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Decision date: 27 September 2019

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

Erection of a new private dwelling house.
At 10 Glenlockhart Bank Edinburgh EH14 1BL

Application No: 19/02444/PPP

DECISION NOTICE

With reference to your application for Planning Permission in Principle registered on 13 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 adopted Edinburgh Local Development Plan policy Des 1 as it does not draw upon the positive characteristics of the area and would be damaging to the character and appearance of the area around it.
2. The proposal does not comply with Adopted Edinburgh Local Development Plan Policy Des 4 as it will not have a positive impact upon its surroundings in terms of its positioning

3. The proposal is contrary to adopted Edinburgh Local Development Plan policy Hou 1, as the proposal is not compatible with other policies in the plan.
4. The proposal is contrary to the Edinburgh Design Guidance as it will be back-land development which would disrupt the spatial character of the area.

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

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

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

The proposal is contrary to policies Hou 1, Hou 4 and Des 1 of the adopted Edinburgh Local Development Plan as it would have an adverse impact on the character and appearance of the surrounding area. Insufficient information has been provided in order to confirm compliance with other relevant policies, however, concerns are raised in respect of creating a suitable residential environment for future occupants and the impact the proposal would have on neighbouring amenity.

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 Robert McIntosh directly on 0131 529 3422.



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 in Principle 19/02444/PPP At 10 Glenlockhart Bank, Edinburgh, EH14 1BL Erection of a new private dwelling house.

Item	Local Delegated Decision
Application number	19/02444/PPP
Wards	B09 - Fountainbridge/Craiglockhart

Summary

The proposal is contrary to policies Hou 1, Hou 4 and Des 1 of the adopted Edinburgh Local Development Plan as it would have an adverse impact on the character and appearance of the surrounding area. Insufficient information has been provided in order to confirm compliance with other relevant policies, however, concerns are raised in respect of creating a suitable residential environment for future occupants and the impact the proposal would have on neighbouring amenity.

Links

Policies and guidance for this application	LDPP, LDES01, LDES04, LDES05, LHOU01, LHOU04, LTRA02, LTRA04, LDEL01, LEN12, LEN21, NSG, NSGD02, 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 relates to No. 10 Glenlockhart Bank. A detached property which currently has a large detached swimming pool building to its rear garden.

2.2 Site History

07/00348/FUL- Erection of a conservatory to rear of dwelling house- Granted
12.02.2007

97/02888/FUL- Erect a dwelling house- Granted at Committee 17.12.1997

Main report

3.1 Description Of The Proposal

The application is for planning permission in principle for the erection of a new dwelling house to the rear garden grounds of an existing property.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- (a) The principle of housing at this site is acceptable;
- (b) The proposal is of an appropriate scale, form and design;

- (c) The proposal will result in a satisfactory residential environment;
- (d) The proposal will result in a satisfactory neighbouring environment;
- (e) The proposal would not impact upon road safety and parking;
- (f) The proposal would not materially impact upon protected trees;
- (g) The proposal would not materially impact upon flooding;
- (h) Any issues with regards to contributions towards schools infrastructure have been addressed
- (i) Any other issues are raised
- (j) Public comments have been addressed.

(a) The Principle of Development in this Location

Policy Hou 1 of the adopted Edinburgh Local Development Plan (LDP) states that housing development will be supported on suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable as long as the proposals are compatible with other policies in the plan. Compliance with other policies in the plan are addressed in further detail below and in sections 3.3 (b- j).

Policy Hou 1 reflects the emphasis on delivery of the identified land supply. However it also sets out a mechanism through which to bring forward additional land if a 5 year supply is not maintained.

The latest assessment of the housing land supply in the City of Edinburgh is the 2018 Housing Land Audit and Completions Programme (HLACP), which was reported to Planning Committee on 3 October 2018. The supply of effective housing land and the anticipated programme of completions within the HLACP were agreed as reasonable with Homes for Scotland.

The HLACP examines both the supply of effective housing land (an input) and the expected delivery of new homes (the output). The 2018 HLACP concludes that there is more than sufficient effective housing land to meet the housing land requirements set by the SDP. The HLACP also demonstrates that that the five completions programme (previously referred to as the five year effective land supply) is above the five year completions target.

There is no shortfall in either the supply of effective housing land or the expected delivery of new homes over the next five years. That aside the proposed one dwelling house will not make a substantial contribution to any housing land supply and little weight can be placed on this consideration.

As the proposal does not comply with other policies contained within the LDP, the proposal does not comply with LDP policy Hou 1.

(b) Scale Form and Design

LDP policy Des1 (Design Quality and Context) states that new development should contribute towards a sense of place and design should draw from positive aspects of the surrounding area.

Policy Des 4 in the LDP states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact upon views having regard to

(a) height and form,

(b) scale and proportions, including the spaces between buildings

(c) positioning of buildings and other features on the site

(d) materials and detailing

Policy Hou 4 states that the Council will seek an appropriate density of development on each site having regard to its characteristics and those of the surrounding area.

The Edinburgh Design Guidance states that where back-land development would disrupt the spatial character of an area, it must be avoided.

The area surrounding the site is primarily residential in nature, characterised by large detached dwellings. The houses have private front and rear gardens which are quite substantial.

The application site is located directly behind the existing property, No. 10. The size of the plot is also smaller than others within the street. The nearby dwellings are characterised by their low density layout and a good degree of separation. While it is acknowledged that there is already a quite large detached swimming pool building to the rear of the site, this is still ancillary to the main use of the dwelling house and is part of the larger garden grounds.

Given the position of the site, directly behind No. 10 Glenlockhart Bank, and its limited size compared to other plots on the street, a dwelling house could not be constructed on this site that respects the established built form of the street in terms of density, positioning and layout.

The proposal is contrary to LDP policy Hou 4.

The proposed dwelling would be back land development which would disrupt the spatial character of the area and would have a detrimental impact on the character and appearance of the surrounding area. It also does not draw from positive aspects of the surrounding built environment. While not enough information has been provided in order to assess the suitability of the proposal in terms of its proposed height and form, materials and detailing, the established position of the site shows that the proposed building would be back land development not having similar characteristics to the surrounding dwellings and the established urban grain. The proposal would be damaging to the character and appearance of the surrounding area and the wider townscape and landscape.

The proposal is contrary to LDP policies Des 1, Des 4 and the Edinburgh Design Guidance.

(c) Residential Environment for future occupants

Planning permission will be granted for development as per LDP Policy Des 5 where future occupiers will have acceptable levels of amenity in relation to noise, daylight, sunlight privacy or immediate outlook.

The dimensions and final siting of the proposed house is not detailed in the submitted documents for this application and as such it is not possible to fully assess the eventual residential environment of the proposed house in detail. Details of the scale and form of the house would be assessed through any subsequent application for approval of matters specified in the conditions of any planning permission in principle granted.

However the broad limitations placed upon any residential construction within this site can be acknowledged. The site in question is lined to the east and south by tall mature trees. The current building is constructed right up to the line of the trees to the east. There are therefore concerns with regards to obtaining adequate sunlight/daylight levels to any property constructed within the site as a result.

To move the property further away from the tree line could result in the building being constructed even closer to the rear of No.10. The distance between the front of the existing detached building and the rear elevation of No. 10 is approximately 15 metres. This would already be in breach of the Edinburgh Householder Guidance which states that the minimum recommended distance between windows is 18 metres. Moving the proposed building closer to the rear of No. 10 in order to move further away from the trees and to provide a greater element of sunlight/daylight to the rear of the proposal would result in either the building becoming much smaller in terms of its floor plan, compared to the existing structure, or it getting even closer to the rear of No.10.

Whilst the application site and No.10 are currently in the same ownership this may not be the case in the future. It is likely that ensuring adequate levels of sunlight/daylight to the property would result in a material loss of privacy to the future occupants of the dwelling.

The proposed dwelling would also have less available garden ground than that afforded to neighbouring properties. The proposed dwelling on the site would also have limited rear private garden ground and would be largely overlooked by the windows on the rear elevation of No.10.

This would result in the formation of private garden spaces which would not benefit from the levels of privacy afforded to other residents in the surrounding area, again to the detriment of prospective resident's future amenity.

It is likely that the proposal would not result in the creation of a satisfactory living environment for future occupiers.

(d) Neighbouring amenity

Planning permission will be granted for development as per LDP Policy Des 5 where the amenity of neighbouring developments will not be adversely affected.

The dimensions and final siting of the proposed house is not detailed in the submitted documents for this application and as such it is not possible to fully assess the potential impact of the proposal on the amenity of neighbouring residents in respect of overshadowing or loss of daylight. Detailed design matters and the scale and form of the house would be assessed through any subsequent application for approval of matters specified in the conditions of any planning permission in principle granted.

That being said again the broad limitations placed upon any residential construction within this site can again be assessed. The site is to the south of the neighbouring property at No.12. The existing swimming pool building is constructed very near to the mutual boundary shared between No.10 and No.12. It is noted that this building is, however, single storey. A taller building on this site may cause a material loss of sunlight/daylight to the property and garden grounds of No. 12. Keeping the property as a single storey dwelling would again further restrict the potential size of the dwelling.

The plot is located directly behind the existing property, No. 10. It is already noted that it will be difficult to meet window to window distances between any proposed property on the site and those to the rear of No.10. It is also unlikely that the rear of the proposed dwelling could be sited as far back within the site (close to the trees to the east) as the existing swimming pool structure. A new residential property constructed within this site would likely cause a material loss of privacy to future residents of No. 10.

(e) Road Safety and Parking

LDP policy Tra 2 states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance.

LDP policy Tra 4 states the design considerations that will be taken into account where off street parking provision is required or considered to be acceptable.

The Roads Authority were consulted as part of the assessment of the application and have responded that they have no objections to the proposal. Details regarding proposed off street parking provision would be fully established in the separate application for the approval of matters specified in conditions.

(f) Trees

LDP policy Env 12 states that development will not be permitted if likely to have a damaging impact upon a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for good arboricultural reasons.

Directly to the east of the application site is the Craiglockhart Hills conservation area and a defined special landscape area. Further details regarding how the proposed

dwelling would not damage any of these trees within the conservation area or harm the special landscape area would be fully established in the separate application for the approval of matters specified in conditions.

That being said given the proximity of the site to the trees within the defined conservation area and special landscape area, there are concerns that any future building on the site would severely damage the root structures of the protected trees.

(g) Flooding

LDP policy Env 21 states that planning permission will not be granted for development that would;

- (a) Increase a flood risk or be at risk of flooding itself
- (b) impede the flow of flood water
- (c) be prejudicial to existing or planned flood defence systems.

The site does not fall within an area which has been defined as being of flood risk. That being said a surface water management plan would be required to be submitted as part of the AMC application.

(h) School Infrastructure

LDP policy Del 1 states that proposals will be required to contribute to infrastructure provision where relevant and where commensurate to the scale of the proposed development.

Due to the size of the development there is no requirement for funds to be provided with regards to school infrastructure.

(i) Other matters

Whilst on site it was noted that the red line boundary of the proposal did not appear to continue up to the road. This means that this proposed development could become land locked, where access to the site could become disputed. It has already been alleged in representations that the applicants do not own what is a shared driveway required to access the site.

(j) Representations

Eight letters of objection and one letter of comment have been received in regards to the application.

Material objections-

The site is too small and its positioning is inappropriate - This has been addressed in section 3.3b.

Concerns regarding overlooking- This has been addressed in section 3.3d

Concerns regarding loss of sunlight/daylight -This has been addressed in section 3.3d

Noise and disturbance - Environmental Protection were consulted and had no objections.

Parking Concerns- This has been addressed in section 3.3e.

Flooding concerns- This has been addressed in section 3.3g.

Non material considerations-

Drainage is at overcapacity- This would be addressed under the required building warrant.

Potential damage to private road- This is not a material planning consideration.

Use of shared driveway, the applicants do not own all the land in question- This is a civil issue not a material planning consideration.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to adopted Edinburgh Local Development Plan policy Des 1 as it does not draw upon the positive characteristics of the area and would be damaging to the character and appearance of the area around it.
2. The proposal does not comply with Adopted Edinburgh Local Development Plan Policy Des 4 as it will not have a positive impact upon its surroundings in terms of its positioning
3. The proposal is contrary to adopted Edinburgh Local Development Plan policy Hou 1, as the proposal is not compatible with other policies in the plan.
4. The proposal is contrary to the Edinburgh Design Guidance as it will be back-land development which would disrupt the spatial character of the area.

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

The application received 8 letters of objection and one neutral letter of comment. The points raised shall be addressed in section 3.3 of this report.

Background reading / external references

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

Statutory Development

Plan Provision

Date registered 13 June 2019

Drawing numbers/Scheme 01; 02,
Scheme 1

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

Contact: Robert McIntosh, Planning Officer
E-mail:robert.mcintosh@edinburgh.gov.uk Tel:0131 529 3422

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

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

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

Relevant Non-Statutory Guidelines

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

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

Appendix 1

Consultations

ENVIRONMENTAL PROTECTION

Environmental Protection has no objections to the application.

The proposal is to provide a new, detached dwelling house within an area that is predominately residential. There do not appear to be any amenity issues.

ROADS AUTHORITY

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant should be aware that Glenlockhart Road is a private road, as defined under the Roads (Scotland) Act 1984, as is not maintained by the Council as roads authority;
2. Car and cycle parking to be a reserved matter. The proposed development will require to comply with the Council's parking standards.

WASTE SERVICES

Compliance with Waste Strategy (Domestic Waste Only)

The provision of a full recycling service is mandatory in Scotland, so developers must make provision for the full range of bins (either individual containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

The waste collection teams will require safe and efficient access to these from the earliest occupation, and therefore cognisance must be taken of my comments below in relation to operational viability. In particular, there is no indication of where these properties will present their bins, and there appears to be no road access.

For low density properties such as this house, we would recommend individual waste containers for landfill waste, mixed recycling for paper and packaging, glass, and food. There needs to be space allowed for the storage of these bins within the curtilage of the property, and for them to be presented on the kerb for collection.

Developers can either source their own bins in line with our requirements, or can arrange for us to do so and recharge the cost - this will probably be most convenient for them, but they must allow 12 week's notice.

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming this would include this development.

For completeness, any commercial aspect using the site would need to source their own trade waste uplifts. Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be separate storage space off street for segregated waste streams arising from commercial activities, outwith those for domestic waste.

Any appointed waste collection contractors, appointed to manage commercial waste, could be expected to have similar requirements to the Council in terms of their need to be able to safely access waste for collection.

Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, distance bins must be pulled, surfaces, slopes and so on. Confirmation that bins will be presented on the kerb is required.

Initial information on the requirements for waste services is available in the Architect's Instructions, which can be provided for reference.

I would recommend further contact with me to ensure adequate provision of segregated household waste bins include all of the above and suitable access for the refuse collectors is arranged.

END

Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: Mr Alan Collins

Address: 6 Glenlockhart bank Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Small private area. Drainage can't handle present capacity never mind another house squeezed in. Ridiculous to consider another inappropriate development in this street. The residents have just paid to have our road repaired after the last development and this will create more misery and damage .

Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: Mr ALAN COLLINS

Address: 6 glenlockhart bank Craiglockhart EDINBURGH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Since being informed of this application I have circulated the application to ALL residents . In view of the fact this is a private road ,which has only just been repaired after the last building debacle in this road ,any disruption to access , road damage , services disruption has an effect on everyone living here ,

We have had two years of disruption while a completely oversized and inappropriate house has been build at No 5.

The road is narrow , The drainage is old , Street gulleys are few .Another new squeezed in house will impact greatly on this area . Therefore i object strongly to this house being built

Alan J Collins No 6

Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: Mr MALCOLM FORTUNE

Address: 11 GLENLOCKHART BANK EDINBURGH

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:

We wish to make the following comments regarding this application.

This is a private road and we have all just paid for resurfacing works. There will be many heavy lorries (a) removing the old swimming pool and (b) carrying materials for the new house. The cost of repairing the damage must be born by Mrs Bringhurst.

There exists a huge driveway for No. 10 and No. 12 with no provision for drainage of rainwater which comes down our drive (No. 11). We have put in 2 cattle grids to stop it going further (at our expense) but we do require an undertaking that the enlarged driveway will take the water into the main drain which is nearby. I am happy to have a meeting to explain as we are the only neighbours who have this problem.

Other than that we have no objections

Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: Mr Gary Fossett

Address: 8 Glenlockhart Bank Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear sir/madam.

I am writing to raise an objection to a new dwelling at number 10 Glenlockhart Bank on the grounds of

A) increased strain on existing drainage and sewage in the private road, which is already at capacity

B) increased strain on an already busy private road, which has recently been resurfaced

C) disruption caused by lorries accessing the site through the private road and parking on the private road

Regards

Gary

Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: Mr Stewart Brown

Address: 12 Glenlockhart Bank Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Mr McIntosh

My wife and I are the owners of the property in closest proximity to the proposed site. We are therefore very familiar with the site and have examined the proposed application and supporting documents via this portal. Whilst we understand the need and pressure to increase housing stock generally, we strongly object to the planning application. There are a number of reasons for this which are set out below.

Firstly, despite the obligation to notify us as an adjoining owner, we were not notified of the application. We only found out when another neighbour told us about it. Being charitable, the letter may have gone missing in the post or (ironically) been delivered to 10 Glenlockhart Bank (the applicant address) as a proportion of our correspondence often ends up there. If so, it's surprising that it wasn't passed on by the tenants at number 10 though, so I doubt it arrived there either. I will resist the urge to allege that the non-notification was deliberate but, in any event, the required notification has not been provided.

Secondly, the site delineated in the application includes land which we, not number 10, own. This would affect the access to the proposed property. I am surprised that somebody can apply for planning permission for a plot which includes land owned by a third party. Although I am a solicitor myself, if matters proceed, we will have to obtain specialist legal advice on the matter.

Thirdly, there are a number of reasons that we object to the application itself.

Currently there is a one storey swimming pool building on the proposed site, more or less right up to the boundary with our back garden. This building is infrequently used and is not, obviously,

permanently occupied. Not that it's relevant to your considerations but it is somewhat annoying to have been assured by the brother of the applicant (from whom we bought our house in late 2016) that there were no plans to change the swimming pool building and nor would there be. (I have a recollection of being told that it was a condition of the planning permission for our house (which itself was built in the garden of number 10) that no further dwelling could be built, but I don't know this for certain.) Anyway, the swimming pool building overlooks/overshadows our house (it is up the hill from us) and is really quite close to our house. Clearly, if a new building were to be taller than one storey, we would be further overshadowed. This would result in a reduction in sunlight/daylight to our property. In any event, whether the new building was one storey or more, our lounge, dining hall, toilet, bathroom and multiple bedrooms (including children's) would be overshadowed/overlooked by the new (occupied vs. unoccupied) building. It would also greatly reduce our privacy (changing from an unoccupied outbuilding with one window (unused because it's unoccupied) to an occupied house overlooking us). An occupied dwelling would clearly also result in greater noise and disturbance to us than at present.

Traffic and parking - the street is a small private road (more or less single carriageway) with limited space for parking. The road has recently been repaired following building works undertaken elsewhere in the street. At present, the tenants in number 10 own six vehicles, some of which they park on our land without our permission. The addition of further cars related to a new dwelling behind number 10 would a) cause more traffic to be using the road and driveway putting further pressure on the road (which already struggles with the current levels of use) and b) increase the danger to the children playing in the road. Additionally, number 10 (and this will be the case for the new house too) access their property by using our and also their monoblock driveways. These steep driveways will not support further traffic and will certainly not cope with building vehicles using them. Access is also likely to be impeded to our property during any building works.

Currently, run-off from the proposed site diverts through our property via a drainage system which is broken and floods. This system certainly couldn't take any additional load and also could not take any sewage from the new property (if the intention is to run the sewage down to Glenlockhart Valley and not into Glenlockhart Bank itself).

I understand that there are also issues with the sewage/drainage in Glenlockhart Bank which were identified during recent road/related repairs. I have been advised that the sewage/drainage is "at capacity". Apart from the sewage issue, in heavy rains, the road floods and the houses down the slope from number 10 are reportedly deluged. The addition of a further dwelling (with further hard landscaping/run off) would only exacerbate this. At the very least, I'd have thought consideration would need to be given to lifting the road and upgrading the sewage/drainage system as a condition of any planning permission.

I am somewhat disappointed that the owner did not contact us to discuss matters and, whilst no doubt permitted by the rules/regulations, chose the first two weeks of the summer holidays (when people are most likely to be away) to make the neighbour notifications (and even then didn't

manage to notify all of the neighbours required).

I'd be happy to discuss things with you or, if the matter is to be decided by councillors, with them.
I'd also be happy to meet you at the site if that would be of assistance.

Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: Mrs Penni Brown

Address: 12 Glenlockhart Bank, Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I'm shocked by this application. Susan has not spoken to us about this. The area she has in plan as her driveway actually belongs to us at number 12.

Traffic and parking - the street is a small private road (more or less single carriageway) with limited space for parking. The road has recently been repaired following building works undertaken elsewhere in the street. At present, the tenants in number 10 own six vehicles. The addition of further cars related to a new dwelling behind number 10 would a) cause more traffic to be using the road, putting further pressure on the road (which already struggles with the current levels of use) and b) increase the danger to the children playing in the road.

Currently, run-off from the proposed site diverts through our property via a drainage system which is broken and floods. This system certainly couldn't take any additional load and also could not take any sewage from the new property (if the intention is to run the sewage down to Glenlockhart Valley and not into Glenlockhart Bank itself).

I understand that there are also issues with the sewage/drainage in Glenlockhart Bank which were identified during recent road/related repairs. I have been advised that the sewage/drainage is "at capacity". Apart from the sewage issue, in heavy rains, the road floods and the houses down the slope from number 10 are reportedly deluged. The addition of a further dwelling (with further hard landscaping/run off) would only exacerbate this. At the very least, I'd have thought consideration would need to be given to lifting the road and uprating the sewage/drainage system as a condition of any planning permission.

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Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: Mr MALCOLM FORTUNE

Address: 11 GLENLOCKHART BANK EDINBURGH

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:

We wish to make the following comments regarding this application.

This is a private road and we have all just paid for resurfacing works. There will be many heavy lorries (a) removing the old swimming pool and (b) carrying materials for the new house. The cost of repairing the damage must be born by Mrs Bringhurst.

There exists a huge driveway for No. 10 and No. 12 with no provision for drainage of rainwater which comes down our drive (No. 11). We have put in 2 cattle grids to stop it going further (at our expense) but we do require an undertaking that the enlarged driveway will take the water into the main drain which is nearby. I am happy to have a meeting to explain as we are the only neighbours who have this problem.

Other than that we have no objections

Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: Mrs Lynda Armstrong-Martin

Address: 4 Glenlockhart Bank EDINBURGH

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Traffic and parking - the street is a small private road (more or less single carriageway) with limited space for parking. The road has recently been repaired following building works undertaken elsewhere in the street. At present, the tenants in number 10 own six vehicles. The addition of further cars related to a new dwelling behind number 10 would a) cause more traffic to be using the road, putting further pressure on the road (which already struggles with the current levels of use) and b) increase the danger to the children playing in the road.

Currently, run-off from the proposed site diverts through our property via a drainage system which is broken and floods. This system certainly couldn't take any additional load and also could not take any sewage from the new property (if the intention is to run the sewage down to Glenlockhart Valley and not into Glenlockhart Bank itself).

I understand that there are also issues with the sewage/drainage in Glenlockhart Bank which were identified during recent road/related repairs. I have been advised that the sewage/drainage is "at capacity". Apart from the sewage issue, in heavy rains, the road floods and the houses down the slope from number 10 are reportedly deluged. The addition of a further dwelling (with further hard landscaping/run off) would only exacerbate this. At the very least, I'd have thought consideration would need to be given to lifting the road and upgrading the sewage/drainage system as a condition of any planning permission.

Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: CC Community Council Mowat

Address: c/o 54a2 Craiglockhart Loan Edinburgh

Comment Details

Commenter Type: Community Council

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: Dear Sir,

The writer represents Craiglockhart Community Council and at this evening's Community Council Meeting (attended by Councillor Gavin Corbett), there were complaints received from residents living in Craiglockhart Bank. One neighbour from No 8 Craiglockhart Bank (Ms K Fossett) as well as Mr J Corbett also of Craiglockhart Bank expressed concern. The former had not received Notification of the application and the latter seemed very concerned after having had a large construction project constructed next to his property over the past year or so.

As the applicant has submitted under the auspices of 10 Craiglockhart Bank that I believe the properties neighbouring within the 20m boundary rule should be notified, of which No 8 would fit into this category.

The Council should think very carefully before considering this application as it is clear the neighbours that received Notification have all objected (that were served) - this looks to be 7 No. Concerns were expressed about the drainage and run off by building more accommodation on that site as well as the number of cars that would use the single road that is Glenlockhart Bank. The writer was advised that 6 vehicles already park on the driveway and use the road that would become choked by adding a further large property on the land that is all a part of No 10.

This site could become very controversial and before a lot of money is expended on developing it, for which there is no detail available on the website, the applicant would be well advised to talk to the neighbours and explain the proposal in more depth rather than drop this application that seems to have got the neighbours back up.

This would be our advice at this stage.

Comments for Planning Application 19/02444/PPP

Application Summary

Application Number: 19/02444/PPP

Address: 10 Glenlockhart Bank Edinburgh EH14 1BL

Proposal: Erection of a new private dwelling house.

Case Officer: Robert McIntosh

Customer Details

Name: Mr Frank Hepburn

Address: 4 Glenlockhart Valley Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this application on the grounds that it will affect the drainage in our garden. Before the construction of the house above us (12 Glenlockhart Bank), owned by Mr and Mrs Brown, any water collecting from around the swimming pool and the then rose garden below it was channelled into a field drain which ran down to and continued below our garden, eventually flowing into the land-water drainage system in our street. This field drain was broken and disrupted during the construction of 12 Glenlockhart Bank. There was considerable trouble and expense to remedy this. I fear that the delicate arrangement which has for the most part held over the years will be altered for the worse by the new construction, which will place a lot of pressure on the existing drainage. We know from experience how much flooding of our garden could take place.

Date 7 August 2019

Our ref. Glenlockhart
1902444

Dear Robert

**TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997
ERECTION OF A NEW PRIVATE DWELLING HOUSE. AT 10 GLENLOCKHART
BANK, EDINBURGH, EH14 1BL
REFERENCE NUMBER: 19/02444/PPP
WARD NO: B09**

I have been asked to provide my comments as a consultee to this application on behalf of the Waste and Cleansing Services.

I have provided below some general information in relation to this development, but the detailed arrangements need to be agreed with myself at later stage. The architects or developers should liaise directly with me, via email at justine.stansfield@edinburgh.gov.uk

Compliance with Waste Strategy (Domestic Waste Only)

The provision of a full recycling service is mandatory in Scotland, so developers must make provision for the full range of bins (either individual containers for each property, or communal bins for multiple properties). These must be stored off street at all times, except on the day of collection (in the case of individual bins).

The waste collection teams will require safe and efficient access to these from the earliest occupation, and therefore cognisance must be taken of my comments below in relation to operational viability. In particular, there is no indication of where these properties will present their bins, and there appears to be no road access.

For low density properties such as this house, we would recommend individual waste containers for landfill waste, mixed recycling for paper and packaging, glass, and food. There needs to be space allowed for the storage of these bins within the curtilage of the property, and for them to be presented on the kerb for collection.

Developers can either source their own bins in line with our requirements, or can arrange for us to do so and recharge the cost - this will probably be most convenient for them, but they must allow 12 week's notice.

Waste and Cleansing Services

Seafield Depot, 1 Fillyside Road, Edinburgh EH7 6RD



Waste Management Responsibilities

The Waste and Cleansing Services will be responsible for managing the waste from households and any Council premises only. I am assuming this would include this development.

For completeness, any commercial aspect using the site would need to source their own trade waste uplifts. Architects should however note the requirement for trade waste producers to comply with legislation, in particular the Waste (Scotland) Regulations which require the segregation of defined waste types to allow their recycling. This means there would need to be separate storage space off street for segregated waste streams arising from commercial activities, outwith those for domestic waste.

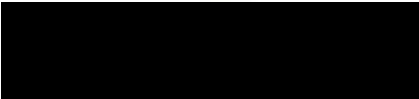
Any appointed waste collection contractors, appointed to manage commercial waste, could be expected to have similar requirements to the Council in terms of their need to be able to safely access waste for collection.

Operational Viability

Developers need to ensure that services are accessible so that our collection crews can provide the service in a safe and efficient manner, distance bins must be pulled, surfaces, slopes and so on. Confirmation that bins will be presented on the kerb is required.

Initial information on the requirements for waste services is available in the Architect's Instructions, which can be provided for reference.

I would recommend further contact with me to ensure adequate provision of segregated household waste bins include all of the above and suitable access for the refuse collectors is arranged.

 Yours sincerely

Justine Stansfield
Technical Officer

To: Robert McIntosh
From: Claire Devlin, Environmental Protection

Date: 05/07/2019

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

19/02444/PPP | Erection of a new private dwelling house. | 10 Glenlockhart Bank Edinburgh EH14 1BL

Environmental Protection has no objections to the application.

The proposal is to provide a new, detached dwelling house within an area that is predominately residential. There do not appear to be any amenity issues.

Should you wish to discuss the above please contact me on 0131 469 5685.

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 100221066-001

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:	RFA Development Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Richard	Building Name:	Melford House
Last Name: *	Finc	Building Number:	3
Telephone Number: *		Address 1 (Street): *	Walker Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH3 7JY
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="Mrs"/>	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="Susan"/>	Building Number:	<input type="text" value="15"/>
Last Name: *	<input type="text" value="Bringhurst"/>	Address 1 (Street): *	<input type="text" value="Greenhill 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="EH10 4BN"/>
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="10 GLENLOCKHART BANK"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH14 1BL"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="670391"/>	Easting	<input type="text" value="322803"/>
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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)

Application for Planning Permission in Principle for the erection of a new private dwelling house.

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.

We are seeking a Notice of Review as we are aggrieved by the decision made by the City of Edinburgh Council in respect of this application on the 27 September 2019 under delegated powers. Please see Notice of Review Report and Supporting Documentation.

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)

Notice of Review Supporting Report Statement by Gray MacPherson Architects and Spatial Plans Application Form Site Location Plan List of Neighbours Notified by CEC Report of Handling Decision Notice

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/02444/PPP

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

13/06/2019

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

27/09/2019

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

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

Please select a further procedure *

Further written submissions on specific matters

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

To fully examine the Reasons for Refusal and allow rebuttal of the Councils conclusions, including a site visit to assess the layout and character of the area as well as the potential impact of development.

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 Richard Finc

Declaration Date: 23/12/2019

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 100166371-001

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.

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Application for Planning Permission in Principle for the erection of a new private dwelling house.

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) *

Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Gray Macpherson Architects		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Gray Macpherson	Building Name:	Tigh-na-geat House
Last Name: *	Architects	Building Number:	1
Telephone Number: *	<input type="text"/>	Address 1 (Street): *	Damhead Farm
Extension Number:	<input type="text"/>	Address 2:	Lothianburn
Mobile Number:	<input type="text"/>	Town/City: *	Edinburgh
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	EH10 7DZ
Email Address: *	<input type="text"/>		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mrs	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	Susan	Building Number:	15
Last Name: *	Bringhurst	Address 1 (Street): *	Greenhill Gardens
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Edinburgh
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	EH10 4BN
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

10 GLENLOCKHART BANK

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH14 1BL

Please identify/describe the location of the site or sites

Northing

670391

Easting

322803

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

870.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

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

Private domestic / swimming pool.

Access and Parking

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

Yes No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

- Yes – connecting to public drainage network
 No – proposing to make private drainage arrangements
 Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

- Yes
 No, using a private water supply
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * Yes No

Schedule 3 Development

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

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Gray Macpherson Architects

On behalf of: Mrs Susan Bringham

Date: 22/05/2019

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Gray Macpherson Architects

Declaration Date: 22/05/2019

Payment Details

Pay Direct

Created: 22/05/2019 15:39

Proposal Details

Proposal Name	100221066
Proposal Description of a New Dwelling-house.	Planning Permission in Principle for the Erection
Address EH14	10 GLENLOCKHART BANK, EDINBURGH, 1BL
Local Authority	City of Edinburgh Council
Application Online Reference	100221066-001

Application Status

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

Attachment Details

Notice of Review	System	A4
GLENLOCKHART LRB REVIEW	Attached	A4
SPATIAL CHARACTER 1	Attached	A4
SPATIAL CHARACTER 2	Attached	A4
STATEMENT BY GRAY MACPHERSON	Attached	A4
Application Form	Attached	A4
Neighbour Notification	Attached	A4
Report of Handling	Attached	A4
Decision Notice	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

STATEMENT BY GRAY MACPHERSON ARCHITECTS

INTRODUCTION.

Craiglockhart Bank is a Cul-de-sac consisting predominantly of large exclusive family homes of varying architectural styles dating from early 1900s to the present day. The houses are arranged along the access road and terminate around the cul-de-sac turning circle at the end of the road. There is a rather dramatic fall across the end of the site which slopes from South East to South West. Many of the houses have been clearly adapted and extended over time including the addition of outhouses with the gardens.

CONTEXT

When looking at the layout of the houses on a 2-dimensional plan, the layout and special relationship appears fairly linear. The reality is quite different. The change in level across the site means that each of the houses is viewed at differing levels. Some houses are viewed looking down onto their roofs and some houses are viewed head on. The large houses to the back of the site, are high up and accordingly have a completely different character to the houses below.

SPATIAL RELATIONSHIPS

The overall effect of this creates the impression of a site that is quite random that has naturally evolved over time. This also affects the spatial relationship between the houses. Some plots appear to be shoe-horned into the space while others appear to be set into generous gardens. There is no consistency but a rich variety of spaces and this is the essence and quality of this site.

CONCLUSION

In our opinion, the inclusion of a house, where a building currently happily sits within the context of this space, will in no way dilute or alters the character of this location.

**NOTICE OF REVIEW: 10 GLENLOCKHART BANK,
EDINBURGH, EH14 1BL**

**PLANNING PERMISSION IN PRINCIPLE FOR ERECTION OF A NEW PRIVATE
DWELLINGHOUSE**

PREPARED BY


Rick Finc Associates.
Planning and Development Consultants

ON BEHALF OF

Mrs Susan Bringhurst

DECEMBER 2019

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1 Introduction

- 1.1 This appeal to City of Edinburgh Council Local Review Body (LRB), is on behalf of Mrs Susan Bringhurst (the applicant). The applicant sought planning permission in principle for the erection of a new private dwelling house on land at 10 Glenlockhart Bank, Edinburgh, EH14 1BL. RFA Development Planning has lodged this appeal as the applicant is aggrieved with the decision made by the Chief Planning Officer and disagrees with the Reasons for Refusal.
- 1.2 The proposal was refused by the City of Edinburgh Council on a delegated decision on dubious grounds. The case officer assessed it as being damaging to the character and appearance of the surrounding area, having a negative impact on its surroundings in terms of its positioning and being disruptive of the spatial character of the area. No substantive evidence was provided, and we fundamentally disagree with the decision.
- 1.3 The application (REF 19/02444/PPP) was validated by the Council on the 13th of June 2019 with a decision made through delegated powers on the 27th of September 2019. We now seek resolution through the Council's LRB in order to reverse the decision, as it is considered that the Reasons for Refusal are grossly unjustified.
- 1.4 It is appreciated that planning authorities find the redevelopment of constrained sites within existing residential areas challenging to deal with because of the precedent an approval would set for development elsewhere. However, it is hoped that the members of the LRB will recognise that this application is for planning permission in principle where the focus is on the suitability of the principle of the development rather than the finer details of the proposal (such as the design, scale, house type etc), which will be assessed under a subsequent 'approval of matters specified in conditions' (AMC) application.
- 1.5 The application was submitted by Gray MacPherson Architects who have submitted a brief Design Statement as Appendix 1.
- 1.6 The application was subject to pre application discussions with the Planning Department. Furthermore, Glenlockhart Bank is not a conservation area or subject to any special designation or design briefs. We would ask members of the LRB to conduct a site visit and take a common-sense approach to what is a reasonable householder proposition.

Statutory Basis

- 1.7 Under S 43A (12) of the Town and Country Planning (Scotland) Act 1997, and Regulation 21 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008, we await the decision of the LRB and any reasons relating to the terms on how this decision was reached.

- 1.8 The Development Plan consists of the extant City of Edinburgh Local Development Plan (2016) and the South East Scotland Strategic Development Plan Authority (SESplan), Strategic Development Plan (SDP) for the South East Scotland area (2013 as amended).
- 1.9 Section 25 of the Town and Country Planning Scotland Act 1997 (as amended), specifies that that determination of planning applications 'shall be made in accordance with the Development Plan unless material considerations indicate otherwise'. It is supplemented by Section 37(2) which states that 'In dealing with an application the planning authority shall have regard to the provisions of the Development Plan as far as material to the application and any other material considerations.
- 1.10 The applicant does not consider that the provisions of the Act has been fairly complied with by the Council in reaching their decision. The Council has identified two relevant planning policies from the Local Development Plan. However, it is difficult to see how these relate to this case and can be as reasons for refusal.
- 1.11 As stated above the Act and the Development Management Procedures specify that decisions must be taken in accordance with the development plan unless material considerations indicate otherwise. Technically the adopted LDP and its policies are now out of date but need to be used as a basis for this decision, despite that they do not deal well with applications of this nature.
- 1.12 Material considerations to be used in any planning application decision are not well defined by the Act but are specified in the Development Management Procedures. They must relate to the site and the particular application as well as being properly evidenced in terms of what can be deemed a good decision.
- 1.13 Planning decisions need to be properly justified and evidenced under the Act and the relevant Development Management Procedures. The appellant has concerns as described within the following section that the Reasons for Refusal are not evidenced and do not provide proper, e reasons, and that the Council's LRB should not subscribe to these in terms of future implications or recourse to any subsequent legal challenge or review.
- 1.14 Reasons need to be intelligible and adequate (ref Wordie Property Co Ltd v Secretary of State for Scotland 1984 SLT). The section on Planning Issues within the Officer's Recommendation Report does not allow the applicant to understand why matters were decided and how conclusions were reached on the principal planning and design issues.

2 Handling and Reporting

- 2.1 In advance of addressing the Reasons for Refusal RFA would like to make members of the LRB aware of the context relating to the planning process. This is a simple, straightforward application for a local resident that should be relatively uncontentious in this area.

Permission in Principle

- 2.2 We are concerned about the way in which the application has been assessed, especially given that it is for planning permission in principle and not any approval of detailed planning. The application is for Planning Permission in Principle (PPiP), not a Full Planning Application under the Planning Act. Given that this is the case the level of information provided is commensurate with this and in conformity with the Town and Country Planning (Development Management Procedures) (Scotland) Regulations 2013.
- 2.3 Section 59 of the Town and Country Planning Scotland Act 1997 (as amended), specifies that planning permission in principle *'is planning permission (granted in accordance with the provisions of regulations or a development order) subject to a condition, imposed under section 37 (1)(a), that the development in question will not be begun until certain matters (which may, but need not be, particularised in the application) have been approved by the planning authority or as the case may be the Scottish Ministers.'*
- 2.4 It is accepted that following the approval of a PPiP further detail will be required to be submitted and approved in the form of a second application before any construction can commence on site. Detail relating to siting, design, layout, external appearance and finishing materials are aspects of a proposal which are commonly attached to the decision notice of approved planning permissions in principle.
- 2.5 In the report of handling the case officer discusses the suitability of the proposal in relation to several criteria. They note that *'the dimensions and final siting of the proposed house is not detailed in the submitted document for this application and as such it is not possible to fully assess the potential impact of the proposal on the amenity of neighbouring residents in respect of overshadowing or loss of daylight'*. It has evidently been recognised that full details are not required to be submitted at this stage.
- 2.6 We do not accept that the site is constrained in terms of the potential positioning of the proposed dwelling and that it can meet urban design and highway standards. However, we feel that as a result of this the application has been incorrectly assessed in a similar fashion to that of an application for full planning permission or for approval of matters specified in conditions. The case officer makes a number of conclusions and judgements which we feel cannot reasonably

be made on the level of information which has been submitted in order to assess this planning permission in principle.

2.7 Examples of this are as follows:

- *“Given the position of the site, directly behind No. 10 Glenlockhart Bank, and its limited size compared to other plots on the street, a dwelling house could not be constructed on this site that respects the established built form of the street in terms of density, positioning and layout.”* This statement contradicts other comments made by the case officer and assumes a uniform street form and layout which is not the case.
- *“The proposed dwelling would be back land development which would disrupt the spatial character of the area and would have a detrimental impact on the character and appearance of the surrounding area.”* This is a highly subjective conclusion and it could be argued that there is no detrimental impact on character or appearance.

2.8 The above issues are discussed further in subsequent chapters and at this stage only the principle of development is being assessed. If the City of Edinburgh Council is concerned about the detail which will come forward through a subsequent application, then they should consider the attachment of planning conditions.

2.9 Additionally, the case officers' conclusions are undermined by the fact that there is a substantial swimming pool building currently on the site and the fact that the City of Edinburgh Council's Roads Authority and Environmental Protection Service have no objections to the proposal. This suggests that the site is in fact capable of accommodating a dwelling house and without detriment to neighbouring amenity.

3 Grounds of Appeal

- 3.1 This section considers the 4 reasons why the planning application was refused as noted in the Decision Notice. Our response for the reasons for refusal and grounds of appeal is as follows:

Reason 1

- 3.2 Reason 1: *The proposal is contrary to adopted Edinburgh Local Development Policy Des 1 as it does not draw upon the positive characteristics of the area and would be damaging to the character and appearance of the area around it.*
- 3.3 Glenlockhart Bank is a Cul-de-sac consisting of established family homes of varying architectural styles dating from early 1900s to the present day (please refer to the supporting photographs which illustrate the nature of the residential development present at Glenlockhart Bank). Many of the houses have been altered and extended into gardens and had outhouses erected within their domestic curtilage which has changed the character over time.
- 3.4 Additionally, the area is on a slope with some of the houses being viewed looking down onto their roofs and some being viewed head on. The houses adjacent to the application site are high up and have an entirely different character from those which are down below. It is this diversity which makes it an attractive non homogeneous location.
- 3.5 For a development proposal to have an adverse impact on the character and appearance on the area around it, the area's character and appearance must be identifiable and follow a clear pattern. For the reasons noted we believe that this cannot be said of the houses at the end of the cul-de-sac at Glenlockhart Bank. The development which is seeking approval would in fact be in tune with the high level of juxtaposition in the area.
- 3.6 The case officer notes in their handling report that the area surrounding the site is characterised by large detached dwellings. This is a broad generalisation as there are varying plots and some dwellings appear to be subdivided. The proposed plot is easily large enough to accommodate a normal family home. However, in appraising the wider area there are in fact a number of relatively small dwelling houses at the end of Glenlockhart Valley. The appeal site could therefore potentially accommodate a dwelling house of a similar scale without it needing to be a large house.
- 3.7 In principle a dwelling house could be comfortably accommodated on site. This is reinforced by the fact that both the City of Edinburgh Council's Roads Authority and Environmental Protection Service have raised no objections. The application is for PPIP. How the development will impact on the character and appearance of the area can only be fully assessed when the detail on

design, scale and layout etc are submitted as part of the subsequent AMC application.

- 3.8 The positive characteristics of the area could therefore be enhanced, and we do not see how the development could be 'damaging' to the character and appearance of neighbouring dwellings.

Reason 2

- 3.9 Reason 2: *The proposal does not comply with Adopted Edinburgh Local Development Plan Policy Des 4 as it will not have a positive impact upon its surroundings in terms of its positioning.*
- 3.10 Policy Des 4 states: *"Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to the position of buildings and other features on site."*
- 3.11 As discussed in relation to Reason 1 the character of the wider area is mixed and does not follow a distinct pattern in terms of coherent layout or standard design. The footprints of neighbouring houses also vary greatly and have been modified over time into suburban development.
- 3.12 It is appreciated that the size of the proposed plot is a sub-division in comparison to other plots on the street. However, given the existing level of contrast between dwelling houses within the area in terms of design, layout, proportions, footprint, topographical positioning and positioning on the street we feel that the implications of erecting a new dwelling house on a smaller plot for the wider area will be negligible.
- 3.13 Additionally, the fact that there is a large detached swimming pool currently on the site sets a precedent for development. The case officer concludes that a dwelling house could not be constructed on the site that respects the established built form of the street in terms of density, positioning and layout. This is a purely subjective view and unsubstantiated by any evidence in relation to plot ratios.
- 3.14 Whilst it is accepted that the plot size is smaller than immediately neighbouring plots on the street, the site is directly behind No. 10 Glenlockhart Bank and the swimming pool is an ancillary structure and not a dwelling house, this does not justify the case officer's conclusion. There is a structure on site and so to state that the erection of a new structure in its place will not be respectful of the built form of the street in terms of density, positioning and layout is unjustified.
- 3.15 In terms of positive impact, the new plot would be in a heavily landscaped setting and achieve all necessary standards required by the Council in terms of privacy amenity and daylighting. It will have a greater positive impact than the continuing modification of existing houses promoted

as householder applications.

Reason 3

- 3.16 Reason 3: *The proposal is contrary to adopted Edinburgh Local Development Plan policy Hou 1, as the proposal is not compatible with other policies in the plan.*
- 3.17 Policy Hou 1 relates to the delivery of the housing land supply and relevant infrastructure. We agree with the case officers' analysis on the subject which was that given the proposal is for a single dwelling house it will not make a substantial contribution to any housing land supply and therefore little or no weight can be placed on this consideration. It is therefore not clear why this has been included as a Reason for Refusal and should be withdrawn as such.
- 3.18 The emphasis and objectives of Hou1 relate to maintaining land supply as part of balanced communities rather than individual one- off plots. It is acknowledged that the appeal site is within the urban area.
- 3.19 Policy Hou 1 also states that housing proposals which will contribute to the delivery of the housing land supply will be supported provided they are compatible with other policies in the plan. The case officer concluded that this was not the case and that the proposal be refused on this basis and this is the only element Policy Hou 1 which is applicable to this application. This issue is not grounds for refusal on its own because it can ultimately only be addressed through addressing the other reasons for refusal.

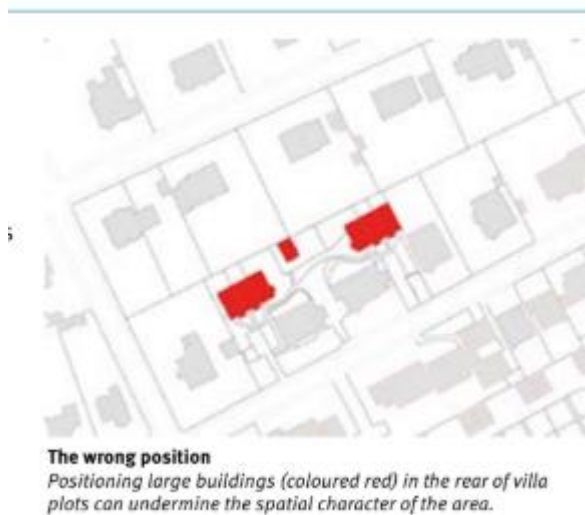
Reason 4

- 3.20 Reason 4: *The proposal is contrary to the Edinburgh Design Guidance as it will be back-land development which would disrupt the spatial character of the area.*
- 3.21 The Edinburgh Design Guidance (EDG), is 'non-statutory' and is open to a level of interpretation as such. EDG does not provide any definition of 'back-land development' or explain why it is unfavourable, as implied by the case officer. Its only mention is in relation to density of development and the positioning of buildings on a site. It states that where back land development would disrupt the spatial character of the area, it must be avoided, and the applicant clearly does not want this outcome.
- 3.22 The case officer states that the proposed dwelling house would be back land development which would disrupt the spatial character of the area and have a detrimental impact on the character and appearance of the area surrounding it. We disagree with this because there is in fact no spatial relationship between the dwelling houses at the end of the cul-de-sac on Glenlockhart Bank as illustrated by the supporting plans ('spatial character 1' and spatial character 2') within Appendix 1. These provide the LRB with actual evidence in relation to the

wider layout and design of the area as existing and proposed.

3.23 Distances between the neighbouring dwelling houses vary greatly with one another with some invariably closer together than others. Additionally, the dwelling houses which are accessible from the end of the cul-de-sac are set back from the road by different distances from one another making for an irregular spatial distribution with no overall conformity.

3.24 Page 45 of the EDG gives an example of when the spatial character of the area would be adversely affected by development to the rear of an existing dwelling house, this is illustrated in the diagram below. The street pattern illustrated in this example is clearly an example of a linear street pattern, where plots are of a similar size and directly beside one another. Introducing the dwelling houses highlighted in red certainly would disrupt the spatial character of the area. This example is not comparable to the development under question because the spatial distribution of the dwelling houses at the end of the cul-de-sac at Glenlockhart Bank is irregular.



3.25 The EDG is 'non statutory' guidance which does not carry the same weight as LDP planning policy when assessing the merits of a proposed development. We have reviewed the EDG in detail and cannot see why the appeal proposal is contrary to any guidance therein. Additionally, in respect of this development proposal, the EDG's detail on spatial character is seemingly not applicable because there is no clear spatial character present.

3.26 We would urge the members of the LRB to take a pragmatic view of how the EDG is applied and ask the Council to be less restrictive in that it can permit normal infill developments such as the proposal currently at appeal in this case. The appellant is not requesting any kind of relaxation but wishes to work within existing policy and guidance.

4 Conclusions and Recommendations

- 4.1 The land at Glenlockhart Bank provides the opportunity for an additional plot to be sited within the available plot without detriment to the character amenity and privacy of the area. This is a normal infill type development which complies with the Councils design and related policies in the LRB and Edinburgh Design Guidance. The site is not in a conservation area nor does it have any other designations that should preclude normal development.
- 4.2 We would emphasise that the development is for Planning Permission in Principle only and that all detailed design matters would be reserved for AMSC applications to be subsequently determined by the Council. A high-quality infill development within a landscaped setting will make best use of the available land and redundant swimming/ recreational area. In terms of siting and positioning we have provided additional evidence to confirm acceptability within the overall layout.
- 4.3 The application should be determined in accordance with the development plan – The City of Edinburgh LDP and associated Edinburgh Design Guidance. As intimated the proposed development would replace an existing structure and make a positive contribution to the residential area in accordance with LDP Policies DES1 and DES 4. The Edinburgh Design Guide does not prohibit this type of development in appropriate circumstances.
- 4.4 It is contended that the LDP does not adequately deal with development proposals such as this appeal which relies on the interpretation of rather subjective design policies. My client is therefore relying on the discretion of the LRB. In particular we believe that there are compelling reasons to approve the proposals and that these considerations outweigh any policy restrictions that the planning officials may have in this regard.
- 4.5 In essence there are no real objections from the community, neighbours or consultees to Planning Permission in Principle. Each of the Council Departments consulted suggest that conditions could be used to specify detailed matters required by the Planning Department in order to progress this matter (AMSC).
- 4.6 Scottish Planning Policy and the LDP states that housing development will be supported on suitable sites in the urban area, provided proposals are compatible with other policies in the plan. The application site is defined as being part of the urban area in the adopted LDP. On the level of information that is required to assess a PPI application the density, layout and positioning of the proposed dwelling is acceptable due to the fact that it is on the same site as an existing building, and the consultation responses from City of Edinburgh Council services confirm that it could meet roads and amenity standards.
- 4.7 On the level of information that is required to assess a PPI application the proposal is

acceptable in relation to policies which seek to protect the character and integrity of the wider area. There is no clear pattern in terms of the positioning of residential plots, the design of neighbouring dwelling houses varies significantly, and the age of neighbouring dwelling houses varies significantly. Additionally, the topography of the area exacerbates these contrasts. The proposal should therefore be considered acceptable because it will have no adverse implications within the context of these developmental features and is therefore acceptable in principle.

- 4.8 Whilst the EDG is 'non statutory' guidance which should not be given the same weighting as planning policy, especially in relation to identifying reasons for refusing an application we do not see any conflict with this guidance. Accordingly, within the context of this proposal the EDG does not indicate that the proposal is unacceptable in layout or design terms.
- 4.9 Accordingly, and for the reasons specified above, we respectfully request that the LRB reverses the decision of the Director of Planning and permits Planning Permission in Principle for residential development on this site.

APPENDICES

- Appendix 1 Statement / Spatial Plans (Gray MacPherson Architects)
- Appendix 2 Application Form
- Appendix 3 Glenlockhart Bank- Site Location Plan
- Appendix 4 Neighbours Notified
- Appendix 5 CEC Report of Handling
- Appendix 6 CEC Decision Notice

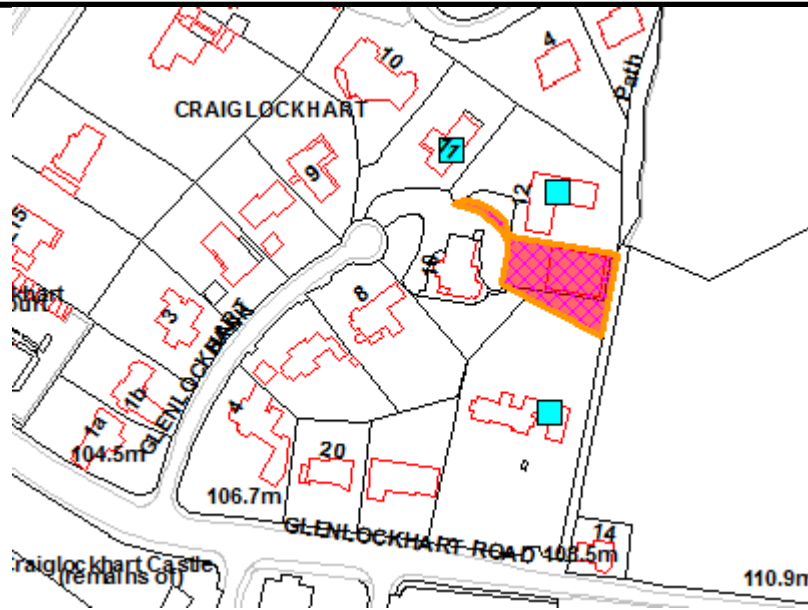


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Neighbours Notified for 19/02444/PPP Date 2 July 2019



Location Plan

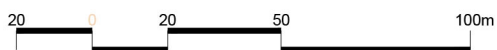
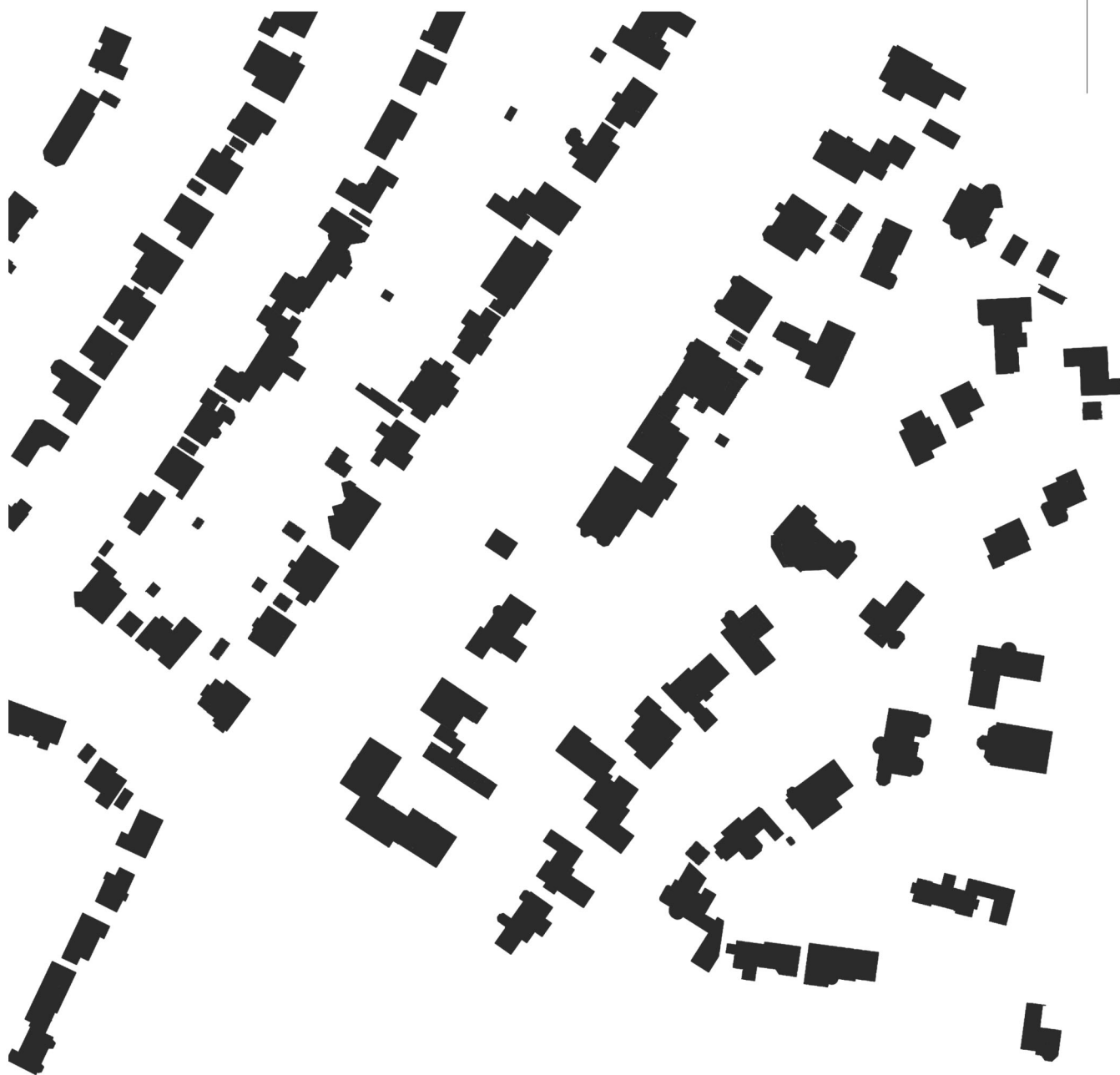
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11 Glenlockhart Bank Edinburgh EH14 1BL

Merchants Of Edinburgh Golf Club 10 Craighill Gardens Edinburgh EH10 5PY



Client: Susan Bringham

Job: 10 Glenlockhart Bank

Title: Townscape Map
Existing

Scale: 1:2000 @ A4

Date: 09.12.2019

Job No: 614

Dwg No: P03

Rev:

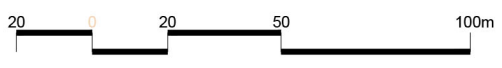
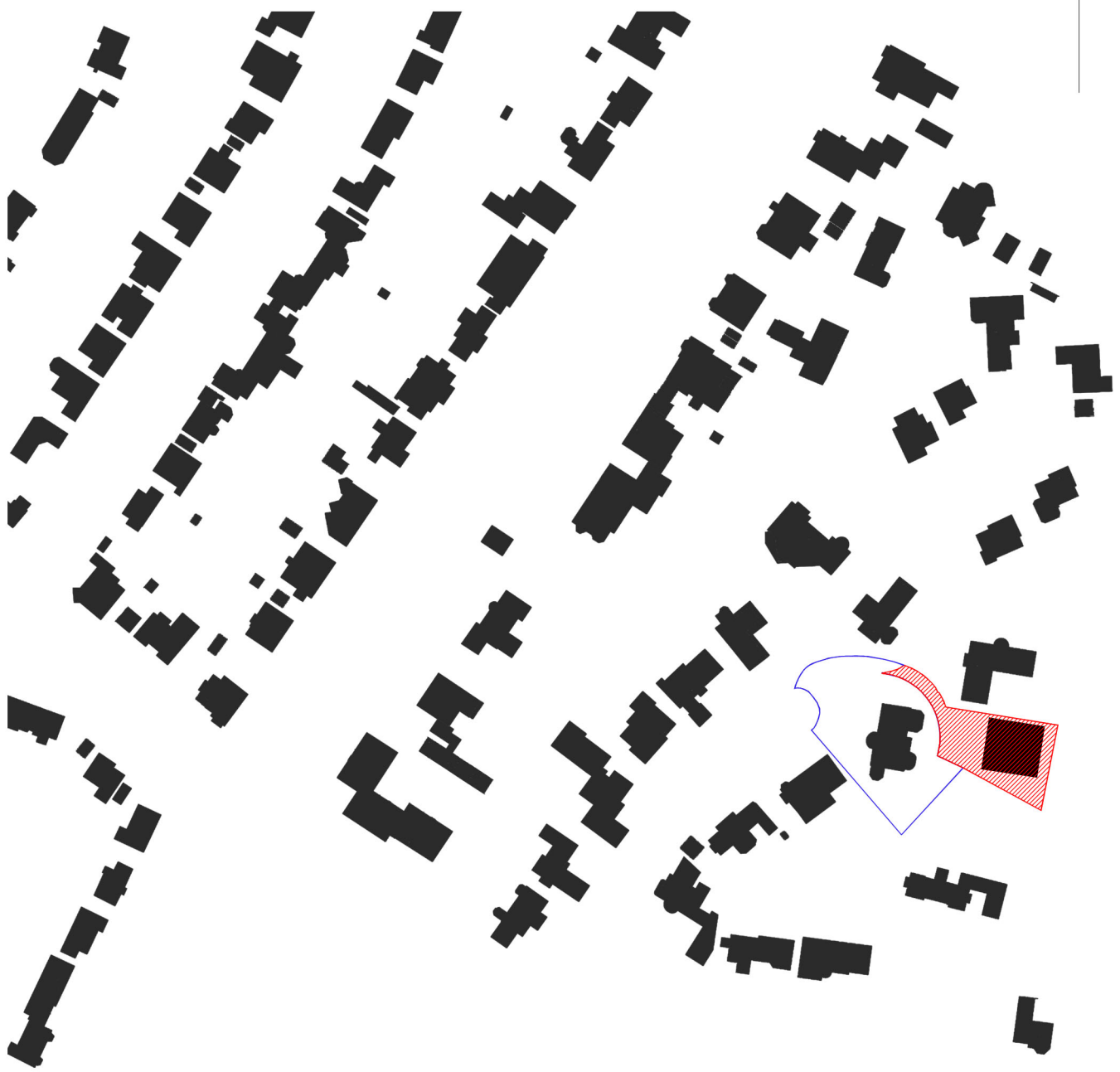
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Client: Susan Bringhurst
Job: 10 Glenlockhart Bank
Title: Townscape Map
Proposed

Scale: 1:2000 @ A4
Date: 09.12.2019
Job No: 614
Dwg No: P04
Rev:

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