

F.E.M Building Design.
FAO: Douglas Mack
8 Plantain Grove
Lenzie
Glasgow
Scotland
G66 3NE

Mr Tabassum & Mrs Francesca
Sharif.
7B Redford Gardens
Edinburgh
Scotland
EH13 0AR

Decision date: 16 August 2019

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

Erect a double storey extension to side of dwelling house.
At 7B Redford Gardens Edinburgh EH13 0AR

Application No: 19/03104/FUL

DECISION NOTICE

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

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

Conditions:-

Reasons:-

1. The proposal is contrary to Edinburgh Local Development Plan Policy Des 12 because its scale, form and design are unacceptable and would not accord with the character and appearance of the host property or the surrounding area.
2. The proposal is contrary to non-statutory Guidance for Householders which states side extensions should be set behind the front line of the host property, unless this fits in with the character of the street. The proposal will breach the current building line. This is not characteristic of the current streetscape and represents over-development of the site.

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

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

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

The proposed scale, form and design is unacceptable and would be detrimental to the character and appearance of the host property and surrounding area. The proposal would be unacceptable by virtue of the breach of the current building line of the application site by the proposed two storey extension, which would unbalance the property, and would have a detrimental impact on the existing character of the street. The proposal is contrary to ELDP Policy Des 12 and the non-statutory Guidance for Householders. There are no material planning considerations which would justify approval.

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

Should you have a specific enquiry regarding this decision please contact Christopher Sillick directly on 0131 529 3522.

D R Leech

Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

Application for Planning Permission 19/03104/FUL At 7B Redford Gardens, Edinburgh, EH13 0AR Erect a double storey extension to side of dwelling house.

Item	Local Delegated Decision
Application number	19/03104/FUL
Wards	B08 - Colinton/Fairmilehead

Summary

The proposed scale, form and design is unacceptable and would be detrimental to the character and appearance of the host property and surrounding area. The proposal would be unacceptable by virtue of the breach of the current building line of the application site by the proposed two storey extension, which would unbalance the property, and would have a detrimental impact on the existing character of the street. The proposal is contrary to ELDP Policy Des 12 and the non-statutory Guidance for Householders. There are no material planning considerations which would justify approval.

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 application site is a two-storey, detached, property located on a corner plot on the north side of Redford Gardens.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

Convert existing garage into habitable room and erect two storey side extension.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposal is of an acceptable scale, form and design and will not be detrimental to neighbourhood character;
- b) The proposal will result in an unreasonable loss of neighbouring amenity.

a) The proposal is for the existing garage to be converted into a family living space, with a two storey extension to accommodate a new garage on the ground floor, and additional bedrooms on the first floor. Due to the shape of the plot of land the application site occupies, the proposed two storey extension will breach the current building line of the property by approximately 1.2 metres.

The shape of the plot to be developed prevents further development to the rear of the property, and in order to find space for the proposed new garage and extra bedrooms the design solution has been to build forward of the current property. The current proposal would increase the footprint of the property by 58 square metres. In this case the applicant was advised that a more modest scheme, which did not breach the current building line of the property could in principle be acceptable. The plot may accommodate a more modest scheme, but the current design, set forward of the existing house, would unbalance the property, and would represent over-development of the site.

Council guidance on the design and location of side extensions states that in achieving an extension that will fit in with the original building and respect its neighbours, the extension should be set behind the front line of the existing dwelling to give a clear definition

between the new design and the existing building. Guidance for Householders further states that extensions that project beyond the principal elevation line are not generally allowed unless this fits in with the local character of the street. The proposed breach of the current building line would not be in keeping with the character of the street and would not comply with Council guidance.

In the case of Redford Gardens, the street is characterised by a row of modest, two storey, terraced houses, with attractive front gardens, driveways, hedge planting and trees lining the street. A handful of small single storey garages are also located to the side of some houses. The application site itself is unusual in the context of the street. It is a large, detached, two storey property, occupying a corner plot on the south-west end of Redford Gardens, where the street meets Redford Walk.

The application site already breaches the building line set by the terraced properties which run north-east along the street. Despite this, the view looking north-east along Redford Gardens from where it meets Redford Walk is characterised by a view of attractive gardens, a range of planting and small driveways. A further breach of the building line by the proposed two storey extension would block existing views. The view would instead be entirely dominated by the large, two storey extension. Likewise the proposed extension would dominate the foreground of the street, whilst looking south-west. Although some of the smaller single storey garages in the street sit slightly forward of the properties they adjoin, a breach of the nature proposed would be incongruous with the current streetscape.

The proposed two storey extension is unacceptable. It would breach the building line of the existing property and represents overdevelopment of the site. It would not fit in with the existing character of the street, and as such would not comply with Local Policy Des 12 or the Council's non-statutory Guidance for Householders.

b) The proposal fully accords with the criteria in the 'Guidance for Householders' in relation to the protection of neighbouring amenity.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to Edinburgh Local Development Plan Policy Des 12 because its scale, form and design are unacceptable and would not accord with the character and appearance of the host property or the surrounding area.
2. The proposal is contrary to non-statutory Guidance for Householders which states side extensions should be set behind the front line of the host property, unless this fits in with the character of the street. The proposal will breach the current building line. This is not characteristic of the current streetscape and represents over-development of the site.

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**

Edinburgh Local Development Plan.

Date registered

27 June 2019

Drawing numbers/Scheme

01-03

Scheme 1

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

Contact: Christopher Sillick, Planning Officer
E-mail:christopher.sillick@edinburgh.gov.uk Tel:0131 529 3522

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Consultations

No Consultations received.

END

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100171607-002

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:	F.E.M Building Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Douglas	Building Name:	
Last Name: *	Mack	Building Number:	8
Telephone Number: *		Address 1 (Street): *	Plantain Grove
Extension Number:		Address 2:	Lenzie
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G66 3NE
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 & Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Tabassum & Francesca"/>	Building Number:	<input type="text" value="7B"/>
Last Name: *	<input type="text" value="Sharif"/>	Address 1 (Street): *	<input type="text" value="Redford Gardens"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH13 0AR"/>
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="7B REDFORD GARDENS"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH13 0AR"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="668869"/>	Easting	<input type="text" value="322476"/>
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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)

Erect a double storey extension to side of dwellinghouse

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.

The reason we are seeking a review of the refusal of Planning Permission at 7B Redford Gardens, Edinburgh, is that the reasons for refusal, are in our opinion unsubstantiated. The reason provided that 'the proposal in its scale, form and design is unacceptable and would not accord with the character and appearance of the host property or it's surrounding area' is unjustified in this particular circumstance.

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)

Matters which were not highlighted in the original application have now been raised to allow a greater depth of information on the particular property in question

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)

Appeal Statement Aerial photo 7no. photographs

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/03104/FUL

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

27/06/2019

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

16/08/2019

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Douglas Mack

Declaration Date: 09/10/2019

Proposal Details

Proposal Name	100171607
Proposal Description	Extend dwellinghouse
Address	7B REDFORD GARDENS, EDINBURGH, EH13
0AR	
Local Authority	City of Edinburgh Council
Application Online Reference	100171607-002

Application Status

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

Attachment Details

Notice of Review	System	A4
Planning Appeal Statement	Attached	Not Applicable
Aerial photo	Attached	Not Applicable
9 and 11 Redford Gardens looking North East	Attached	Not Applicable
11 Redford Gardens indicating garage extension	Attached	Not Applicable
Building line of Redford Gardens looking North East at Junction with Redford Walk	Attached	Not Applicable
Corner image of 7B redford Gardens looking south west	Attached	Not Applicable
Front elevation 11 Redford Gardens	Attached	Not Applicable
Front elevation 9 Redford Gardens	Attached	Not Applicable
Redford Gardens looking south west from 11 Redford Gardens	Attached	Not Applicable
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0

The reason we are seeking a review of the refusal of Planning Permission at 7B Redford Gardens, Edinburgh, is that the reasons for refusal, are in our opinion unsubstantiated. The reason provided that 'the proposal in its scale, form and design is unacceptable and would not accord with the character and appearance of the host property or it's surrounding area' is unjustified in this particular circumstance. We would also suggest that a precedence has been set by the host property in that it does not follow any particular building line in the current streetscape. It is our opinion that our proposal will not have any greater impact on the immediate area than that which the existing property at 7B Redford Gardens, a corner plot suggests at present. We would therefore request that the Local Review Body share the opinion that the proposal will not have a detrimental effect on the existing site and property area or it's surrounding environment. The existing dwellinghouse was built approximately 2530 years ago and was a 'stand alone' build in a street of red brick semi detached properties built circa 1960's.

In the Planning refusal it is indicated that ~~the fact~~ the proposal will impact on the existing streetscape and building lines. It would appear from the 1:1250 Location plan that the front of the property at 7B Redford Gardens is in fact forward of the building line created along the frontage of numbers 9 & 11 Redford Gardens. This, however is slightly misleading due to the fact that it would appear that both of these properties have had the front of their garages extended out towards the front of the properties, one can only assume with formal Planning Permission in place. As a result, the building line of the properties at number 9 & 11 is at odds with the remaining properties in the street. It is difficult to be clear on what the building line is in the street or indeed whether there actually is a building line. All of ~~th~~is suggests that when the Planning approval was agreed for the erection of the house at 7B Redford Gardens, that the front line of this new dwellinghouse did not follow any particular front building line in the streetscape. It is our opinion that the by allowing the two storey side extension to project forward of the front of the existing house that this will in no way affect any 'historic' front building line by any greater degree than that which exists presently. The fact that the house is a 'corner plot' allows itself to contrast with the older semi detached properties further along the street but in no way impacts the streetscape by any greater degree than the existing site.

As mentioned above, we would reiterate that ~~th~~the reason for refusal (no.1), states being that 'the proposal in its scale, form and design is unacceptable and would not accord with the character and appearance of the host property or it's surrounding area' is in our opinion not substantiated. The existing dwellinghouse is a 'one off' building in the street, perhaps even in the whole of the Redford area and does not appear to accord with the surrounding area as it stands. We would suggest that the design of the proposed extension, although slightly forward of the front elevation of the original house is not detrimental to what is a bespoke property in the locale and in no ways causes any greater impact upon the host property or it's surrounding area. The existing front garden will be not be impacted as a result of the proposed extension and 2 car parking spaces in addition to the garage can be provided. A substantial rear garden would also be retained, over 115m² in area providing a high level of amenity to the property.

To summarise, ~~it~~ is our opinion that the proposed extension will not have a negative impact on the amenity of the surrounding area and the wider street scene and will not cause any greater impact to the building lines than that exists at present. We would also suggest that the proposal does not impact upon the character and appearance of the host property, it's immediate neighbours and the wider street scene. We would, therefore request that you consider our appeal in a manner which leads to a favourable outcome for my client.

We thought it would be useful to provide photographic evidence to assist with this appeal – of which is attached.





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