

The2Design.
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Edinburgh
The City Of Edinburgh
EH5 2EA

Mrs Abha Rodrigues.
1 Kilmaurs Terrace
Edinburgh
United Kingdom
EH16 5BZ

Decision date: 1 November 2019

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

Demolish existing single storey extension and erect new three storey extension.
At 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Application No: 19/02713/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 6 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:-

Reason for Refusal:-

1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would have a detrimental impact on the character and appearance of the surrounding area.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not acceptable in respect of its design and form, and will be detrimental to neighbourhood character.

3. The proposal is contrary to the Local Development Plan Policy Env 12 in respect of Trees, as it would result in damage to trees which are worthy of retention.

4. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it may have an adverse impact on the amenity of neighbouring residents due to loss of sunlight.

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


Drawings 01 - 08, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposed development is not compatible with the character of the existing building in respect of its design, form and choice of materials; and would have a detrimental impact on the character and appearance of the surrounding area. In addition, the proposal would damage trees which are worthy of retention and may have a detrimental impact on the amenity of neighbouring developments. The proposed development is contrary to policy Des 1, Des 5, Des 12 and Env 12 of the adopted Edinburgh Local Development Plan (LDP), the Edinburgh Design Guidance (EDG) and the Council's Guidance for Householders.

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

Should you have a specific enquiry regarding this decision please contact James Allanson directly on 0131 529 3946.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

**Application for Planning Permission 19/02713/FUL
At 1 Kilmaurs Terrace, Edinburgh, EH16 5BZ
Demolish existing single storey extension and erect new
three storey extension.**

Item	Local Delegated Decision
Application number	19/02713/FUL
Wards	B15 - Southside/Newington

Summary

The proposed development is not compatible with the character of the existing building in respect of its design, form and choice of materials; and would have a detrimental impact on the character and appearance of the surrounding area. In addition, the proposal would damage trees which are worthy of retention and may have a detrimental impact on the amenity of neighbouring developments. The proposed development is contrary to policy Des 1, Des 5, Des 12 and Env 12 of the adopted Edinburgh Local Development Plan (LDP), the Edinburgh Design Guidance (EDG) and the Council's Guidance for Householders.

Links

<u>Policies and guidance for this application</u>	LDPP, LDES01, LDES12, LEN12, LDES05, LTRA02, NSG, NSHOU, NSGD02,
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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 site is a semi-detached stone built villa situated on the northern side of Kilmaurs Terrace which is currently in use as a guest house. The surrounding area is predominantly residential in nature and is characterised by semi-detached and terraced dwellinghouses of a similar style and tenement flats.

2.2 Site History

5 March 2019 - Planning application for the construction of a three storey extension withdrawn (application reference: 18/10583/FUL).

Main report

3.1 Description Of The Proposal

The proposal seeks planning permission for the construction of a three storey pitched roof extension adjacent to the western gable elevation of the premises. The front and rear elevations of the extension will be clad in natural sandstone with the gable elevation finished in pebble dashed render.

Supporting Documents

The applicant has submitted the following supporting documents which are available to view via planning and building standards online services:

- Arboricultural Survey

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposal is appropriate in respect of its scale, form and design, and whether it will have a detrimental impact on the character and appearance of the surrounding area;
- b) The proposal will have a damaging impact on trees or woodland which are worthy of retention;
- c) The proposal raises any issues in respect of parking and road safety;
- d) The proposal will have a detrimental impact on the amenity of neighbouring residents;
and;
- e) Any matters raised in representations have been addressed.

a) Scale, Form and Design and Impact on the Character and Appearance of the Surrounding Area

The majority of residential properties in the surrounding area on Kilmaurs Terrace and Kilmaurs Road have generally retained their original unaltered built form on their front and gable elevations, with any subsequent enlargements confined to rear extensions. The proposed extension would be sited in a highly prominent location and would form a distinctive and incongruous non-original contemporary addition to the host building. The use of pebble dash render in particular as the external material for the gable elevation would contrast sharply with the predominance of natural sandstone which characterises the majority of surrounding properties.

The extension would significantly disrupt the original character of the streetscape, to the detriment of the character and appearance of the surrounding area. The proposal is contrary to policies Des 1 and Des 12 of the adopted Edinburgh Local Development Plan (LDP).

b) Impact on Trees and Woodland Worthy of Retention

The application site is located directly adjacent to a group of mature trees situated within the garden of a tenement on Dalkeith Road located to the west. The trees are of a high quality and as a group contribute to the amenity of the surrounding area. The extension would be sited in very close proximity to these trees and has the potential to significantly impact on their crowns and root areas.

A tree survey was submitted by the applicant in support of the application to outline the current condition of the trees in the adjacent rear garden. However, the survey does not include a tree constraints plan detailing both the above and below ground issues which need to be taken into account to ensure the survival of the trees. No information has been provided detailing a root protection area for each tree which should be left undisturbed and protected from damage during construction, and it has not been

conclusively demonstrated by the applicant that the adjoining trees will not be damaged by the construction of the extension

The proposal is likely to have a damaging impact on trees worthy of retention and is contrary to LDP policy Env 12.

c) Parking and Road Safety

The parking standards contained within the Edinburgh Design Guidance do not contain any minimum standards for a class 7 premises in this location. The proposal complies with the parking standards.

The Roads Authority was consulted on the proposal and raised no objection on the grounds of parking or road safety.

The proposal does not raise any issues in respect of parking or road safety and complies with LDP policy Tra 2.

d) Amenity of Neighbouring Residents

The windows on the front elevation of the premises will be sited an appropriate distance from the residential property situated directly opposite on the other side of the street. The windows on the rear will be set back from the boundary with the neighbouring premises to the north by an acceptable distance and will not result in any adverse overlooking.

The extension does not comply with the vertical sky component (VSC) test in the EDG in respect of its impact on the level of daylight which will be received by the ground floor windows. However, these windows provide daylight to the Ivy Dental Practice which is situated at 169-173 Dalkeith Road which is a commercial premises. The planning system does not safeguard daylight levels to commercial properties.

The extension has the potential to overshadow 58.5 square metres of the tenement rear garden to the west. While it is acknowledged that this garden already encounters overshadowing from the mature trees situated along the boundary, no information has been submitted to demonstrate that the subsequent levels of overshadowing will not result in an increase in current levels of overshadowing. The potential therefore exists that the proposal may have an adverse impact on the level of sunlight received by this garden area.

The proposal may have an adverse impact on the amenity of neighbouring occupants and is contrary to LDP policy Des 5.

e) Matters Raised in Representations

Objection Comments

Material Considerations

Proposal will have a detrimental impact on the character and appearance of the surrounding area - addressed in section 3.3 (a).

Increase in traffic and parking - addressed in section 3.3 (c).

Proposal will have a detrimental impact on the amenity of neighbouring residents - addressed in section 3.3 (d).

Proposal involves the removal of trees worthy of retention - addressed in section 3.3 (b).

Non-Material Considerations

- Increase in the number of rooms at the hotel could lead to an unacceptable intensification in the use of the premises as a guest house - The addition of five rooms to the premises does not constitute an intensification of the existing use to the extent that a material change of use in planning terms has occurred.
- Impact of the proposal on private views - this is not a planning matter.
- Proposal has not changed materially from previous application which was withdrawn - the planning authority has no statutory basis on which to decline to determine this planning application.
- Purported temporary structure within the rear garden of the application premises has not been removed and may constitute a breach in planning control - At the time of the determination of this application, the planning authority has not received any enquiries relating to an alleged breach of planning control at the premises.

Conclusion

The proposed development is not compatible with the character of the existing building in respect of its design, form and choice of materials; and would have a detrimental impact on the character and appearance of the surrounding area. In addition, the proposal would damage trees which are worthy of retention and may have a detrimental impact on the amenity of neighbouring developments. The proposed development is contrary to policy Des 1, Des 5, Des 12 and Env 12 of the adopted Edinburgh Local Development Plan (LDP), the Edinburgh Design Guidance (EDG) and the Council's Guidance for Householders.

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

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as it would have a detrimental impact on the character and appearance of the surrounding area.

2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not acceptable in respect of its design and form, and will be detrimental to neighbourhood character.
3. The proposal is contrary to the Local Development Plan Policy Env 12 in respect of Trees, as it would result in damage to trees which are worthy of retention.
4. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it may have an adverse impact on the amenity of neighbouring residents due to loss of sunlight.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

Pre-application discussions took place on this application.

6.2 Publicity summary of representations and Community Council comments

Eight letters of objection were submitted in respect of the proposal, including one letter from the Grange/Prestonfield Community Council. One letter of general comment was also submitted. A full summary of all the matters raised in representations can be found in section 3.3 of the main report.

Background reading / external references

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

**Statutory Development
Plan Provision**

The site is located in the urban area in the adopted Edinburgh Local Development Plan (LDP).

Date registered

6 June 2019

**Drawing
numbers/Scheme**

01 - 08,

Scheme 1

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

Contact: James Allanson, Planning Officer
E-mail:james.allanson@edinburgh.gov.uk Tel:0131 529 3946

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

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

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

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.

Relevant Non-Statutory Guidelines

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

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.

Appendix 1

Consultations

Roads Authority

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

- 1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.*

Note:

The proposed development retains the existing parking provision.

END

Comments for Planning Application 19/02713/FUL

Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Val Malone

Customer Details

Name: Dr Thomas Mole

Address: 163 Dalkeith Road Newington Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposal for a three-storey extension in place of the current one-storey structure does not differ significantly from the previous application (18/10583/FUL) submitted for this site, which received a number of objections and was withdrawn.

The proposed development will produce a very significant and detrimental effect on the surrounding dwellings.

In particular, it will obstruct the daylight in the shared garden behind the tenement at 163/165 Dalkeith Road. This garden already receives very limited sunlight, and the proposed extension will further reduce the sunlight that enters the area.

The proposed cutting of trees on adjacent properties involved in the development, as described in the arboricultural report attached to the application, will change the character of the adjacent dwellings, reducing the enjoyment of the property by their occupants.

In addition, the proposed expansion of the guest house at 1 Kilmaurs Terrace into a small hotel will contribute to a shift in the character of the neighbourhood. What was designed as a residential neighbourhood is rapidly becoming an area dominated by hotels and B&Bs. We see this in the increase in short-term lets through Air BnB in our own stairwell, and the proposed expansion of the hotel at 1 Kilmaurs Terrace will further exacerbate this tendency.

The increased capacity of the hotel will result in greater parking congestion in adjacent streets. Adjacent dwellings on Dalkeith Road do not have off-street parking, and cannot park in the bus lane on Dalkeith Road. These dwellings rely on side streets such as Kilmaurs Terrace for parking spaces, as do patients at the Dentist on the corner of Kilmaurs Terrace. Current permit-parking

restrictions do not guarantee spaces for residents, as they operate only for a short time each day.

Finally, the conversion of a modest guest house into a small hotel is likely to result in an increase in noise in an area that is already densely populated.

For these reasons, I wish to lodge my objections to this application.

Comments for Planning Application 19/02713/FUL

Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Val Malone

Customer Details

Name: Dr John Bremner

Address: 5 Kilmaurs Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I object on the following grounds:

1. Noise and disturbance. Kilmaurs Terrace is one way and very narrow. For example, sometimes the bin lorries get stuck. An extension of this size building vehicles will block the entrance to Kilmaurs Terrace. The traffic cannot proceed from Dalkeith Road into Kilmaurs Terrace.
2. Increased bedroom capacity in a hotel will mean increased parking requirements. Parking spaces are limited already in this area.
3. The extension is out of character with the Terrace.
4. The extension is very large and will overlook our garden and obstruct views.

Comments for Planning Application 19/02713/FUL

Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Val Malone

Customer Details

Name: Mr Martin Sichel

Address: 12 Kilmaurs Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

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

Comment Reasons:

- Councillor's Reference

Comment: I am concerned about the proposal on two counts:

1. How many cars will be generated from six new bedrooms? Bare in mind there is little space in Kilmaurs Terrace and Kilmaurs Road is zoned
2. Will the property look like an extension or clad in traditional stone to match the building?

Please can I have re-assurance on the above.

regards

Martin

Comments for Planning Application 19/02713/FUL

Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Robert McIntosh

Customer Details

Name: Mrs Elaine Bauchop

Address: 22 Kilmaurs Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I refer to the neighbourhood notice dated 14 June 2019 in relation to the planning application reference no. 19/02713/FUL submitted in relation to the property at 1 Kilmaurs Terrace, Edinburgh EH16 5BZ. I wish to object to the grant of this planning application for the following reason,

1. The applicant's property is a small guesthouse within a mature residential area. At present we believe the guest house has accommodation for approximately 11 bedrooms, but if the extension to which this planning application has been submitted is granted this will increase their capacity by a further 5 double bedrooms.
2. Over the years there has been considerable traffic generated by an increase in Airbnb properties and existing local guesthouses which has contributed to an increased level of noise and disturbance - especially late evening or during the night. This increase in available rooms in the applicant's guest house will only exacerbate this problem.
3. Kilmaurs Terrace is already a heavily congested street with cars constantly parked along the full length of both sides making it awkward to navigate. I understand from the planning application drawings that the proposed extension will actually remove some of the applicant's existing limited on site private car parking as well as adding the 5 extra guest double bedrooms referred to above. This is bound to lead to even more congestion on Kilmaurs Terrace and the "spill over" into our street Kilmaurs Road.
4. The proposal necessitates removal/cutting back of a significant amount of trees and vegetation in a neighbouring property which currently provides screening and when removed would spoil the amenity and vista currently enjoyed by properties bordering it including our own.

5. The plans submitted the large building/shed which currently completely fills the garden space to the rear of 1 Kilmaurs Terrace which we were assured approximately two years ago was temporary in nature and is still there and is not in my opinion compliant with local regulations in relation to sheds/outbuildings as per your website.

6) Again the Neighbour Notification has been sent out 2nd class post resulting in approximately a week of the timeframe to object being reduced to 2 weeks. Our neighbours at 5 Kilmaurs Terrace did not receive the notification and a number of neighbours are on holiday or let out their property so are unable to/ less likely to respond which seems unfair. Also the owners of 1 Kilmaurs Road in fact live in one of the properties served with a Neighbour Notification which seems inappropriate.

7. The proposal has not changed from the submission earlier this year which was subsequently withdrawn other than there is a requirement to remove trees in addition to the proposed development. There were significant objections raised at that stage so I cannot understand why again we require to repeat the process to object to what will have both a detrimental impact on the area during the work in terms of noise, blocking the one way road etc and the ultimate impact of the extension in terms of impact on the local environment.

Comments for Planning Application 19/02713/FUL

Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Robert McIntosh

Customer Details

Name: Mr Alan Bauchop

Address: 22 Kilmaurs Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I refer to the neighbourhood notice dated 14 June 2019 in relation to the planning application reference no. 19/02713/FUL submitted in relation to the property at 1 Kilmaurs Terrace, Edinburgh EH16 5BZ. I wish to object to the grant of this planning application for the following reason,

1. The applicant's property is a small guesthouse within a mature residential area. At present we believe the guest house has accommodation for approximately 11 bedrooms, but if the extension to which this planning application has been submitted is granted this will increase their capacity by a further 5 double bedrooms.
2. Over the years there has been considerable traffic generated by an increase in Airbnb properties and existing local guesthouses which has contributed to an increased level of noise and disturbance - especially late evening or during the night. This increase in available rooms in the applicant's guest house will only exacerbate this problem.
3. Kilmaurs Terrace is already a heavily congested street with cars constantly parked along the full length of both sides making it awkward to navigate. I understand from the planning application drawings that the proposed extension will actually remove some of the applicant's existing limited on site private car parking as well as adding the 5 extra guest double bedrooms referred to above. This is bound to lead to even more congestion on Kilmaurs Terrace and the "spill over" into our street Kilmaurs Road.
4. The proposal necessitates removal/cutting back of a significant amount of trees and vegetation in a neighbouring property which currently provides screening and when removed would spoil the amenity and vista currently enjoyed by properties bordering it including our own.
5. The plans submitted show the large building/shed which currently completely fills the garden space to the rear of 1 Kilmaurs Terrace which we were assured approximately two years ago was temporary in nature and is still there and is not in my opinion compliant with local regulations in relation to sheds/outbuildings as per your website.

6. The proposal has not changed materially from the submission earlier this year which was subsequently withdrawn - other than there is a requirement to remove trees in addition to the proposed development. There were significant objections raised at that stage so I cannot understand why again we require to repeat the process to object to what will have both a detrimental impact on the area during the work in terms of noise, blocking the one way road etc. and the ultimate impact of the extension in terms of impact on the local environment. The withdrawal of the original planning application following significant objections and then the resubmission of effectively the same application less than 6 months later seems an inappropriate use of the planning system.

Comments for Planning Application 19/02713/FUL

Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Robert McIntosh

Customer Details

Name: Dr Janet Sidaway

Address: 13 Marchhall Crescent Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This proposal will add traffic and parking pressure to an already severe problem of congestion on a narrow street, which will adversely affect residents not only of Kilmaurs Terrace but all the adjacent streets.

Comments for Planning Application 19/02713/FUL

Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: Robert McIntosh

Customer Details

Name: Mr Tony Harris (Grange/Prestonfield Community Council)

Address: 21 Mentone Terrace Edinburgh

Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. These comments are submitted on behalf of Grange/Prestonfield Community Council (GPCC), which considered this application at its meeting on 19th June 2019. This application is a re-submission of 19/10583/FUL, withdrawn on 5th March 2019. but now with some changes and it is to demolish an existing single storey side extension and replace it with an extension on 3 floors of greater footprint.

2. GPCC comments are as follows:-

a) We question whether this application should be a Householder Development. The application form states that the existing use is as a Guest House (Class 7) and there is to be no change of use, the proposal being to create 5 additional non-housing rooms within that use. The premises trade as The

Thistle House guest house, offering 11 rooms at present.

b) Compared with the withdrawn application, this new scheme reduces the footprint at the rear of the 1st and 2nd floor levels of the proposed 3 storey extension and this is welcome. It will reduce the visual impact of the large flank wall close to the property boundary. However we think that the front elevation of the extension would not be compatible with the character of the existing frontage.

c) This re-submission also now includes a tree survey, dealing with the impact of the proposal on 6 trees just outside the site, along its southwestern flank boundary. The footprint and height of the proposed extension alongside the existing building would have a greater effect than at present on these trees. To implement the scheme work would have to be carried out on the canopy and maybe the root system of these trees. However, we suggest that the proposal itself does not affect the ability of the landowner to carry out work within the application site on trees located on

neighbouring property and this may not be primarily a planning matter.

d) There is one existing car parking space in the front garden and it is intended to maintain this in front of the proposed extension. Kilmaurs Terrace is in the B7 RPP zone and the adjacent busy Dalkeith Road has weekday parking restrictions. The area as a whole is under considerable parking stress from residents, local businesses, hotels, B&Bs and short term lets. This has been recognised for some time and following pressure from GPCC and local residents CEC Transport published last year a comprehensive review leading to the creation of additional residents' priority parking spaces.

We do not know what proportion of the guest house customers requires car parking. The website advertises "free on street parking in our street and the surrounding area so you will always find a parking space." Observation shows this area at times to be under parking stress. If this application is approved, it could lead to increased demand for on-street parking, thereby diminishing the beneficial changes made last year for neighbours and nearby residents.

e) We draw attention to Local Development Plan Policy Hou7, Inappropriate Uses in Residential Areas. Intensification of non-residential use is cited as being one where this policy could be applicable and we suggest that this need not apply only to a large area. We think it could arise in this case where an increase in non-residential use could perhaps have a disproportionately adverse impact on a predominantly residential area.

3. Therefore for the reasons set out above we object to this application and ask that it be refused.

Comments for Planning Application 19/02713/FUL

Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: James Allanson

Customer Details

Name: Mr Lachlan Riddell

Address: 3 Kilmaurs terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development is totally incongruous with the residential nature of the street and will not help with Edinburgh housing issues. The development will overlook other houses on and around the street. Importantly, this development will also lead to traffic problems on a quiet residential street.

Comments for Planning Application 19/02713/FUL

Application Summary

Application Number: 19/02713/FUL

Address: 1 Kilmaurs Terrace Edinburgh EH16 5BZ

Proposal: Demolish existing single storey extension and erect new three storey extension.

Case Officer: James Allanson

Customer Details

Name: Mrs Nuala Riddell

Address: 3 Kilmaurs Terrace Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This development is totally incongruous with the residential nature of the street and will not help with Edinburgh housing issues. The development will overlook other houses on and around the street. Importantly, this development will also lead to traffic problems on a quiet residential street.

From: Mary Bremner
Sent: Tue, 18 Feb 2020 13:33:01 +0000
To: Local Review Body
Subject: Re: Submission re planning application 19/02713/FUL

Dear Sir or Madam,

Re: Planning application number 19/02713/FUL
for 1 Kilmaurs Terrace, Edinburgh EH16 5BZ

I wish the following comments to be taken into consideration when making a decision on the appeal:

My opinion is that demolishing and rebuilding an extension of this size will create traffic management problems that cannot be resolved.

1. Kilmaurs Terrace is a narrow residential one-way street. Number 1 is located at the opening of the street. Building works will inevitably block the disabled access to the dental practice on the corner.
2. It will be difficult for residents to access their homes.
3. The size of the extension is much higher than the examples provided in the appeal.
4. The appeal photographs show traditional existing extensions of the type that is proposed to demolish and replace.
5. If the building goes ahead there will be a permanent lack of parking spaces for these additional hotel guests.

Kind regards,

Mrs Mary Bremner
5 Kilmaurs Terrace
Edinburgh
EH16 5BZ
email: marybremner@live.co.uk



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 100145237-002

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

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="Abha"/>	Building Number: <input type="text" value="1"/>
Last Name: *	<input type="text" value="Rodrigues"/>	Address 1 (Street): * <input type="text" value="Kilmaurs Terrace"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH16 5BZ"/>
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="1 KILMAURS TERRACE"/>
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="EH16 5BZ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="671880"/>	Easting	<input type="text" value="327205"/>
----------	-------------------------------------	---------	-------------------------------------

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)

Demolish existitng single storey extension and errect new three storey extension

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

We would be grateful for review of application, as we think that our case officer did not review proposal in full, as well as we have been denied any due process to address esthetics's, tree and overshadowing issues. Matters highlighted within Reasons for Refusal are addressed within the following appendices: Appendix 1 - LDP Policy Des 1 Appendix 2 - LDP Policy ENV 12 Appendix 3 - LDP Policy Des 5 Appendix 4 - Application Timeline

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)

Case officer has not answered our calls and emails seeking update on progress with reviewing our application. We have tried to contact our case officer on number of occasions, as detailed within Appendix 4. The only contact maid by case officer was on 30 September 2019, to which we have responded on 2 October 2019 seeking more constructive information for our case. None was provided. Appendix 1 through to 4 address all issues raised within refusal decision.

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)

Appendix 1 information addressing Local Development Plan Policy Des1 and Des 12 Appendix 2 information addressing Local Development Plan Policy Env12 Appendix 3 information addressing Local Development Plan Policy Des5 Drg A203 supporting Appendix 3 Appendix 4 information detailing time line & lack of interaction with case officer since planned determination deadline of 5Aug19 and Decision date of 1No 2019 Arboricultural Survey supporting Appendix 2 (issued as part of planning application)

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/02713/FUL

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

05/06/2019

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

01/11/2019

Review Procedure

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☐ Yes ☒ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mrs Magdalena Barnas-Orszulak

Declaration Date: 30/01/2020

Proposal Details

Proposal Name	100145237
Proposal Description	Three story extension to existing guest house
Address	1 KILMAURS TERRACE, EDINBURGH, EH16 5BZ
Local Authority	City of Edinburgh Council
Application Online Reference	100145237-002

Application Status

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

Attachment Details

Notice of Review	System	A4
Appendix 1_LDP Policy Des 1	Attached	A4
Appendix 3_LDP Policy Des 5	Attached	A4
Appendix 4_Application Timeline	Attached	A4
Appendix 4-1-Email_1-11-2019	Attached	A4
A203 South Elevation Overshadowing Analysis	Attached	A2
Arboricultural Survey_1 Kilmaurs Terrace	Attached	A4
Appendix 2_LDP Policy Env 12	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0

Appendix 1

The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context.

The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not acceptable in respect of its design and form, and will be detrimental to neighbourhood character.

Planning Officer Assessment:

Scale, Form and Design and Impact on the Character and Appearance of the Surrounding Area

'...The majority of residential properties in the surrounding area on Kilmaurs Terrace and Kilmaurs Road have generally retained their original unaltered built form on their front and gable elevations, with any subsequent enlargements confined to rear extensions. The proposed extension would be sited in a highly prominent location and would form a distinctive and incongruous non-original contemporary addition to the host building. The use of pebble dash render in particular as the external material for the gable elevation would contrast sharply with the predominance of natural sandstone which characterises the majority of surrounding properties. The extension would significantly disrupt the original character of the streetscape, to the detriment of the character and appearance of the surrounding area. The proposal is contrary to policies Des 1 and Des 12 of the adopted Edinburgh Local Development Plan (LDP)...'

Response:

There is a presence of side extensions on both Kilmaurs Terrace and Kilmaurs Road. The following are the three examples which are worth highlighting:

18 Kilmaurs Terrace – 2 story extension on corner of Kilmaurs Terrace and Kilmaurs Road



26 Kilmaurs Road – Single story extension



8 Priestfield Road – Corner of Kilmaurs Road and Kilmaurs Road – Large 2 story Extension

It is important to note that the current application is a resubmission of the original application **18/10583/Ful**, reviewed by case officer Elizabeth McCarroll. All comments made by Ms. McCarroll under the previous application were carefully considered by the current application. The proposed footprint was decreased in line with her comments as well as a detailed tree survey was commissioned and submitted along with the current application to address all tree related issues.

The proposed side extension – in the original application - was designed with traditional and sympathetic approach to the host building. The existing window rhythm and sandstone features have been replicated on the proposed front and rear elevations.

The proposed materials were sandstone cladding to the front and rear elevations, with render finish to the gable wall. The wall construction can be amended to cavity masonry construction with sandstone outer leaf to the front and the rear as well as gable walls to reinforce the character of the existing streetscape. The Common Ash (Tree NT1) will remain as a key feature. It will overshadow the proposed extension to minimise streetscape change.

All the 3 above noted examples of similar developments on Kilmaurs Terrace and Kilmaurs Road had resulted in tree loss. However, in the case of 1 Kilmaurs Terrace, there is no proposed tree loss, as they are not in our land. Moreover, the independent Arborist's report clearly states the minimal disruption of trees on the adjoining property.

We were strongly hoping for a reasonable level of discussion regarding external finishes – as in the case of previous application - with our current case officer to address potential concerns regarding aesthetics of the proposed use of materials. Despite our proactive and numerous efforts to establish communication with the current officer, we have been denied any dialogue or consultation for the planning application **19/02713/FUL**.

It has been rejected without giving us any chance for discussion or withdrawal.

Appendix 2

The proposal is contrary to the Local Development Plan Policy Env 12 in respect of Trees, as it would result in damage to trees which are worthy of retention.

Planning Officer Assessment:

Impact on Trees and Woodland Worthy of Retention

'...The application site is located directly adjacent to a group of mature trees situated within the garden of a tenement on Dalkeith Road located to the west. The trees are of a high quality and as a group contribute to the amenity of the surrounding area. The extension would be sited in very close proximity to these trees and has the potential to significantly impact on their crowns and root areas

A tree survey was submitted by the applicant in support of the application to outline the current condition of the trees in the adjacent rear garden. However, the survey does not include a tree constraints plan detailing both the above and below ground issues which need to be taken into account to ensure the survival of the trees. No information has been provided detailing a root protection area for each tree which should be left undisturbed and protected from damage during construction, and it has not been conclusively demonstrated by the applicant that the adjoining trees will not be damaged by the construction of the extension.

The proposal is likely to have a damaging impact on trees worthy of retention and is contrary to LDP policy Env 12...'

Response:

Before submitting the current application, an experienced Arborist was requested to throw light on the trees situated in neighbouring tenements at 169-173 Dalkeith Road that would be potentially impacted by the proposed construction.

The Arborist undertook an in-depth site survey and submitted his report which was lodged along with the current planning application.

It is Arborist opinion that the planning officer has made false statements: there is a tree constraints plan showing the root protection areas (below ground constraints) and crown spreads (above ground constraints), and the potential conflicts are discussed in the Arborist report.

All Tree constraints are detailed within section 2 of the Tree Survey. Section 2 has addressed root protection as well as crown spreads (below and above ground), besides also highlighting potential conflicts. These have been addressed in detail within section 3.8 through to 3.13 of the report.

Tree NT1 (the most prominent tree) will not be affected at all by the proposal, with tree's NT4 and NT6 not suitable for retention due to their current condition.

The roots of the other trees will not be impacted at all as the current proposal is reusing the footprint of the existing extension and a smaller section of the existing driveway.

The eastern crowns of some of the trees, if affected, will be addressed by light pruning as detailed in the Arborist's report.

We are disappointed that we approached our case officer on a number of occasions between early August through to late October to discuss this subject, but unfortunately all our calls and emails remained unanswered. It is unclear to us whether the Planning Officer concerns relating to tree survey have been discussed and reviewed by The City of Edinburgh Environmental Team. The Tree Survey is being attached with this Planning Review Appeal.

Appendix 3

The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as it may have an adverse impact on the amenity of neighbouring residents due to loss of sunlight.

Planning Officer Assessment:

Amenity of Neighbouring Residents

'...The windows on the front elevation of the premises will be sited an appropriate distance from the residential property situated directly opposite on the other side of the street. The windows on the rear will be set back from the boundary with the neighbouring premises to the north by an acceptable distance and will not result in any adverse overlooking.

The extension does not comply with the vertical sky component (VSC) test in the EDG in respect of its impact on the level of daylight which will be received by the ground floor windows. However, these windows provide daylight to the Ivy Dental Practice which is situated at 169-173 Dalkeith Road which is a commercial premises. The planning system does not safeguard daylight levels to commercial properties.

The extension has the potential to overshadow 58.5 square metres of the tenement rear garden to the west. While it is acknowledged that this garden already encounters overshadowing from the mature trees situated along the boundary, no information has been submitted to demonstrate that the subsequent levels of overshadowing will not result in an increase in current levels of overshadowing. The potential therefore exists that the proposal may have an adverse impact on the level of sunlight received by this garden area. The proposal may have an adverse impact on the amenity of neighbouring occupants and is contrary to LDP policy Des 5...'

Response:

We would like to draw to your attention to the fact that applicant property is located north-east of 169-173 Dalkeith Road, with 6 mature trees located within 169-173 Dalkeith Road property. The overshadowing will most likely occur in very early hours during summer months. The existing tenement property at 169-173 Dalkeith Road along with the trees located within their boundary will overshadow the gable wall of the applicant's property, and not the other way round.

It is crucially important to note that the early-hour overshadowing will be caused by their own trees, rather than by the proposed development.

Regarding the vertical sky component (VSC) test in the EDG, please refer to overshadowing diagrams on attached drawing A203. It clearly illustrates compliance with the vertical sky component of the lowest tenement flat. It highlights a 45 degree overshadowing zone of the proposed development, which is much less than overshadowing of mature tree's located within 169-173 Dalkeith Road property.

Therefore the view of the planning officer that "potential therefore exists that the proposal may have an adverse impact on the level of sunlight received by this garden area", and that the "The proposal may have an adverse impact on the amenity of neighbouring occupants and is contrary to LDP policy Des 5..." is untrue.

Appendix 4Timeline of planning application **19/02713/FUL**:

5 June 2019 – Planning Application Issue Date

6th June 2019 – Planning Application Received and Validation Date

14th June 2019 – Confirmation of Receipt and Registration of Application (Application is assigned to Val Malone) with target determination date set for 5th August 2019

29th July 2019 – Email from Client Agent to Case officer seeking update on progress with reviewing planning application

13th August 2019 – Email response from Val Malone advising that she is no longer case officer, and that application has been reassigned to James Allanson, no formal advise to client or client agent has been provided by Planning Department until this email, online portal has been updated to include James as case officer shortly after this email

13th August 2019 – Email from Client Agent to James Allanson seeking update on progress with reviewing planning application

16th August 2019 – Client Agent attempted to contact James Allanson via telephone, no response

20th August 2019 - Email from Client Agent to James Allanson seeking update on progress with reviewing planning application as no response has been provided

2nd September 2019 – Client Agent attempted to contact James Allanson via telephone, no response

13th September 2019 - Email from Client Agent to James Allanson seeking update on progress with reviewing planning application as no response has been provided to above noted calls or emails

30th October 2019 – Email from James Allanson noting concerns with planning application without providing specifics and requesting response within 7 days

2nd October 2019 – Email from client agent to James Allanson seeking more detailed and constructive information relating to concerns raised by James in his email dated 30th September

6th October 2019 - Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30th October – no response

21st October 2019 - Email from client agent to James Allanson seeking more detailed and constructive information relating to concerns raised by James in his email dated 30th September

24th October 2019 - Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30th October – call was answered by front desk advising that James is annual leave returning to office on 30th October

30th October 2019 – Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30th October – no response

31st October 2019 – Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30th October – no response

1st November 2019 AM – Client Agent attempted to contact James Allanson via telephone, to discuss email dated 30th October – no response

1st November 2019 late AM – Planning Application Refusal

1st November 2019 PM – James Allanson returns agent call, with record of conversation summarized in attached email dated 1st November 2019

[REDACTED]

From: [REDACTED]
Sent: 01 November 2019 23:58
To: 'James Allanson'
Cc: [REDACTED]
Subject: 19/02713/FUL - 1 Kilmaurs Terrace - Record of Call 1-11-2019
Attachments: FW: 19/02713/FUL Update (35.8 KB); 1 Kilmaurs Terrace ref 18/10583/FUL (9.43 KB)

Dear James,

Thank you for your time earlier today. We would like to take this opportunity to record our discussion, which took place today (1st November 2019 at 3:13PM) as per following points:

1. Luck of response from our case officer has been noted, to which you have responded by saying that you have provided feedback and your views on application 19/02713/FUL on 2nd of October 2019, copy of which is attached for the record.
2. We have noted that we have responded to your email dated 2nd of October on the same day, seeking more detailed information justifying refusal of above noted application to allow us to advise our client accordingly, no response was provided.
3. Your comment was, that you do not have to respond to our correspondence referring your feedback dated 2nd October.
4. We have noted that we have tried to contact you between 5th of August (Determination deadline) and 1st October with no luck, and we have noted disappointment with late issue of your comments, as well as for not responding to our various emails, most importantly to our email dated 2nd October, email which was seeking more detail to justify potential refusal, to allow our client to make educated decision whether to withdraw application or weather to consider refusal with subsequent route of appeal.
5. You have responded that Determination deadline is set by Scottish Government (SG), and that SG are incorrect in setting timelines for planning applications, and that you do not have to comply with timeline set by SG, moreover you have stated tin your view most of the planning applications are not meeting planning deadlines anyway.
6. We have asked why there is U-turn on Planning Department view on this application, especially that this is 2nd attend to seek planning approval with scheme revised in line with Elizabeth McCaroll recommendation provided under application 18/10583/FUL (copy of Elizabeth email is attached for the record).
7. You have responded by saying that Elizabeth recommendations are irrelevant, and they were not taken to consideration under application 19/02713/FUL
8. We have asked for the reason why our client was denied to withdraw application, to which you have responded by yet again referring to your email dated 2nd of October, and the fact that you do not have to provide our client of us (theirs agent) more details apart the once already noted in your email from 2nd of October.
9. We have asked for contact details of your line-manager to lodge complaint on how this application was handled by Planning Department.
10. You have responded by stating that complaint should be lodged with you, and that you do not have to provide your line manager details.
11. You have hanged up, once we have noted that it is our intention to record this call from this point onwards.

We trust that above noted is true reflection of today's call, should you think otherwise please do not hesitate to contact us.

Kind regards

Pawel Orszulak

M: 



AVArboriculture

Arboricultural Survey **To British Standard 5837 (2012)**

Client: Abha Rodriguez
Location: 1 Kilmaurs Terrace, Edinburgh EH16 5BZ

Date of Survey: 23rd May 2019

Survey Location:

1 Kilmaurs Terrace
Edinburgh
EH16 5BZ

Survey commissioned by:

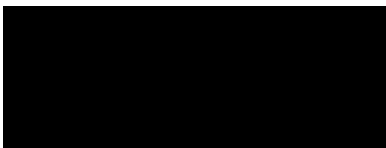
Abha Rodriguez
1 Kilmaurs Terrace
Edinburgh
EH16 5BZ

Prepared by:

Mike Charkow MA, Cert Arb L4 (ABC), PTI
Arbor Vitae Arboriculture Ltd
2/3 Keir Street
Edinburgh
EH3 9EU

Mobile: 07917335066
Web: www.avtree.co.uk

Signed:



Michael J Charkow

Date: 23rd May 2019

This report has been prepared exclusively for the use of Abha Rodriguez and their agents, on the basis of information supplied, and no responsibility can be accepted for any actions taken by any third party arising from their interpretation of the information contained in this document. No other party may rely on the report, and if they do, then it is at their own risk.

Contents

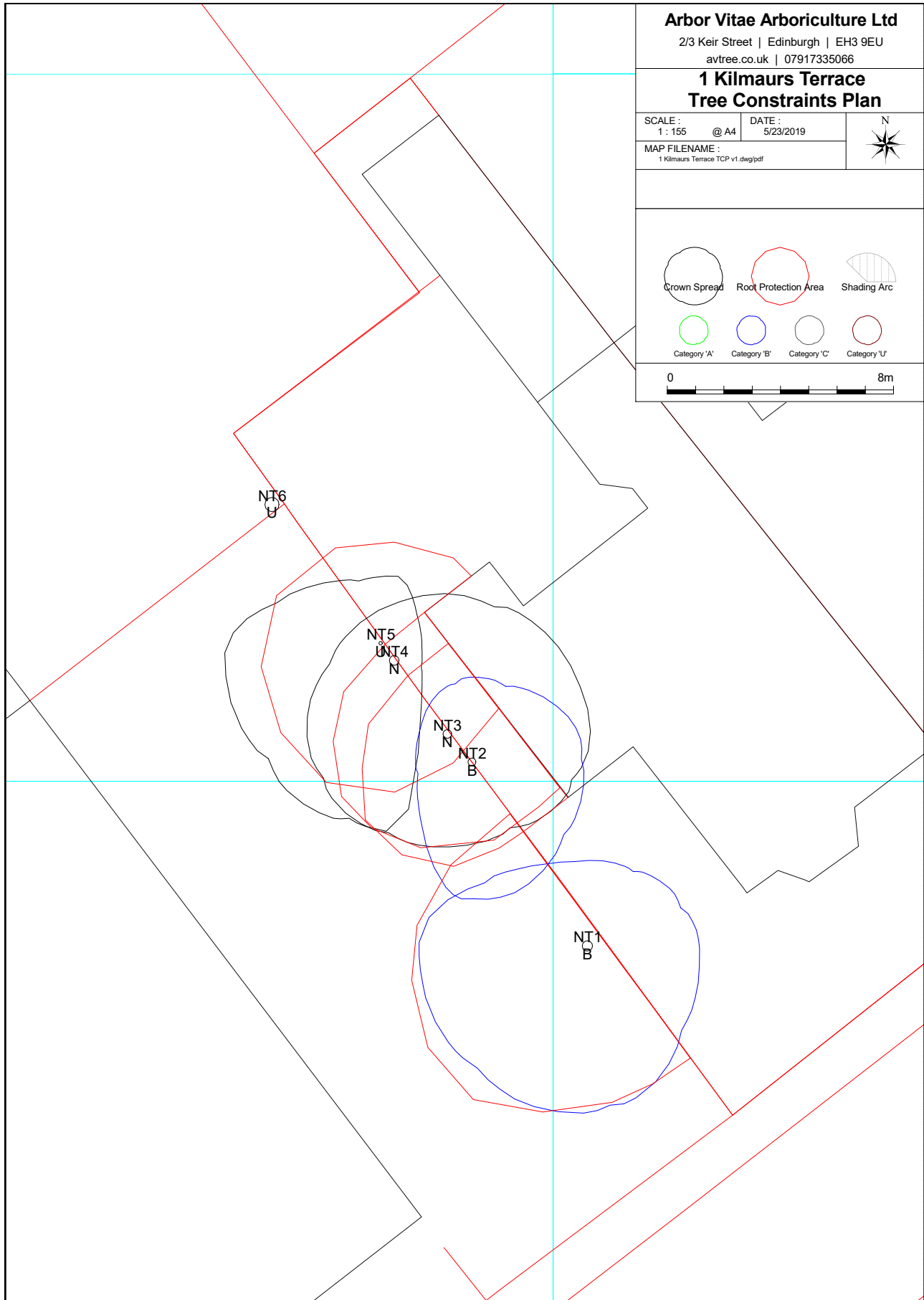
Page	Section	Section Title
4	1	Client Brief and Overview
5	2	Tree Constraints Plan
6	3	Survey Findings

Page	Appendix	Appendix Title
8	1	Bibliography
9	2	The Author's Qualifications and Experience
10	3	BS5837 Figure 1: Trees in the Planning Process
11	4	Tree Survey Methodology
13	5	Caveats and Limitations
14	6	Tree Management Proposal
15	7	Generic Arboricultural Method Statement
16	8	BS5837 (2012) Table 1
17	9	Glossary of Arboricultural Terms
20	10	Key to the Tree Schedule
21	11	Tree Schedule
22	12	Proposed Development Plan

1 Client Brief and Overview

- 1.1 Mike Charkow of Arbor Vitae Arboriculture Ltd was instructed by Abha Rodriguez to carry out an arboricultural survey of six trees in an neighbouring garden to the west of 1 Kilmaurs Terrace, Edinburgh EH16 5BZ.
- 1.2 Proposed development plans were seen by the author.
- 1.3 The trees are not within a conservation area, nor do any tree preservation orders relate to this site.
- 1.4 The survey was carried out on the 23rd May 2019. Conditions were bright, dry and calm.
- 1.5 The tree survey is a tree management and building design tool which aims to survey the trees in their current context. The aims of the tree survey are:
 - to categorise the trees as to their suitability for retention in terms of their quality and value. Quality is based on the tree's condition, and importance in terms of cultural, species, aesthetic or ecological significance.
 - to minimise unnecessary impact to the retained tree population and demonstrate the constraints and opportunities available in the positioning of building and other work activity.

2 Tree Constraints Plan



3 Survey Findings

- 3.1 6 individual trees were surveyed.
- 3.2 No trees were categorised as 'A'; 2 were categorised as 'B', none as 'C' and 2 as 'U'. 2 trees could not be categorised. See [appendix 8](#) for retention category definitions.
- 3.3 3 trees were classed as early-mature, 1 as young and 1 as over-mature.
- 3.4 1 tree was rated as being in good condition, 1 as moderate and 2 as poor. 2 trees could not be rated.
- 3.5 See [appendix 11](#) for the full tree survey schedule.

Condition and Recommendations

- 3.6 2 trees (NT5 & 6) were recommended for removal due to their condition.
- 3.7 2 trees were recommended for ivy removal. These trees could not be given a retention category as a full inspection was not possible.

Ivy is an important native plant for wildlife habitat and as a food source, however its presence on trees can be problematic:

- It can impede the inspection of the tree;
- It can smother branches causing foliage to die;
- It can increase the 'sail-area' of the tree, making it more wind resistant and therefore prone to breakage.

It is usually costly and impractical to remove all of the ivy from a tree, however it can be severed from near ground level to around 1.5 metres. This should be done on an annual basis to prevent the ivy from regrowing. The ivy may take a year to die, but then it can be removed much more easily, or it will fall off over time. The reinspection would therefore take place once the tree could be seen. It is the decision of the tree owner whether the risk of the tree warrants complete ivy removal or severing at base.

Potential conflicts with the proposed development

- 3.8 It is proposed that the existing one-storey extension is removed and a new 3-storey extension built that would occupy the same footprint. It would also extend 6.5 metres further to the southeast (see [appendix 12](#)).
- 3.9 The property containing the trees and the client's property are at a similar ground level and are bordered by a 1.8 metre high stone wall. The wall is historic and it can be expected to have fairly shallow foundations.
- 3.10 The area of the additional extension-footprint is currently surfaced with asphalt. Asphalt is highly non-porous and so oxygen and moisture levels in the soil beneath can be expected to be very low. The soil will likely also be highly compacted; no

depressions nor major cracks were seen on the asphalt driveway. It is probable that there are no major tree roots within this area (i.e. northeast of the boundary wall). Therefore the root protection area of tree NT1 has been altered.

- 3.11 The area northwest of the driveway is surfaced with concrete slabs. The slabs will allow oxygen and water to access the soil, depending on the level of compaction. It is expected that there will be rooting in this area.
- 3.12 The area occupied by the current extension will be highly compacted and lacking sufficient oxygen and water to allow rooting.
- 3.13 The crowns of trees NT1-4 extend into the area proposed for development. The crown of NT5 would be close to the development and would conflict with scaffolding. It would be necessary to reduce these crowns in order to accommodate the proposed development.

Appendix 1: **Bibliography**

British Standards Institute (2010), *BS 3998 'Recommendations for Tree Work'*, BSI, London.

British Standards Institute (2012), *BS 5837 'Trees in Relation to Design, Demolition and Construction - Recommendations'*, BSI, London.

Forbes-Laird, J. (2006), *THREATS: Tree Hazard Rating, Evaluation System*, Julian Forbes-Laird, Bedford.

Hirons, A. & Sjoman, H., *Tree Species Selection for Green Infrastructure: A Guide for Specifiers*, Issue 1.3/2019, Trees and Design Action Group

Johnson, O. & More, D. (2004), *Tree Guide*, Collins, London.

Lonsdale, D. (ed.) (2013), *Ancient and other veteran trees: further guidance on management*, The Tree Council, London.

Lonsdale, D. (1999), *Principles of Tree Hazard Assessment and Management*, TSO, London, UK.

Mattheck, C. & Breloer, H. (1994), *The Body Language of Trees*, TSO, London, UK.

Mattheck, C., Bethge, K. & Weber, K. (2015), *The Body Language of Trees: Encyclopedia of Visual Tree Assessment*, Karlsruhe Institute of Technology, Karlsruhe

Mitchell, A (1974), *A Field Guide to Trees of Britain and Northern Europe*, William Collins Sons & Co, Glasgow.

National House Building Council, *Building Near Trees*, NHBC Standards, September 1999, chapter 4.2.

National Joint Utilities Group, *NJUG Guidelines for the planning, installation and maintenance of utility apparatus in proximity to trees*, Volume 4, Issue 2, November 2007.

The National Tree Safety Group (NTSG), *Common sense risk management of trees*, Forestry Commission (December 2011).

Roberts, J., Jackson, N. & Smith, M. (2006), *Tree Roots in the Built Environment*, TSO, London.

Slater, D. *The structure and risk of junctions in trees*, at The Arboricultural Associations' 46th Annual Amenity Arboriculture Conference, (4th September 2012), Reading.

Strouts, R.G. & Winter, T.G. (1994), *Diagnosis of Ill-Health in Trees*, TSO, London, UK.

Legislation

Countryside Rights of Way Act (2000).

Nature Conservation (Scotland) Act (2004).

Town and Country Planning Act (Scotland) (1997).

Appendix 2: **The Author's Qualifications and Experience**

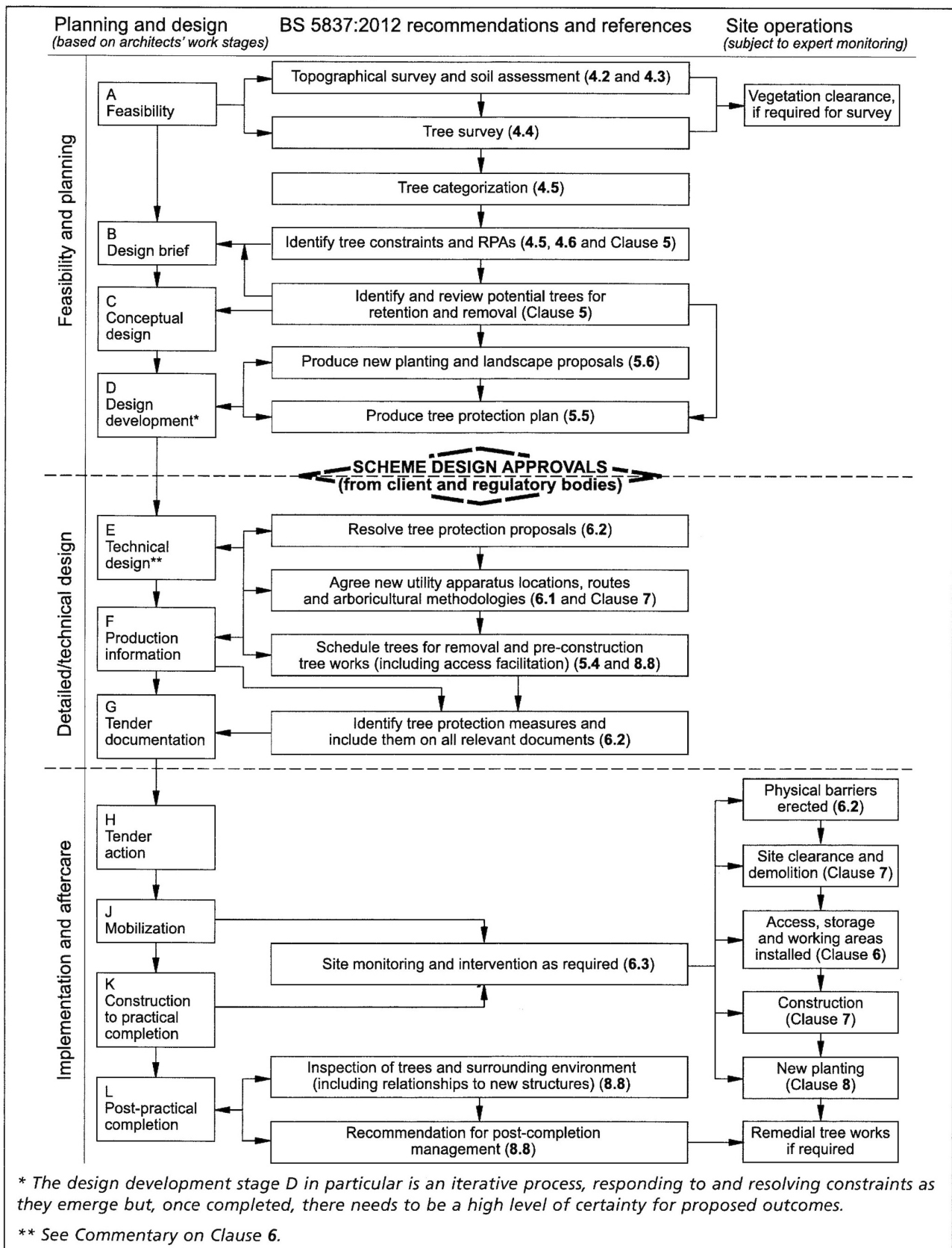
Mike Charkow holds the Level 4 Certificate in Arboriculture, and also the LANTRA Professional Tree Inspection Certificate. He has been working in the industry since 2004 as both a contracting and consulting arborist.

As part of a continual professional development program, Mike regularly attends professional seminars, conferences, training days and meetings.

He has been accredited by 'Echoes Ecology Ltd' as a competent person to inspect trees for bats and their roosts.

He is a member of the Arboricultural Association and the Consulting Arborist Society.

Appendix 3:

BS5837 Figure 1: Trees in the Planning Process

Appendix 4: **Tree Survey Methodology**

- A4.1 The criteria for selecting trees for surveying are specified in BS5837 (2012), i.e. they: have a minimum diameter of 75mm at 1.5m above ground level; have part of their crown extending into the site; or their root protection area extends into the site. Only trees plotted on the supplied topographical survey were surveyed.
- A4.2 Only information relevant to the development plans have been recorded, i.e.:
- Trees within the area marked for a tree survey (i.e. the proposed extent of development) have been located and the following details recorded: species, height, diameter, condition, observations, bat habitat potential, retention category, work recommendations, crown spreads.
 - Trees outwith the tree survey area but with root protection areas or crown spreads falling within the area have been located and tagged if possible. The same details have been recorded, with the addition of relevant crown dimensions.
- A4.3 An Ordnance Survey map without any trees plotted was supplied. Trees were located using a laser measure, a measuring tape and on-site features: their exact locations cannot be guaranteed.
- A4.4 Tags were not attached to the trees as they were in a neighbouring property.
- A4.5 A 'Haglof' electronic clinometer was used for measuring tree heights to within 0.5 metres. A diameter tape was used to measure tree diameters to within 10 millimetres.
- A4.6 The tree genus and species have been recorded using their common English name and botanical name.
- A4.7 Recommendations for management of the trees refer mainly to follow-up inspections and tree surgery for remedial work, or for the removal of hazardous trees. These works are recommended where there is a perceived hazard to people or property in the tree's predicted context of a proposed development (see BS5837:2012, clause 4.4.2.1). Any works will require a detailed work specification: this is out-with the scope of this report.
- A4.8 Some retained trees may require facilitative pruning of branches prior to development work. This pruning work protects trees from possible damage caused by contact with machinery during construction. This work can only be specified once the development has been approved and final plans drafted. A suitably qualified arboriculturist should be approached for recommendations for facilitative pruning before the development site is worked on.
- A4.9 Trees were inspected - where possible - using the Visual Tree Assessment method (VTA) as developed by Claus Mattheck and Helge Breloer (1994). This is a widely accepted methodology that takes into account structural and physiological symptoms from which judgements can be made regarding the risk from the tree.

A4.10 The root protection area (RPA) was calculated in accordance with BS5837 (2012). RPAs and root protection radii (RPR) for retained trees are listed in appendix 12. As per the British Standard, it is capped at 707 square metres.

A4.11 **Tree condition criteria** are based approximately on the following requirements:

Good = Full healthy canopy. Free from major cavities, wounds, pests or diseases.

Moderate = Slightly reduced leaf cover, minor deadwood or isolated major deadwood. Early stages of decay/disease. Structural faults.

Poor = Overall sparse leafing or extensive deadwood. Well established decay organisms. Structurally unsound cavities and or large wounds. Structural features prone to failure.

Very Poor = Large areas of dead crown. Advanced decay. Structurally unsound.

A4.12 Target-Ratings for Trees (Adapted from Forbes-Laird (2006), Table 5).

Value	Static target examples	Target occupancy examples
Very high (VH)	Building 24 hour use, railway	Constant vehicular traffic/busy playground
High (H)	Building 12 hour use, ≥11Kv power lines	Frequent vehicular traffic/constant pedestrian use
Medium (M)	Building/structure occasional use, <11Kv lines	Peak times traffic/intermittent use, eg commuter run
Low (L)	Garage, Summer house, Listed wall	Occasional traffic/sporadic use, eg slow country road
Very low (VL)	Unlisted wall, paving, garden features	Infrequently used access/public right of way/bridleway
None (N)	Grass	Hardly ever used, eg remote path

Appendix 5: **Caveats and Limitations**

- A5.1 This survey was conducted according to the VTA type 1 method (Mattheck & Breloer, 1994; Mattheck 2007) meaning survey work was carried out from ground level only.
- A5.2 No soil, foliage, wood, fungus or root samples were taken for analysis. Should any further investigation be required, this will be highlighted in the report.
- A5.3 No internal decay measurements were taken. Should any further investigation be required, this will be highlighted in the report.
- A5.4 Even apparently healthy, structurally sound trees can be adversely affected by extreme climatic conditions. Trees should be reinspected after such events.
- A5.5 Trees are living organisms and can decline in health rapidly due to biotic and abiotic influences. Therefore, due to the unpredictability of nature, the unforeseen failure of intact trees can never be ruled out. The findings of this report are based on observations made at one visit, and best judgement has been made to ensure that any remedial work has been recommended; however no guarantee can be given as to the safety of any individual tree. For this reason, findings and recommendations in this report are valid only for a period of 12 months from the survey date, or until any extreme weather event, whichever is soonest.
- A5.6 Only visible pathogens were recorded at the time of the survey. This does not confirm the absence of other pathogens but merely states that no annual fruiting bodies or other indications were observed at the time of the survey.
- A5.7 A Type 1 VTA cannot eliminate the possibility that any of the trees are used as a habitat for protected flora and fauna (e.g. bat roost). Reference to the legal documents 'Countryside Rights of Way Act' (2000) and 'Nature Conservation Act' (2004) (Scotland) is advised. The trees have been assessed for potential bat habitat, as well as bird nesting. Due to the difficulty of assessing the upper stems and crowns of larger trees from the ground (especially evergreen trees), some habitat features may not have been observed.
- A5.8 British Standard 5837 (2012) is not a specification document; as such it is acknowledged that deviance from the recommendations is permitted, so long as it is justified (British Standards Institute 2012, p.iii).
- A5.9 Due to physical constraints inherent on the site, some measurements have been estimated.

Appendix 6: **Tree Management Proposal**

- A6.1 The tree management proposals within this document should be carried out and the timescales for prioritised works respected.
- A6.2 All recommended arboricultural remedial work should be completed to the standards defined in BS3998 (2010) 'Recommendations for Tree Work', and be carried out by professional arborists with the relevant qualifications and insurance.
- A6.3 Standing deadwood is often created or maintained due to its habitat value. However, the deteriorating structural condition of dead trees is often impractical to monitor. Consequently, standing deadwood should not be retained if it is within falling distance of significant targets.
- A6.4 A qualified ecological worker should be consulted prior to any tree work in order to advise on the likely impact of tree work on any protected flora and fauna.
- A6.5 Trees that are potential bat habitats must be inspected by a suitably qualified person no more than 24 hours prior to tree surgery (April-September) or 48 hours (October -March).
- A6.6 Any proposed disturbance to trees containing bird nests should be carried out with mitigation, and only between October and February.
- A6.7 During periods of extreme weather, especially high wind or gusts (i.e. Beaufort Scale 7, above 30 miles per hour), it is advisable to warn residents, visitors and other site users of the potential risks, given the failure rate of trees under such conditions.

Appendix 7: **Generic Arboricultural Method Statement**

- A7.1 This is a non-specific arboricultural method statement only.
- A7.2 Trees are at risk of harm on any development site, and measures must be taken to protect trees from such harm.
- A7.3 The root protection area (RPA) is intended to protect the roots of retained trees from harm as a result of soil-compaction, changes of soil level, trenching, loss of gaseous exchange, chemical damage and fire. The root protection area should be enclosed using a scaffold framework fixed with vertical tubes at 3 metre intervals, and weld-mesh panels (e.g. 'Heras' fencing) secured with wire or scaffold clamps (see BS5837:2012 Figures 2 and 3). The root protection area is designed to exclude people, machinery, materials and equipment, and must not be entered or altered without first consulting an arboriculturist. Root protection areas for retained trees have been listed in appendix 12, and are shown on the tree constraints plan.
- A7.4 Trees are easily damaged by fire. No fire should be allowed where it might damage any part of a tree.
- A7.5 Tree roots are easily damaged by chemicals. No harmful materials (including cement) should be stored, mixed or dumped anywhere on a level above any root protection area, as spillages and run-off may be absorbed by tree roots.
- A7.6 Any new service-runs within the root protection areas should be excavated using compressed air and an air-lance or, as per National Joint Utilities Group guidelines (NJUG vol. 4 (2), 2007) so as to avoid damage to tree roots.
- A7.7 A properly accredited ecologist should be consulted before any tree operations are carried out, in order to assess the trees for protected species. It is a criminal offence to disturb any protected species.
- A7.8 Aerial parts of a tree can be damaged by construction vehicles or cranes. This damage can be avoided by facilitative pruning: branches that are expected to come into contact with machinery or vehicles can be correctly pruned by a tree surgeon before any damage is caused. An arboriculturist should be consulted prior to work starting on site.
- A7.9 All tree surgery operations are governed by the British Standard 3998, 2010: "Recommendations for Tree Works". Any contractor employed must comply with this standard to ensure the pruning work is as damage-limiting as possible.

Table 1 Cascade chart for tree quality assessment

Category and definition	Criteria (including subcategories where appropriate)			Identification on plan
Trees unsuitable for retention (see Note)				
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<ul style="list-style-type: none">Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning)Trees that are dead or are showing signs of significant, immediate, and irreversible overall declineTrees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.</i></p>			Trees identified by tree number and coloured circle referring to retention category.
	1 Mainly arboricultural qualities	2 Mainly landscape qualities	3 Mainly cultural values, including conservation	
Trees to be considered for retention				
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (e.g. the dominant and/or principal trees within an avenue)	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e.g. veteran trees or wood-pasture)	Colour Dark Red RGB Code 127-000-000
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years	Trees that might be included in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality	Trees with material conservation or other cultural value	Colour Light Green RGB Code 000-255-000
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150 mm	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value; and/or trees offering low or only temporary/transient landscape benefits	Trees with no material conservation or other cultural value	Colour Mid Blue RGB Code 000-000-255

Appendix 9: Glossary of Arboricultural Terms

Adaptive growth. In tree biomechanics, the process whereby the rate of wood formation in the cambial zone, as well as wood quality, responds to gravity and other forces acting on the cambium. This helps to maintain a uniform distribution of mechanical stress.

Adaptive roots. The adaptive growth of existing roots; or the production of new roots in response to damage, decay or altered mechanical loading.

Adventitious shoots. Shoots that develop other than from apical, axillary or dormant buds; see also 'epicormic'.

Anchorage. The system whereby a tree is fixed within the soil, involving cohesion between roots and soil and the development of a branched system of roots which withstands wind and gravitational forces transmitted from the aerial parts of the tree.

Architecture. In a tree, a term describing the pattern of branching of the crown or root system.

Bacteria. Microscopic single-celled organisms, many species of which break down dead organic matter, and some of which cause diseases in other organisms.

Bark. A term usually applied to all the tissues of a woody plant lying outside the vascular cambium, thus including the phloem, cortex and periderm; occasionally applied only to the periderm or the phellem.

Bottle-butt. A broadening of the stem base and buttresses of a tree, in excess of normal and sometimes denoting a growth response to weakening in that region, especially due to decay by selective de-lignification.

Branch:

- **Primary.** A first order branch arising from a stem
- **Lateral.** A second order branch, subordinate to a primary branch or stem and bearing sub-lateral branches.
- **Sub-lateral.** A third order branch, subordinate to a lateral or primary branch, or stem and usually bearing only twigs.

Branch bark ridge. The raised arc of bark tissues that forms within the acute angle between a branch and its parent stem.

Branch collar. A visible swelling formed at the base of a branch whose diameter growth has been disproportionately slow compared to that of the parent stem; a term sometimes applied also to the pattern of growth of the cells of the parent stem around the branch base.

Brown-rot. A type of wood decay in which cellulose is degraded, while lignin is only modified.

Buckling. An irreversible deformation of a structure subjected to a bending load.

Buttress zone. The region at the base of a tree where the major lateral roots join the stem, with buttress-like formations on the upper side of the junctions.

Cambium. Layer of dividing cells producing xylem (woody) tissue internally and phloem (bark) tissue externally.

Canker. A persistent lesion formed by the death of bark and cambium due to colonisation by fungi or bacteria.

Crown clean. The removal of dead, crossing, weak, and damaged branches, where this will not damage or spoil the overall stability or appearance of the tree.

Compartmentalisation. The confinement of disease, decay or other disfunction within an anatomically discrete region of plant tissue, due to passive and/or active defences operating at the boundaries of the affected region.

Condition. An indication of the physiological vitality and/or structural stability of the tree.

Crown/Canopy. The main foliage bearing section of the tree.

Crown lifting. The removal of limbs and small branches to a specified height above ground level.

Crown thinning. The removal of a proportion of secondary branch growth throughout the crown to produce an even density of foliage around a well-balanced branch structure.

Crown reduction/shaping. A specified reduction in crown size whilst preserving, as far as possible, the optimal tree shape.

Deadwood. Branch or stem wood bearing no live tissues. Retention of deadwood provides valuable habitat for a wide range of species and seldom represents a threat to the health of the tree. Removal of deadwood can result in the ingress of decay to otherwise sound tissues and climbing operations to access deadwood can cause significant damage to a tree. Removal of deadwood is generally recommended only where it represents an unacceptable level of hazard. Deadwood sizes: small (<25mm), moderate (<50mm), major (>50mm); the deadwood may be up- or down-rated depending on its overall volume.

Defect. In relation to tree hazards, any feature of a tree which detracts from the uniform distribution of mechanical stress, or which makes the tree mechanically unsuited to its environment.

Dieback. The death of parts of a woody plant, starting at shoot-tips or root-tips.

Disease. A malfunction in or destruction of tissues within a living organism, usually excluding mechanical damage; in trees, usually caused by pathogenic micro-organisms.

Disfunction. In woody tissues, the loss of physiological function, especially water conduction, in sapwood.

Epicormic shoot. A shoot having developed from a dormant or adventitious bud and not having developed from a first year shoot.

Girdling root. A root that circles and constricts the stem or roots possibly causing death of phloem and/or cambial tissue.

Hazard beam. An upwardly curved part of a tree in which strong internal stresses may occur without being reduced by adaptive growth; prone to longitudinal splitting.

Heartwood/false-heartwood/ripewood. Sapwood that has become disfunctional as part of the natural ageing processes

Incipient failure. In woody tissues, a mechanical failure which results only in deformation or cracking, and not in the fall or detachment of the affected part.

Included bark. Bark of adjacent parts of a tree (usually forks, acutely joined branches or basal flutes) which is in face-to-face contact.

Internode. The part of a stem between two nodes; not to be confused with a length of stem which bear nodes but no branches.

Lever arm. A mechanical term denoting the length of the lever represented by a structure that is free to move at one end, such as a tree or an individual branch.

Lignin. The hard, cement-like constituent of wood cells; deposition of lignin within the matrix of cellulose microfibrils in the cell wall is termed lignification.

Loading. A mechanical term describing the force acting on a structure from a particular source; e.g. the weight of the structure itself or wind pressure.

Longitudinal. Along the length (of a stem, root or branch).

Minor (small) deadwood. Deadwood of a diameter less than 25mm and or unlikely to cause significant harm or damage upon impact with a target beneath the tree.

Occluding tissues. A general term for the roll of wood, cambium and bark that forms around a wound on a woody plant (cf. woundwood)

Occlusion. The process whereby a wound is progressively closed by the formation of new wood and bark around it.

Pathogen. A microorganism which causes disease in another organism.

Photosynthesis. The process whereby plants use light energy to split hydrogen from water molecules, and combine it with carbon dioxide to form the molecular building blocks for synthesising carbohydrates and other biochemical products.

Phototropism: The growth of a tree or branch towards the light. Phototropic branches can become exposed and therefore prone to breakage.

Pollarding: A pruning system in which the upper branches of a young tree are removed, promoting a dense head of foliage and branches. Historically this was done to keep young shoots above grazing level; now used to keep trees at a manageable level. Not to be confused with topping.

Reactive Growth/Reaction Wood. Production of woody tissue in response to altered mechanical loading; often in response to internal defect or decay and associated strength loss (cf. adaptive growth).

Removal of dead wood. Unless otherwise specified, this refers to the removal of all accessible dead, dying and diseased branch-wood and broken snags.

Re-spacing. Selective removal of trees from a group or woodland to provide space and resources for the development of retained trees.

Residual wall. The wall of non-decayed wood remaining following decay of internal stem, branch or root tissues.

Sapwood. Living xylem tissues

Shedding. In woody plants, the normal abscission, rotting off or sloughing of leaves, floral parts, twigs, fine roots and bark scales.

Sprouts. Adventitious shoot growth erupting from beneath the bark

Stem/s. The main supporting structure/s, from ground level up to the first major division into branches. The stem (or stems if two or more co-dominant stems are present) may extend to the uppermost part of the tree.

Stress (plant physiology): A condition under which one or more physiological functions are not operating within their optimum range, for example due to lack of water, inadequate nutrition or extremes of temperature.

Stress (mechanics): The application of a force to an object.

Structural roots. Roots, generally having a diameter greater than ten millimetres, and contributing significantly to the structural support and stability of the tree; also containing water conducting vessels.

Taper. In stems and branches, the degree of change in girth along a given length.

Targets. In tree risk assessment (with slight misuse of normal meaning) persons or property or other things of value which might be harmed by mechanical failure of the tree or by objects falling from it

Topping. In arboriculture, the removal of the crown of an older tree, or of a major proportion of it. This is not generally advised as it can allow decay into the upper parts of the tree. Not to be confused with pollarding.

Torsional stress. Mechanical stress applied by a twisting force.

Understorey. A layer of vegetation beneath the main canopy of woodland or forest or plants forming this

Wind exposure. The degree to which a tree or other object is exposed to wind, both in terms of duration and velocity.

Wind-throw. The blowing over of a tree at its roots.

Woundwood. Wood with a typical anatomical features, formed in the vicinity of a wound.

Appendix 10: **Key to the Tree Schedule**

Abbreviation	Explanation
TN	Tree Number: sequential number of the tree in order inspected.
Tag	Unique number on tag attached to the tree. NT = no tag. Gx.y = Group (plus group number and number of the tree within the group).
Species	Tree species: Common English name (Botanical name)
H	Tree height: measured to nearest metre for trees over 10 m, or nearest 0.5 metres for trees up to 10 metres in height.
D	Stem diameter: measured at 1.5 metres above ground, to the nearest 10 millimetres. Trees with more than one stem are calculated as per BS5837:2012.
AC	Age Class: Young (up to the first 1/3rd of expected height), Semi-mature (1/3rd to 2/3rds of expected height), Mature (close to expected ultimate height with rapid girth expansion), Over-mature (a senescing tree), Veteran (a valued tree surviving beyond the typical age for the species), Dead.
V	Vigour (physiological condition) of the tree. N = normal F = fair P = poor D = dead
Condition	Observations, particularly of structural and/or physiological condition (e.g. the presence of decay, defects and pathological infections), as well as nuisances caused by the tree. Good = Full healthy canopy. Free from major cavities, wounds, pests or diseases. Moderate = Slightly reduced leaf cover, minor deadwood or isolated major deadwood. Early stages of decay/disease. Structural faults. Poor = Overall sparse leafing or extensive deadwood. Well established decay organisms. Structurally unsound cavities and or large wounds. Structural features prone to failure. Very Poor = Large areas of dead crown. Advanced decay. Structurally unsound. TBD = To be determined.
Recommendations	Management recommendations for the tree. 'NWR' = No work required.
U	Urgency of the recommended tree works (in months).
ERC	Estimated remaining contribution of the tree (in years).
RC	Retention Category, as per BS5837 (2012) Table 1. T = To be determined.
1B	Height and direction of first branch.
S (+N/E/S/W)	Crown spread: lateral distance from the tree centre to the canopy extent at each cardinal point.
C (+N/E/S/W)	Crown height: distance from ground to the start of the canopy at each cardinal point.
Bat	Based on observations of possible bat roosting features - this does not indicate the actual presence of bats, rather the possibility of the tree being used by bats. H = high likelihood of roosting feature. L = low likelihood of roosting feature. U = unknown.
RI	Recommended maximum time until the next tree inspection (in months).
RPA	Root Protection Area (square metres).
RPR	Root Protection Radius (metres).

Appendix 11:

Tree Schedule

TN	Tag	Species	H	D	AC	V	Condition	Recommendations	U	ERC	RC	1B	SN	SE	SS	SW	CN	CE	CS	CW	Bat	RI	RPA	RPR
1	NT1	Common Ash (Fraxinus excelsior)	15	370	EM	N	GOOD	NWR No work required.	-	>40	B	3W	3	3W	3	4	6.0	6	2	4	L	36	62	4.4
1	NT2	Common Ash (Fraxinus excelsior)	19	280	EM	N	MODERATE Growing very close to a wall; rooting stability is unknown.	NWR No work required.	-	20-40	B	6E	3	6E	3	4	5.0	2	15	7	L	36	35	3.4
1	NT3	Sycamore (Acer pseudoplatanus)	19	300	EM	N	TBD Dense ivy on the stem prevented a full inspection. The lower stem appears to be intact.	IVY Remove or kill the ivy and reinspect when the tree is visible.	3	TBD	T	2S	5	2S	5	5	4.0	5	6	8	L	3	41	3.6
1	NT4	Sycamore (Acer pseudoplatanus)	19	340	EM	N	TBD Dense ivy on the stem prevented a full inspection.	IVY Remove or kill the ivy and reinspect when the tree is visible.	3	TBD	T	6W	3	6W	3	0	6.0	6	9	0	L	3	52	4.1
1	NT5	Sycamore (Acer pseudoplatanus)	12	110	Y	F	POOR Suppressed with stem kink and crown bias to the east.	FELL Remove the tree.	12	<10	U										L	-	-	-
1	NT6	Apple species? (Malus species?)	17	500	OM	N	POOR Extensive decay and stem splits. Ganoderma fruiting bodies on lower stem. Crown bias to east and south. Potential for bat roosting.	FELL Remove the tree or reduce to around 4m and retain as ecological habitat.	3	<10	U										H	-	-	-

Appendix 12: Proposed Development Plan

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STATUS
PLANNING

PROJECT:
**THISTLE GUEST HOUSE
1 KILMAURS TERRACE**

CLIENT:
ABHA RODRIGUES

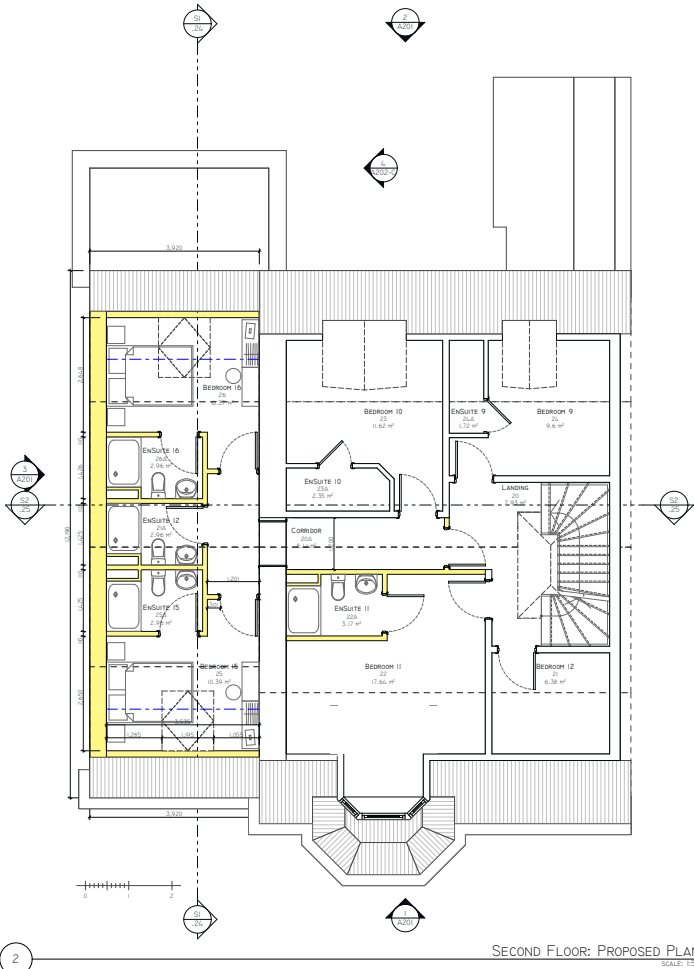
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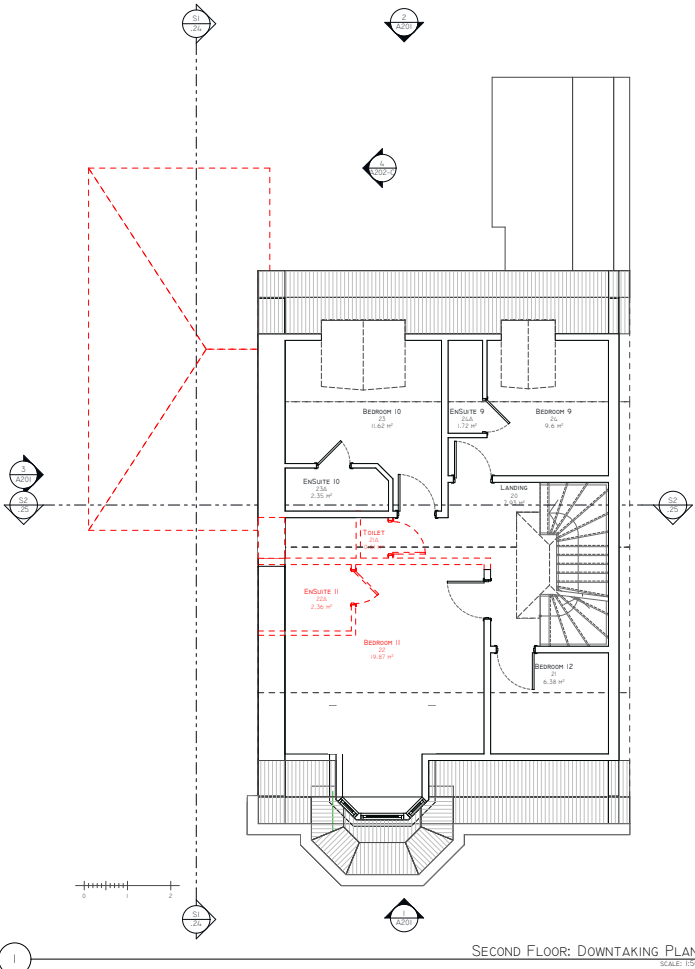
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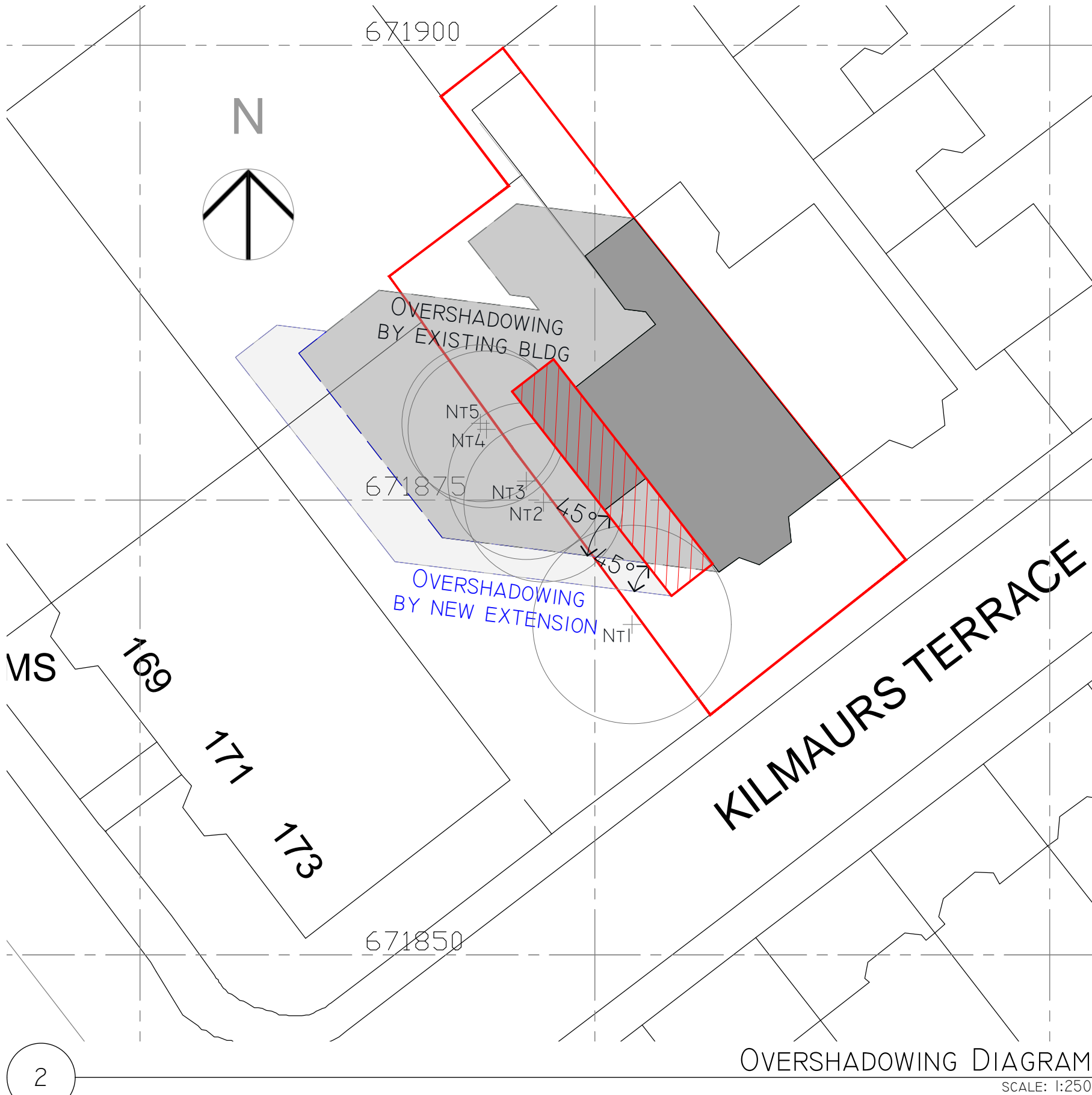


SECOND FLOOR: DOWNTAKING PLAN
SCALE: 1:50

1



SOUTH ELEVATION OVERSHADOWING ANALYSIS
SCALE: 1:100



OVERSHADOWING DIAGRAM
SCALE: 1:250

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