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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 100176721-001

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Ferguson Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ferguson	Building Name:	Shiel House
Last Name: *	Planning	Building Number:	54
Telephone Number: *		Address 1 (Street): *	Island Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Galashiels
Fax Number:		Country: *	UNITED KINGDOM
		Postcode: *	TD1 1NU
Email Address: *			

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr &amp; Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="54"/>
Last Name: *	<input type="text" value="Luckhart"/>	Address 1 (Street): *	<input type="text" value="Island Street"/>
Company/Organisation	<input type="text" value="per Ferguson Planning"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Galashiels"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UNITIED KINGDOM"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="TD1 1NU"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## 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="2 ETTRICK GROVE"/>
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="EH10 5AW"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="672061"/>	Easting	<input type="text" value="324177"/>
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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)

Remove store, section of wall and openings to rear and form new single storey, flat roof extension to accommodate open plan lounge/kitchen/dining space. Remove WC window and form opening into new single storey extension, to accommodate new WC and utility room.

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

Please refer to the supporting Appeal 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)

Location Plan. Existing Plan. Existing Elevations. Proposed Plan. Proposed Elevations. Report of Handling. Decision Notice. Appellant Build Statement. Appeal Statement

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

19/01564/FUL

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

27/03/2019

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

18/06/2019

## Review Procedure

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

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

Yes  No

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

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

Yes  No

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

Yes  No

## Checklist – Application for Notice of Review

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

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

Yes  No

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

Yes  No

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

Yes  No  N/A

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

Yes  No

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

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

Yes  No

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

## **Declare – Notice of Review**

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

Declaration Name: Miss Dani Sterling

Declaration Date: 28/08/2019



## APPEAL STATEMENT

**SITE ADDRESS:**

**2 ETTRICK GROVE, EDINBURGH, EH10 5AW**

**PLANNING APPEAL AGAINST THE REFUSAL OF:  
THE FORMATION OF A SIDE EXTENSION**

**APPELLANT:**

**MR AND MRS LUCKHART**

**AUGUST 2019**

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## CONTENTS

1. Introduction
2. Proposed Overview
3. Planning Policy Context
4. Grounds of Appeal
5. Conclusion

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## 1. INTRODUCTION

- 1.1 This statement of appeal has been prepared by Ferguson Planning on behalf of our client, Mr & Mrs Luckhart, who seek the erection of a single storey side extension to the east of a dwelling at 2 Ettrick Grove, Edinburgh.
- 1.2 The proposal (19/01564/FUL) for the erection of a rear and side extension was lodged on 27th March 2019 with a decision, via delegated powers, to give a mixed decision received on the 18<sup>th</sup> June 2019 that approved the rear extension and refused the side extension. As such, we now seek to appeal the refused decision on the side extension via the Local Review Body.
- 1.3 This statement responds to the reason for refusal and, where appropriate, cross referencing to the delegated officer's report, Development Plan and material considerations. The relevant core documents are listed within Appendix 1.
- 1.4 Reason for refusal:
  1. *The scale, form and design of the side extension does not comply with nonstatutory guidance for householders, it fails to preserve the character and appearance of the conservation area and is contrary to local plan policies Des 12 and Env 6.*

### Representations

- 1.5 One representation was received from a member of the public expressing concern for their amenity in relation to the restriction of daylight to the rear of their property with particular reference to the garden decking area and fenestration.
- 1.6 The neighbouring amenity was assessed in the determination of this application in accordance with the methodology set out in the Guidance for Householders 2018. It was concluded that the impact is **not considered to be significant and would not justify refusal.**
- 1.7 The Local Review Body, having considered the detail contained within the refused Planning Application, together with the information set out herein, will be respectfully requested to allow the Review to enable planning permission to be granted for the proposal at 2 Ettrick Grove.
- 1.8 All core documents and drawings have been resubmitted with this appeal.
- 1.9 The remainder of the Appeal Statement is structured as follows:
  - Section 2: Site Context and Proposal
  - Section 3: Planning Policy Context
  - Section 4: Grounds of Appeal
  - Section 5: Conclusions

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## 2. PROPOSED OVERVIEW

### Site Context

- 2.1 The property is a two storey semi detached dwelling within an established residential area. Colinton Road lies to the south of the property. This property is not listed and is located within the Merchiston And Greenhill Conservation Area. The site is located approximately 2 miles south east of Edinburgh city centre.
- 2.2 The property is part of a group six of properties sharing the same semi-detached characteristics situated on a corner. Semi-detached dwellings are not a common characteristic of the Conservation Area. Ettrick Grove is a small cul-de-sac off East Castle Road and the road only services the six semi-detached dwellings and a single large detached dwelling.

### Proposal

- 2.3 The original proposal of application 19/01564/FUL was for the formation of a 13.1m<sup>2</sup> single storey side extension that would incorporate a utility room and WC and the formation of a 19.3m<sup>2</sup> single storey rear extension that would include a family room and decking out to the garden.
- 2.4 The application was determined as a mixed decision that approved the rear extension and refused the side extension. Subsequently this appeal statement focuses on the development of the refused side extension.
- 2.5 The materials proposed are sympathetic and have proposed natural stone on the front elevation that would match the existing stone on the dwelling. Both extensions have been designed using the same external materials to match each other.
- 2.6 When viewed from the rear the side extension is proposed as a white smooth render finish. The flatted roof is proposed as zinc fascia that includes a roof window. The proposed window and door on the side extension from the front elevation will match those on the host dwelling.
- 2.7 The side extension to the east of the dwelling has been outlined within the image below demonstrating the proposed side extension and what is existing from the front elevation.

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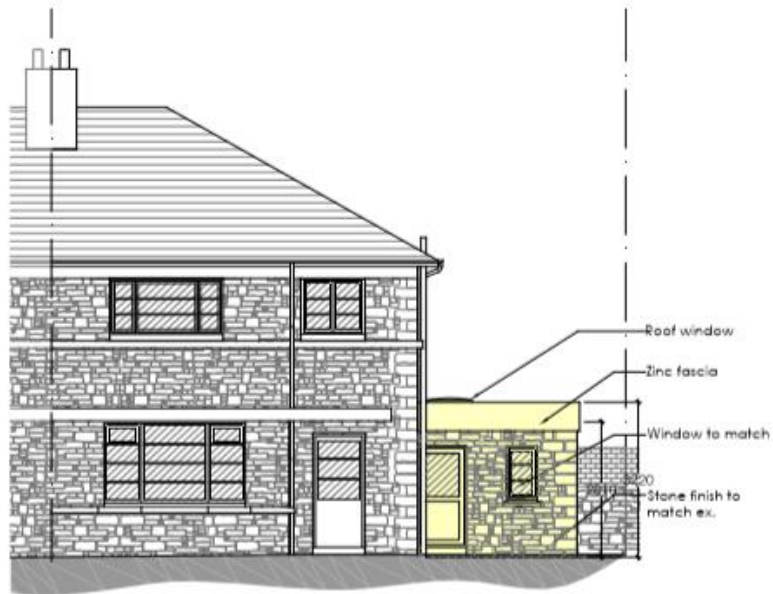
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# FERGUSON PLANNING



Front elevation - as proposed



Front elevation - as existing

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### 3. PLANNING POLICY CONTEXT

3.1 The Edinburgh City Local Development Plan was adopted on November 2016 September and represents the most up to date development plan, containing planning policy against which applications are assessed by the Planning Authority. Reviewing the decision, the proposal is seen to be in compliance with all policy with the exception of:

3.2 The following policies are relevant:

- **Policy Des 12 Alterations and Extensions**
- **ENV6 Conservation Areas**

3.3 Material considerations are also contained within statutory and non-statutory guidance:

- **Listed Buildings and Conservation Areas Supplementary Guidance (2019)**
- **Merchiston & Greenhill Conservation Area Character Appraisal (2003)**
- **Guidance for Householders (2019)**

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#### **Policy Des 1 Design Quality and Context**

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

3.5 This policy applies to all new development, including alterations and extensions. The Council expects new development to be of a high standard of design. The Council's policies and guidelines are not to be used as a template for minimum standards. The purpose of the policy is to encourage innovation in the design and layout of new buildings, streets and spaces, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated.

#### **Policy Des 12 Alterations and Extensions**

3.6 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

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- 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
- 3.7 Every change to a building, street or space has the potential to enrich or, if poorly designed, impoverish a part of the public realm. The impact of a proposal on the appearance and character of the existing building and street scene generally must be satisfactory and there should be no unreasonable loss of amenity and privacy for immediate neighbours.

**Policy ENV6 Conservation Areas**

- 3.8 Development within a conservation area or affecting its setting will be permitted which:
- a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal
  - b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area and
  - c) demonstrates high standards of design and utilises materials appropriate to the historic environment.
- 3.9 Planning applications should be submitted in a sufficiently detailed form for the effect of the development proposal on the character and appearance of the area to be assessed.
- 3.10 The purpose of the above policies is to protect and, where possible, enhance the character and appearance of Edinburgh's many conservation areas. By controlling the demolition of buildings and ensuring new development is of appropriate design and quality, their aim is to protect the City's heritage for future generations.
- 3.11 Applications for demolition will be permitted only where this does not erode the character and appearance of the conservation area. The general presumption will be in favour of retaining buildings that make a positive contribution to the conservation area, particularly where it can be demonstrated that the building is able to support a new viable use, or might be capable of such in the future. Conservation Area Consent may be subject to conditions or a legal agreement to link demolition works to the 100 Edinburgh Local Development Plan November 2016 Part 2 Section 3 - Caring for the Environment provision of the proposed replacement building or, in exceptional circumstances, to require temporary landscaping.
- 3.12 Design statements are required for new developments in a conservation area. This statement should include reference to the relevant Conservation Area Character Appraisal and Council guidance on Conservation Areas and Listed Buildings and show how these have informed the proposed design.

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### **Protection of Residential Amenity**

3.13 This requires development to have no significant adverse impact on the amenity of existing or proposed houses. The scale, form and type of development proposed must fit with the residential area and it should not have unacceptable effect in terms of overlooking, loss of privacy or sunlight. There should also be no unacceptable impact on visual amenity more generally.

### **Material Considerations**

#### **Merchiston & Greenhill Conservation Area Character Appraisal (2003)**

3.14 The Merchiston and Greenhill Conservation Area is situated some 2.5 kms to the south west of the City centre. The Conservation Area was originally designated on 25 May 1986 with the boundary extended on the 29 March 1996.

3.15 The character of the street layouts is dominated by Victorian villas. In some places these are interspersed with substantial 2, 2.5 and 3 storey terraces of outstanding quality built in fine grey sandstone with pitched slated roofs.

3.16 The scale, design and materials of new developments should reinforce and protect those features that give Merchiston and Greenhill its special character. Any development should take into consideration the spatial pattern, scale, proportions and design of traditional properties.

#### **Listed Buildings and Conservation Areas Supplementary Guidance (2019)**

3.17 The general principles of a conservation area designation does not mean development is prohibited. However, when considering development within a conservation area, special attention must be paid to its character and appearance. Proposals which fail to preserve or enhance the character or appearance of the area will normally be refused. Guidance on what contributes to character is given in the conservation area character appraisals.

- The aim should be to preserve the spatial and structural patterns of the historic fabric and the architectural features that make it significant.
- Preservation and re-use should always be considered as the first option.
- Interventions need to be compatible with the historic context, not overwhelming or imposing.
- Without exception, the highest standards of materials and workmanship will be required for all works in conservation areas.

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### Guidance for Householders (2019)

3.18 None statutory-guidance is contained with the Guidance for Householders (2019). All house extensions and alterations – including dormers, conservatories, decking, energy devices and replacement doors and windows - should be well designed and of high quality. In particular, they must meet three key requirements. They should:

- complement the existing house, leaving it as the dominant element;
- maintain the quality and character of the surrounding area; and
- respect the amenity of adjacent neighbours.

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## 4. GROUNDS FOR APPEAL (GOA)

### Reason for refusal

- 4.1 The reason for refusing the application is outlined in Chapter 2. It centres on the belief that the application fails to comply with Policies **DES 12** and **ENV 6** of the Edinburgh City Local Development Plan 2016. The reasons state the development is not appropriate to its surrounding character within the Merchiston And Greenhill Conservation Area in terms of its design and proposed external materials scale and are considered to be unacceptable. Therefore, the development would contribute negatively to the visual amenity of the surrounding area.
- 4.2 It is taken that the proposal complies with all other related planning policy matters.
- 4.3 The below Grounds of Appeal (GOA) have been grouped into relevant subheadings taking into consideration different themes. Having read the Officer's report and reasoning for refusal we now outline below our Grounds of Appeal.

### Precedence

#### GOA 1

- 4.4 It is relevant to outline a number of extensions within the Conservation Area that have been approved in the past that have strong similarities to that proposed. It demonstrates that the Planning Department have not been consistent with their analysis of extensions in the area.

#### Example 1 - LRB Decision

- **18/08496/FUL | Demolish existing access stair porch and external stores and replace with new enclosed stair and replacement porch at top of stair. | 1A Merchiston Crescent Edinburgh EH10 5AN**
- 4.5 Another example of a side extension recommended for refusal by the case officer was approved by the LRB in February 2019. This side extension is also found to be much larger in scale than that proposed in this appeal and a more obvious addition to the host dwelling. This application proposed a grey lead roof with vertical windows, which despite not being a flat roof is again not a common component and is different to that of the host dwelling.
- 4.6 A demonstration of the approved 18/08496/FUL application is shown within the drawing below.

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Source: City of Edinburgh Council Planning Portal



#### Example 2

- **13/01472/FUL | Proposed single storey extension on side of house (as amended) | 2A Merchiston Crescent Edinburgh EH10 5AN**
- 4.7 In the determination of this application the design of the side extension proposed a, *“flat roof and extensive use of glazing on the proposed west and part of the south elevation results in a contemporary extension that is subservient to and distinct from the existing building.”*
- 4.8 The application was determined as an acceptable scale, form and design and therefore complied with all polices and householder guidelines.
- 4.9 This example demonstrates a far more obvious and intrusive example of an extension to that being proposed within this appeal. The sunroom is a flatted roof and is made entirely of light wooded colour of timber where there appears to have been minimal effort made to assimilate the extension to the existing dwelling.
- 4.10 The images below outline the 13/01472/FUL extension.

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Source: City of Edinburgh Council Planning Portal



Example 3

- **13/01846/FUL | Erect small domestic extension at the North East side, linked by internal steps. | 20 Polwarth Terrace Edinburgh EH11 1NB**

4.11 The two storey extension is constructed with modern materials that consist of sandstone render and Eternit 'Cedral' fibre cement boards cladding. The roof is flatted with a gentle downwards slope to the rear.

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- 4.12 This example offers a significant contrast to that of the existing dwelling.
- 4.13 A photograph of the 13/01846/FUL extension is outlined below.



### Materials and Design

#### GOA 2

- 4.14 In relation to the proposed materials and design of the rear extension that has been approved the case officer expresses, *“the proposed materials and fenestration design are considered provide a suitable contrast to the original building whilst preserving the character and appearance of the Conservation area, and is therefore acceptable in this location”*.
- 4.15 It must then be noted here that the proposed materials for the side extension exactly match those proposed for the rear extension. It could be argued that the side principle extension proposes materials that are more in keeping with the character than that of the rear extension as the side extension is proposed as natural stone to match the dwelling at the front elevation and therefore the proposed materials and design of the side extension could not be considered as a *‘modern substitute’* as stated by the case officer. It is acknowledged there is a different level of visibility towards both the side and rear extension but an analysis on proposed materials alone, there appears to be contradictory comments made by the case officer as it is difficult to comprehend how the materials for the rear extension are considered a suitable contrast to the

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existing dwelling but the side extension which is more in keeping with the materials of the original dwelling is considered unacceptable.

- 4.16 The proposed zinc fascia is negligible in nature that its addition would not impact the character of the area. The extension was designed sympathetically to reflect and respect the appearance and features of the existing building and as such, would not pose issues to the character or appearance of the existing property or the surrounding conservation area and is therefore compliant with policies **DES 1** and **DES 12**.
- 4.17 The flat roof design of the side extension was also not deemed to be an acceptable proposal by the Case Officer within the Conservation Area.
- 4.18 There are numerous examples of side garages with flat roofs especially along Merchiston Avenue. It is acknowledged that this is not directly comparable as these were not necessarily recent extensions/additions to the original dwelling. It does demonstrate however, that a one storey side development projection from the original dwelling with a flatted roof is not an unusual or new appearance in the conservation area and is instead part of the character of what is already existing. A number of images below demonstrate such examples.



Photo: 5 Merchiston Avenue

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**Photo: 16 Greenhill Gardens**



**Photo: 19/17 Merchiston place**

- 4.19 It is also importantly noted here that through the processing of the application, the case officer had expressed concerns regarding the roof shape and materials proposed. The appellants chose to work with the case officer and offer up alternative roof design and materials that would be more acceptable to them. It was then determined by the case officer that no side extension would be acceptable.

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- 4.20 This further demonstrates the appellants willingness to offer up a proposal that the council are content with that would not be obstructive to the conservation area. It is, therefore, disappointing that no alternative roof proposal and materials were not considered by the case officer in this case.

### **Ettrick Grove characteristics**

#### **GOA 3**

- 4.21 It is noted with the Conservation Area character appraisal that, *'the detached villas in the area are defined by stone wall boundaries surrounded by extensive garden demonstrating a clear seclusion between houses and a clear distinction between public and private spaces'*. This is not the case for the six semi-detached houses on Ettrick Grove as they are not surrounded by areas of extensive garden and are instead characterised in very close proximity to one another with very narrow gaps that already make the dwellings appear enclosed. Therefore, the addition of the site extension would not substantially harm the host dwelling, a neighbouring dwelling or the character of the area.
- 4.22 The character appraisal further supports this as it makes note of these small cul-de-sacs within the conservation area, *"There are some small lanes and cul-de-sac within the perimeter blocks which contribute towards a feeling of semi-rural seclusion, intimacy and offer contrast and variety."* It is therefore noted, that these smaller defined areas within the conservation area offer intimacy and variety to the general form of the surrounding area.
- 4.23 Consequently, the comment expressed by the case officer within the Report of Handling, *"Building to the boundary will enclose the site, this is not compatible with the character of the area;"* is considered to be irrelevant in this case as it has already been identified that these cul-de-sacs offer intimacy and do not possess the same patterns and characteristics as the secluded detached villas that dominate the Conservation Area and is therefore compliant with Policy **ENV 6**.

### **Visibility**

#### **GOA 4**

- 4.24 The Appellants in this case have made every effort to ensure the side extension when viewed from the front of the dwelling will exactly match the existing natural stone material of the dwelling. The proposed extension is also much smaller in this case and the use of zinc fascia on the upper flatted roof element is small in nature and would in no way have a significant impact on the Merchiston And Greenhill Conservation Area.
- 4.25 Ettrick Grove is not situated within one of the large streets classified in the Conservation Area. The site is located on a small cul-de-sac that only services the six semi-detached dwellings and

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one single detached dwelling. The road is not used as a through road or located close to any of the through roads identified in the Merchiston And Greenhill character appraisal. Therefore, as Ettrick Grove only accommodates the six semi detached dwellings and single detached dwelling the visibility potential of the side extension to public receptor points is limited.

- 4.26 Travelling along the East Castle Road from the north east off Polwarth Terrace the subject site would not be significantly visible. Again, when travelling from the opposite side visibility of the side extension would be limited in passing due to existing mature hedging screening most of the extension when viewed from the public road. Therefore, the side extension would only have a limited visibility by those directly entering Ettrick Grove and would in no way have a significant visual impact.
- 4.27 Furthermore, the side extension is set behind the front line of the existing dwelling to give a clear definition between the new design and the existing building in compliance with the Householder Guidance 2019. This further reduces the visibility of the side extension from the public road.

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## 5. CONCLUSION

- 5.1 The proposed extensions have been designed in a careful manner and a balanced assessment of the proposals leads to the conclusion that no harm would be caused to the host property or neighbouring property and the wider Merchiston And Greenhill Conservation Area.
- 5.2 The proposals will enable the property to extend to the rear and side to a high standard of design that is a subtle and subservient addition ensuring the development is in keeping with the existing character of both the host dwelling and Merchiston And Greenhill Conservation Area.
- 5.3 There are a number of examples within the conservation area of side extensions that have not necessarily fitted into the conventional extensions required by policy and supplementary guidance. There are more obvious and intrusive examples of extensions that have used materials not commonly found within the surrounding area and of a scale that is much larger than that being proposed within this appeal.
- 5.4 Therefore, it is argued the proposed design and form, choice of materials and positioning of the extensions to the host property are suitably compatible with the character and appearance of the existing building. Accordingly, the proposals are appropriate and acceptable in their scale, form and design in this instance.
- 5.5 During the determination of the application, the appellants were keen to progress and work positively with the council to address any concerns they had by offering up amended materials and roof designs that would be deemed as more acceptable. It was therefore disappointing when these were not taken into consideration by the case officer and instead it was concluded any form of side extension was deemed unacceptable.
- 5.6 It has been established within the determination of the application that the proposed extensions would not cause any residential/neighbouring amenity impacts on adjacent properties and is therefore compliant with Policy DES 12.
- 5.7 The proposals are considered to be in accordance with relevant policies **DES 1**, **DES 12** and **ENV 6** of the local development plan and be in conformity with all supplementary guidance.
- 5.8 Accordingly, the Local Review Body is respectfully requested to allow the appeal and grant planning permission.

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## Appendix 1 Core Documents (CD)

### Drawings

- CD 1. Location Plan
- CD 2. Existing Plan
- CD 3. Existing Elevations
- CD 4. Proposed Plan
- CD 5. Proposed Elevations

### Reports

- CD 6. Report of Handling
- CD 7. Decision Notice
- CD 8. Appellant Build Statement

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**2 Etrick Grove, Bruntsfield, Edinburgh EH10 5AW**  
**Formation of Side Extension**

The overall design concept is wholesome. It attempts to address some of the needs of present day lifestyles. The side extension, which is subject of appeal, incorporates the following elements in the hope that it will go part way towards this holistic approach.

1. Utility Room
2. Ground Floor Toilet
3. Means of Fire Escape from the Main Building
4. Maintenance of the East Elevation
5. Security
6. Access to the Rear Garden
7. Rear Garden
8. Enhancement of Character and Appearance

1. Utility Room

It is important that the laundry is kept separate from the kitchen area for hygiene purposes. The Appellants have two young children.

2. Ground Floor Toilet

Proposed kitchen, in order to comply with building standards, has been designed to cater for a wheelchair. Although the proposed ground floor toilet in the side extension does not meet the disabled toilet standards, the design should be a considerable improvement on the existing toilet.

The Appellants are not sure if the under-stairs toilet has building warrant approval.

3. Means of Escape

Existing window, at first floor level, on east elevation is an escape window. The house, built in the 1930's, had a fireplace in the attic. It is most likely that the attic was used as a habitable room. This attic is now being converted to comply with present day standards and to meet modern day needs. The side extension with a flat roof will make it easier to escape via the escape window from the first floor by stepping onto the roof, boundary wall and then onto the drive.

4. Maintenance of East Elevation

At present, maintenance of the side wall of the host dwelling is virtually impossible without encroaching onto the neighbouring property. The side extension with the flat roof will remove the need to go onto the neighbouring property.

5. Security

Side extension would provide security by cutting off access to the rear to unauthorised persons.

6. Access to Rear Garden

Access to the rear garden will be maintained through the utility room by having front and rear doors to the side extension leading directly to the rear gardens.

## 7. Rear Garden

The private garden framed by the extensions on one side and the original brick walls on the other three sides, surrounded by trees will form part of the wholesome design concept.

## 8. Enhancement of Character and Appearance

As stated in the Appellants' Statement by Ferguson Planning, the side extension would enhance the character and appearance of the host dwelling. Being a corner property it should add value to the Ettrick Grove dwellings

This report is prepared by Mr G. S. Sagoo B.Sc. C.Eng A. M.I.C.E., father of Tara Luckhart, Appellant

My past experience includes:

1. In 1962 designed, supervised construction and later Presented a paper on the 'Design and Construction of Pre-stressed Post-tensioned Concrete Footbridge in Chesterfield, England' to the Institute of Municipal Engineers. The paper was published in the Institute's journal. It later won two awards, one in Glasgow and the second in Bournemouth.

2. In 2005 my development company carried out refurbishment and extensions to three Grade II listed buildings.

3. In 2008 carried out refurbishment of an old dilapidated church in Cardiff (on a voluntary basis). It won the Lord Mayor's award for sympathetic restoration.

## Proposal Details

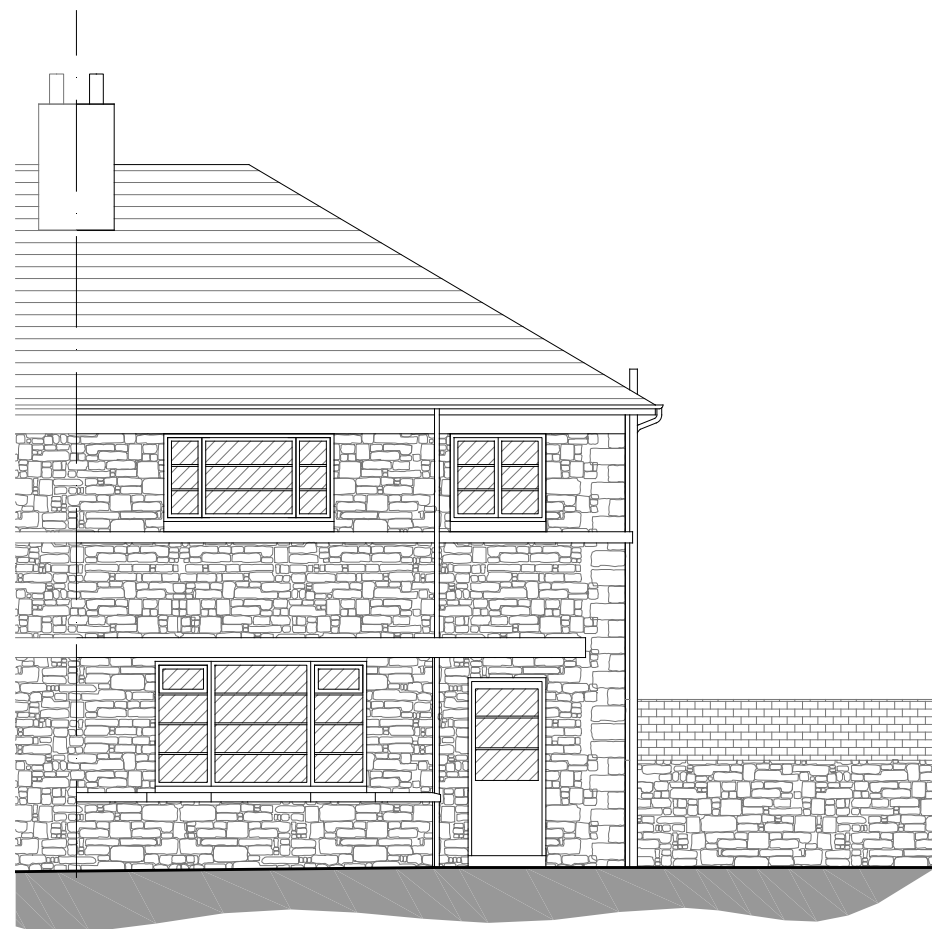
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Proposal Description	PLANNING APPEAL AGAINST THE REFUSAL OF: THE FORMATION OF A SIDE EXTENSION
Address	2 ETTRICK GROVE, EDINBURGH, EH10 5AW
Local Authority	City of Edinburgh Council
Application Online Reference	100176721-001

## Application Status

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

## Attachment Details

Notice of Review	System	A4
Plan	Attached	A3
Exisitng Plans	Attached	A3
Exisiting Elevations	Attached	A3
Proposed Plan	Attached	A3
Proposed Elevations	Attached	A3
Report of Handling	Attached	A4
Decision Notice	Attached	A4
Appellant Build Statement	Attached	A4
Appeal Statement	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0



**Front elevation** - as existing

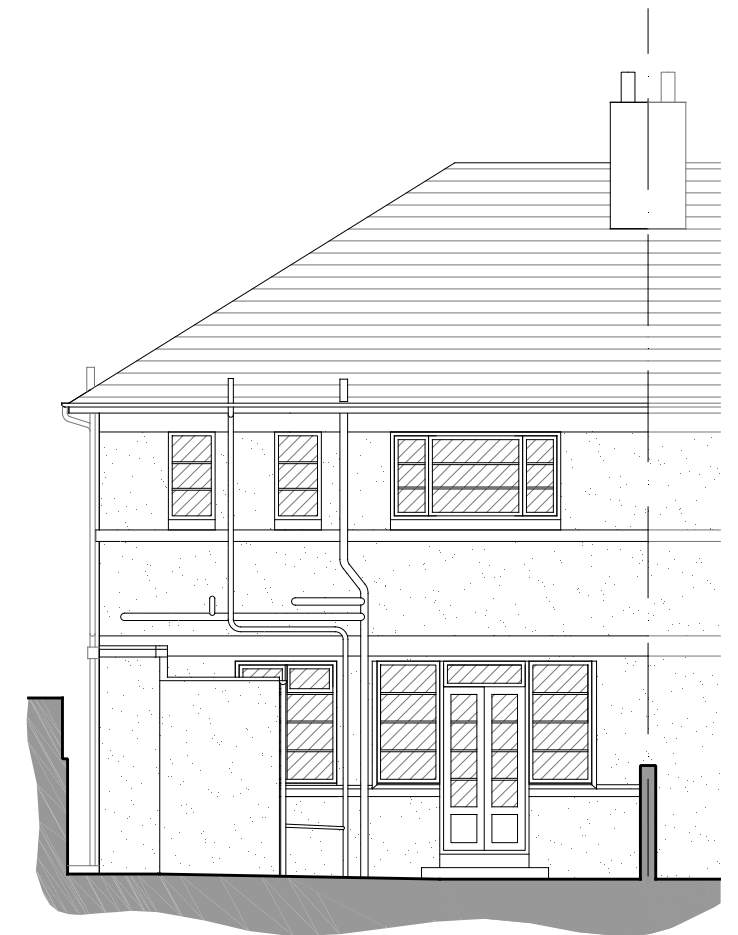
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**Side elevation** - as existing

Scale 1:100 @ A3




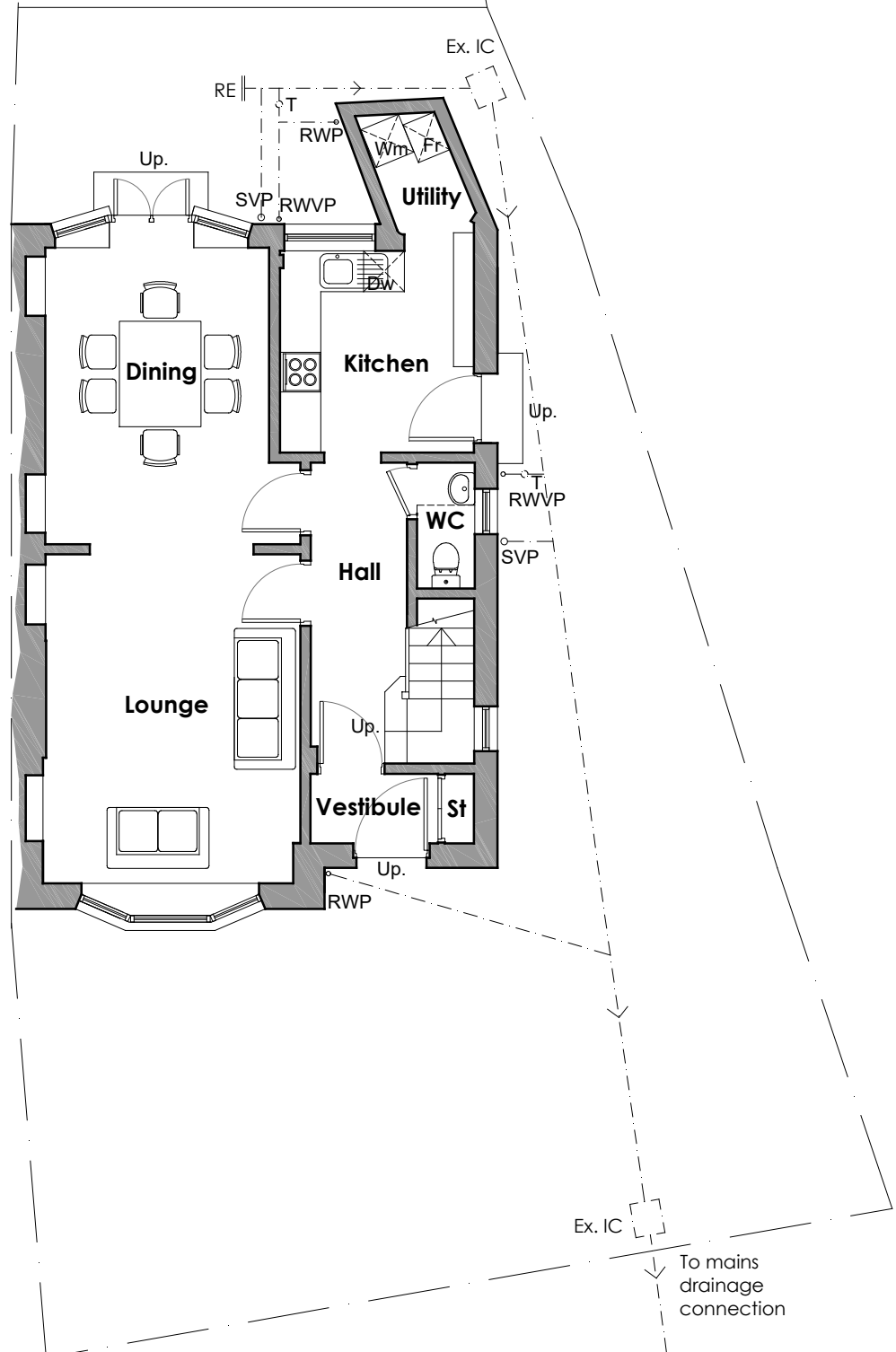
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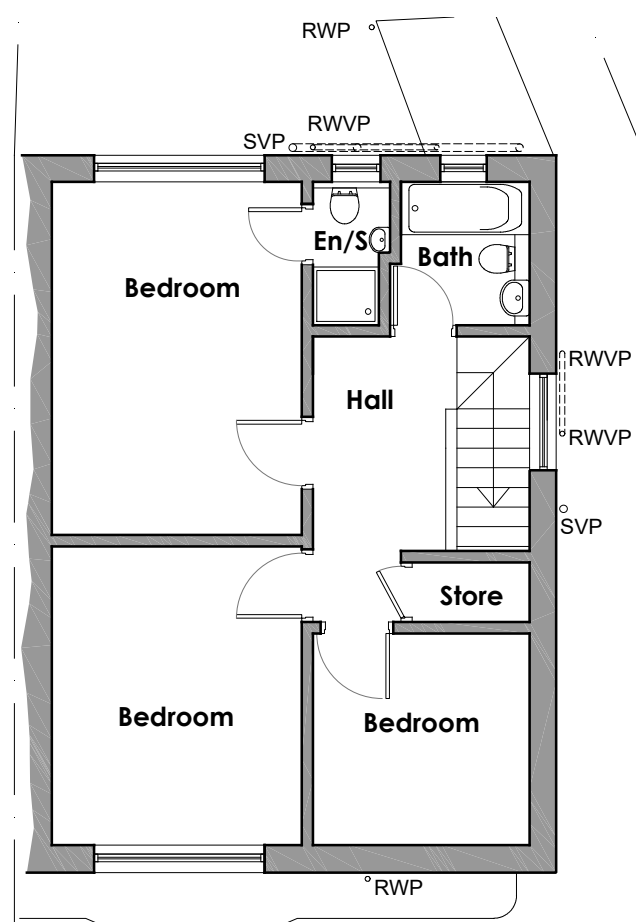
**Do not scale from drawing.**  
 All dimensions to be confirmed on site  
 This drawing is for the purpose of obtaining Local Authority Approval only, additional information may be required for construction purposes.

**PRELIMINARY ISSUE**  
 WORK IN PROGRESS

Revisions	<b>PROJECT</b> Proposed extension at 2 Ettrick Grove, Edinburgh for Mr & Mrs Luckhart		
 9 Eskbank Road, Dalkeith, EH22 1HD T. 0131 561 5114 E. mail@d2architecturaldesign.co.uk W. www.d2architecturaldesign.co.uk	<b>DRAWING</b> Elevations - as existing		
	DATE 22.03.19	DRAWN HC	SCALE as shown @ A3
<b>PLANNING</b>	PROJECT 18063	DRAWING No. PL02	REVISION -

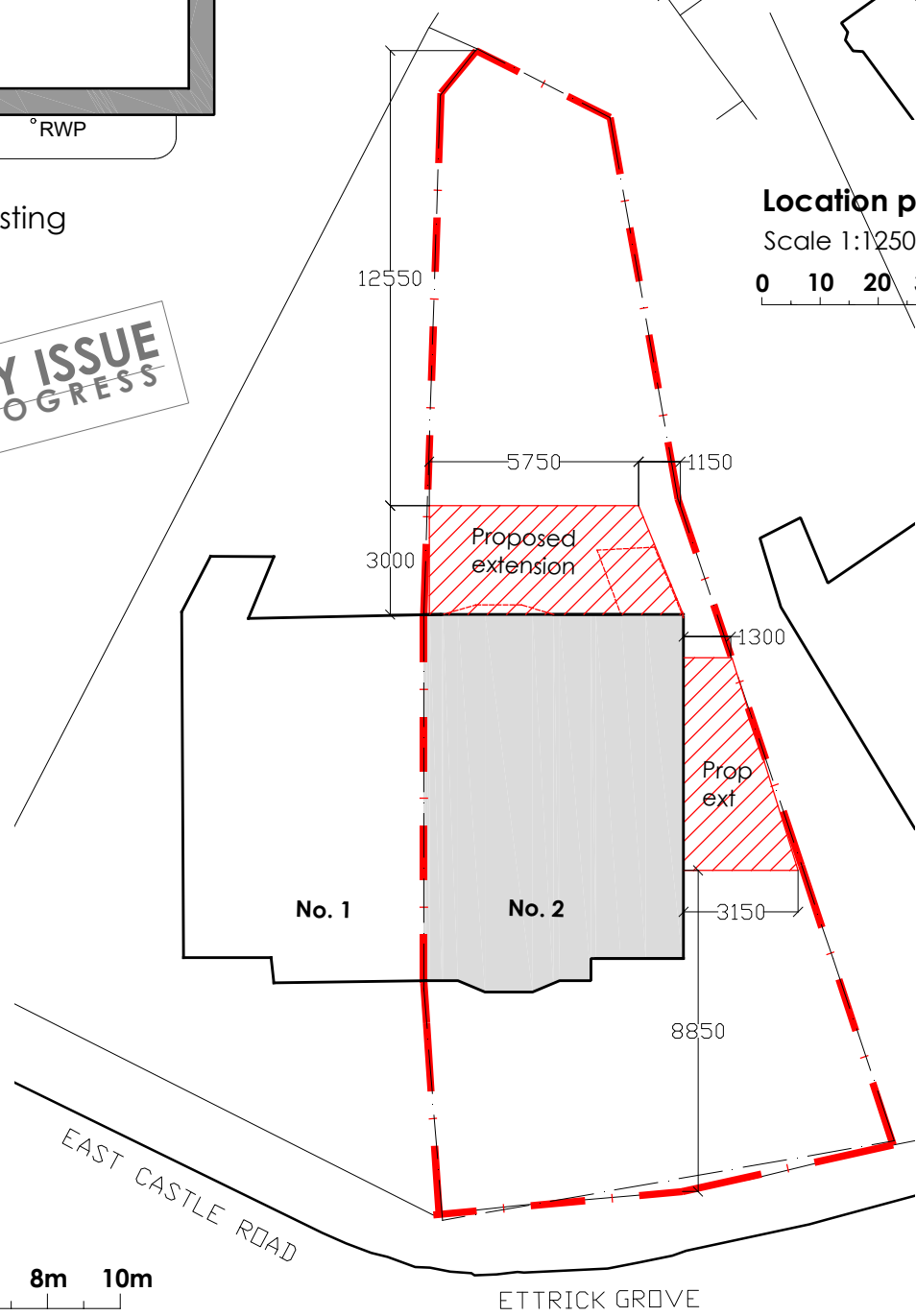


**Ground Floor Plan - as existing**  
Scale 1:100 @ A3  
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**First floor plan - as existing**  
Scale 1:100 @ A3

**PRELIMINARY ISSUE**  
WORK IN PROGRESS



**Site plan**  
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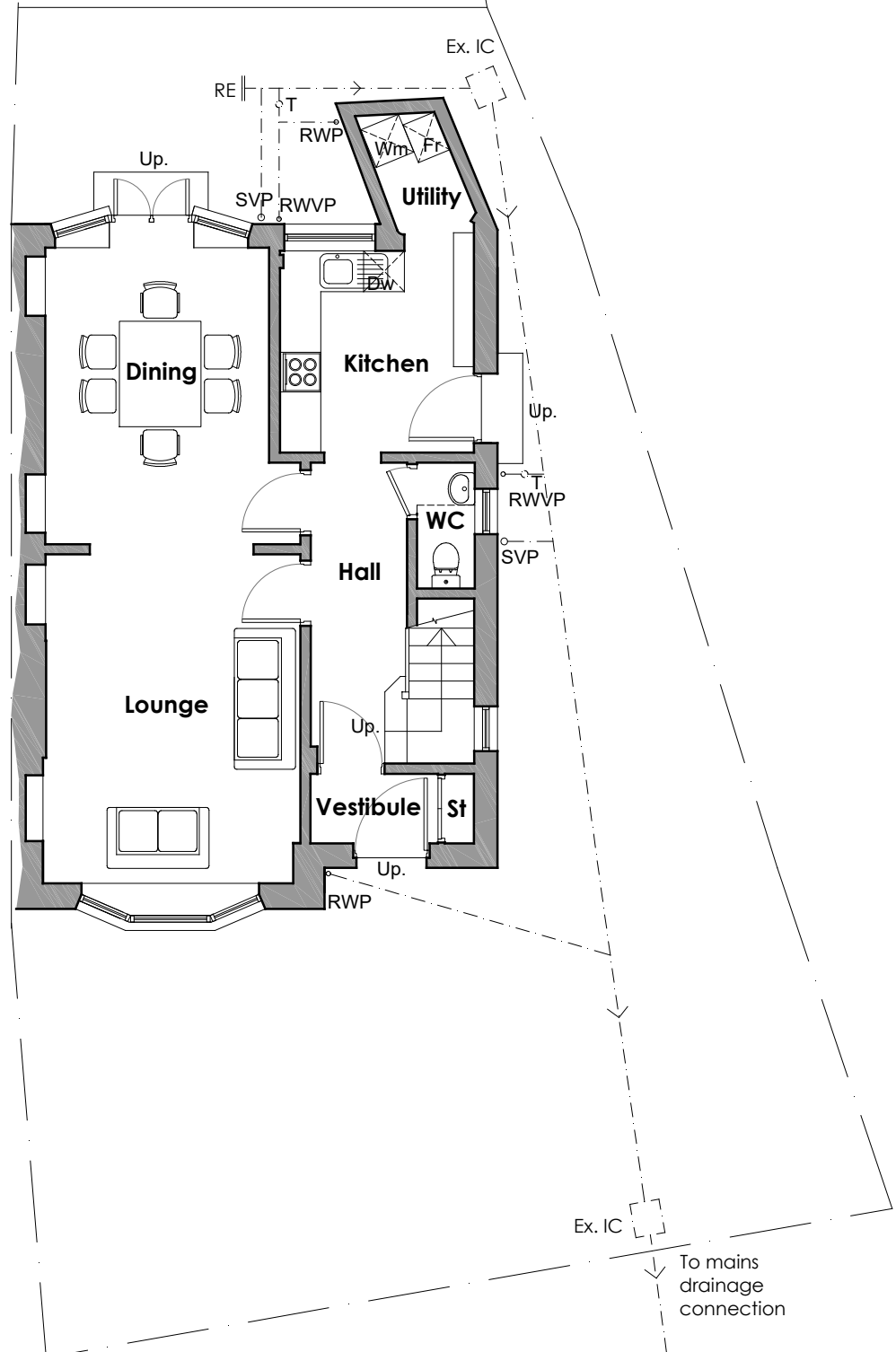


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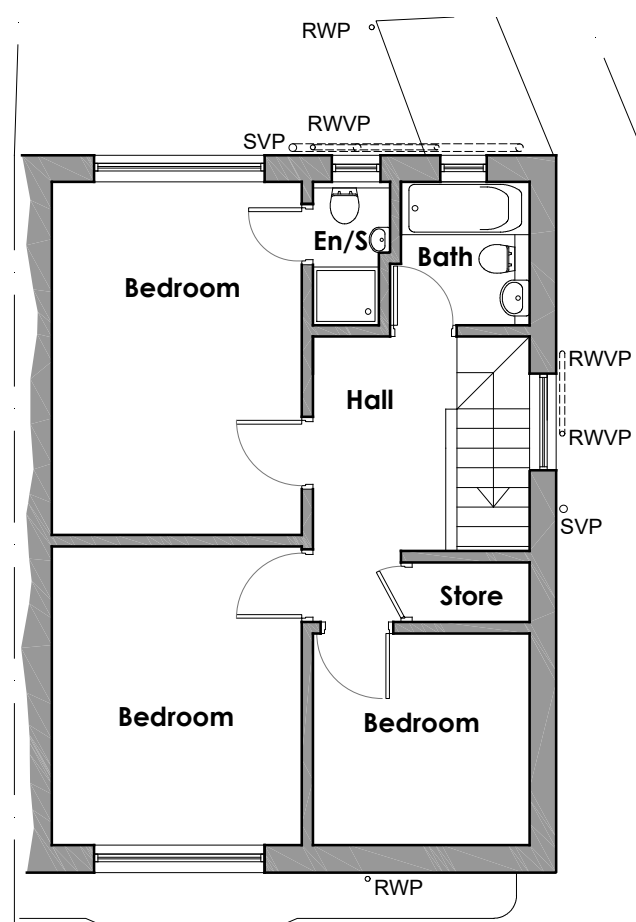


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DRAWING		
Location and plans - as existing		
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PROJECT	DRAWING No.	REVISION
18063	PL01	-

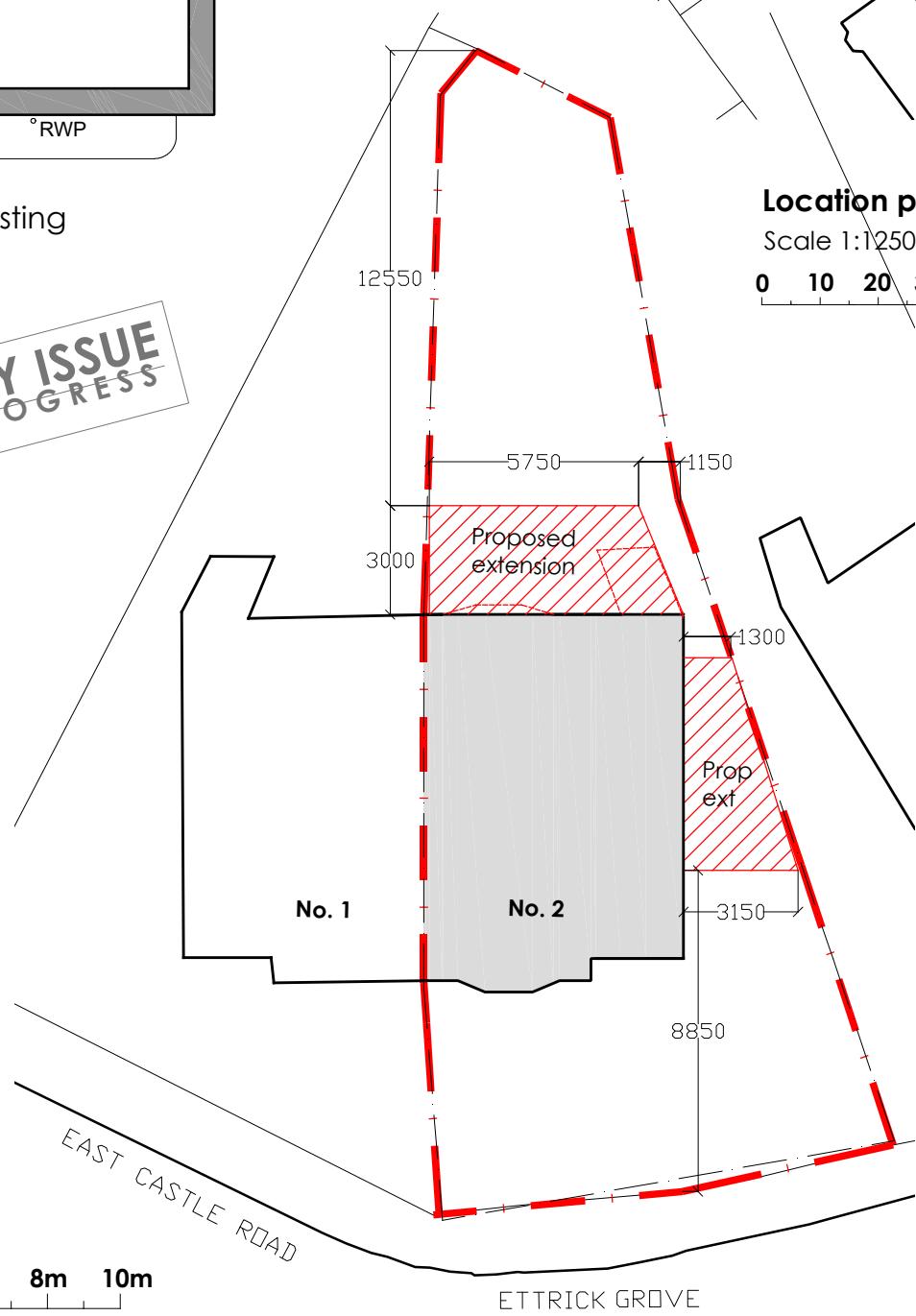


**Ground Floor Plan - as existing**  
Scale 1:100 @ A3  
0 1m 2m 3m 4m 5m



**First floor plan - as existing**  
Scale 1:100 @ A3

**PRELIMINARY ISSUE**  
WORK IN PROGRESS



**Site plan**  
Scale 1:200 @ A3  
0 2m 4m 6m 8m 10m



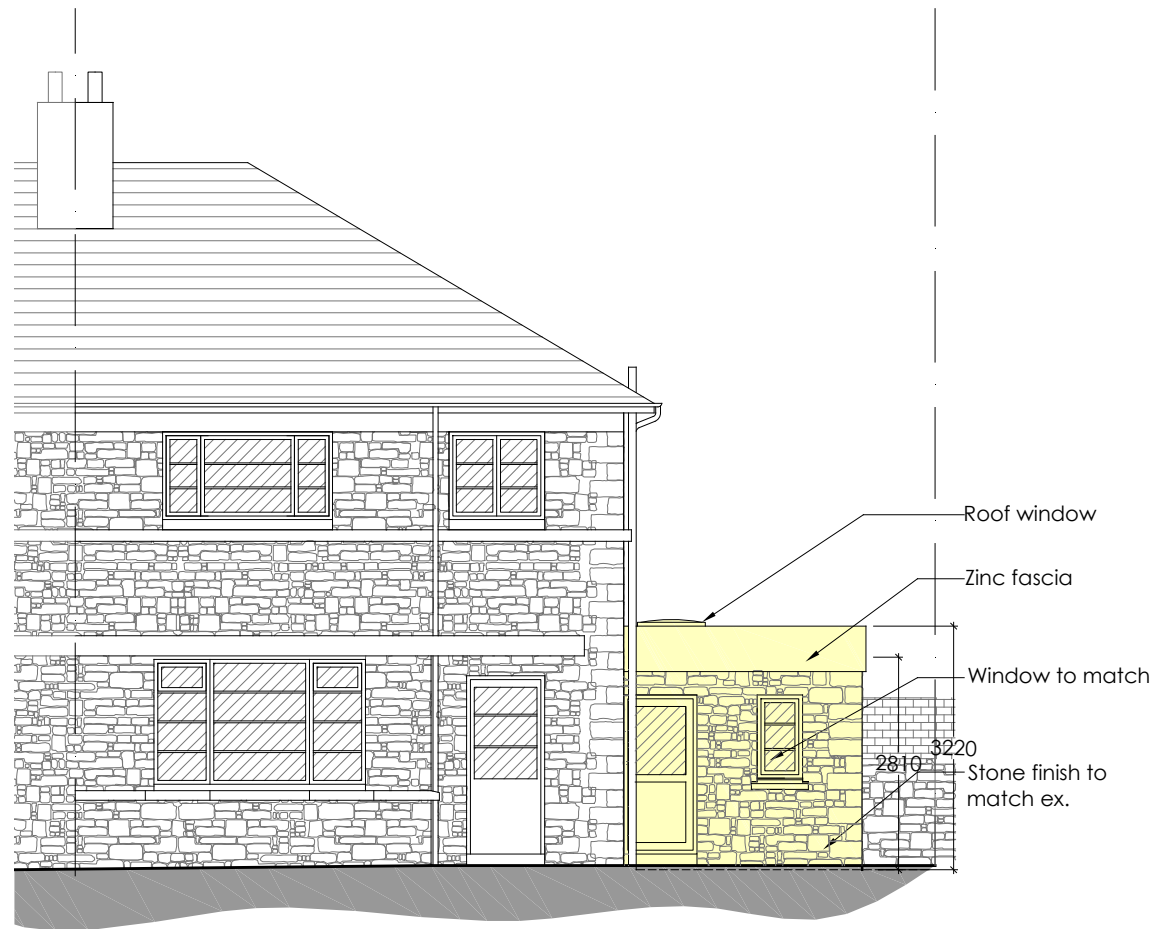
**Location plan**  
Scale 1:1250 @ A3  
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Location and plans - as existing		
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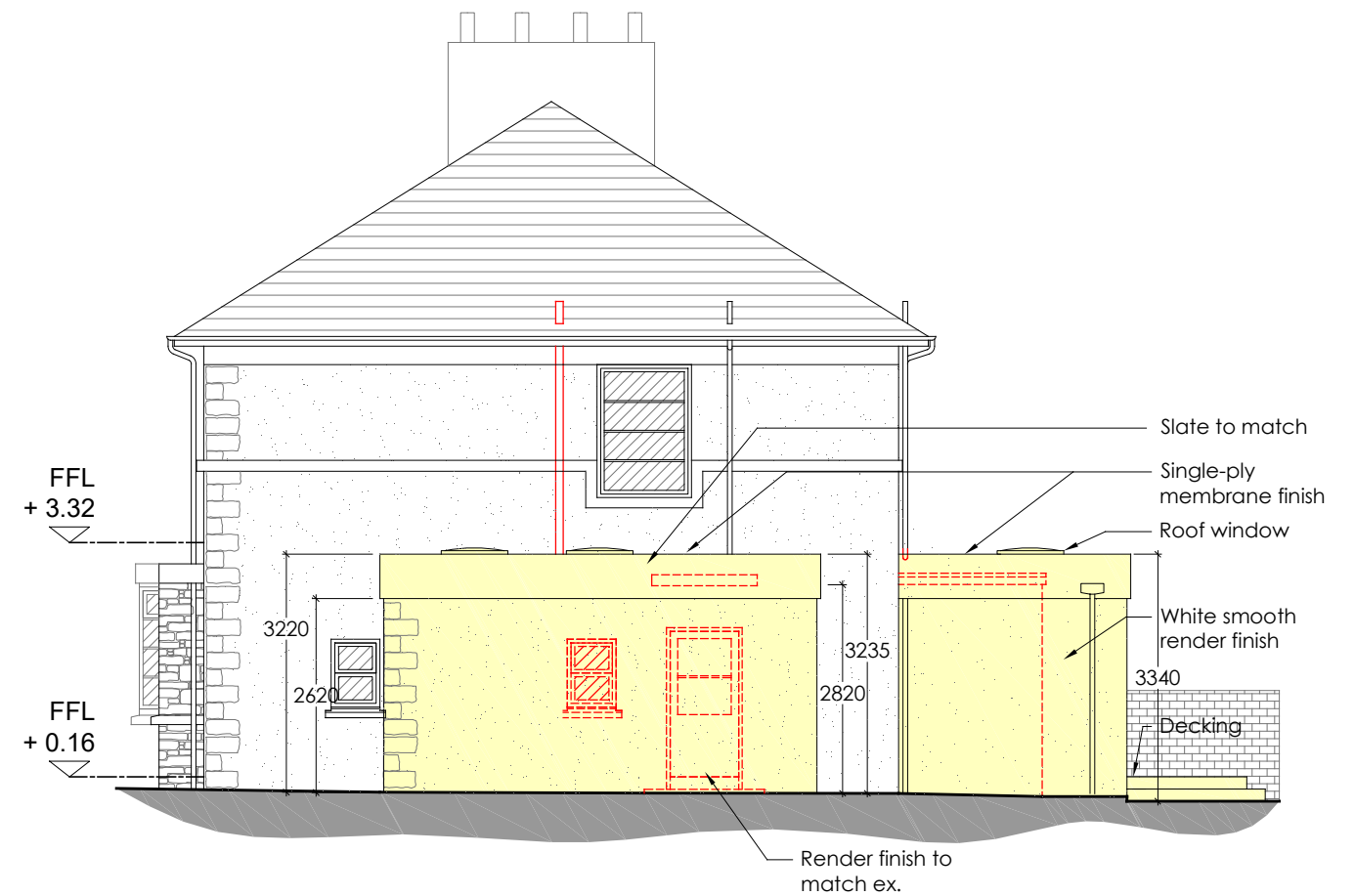




**Front elevation - as proposed**

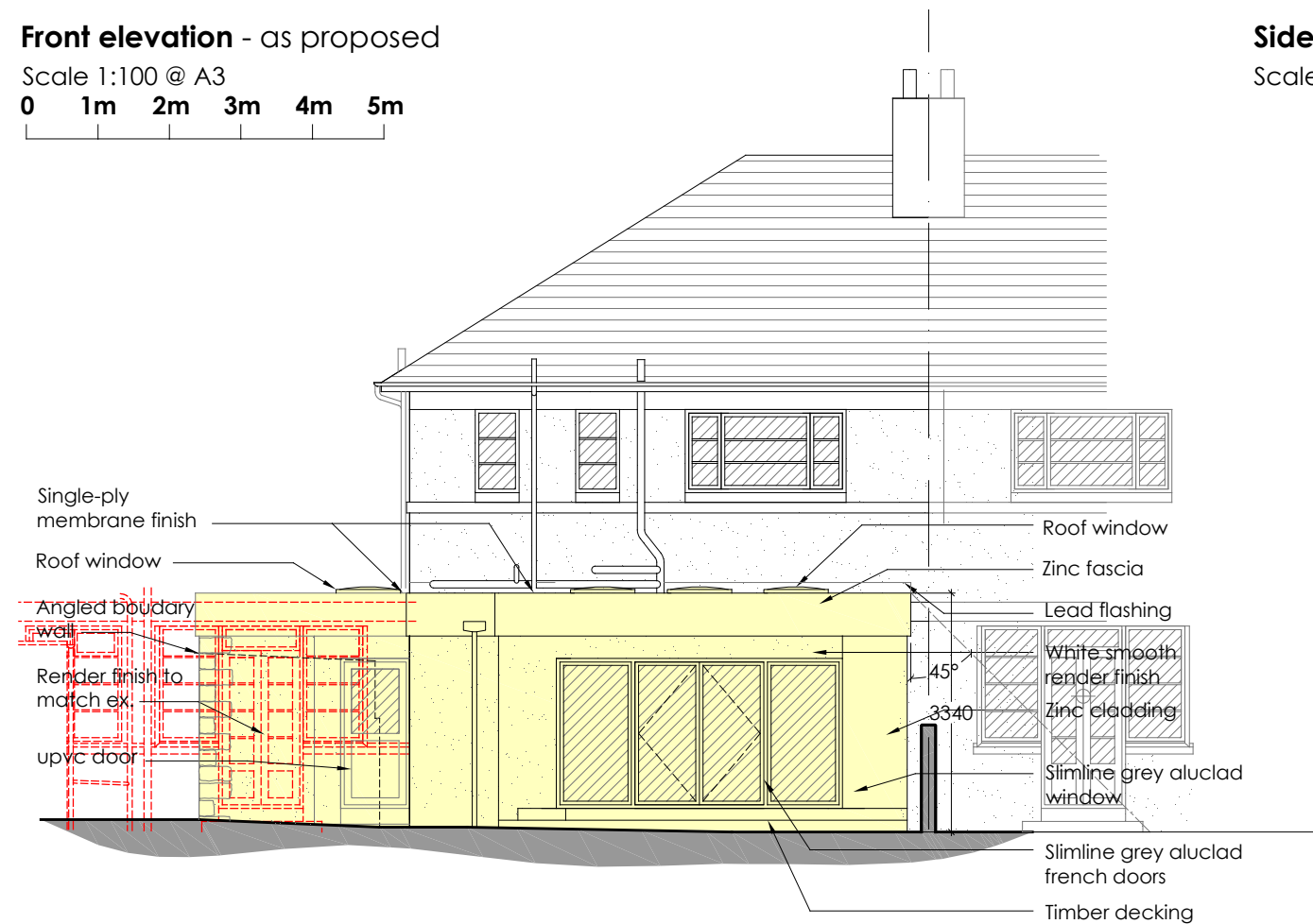
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**Side elevation - as proposed**

Scale 1:100 @ A3



**Rear elevation - as proposed**

Scale 1:100 @ A3

**PRELIMINARY ISSUE**  
WORK IN PROGRESS

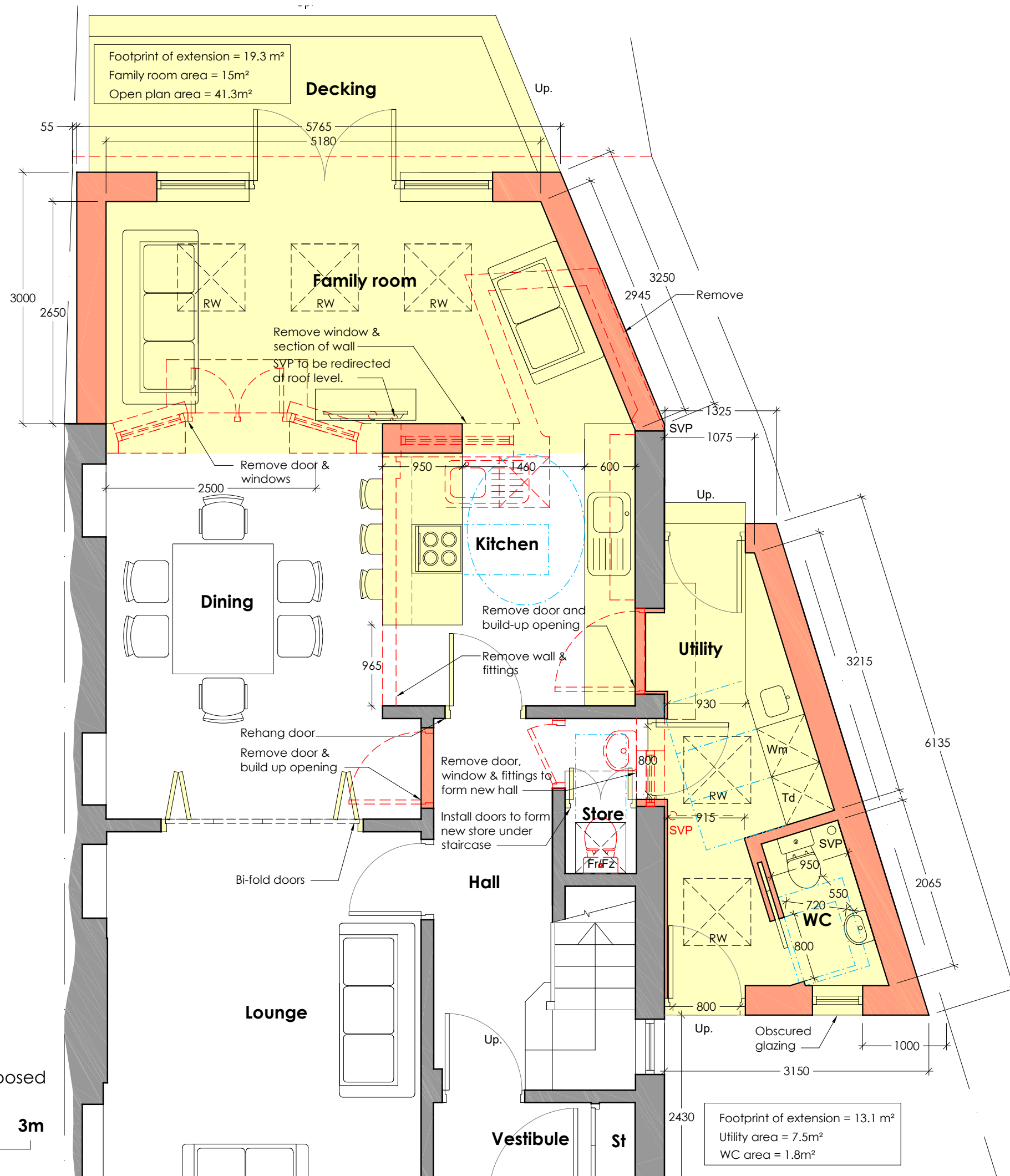
--- REMOVED WORKS

■ PROPOSED WORKS

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<b>PROJECT</b> Proposed extension at 2 Ettrick Grove, Edinburgh for Mr & Mrs Luckhart		
DRAWING		
Elevations - as proposed		
DATE	DRAWN	SCALE
22.03.19	HC	as shown @ A3
PROJECT	DRAWING No.	REVISION
18063	PL04	



**PRELIMINARY ISSUE**  
 WORK IN PROGRESS

- - - REMOVED WORKS
- - - ACTIVITY SPACE
- EXISTING WALL
- NEW WALL
- PROPOSED WORKS

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<b>PROJECT</b>		
Proposed extension at 2 Ettrick Grove, Edinburgh for Mr & Mrs Luckhart		
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18063	PL03	

**Ground Floor Plan - as proposed**  
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