

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

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

Decision date: 28 August 2019

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

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

At 18 Bonaly Brae Edinburgh EH13 0QF

Application No: 19/03241/FUL

DECISION NOTICE

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

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

Conditions:-

Reasons:-

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

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

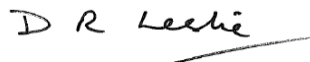
Drawings 01-03, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

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

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

Should you have a specific enquiry regarding this decision please contact Lewis McWilliam directly on 0131 469 3988.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

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

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

Summary

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

Links

Policies and guidance for this application	LDPP, LDES12, NSG, NSHOU,
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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 proposal relates to a detached property located at the end of a cul-de-sac within a primarily residential area.

2.2 Site History

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

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

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

Main report

3.1 Description Of The Proposal

The application proposes the following works;

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

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

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

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

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

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

a) Scale, form, design and neighbourhood character

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

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

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

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

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

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

b) Neighbouring amenity

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

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

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

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

c) Public comments

No public comments have been received.

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

3.4 Conditions/reasons/informatives

Reasons:-

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

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

Pre-application discussions took place on this application.

6.2 Publicity summary of representations and Community Council comments

No representations have been received in regard to the proposal.

Background reading / external references

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

Statutory Development

Plan Provision Policies - Edinburgh Local Development Plan - Urban Area

Date registered 4 July 2019

Drawing numbers/Scheme 01-03,
Scheme 1

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

Contact: Lewis McWilliam, Planning Officer
E-mail:lewis.mcwilliam@edinburgh.gov.uk Tel:0131 469 3988

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Consultations

No Consultations received.

END

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

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

Thank you for completing this application form:

ONLINE REFERENCE 100206440-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	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: *		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: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

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

Site Address Details

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

Please identify/describe the location of the site or sites

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

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

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

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

See attached supporting statement

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

Yes No

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

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

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

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/03241/FUL

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

04/07/2019

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

28/08/2019

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Andrew Dodds

Declaration Date: 21/11/2019

Proposal Details

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

Application Status

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

Attachment Details

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

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

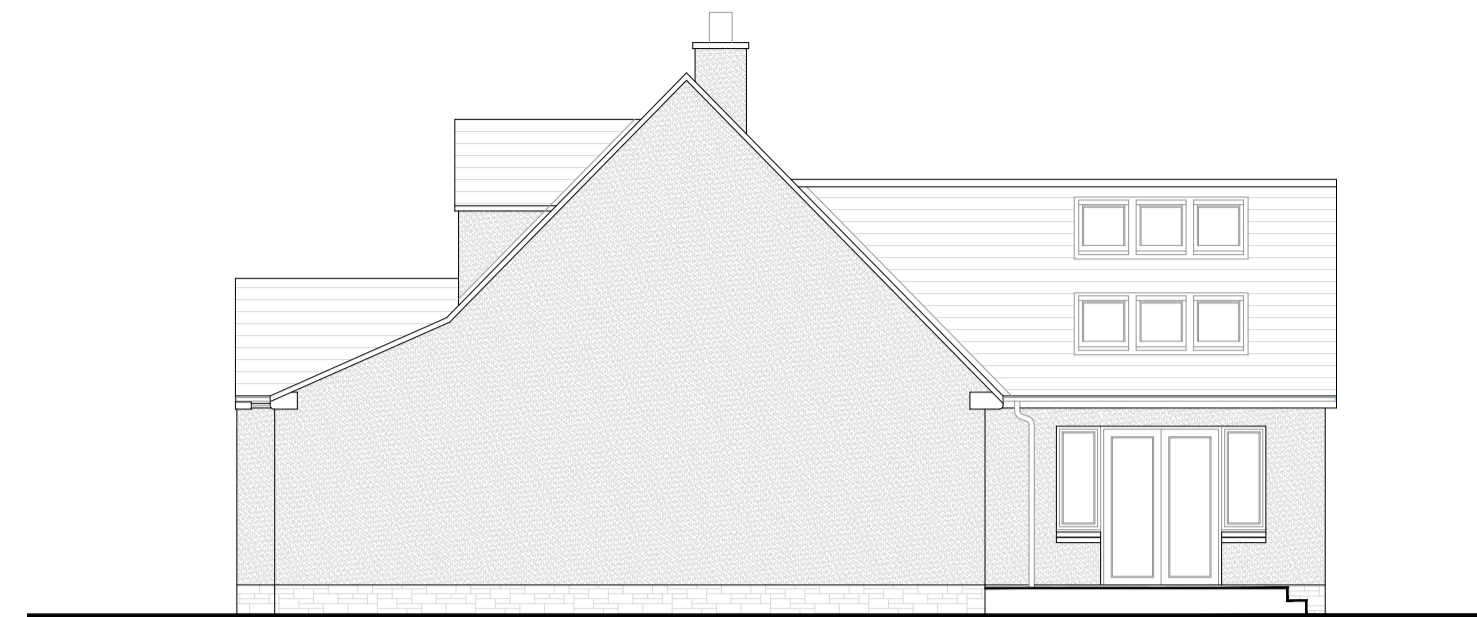
18 BONALY BRAE, EDINBURGH

RE-SUBMISSION OF APPLICATION, FOLLOWING EARLIER REFUSAL

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



1:100 FRONT ELEVATION AS EXISTING



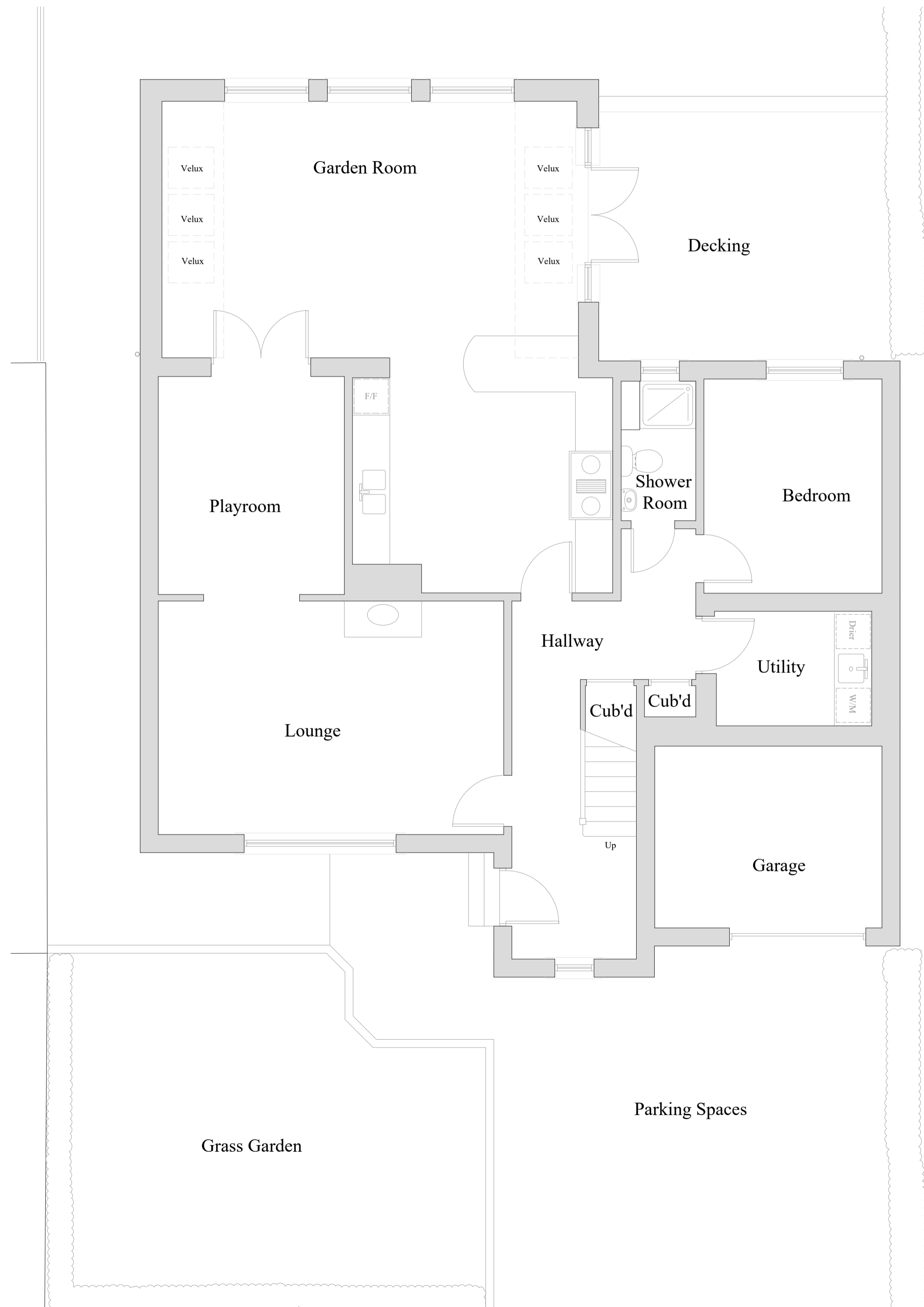
1:100 SIDE ELEVATION AS EXISTING



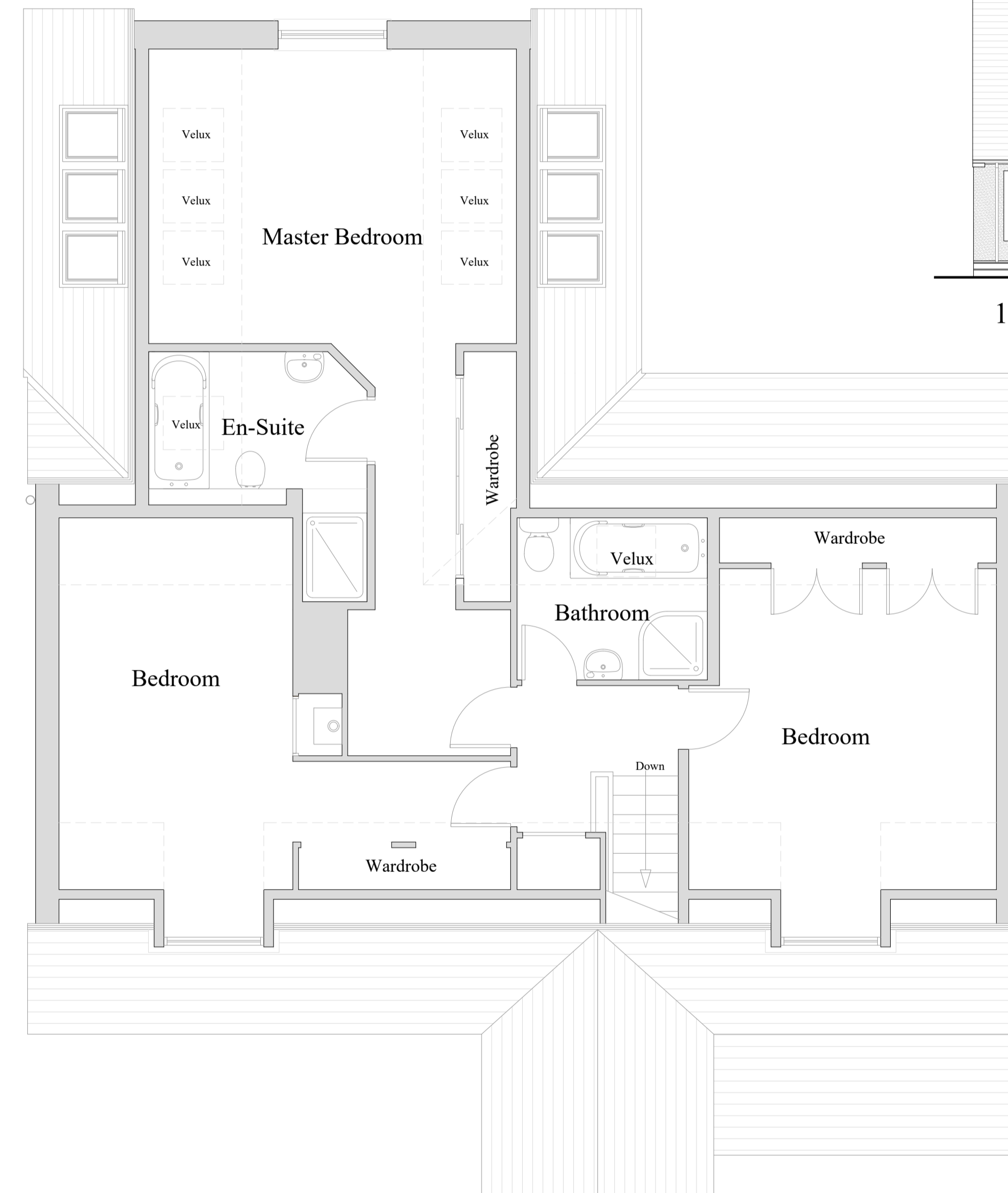
1:100 SIDE ELEVATION AS EXISTING



1:100 REAR ELEVATION AS EXISTING



1:50 GROUND FLOOR PLAN AS EXISTING



1:50 FIRST FLOOR PLAN AS EXISTING

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

Existing Plans and Elevations

1:50 1:100
Sept 16

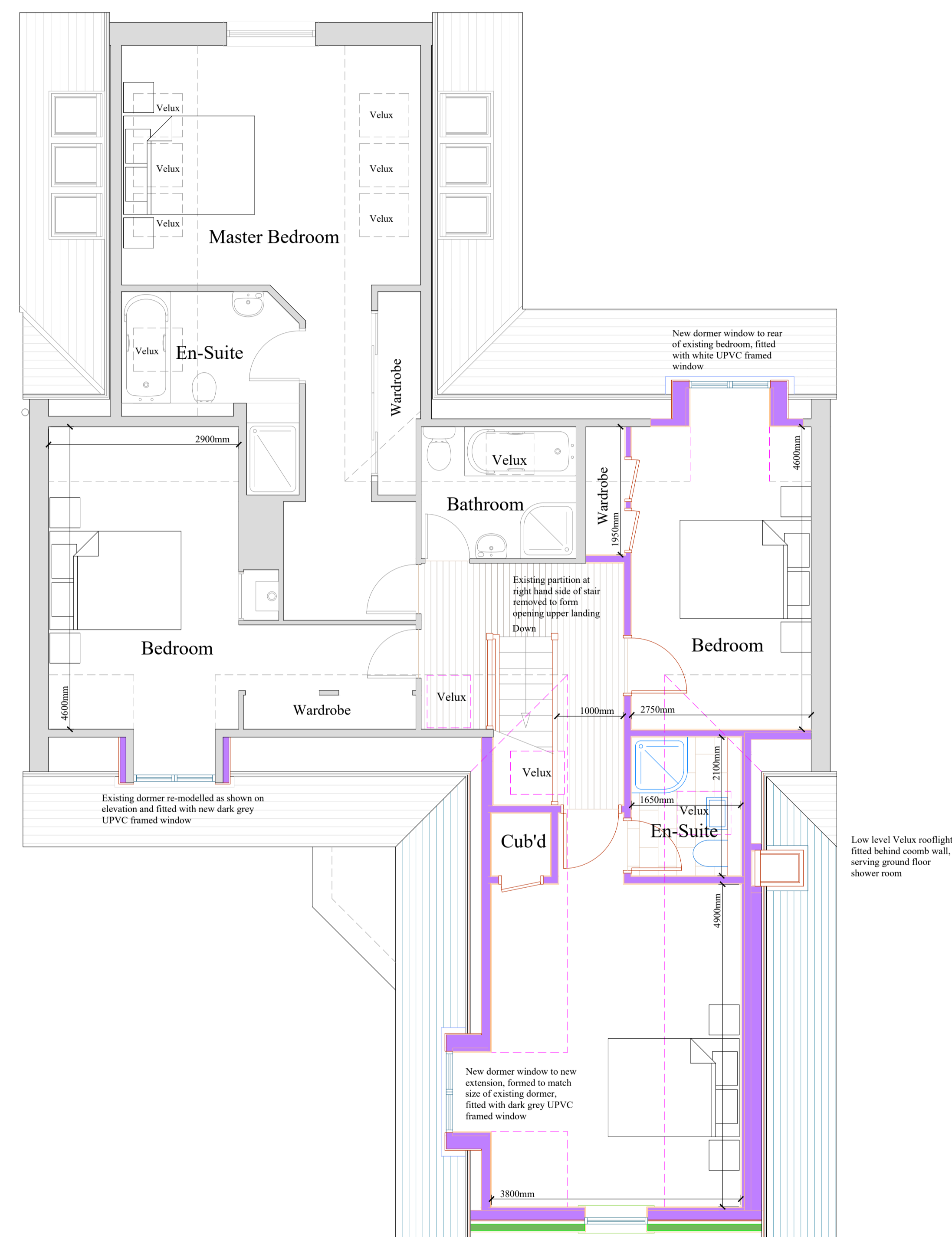
22410 - 24

**ARCTEC
BUILD LTD**

ANDREW DODDS
4 The Maltings
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EAST LOTHIAN
EH41 4EF
Tel - 01620 820960
Mob. 07715 049752
Andrew.dodds1@btopenworld.com



1:50 GROUND FLOOR PLAN AS PROPOSED



1:50 FIRST FLOOR PLAN AS PROPOSED

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

Proposed Floor Plans
1:50
Sept 18

22410 - 25

**ARCTEC
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1:50 SIDE ELEVATION AS PROPOSED

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

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

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

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

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

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

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

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

New electrically operated rolled shutter door to front of new garage



1:50 FRONT ELEVATION AS PROPOSED



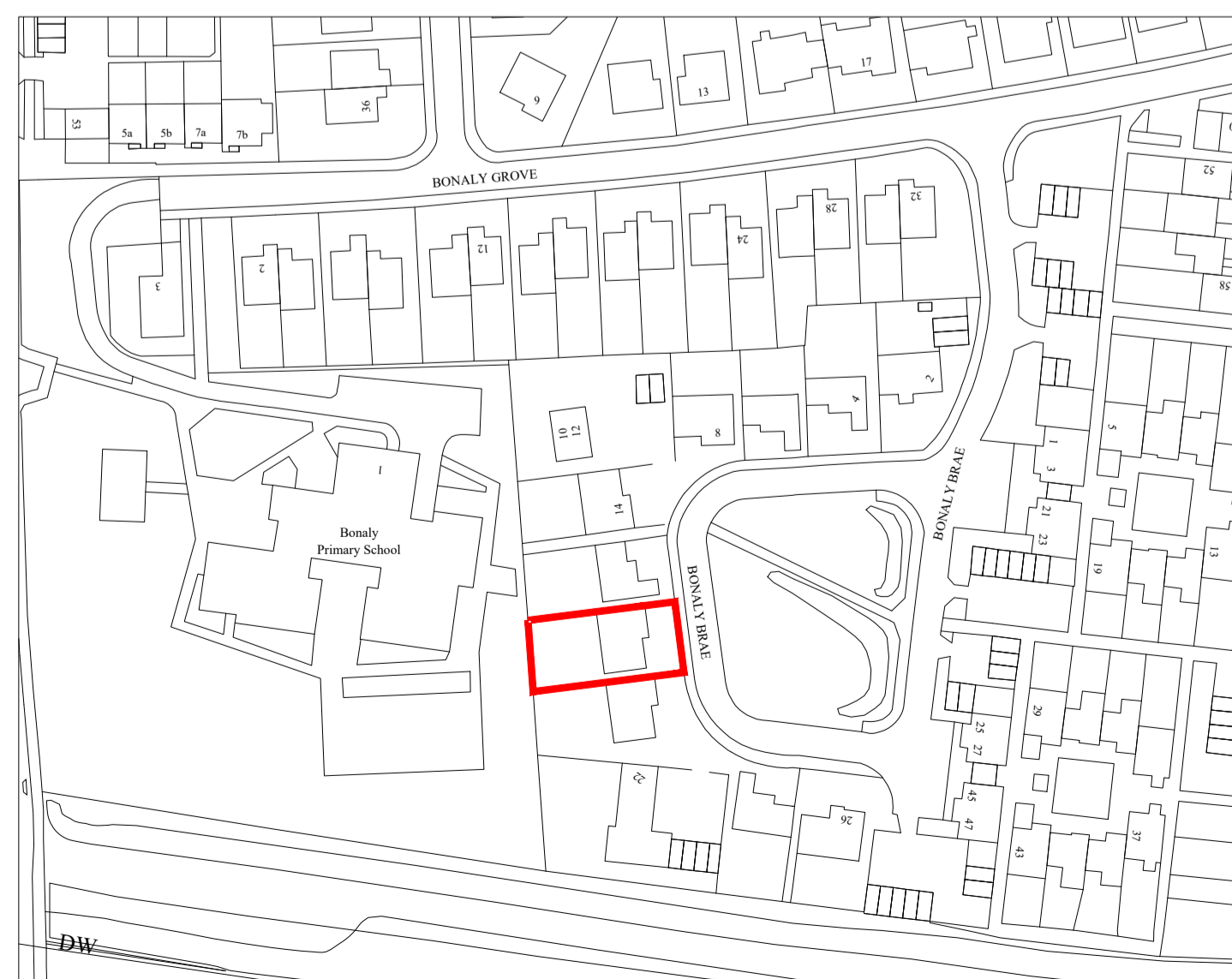
1:50 SIDE ELEVATION AS PROPOSED

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

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



1:50 REAR ELEVATION AS PROPOSED



1:1250 SITE LOCATION PLAN



1:200 OVERALL BLOCK PLAN

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

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

22410 - 26

ARCTEC
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