fixed through battens to the extended wall.
Timber verge boards fitted to the edge of the new roof, to fully match the existing house.

Page 48

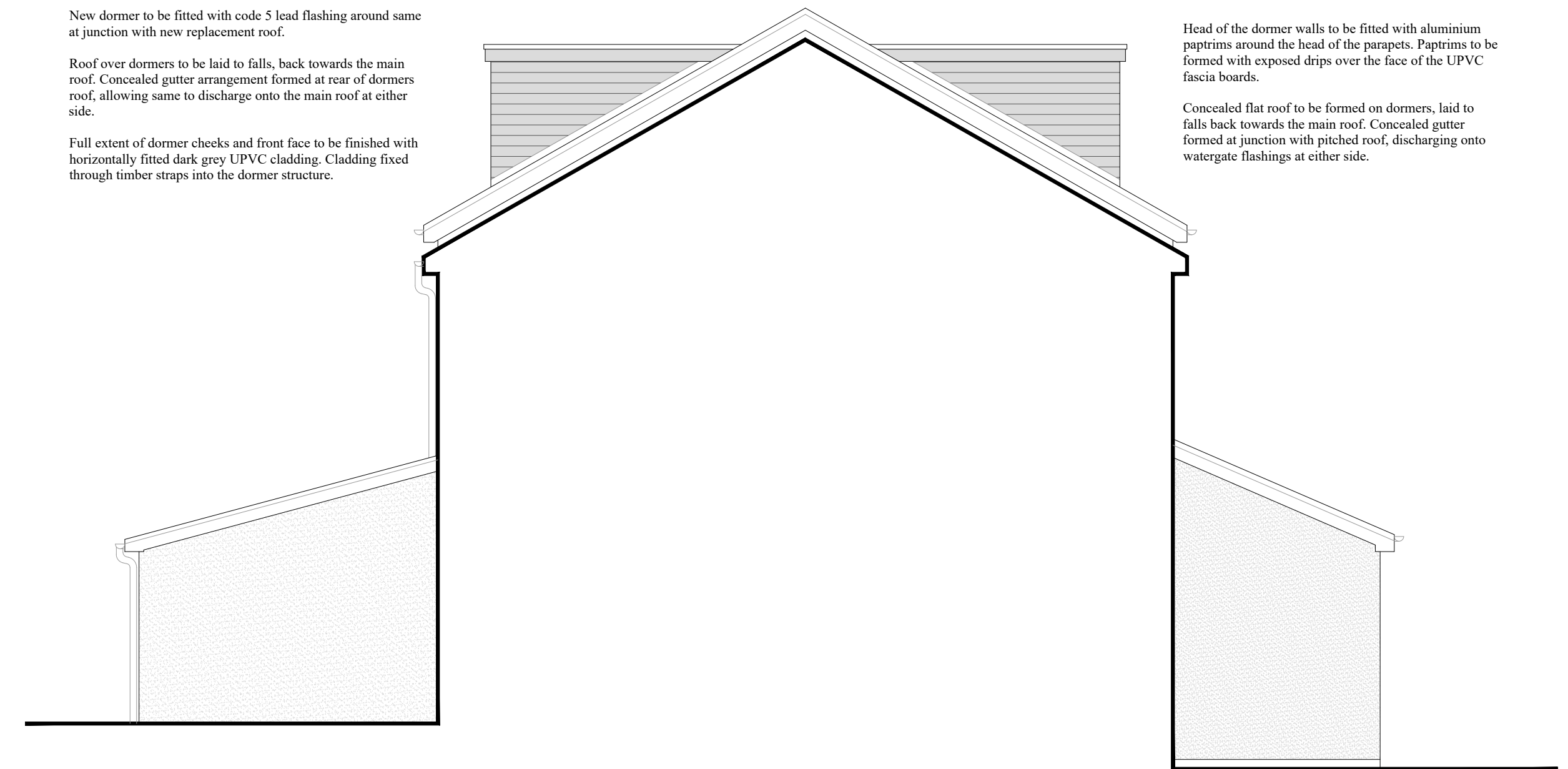
Dormer to the rear elevation to be fitted with white UPVC framed windows. Window to be formed with tilt and turn opening casements.
Full extent of dormer around the windows to be finished with dark grey UPVC cladding boards.
Rear pitch of roof to be fitted with 780 x 1180mm Velux rooflights, installed with flush fitting flashings.
New pitched roof to be finished with existing concrete roofing tiles, removed from the existing roof. Full extent of the existing tiles to be refitted to the revised roof, cut and trimmed around the new dormers and rooflights.
Timber fascia boards fitted to the revised roof as shown, installed at raised level. New fascia boards to project from the face of the extended wall to match existing. New fascia to support 100mm diam half round UPVC gutters.
Extended wall from the current fascia level, up to the level of the new fascia to be finished with 18mm dry-dash render to fully match existing house. All new render finished flush with existing.



1:50 REAR ELEVATION AS PROPOSED

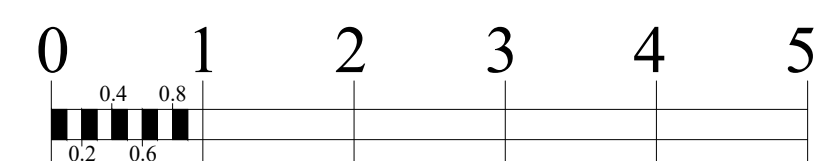
Roof level over application property currently stepped down from neighbouring house. Proposed change to roof to application property reverts the current arrangement, with a step in roof levels retained, reversed from the existing arrangement.

New dormer to be fitted with code 5 lead flashing around same at junction with new replacement roof.
Roof over dormers to be laid to falls, back towards the main roof. Concealed gutter arrangement formed at rear of dormers roof, allowing same to discharge onto the main roof at either side.
Full extent of dormer checks and front face to be finished with horizontally fitted dark grey UPVC cladding. Cladding fixed through timber straps into the dormer structure.



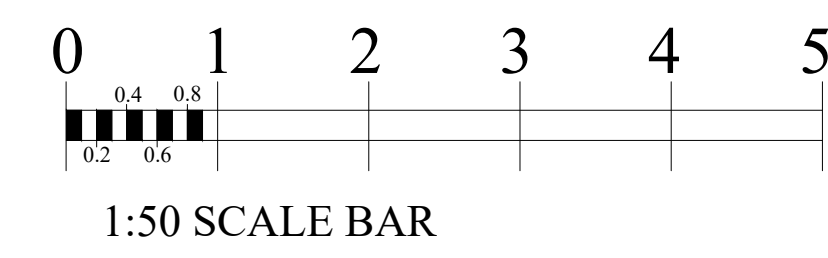
1:50 SIDE ELEVATION AS PROPOSED

Head of the dormer walls to be fitted with aluminium paptrims around the head of the parapets. Paptrims to be formed with exposed drips over the face of the UPVC fascia boards.
Concealed flat roof to be formed on dormers, laid to falls back towards the main roof. Concealed gutter formed at junction with pitched roof, discharging onto watergate flashings at either side.



1:50 SCALE BAR

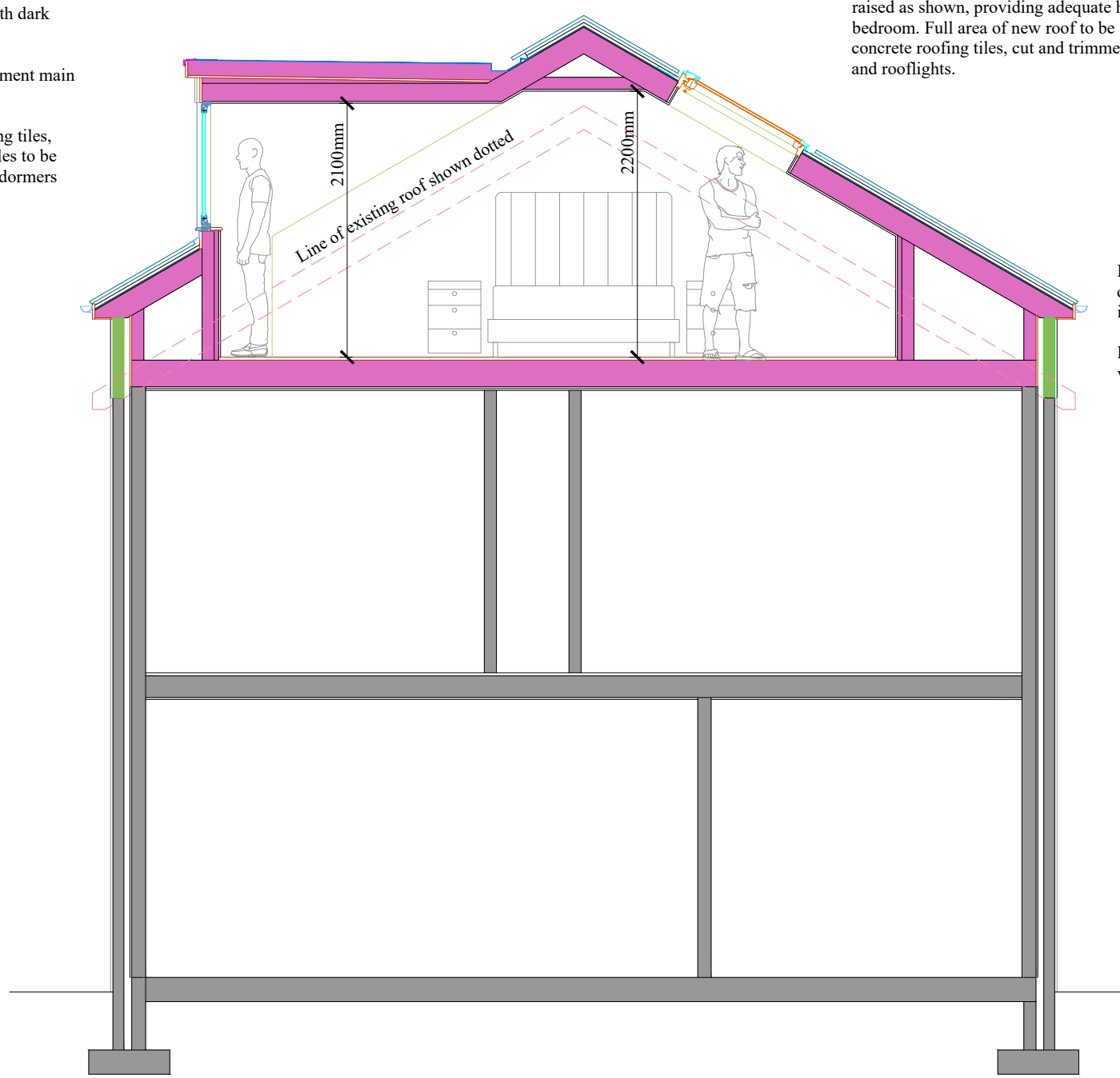
Alterations to Dwelling House at 47 Clovenstone Park, Edinburgh for Mr George Aitken		ARCTEC BUILD LTD ANDREW DODDS 4 The Maltings Haddington EAST LOTHIAN EH41 4EP Tel: 01620 820960 Mob: 07715 049752 Andrew.dodds1@btopenworld.com
Proposed Elevations		
1:50	25411 - 21	B
Aug 20		



No dimensions to be scaled from drawing.
All dimensions to be checked on site.
Any discrepancy to be notified immediately.

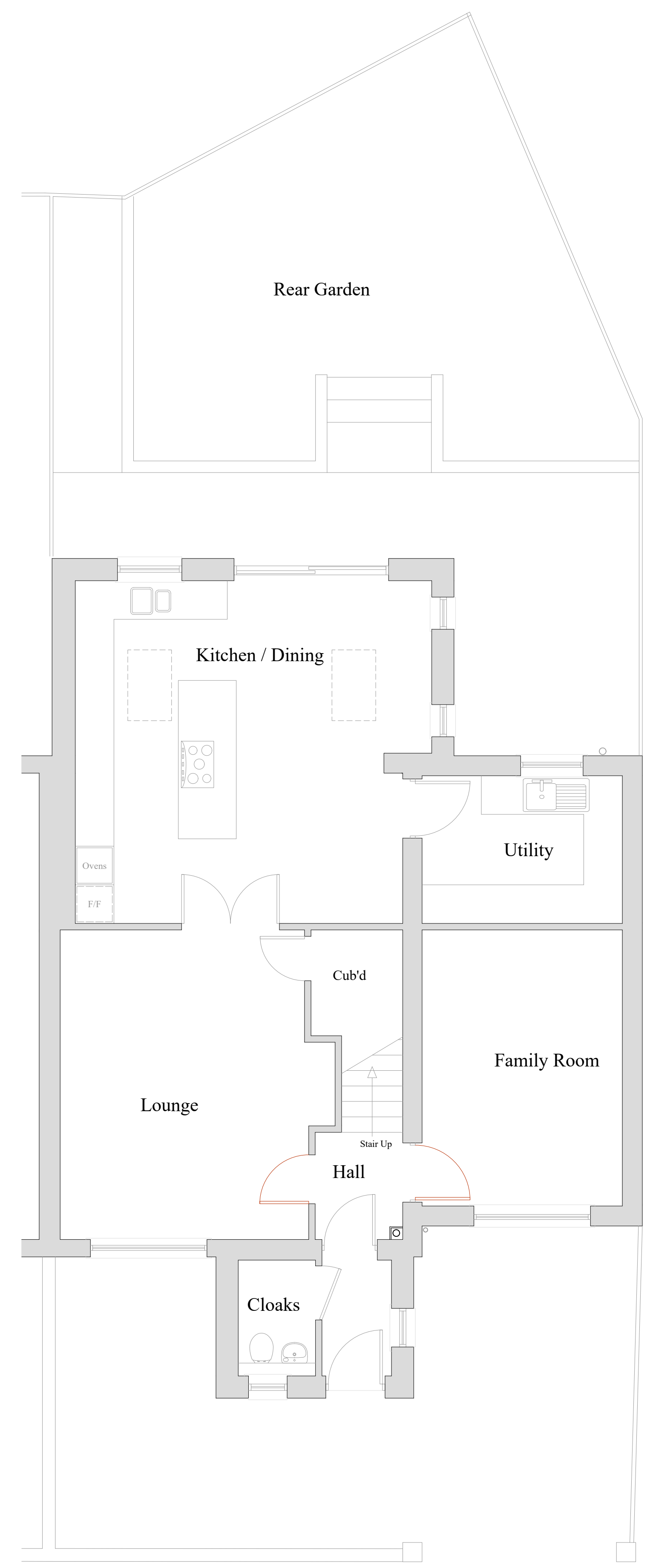
2 No dormers to the front elevation to be fitted with white UPVC framed windows. Window to be formed with tilt and turn opening casements.
Full extent of dormers around the windows to be finished with dark grey UPVC cladding boards.
Flat roof over dormers, laid to falls back towards the replacement main pitched roof.
New pitched roof to be finished with existing concrete roofing tiles, removed from the existing roof. Full extent of the existing tiles to be refitted to the revised roof, cut and trimmed around the new dormers and rooflights.

New replacement roof installed over existing house. New roof formed at exact same angle the existing roof. Level of new roof raised as shown, providing adequate headroom to roofspace bedroom. Full area of new roof to be finished using existing concrete roofing tiles, cut and trimmed around the new dormers and rooflights.

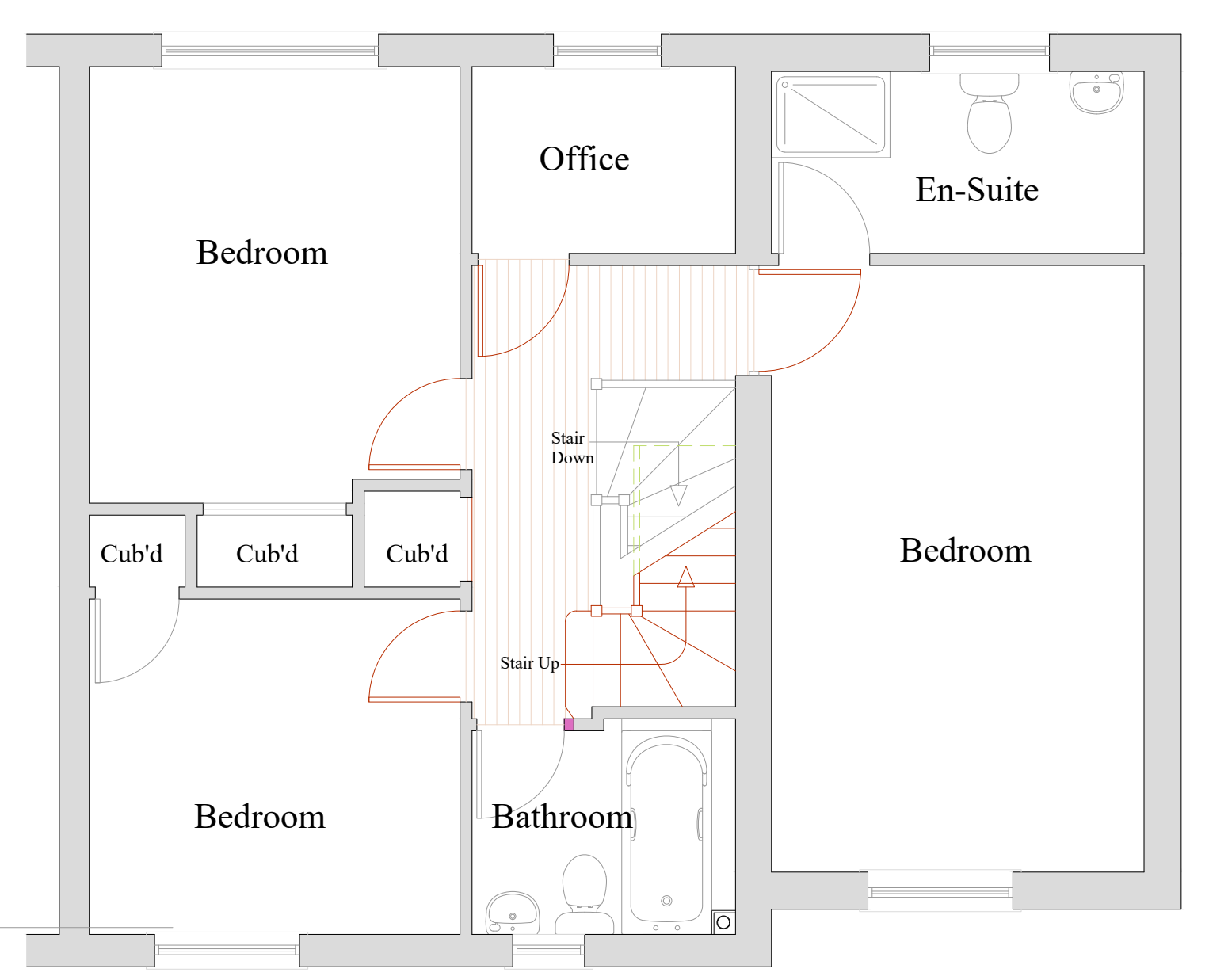


Eaves level of new roof to be raised as indicated. Full details of new eaves etc. to remain fully as per existing, raised to increased level.
External wall to be built up with concrete masonry and finished with dry-dash render to match existing.

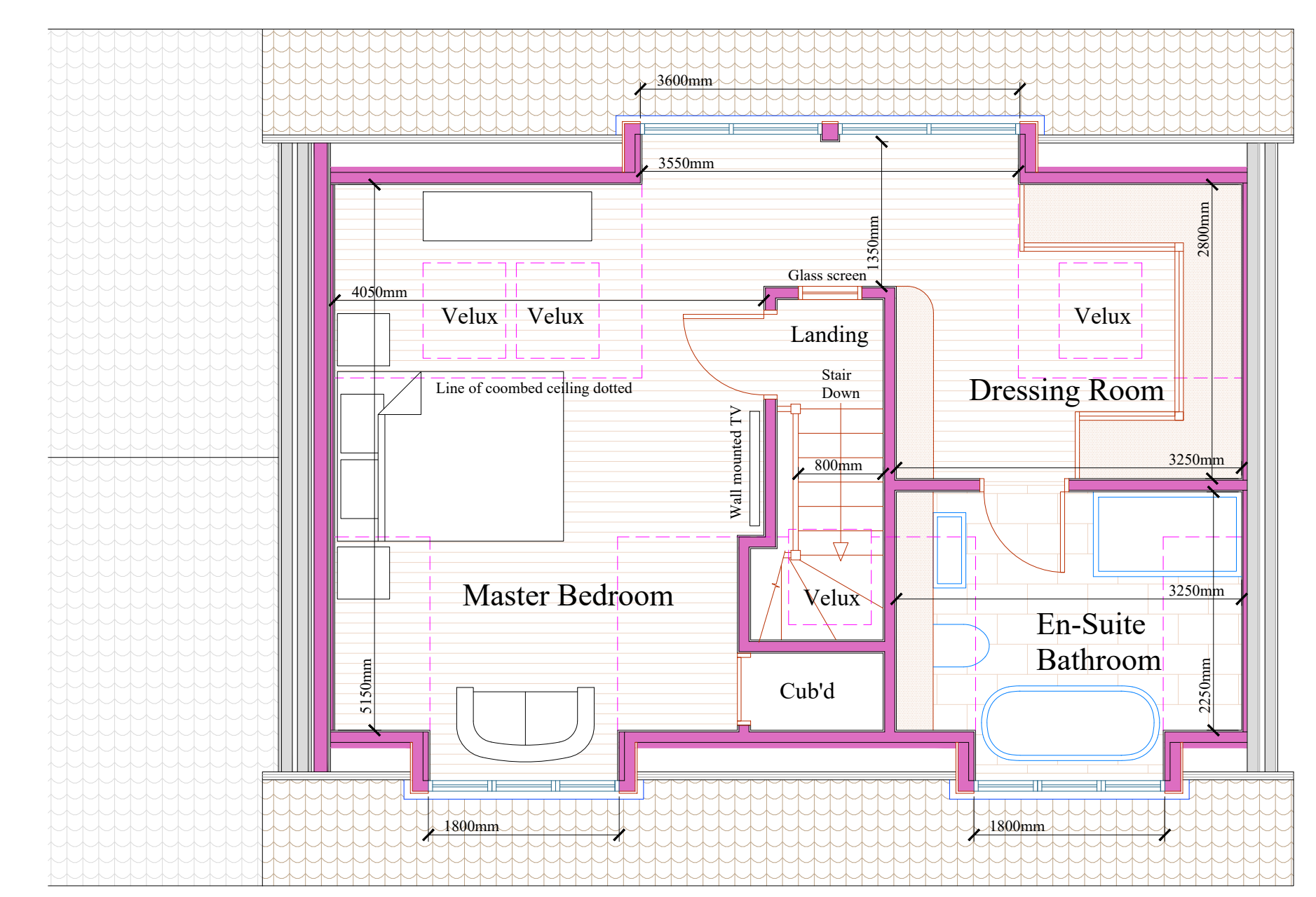
1:50 OVERALL CROSS SECTION AS PROPOSED



1:50 GROUND FLOOR PLAN AS PROPOSED



1:50 FIRST FLOOR PLAN AS PROPOSED



1:50 SECOND FLOOR PLAN AS PROPOSED

<p>Alterations to Dwelling House at 47 Clovenstone Park, Edinburgh for Mr George Aitken</p>		<p>ARCTEC BUILD LTD ANDREW DODDS 4 The Maltings Haddington EAST LOTHIAN EH41 4EP Tel - 01620 820960 Mob. 07715 049752 Andrew.dodds1@btopenworld.com</p>
<p>Proposed Floor Plans and Cross Section</p>		
1:50	25411 - 22	A
Aug 20		

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Andrew Megginson Architecture.
Flat 1 29 Jamaica Mews
Edinburgh
EH3 6HL

Mr Smith-Hay & Miss Wilkie
111 Corstorphine Road
Edinburgh
EH12 5PZ

Decision date: 19 November 2020

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

Cellar conversion of ground floor flat to form new residential property with side extension creating access.

At 111 Corstorphine Road Edinburgh EH12 5PZ

Application No: 20/03482/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 24 August 2020, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Hou 1 in respect of Housing Development, as the proposals do not comply with the other policies in the Edinburgh Local Development Plan.
2. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as the proposals are inappropriate in design and damage the character and appearance of the area.
3. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as it would fail to have a positive impact on its surroundings including the spaces between the buildings.

4. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it will fail to have acceptable levels of daylight, sunlight and immediate outlook.

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

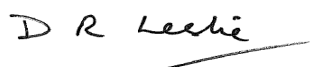
Drawings 01-08, 09B, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is out of character with the building and surrounding context and there will be insufficient amenity for future residents. The proposal does not accord with the Local Development Plan and non-statutory guidance. There are no material considerations which outweigh this conclusion.

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

Should you have a specific enquiry regarding this decision please contact Lynne McMenemy directly at lynne.mcmenemy@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

**Application for Planning Permission 20/03482/FUL
At 111 Corstorphine Road, Edinburgh, EH12 5PZ
Cellar conversion of ground floor flat to form new residential
property with side extension creating access.**

Item	Local Delegated Decision
Application number	20/03482/FUL
Wards	B06 - Corstorphine/Murrayfield

Summary

The proposal is out of character with the building and surrounding context and there will be insufficient amenity for future residents. The proposal does not accord with the Local Development Plan and non-statutory guidance. There are no material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LDES01, LDES04, LDES05, LTRA02, LTRA03, LHOU03, NSG, NSGD02,
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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 the ground floor flat and basement of number 111 Corstorphine Road, a three storey tenement style flatted block.

The property site is north facing and located on the the A8, a main route into the city centre. The site is the last in a series of blocks next to a Local Centre known as Western Corner. The West Murrayfield conservation area lies directly across Corstorphine Road to the north.

2.2 Site History

15 October 2018 - Planning permission refused to form new drive in hardscaped parking area, creating a 3m opening in existing wall with new natural stone piers and inward opening wrought iron electric gates and formation of dropped kerb (as amended) (18/04356/FUL)

16 January 2019 - Local Review Body upheld refusal of planning permission to form new drive in hardscaped parking area, creating a 3m opening in existing wall with new natural stone piers and inward opening wrought iron electric gates and formation of dropped kerb (as amended) (18/00201/REVREF)

28 August 2019 - Planning permission refused to form new drive in hardscaped parking (19/03589/FUL)

13 November 2019 - Local Review Body upheld refusal of planning permission to form new drive in hardscaped parking (19/00145/REVREF)

24 July 2020 - Certificate of Lawfulness refused for altering the existing extent of hard landscaping (gravel) into laid monoblocks (to be porous or have drainage provision), removing 4m of existing front wall (<1m), removing hedge in association with the wall removal, forming new gates (<1m) and dropping kerb in front of new opening (20/02475/CLP)

18 November 2020 - Certificate of Lawfulness refused to alter existing extent of hard landscaping in front curtilage (gravel) into level laid monoblocks (to be porous or have drainage provision), removing 3m of existing front wall (<1m height at circa 500mm) and removing hedge in association with the wall removal (20/03950/CLP)

Main report

3.1 Description Of The Proposal

The proposal seeks planning permission for formation of a new residential unit under an existing ground floor flat.

To the front an area of approximately 17 sqm would be excavated in front of the existing elevation to a depth of 2.3 metres. This would stretch 9.4 metres across. A new bay window and three further windows would be created in line with existing, though at a reduced height. A retaining stone wall would sit 1.7 metres away topped with a black metal railing. Windows would be uPVC and rendered walls.

To the rear excavation would be approximately 0.9m in depth and 9 metres across. Grey aluminium bifold doors would be added below the existing window, with the existing rear door converted to a window.

An entrance stair well would be created to the west elevation. This would be single storey to the front and two storeys to the rear with a flat roof. It would be finished in elongated sandstone with grey aluminium glazed doors and windows.

Revised Scheme

Plans have been revised to increase window heights and width of excavation to the front.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of housing on this site is acceptable;
- b) the proposal is of appropriate design, having regards to the spatial characteristics of the surrounding area;
- c) the proposal creates an acceptable residential environment;
- d) the proposal raises any issues in respect of transport and road safety; and
- e) any comments raised by third parties are addressed.

a) Principle

Policy Hou 1 (Housing Development) in the Edinburgh Local Development Plan (LDP) states the circumstances that priority will be given to the delivery of the housing land supply. Criteria (d) of policy Hou 1 permits housing on suitable sites in the urban area, provided that the proposals are compatible with other policies in the plan. The application site is in an urban area. However, the proposal does not comply with the other policies in the LDP as detailed below and so does not comply with policy Hou 1.

b) Development design

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area. Permission will not be granted for proposals that are inappropriate in design or for proposals that would be damaging to the character or appearance of the area.

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

The development site is an established area of flatted blocks in a tenement style which front the main road and turn corners onto secondary streets. The topography means that Corstorphine Road sits at a higher level than the secondary streets where the ground level slopes to the north. This results in lower ground floor basement flats on corners and within the secondary streets.

The site itself is at the western end of the blocks fronting the main road and adjoining the local centre. Its frontage is entirely at the higher ground level of Corstorphine Road. As a result the significant excavation to the front of the property and introduction of a new basement dwelling would introduce an element not associated with the flatted block in this location. The appearance would be incongruous and disruptive to the established uniformity of the building and wider area.

Further to this, the proposed stairwell extension would result in the loss of the gap between the flatted block and the single storey shop units and would negatively impact on the character of the area by removing the space between distinct buildings.

The proposal is of an inappropriate design and would be damaging to the character or appearance of the area around it and is contrary to LDP policies Des 1 and Des 4.

c) Residential environment

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that future occupiers of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

The supplementary Edinburgh Design Guidance (EDG) states that to achieve reasonable levels of daylight, windows must be big enough and interiors must be

designed to a deep enough level that ensures daylight can penetrate within them. Reasonable levels of sunlight to buildings and spaces will be achieved if sufficient account is taken of orientation.

The plans show the new dwelling would comprise of two bedrooms and a dining room to the front. A bathroom and a combined kitchen with living space would be located to the rear.

The northern orientation of the property and the location of the dwelling below ground level, means that the front the rooms are unlikely to have acceptable levels of daylight, sunlight or immediate outlook.

The applicants have provided a drawing using the 'no skyline' method. This method is used to demonstrate if direct skylight will penetrate at least half way into rooms at the height of the working plane. The drawings show that light would be able to partially penetrate into the rooms. However, it is unclear if the rooms would also achieve average daylight factors given the proposed subterranean location and northern orientation. No further daylight and sunlight information has been submitted.

The outlook from the front of the proposed dwelling would be to a stone wall of 2.25 metres, effectively the same height as the windows. The applicant has submitted information to show that there could be planting and other screening used to achieve an improved outlook to the rooms at the front of proposed dwelling. However, whilst this may soften the appearance of the wall, its use cannot be assured in perpetuity and would not make up for the absence of outlook.

The plans indicate that the larger proportioned bay windowed room to the front of the property would be a dining room only. However, given the smaller proportioned room to the rear is indicated as a combined kitchen and living space and the typical layout and use of the existing property, it is likely that this room would form a main living space requiring higher levels of amenity.

The proposed kitchen/living space and bathroom to the rear sit only partially below ground level and combined with their orientation and full height glazing will achieve suitable light and a more satisfactory outlook.

The proposal would include a small rear terrace space, though it is unclear if the remaining outdoor space to the front and rear would be communal or remain in use by number 111. Whilst, minimal open space would not be an uncommon characteristic of similar properties in the immediate area and may otherwise be acceptable, the minimal open space will result in loss of privacy in a site where amenity is already compromised.

The proposal would meet the Edinburgh Design Guidance internal space requirements for a two bedroom dwelling.

The location of the proposed dwelling and stairwell means that there will be no impact on neighbouring dwellings in relation to daylight and sunlight.

The proposal will create a dwelling which is significantly compromised in terms of outlook, daylight and sunlight and privacy. It will result in a poor standard of amenity for

future occupiers and does not comply with policy Des 5 and the Edinburgh Design Guidance.

c) Parking, cycling and road/pedestrian safety

LDP policy Tra 2 seeks to ensure car parking does not exceed maximum levels. No parking is proposed for the development and this is acceptable.

Policy Tra 3 seeks to provide private cycle parking within new developments. There is no dedicated cycle storage proposed though there is space for internal storage.

The Roads Authority have confirmed they have no objections.

d) Representations

No representations were received.

CONCLUSION

The proposal is out of character with the building and surrounding context and there will be insufficient amenity for future residents. The proposal does not accord with the Local Development Plan and non-statutory guidance. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Hou 1 in respect of Housing Development, as the proposals do not comply with the other policies in the Edinburgh Local Development Plan.
2. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as the proposals are inappropriate in design and damage the character and appearance of the area.
3. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as it would fail to have a positive impact on its surroundings including the spaces between the buildings.
4. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it will fail to have acceptable levels of daylight, sunlight and immediate outlook.

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

Date registered 24 August 2020

Drawing numbers/Scheme 01-08, 09B,
Scheme 2

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

Contact: Lynne McMenemy, Senior Planning Officer
E-mail:lynne.mcmenemy@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

Consultations

Roads Authority - no objections.

END

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100288125-003

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:	Andrew Megginson Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andrew	Building Name:	Andrew Megginson Architecture
Last Name: *	Megginson	Building Number:	
Telephone Number: *	0131 557 9129	Address 1 (Street): *	128 Dundas Street
Extension Number:		Address 2:	New Town
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH3 5DQ
Email Address: *	andrew@andrewmegginsonarchitecture.com		

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="Steven"/>	Building Number:	<input type="text" value="111"/>
Last Name: *	<input type="text" value="Smith-Hay"/>	Address 1 (Street): *	<input type="text" value="Corstorphine Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH12 5PZ"/>
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="111 CORSTORPHINE ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH12 5PZ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673112"/>	Easting	<input type="text" value="322022"/>
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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)

Cellar conversion of ground floor flat to form new residential property with side extension creating access.

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 review statement.

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

Yes No

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

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

Review statement and review documents 1-14

Application Details

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

20/03482/FUL

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

24/08/2020

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

19/11/2020

Review Procedure

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

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

Yes No

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

Please select a further procedure *

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

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

To see first hand the basement properties local to the application site.

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Andrew Megginson

Declaration Date: 25/01/2021

Proposal Details

Proposal Name	100288125
Proposal Description	Cellar Conversion to flat
Address	111 CORSTORPHINE ROAD, EDINBURGH, EH12 5PZ
Local Authority	City of Edinburgh Council
Application Online Reference	100288125-003

Application Status

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

Attachment Details

Notice of Review	System	A4
Review Statement	Attached	A4
Review Document 1	Attached	A4
Review Document 2	Attached	A4
Review Document 3	Attached	A4
Review Document 4	Attached	A4
Review Document 5	Attached	A1
Review Document 6	Attached	A1
Review Document 7	Attached	A1
Review Document 8	Attached	A1
Review Document 9	Attached	A1
Review Document 10	Attached	A1
Review Document 11	Attached	A0
Review Document 12	Attached	A3
Review Document 13	Attached	A4
Review Document 14	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-003.xml	Attached	A0

Andrew Megginson Architecture.
Flat 1 29 Jamaica Mews
Edinburgh
EH3 6HL

Mr Smith-Hay & Miss Wilkie
111 Corstorphine Road
Edinburgh
EH12 5PZ

Decision date: 19 November 2020

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

Cellar conversion of ground floor flat to form new residential property with side extension creating access.

At 111 Corstorphine Road Edinburgh EH12 5PZ

Application No: 20/03482/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 24 August 2020, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Hou 1 in respect of Housing Development, as the proposals do not comply with the other policies in the Edinburgh Local Development Plan.
2. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as the proposals are inappropriate in design and damage the character and appearance of the area.
3. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as it would fail to have a positive impact on its surroundings including the spaces between the buildings.

4. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it will fail to have acceptable levels of daylight, sunlight and immediate outlook.

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

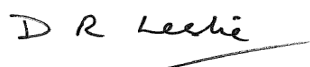
Drawings 01-08, 09B, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is out of character with the building and surrounding context and there will be insufficient amenity for future residents. The proposal does not accord with the Local Development Plan and non-statutory guidance. There are no material considerations which outweigh this conclusion.

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

Should you have a specific enquiry regarding this decision please contact Lynne McMenemy directly at lynne.mcmenemy@edinburgh.gov.uk.



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.

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100288125-002

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

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)

Cellar conversion of ground floor flat to form new residential property with side extension creating access.

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

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr/ Miss	Building Name:	<input type="text"/>
First Name: *	Steven/ Adele	Building Number:	111
Last Name: *	Smith-Hay/ Wilkie	Address 1 (Street): *	Corstorphine Road
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Edinburgh
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	EH12 5PZ
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

111 CORSTORPHINE ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH12 5PZ

Please identify/describe the location of the site or sites

Northing

673112

Easting

322022

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

274.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Residential

Access and Parking

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

Yes No

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

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?

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)? *

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?? * Yes No
(e.g. SUDS arrangements) *

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)

Space for wheelie bins in front garden of property which will be wheeled to the street on collection days.

Residential Units Including Conversion

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

Yes No

How many units do you propose in total? *

1

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

All Types of Non Housing Development – Proposed New Floorspace

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

Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Andrew Megginson

On behalf of: Mr/ Miss Steven/ Adele Smith-Hay/ Wilkie

Date: 21/08/2020

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

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

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

Provide copies of the following documents if applicable:

- | | |
|--|--|
| A copy of an Environmental Statement. * | <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 Andrew Megginson

Declaration Date: 28/07/2020

Payment Details

C [REDACTED]
P [REDACTED]

Created: 21/08/2020 21:13

Daylight and sunlight report

111 Corstorphine Road
Edinburgh EH12 5PZ



Prepared for: Andrew Megginson Architecture
Prepared by: Ben Mack MA (Hons) MSc MRICS ICIOB CMAPS
Date: 13 January 2021
Reference: 92761/BTM

Hollis, 63a George Street, Edinburgh, EH2 2JG
T +44 131 240 2800 hollisglobal.com

Regulated by RICS

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Appendices

Appendix A Tests to be applied

Appendix B Context drawing

Appendix C Daylight contour drawing

1. Executive summary

1.1. Scope

1.1.1. An assessment has been undertaken to determine whether the proposed development of the lower ground floor to 111 Corstorphine Road, Edinburgh EH12 5PZ will enjoy sufficient daylight and sunlight amenity.

1.1.2. This assessment has been undertaken using No Sky Line/Daylight Distribution analysis for the daylight assessment and Annual Probable Sunlight Hours analysis for the sunlight assessment.

1.2. Summary of analysis

Internal daylight

1.2.1. The results demonstrate that all rooms assessed will meet the Edinburgh Design Guidance standards for daylight to new development.

Internal sunlight

1.2.2. The results demonstrate that the room assessed will meet the Edinburgh Design Guidance standards for sunlight to new development.

2. Introduction

2.1. Scope

2.1.1. We have been instructed by Andrew Megginson Architecture to undertake a daylight and sunlight assessment for the proposed redevelopment works to the lower ground floor of 111 Corstorphine Road, Edinburgh EH12 5PZ.

2.1.2. The objective of the assessment is to determine whether the proposed development will enjoy sufficient daylight and sunlight amenity.

2.2. Assessment criteria

2.2.1. To ensure that the proposed development can be appropriately evaluated against Edinburgh City Council's **planning policy; daylight and sunlight calculations have been undertaken in accordance with following documents:**

- Edinburgh Design Guidance (published January 2020).
- **Building Research Establishment Report 'Site Layout Planning for Daylight and Sunlight – A Guide to Good Practice' 2nd Edition, 2011 (the "BRE guide").**

2.3. Information reviewed

2.3.1. The following drawings and information have been used in this assessment:

Sigma surveys

- 20-258-01_111 Corstorphine Rd_Floor Plans.dwg
- 20-258-02_111 Corstorphine Rd_Section AA.dwg
- 20-258-03_111 Corstorphine Rd_Elevations.dwg

Andrew Megginson Architecture

- Plans.dwg
- 1132-PL-01 E.pdf

3. Assessment and results

3.1. Internal daylight

3.1.1. A No Sky Line/Daylight Distribution (NSL/DD) assessment has been undertaken for all of the new habitable rooms to be created within the proposed development. The full assessment results are provided below:

Floor ref	Room ref	Room use	Room area (m ²)	No sky line (m ²)	% of room area	EDG compliant
111 Corstorphine Road						
Lower Gr	R1	Bedroom	17.89	17.35	96.99%	YES
Lower Gr	R2	Bedroom	11.54	10.95	94.83%	YES
Lower Gr	R3	Dining room	18.72	18.34	97.96%	YES
Lower Gr	R4	Living/kitchen	21.66	21.33	98.45%	YES

3.1.2. All of the rooms assessed meet the target values as set out in the Edinburgh Design Guidance (EDG). The EDG requires that daylight penetrates to a minimum of 50% of the room area. The results indicate that all rooms will achieve daylight distribution considerably in excess of that target.

3.1.3. The results demonstrate that all the rooms in the development will meet the Edinburgh Design Guidance standards for daylight to new development.

3.2. Internal sunlight

3.2.1. A sunlight assessment has been undertaken to those habitable rooms with windows facing within 90 degrees of due south. Rooms outwith these parameters have not been assessed because due to orientation they will not have a reasonable expectation of receiving sunlight.

3.2.2. The Annual Probable Sunlight Hours (APSH) analysis results are provided below:

Floor ref.	Room ref	Room use	Window orientation	Proposed room		Meets BRE criteria
				Winter %	Annual %	
Lower Ground	R4	LK	173°	14	54	YES

3.2.3. The room assessed meets the target values as set out in the BRE guide. The BRE guide requires that south facing rooms receive 25% of available annual sunlight hours including 5% of winter sunlight hours. The results indicate that the room assessed will achieve considerably in excess of that target.

3.2.4. The results demonstrate that the room assessed will meet the Edinburgh Design Guidance standards for sunlight to new development.

Appendix A

Assessments to be applied

Introduction

The main purpose of the guidelines in the Building Research Establishment Report “Site Layout Planning for Daylight and Sunlight – a guide to good practice 2011, 2nd Edition” (“the BRE guide”) is to assist in the consideration of the relationship of new and existing buildings to ensure that each retains a potential to achieve good daylighting and sunlighting levels. That is, by following and satisfying the tests contained in the guidelines, new and existing buildings should be sufficiently spaced apart in relation to their relative heights so that both have the potential to achieve good levels of daylight and sunlight. The guidelines have been drafted primarily for use with low density suburban developments and should therefore be used flexibly when dealing with dense urban sites and extensions to existing buildings, a fact recognised by the BRE Report’s author in the Introduction where Dr Paul Littlefair says:

‘The Guide is intended for building designers and their clients, consultants and planning officials. The advice given here is not mandatory and the guide should not be seen as an instrument of planning policy; its aim is to help rather than constrain the designer. Although it gives numerical guidelines, these should be interpreted flexibly since natural lighting is only one of many factors in site layout design..... In special circumstances the developer or planning authority may wish to use different target values. For example, in a historic city centre, or in an area with modern high-rise buildings, a higher degree of obstruction may be unavoidable if new developments are to match the height and proportions of existing buildings...’

In many cases in low-rise housing, meeting the criteria for daylight and sunlight may mean that the BRE criteria for other amenity considerations such as privacy and sense of enclosure are also satisfied.

The BRE guide states that recommended minimum privacy distances (in cases where windows of habitable rooms face each other in low-rise residential property), as defined by each individual Local Authority’s policies, vary widely, from 18-35m¹. For two-storey properties a spacing within this range would almost certainly also satisfy the BRE guide’s daylighting requirements as it complies with the 25^o rule and will almost certainly satisfy the ‘Three times height’ test too (as discussed more fully below). However, the specific context of each development will be taken into account and Local Authorities may relax the stated minimum, for instance, in built-up areas where this would lead to an inefficient use of land. Conversely, greater distances may be required between higher buildings, in order to satisfy daylighting and sunlighting requirements. It is important to recognize also that privacy can also be achieved by other means: design, orientation and screening can all play a key role and may also contribute towards reducing the theoretical ‘minimum’ distance.

A sense of enclosure is also important as the perceived quality of an outdoor space may be reduced if it is too large in the context of the surrounding buildings. In urban settings the BRE guide suggests a spacing-to-height ratio of 2.5:1 would provide a comfortable environment, whilst not obstructing too much natural light: this ratio also approximates the 25^o rule.

¹ The commonest minimum privacy distance is 21m (Householder Development Consents Review: Implementation of Recommendations – Department for Communities and Local Government – May 2007)

Daylight

The criteria for protecting daylight to existing buildings are contained in Section 2.2 and Appendix C of the BRE guide. There are various methods of measuring and assessing daylight and the choice of test depends on the circumstances of each particular window. For example, greater protection should be afforded to windows which serve habitable dwellings and, in particular, those serving living rooms and family kitchens, with a lower requirement required for bedrooms. The BRE guide states that circulation spaces and bathrooms need not be tested as they are not considered to require good levels of daylight. In addition, for rooms with more than one window, secondary windows do not require assessment if it is established that the room is already sufficiently lit through the principal window.

The assessments should also be applied to non-domestic uses such as offices and workplaces where such uses will ordinarily have a reasonable expectation of daylight and where the areas may be considered a principal workplace.

The BRE has developed a series of assessments to determine whether daylighting levels within new developments and rooms within existing buildings surrounding new developments will satisfy or continue to satisfy a range of daylighting criteria

Note: Not every single window is assessed separately, only a representative sample, from which conclusions may be drawn regarding other nearby dwellings .

Daylighting assessments

'Three times height' test - If the distance of each part of the new development from the existing windows is three or more times its height above the centre of the existing window then loss of light to the existing windows need not be analysed. If the proposed development is taller or closer than this then the 25° test will need to be carried out.

25° test – a very simple test that should only be used where the proposed development is of a reasonably uniform profile and is directly opposite the existing building. Its use is most appropriate for low density well-spaced developments such as new sub-urban housing schemes and often it is not a particularly useful tool for assessing urban and in-fill sites. In brief, where the new development subtends to an angle of less than 25° to the centre of the lowest window of an existing neighbouring building, it is unlikely to have a substantial effect on the diffuse skylight enjoyed by the existing building. Equally, the new development itself is also likely to have the potential for good daylighting. If the angle is more than 25° then more detailed tests are required, as outlined below.

VSC test - the VSC is a unit of measurement that represents the amount of available daylight from the sky, received at a particular window. It is measured on the outside face of the window. The 'unit' is expressed as a percentage as it is the ratio between the amount of sky visible at the given reference point compared to the amount of light that would be available from a totally unobstructed hemisphere of sky. To put this unit of measurement into perspective, the maximum percentage value for a window with a completely unobstructed outlook (i.e. with a totally unobstructed view through 90° in every direction) is 40%.

The target figure for VSC recommended by the BRE is 27%. A VSC of 27% is a relatively good level of daylight and the level we would expect to find for habitable rooms with windows on principal elevations. However, this level is often difficult to achieve on secondary elevations and in built-up urban environments. For comparison, a window receiving 27% VSC is approximately equivalent to a window that would have a continuous obstruction opposite it which subtends an angle of 25° (i.e. the same results as would be found utilising the 25° Test). Where tests show that the new development itself meets the 27% VSC target this is a good indication that the development will enjoy good daylighting and further tests can then be carried out to corroborate this (see under).

Through research the BRE have determined that in existing buildings daylight (and sunlight levels) can be reduced by approximately 20% of their original value before the loss is materially noticeable. It is for this reason that they consider that a 20% reduction is permissible in circumstances where the existing VSC value is below the 27% threshold. For existing buildings once this has been established it is then necessary to determine whether the distribution of daylight inside each room meets the required standards (see under).

Daylight Distribution (DD) test – This test looks at the position of the “No-Sky Line” (NSL) – that is, the line that divides the points on the working plane (0.7m from floor level in offices and 0.85m in dwellings and industrial spaces) which can and cannot see the sky. The BRE guide suggests that areas beyond the NSL may look dark and gloomy compared with the rest of the room and BS8206 states that electric lighting is likely to be needed if a significant part of the working plane (normally no more than 20%) lies beyond it.

The guide suggests that in houses, living rooms, dining rooms and kitchens should be tested: bedrooms are deemed less important, although should nevertheless be analysed. In other buildings each main room where daylight is expected should be investigated.

ADF test – The ADF (Average Daylight Factor) test takes account of the interior dimensions and surface reflectance within the room being tested as well as the amount of sky visible from the window. For this reason it is considered a more detailed and representative measure of the adequacy of light. The minimum ADF values recommended in BS8206 Part 2 are: 2% for family kitchens (and rooms containing kitchens); 1.5% for living rooms; and 1% for bedrooms. This is a test used in assessing new developments, although, in certain circumstances, it may be used as a supplementary test in the assessment of daylighting in existing buildings, particularly where more than one window serves a room.

Sunlight

Sunlight is an important ‘amenity’ in both domestic and non-domestic settings. The way in which a building’s windows are orientated and the overall position of a building on a site will have an impact on the sunlight it receives but, importantly, will also have an effect on the sunlight neighbouring buildings receive. Unlike daylight, which is non-directional and assumes that light from the sky is uniform, the availability of sunlight is dependent on direction. That is, as the United Kingdom is in the northern hemisphere, we receive virtually all of our sunlight from the south. The availability of sunlight is therefore dependent on the orientation of the window or area of ground being assessed relative to the position of due south.

In new developments the BRE guide suggests that dwellings should aim to have at least one main living room which faces the southern or western parts of the sky so as to ensure that it receives a reasonable amount of sunlight. Where groups of dwellings are planned the Guide states that site layout design should aim to maximise the number of dwellings with a main living room that meet sunlight criteria. Where a window wall faces within 90° of due south and no obstruction subtends to angle of more than 25° to the horizontal or where the window wall faces within 20° of due south and the reference point has a VSC of at least 27% then sunlighting will meet the required standards: failing that the Annual Probable Sunlight Hours (APSH) need to be analysed. APSH means the total number of hours in the year that the sun is expected to shine on unobstructed ground, allowing for average levels of cloud for the location in question. If the APSH tests reveal that the new development will receive at least one quarter of the available APSH, including at least 5% of APSH during the winter months (from 21 September to 21 March), then the requirements are satisfied. It should be noted that if a room has two windows on opposite walls, the APSH due to each can be added together. The availability of sunlight is also an important factor when looking at the impact of a proposed development on the existing surrounding buildings. APSH tests will be required where one or more of the following are true:

- The 'Three times height' test is failed (see 'Daylight' above);
- The proposed development is situated within 90° of due south of an existing building's main window wall and the new building subtends to angle of more than 25° to the horizontal;
- The window wall faces within 20° of due south and a point at the centre of the window on the outside face of the window wall (the reference point) has a VSC of less than 27%.

Where APSH testing is required it is similar to the test for the proposed development. That is to say that compliance will be demonstrated where a room receives:

- At least 25% of the APSH (including at least 5% in the winter months), or
- At least 0.8 times its former sunlight hours during either period, or
- A reduction of no more than 4% APSH over the year.

The Guide stresses that the target values it gives are purely advisory, especially in circumstances such as: the presence of balconies (which can overhang windows, obstructing light); when an existing building stands unusually close to the common boundary with the new development and; where the new development needs to match the height and proportion of existing nearby buildings. In circumstances like these a larger reduction in sunlight may be necessary.

The sunlight criteria in the BRE guide primarily apply to windows serving living rooms of an existing dwelling. This is in contrast to the daylight criteria which apply to kitchens and bedrooms as well as living rooms. Having said that, the guide goes on to say that care should be taken not to block too much sun from kitchens and bedrooms. Non-domestic buildings which are deemed to have a requirement for sunlight should also be checked.

Appendix B

Context drawing



3D Context View - View from North East (Proposed)

SOURCES OF INFORMATION:
 ANDREW MEGGINSON ARCHITECTS
 20-258-01_111 Corstorphine Rd_Floor Plans.dwg
 20-258-02_111 Corstorphine Rd_Section AA.dwg
 20-258-03_111 Corstorphine Rd_Elevations.dwg
 Plans.dwg
 1132-PL-01 E.pdf
 Received 12 January 2021

- Surrounding Properties
- Proposed Site

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3D Context View - View from South West (Proposed)

Rev.	Date	Amendments	Initial

HOLLIS SHALL BE INFORMED IN WRITING OF ANY DISCREPANCIES.
 ALL DIMENSIONS ARE IN METERS ONLY

TITLE
**3D Views (With 25 degree Lines)
 Proposed Site**

CLIENT
Andrew Megginson Architects

PROJECT
**111 Corstorphine Road
 Edinburgh**

DRAWN BY
OW CHECKED
BM

SCALE
NTS@A3 DATE
January 2020

HOLLIS

80-82 Silverthorne Road
 London
 SW8 3HE

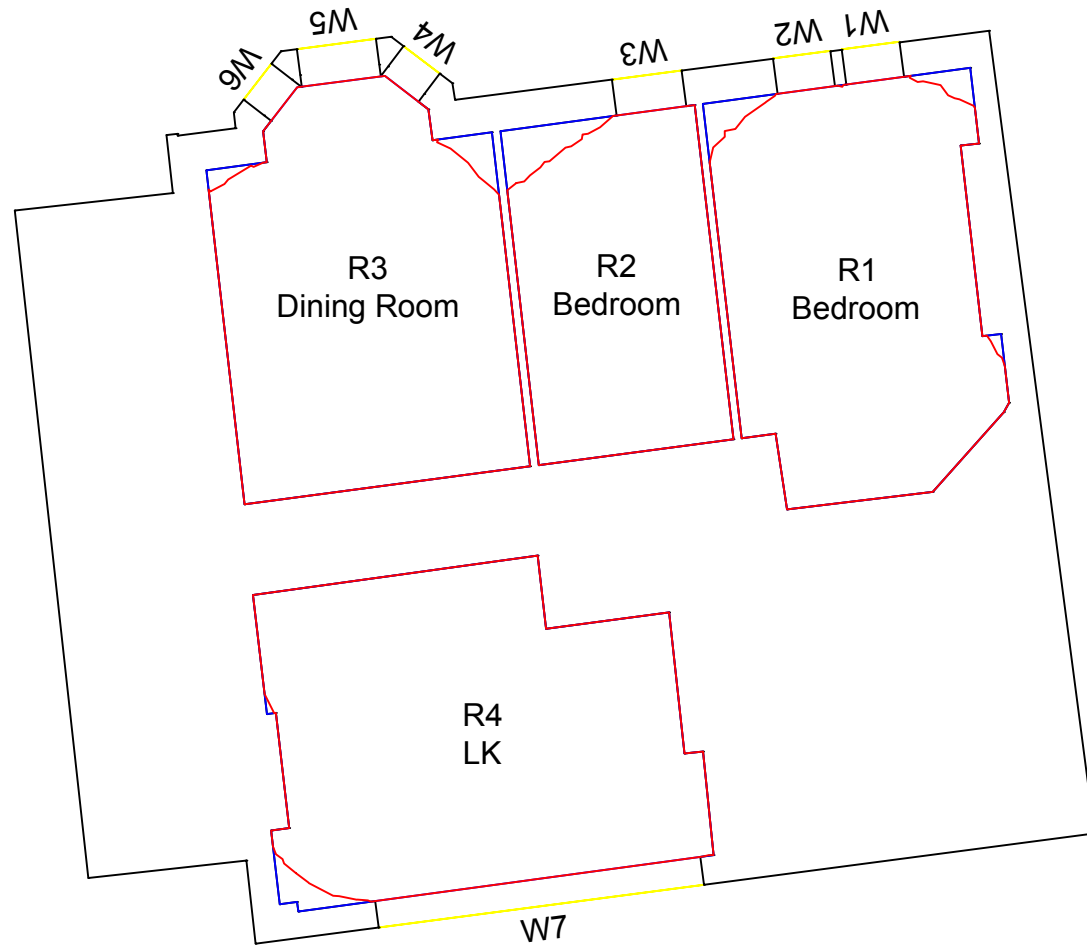
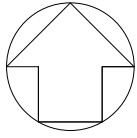
T 020 7622 9555
 F 020 7627 9850
 W hollisglobal.com

DRAWING NO. 107216_CTXT_02	RELEASE NO. 1
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Appendix C

Daylight contour drawing

NORTH



Page 93

SOURCES OF INFORMATION:
 ANDREW MEGGINSON ARCHITECTS
 20-258-01_111 Corstorphine Rd_Floor Plans.dwg
 20-258-02_111 Corstorphine Rd_Section AA.dwg
 20-258-03_111 Corstorphine Rd_Elevations.dwg
 Plans.dwg
 1132-PL-01 E.pdf
 Received 12 January 2021

Rev.	Date	Amendments	Initial

HOLLIS SHALL BE INFORMED IN WRITING OF ANY DISCREPANCIES.
 ALL DIMENSIONS ARE IN METERS ONLY

TITLE
**Daylight Distribution
 Contours/Referencing Plans
 111 Corstorphine Road**

CLIENT
Andrew Megginson Architects

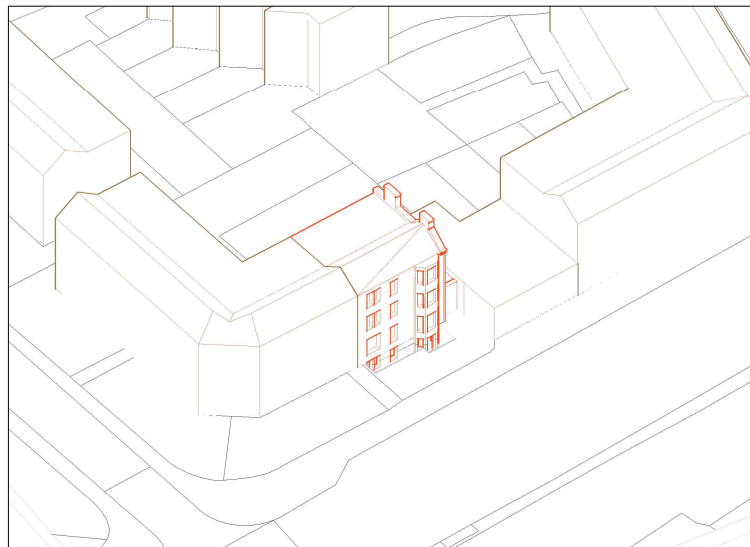
PROJECT
**111 Corstorphine Road
 Edinburgh**

DRAWN BY OW	CHECKED BM
SCALE 1:100@A3	DATE January 2020

HOLLIS
 80-82 Silverthorne Road
 London
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 T 020 7622 9555
 F 020 7627 9850
 W hollisglobal.com

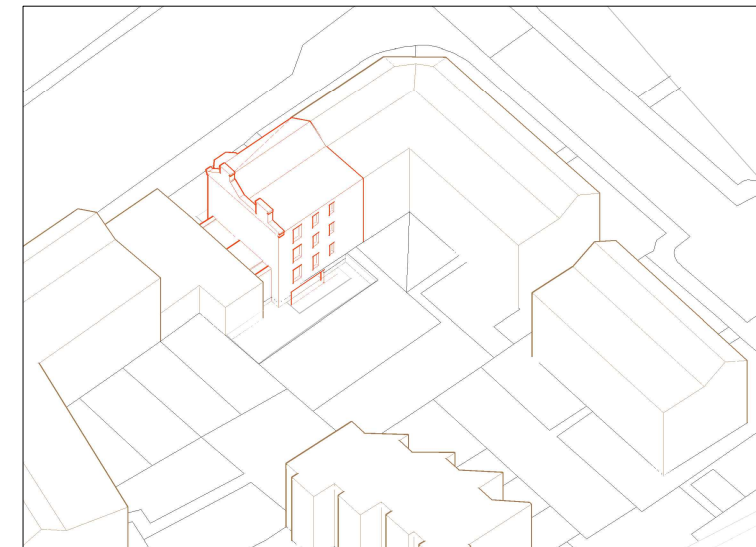
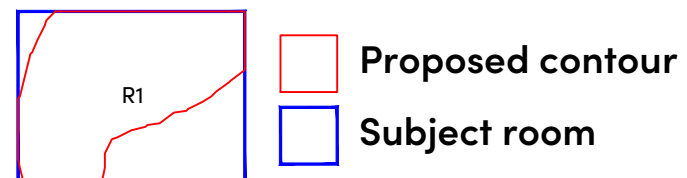
DRAWING NO. 107216_DDINT_01	RELEASE NO. 1
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111 Corstorphine Road - Lower Ground Floor



3D Context View - North East

KEY



3D Context View - South West

Report of Handling

**Application for Planning Permission 20/03482/FUL
At 111 Corstorphine Road, Edinburgh, EH12 5PZ
Cellar conversion of ground floor flat to form new residential
property with side extension creating access.**

Item	Local Delegated Decision
Application number	20/03482/FUL
Wards	B06 - Corstorphine/Murrayfield

Summary

The proposal is out of character with the building and surrounding context and there will be insufficient amenity for future residents. The proposal does not accord with the Local Development Plan and non-statutory guidance. There are no material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LDES01, LDES04, LDES05, LTRA02, LTRA03, LHOU03, NSG, NSGD02,
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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 the ground floor flat and basement of number 111 Corstorphine Road, a three storey tenement style flatted block.

The property site is north facing and located on the the A8, a main route into the city centre. The site is the last in a series of blocks next to a Local Centre known as Western Corner. The West Murrayfield conservation area lies directly across Corstorphine Road to the north.

2.2 Site History

15 October 2018 - Planning permission refused to form new drive in hardscaped parking area, creating a 3m opening in existing wall with new natural stone piers and inward opening wrought iron electric gates and formation of dropped kerb (as amended) (18/04356/FUL)

16 January 2019 - Local Review Body upheld refusal of planning permission to form new drive in hardscaped parking area, creating a 3m opening in existing wall with new natural stone piers and inward opening wrought iron electric gates and formation of dropped kerb (as amended) (18/00201/REVREF)

28 August 2019 - Planning permission refused to form new drive in hardscaped parking (19/03589/FUL)

13 November 2019 - Local Review Body upheld refusal of planning permission to form new drive in hardscaped parking (19/00145/REVREF)

24 July 2020 - Certificate of Lawfulness refused for altering the existing extent of hard landscaping (gravel) into laid monoblocks (to be porous or have drainage provision), removing 4m of existing front wall (<1m), removing hedge in association with the wall removal, forming new gates (<1m) and dropping kerb in front of new opening (20/02475/CLP)

18 November 2020 - Certificate of Lawfulness refused to alter existing extent of hard landscaping in front curtilage (gravel) into level laid monoblocks (to be porous or have drainage provision), removing 3m of existing front wall (<1m height at circa 500mm) and removing hedge in association with the wall removal (20/03950/CLP)

Main report

3.1 Description Of The Proposal

The proposal seeks planning permission for formation of a new residential unit under an existing ground floor flat.

To the front an area of approximately 17 sqm would be excavated in front of the existing elevation to a depth of 2.3 metres. This would stretch 9.4 metres across. A new bay window and three further windows would be created in line with existing, though at a reduced height. A retaining stone wall would sit 1.7 metres away topped with a black metal railing. Windows would be uPVC and rendered walls.

To the rear excavation would be approximately 0.9m in depth and 9 metres across. Grey aluminium bifold doors would be added below the existing window, with the existing rear door converted to a window.

An entrance stair well would be created to the west elevation. This would be single storey to the front and two storeys to the rear with a flat roof. It would be finished in elongated sandstone with grey aluminium glazed doors and windows.

Revised Scheme

Plans have been revised to increase window heights and width of excavation to the front.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of housing on this site is acceptable;
- b) the proposal is of appropriate design, having regards to the spatial characteristics of the surrounding area;
- c) the proposal creates an acceptable residential environment;
- d) the proposal raises any issues in respect of transport and road safety; and
- e) any comments raised by third parties are addressed.

a) Principle

Policy Hou 1 (Housing Development) in the Edinburgh Local Development Plan (LDP) states the circumstances that priority will be given to the delivery of the housing land supply. Criteria (d) of policy Hou 1 permits housing on suitable sites in the urban area, provided that the proposals are compatible with other policies in the plan. The application site is in an urban area. However, the proposal does not comply with the other policies in the LDP as detailed below and so does not comply with policy Hou 1.

b) Development design

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area. Permission will not be granted for proposals that are inappropriate in design or for proposals that would be damaging to the character or appearance of the area.

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

The development site is an established area of flatted blocks in a tenement style which front the main road and turn corners onto secondary streets. The topography means that Corstorphine Road sits at a higher level than the secondary streets where the ground level slopes to the north. This results in lower ground floor basement flats on corners and within the secondary streets.

The site itself is at the western end of the blocks fronting the main road and adjoining the local centre. Its frontage is entirely at the higher ground level of Corstorphine Road. As a result the significant excavation to the front of the property and introduction of a new basement dwelling would introduce an element not associated with the flatted block in this location. The appearance would be incongruous and disruptive to the established uniformity of the building and wider area.

Further to this, the proposed stairwell extension would result in the loss of the gap between the flatted block and the single storey shop units and would negatively impact on the character of the area by removing the space between distinct buildings.

The proposal is of an inappropriate design and would be damaging to the character or appearance of the area around it and is contrary to LDP policies Des 1 and Des 4.

c) Residential environment

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that future occupiers of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

The supplementary Edinburgh Design Guidance (EDG) states that to achieve reasonable levels of daylight, windows must be big enough and interiors must be

designed to a deep enough level that ensures daylight can penetrate within them. Reasonable levels of sunlight to buildings and spaces will be achieved if sufficient account is taken of orientation.

The plans show the new dwelling would comprise of two bedrooms and a dining room to the front. A bathroom and a combined kitchen with living space would be located to the rear.

The northern orientation of the property and the location of the dwelling below ground level, means that the front the rooms are unlikely to have acceptable levels of daylight, sunlight or immediate outlook.

The applicants have provided a drawing using the 'no skyline' method. This method is used to demonstrate if direct skylight will penetrate at least half way into rooms at the height of the working plane. The drawings show that light would be able to partially penetrate into the rooms. However, it is unclear if the rooms would also achieve average daylight factors given the proposed subterranean location and northern orientation. No further daylight and sunlight information has been submitted.

The outlook from the front of the proposed dwelling would be to a stone wall of 2.25 metres, effectively the same height as the windows. The applicant has submitted information to show that there could be planting and other screening used to achieve an improved outlook to the rooms at the front of proposed dwelling. However, whilst this may soften the appearance of the wall, its use cannot be assured in perpetuity and would not make up for the absence of outlook.

The plans indicate that the larger proportioned bay windowed room to the front of the property would be a dining room only. However, given the smaller proportioned room to the rear is indicated as a combined kitchen and living space and the typical layout and use of the existing property, it is likely that this room would form a main living space requiring higher levels of amenity.

The proposed kitchen/living space and bathroom to the rear sit only partially below ground level and combined with their orientation and full height glazing will achieve suitable light and a more satisfactory outlook.

The proposal would include a small rear terrace space, though it is unclear if the remaining outdoor space to the front and rear would be communal or remain in use by number 111. Whilst, minimal open space would not be an uncommon characteristic of similar properties in the immediate area and may otherwise be acceptable, the minimal open space will result in loss of privacy in a site where amenity is already compromised.

The proposal would meet the Edinburgh Design Guidance internal space requirements for a two bedroom dwelling.

The location of the proposed dwelling and stairwell means that there will be no impact on neighbouring dwellings in relation to daylight and sunlight.

The proposal will create a dwelling which is significantly compromised in terms of outlook, daylight and sunlight and privacy. It will result in a poor standard of amenity for

future occupiers and does not comply with policy Des 5 and the Edinburgh Design Guidance.

c) Parking, cycling and road/pedestrian safety

LDP policy Tra 2 seeks to ensure car parking does not exceed maximum levels. No parking is proposed for the development and this is acceptable.

Policy Tra 3 seeks to provide private cycle parking within new developments. There is no dedicated cycle storage proposed though there is space for internal storage.

The Roads Authority have confirmed they have no objections.

d) Representations

No representations were received.

CONCLUSION

The proposal is out of character with the building and surrounding context and there will be insufficient amenity for future residents. The proposal does not accord with the Local Development Plan and non-statutory guidance. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Hou 1 in respect of Housing Development, as the proposals do not comply with the other policies in the Edinburgh Local Development Plan.
2. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as the proposals are inappropriate in design and damage the character and appearance of the area.
3. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as it would fail to have a positive impact on its surroundings including the spaces between the buildings.
4. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it will fail to have acceptable levels of daylight, sunlight and immediate outlook.

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

Date registered 24 August 2020

Drawing numbers/Scheme 01-08, 09B,
Scheme 2

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

Contact: Lynne McMenemy, Senior Planning Officer
E-mail:lynne.mcmenemy@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

Relevant Non-Statutory Guidelines

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Appendix 1

Consultations

Roads Authority - no objections.

END

Cellar Conversion of Ground Floor Flat to Form New Residential Property with Side Extension at 111 Corstorphine Road, Edinburgh

Mr. Smith-Hay & Miss. Wilkie

Review against a decision by City of Edinburgh Council to refuse a cellar conversion to form a new residential property with side extension at 111 Corstorphine Road, Edinburgh

Application Reference: 20/03482/FUL

Date: January 2020



Contents

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



Appeal Document List

Document	Title	Format
Review Document 1	Decision Notice	Electronic
Review Document 2	Planning Application Form	Electronic
Review Document 3	Location Plan	Electronic
Review Document 4	Site Plan	Electronic
Review Document 5	Existing Ground Floor Plan	Electronic
Review Document 6	Existing Cellar Plan	Electronic
Review Document 7	Existing Front Elevation	Electronic
Review Document 8	Existing Side Elevation	Electronic
Review Document 9	Existing Rear Elevation	Electronic
Review Document 10	Existing Section	Electronic
Review Document 11	Proposal Plans	Electronic
Review Document 12	Local Basement/ Lower Ground Location Plan	Electronic
Review Document 13	Daylight/ Sunlight Assessment	Electronic
Review Document 14	Handling Report	Electronic



1. Introduction

1.1 This Review Statement has been prepared on behalf of Mr. Smith-Hay & Miss. Wilkie in support of a review against the refusal of a planning application to form a new residential property through a cellar conversion and side extension at 111 Corstorphine Road, Edinburgh (Review Document 1).

1.2 The application was received and validated by City of Edinburgh Council on Monday 24th of August 2020, with the following documents;

- Planning application (Appeal document 2) and
- Various Drawings and supporting information (Appeal documents 3-11).

The Decision date deadline for the planning application was noted as Friday 23rd of October 2020, however the decision was issued after the deadline on Thursday the 19th of November 2020.

1.3 The planning application has been refused for the following reasons;

- *“The proposal is contrary to the Local Development Plan Policy HOU 1 in respect of Housing Development, as the proposals do not comply with the other policies in the Edinburgh Local Development Plan.”*
- *“The proposal is contrary to the Local Development Plan Policy DES 1 in respect of Design Quality and Context, as the proposals are inappropriate in design and damage the character and appearance of the area.”*
- *“The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design – Impact on Setting, as it would fail to have a positive impact on its surroundings including the spaces between the buildings.”*
- *The proposal is contrary to the Local Development Plan Policy DES 5 in respect of Development Design – Amenity, as it will fail to have acceptable levels of daylight, sunlight and outlook.”*

1.4 This review statement has been prepared by Andrew Megginson Architecture (AMA) on behalf of Mr. Smith-Hay & Miss. Wilkie (hereafter referred to together as the ‘applicant’). The application site comprises the building and curtilage at 111 Corstorphine Road, Edinburgh (hereafter referred to as either the ‘application site’, ‘site’ or ‘property’). This document is structured as follows;

- Section 2 describes the site and context,
- Section 3 provides a summary of the proposals and appraises material considerations against which the proposals should be judged.
- Section 4 reaches conclusions in relation to the acceptability of the planning application in the context of material considerations.



2. The Site and Context

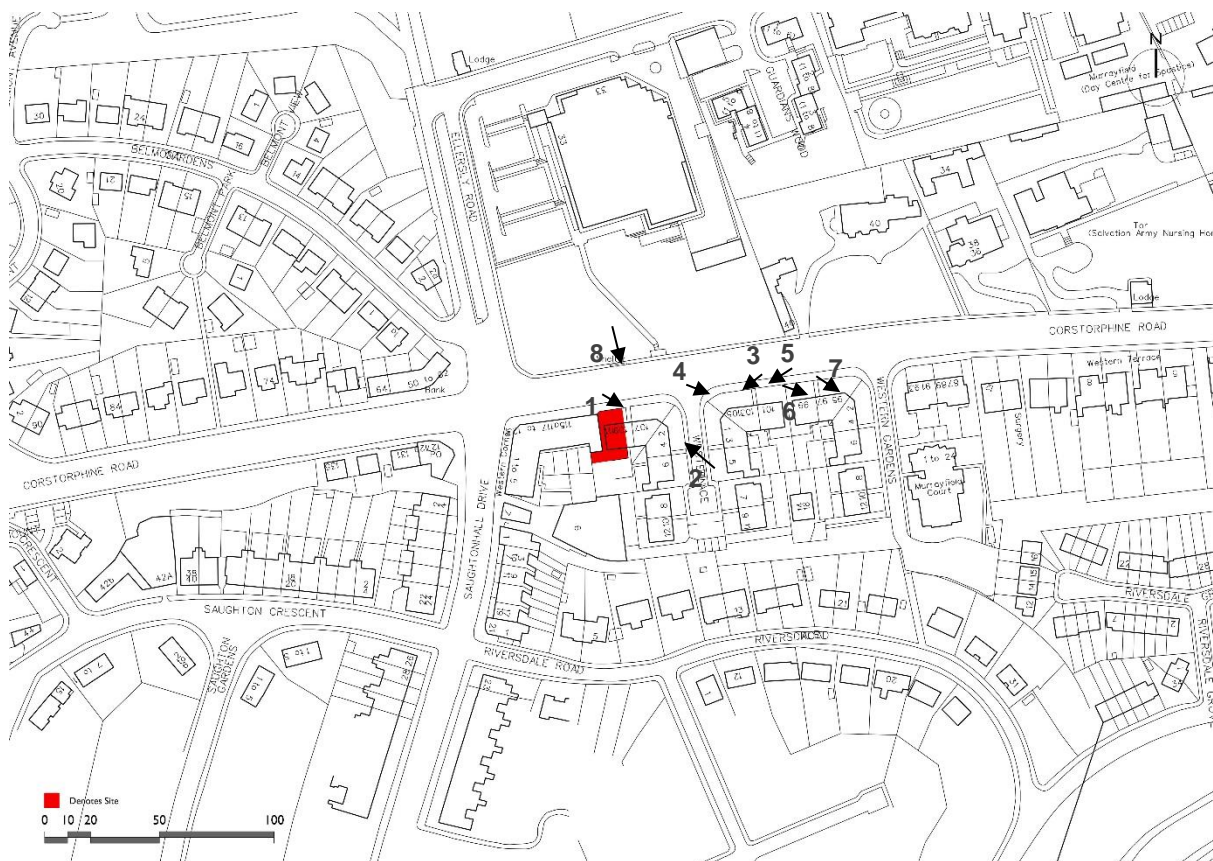


Figure 2.1 – Location plan.

- 2.1 The property is a ground floor flat in a three-storey tenement block, on the South side of Corstorphine Road approximately 40 metres East of the junction with Saughtonhall Drive and Ellersly Road. It is adjacent to a local centre specified as Western Corner. The building is not listed and is not located within a Conservation Area, the nearest conservation area is Northwards of the site (West Murrayfield).
- 2.2 The character of the local area, basically Corstorphine Road, in which the property lies can be described as a route that is more or less continuously built up, which is especially apparent on the South side with its regularly spaced villas and tenements set back behind small gardens or parking areas.
- 2.3 As described above, the area is significantly built up in character and, locally to the site, comprises a mixture of uses. All buildings along Corstorphine Road vary in height and form.
- 2.4 The below photos are in consecutive order to the views labelled in figure 2.1. They show basements/ lower ground properties in the area and also the property next door which has planning permission for a cellar conversion to the ground floor flat where it can be seen it will face Corstorphine Road and has same ground level as that of the application site. It can also be seen that a majority of these properties face directly to Corstorphine Road.







View 3



View 4





View 5



View 6





3. The Proposed Works

3.1 The application seeks planning consent to form a new residential property through a cellar conversion and side extension at 111 Corstorphine Road, Edinburgh

3.2 The main branches of the development include;

- Formation of a basement flat through a cellar conversion.
- Side extension to house access.

3.3 LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area. Permission will not be granted for proposals that are inappropriate in design or for proposals that would be damaging to the character or appearance of the area. Within the planning officers report of handling the following is noted;

“The development site is an established area of flatted blocks in a tenement style which front the main road and turn corners onto secondary streets. The topography means that Corstorphine Road sits at a higher level than the secondary streets where the ground level slopes to the north. This results in lower ground floor basement flats on corners and within the secondary streets.

The site itself is at the western end of the blocks fronting the main road and adjoining the local centre. Its frontage is entirely at the higher ground level of Corstorphine Road. As a result the significant excavation to the front of the property and introduction of a new basement dwelling would introduce an element not associated with the flatted block in this location. The appearance would be incongruous and disruptive to the established uniformity of the building and wider area.”

3.4 As can be seen in review document 12 and the context photos, this evaluation is false. It is not only the corner and side street properties that have basements/ lower ground properties, all properties immediately facing Corstorphine Road also have basements to them. Two properties, numbers 99 (approved planning permission under 02/02789/FUL) and 101 (approved planning permission under 07/02541/FUL), are exactly the same as that of the property at 111 in terms of the flats location within the overall flatted tenement block. The corner properties which have basement properties also are prominent to and face Corstorphine Road as can be seen from the context photos. As per the overall design concept of basements to these properties, a basement to the application site would not be out of character to the area and thus will not damage the overall uniformity of the building and wider area.

3.5 Next door to the application site, approval has been gained for a basement property formation where the front elevation of this property faces immediately onto Corstorphine Road and shares the same existing ground level (19/02816/FUL). As with this and other developments in the area, the amount of excavation required at the application site will be no more than that at these said properties.

3.6 The planning officer then states that the side extension will negatively impact the character of the area by removing the space between the two buildings of the flatted tenement and the neighbouring



commercial property. We disagree that this will have a negative impact on the character of the area as the tall three storey stone residential tenement that is set back from the pavement and the single storey timber fronted and roughcast sided commercial property built right up to the pavement are very well distinguished. The formation of an extension between these two properties, which will be a total of 2 meters in width, that is lower in height than the single storey shop, built in contrasting materials, set back from the tenement and screened by vegetation in the front garden of the application site will still allow the two buildings to be read independently. This side space is currently used as access to the application property and rear garden so the extension will reflect what is existing in this location simply now having this space internal. The below image displays the above.



- 3.7 The next item raised is that of adequate daylight and sunlight levels to the proposed property. As is noted in the planning officer's report we provided positive information on this as per the Edinburgh Design Guidance which have been overlooked. Please refer to review document 13 where we have had a study carried out which summarises that the proposed property will gain adequate daylight and sunlight.
- 3.8 Further to the above, outlook at the front is seen as an issue. We refer to the aforementioned number of basement properties in the area which will have a similar outlook and to countless other basement properties around Edinburgh which is also same. As it is demonstrated in review document 13 adequate daylight and sunlight levels will be provided which will help the internal amenity and the outlook will not be anything detrimental. We have proposed natural stone to the retaining walls as well as planters or a living wall to make the outlook more desirable. However, seen all around Edinburgh looking directly onto stone is accepted. In some cases however the occupant has made the outlook their own with planting,



lighting, art and furniture, this would be the exact same for this situation. We disagree that the outlook will be an issue for potential occupiers with the number of similar situations around Edinburgh.

- 3.9 Privacy is raised partially but is not noted as a reason for refusal. Again, we direct to the other basement properties in the area and layout of the urban form where normally the front gardens are private to the ground floor flat whereas a larger shared garden area exists to the rear and is accessed through shared circulation space. The terraces formed to the basement property will be in private ownership to the basement property, the path at the front, side extension with circulation space and rear garden will be shared and the small portion of front garden will be private to the application property which follows the urban pattern.
- 3.10 On top of the above, the cellar conversion will provide a new residential property within the city and at a modest level will potentially reduce urban sprawl and negate development of a possible greenfield site elsewhere.
- 3.11 Below are some photos of other basement properties around Edinburgh along with examples of how occupiers make basements their own with planting and the like. It should be noted within these examples that some of the basement properties are much lower than the adjacent ground level with some even being two storeys below.













4. Conclusion

4.1 Planning consent is sought by Mr. Smith-Hay & Miss. Wilkie for a cellar conversion and side extension to their ground floor flat to provide a new residential property.

4.2 Planning permission has been refused for the following reasons;

- *“The proposal is contrary to the Local Development Plan Policy DES 1 in respect of Design Quality and Context, as the proposals are inappropriate in design and damage the character and appearance of the area.”*

As is shown basements are a common characteristic of the area and this design concept is simply being replicated to the application property. Furthermore, there are two properties in the exact same location within the adjacent flatted blocks that have had basements successfully added to them with permission from The City of Edinburgh Council. The immediate next door property also has planning consent for a basement property.

- *“The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design – Impact on Setting, as it would fail to have a positive impact on its surroundings including the spaces between the buildings.”*

The tenement and shop unit are very easily distinguished in height, alignment to the street and material. A 2 meter wide extension joining the two elements which is lower in height of both aforementioned building elements, in contrasting material, set back from both elements and screened will not negatively affect the character of the area.

- *The proposal is contrary to the Local Development Plan Policy DES 5 in respect of Development Design – Amenity, as it will fail to have acceptable levels of daylight, sunlight and outlook.”*

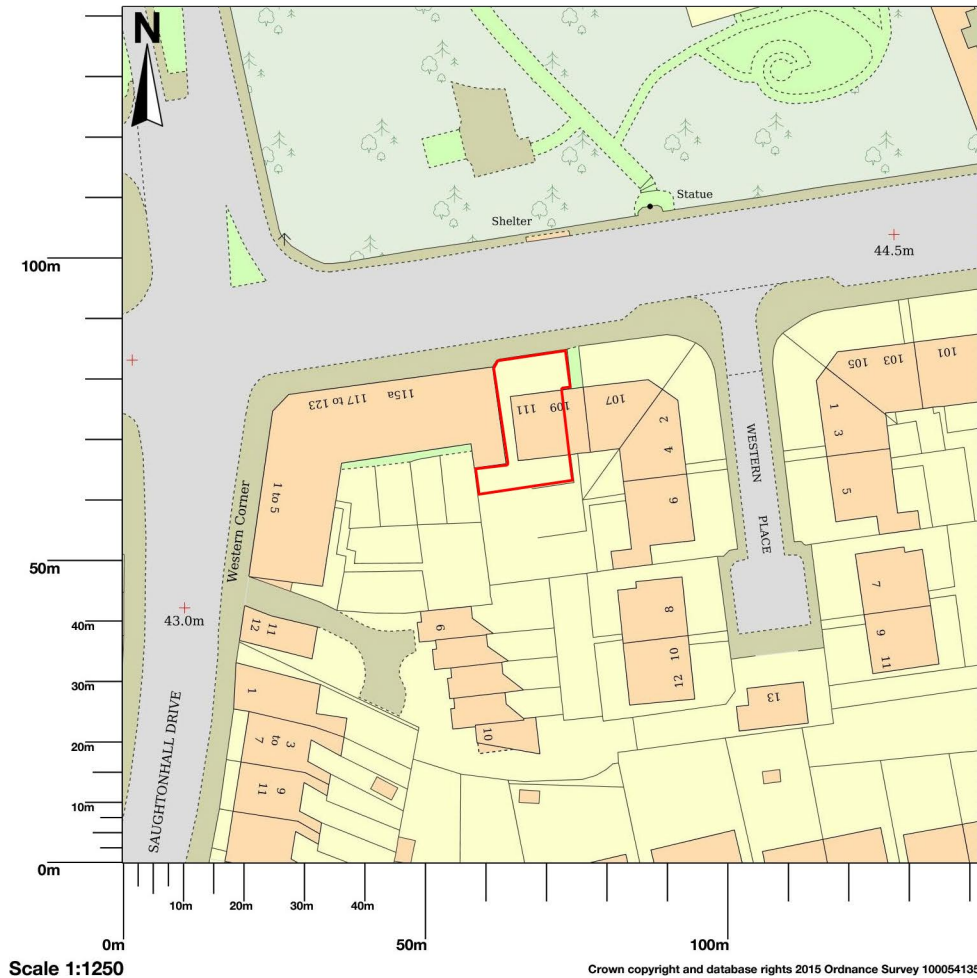
Review document 13 proves that adequate daylight and sunlight is provided to the proposed property. As per the other basement properties in the area and countless basement properties in Edinburgh, these are accepted for what they are and do not cause any detriment to how people live within the properties. The outlook can be altered and softened if the occupier chooses to however there are many similar properties where the outlook to a stone wall like that proposed is acceptable.

4.3 The Applicant has successfully justified the new residential flat and side extension will not detrimentally affect the character of the area as these elements are part of the overall design concept and the proposed property will attain an adequate level of daylight, sunlight, outlook and privacy.

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



111 Corstorphine Road, Edinburgh, EH12 5PZ



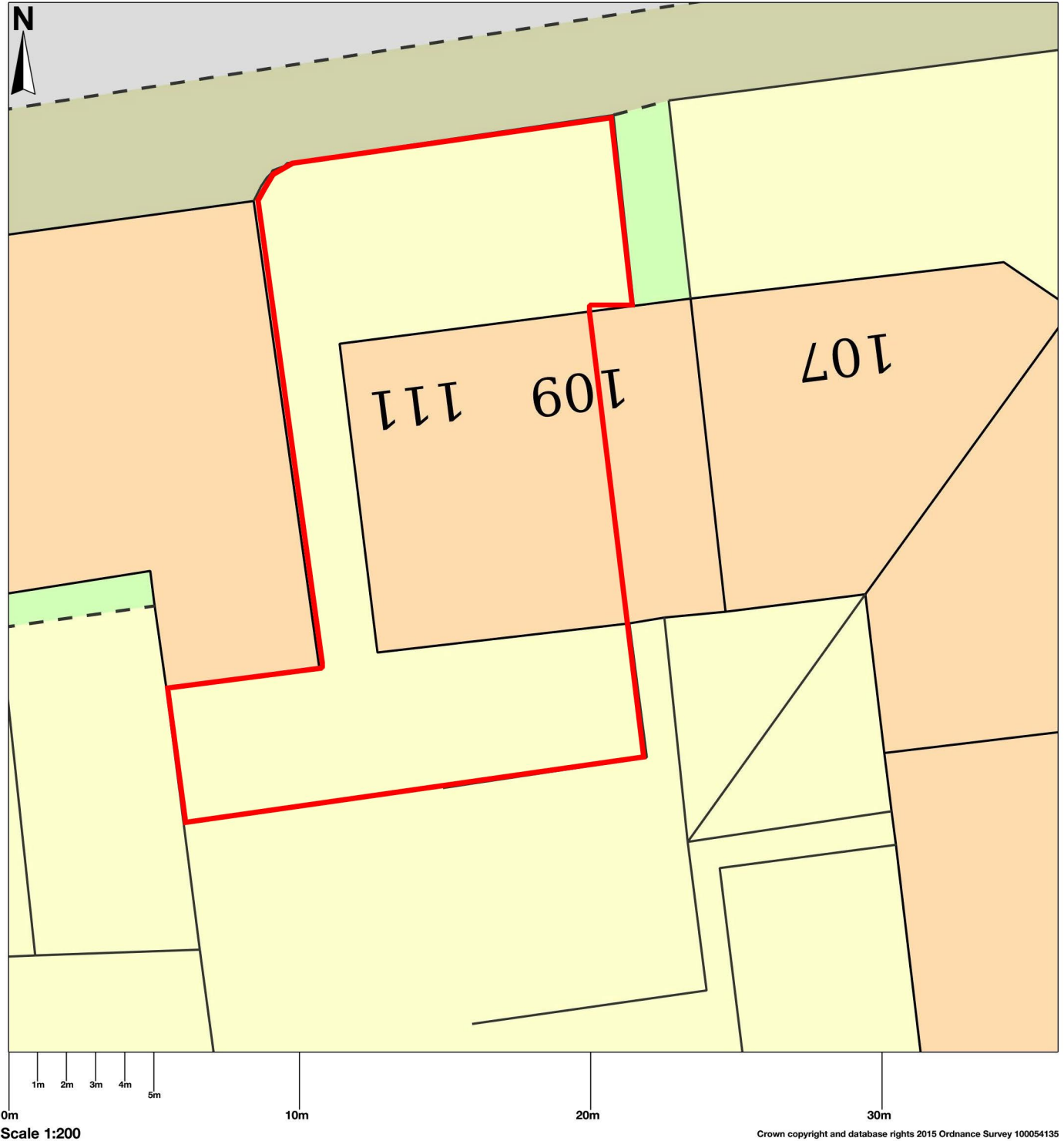
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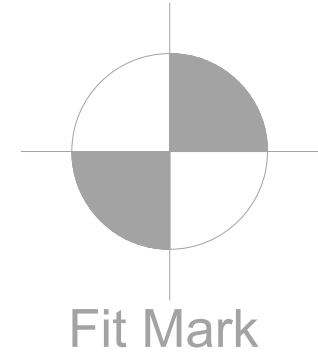
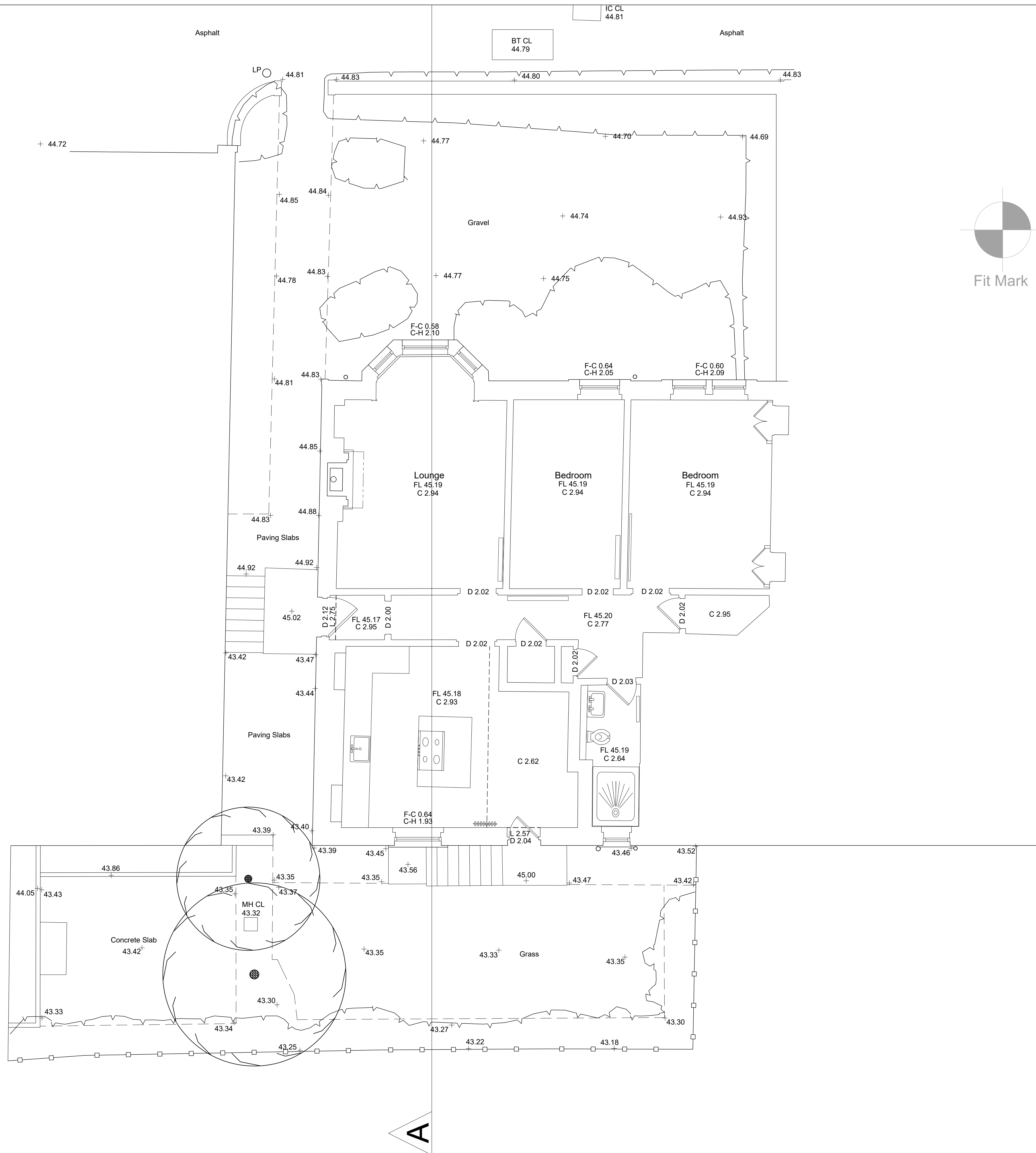
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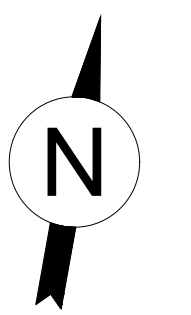
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Fit Mark

LEGEND

- ACCESS HATCH
- AIR CONDITIONING
- A/C CONTROL PANEL
- ALARM SENSOR
- ARCH HEAD HEIGHT
- ARCH SPRINGER HEIGHT
- BEAM HEIGHT
- BELL
- BLANKING PLATE
- BREAK GLASS
- CEILING
- CEILING LIGHT
- CILL TO HEAD
- CLOSE CIRCUIT CAMERA
- DISTRIBUTION BOARD
- DOOR HEAD HEIGHT
- DOOR RELEASE
- DOUBLE SOCKET
- DUCTING
- EMERGENCY DOOR RELEASE
- EMERGENCY EXIT LIGHTING
- EMERGENCY LIGHTING
- EXTRACTOR FAN
- FAN
- FIRE ALARM BELL
- FIRE EXTINGUISHER
- FLOOR TO CILL
- FLOURESCENT LIGHTING
- FLOOR LEVEL
- FUSED SPUR
- HAND DRYER
- HOSE REEL
- HOT WATER BOILER
- INSPECTION COVER
- LINTEL HEIGHT
- LIGHT SWITCH / SINGLE
- LIGHT SWITCH / DOUBLE
- LIGHT SWITCH / TRIPLE
- LIGHT SWITCH / QUADRUPLE
- LOW VOLTAGE SUPPLY
- PHONE / DATA POINT
- PULL CORD SWITCH
- RADIATOR
- RAIN WATER PIPE
- SINGLE SOCKET
- SKYLIGHT
- SLOPED CEILING
- SMOKE DETECTOR
- SERVICE PIPE
- SPOTLIGHT
- SWITCH
- SWITCHED FUSED SPUR
- THERMOSTAT
- UNKNOWN SERVICE
- WALL LIGHT



INDICATIVE ONLY



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DRAWN	R. RENNIE	1:50 (A1 Sheet)
CHECKED	J. ROMAN	

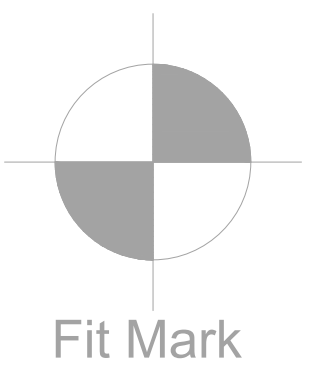
MR S SMITH-HAY
111 CORSTORPHINE ROAD, EDINBURGH

MEASURED BUILDING SURVEY
GROUND FLOOR PLAN

Job No.	Drawing No.	Date	Revision
20/258	20/258/01A	June 2020	

REVISION	NOTES	DATE

Notes:
Grid is arbitrary.
All levels relate to OS Datum OSGM15.
Drawing Scale Factor: 1



Fit Mark



60m

55m

50m

45m

40m



FRONT ELEVATION

60m

55m

50m

45m

40m



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MR S SMITH-HAY

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MEASURED BUILDING SURVEY
FRONT ELEVATION

Job No.	Drawing No.	Date	Revision
20/258	20/258/03A	June 2020	

REVISION	NOTES	DATE

Notes:

Grid is arbitrary.

All levels relate to OS Datum OSGM15.



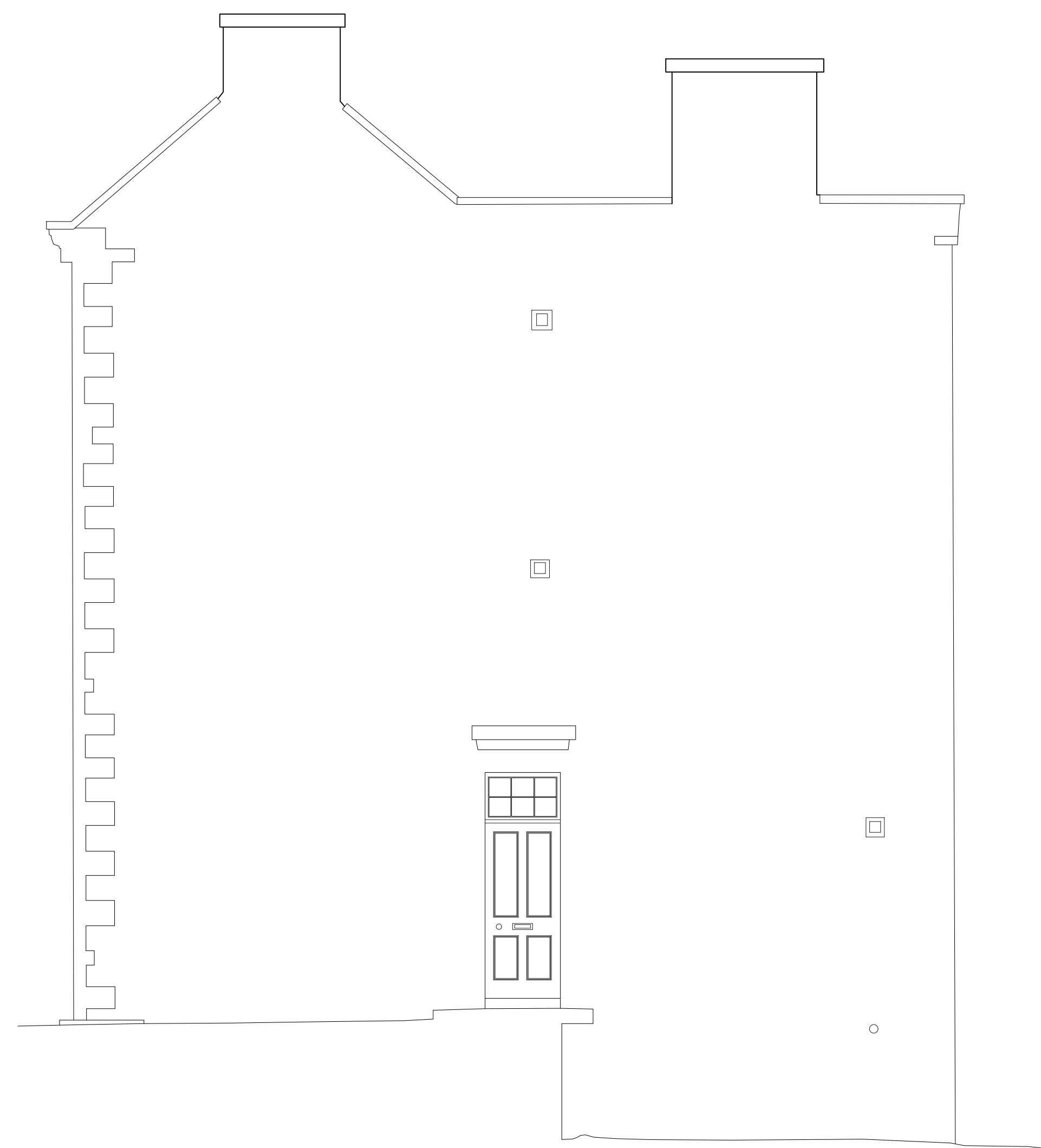
60m

55m

50m

45m

40m



SIDE ELEVATION

60m

55m

50m

45m

40m



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MR S SMITH-HAY

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MEASURED BUILDING SURVEY
SIDE ELEVATION

Job No.	Drawing No.	Date	Revision
20/258	20/258/03B	June 2020	

REVISION	NOTES	DATE

Notes:

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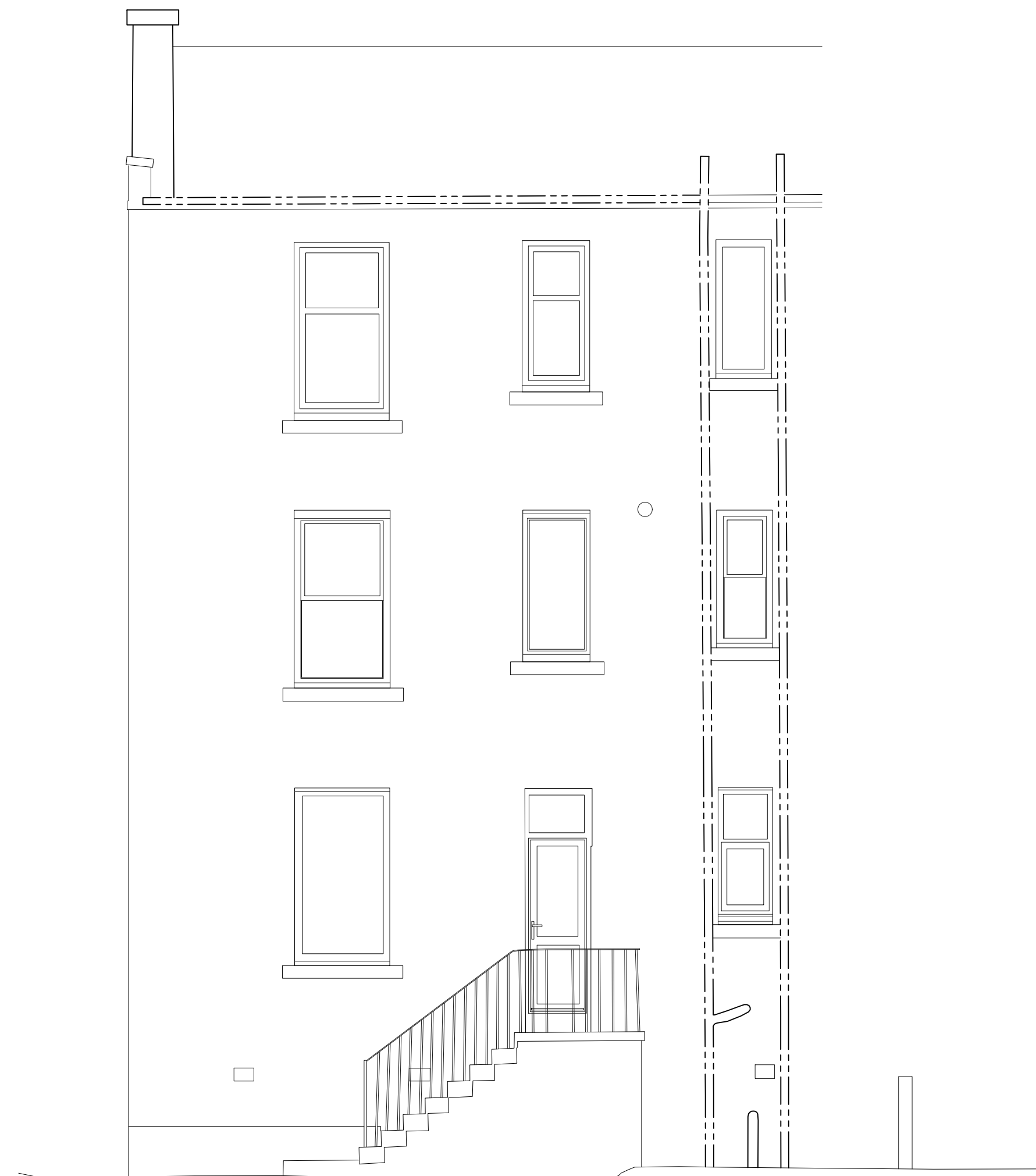
60m

55m

50m

45m

40m



REAR ELEVATION

60m

55m

50m

45m

40m



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DRAWN	R. RENNIE	1:50 (A1 Sheet)
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MR S SMITH-HAY
111 CORSTORPHINE RD, EDINBURGH

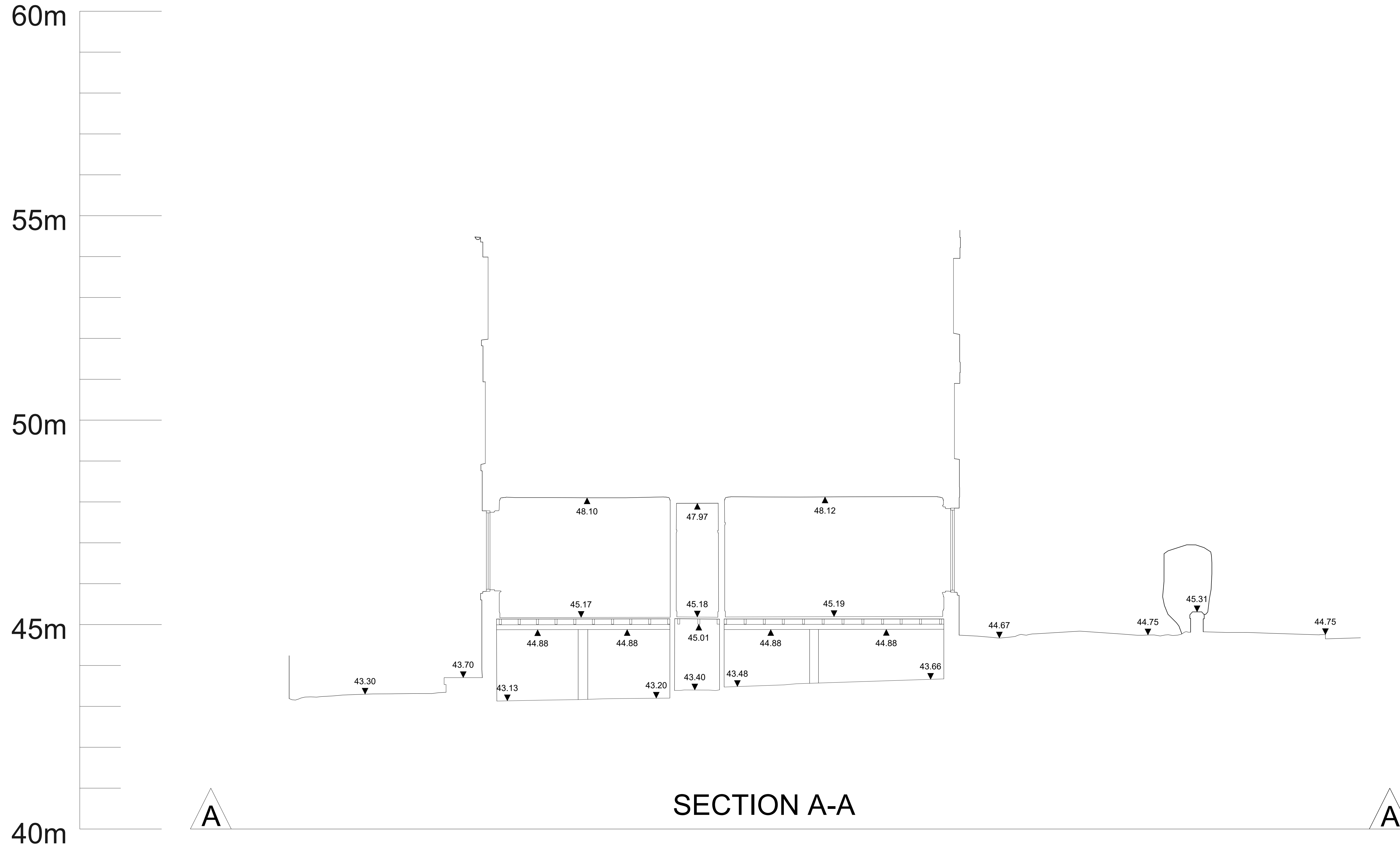
MEASURED BUILDING SURVEY
REAR ELEVATION

Job No.	Drawing No.	Date	Revision
20/258	20/258/03C	June 2020	

REVISION	NOTES	DATE

Notes:
Grid is arbitrary.
All levels relate to OS Datum OSGM15.





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MEASURED BUILDING SURVEY
SECTION A-A

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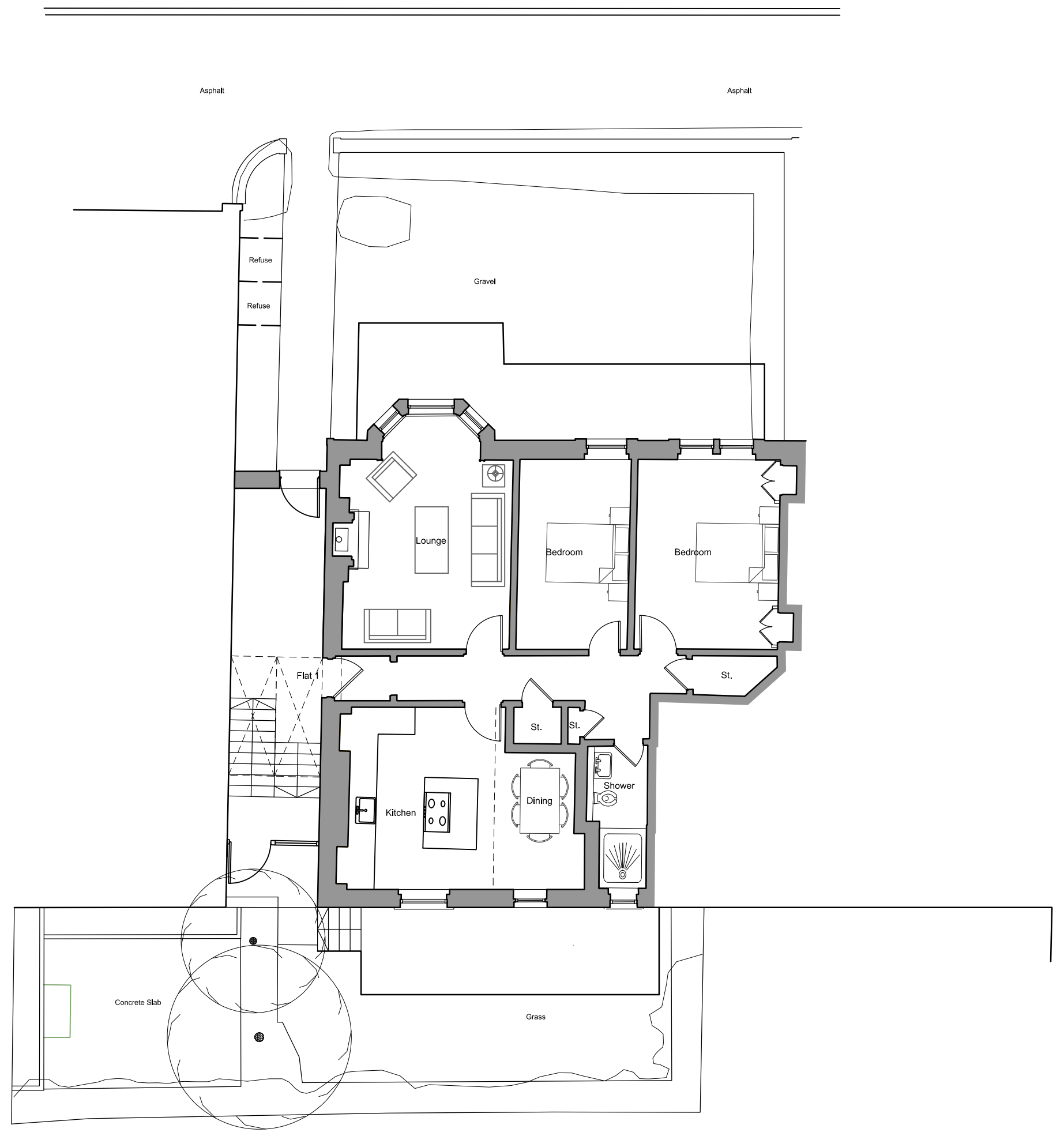
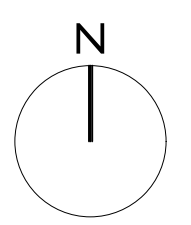
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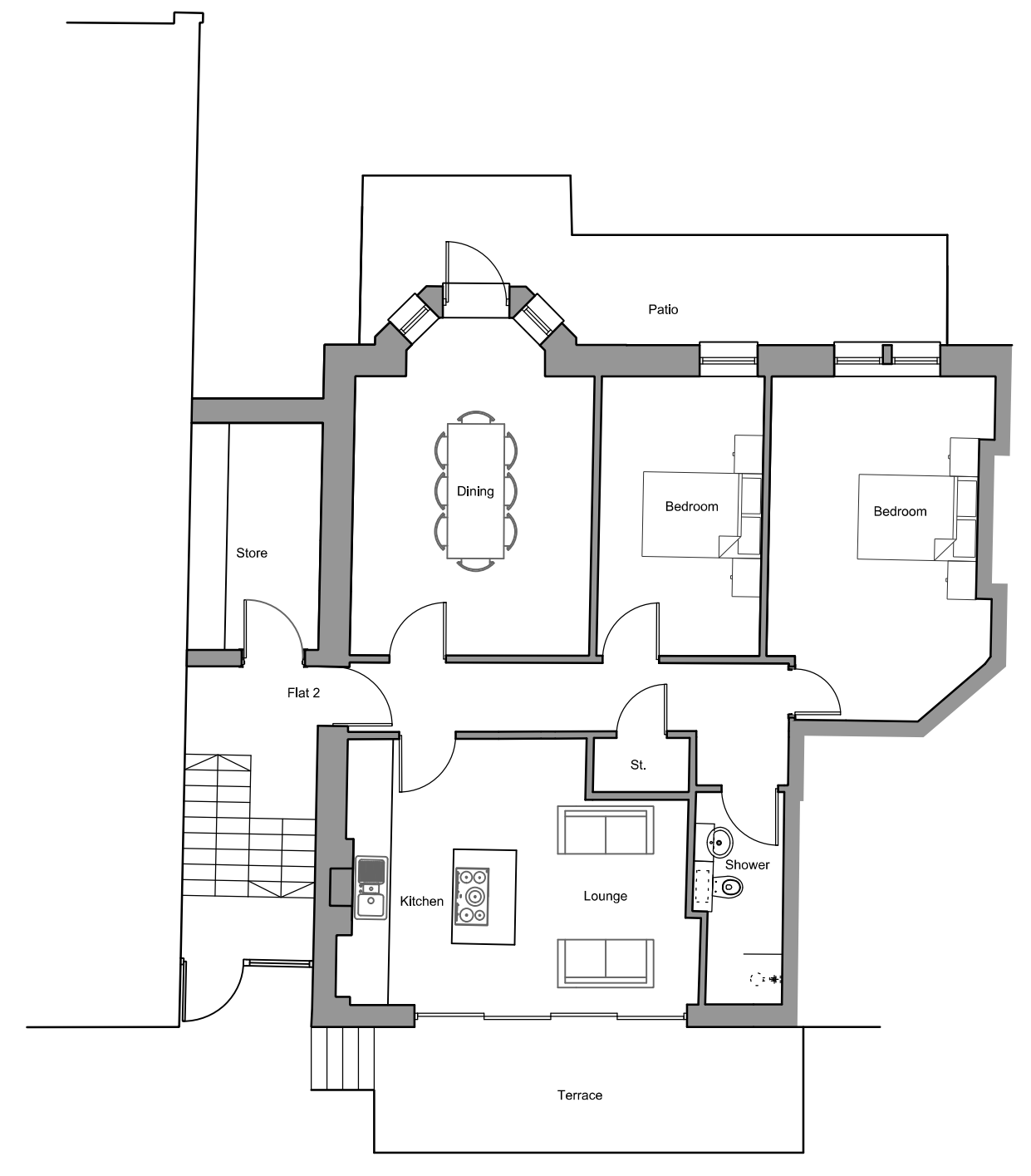
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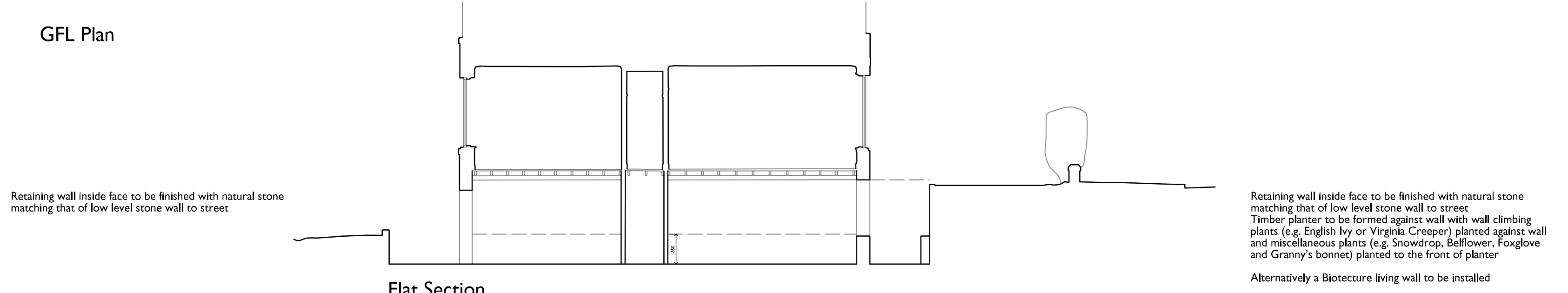




GFL Plan



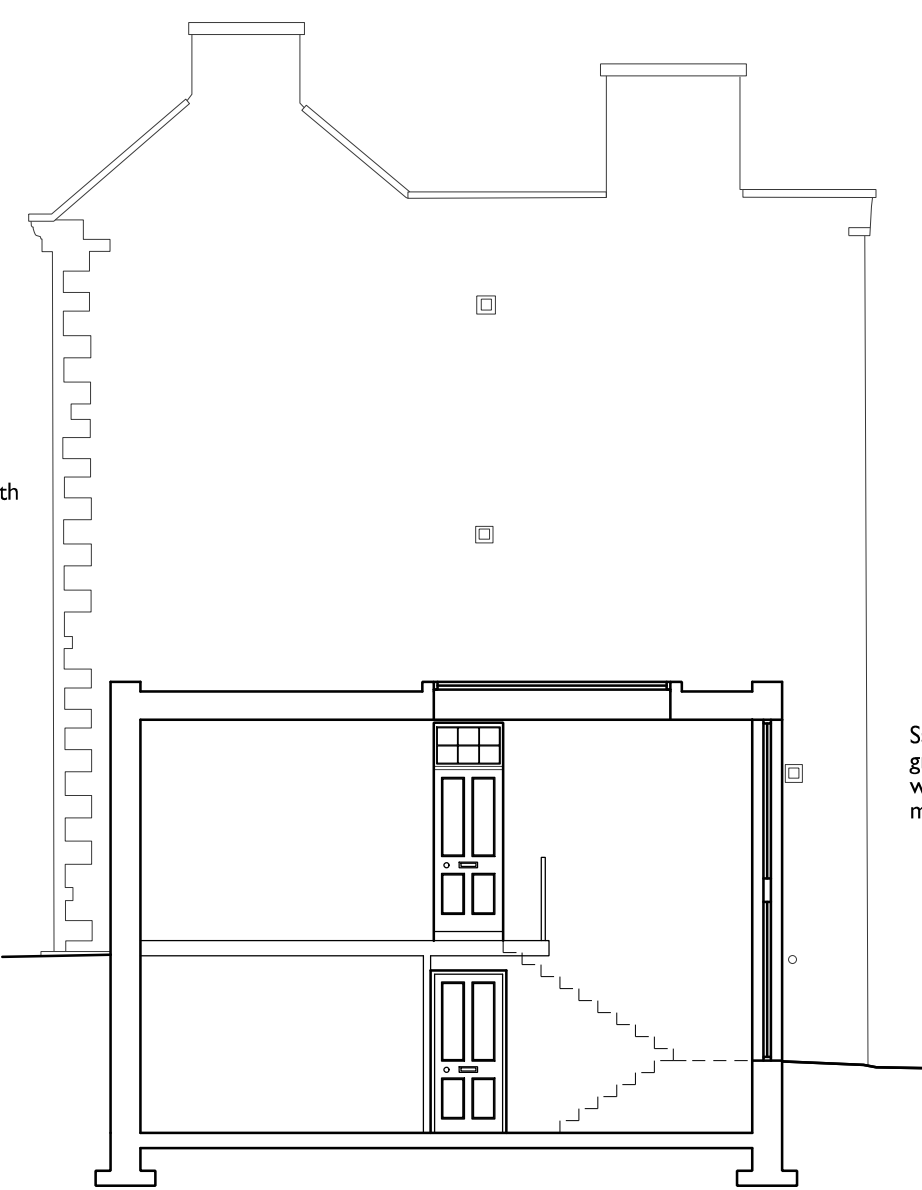
BFL Plan



Flat Section



Front (North) Elevation



Side (West) Elevation



Rear (South) Elevation

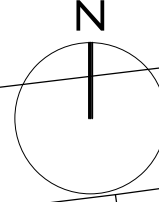
Rev	Drawn	Date	Revisions
Rev E	AM	11/11/20	Drawing amended following planning officer discussions
Rev D	AM	23/10/20	Drawing amended following planning officer discussions
Rev C	AM	21/08/20	Drawing amended following client discussions
Rev B	AM	25/07/20	Drawing amended following client discussions
Rev A	AM	25/06/20	Drawing amended following client discussions

CLIENT	Mr. S Smith-Hay & Miss. A Wilkie
PROJECT	Proposed Cellar Conversion to Residential Flat at 111 Corstorphine Road, Edinburgh
DRAWING	Proposed Plans
STATUS	PLANNING
DRAWN	AM
DATE	AUG 20
DRG NO	1132-PL-01
JOB	1132
REV	E
SCALE	1:100 @ A0

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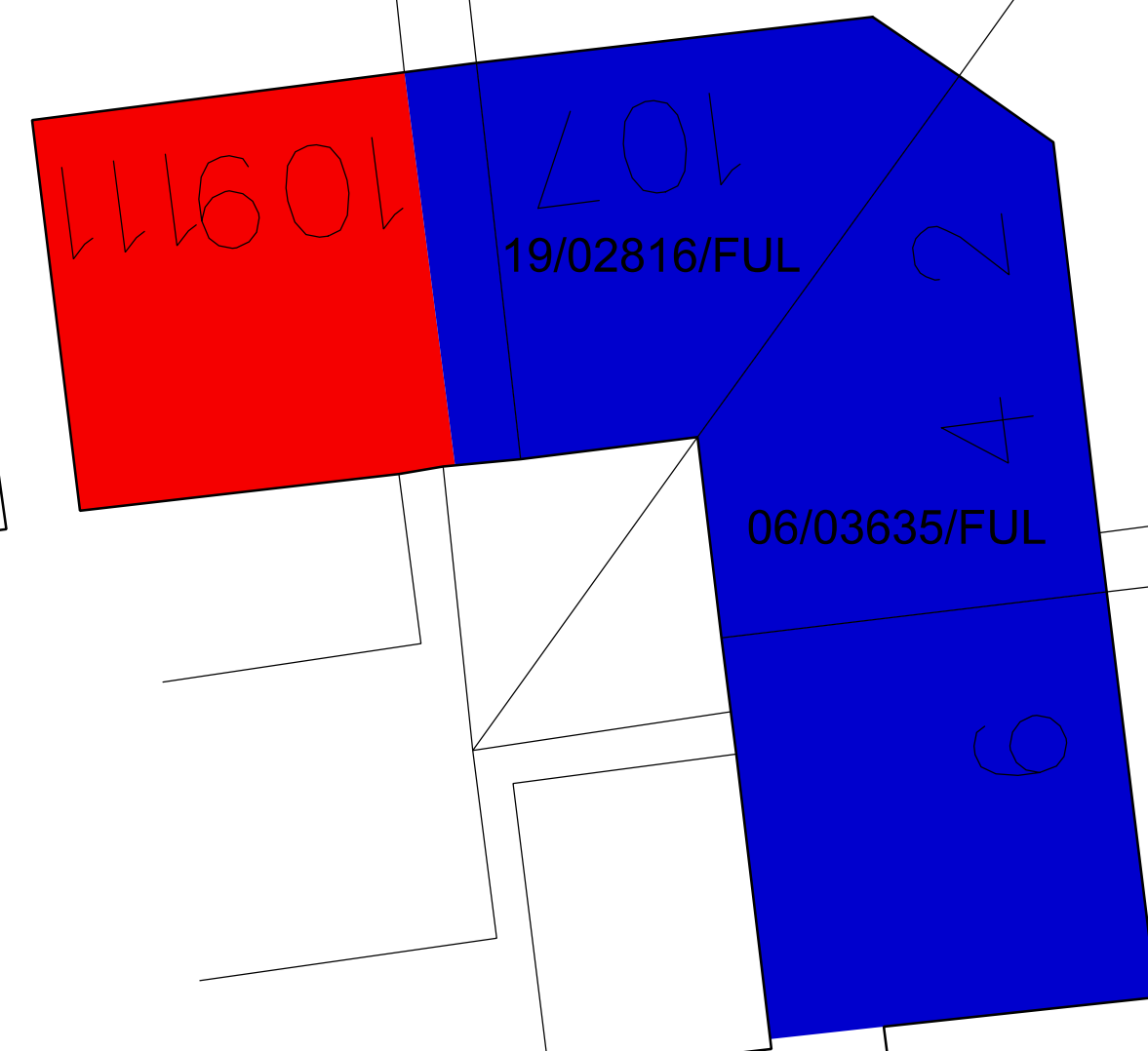
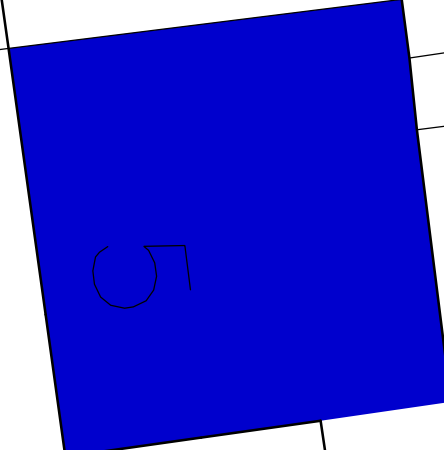
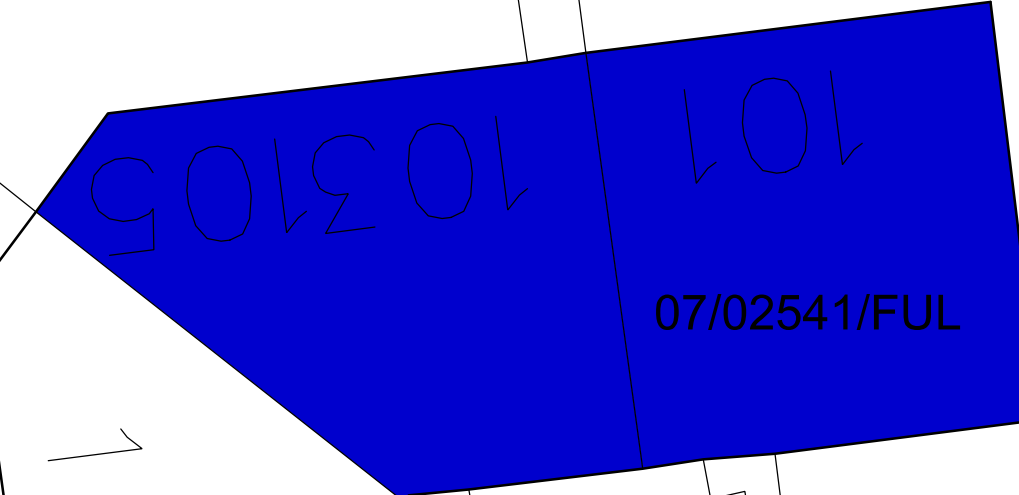
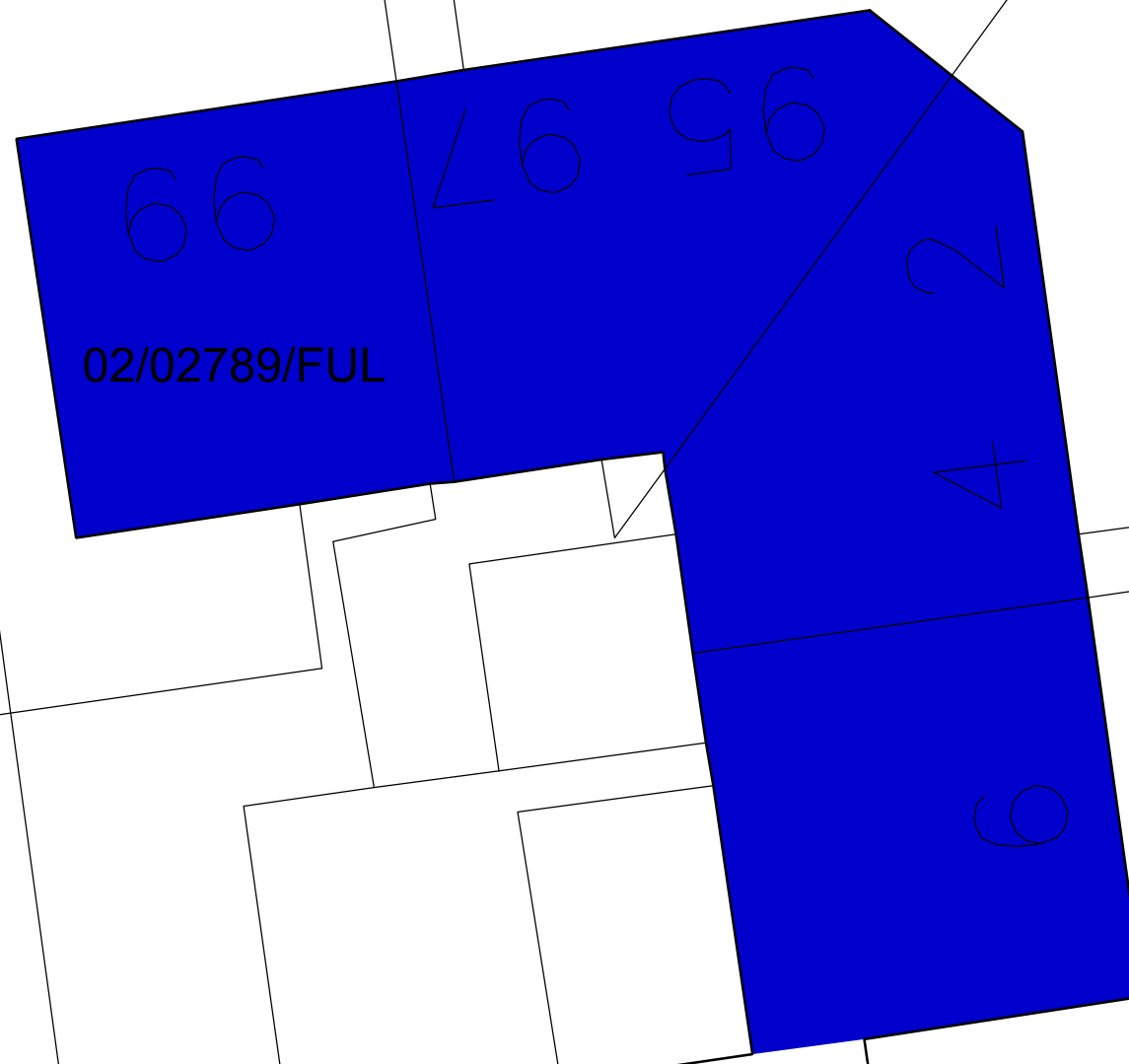
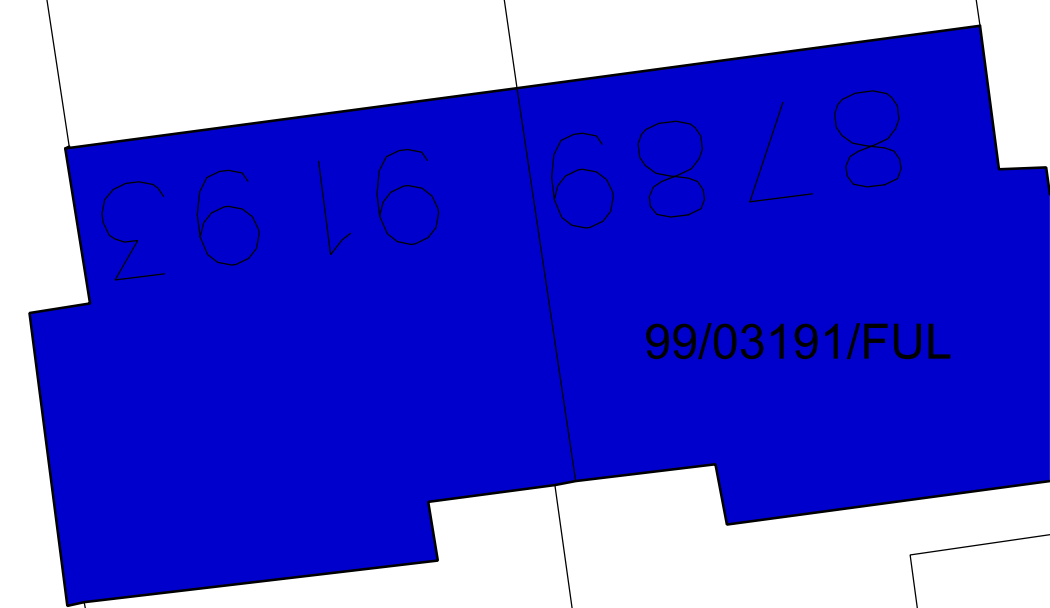


Shelter

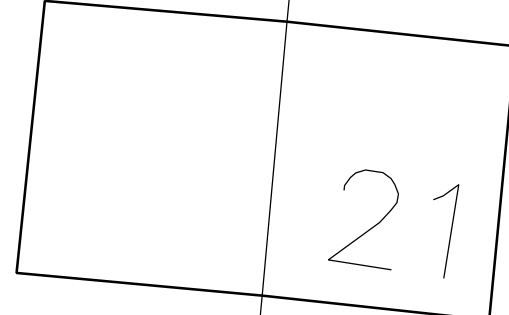
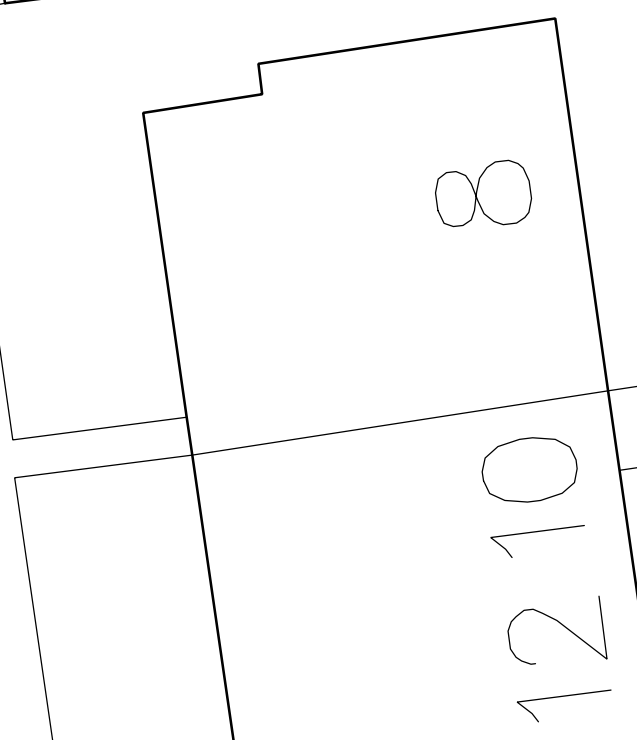
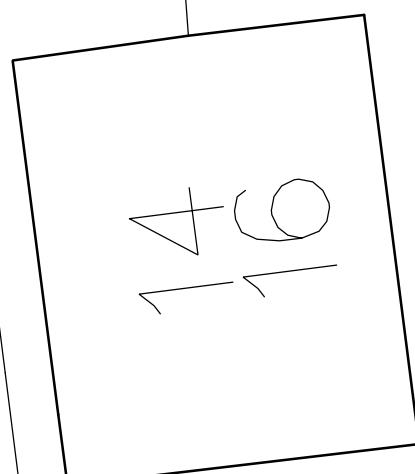
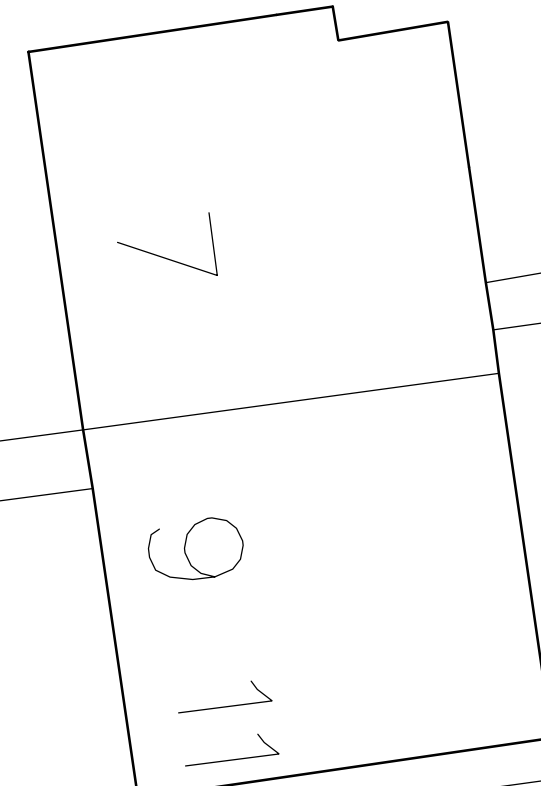
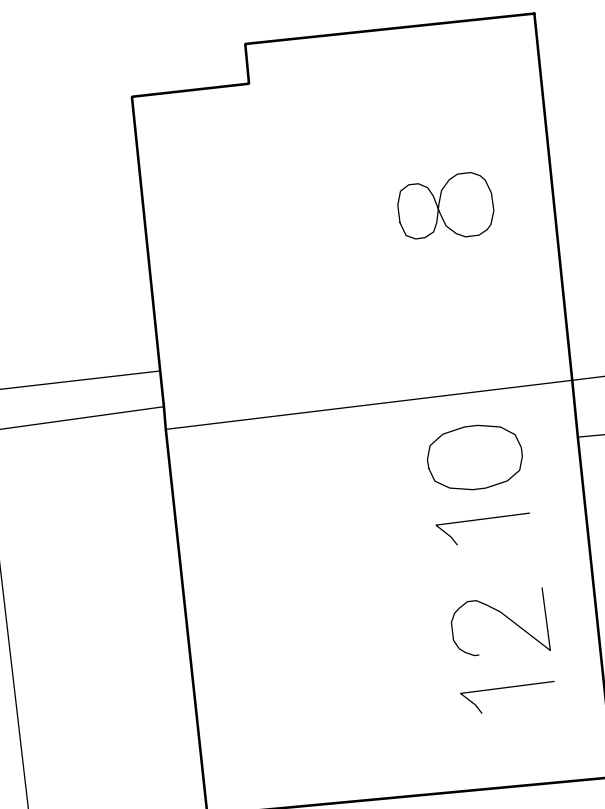
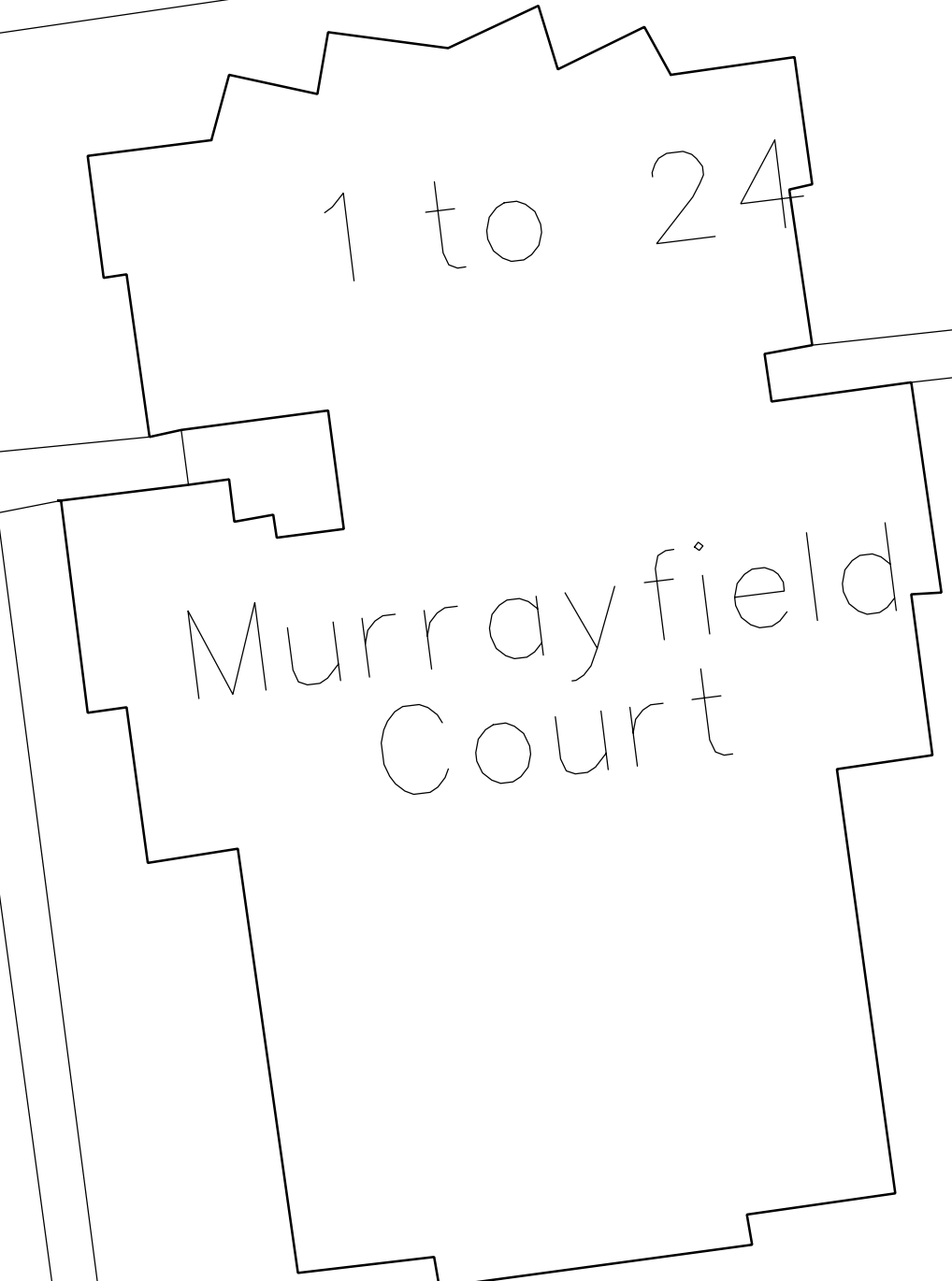


WESTERN GARDENS

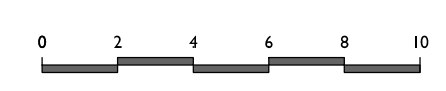
WESTERN PINNACE



06/03635/FUL



- Denotes Nearby Basement/ lower ground properties
- Denotes Site



CLIENT	Mr. S Smith-Hay & Miss. A Wilkie				
PROJECT	Proposed Cellar Conversion to Residential Flat at 111 Corstorphine Road, Edinburgh				
DRAWING	Local Basement/ Lower Ground Property Location Plan				
STATUS	PLANNING				
DRAWN	AM	DATE	NOV 20	DRG	132-PL-02
JOB	1132	REV	/	SCALE	1:200 @ A0

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FAO: John Gordon
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KY12 9XS

Mr J Whyte.
2F2
86 Leamington Terrace
Edinburgh
EH10 4JU

Decision date: 7 January 2021

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

Replacement windows to front and rear.
At 2F2 86 Leamington Terrace Edinburgh EH10 4JU

Application No: 20/04866/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 6 November 2020, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed replacement windows to the rear are of an inappropriate material, design and position that will fail to preserve or enhance the character of the conservation area.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions as the proposed replacement windows to the rear are of an inappropriate material, design and position that will adversely impact on the character of the existing building and neighbourhood character.

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

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

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

The proposed development is of an inappropriate material, design and position and will have an adverse impact on the character and appearance of the existing building, and, will fail to preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to the Edinburgh Local Development Plan policies Env 6, Des 12 and the relevant non-statutory guidance.

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

Should you have a specific enquiry regarding this decision please contact Lewis McWilliam directly at lewis.mcwilliam@edinburgh.gov.uk.

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
2F2, 86 Leamington Terrace, Edinburgh**

Proposal: Replacement windows to front and rear.

**Item – Local Delegated Decision
Application Number – 20/04866/FUL
Ward – B10 - Morningside**

Recommendation

It is recommended that this application be **Refused** subject to the details below.

Summary

The proposed development is of an inappropriate material, design and position and will have an adverse impact on the character and appearance of the existing building, and, will fail to preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to the Edinburgh Local Development Plan policies Env 6, Des 12 and the relevant non-statutory guidance.

SECTION A – Application Background

Site Description

The site is a second floor flat that forms part of a victorian tenement property located on the south west side of Leamington Terrace. The site lies in the Marchmont, Meadows and Brunstfield Conservation Area.

Description Of The Proposal

The application proposes the following works;

-Replacement windows to rear of property (timber to uPVC).

Not Development

Replacement timber windows to front of property : These works do no constitute development as defined under Section 26 of the Town and Country Planning (Scotland) Act 1997. No assessment of their merits is therefore required as part of this planning application.

Relevant Site History

No relevant site history.

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 13 November 2020

Date of Advertisement: 20 November 2020

Date of Site Notice: 17 November 2020

Number of Contributors: 1

Section B - Assessment**Determining Issues**

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

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

Do the proposals comply with the development plan?

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

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

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 the conservation area;
- b) the proposal will cause an unreasonable loss to neighbouring amenity;
- c) any impacts on equalities or human rights are acceptable; and
- d) any comments raised have been addressed.

a) Scale, form, design and the conservation area

Policy Env 6 of the Edinburgh Local Development Plan states that development within the conservation area will be permitted where it preserves or enhances the special character or appearance.

Policy Des 12 of the Edinburgh City Local Plan sets out relevant design criteria for alterations and extensions. These seek to ensure that alterations and extensions are compatible with the character of the existing dwelling and that of the wider locality.

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well-proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

Specific to Bruntsfield, the architectural character of the area is dominated by Victorian tenements. The tenements vary in scale, being 3, 4 or 5 storey, each having an integrity of purpose and definition. The 5 storey tenements are concentrated along or near the main roads. The terraced housing, whilst often not having special individuality, compensate for this with rhythm and solidity - their patina creating a permanence and sobriety which belies the small variety within the built form.

The application proposes replacing 4 existing timber windows with uPVC sash windows on a second floor flat within a five-storey Victorian tenement.

As highlight in the above guidance, the proposal site and surrounds form a distinct architectural character to Brunstfield and this part of the conservation area. In this regard, there is a presumption against the loss of any features or material in this location which contribute positively to the character of the conservation area and provide continuity and uniformity within the surrounding built environment.

The alterations proposed would result in the loss of timber windows and replacement with uPVC. The non-statutory guidance states in regard to replacements of this nature that uPVC will not be acceptable and that any departure from the guidelines must be fully justified.

Whilst the presence of metal and uPVC windows on nearby properties is noted, the prevalent character is of traditional timber sash and case openings. This is further reinforced by the high-density form of development in this area in which the pattern of window design is accentuated by the uniform appearance of each storey that forms the tenement and its immediate surroundings.

Notwithstanding the existing changes in material evident, in line with Local Plan Policy Env 6, development proposals should preserve or enhance the character of the conservation area. In this context; on a property of distinct architectural character, the loss of the timber framed windows and replacement with uPVC would result in further erosion to its overall character.

Whilst the replacement windows south-west facing would not be visible from the street, this elevation fronts a significant expanse of garden space and is highly visible from the surrounding tenements. The existing design and scale of the windows still form a coherent pattern when considered in the context of the whole tenement. In this regard, this elevation still forms part of the architectural character of the building as a whole. Policy Env 6, states development should utilise 'materials appropriate to the historic

building.' The loss of timber openings and replacement with uPVC is inappropriate in the context of this historic tenement and would result in an adverse impact upon the architectural character of the building contrary to policy and relevant guidance. This would neither preserve, nor enhance the character or appearance of the conservation area.

In light of the above, the proposal would be contrary to Edinburgh Local Development policies Des 12, Env 6 and the relevant non-statutory guidance and Marchmont, Meadows and Bruntsfield Conservation Character Appraisal.

b) Neighbouring amenity

The proposals have been assessed against requirements set out in the non-statutory Guidance for Householders to ensure there is no unreasonable loss to neighbouring amenity with respect to privacy, overshadowing and loss of daylight or sunlight.

The proposals comply with Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders with respect to neighbouring amenity.

c) Equalities and human rights

This application was assessed in terms of equalities and human rights. No impact was identified.

d) Public comments

One objection has been received summarised as the following:

Material

-Proposal in design and material would be contrary to the non-statutory guidance - Addressed in section 3.3 a of the above report

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

Reasons

1. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed replacement windows to the rear are of an inappropriate material, design and position that will fail to preserve or enhance the character of the conservation area.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions as the proposed replacement windows to the rear are of an inappropriate material, design and position that will adversely impact on the character of the existing building and neighbourhood character.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 6 November 2020

Drawing Numbers/Scheme

01, 02, 03

Scheme 1

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

Contact: Lewis McWilliam, Planning Officer
E-mail: lewis.mcwilliam@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

Comments for Planning Application 20/04866/FUL

Application Summary

Application Number: 20/04866/FUL

Address: 2F2 86 Leamington Terrace Edinburgh EH10 4JU

Proposal: Replacement windows.

Case Officer: Lewis McWilliam

Customer Details

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The AHSS Forth & Borders Cases Panel have examined these proposals, and object to the proposed uPVC infill to the kitchen window, and the implied use of uPVC for some of the windows.

Edinburgh's guidance for windows on traditional properties in conservation areas is clear: uPVC is not an acceptable material. Most of the tenements in this block and its adjacent neighbours retain timber sash and case windows, and none of the neighbouring tenements on Leamington Terrace have planning permission for the few unfortunate replacements that exist.

Therefore all the replacement windows should continue to be of timber, and in the case of the kitchen, the present arrangement of the kitchen interior should not result in a permanent alteration to its window. None of the other properties in this block have an infilled area, so it would disturb the present unity of dimensions to the rear.

We hope to see revised proposals addressing these concerns, which will allow this proposal to proceed.

Comments for Planning Application 20/04866/FUL

Application Summary

Application Number: 20/04866/FUL

Address: 2F2 86 Leamington Terrace Edinburgh EH10 4JU

Proposal: Replacement windows.

Case Officer: Lewis McWilliam

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The AHSS Forth & Borders Cases Panel have examined these proposals, and object to the proposed uPVC infill to the kitchen window, and the implied use of uPVC for some of the windows.

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We hope to see revised proposals addressing these concerns, which will allow this proposal to proceed.

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100327032-002

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	John Gordon Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:		Address 2:	Comrie
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="2F2"/>
First Name: *	<input type="text" value="J"/>	Building Number:	<input type="text" value="86"/>
Last Name: *	<input type="text" value="Whyte"/>	Address 1 (Street): *	<input type="text" value="Leamington Terrace"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UIK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH10 4JU"/>
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="2F2"/>
Address 2:	<input type="text" value="86 LEAMINGTON TERRACE"/>
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="EH10 4JU"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="672300"/>	Easting	<input type="text" value="324726"/>
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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)

Replacement windows to front and rear

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.

SEPARATE STATEMENT ATTACHED

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)

DECISION NOTICE; APPLICATION FORM; APPLICATION DRAWINGS; REASONS FOR REVIEW;

Application Details

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

20/04866/FUL

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

06/11/2020

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

07/01/2021

Review Procedure

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

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

Yes No

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

Please select a further procedure *

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

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

SITE VISIT MAY BE BENEFICIAL TO VIEW THE REAR OF THE PROPERTY

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

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

Yes No

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

Yes No

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

ACCESS TO THE REAR OF THE PROPERTY MAY NEED TO BE ARRANGED

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 John Gordon

Declaration Date: 12/01/2021



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100327032-001

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.

Description of Proposal

Please describe accurately the work proposed: * (Max 500 characters)

Installation of replacement windows

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:	John Gordon Associates Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	<input type="text"/>
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:	<input type="text"/>	Address 2:	Comrie
Mobile Number:	<input type="text"/>	Town/City: *	Dunfermline
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	2F2
First Name: *	J	Building Number:	86
Last Name: *	Whyte	Address 1 (Street): *	Leamington Terrace
Company/Organisation:	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Edinburgh
Extension Number:	<input type="text"/>	Country: *	UK
Mobile Number:	<input type="text"/>	Postcode: *	EH10 4JU
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

2F2

Address 2:

86 LEAMINGTON TERRACE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH10 4JU

Please identify/describe the location of the site or sites

Northing

672300

Easting

324726

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

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.

Access and Parking

Are you proposing a new or 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 proposed to make. You should also show existing footpaths and note if there will be any impact on these.

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: John Gordon

On behalf of: Mr J Whyte

Date: 06/11/2020

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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) Have you provided a written description of the development to which it relates? * Yes No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? * Yes No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent.? * Yes No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? *. This should have a north point and be drawn to an identified scale. Yes No
- e) Have you provided a certificate of ownership? * Yes No
- f) Have you provided the fee payable under the Fees Regulations? * Yes No
- g) Have you provided any other plans as necessary? * Yes No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). *

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding. Yes No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. * Yes No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr John Gordon

Declaration Date: 06/11/2020

Payment Details



Created: 06/11/2020 11:03

John Gordon Associates Ltd.
FAO: John Gordon
3 Dean Acres
Comrie
Dunfermline
KY12 9XS

Mr J Whyte.
2F2
86 Leamington Terrace
Edinburgh
EH10 4JU

Decision date: 7 January 2021

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

Replacement windows to front and rear.
At 2F2 86 Leamington Terrace Edinburgh EH10 4JU

Application No: 20/04866/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 6 November 2020, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed replacement windows to the rear are of an inappropriate material, design and position that will fail to preserve or enhance the character of the conservation area.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions as the proposed replacement windows to the rear are of an inappropriate material, design and position that will adversely impact on the character of the existing building and neighbourhood character.

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

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

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

The proposed development is of an inappropriate material, design and position and will have an adverse impact on the character and appearance of the existing building, and, will fail to preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to the Edinburgh Local Development Plan policies Env 6, Des 12 and the relevant non-statutory guidance.

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

Should you have a specific enquiry regarding this decision please contact Lewis McWilliam directly at lewis.mcwilliam@edinburgh.gov.uk.

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.

Proposal Details

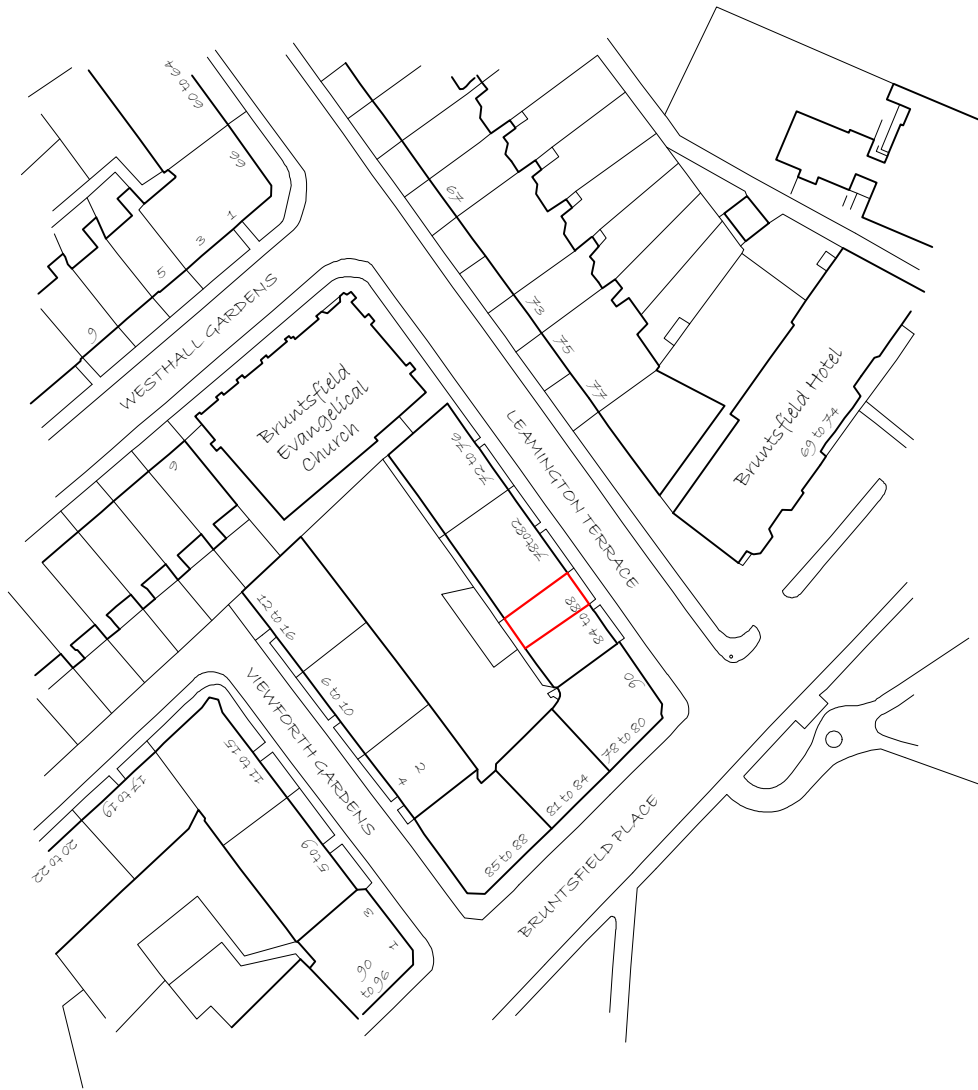
Proposal Name	100327032
Proposal Description	SRJ
Address	2F2, 86 LEAMINGTON TERRACE, EDINBURGH, EH10 4JU
Local Authority	City of Edinburgh Council
Application Online Reference	100327032-002

Application Status

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

Attachment Details

Notice of Review	System	A4
PP APPLICATION	Attached	A4
PP REFUSAL	Attached	A4
REASONS FOR REVIEW	Attached	A4
32471	Attached	A2
LP	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0



Scale Bar (m) 1:1250

Mr. J. Whyte,
2F2, 86 Leamington Terrace,
Edinburgh. EH10 4JU.

Location Plan

Scale: 1:1250

29/10/20

Ref: 32471/LP

srjwindows
conservatories. sunrooms. windows. doors.

SRJ (Scotland) Ltd.
Macintosh House,
Innova Campus, Viking Way,
Rosyth, Fife. KY11 2UU.



Front Elevation



Front Elevation

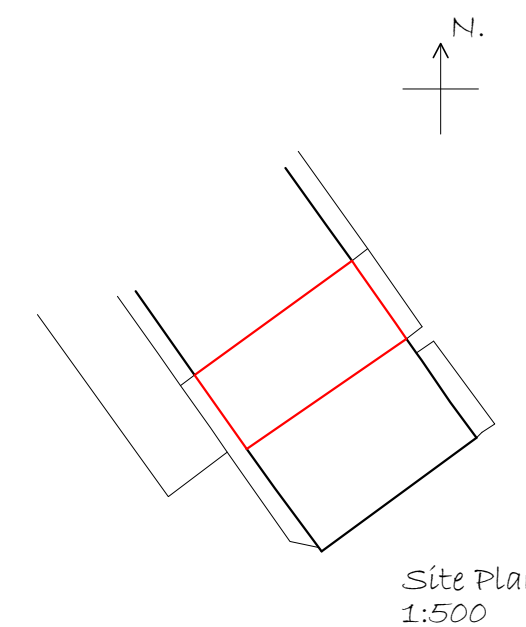


Rear Elevation

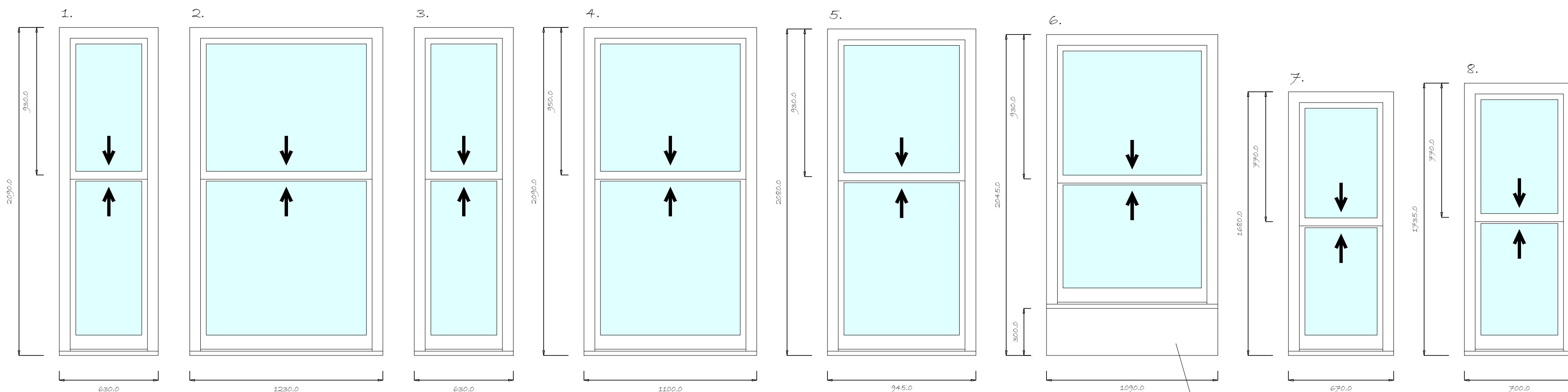


Rear Elevation

8 windows to be replaced in total.
 Existing windows are white painted timber, sliding sash, single glazed.
 Proposed windows 1 to 4 are white painted timber, sliding sash, double glazed, toughened sealed units.
 Proposed windows 5 to 8 are white PVCU sliding sash, double glazed, toughened sealed units.

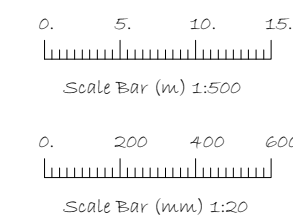


Site Plan
1:500



White PVCU infill to avoid taps in Kitchen.

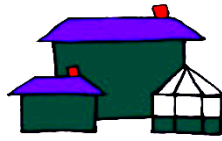
Mr. J. Whyte,
 2F2, 86 Leamington Terrace,
 Edinburgh. EH10 4JU.
 Proposed Replacement Windows
 Scale: 1:20 29/10/20
 Ref: 32471/1



srjwindows
 conservatories, sunrooms, windows, doors.

SRJ (Scotland) Ltd.
 Macintosh House,
 Innova Campus, Viking Way,
 Rosyth, Fife. KY11 2UU.

JOHN GORDON ASSOCIATES LTD



ARCHITECTURAL DESIGN & CONSTRUCTION MANAGEMENT

Reasons for Review

Proposed Replacement Windows
at
2F2, 86 Leamington Terrace, Edinburgh.

The existing property is a non-listed, 5-storey flatted dwelling within the Marchmont, Meadows & Bruntsfield Conservation Area. The property frontage faces Northeast onto Leamington Terrace & towards similar buildings on the opposite side of the street. There is no front garden area. The rear of the property faces Southwest into an enclosed, open-plan, shared garden area which runs right up to the rear boundary of Bruntsfield Evangelical Church. The properties which make up Leamington Terrace are mostly of similar design and construction.



86 Leamington Terrace, Front Elevation.



86 Leamington Terrace, Rear Elevation



Rear Garden.



View opposite 86 Leamington Terrace

The windows currently installed the application property (Flat 2F2) are of timber construction and sliding sash opening styles. The windows are all white in colour.

Travelling up and down the length of Leamington Terrace will reveal windows of varying styles and materials from one property to the next ranging from traditional timber sliding sash, to aluminium sliding sash and all the way to the opposite end of the scale with others being PVCU casement.

The proposal seeks to replace four windows on the front elevation with traditional timber sliding sash windows, painted white to match the existing windows, and to replace four windows on the rear elevation with white PVCU sliding sash windows, including Georgian bar detailing where required, to reflect the style of the original windows.

In terms of the surrounding area, many of the original timber sliding sash windows have been retained or replaced with similar products, whilst at the rear of properties, away from the public eye, a more disjointed approach is being adopted. Many windows at the rear of the properties have been replaced with non-traditional styles, including the use of PVCU.

The applicant has counted up to nine properties where PVCU windows can be observed from the rear garden area. Whilst these windows may not have been subject to Planning applications, it can still be argued that a precedent is being set here because nothing is being done, or will be done to correct these windows, unless new applications are presented in the future which, realistically, is unlikely to happen.

To conclude it is our opinion that the proposed timber windows at the front of the property would blend seamlessly into the street scene as a whole, where the existing materials and styles are being retained. In addition, PVCU products at the rear of property are becoming commonplace and given the fact the rear garden is entirely enclosed and not visible by the public, only the individual tenants, the proposed PVCU windows, which in this case will at least maintain the sliding sash opening method, would not look out of place and should be permitted.

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