

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

10.00am, Wednesday 13 November 2019

Present: Councillors Booth, Child, Osler and Rose.

1. Appointment of Convener

Councillor Child was appointed as Convener.

2. Minutes

To approve the minute of the Local Review Body (LRB Panel 2) of 2 October 2019 as a correct record.

3. Planning Local Review Body Procedure

Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted)

4. Request for Review – 206 Broomhouse Road, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the erection of a dwellinghouse at 206 Broomhouse Road, Edinburgh. Application no 19/01351/PPP.

Decision

To continue consideration of the request for review to allow officers to conduct a review of the condition of the trees.

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

Dissent

Councillor Rose requested that his dissent be recorded in respect of the above item.

5. Request for Review – 111 Corstorphine Road, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the formation of new drive in hardscaped parking area, creating a 3m opening in existing wall with gate and formation of dropped kerb at 111 Corstorphine Road, Edinburgh. Application no 19/03589/FUL.

Assessment

At the meeting on 13 November 2019, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis 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 submitted by the Chief Planning Officer.

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 01-07, Scheme 1, being the drawings shown under the application reference number 19/03589/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated. The LRB in their further deliberations on the matter considered the following:

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

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

- Whether the proposal had resolved the issues from the previous request for review submitted by the applicant that was refused by the panel on 16 January 2019.
- Whether the automatic closure of the gate could be conditioned and confirmation that it could not.
- That the proposal would be an incongruous addition.
- That the front driveway design would be inappropriate.
- That there was sympathy for the applicant as steps had been taken to address concerns but that the proposal did not go far enough to address the relevant guidance.

Conclusion

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

Decision

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

Reasons for Refusal:

The proposed creation of a driveway was unacceptable.

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

6. Request for Review – 7B Redford Gardens, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the erection of a double storey extension to side of dwelling house at 7B Redford Gardens, Edinburgh. Application no 19/03104/FUL.

Assessment

At the meeting on 13 November 2019, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of the review documents only. The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Chief Planning Officer.

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

The plans used to determine the application were numbered 01-03, Scheme 1, being the drawings shown under the application reference number 19/03104/FUL on the Council's Planning and Building Standards Online Services.

The Planning Adviser also brought to the LRB's attention new information regarding other developments which sit forward of the building line in the surrounding area. The LRB decided to accept the new information and considered this as part of their deliberations.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated. The LRB in their further deliberations on the matter considered the following:

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

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

- Whether the garage would extend a further 1.2 metres beyond the existing protrusion and confirmation that it would.
- That there was concern with regards to this as the property already breached the building line.

- A contrary opinion was that the 1.2 metre extension was not significant enough to be a concern and that the proposal would make good use of the corner plot.
- That the scale, form and design of the extension was unacceptable.

Conclusion

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

Decision

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

Reasons for Refusal:

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

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

Dissent

Councillor Rose requested that his dissent be recorded in respect of the above item.

7. Request for Review – 58 Ross Gardens, Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the erection of a new single storey extension to side and rear of existing house including front porch at 58 Ross Gardens, Edinburgh. Application no 19/01859/FUL.

Assessment

At the meeting on 13 November 2019, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis 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 submitted by the Chief Planning Officer.

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, 10, Scheme 1, being the drawings shown under the application reference number 19/01859/FUL on the Council's Planning and Building Standards Online Services.

The Planning Adviser also brought to the LRB's attention new information regarding other extensions in the surrounding area. The LRB decided to accept the new information and considered this as part of their deliberations.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated. The LRB in their further deliberations on the matter considered the following:

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

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

- That there were concerns regarding overshadowing and loss of daylight for a neighbour's property.
- That the rear extension would not necessarily be permitted development, and that this proposal was for a wrap around development
- That the proposal would contravene guidance with regards to the building line and the extension not being subservient to the overall property.

Conclusion

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

Decision

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

Reasons for Refusal:

The proposed scale, form and design was unacceptable and would be detrimental to the character and appearance of the host property and surrounding area. It would have an unacceptable impact on neighbouring amenity and so did not comply with the relevant policies and non-statutory guidelines.

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

Declaration of Interests

Councillor Rose declared a non-financial interest in the above item as he had given advice to parties involved, left the room and took no part in the discussion.