

ALFA Studio.  
FAO: Anna Forster  
21 Castle Street  
Edinburgh  
Scotland  
EH2 3DN

Ms Chelsie Black.  
1 Eltringham Grove  
Edinburgh  
Scotland  
EH14 1SH

**Decision date: 2 March 2020**

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

Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.  
At 3 Eltringham Grove Edinburgh EH14 1SH

**Application No:** 19/03249/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 5 July 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

**Conditions:-**

**Reason for Refusal:-**

1. The proposal is contrary to policy Des 1 of the adopted Edinburgh Local Development Plan and the Edinburgh Design Guidance as it would have an adverse impact on the character and appearance of the surrounding area.
2. The proposal is contrary to policy Hou 4 of the adopted Edinburgh Local Development Plan as the density of development on the site would damage the character of the surrounding area.

3. The proposal is contrary to policy Tra 2 of the adopted Edinburgh Local Development Plan as the proposed level of vehicle parking exceeds the standards set out in the Edinburgh Design Guidance.

4. The proposal is contrary to policy Hou 1 of the adopted Edinburgh Local Development Plan as the principle of housing on this site is not compatible with the relevant policies of the LDP.

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

Drawings 01 - 14, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal will result in the creation of a satisfactory residential environment, will not have a detrimental impact on the amenity of neighbouring residents, and does not raise any issues in respect of flood prevention or cycle parking. However, the proposal would have a detrimental impact on the established spatial character of the surrounding area and would result in vehicle parking which is in excess of the current Council Parking Standards. The proposal is therefore contrary to policies Des1, Hou 1, Hou 4 and Tra 2 of the adopted Edinburgh Local Development Plan (LDP) and the Edinburgh Design Guidance.

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.

*D R Leehie*

**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](http://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](mailto: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 19/03249/FUL At 3 Eltringham Grove, Edinburgh, EH14 1SH Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	19/03249/FUL
<b>Wards</b>	B09 - Fountainbridge/Craiglockhart

### Summary

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The proposal will result in the creation of a satisfactory residential environment, will not have a detrimental impact on the amenity of neighbouring residents, and does not raise any issues in respect of flood prevention or cycle parking. However, the proposal would have a detrimental impact on the established spatial character of the surrounding area and would result in vehicle parking which is in excess of the current Council Parking Standards. The proposal is therefore contrary to policies Des1, Hou 1, Hou 4 and Tra 2 of the adopted Edinburgh Local Development Plan (LDP) and the Edinburgh Design Guidance.

### Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LDES01, LDES05, LHOU03, LHOU04, LTRA02, LTRA03, LEN21, LHOU01, NSG, NSGD02,
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# Report of handling

## Recommendations

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

## Background

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### 2.1 Site description

The site currently consists of a section of vacant land located on the western side of Eltringham Grove. A detached bungalow dwellinghouse which encompassed garden ground to its rear was previously situated on the site. However, after this application was submitted, the dwellinghouse was demolished, and the grass and vegetation on the site was cleared. The surrounding area is entirely residential in nature and is predominantly characterised by a mixture of both pre-war and modern style detached and terraced dwellinghouses.

### 2.2 Site History

#### Enforcement History

23 September 2019 - Enforcement investigation undertaken into alleged unauthorised operational development. This investigation is currently pending consideration (investigation reference: 19/00754/EOPDEV).

## Main report

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### 3.1 Description Of The Proposal

The proposal seeks planning permission for the construction of two new two storey detached dwellinghouses on the site. Consent is also sought partly in retrospect for the demolition of the single storey dwellinghouse which was previously situated on the site and which was demolished after this application was submitted. One new house would be constructed in the same location as the previous dwelling ,with an additional house constructed further to the west within the rear of the site. The new dwellings will encompass predominantly white render exteriors and zinc roofs. A new access road would be constructed in order to facilitate vehicle access to the new dwelling in the rear of the site.

#### Supporting Documents

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

- Flood Risk Assessment and Appendices - October 2019
- Revised Flood Risk Assessment and Appendices - January 2020

### 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:

- The proposal is acceptable in principle, and would have an adverse impact on the character and appearance of the surrounding area;
- The proposal would result in the creation of a satisfactory living environment;
- The proposal would have a detrimental impact on the amenity of neighbouring residents;
- The proposal raises any issues in respect of flood prevention;
- The proposal raises any issues in respect of road safety,
- The proposal raises any issues in respect of an impact on protected species or trees. and;
- Any issues raised in objections have been addressed.

#### a) Principle of the Proposal and Impact on the Character and Appearance of the Surrounding Area

The dwelling which was previously situated on the site did not contain any features of architectural or aesthetic distinction or note. The demolition of this building in itself is not contrary to the adopted Edinburgh Local Development Plan (LDP).

The design of both dwellings is appropriate and reflective of the contemporary character of several recently constructed dwellinghouses built in Eltringham Grove.

Eltringham Grove is characterised by both original dwellinghouses dating from the pre-war period and later addition contemporary style premises which are of more recent build style. The original pre-war detached house previously located at 1 Eltringham Grove has been demolished and replaced with two separate pitched roof dwellings. In addition, a new pitched roof dwelling has also been constructed adjacent to the southern gable elevation of 4 Eltringham Grove.

Both the original and recently constructed dwellings all follow clearly defined building lines along both the eastern and western sides of Eltringham Grove which contribute to

an established sense of spatial character, and a positive relationship with the street. This positive relationship is also apparent in the position of the dwellinghouses situated along Robb's Loan and the manner in which they relate to the streetscape. The construction of a new dwelling within the rear garden ground of the site would result in the introduction of a building which is situated away from its host street and which does not contribute to the established sense of spatial character.

In addition, the construction of a separate single lane access road leading off the main street to the house would also result in the introduction of an incongruous built feature which is not replicated within the surrounding area. The neighbouring dwellinghouses on Eltringham Grove and Robb's Loan are characterised by short driveways/parking areas which are accessed directly from the street without the requirement for a separate access.

The new dwelling created in the rear section of the site would serve to have a disruptive impact on the established spatial character of the surrounding area. In addition, the new single lane access road leading to the rear house would form an incongruous feature within the streetscape, combining with the presence of the new dwelling to erode the character of the surrounding area. The proposal is not acceptable in principle and would have a detrimental impact on the spatial character and appearance of the surrounding area. The proposal is contrary to LDP policies Des 1, Hou 1 and Hou 4 and the Edinburgh Design Guidance (EDG).

#### b) Creation of a Satisfactory Living Environment

Both dwellinghouses meet the floor area requirements for new dwellings outlined in the EDG. The habitable rooms of both dwellings will both have access to an acceptable level of daylight, and there is provision for a suitable level of private rear garden ground. Both properties include space for the storage of refuse and recycling facilities.

The proposal will result in the creation of a satisfactory residential environment and complies with LDP Des 5.

#### c) Amenity of Neighbouring Residents

The dwellinghouse situated towards the front of the site will incorporate a section of high level glazing on its northern elevation and a section of timber louvres on its southern elevation to prevent any direct overlooking.

The dwellinghouse which will be located in the rear of the site incorporates a mixture of translucent glazing and timber louvres on the various gable elevation windows and doors, in order to prevent any direct overlooking into the gardens of the neighbouring properties to north and south. In addition, high level rooflights are incorporated into the attic level bedroom on the southern roof plane in order to prevent any occupants from being able to look out onto the premises to the south.

Both properties have been assessed against the relevant criteria within the Edinburgh Design Guidance relating to the proposed impact of development on the levels of

overshadowing and loss of daylight to neighbouring properties. Both properties comply with the vertical sky component test (VSC) in respect of the neighbouring dwelling to the south and the proposal will not result in a loss of daylight to these properties.

One gable window on the property to the north may be affected by loss of daylight. However, as detailed in the EDG, daylight levels to gable windows are not safeguarded when assessing new development.

The new dwelling in the rear of the site may result in 24 square metres of the garden ground of the premises to the north at 43 Robb's Loan being overshadowed to a potentially adverse degree. However, this garden has a total area of 652 square metres and the majority of the garden area will remain unaffected. Any overshadowing caused by the new dwellinghouse located in the same position as the existing house will fall on section of ground between the gable elevation of the neighbouring premises to the north at 4A Eltringham Grove and the boundary between the two sites. This is not an area of useable or valuable amenity space.

The proposal will not have a detrimental impact on the amenity of neighbouring residents and complies with LDP Des 5.

#### d) Flood Prevention

Policy Env 21 of the LDP states that planning permission will not be granted for development that would increase a flood risk or be at risk of flooding itself.

The application site is identified on SEPA's flood map database as being in a location which is at risk of surface water flooding. Flood Prevention were consulted on the proposal and advised that a flood risk assessment (FRA) would be required for any development in this location in order to demonstrate that proposed development would not increase flood risk or be at risk of flooding itself.

An initial flood risk assessment was submitted in October 2019, with a further revised assessment submitted in January 2020 detailing the flood risk to the site. The Council's Flood Prevention Section have examined the submitted information, and have advised that they have no objection to the proposed development.

SEPA were consulted on the proposal and did not raise any objection to the application.

The proposal will not be at risk of flooding or increase the flood risk to the surrounding area. The proposal complies with LDP Env 21.

#### e) Vehicle and Cycle Parking

The proposal includes provision for two new parking spaces for each dwellinghouse. The site is situated in zone 2 in the Council's Parking Standards contained within the Edinburgh Design Guidance. The EDG states that a new dwellinghouse within this zone should have a maximum of one new vehicle parking spaces. The proposed car parking provision is in exceedance of the standards and the proposal is contrary to LDP policy Tra 2.

The proposal includes provision for secure rear gardens where bicycles can be stored for both dwellings. The proposal complies with LDP policy Tra 3.

The Roads Authority was consulted on the proposal. The Roads Authority raised no objection on road safety grounds, but did highlight within their response that the parking provision was in exceedance of Council standards.

The proposal complies with LDP policy Tra 3 and raises no issues in respect of cycle storage. However, the proposed vehicle parking provision is in exceedance of the Council's Parking Standards and is contrary to LDP policy Tra 2 and the EDG in this respect.

#### f) Protected Species and Trees

The premises is not situated within a local nature conservation reserve or any other form of designation within the LDP which would require the submission of any detailed study relating to protected species.

During a site inspection undertaken prior to the demolition of the dwelling and the clearing of the site, no sizeable tree specimens which made a contribution to the amenity of the surrounding area were noted as being located on the site. The clearance of the site has not resulted in the loss of any trees which would otherwise have been worthy of retention.

#### g) Issues raised by objectors

### **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).
- Density of the proposal is unacceptable - addressed in section 3.3 (a)
- Proposal will have an adverse impact on the amenity of neighbouring residents by virtue of loss of daylight, overshadowing and overlooking - addressed in section 3.3 (c)
- Proposed car parking on site is excessive, proposal will increase in vehicle movements and raises road safety issues - addressed in section 3.3 (e).
- Removal of trees and impact on protected species - addressed in section 3.3 (f)

#### **Non-Material Considerations**

- The proposal will have an impact on existing private views - private views are not safeguarded by the planning process

- Noise during construction process - control of noise associated with the construction of a development does not lie within the remit of the planning authority. Matters relating to noise from construction should be addressed to Environmental Protection.

- Impact of the proposal on private property values - The potential impact of a development on private property values is not a material planning consideration.

- Glare from zinc roofing - The planning authority cannot control potential solar glare from construction materials.

### Conclusion

In conclusion, the proposal will result in the creation of a satisfactory residential environment, will not have a detrimental impact on the amenity of neighbouring residents, and does not raise any issues in respect of flood prevention or cycle parking. However, the proposal would have a detrimental impact on the established spatial character of the surrounding area and would result in vehicle parking which is in excess of the current Council Parking Standards. The proposal is therefore contrary to policies Des 1, Hou 1, Hou 4 and Tra 2 of the LDP and the Edinburgh Design Guidance.

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 policy Des 1 of the adopted Edinburgh Local Development Plan and the Edinburgh Design Guidance as it would have an adverse impact on the character and appearance of the surrounding area.
2. The proposal is contrary to policy Hou 4 of the adopted Edinburgh Local Development Plan as the density of development on the site would damage the character of the surrounding area.
3. The proposal is contrary to policy Tra 2 of the adopted Edinburgh Local Development Plan as the proposed level of vehicle parking exceeds the standards set out in the Edinburgh Design Guidance.
4. The proposal is contrary to policy Hou 1 of the adopted Edinburgh Local Development Plan as the principle of housing on this site is not compatible with the relevant policies of the LDP.

## Risk, Policy, compliance and governance impact

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

## Equalities impact

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### **5.1 The equalities impact has been assessed as follows:**

Concerns were raised by an objector as to the impact of the proposal on the health and wellbeing of an individual. The decision of the planning authority is to refuse planning permission for the proposal for the reasons stated in the report on handling.

## Consultation and engagement

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### **6.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **6.2 Publicity summary of representations and Community Council comments**

Fifteen letters of objection and one general comment were received in respect of the proposal. A full summary of the matters raised in these representations can be found in section 3.3 of the main report.

## Background reading / external references

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

## Statutory Development

<b>Plan Provision</b>	The site is designated as being within the urban area in the adopted Edinburgh Local Development Plan (LDP).
<b>Date registered</b>	5 July 2019
<b>Drawing numbers/Scheme</b>	01 - 14,

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

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### 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 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

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

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

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

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

### **Relevant Non-Statutory Guidelines**

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

# Appendix 1

## Consultations

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### Flood Prevention

#### Response 26 July 2019

*Thanks for the consultation request. I have looked on the portal and can't see anything related to flooding or drainage. As the SEPA flood maps show that this area is at medium to high risk of pluvial flooding then a flood risk assessment should be submitted to support this application. The FRA should follow the guidance on the CEC website:*

*[http://www.edinburgh.gov.uk/info/20045/flooding/1584/flood\\_planning\\_application](http://www.edinburgh.gov.uk/info/20045/flooding/1584/flood_planning_application)*

*Information relating to what is proposed for drainage should also be provided and be sustainable in nature, and also be in compliance with CEC guidance.*

#### Response Dated 19 February 2020

*Thanks for providing the updated information. The updated information satisfies CEC Flood Prevention's comments. This application can be determined, with no further comments from our department.*

### Environmental Protection

*I refer to the above application and would offer no objections in relation to this proposal.*

### Roads Authority

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

- 1. A maximum of 1 space per unit will be permitted in line with the Council's parking standards;*
- 2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Welcome Pack including a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 3. Off-street parking space should:*
  - a. be a minimum of 6m deep and a maximum of 3m wide;*
  - b. be accessed by dropped kerb (i.e. not bell mouth);*
  - c. be paved in a solid material for 2m nearest the road to prevent deleterious material (e.g. loose chippings) being carried on to the road;*

- d. *have any gate or doors opening inwards onto the property;*
- e. *have any hard-standing outside as porous;*
- 4. *The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits [http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)*
- 5. *Electric vehicle charging outlets should be considered for this development.*

*Note:*

*The proposed 2 spaces per unit is in excess of the Council's parking standards which permit 1 space per unit for development in this area (Zone 2).*

SEPA

*Thank you for consulting SEPA on the above planning consultation. We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of surface water flooding.*

*The flood risk assessment (FRA) addresses the surface water flooding however, please note that the management of surface water drainage and exceedance of surface water drainage systems (i.e. surface water flooding) are matters for the local authority to consider in conjunction with Scottish Water. Therefore, please consult with your internal colleagues on this issue directly in the first instance. Please refer to our guidance document *How and when to consult SEPA* for further details on when we would comment on this issue.*

*For all other matters we have provided standing advice applicable to this development. If you require anything further please reconsult us.*

END

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Mrs Lisa and Alison Scott

Address: 22 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having read the plans it is evident that the proposed erection of house 2 is going to have a detrimental impact on our property. The height of the house is such that it is going to effectively box in the back of our property and become an imposing feature to the rear of our house. The height of the proposed property will also affect the amount of natural sun and daylight that our property currently receives and will also impact on the privacy that we currently have. Presently we have an open view into our garden and open space behind that creating a pleasant view and living area. The building of a 2 storey house so close to our boundary fence will be all you can see as soon as you enter our house, which could be off putting to any future potential buyers for our own house and therefore arguably affect the price of our property.

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## Application Summary

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Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Mrs Carrie Houston

Address: 26 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour

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

Comment Reasons:

Comment: We have a concern about the noise levels and would like to know how long the build will take. I believe from the plans there will be no windows overlooking in to our garden. We would have a concern if this changed. We also have a concern that the sun light may be reduced into our garden, we are not sure how to ascertain if this would be the case and would appreciate guidance on this.

# Comments for Planning Application 19/03249/FUL

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Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Mr Paul Whitelaw

Address: 23 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: To whom it may concern,

I am writing to object to the above planning application on the grounds of an infringement on the privacy of my property, as well as the potential of a negative impact on the amount of natural light that the rear garden will receive.

I believe the erection of a 3 story dwelling will infringe on the privacy of my property as the proposed site overlooks my back garden. It will also block sunlight in the evenings as it will be directly in the way of the sun.

For these reasons, I would like to call for the application to be denied.

Yours sincerely,

Paul Whitelaw

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Mr Will Gallier

Address: 19 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed plans for replacing an existing bungalow and mature garden with two substantial houses that are with 1.2m of the neighbouring fence line seems excessive. The existing building currently takes up 12% of the total site, and the proposal is to double this foot print to a total of 23% building plan to total sit. (excluded cars and road)

Additionally House 2 of the development is three stores high. (around 9.5 meters high) The height of this building will have a detrimental effect on the light into the gardens of the houses in close proximity, particularly in the winter period when the sun is low.

Additionally the Zinc roofing will cause significant glare into the bedrooms and kitchens of the houses opposite it.

The current space and available and the proposed square footage of the building seems disproportionate. With a minimum space between boundaries and the wall of the house between 1.1m and 1.5m indicates that the size of the proposed house is too big for the space available, and is potentially being overdeveloped.

Whilst there is minimal windows on the side of the house the front and rear elevations have large glazing. The terraced housing currently enjoys very little breach in privacy, these houses would ruin the perspective and result in all the gardens along West Gorgie Place being overlooked either by house 1 or House 2. It is also noted that the North West roof of house 2 does not have any skylights in the roof. (only a glazed bathroom window) the South East roof of house 2, does have 3 large Skylights in the roof, which will over look gardens in West Gorgie Place, due to the pitch of the roof.

The garden is a mature garden (one of the few areas of mature bush and tree growth) providing a unique habitat for birds and other wildlife due to its secluded nature. Current garden is around 600m<sup>2</sup> and will be reduce to 250m<sup>2</sup> in total across the site with the proposal. At the end of the garden there is a fox den and foxes are often seen sunbathing in the back portion of the garden.

Additionally badgers have been seen in the area, as well as a healthy sparrow population, and breeding collar doves. It should also be noted, although a full landscape plan has not been submitted, and the application form declared that there are existing trees on the site. These trees have not been fully disclosed on the existing plan. There is a large apple tree in the garden on site 2, to which the plan suggests this will be removed and a new hedge take its place. Additionally trees and tall shrubs can be seen in current landscape.

In regards to cars, the current site has a garage suited to two cars, the new proposal will allow 4 cars in total to park on the total site. Again this seems excessive and disproportional to the size of the grounds.

Overall I am objecting to this proposed build on the grounds that the site is too small for the size and number of buildings/car parks proposed, the disruption and damage the build will cause to the wildlife and the encroachment of privacy that all residents on West Gorgie Place will experience.

# Comments for Planning Application 19/03249/FUL

## Application Summary

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Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Miss Sian Ringrose

Address: 20 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed plans for replacing an existing bungalow and mature garden with two substantial houses that are with 1.2m of the neighbouring fence line seems excessive. Additionally House 2 of the development is three stores high. The height of this building will have a detrimental effect on the light into the gardens of the houses in close proximity, particularly in the winter period when the sun is low.

Additionally the Zinc roofing will cause significant glare into the bedrooms and kitchens of the houses opposite it.

The current space and available and the proposed square footage of the building seems disproportionate. With a minimum space between boundaries and the wall of the house between 1.1m and 1.5m indicates that the size of the proposed house is too big for the space available, and is verging in being overdeveloped.

Whilst there is minimal windows on the side of the house the front and rear elevations have large glazing. The terraced housing currently enjoys very little breach in privacy, these houses would ruin the perspective and result in all the gardens along West Gorgie Place being overlooked either by house 1 or House 2.

The garden whilst acknowledging it may be an awkward area due to its triangular shape is a mature garden (one of the few areas of mature bush and tree growth) providing a unique habitat for birds and other wildlife due to its secluded nature. At the end of the garden there is a fox den and foxes are often seen sunbathing in the back portion of the garden. Additionally badgers have been seen in the area, as well as a healthy sparrow population, and breeding collar doves.

Overall I am objecting to this proposed build on the grounds that the site is too small for the size and number of buildings proposed, the disruption and damage the build will cause to the wildlife and the encroachment of privacy that all residents on West Gorgie Place will experience.

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Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Ms Jay Kirkland and Stuart Geddes

Address: 43 Robbs Loan Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The plans show no recognition of the character and landscape of this residential area in the scale of the project or the building materials chosen. It is not evident that there has been any account taken of the environmental impact, energy management or the concept of "place-making" in the placement and design of the planned houses.

- 1) The creation of two large residential buildings jointly creating eight bedrooms where there was previously one small two-bedroom bungalow and garden is likely to significantly increase noise from cars, waste collection and activities of new residents.
- 2) The scale and proportion (height and form) of the buildings, in particular Home 2 is considerably higher than the bungalow currently standing or any of the other bungalows and 1.5 floor houses in Eltringham Grove and Robbs Loan.
- 3) The plan is to bring a long drive, 4 parking places and turning points for cars right into the middle of the green, tranquil "oasis" of space formed by the adjacent back gardens of 3, 4a Eltringham Grove, back gardens of houses along Gorgie Park and 43 Robbs Loan. This will create a new source of traffic, pollution and noise in an area that previously did not experience it. Bringing traffic into space that was previously used as a vegetable garden shows little regard for the character of the local landscape, local identity and sense of space previously enjoyed in this neighbourhood.
- 4) The height of the planned buildings, particularly House 2 will cause overshadowing and deprivation of available winter sunlight. This provides a significant amount of heat to number 43 Robbs Loan in the winter months reducing our winter energy use and costs.
- 5) Proximity to and loss of privacy for surrounding properties that will be overlooked by the planned buildings.

Overall our concerns are around the impact of the size of the two larger houses being built on the footprint of what is currently just a 2 bedroom bungalow and small garden, the creation of a significant new source of pollution and noise right into the middle of an area of green garden space where previously there was none. The loss of sunlight and related heat in winter significantly affecting our property on Robbs Loan.

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Miss Amy Brown

Address: 21 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having looked over the plans multiple times, I have concerns of the impact the proposal of House 2 will have on my property.

I feel as though the a three story home constructed directly behind my property will block any chance of natural light coming into the rear of my home.

The plans for House 2 looks to be a very large construction which I can only imagine will overwhelm my property and may effect my privacy.

My neighbours and I currently have a pleasant view to the rear of the property and I feel with the proposed plans there will be little if any view at all, this property will effectively box in my property.

Also, currently there is work being done at the Pentland House on Robb's Loan which causes a great deal of noise disruption and so more work will cause further disturbance for the foreseeable future.

I worry that all my concerns may put off future potential buyers and bring down the property value.

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Mrs Jemma Boynton

Address: 2A Eltringham Grove Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We are not opposed to the plans in principle. It is clear that the site has good potential for updating and improvement. I premise this by the fact that as a family we do have very serious concerns about the access and parking on the site. It is a narrow cul de sac and at present a number of cars park on street, including vans and lorries associated (indirectly) with the applicant and their private business activities. This creates problems for access for facilities like bin uplift and lack of visitor parking. There is currently no facility to turn vehicles in the cul de sac with drivers having to reverse onto the more busy road at Robbs loan. Views at this junction are not good, so this is a bit of a hazard as it is. The proposed entry point for the dropped kerb and driveway is an extremely tight turning circle (less than 90 degree access). It will effectively mean the loss of two existing on street parking spots for the residents at 2A and 2B Eltringham Grove. Because of the location of street lighting and existing property boundary bushes/walls existing parking is insufficient as it is.

The plot to the rear is very narrow as it is and it feels like squeezing yet another sizeable dwelling on that specific site with the access road is going to significantly change the feel and views of the street. The second plot to the rear is a tall 3 storey building. This will change the skyline of the area. The introduction of the second storey in the first plot will also introduce the ability to look directly into our master bedroom and child's down stair bedroom - where that doesn't currently exist with the existing house (one storey bungalow) in situ. So I feel like this will change the current privacy in our property if the new two storey building is allowed in its current design.

We are also a young family with a 2 year old toddler and a newborn - so noise control, pavement access for buggies and wheel chairs and dust/mess is a concern. It is acknowledged that is likely to be temporary during the building phase only, but sometimes building works can last much

longer than anticipated due to weather etc so the period of ongoing inconvenience is a worry.

There would be less objection if there was a better solution found to the proposed access road and dropped kerb area, and the site at the back was possibly scaled back slightly to something very slightly more modest such as a four bedroom property on two storeys. the third storey will affect the daylight and green space in the area and this is an area which has already been recently heavily developed by the same family with all green areas effectively removed in favour of paving etc.

The destructions of trees and bushes will have a negative impact on local wildlife. I think consideration should be had to maintaining green spaces.

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Mr Kenneth Stewart

Address: 27 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object on the following grounds :-

The property 'house 1' will affect my privacy.

It will also affect the light /shade and overshadow my property.

I note there is parking for 2 cars. How does this fit in with the council policy of reducing car use ?

Privacy light/ shade may be improved if the access road to house 2 was south of house 1 instead of north of house 1.

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Ms Jing Sun

Address: 14 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Re, Application number 19/03249/FUL,  
3 Eltringham Grove Edinburgh, EH14 1SH.

Dear Planning Officer,

I am writing in objection of the Demolition of the property shown as above.

My house is adjacent to the property at the far end of the garden. As I understand the existing bungalow is going to be demolished and I am concerned about the noise and pollution it would cause, as I am right next to the Robb's Loan's old office building site which is due to be transformed to a new student accommodation, which is still on going, I have to endure all the noise and dirt that covers everything, it's like living in a dust bubble, for over a year now and there's no indication when they'll finish, and that's just on the one side of my house, if the new work starts on the 3 Eltringham Grove, I'd be stuck right in the middle of two building sites, the condition of it for me would be unbearable.

And it would defiantly change the appearance of the area for the worse. I am concerned over the lost of the greens for the area, as we are living in a new build, it was completed over two years ago, there are not much trees around the area, upon checking the proposed planning drawing, they are planning to remove all the existing plantations which is not acceptable for me.

Further more the existing property is one bungalow with garden space, the proposed planning is to build two new dwellings with parking and driveways, for me it's be much of loosing privacy, we'd be starring each other's through our windows with arms length, it's just not enough space for it to work. There also might be overshadowing issue as we'd be too close to each other, I could call it cramming.

I thank you for your time reading my comments and please take my objection into consideration when deciding the application.

Sincerely,

Yours Faithfully,

Jing Sun

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Ms Pamela Simpson

Address: 29 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed plans for replacing an existing bungalow and mature garden with two substantial houses that are with 1.2m of the neighbouring fence line seems excessive. The existing building currently takes up 12% of the total site, and the proposal is to double this foot print to a total of 23% building plan to total sit. (excluded cars and road)

Additionally House 2 of the development is three stores high. (around 9.5 meters high) The height of this building will have a detrimental effect on the light into the gardens of the houses in close proximity, particularly in the winter period when the sun is low.

Additionally the Zinc roofing will cause significant glare into the bedrooms and kitchens of the houses opposite it.

The current space and available and the proposed square footage of the building seems disproportionate. With a minimum space between boundaries and the wall of the house between 1.1m and 1.5m indicates that the size of the proposed house is too big for the space available, and is potentially being overdeveloped.

Whilst there is minimal windows on the side of the house the front and rear elevations have large glazing. The terraced housing currently enjoys very little breach in privacy, these houses would ruin the perspective and result in all the gardens along West Gorgie Place being overlooked either by house 1 or House 2. It is also noted that the North West roof of house 2 does not have any skylights in the roof. (only a glazed bathroom window) the South East roof of house 2, does have 3 large Skylights in the roof, which will over look gardens in West Gorgie Place, due to the pitch of the roof.

The garden is a mature garden (one of the few areas of mature bush and tree growth) providing a unique habitat for birds and other wildlife due to its secluded nature. Current garden is around 600m<sup>2</sup> and will be reduce to 250m<sup>2</sup> in total across the site with the proposal. At the end of the garden there is a fox den and foxes are often seen sunbathing in the back portion of the garden.

Additionally badgers have been seen in the area, as well as a healthy sparrow population, and breeding collar doves. It should also be noted, although a full landscape plan has not been submitted, and the application form declared that there are existing trees on the site. These trees have not been fully disclosed on the existing plan. There is a large apple tree in the garden on site 2, to which the plan suggests this will be removed and a new hedge take its place. Additionally trees and tall shrubs can be seen in current landscape.

In regards to cars, the current site has a garage suited to two cars, the new proposal will allow 4 cars in total to park on the total site. Again this seems excessive and disproportional to the size of the grounds.

Overall I am objecting to this proposed build on the grounds that the site is too small for the size and number of buildings/car parks proposed, the disruption and damage the build will cause to the wildlife and the encroachment of privacy that all residents on West Gorgie Place will experience.

This build will cause major disruption to West Gorgie Place area and will prevent sunlight into many of the West Gorgie Place gardens.

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Mrs hailing he

Address: 24 west gorgie place edinburgh

## Comment Details

Commenter Type: Neighbour-Commercial

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed plans for replacing an existing bungalow and mature garden with two substantial houses that are with 1.2m of the neighbouring fence line seems excessive. The existing building currently takes up 12% of the total site, and the proposal is to double this foot print to a total of 23% building plan to total sit. (excluded cars and road)

Additionally House 2 of the development is three stores high. (around 9.5 meters high) The height of this building will have a detrimental effect on the light into the gardens of the houses in close proximity, particularly in the winter period when the sun is low.

Additionally the Zinc roofing will cause significant glare into the bedrooms and kitchens of the houses opposite it.

The current space and available and the proposed square footage of the building seems disproportionate. With a minimum space between boundaries and the wall of the house between 1.1m and 1.5m indicates that the size of the proposed house is too big for the space available, and is potentially being overdeveloped.

Whilst there is minimal windows on the side of the house the front and rear elevations have large glazing. The terraced housing currently enjoys very little breach in privacy, these houses would ruin the perspective and result in all the gardens along West Gorgie Place being overlooked either by house 1 or House 2. It is also noted that the North West roof of house 2 does not have any skylights in the roof. (only a glazed bathroom window) the South East roof of house 2, does have 3 large Skylights in the roof, which will over look gardens in West Gorgie Place, due to the pitch of the roof.

The garden is a mature garden (one of the few areas of mature bush and tree growth) providing a unique habitat for birds and other wildlife due to its secluded nature. Current garden is around 600m<sup>2</sup> and will be reduce to 250m<sup>2</sup> in total across the site with the proposal. At the end of the garden there is a fox den and foxes are often seen sunbathing in the back portion of the garden.

Additionally badgers have been seen in the area, as well as a healthy sparrow population, and breeding collar doves. It should also be noted, although a full landscape plan has not been submitted, and the application form declared that there are existing trees on the site. These trees have not been fully disclosed on the existing plan. There is a large apple tree in the garden on site 2, to which the plan suggests this will be removed and a new hedge take its place. Additionally trees and tall shrubs can be seen in current landscape.

In regards to cars, the current site has a garage suited to two cars, the new proposal will allow 4 cars in total to park on the total site. Again this seems excessive and disproportional to the size of the grounds.

Overall I am objecting to this proposed build on the grounds that the site is too small for the size and number of buildings/car parks proposed, the disruption and damage the build will cause to the wildlife and the encroachment of privacy that all residents on West Gorgie Place will experience

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Mr Sundeep Reddy

Address: 15 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Construction of a couple of detached bungalows, in particular, the three storey house, will encroach on our privacy in the garden and the rooms bordering the east facing wall of our house.

Moreover, The area being considered for redevelopment, in its current state, is a lively green patch with its own micro-ecosystem. The patch supports a good number of birds, squirrels and we even have our own resident family of foxes. I believe any redevelopment will damage this system.

I object to this development because it is a redevelopment of an already existing plot purely for maximising space with very little consideration given to maintaining the greenery that exists and the damage it will do to the local bird life. I implore you to re-consider.

Thank you.

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Mrs Hema Shunmugasundaram

Address: 18 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposed plans for replacing an existing bungalow and mature garden with two substantial houses that are with 1.2m of the neighbouring fence line seems excessive. The existing building currently takes up 12% of the total site, and the proposal is to double this footprint to a total of 23% building plan to total site. (excluded cars and road)

The garden is a mature garden (one of the few areas of mature bush and tree growth) providing a unique habitat for birds and other wildlife due to its secluded nature. Current garden is around 600m<sup>2</sup> and will be reduced to 250m<sup>2</sup> in total across the site with the proposal. At the end of the garden there is a fox den and foxes are often seen sunbathing in the back portion of the garden. Additionally badgers have been seen in the area, as well as a healthy sparrow population, and breeding collar doves. It should also be noted, although a full landscape plan has not been submitted, and the application form declared that there are existing trees on the site. These trees have not been fully disclosed on the existing plan. There is a large apple tree in the garden on site 2, to which the plan suggests this will be removed and a new hedge take its place. Additionally trees and tall shrubs can be seen in current landscape.

In regards to cars, the current site has a garage suited to two cars, the new proposal will allow 4 cars in total to park on the total site. Again this seems excessive and disproportional to the size of the grounds.

Overall I am objecting to this proposed build on the grounds that the site is too small for the size and number of buildings/car parks proposed, the disruption and damage the build will cause to the wildlife and the encroachment of privacy that all residents on West Gorgie Place will experience.

# Comments for Planning Application 19/03249/FUL

## Application Summary

Application Number: 19/03249/FUL

Address: 3 Eltringham Grove Edinburgh EH14 1SH

Proposal: Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.

Case Officer: James Allanson

## Customer Details

Name: Miss Nicola Callison

Address: 28 West Gorgie Place Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am submitting these comments in support of my objection to the proposed development.

Unfortunately I am not an expert in planning policies supporting the local plan or indeed reading architects drawings, but I would like to draw your attention to the following points that may be relevant:

Is it the councils policy to support the demolition of clearly existing fit for purpose buildings? If the original bungalow had been kept and the application based on extensions to it, creating something similar to the new build, then it most certainly would have been rejected on a number of counts.

Can I also check that the proposed plans do not include any windows that directly affect my privacy as both properties have floors well above our fence line and are therefore capable of directly viewing into our garden, kitchen and bedroom.

On the third floor of house 2 there is a bathroom window that although is stated as being frosted glass, with nothing to stop it being changed to clear at some point in the future. I am aware of a similar case in another development where overlooking window glass was changed.

Can I also check that the reduction of sunlight in the evenings, potentially up to two hours, has been reviewed and adheres to the policies.

Lastly I note Policy Des 5 para(a) states that for developments including single units, cul-de-sac and single access residential layouts should be ... avoided. House 2 access doesn't appear to

adhere to that policy.

Thanks.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Sent: 16 August 2019 11:58  
To: James Allanson <James.Allanson@edinburgh.gov.uk>  
Subject: Planning application objection :-19/03249/FUL

Good morning Mr Allanson,

Further to our recent communication and lodged objection to the above planning application we wish to further submit the following objections:

Due to the size and positioning of dwelling 2 directly opposite our property, this will over look our reader back garden and impose directly on our privacy, as obviously our back windows as well will outlook onto this new property and obscure the open view that we currently have. This will cause shading and loss of daylight on our garden, which now already has limited sunlight due to its positioning.

With the proposed road and turning circle and parking spaces directly onto our back garden, this will cause noise and disturbance day and night. This will also generate the smell of fumes directly into our garden. In addition this will impose on our privacy as we will not be able to sit and relax in our garden without the threat of disturbance of a dwelling place and car parking faculties being so close to our boundary fence and garden. As it stands now we have an undisturbed open view to the back of our house that provides us with us good natural day light and peace to relax in our garden all of which helps generate good health and well being, which will be greatly affected by the building of something so large and close to our house.

My wife suffers with PTSD, anxiety and is unable to cope with enclosed spaces. The thought of this property being built is already causing her significant stress. She attends the Psychotherapy department at hospital and the impact of this build being approved would have a huge impact on her and ultimately the family's wellbeing.

I wish for these comments to be added to our original submitted objection and thank you for giving us this opportunity to further comment.

Kind regards

Lisa Scott  
22 West Gorgie Place

Sent from my iPad



Local Review Body, 19th August 2020

3 Eltringham Grove - Review 20/00052/REVREF (Planning Application 19/03249/FUL)

Response on behalf of Ms Black, the appellant, to the objection received from neighbours at no43 Robb's Loan dated 27 May 2020

The appellant stands by the justification set out in the Planning Statement submitted with the appeal, but wishes to respond on the following matters:

1. Spatial character - the objection suggests the prevailing character is largely unchanged from the original pre-war estate, but we respectfully suggest this fails to recognise the changes to the area brought about by subsequent development and which immediately influence the setting of the site.

The site is now bounded by two storey terraced housing to the south on West Gorgie Place, double plot houses on Eltringham Grove to the east, the six storey Pentland House to the west and with 'backland developments' less than 100m to the north. Consequently the proposed layout for two houses is compatible with its setting. It also conforms with the prevailing site density of its neighbours, and achieves the most efficient use of land given the shape of the site.

2. Design - The objectors refer to the houses as 'incongruous'. However the proposal is for a high quality contemporary design which the planning officials regard as '*appropriate and reflective*' of the character of the area (report of handling p4). Design was not a reason for refusal.

3. Emergency vehicle access - The appellant's architect confirms the proposed driveway and its junction with the street will enable access by emergency services. The council's Transport Dept made a comprehensive consultation response and raised no objection in this regard.

4. Impact on amenity - no43 Robb's Loan is adjacent to the appeal site and the objectors believe their amenity will be impacted unacceptably. However the Council's technical standards for all such matters have been directly addressed by the planning officers who confirm (report of handling p6) that the proposed houses '*will not have a detrimental impact on the amenity of neighbouring residents*' in any regard.

The objectors include a shadow diagram regarding alleged overshadowing of their garden. We would simply point out that this matter has been specifically addressed in the officers' report and found to be insignificant. Impact on amenity is not a reason for refusal.

We trust this response can be made available to the LRB Panel.

Sorrell Associates  
on behalf of Ms C Black

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: [planning.support@edinburgh.gov.uk](mailto:planning.support@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 100251442-001

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Sorrell Associates		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Jim	Building Name:	The Green House
Last Name: *	Sorrell	Building Number:	41
Telephone Number: *		Address 1 (Street): *	St Bernard's Crescent
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH4 1NR
Email Address: *			

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Ms"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Chelsie"/>	Building Number:	<input type="text" value="1"/>
Last Name: *	<input type="text" value="Black"/>	Address 1 (Street): *	<input type="text" value="Eltringham Grove"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH14 1SH"/>
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="3 ELTRINGHAM GROVE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH14 1SH"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="671549"/>	Easting	<input type="text" value="322251"/>
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## Description of Proposal

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

Demolition of an existing detached bungalow & garage and construction of two new detached dwellings, new driveway to the rear & associated parking

## 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.

This is explained in the Planning Appeal Statement

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

Yes  No

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

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

Listed on page 2 of the Planning Appeal Statement

## Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

19/03249/FUL

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

05/07/2019

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

02/03/2020

## Review Procedure

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

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

Yes  No

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

Please select a further procedure \*

By means of inspection of the land to which the review relates

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

The most critical issue for the LRB to understand in this case is the planning officials' incorrect interpretation of the area's 'spatial character' by exaggerating certain characteristics of houses in Eltringham Grove, ignoring the effect on the site's setting of buildings abutting to the south and west, and ignoring the effect of backland development closeby the site. The Planning Appeal Statement refers to these matters but a site visit is the the best way to truly appreciate them.

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

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

Yes  No

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

Yes  No

## Checklist – Application for Notice of Review

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

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

Yes  No

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

Yes  No

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

Yes  No  N/A

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

Yes  No

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

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

Yes  No

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

## Declare – Notice of Review

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

Declaration Name: Mr Jim Sorrell

Declaration Date: 11/05/2020

### **3 ELTRINGHAM GROVE, EDINBURGH EH14 1SH**

#### **PROPOSED DEMOLITION OF AN EXISTING BUNGALOW & GARAGE, AND CONSTRUCTION OF TWO NEW DETACHED DWELLINGS WITH DRIVEWAY TO THE REAR AND ASSOCIATED PARKING - PLANNING APPLICATION 19/03249/FUL**

#### **ASSESSMENT OF SPATIAL CHARACTER**

##### **Background**

1. This statement is prepared on behalf of the applicant, Ms C Black, and in support of planning application 19/03249/FUL.
2. The application proposes the replacement of the existing bungalow by a two-storey house located in a similar position within the site and retaining the existing front building line contiguous with the adjacent houses nos 4 and 4A. A second house is also proposed of two and a half stories in height to be located within the back garden of the existing house. The site would thereby become a double plot, with a new vehicular access to the second house running from Eltringham Grove along the side of the first house.
3. The drawings submitted with the application demonstrate that the site is of ample size to accommodate the two proposed houses with generous external amenity and garden areas. The proposal to develop two houses instead of the existing single house will therefore achieve an enhanced use of the available land area. Given the location in an urban and predominantly residential area, the redevelopment of the site for new housing would therefore seem appropriate as a matter of principle, subject to consideration of detailed design.
4. Each house will have a large private garden, two car parking spaces and cycle storage. They will be of contemporary design with a style and materials compatible with the other houses in Eltringham Grove, all of which have been redeveloped in recent years.
5. Both houses will be equipped with all fittings and facilities expected of modern accommodation including external space for bins and recycling. They will provide a high quality living space for the new residents.
6. The siting of the two houses, their separation from neighbouring property and the positioning of windows have also been carefully designed to satisfy the council's standards regarding overlooking and protecting neighbours' amenity and privacy. Boundaries will be protected either by existing fencing or newly planted hedges.
7. For all these reasons the applicant considers the proposal satisfies the requirements set out in the Council's Guidance for Householders, and merits approval.
8. However we understand that Mr Allanson the Council's planning case officer has indicated to the project architect, Alfa Studio, that there is a concern that the second proposed house is not compatible with the character of the area in that it constitutes development of existing rear garden ground. He indicated the proposal might fail in this regard, despite its

acceptability in terms of design and amenity standards, and the applicant has been invited to comment on this matter.

9. The purpose of this submission is therefore to assess the prevailing spatial character of the locality and to consider the compatibility of the proposal in the context of relevant planning policy.

### **Planning Policy Context**

10. Chapter 2 of the Edinburgh Local Development Plan (2016) sets out the Council's 'Design Principles for New Development' and this is supplemented by the Council's Design Guidance (2017) and Guidance for Householders (2016).
11. Our understanding is that the LDP provides no specific comment on the scope for development in back gardens and the only reference appears to be in the Design Guidance. At page 45 under the heading 'Position of Buildings on Site' it states that '*backland development must be avoided where it would disrupt the spatial character of the area*'.
12. In our view this does not automatically rule out any development of new houses within existing back gardens, but instead requires consideration of any proposal in the context of the site's relationship to the surrounding area. This is borne out by relevant objectives and policies in Chapter 2 of the LDP as follows:
  - **The design objectives** include that '*new development should ensure the highest design quality*' and '*respect the special character of the city*' to '*ensure that the city develops in an integrated and sustainable manner*'.
  - **Policy Des1 'Design Quality and Context'** supports development which '*contributes towards a sense of place*' and requires designs '*to draw upon positive characteristics of the surrounding area*'.

We also note the supporting text (para 151) which encourages innovation in the design and layout of new buildings and spaces, providing that the existing quality and character of the immediate and wider environment are respected'.

- **Policy Des4 'Impact on Setting'** supports proposals which have a positive impact on their surroundings with regard to i) height & form ii) scale & proportions, iii) position of buildings on site and iv) materials & detailing.

We also note the supporting text (para 154) which clarifies that where there is a high quality settled townscape character then new development should reflect surrounding buildings and urban grain. However it continues '*where the surrounding townscape is fragmented, new proposals should help repair the urban fabric, generating coherence and a sense of place.*'

### **Spatial Character Assessment**

13. Eltringham Grove is a small cul-de-sac off Robb's Loan in the West Edinburgh suburb of Chesser. It is on the edge of a well-established housing area to the south of Gorgie Road

which was initially developed in the early twentieth century with a mix of bungalows, semi-detached houses and four-in-a-block apartments.

14. However the area has been subject of a large number of developments which have changed the original spatial character and these are highlighted on a new illustration prepared by Alfa Studio architects (drawing 1902-05-P15). We consider these developments represent five identified influences on the spatial character of the area which we explain below, and which are material to the consideration of the proposals for no3 Eltringham Grove.

i) Character of Eltringham Grove

15. The cul-de-sac originally had four detached bungalows, each with generous gardens. In recent years three of the bungalows have been re-developed to create double-house plots, which has now established this higher density plot ratio as the predominant character of the street. No3 Eltringham Grove is the only plot which has not been re-developed, and the submitted proposals would be consistent with this character.
16. The new houses on the plots at nos 1, 2 and 4 have been built side by side, retaining frontage to the street. The project architect has considered a similar solution for no3 with two semi-detached houses. However these would be compromised by the width of the plot and also its elongated shape, which tapers to the rear, which would result in long, narrow back gardens impractical to manage.
17. By contrast the submitted proposals will provide each new house with a regular plot size and achieve a more efficient and sustainable use of the land.

ii) Backland Development in Immediate Vicinity

18. The proposed back garden development is justified by the shape of the plot at no3, as explained above.
19. It is also directly relevant that backland development has previously been approved in the immediate area and is therefore established as an accepted planning concept, as shown by the following two examples:
20. Rear of 44 Robb's Loan - this comprises a sheltered housing development of 13 new dwellings and required the demolition of the house at no44 Robb's Loan to enable creation of an access road, now known as Robb's Loan Grove. It is located to the rear of the houses on Robb's Loan and is a significant backland development in the immediate vicinity of Eltringham Grove.
21. Rear of 36 Robb's Loan - planning permission (ref 15/01784/FUL) was granted on 12 June 2015 for development of a *'three-bedroom single-storey dwelling house with attached garage within the rear garden area'* of no 36 Robb's Loan.
22. The existing house at no36 Robb's Loan would remain in-situ and access to the new house would be from Robb's Loan Grove at the rear of the plot, which is a different arrangement to that proposed at no3 Eltringham Grove. However this is otherwise a directly comparable

example of the Council recently granting consent for the sub-division of a back garden to achieve a new house in the immediate vicinity of Eltringham Grove.

### iii) Other Residential Developments

23. The following two examples are of larger scale developments to that proposed at Eltringham Grove, but which are comparable in that approval was granted for residential buildings at both the front and rear of sites, and with similar access arrangements:

24. 494-496 Gorgie Road - Planning permission (ref 05/00456/FUL) was granted for the demolition of two existing semi-detached houses on the north side of Gorgie Road and the development of two four-storey blocks of 16 flats. One block was positioned at the rear of the site with access achieved from Gorgie Road to the side of the front block.

25. 511 Gorgie Road - This site was developed in 1995 as a 40 bedroom sheltered housing development in two blocks, one at the front of the site and one at the rear, and included a new access from Gorgie Road to serve the block at the rear.

### iv) Large Scale Developments Influencing Spatial Character

26. The spatial character of the area includes several other large scale developments which contrast with the original layout of bungalows and houses in the surrounding area and which fundamentally influence the setting of no3 Eltringham Grove.

27. Pentland House, 47 Robb's Loan - Pentland House is a six storey office building which has a monumental scale by contrast with adjacent housing. It is immediately to the west of the application site and provides a prominent backdrop.

28. Planning permission was granted in May 2018 for the conversion of Pentland House into student accommodation with 337 bedrooms (application ref 17/03675/FUL) and the building works are currently underway. The scale of the building will remain, but the conversion will introduce a major change to the character of the area.

29. 82 Chesser Crescent - adjacent to Pentland House on its west side is a three storey flatted development built by Bett Homes on the site of the former Territorial Army Centre. This was approved by the Council in March 2005 (ref 02/03192/FUL) following refusal of a previous higher density proposal and an unsuccessful appeal.

30. Edinburgh West Retail Park - the former Fruit Market site to the south of Pentland House has been redeveloped as a major retail park following approval in 2014. It not only provides retail facilities for local residents and customers from further afield, but is also a significant influence on the spatial character of the area in the immediate vicinity of Eltringham Grove.

### v) West Gorgie Place

31. Immediately south of no3 Eltringham Grove are several two storey houses in West Gorgie Place. These have been built in the last few years on the site of former railway sidings that serviced the adjacent Fruit Market, and were granted approval in association with the

proposals for the adjacent retail park (application ref 14/00546/AMC).

32. These houses are in two terraces of five and six units respectively whose rear elevations face the site's southern boundary. The terraces are of higher density and present a more imposing visual context to no3 Eltringham Grove by contrast to the houses to the north. Their two storey height is further exacerbated because they stand on ground elevated above no3 by around one metre.

### **Conclusions**

33. The proposed development of two houses at no3 Eltringham Grove is justified with regard to spatial character for the following reasons;

- Development of the current back garden with two houses, one behind the other, is the most sustainable use of the site, taking into account its elongated and tapering shape
- Back land development has previously been approved for two sites in Robb's Loan, in the immediate vicinity, and is thereby an established part of the area's character. The proposal for no3 would therefore satisfy the requirement in the Design Guidance that backland proposals should not disrupt the spatial character.
- The character of Eltringham Gardens is now predominantly of double house plots instead of the original single house plots. No3 is the only site in the cul-de-sac which has not been redeveloped and the proposed new houses would conform with this character
- The setting of the site is strongly influenced by the terraced houses in West Gorgie Place and the former office building at Pentland House. The scale and height of these neighbouring premises provide justification for both the inclusion of a second house to increase the plot ratio at the application site, and also for the proposed height and massing of the two houses.
- The spatial character of the area has been significantly influenced by a number of major residential and commercial developments as well as redevelopment of individual house plots into double plots. The original character of surrounding streets solely with bungalows and houses, some with larger gardens, is therefore no longer the main determining feature.
- The surrounding townscape has changed and the design of the proposals responds to the prevailing characteristics of the area, in accordance with Policy Des1.
- The proposals will be coherent with the design of neighbouring premises and will contribute to enhancing a sense of place, in conformity with policy Des4.

34. From all of the above we are of the opinion that the proposals for no3 Eltringham Grove would be in conformity with the established spatial character of the area and we respectfully request that planning permission should be granted.

*Sorrell Associates, 21 August 2019*

## Proposal Details

Proposal Name	100251442
Proposal Description	3 Eltringham Grove - LRB Appeal - Demolition of bungalow & garage and construction of two new detached dwellings, new driveway to the rear & associated parking
Address	3 ELTRINGHAM GROVE, EDINBURGH, EH14 1SH
Local Authority	City of Edinburgh Council
Application Online Reference	100251442-001

## Application Status

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

## Attachment Details

Notice of Review	System	A4
Red Line Plan	Attached	A4
Existing Site Plan	Attached	A3
Proposed Site Plan	Attached	A3
Proposed House 1 Front and Side Elevations	Attached	A3
Proposed House 1 Rear and Side Elevations	Attached	A3
Proposed House 2 Front and Side Elevations	Attached	A3
Proposed House 2 Rear and Side Elevations	Attached	A3
Proposed Site Section	Attached	A0
Assessment of Spatial Character by applicant Aug 2019	Attached	Not Applicable
Aerial View of Local Changes to Spatial Character submitted Aug 2019	Attached	Not Applicable
Decision Notice 2 March 2020	Attached	Not Applicable
Report of Handling	Attached	Not Applicable
Planning Appeal Statement	Attached	Not Applicable
Slides for presentation at LRB meeting	Posted	Not Applicable

Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

**3 Eltringham Grove  
Edinburgh EH14 1SH**

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**Appeal against the Decision by Officials of City  
of Edinburgh Council to Refuse Planning  
Permission for Application Reference  
19/03249/FUL**

**Proposed demolition of an existing detached  
bungalow & garage and construction of two  
new detached dwellings, new driveway to the  
rear & associated parking**

**Planning Appeal Statement to the Local  
Review Body**

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On behalf of:

Ms Chelsie Black

11th May 2020

**Sorrell Associates**  
planning | development | consultancy

The Green House  
41 St Bernard's Crescent  
Edinburgh EH4 1NR  
[www.sorrellassociates.co.uk](http://www.sorrellassociates.co.uk)

in association with



ALFA STUDIO  
21 CASTLE STREET  
EDINBURGH  
EH2 3DN  
[info@alfastudio.co.uk](mailto:info@alfastudio.co.uk)

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## SUPPORTING DOCUMENTATION

### Submitted with Planning Application 19/03249/FUL (drawings by Alpha Studio, Architects)

1. Location Plan (Drawing 1902-01-P01)
  2. Existing Site Plan (Drawing 1902-05-P02)
  3. Existing House Details (Drawing 1902-05-P03)
  4. Proposed Site Plan (Drawing 1902-05-P04)
- Floor Plans of Proposed Houses
5. House 1 - Ground Floor (Drawing 1902-05-P05)
  6. House 1 - First Floor and Roof (Drawing 1902-05-P06)
  7. House 2 - Ground Floor (Drawing 1902-05-P07)
  8. House 2 - First Floor (Drawing 1902-05-P08)
  9. House 2 - Second Floor & Roof (Drawing 1902-05-P09)
- Elevations of Proposed Houses
10. House 1 - Front & Side (Drawing 1902-05-P10)
  11. House 1 - Rear & Side (Drawing 1902-05-P11)
  12. House 2 - Front & Side (Drawing 1902-05-P12)
  13. House 2 - Rear & Side (Drawing 1902-05-P13)
  14. Proposed Site Section (Drawing 1902-05-P14)
  15. Spatial Character Assessment (Written Statement, Sorrell Associates)
  16. Changes to Spatial Character (Drawing 1902-05-P15)

### Determination of the Application

17. Planning Officers' Report of Handling
18. Decision Notice, 2nd March 2020

### Additional Documents for Consideration with this Review

19. Planning Statement (this document)
20. Slides for presentation at the LRB meeting to illustrate the key planning justifications

## SECTION 1 INTRODUCTION

1. This Planning Statement is submitted on behalf of Ms Chelsie Black ('the appellant') for consideration by the Local Review Body ('the LRB') of the City of Edinburgh Council ('the Council') regarding the redevelopment of the site at no3 Eltringham Grove ('the appeal site') with two dwellings.
2. The site is in Chesser, in a residential neighbourhood dating from the pre-war period, and is located on the west side of Eltringham Grove, which is a short cul-de-sac accessed from Robb's Loan.
3. The site has recently been cleared, before which there was a single detached bungalow facing the street (Fig 1) with a garage to one side and a large garden to the rear.



**Fig 1 - Former bungalow at No3 Eltringham Grove**

4. **Proposed Development** - The proposal is to replace the bungalow with a one and a half storey house ('House 1') located in a similar position at the front of the site, and with a second house ('House 2') of two and a half stories in the back garden. The site would thereby become a double plot, with a driveway to the second house running from Eltringham Grove along the side of the first house. The proposed layout is shown in Fig 2.
5. Both houses will be of contemporary design with a style and materials compatible with the other houses in Eltringham Grove. Exteriors will be a mix of brick, white render, timber slats, grey aluminium-framed windows and zinc roofs. Interiors will provide high-quality living space equipped with fittings and facilities expected of modern accommodation.



Fig 2 - Proposed layout

6. They will each feature a large private garden providing ample amenity space, with boundaries of newly planted hedges or timber fences. Both houses will have two car parking spaces and external space for cycle storage, waste bins and recycling.
7. A detailed planning application (ref 19/03249/FUL) was submitted on behalf of the appellant by Alfa Studio architects on 5 July 2019 with 14 drawings as listed on page 2 of this Statement.
8. **Planning Decision** - Planning permission was refused by the Council's planning officials under delegated authority on 2<sup>nd</sup> March 2020 with four reasons for refusal:

***1. The proposal is contrary to Policy Des 1 of the adopted Edinburgh Local Development Plan and the Edinburgh Design Guidance as it would have an adverse impact on the character and appearance of the surrounding area.***

***2. The proposal is contrary to Policy Hou 4 of the adopted Edinburgh Local Development Plan as the density of development on the site would damage the character of the surrounding area.***

***3. The proposal is contrary to Policy Tra 2 of the adopted Edinburgh Local Development Plan as the proposed level of vehicle parking exceeds the standards set out in the Edinburgh Design Guidance.***

***4. The proposal is contrary to Policy Hou 1 of the adopted Edinburgh Local Development Plan as the principle of housing on this site is not compatible with the relevant policies of the LDP.***

9. The Decision Notice and Report of Handling include the following passage which identifies the planning officials' two key concerns which are expressed in the reasons for refusal:

*'the proposal would have a detrimental impact on the established spatial character of the surrounding area and would also result in vehicle parking which is in excess of the current Council Parking Standards.'*

10. **Basis of appeal** - The officers' concern regarding parking provision was not raised with the appellant before the refusal of consent. Whilst we consider the proposed two spaces per house is compatible with neighbouring houses, the appellant would agree to a reduced provision of one space and, if the LRB considers appropriate, this can easily be addressed by a planning condition requiring an amendment.

11. The primary issue at the heart of this case is the correct definition of the 'spatial character of the area' and the impact on that character by one house which is set back from the street in the back garden area of another. On behalf of the appellant we disagree with the assessment of the planning officers for several reasons which we set out in the following section of this Statement.

12. Put simply:

- the officers consider the area's character is defined only by the neighbouring houses in Eltringham Grove immediately to the north and east of the site, but they ignore the developments abutting the site to the south and west, and elsewhere in the surrounding area
- the high density housing in West Gorgie Place to the south and the dominant presence of Pentland House to the west give a diverse character to the setting of the site which would not be disrupted by the appeal proposal.
- There are other backland developments in Robb's Loan which are integral to the character of the area, but which the officers fail to acknowledge
- the appeal proposal will conform with the housing density which has been established by redevelopment of the other three plots in Eltringham Grove
- the appeal site has a distinctly different size and shape to neighbouring plots which merits a different housing layout
- the proposed layout and driveway will be compatible with the streetscene

13. Early in the application process the case officer indicated concern at the impact of the house in the back garden on the area's spatial character. The appellant responded by submitting a detailed 'Assessment of Spatial Character' which identified the various surrounding developments and influences on the site.

14. The officer issued a swift reply (email 27 Aug 2019) saying his opinion remained unaltered but gave no justification for disputing the submitted evidence. He then refused to upload the Assessment to the council's portal, denying it the status of a formal application

document. The Report of Handling also fails to address any of the matters raised, and does not even mention the submitted Assessment.

15. The case officer has been efficient and helpful in all other aspects of the application process, but we genuinely believe important factors have been missed in his analysis of the spatial character of the area, from which the proposal should be found acceptable. These matters are explained in detail in the following section of this Statement, which we consider provides a conclusive case. We therefore ask the LRB Panel to uphold the appeal by Ms Black and overturn the officials' decision.
16. **Matters of Agreement** - The Report of Handling states that *'The proposal will result in the creation of a satisfactory residential environment, will not have a detrimental impact on the amenity of neighbouring residents, and does not raise any issues in respect of flood prevention or cycle parking.'*
17. This confirms that the design and layout of the proposed houses are acceptable regarding the council's standards for residential amenity, recognising a satisfactory living environment for the new residents and also protecting the amenity of residents in neighbouring houses in respect of overlooking, privacy, sunlight and daylight.
18. This is notable as the proposed houses of one and a half and two and a half storeys are higher than the bungalow being replaced, yet are compatible with the height of recent housing in West Gorgie Place and Sidings Way to the south.
19. The Report also acknowledges the contemporary design and use of materials for the proposed houses will be in character with recently built houses in Eltringham Grove.
20. The possibility of flooding has also been addressed after initial concern from the Council's flood officer that the SEPA flood map identified a risk of pluvial flooding. The appellant responded by commissioning a specialist Flood Risk Assessment including research of available data and undertaking soakaway tests on the site.
21. This demonstrated that the ground is of sufficient porosity to accommodate anticipated surface water, allied with the ample soft landscaping in the proposed site layout. The reference to flood risk on the SEPA map was shown to be unproven and the flood officer withdrew his objection.
22. We agree with the officers' conclusions on these matters and we trust this restricts the areas of consideration by the LRB to the two issues regarding spatial character of the area and parking provision.

## SECTION 2 PLANNING JUSTIFICATION

23. Planning statute requires all planning determinations to be made in accordance with the development plan unless material considerations indicate otherwise. The development plan is the Edinburgh Local Development Plan (2016) whose most relevant policies in this case are in Chapter 2 'Design Principles for New Development'. This is supplemented by the Council's Design Guidance (2020) and Guidance for Householders (2019).

24. The two key issues identified by the officials which generate the four reasons for refusal are i) the impact on the spatial character of the area and ii) car parking provision. We address these in turn below.

### 2.1 IMPACT ON THE SPATIAL CHARACTER OF THE AREA

25. The first reason for refusal states the proposal '***is contrary to Policy Des 1 of the LDP as it would have an adverse impact on the character and appearance of the surrounding area***'.

26. ***Policy Des 1 'Design Quality and Context'*** states that '*Planning permission will be granted for development that will create or contribute to a sense of place*' and will be refused for a proposal which is '*damaging to the character or appearance of the area around it*'.

27. To make an informed judgement against Des 1 it is necessary to identify the relevant spatial characteristics of the area.

28. The key passages in the Report of Handling which explain the officials' assessment (with our emphasis in bold) are:

- '*the original and recently constructed **dwelling**s on both sides of Eltringham Grove all follow **clearly defined building lines** which contribute to an established sense of spatial character and a positive relationship with the street. This relationship is also apparent along Robb's Loan.*
- '*The construction of a **new dwelling within the rear garden ground** of the site would result in the introduction of a building which is **situated away from its host street** and which does not contribute to the established sense of spatial character.*
- '*The **single lane access road** to the second house would also result in the introduction of **an incongruous built feature** which is not replicated within the surrounding area.*
- '*The second house in the rear of the site would have **a disruptive impact on the established spatial character** of the surrounding area.*

29. These are further to the case officer's comment by email of 27 August that '*my opinion remains that the proposed development would disrupt the spatial character of the area, this location being predominantly characterised **by detached and semi-detached dwellings***

*following a set building line and an absence of any backland development’.*

30. It is apparent from these passages that the officers’ opinion of spatial character is defined by the small number of *‘predominantly detached and semi-detached dwellings’* in Eltringham Grove which abut the appeal site to the north and east, and also in Robb’s Loan, and their relationship to the streetscape.
31. We agree that the adjacent houses are a relevant comparator and the introduction of a second house in the rear part of the site will introduce an element of change.
32. However the officers’ assessment is based on a very narrow definition of the ‘surrounding area’ which focuses too tightly on Eltringham Grove and ignores the significant developments immediately adjacent to the south and west of the appeal site which directly influence its setting. Eltringham Grove is less than 50 metres long with only four original house plots. How can this be a true reflection of the whole surrounding area?
33. The Report of Handling does not mention the site’s location at the transition between the pre-war housing area to the north with the former Fruitmarket land to the south that has recently been redeveloped. The officers have also ignored the significant backland developments in Robb’s Loan nearby to the north. These result in a very different appreciation of spatial character.
34. The impact on the character of Eltringham Grove has also been exaggerated by the officers. The character of the street has substantially changed with each of the other three plots now having two houses following development in their gardens. The two proposed houses at No3 will therefore be directly compatible in design and site density.
35. Above all, the Report fails to appreciate the narrower and longer site dimensions of the appeal site by comparison to its neighbours, such that the proposed layout is the most sustainable use of land.
36. We consider there are six aspects of spatial character by which the appeal proposals should be assessed and found acceptable:
  - i) Impact on character of Eltringham Grove
  - ii) Appropriate housing density
  - iii) Dimensions of the appeal site
  - iv) Influence of other sites in the surrounding area
  - v) Backland development in the area
  - vi) Impact of the proposed driveway on the streetscene

**i) Impact on Character of Eltringham Grove**

37. The cul-de-sac originally had four detached bungalows, each with generous gardens, but in recent years three of the bungalows (nos 1, 2 and 4) have been re-developed to create double-house plots. This is shown in the location plan at Fig 3.
38. This represents a significant infilling of these plots, including building within gardens and amenity space, and has established a new character on the street with a higher density of site coverage.



**Fig 3 - Site Location Plan**

39. The new houses, and the refurbishment of existing dwellings on the street, include extensions into the roof space, dormer windows and use of contemporary external materials. This provides a very different visual appearance by contrast with the traditional bungalow properties of the pre-war period.



**Fig 4 - No 4A Eltringham Grove, neighbouring house to the appeal site**

40. The appeal site at No3 is the only plot which has not been re-developed. As such it is out of character with its neighbours and the proposals would regularise the situation. The proposed introduction of a one and a half storey house at the front of the site will have the same massing and height as the bungalow and has been accepted by the planning officials as according with the new character of the street. The contemporary appearance and external materials are also agreed as consistent.
41. The Report of Handling refers to the appeal proposal being out of character with the existing building line. However House 1 at the front of the site will retain the building line of the former bungalow and the streetscene will appear relatively unchanged when approaching the site along Eltringham Grove from its junction with Robb's Loan. We refer to the impact on streetscape in more detail below.
42. Proposed House 2 will be set back from the street so will not share the same building line, but overall we consider it would not be disruptive to the character of the street. The officials also consider the density of development on the site will be out of character but the following assessment shows the proposal will actually have the opposite effect.

**ii) Appropriate Housing Density**

43. The second reason for refusal states ***'The proposal is contrary to Policy Hou 4 of the adopted Edinburgh LDP as the density of development on the site would damage the character of the surrounding area.'***
44. Policy Hou 4 'Housing Density' states that:
- 'The Council will seek an appropriate density of development on each site having regard to a) its characteristics and those of the surrounding area.....'*
45. The aim of this policy (LDP para 228) is to achieve a density of development appropriate to the site characteristics and location, and we presume the planning officials consider the proposed two dwelling development will result in an excessive density which does not conform with other houses in the street.
46. We disagree, as the proposal will actually have the opposite effect by achieving conformity with the prevailing housing densities of the other house plots in Eltringham Grove.
47. To compare housing densities in Eltringham Grove we have expressed the footprint of each house, including the two proposed appeal houses, as a proportion of their site area in the table below. As most houses in the street are understood to have an upper floor of similar size to the ground floor, this % figure represents a form of plot ratio.

48. The second proposed house at the rear of the site will have the lowest site coverage in the street of some 17%, but this will have two upper floors so the total floor area will be comparable with other houses.

House Number	Approx Site Area (sqm)	Approx House Footprint (sqm)	Plot Ratio (%)
1	401	146	36%
1A	201	64	32%
2A	382	120	31%
2B	498	106	21%
3A (House 1)	368	116	32%
3B (House 2)	542	94	17%
4A	337	96	28%
4	370	109	29%

**Fig 5 - Site area coverage of houses in Eltringham Grove**

49. Both proposed houses will have a footprint size within the range of 90-120sqm for most houses in the street.
50. This contrasts with the current position where the size of the appeal of some 910sqm far exceeds any of the other house plots in the street. It has become the 'odd one out' amongst its neighbours. Retaining a single house in such a large plot would itself be uncharacteristic, the exact opposite of the officer's opinion.
51. Approval for the proposed two house development would therefore regularise the housing densities in Eltringham Grove. It is also notable that the terraced houses in West Gorgie Place and the conversion to student flats of Pentland House have introduced much higher residential densities to the area than before.
52. Consequently the proposal would be in conformity with Policy Hou 4. The second reason for refusal is unjustified.

***iii) The Dimensions of the Appeal Site Merit an Innovative Housing Layout***

53. The new houses on the plots at nos 1, 2 and 4 have been built side by side, retaining frontage to the street. However the site plan at Fig 3 shows the dimensions of the appeal site are very different to the other three plots. It has a narrower frontage to the street and extends much further to the rear. This gives it an elongated or tapered shape by contrast with the more regular size and shape of the other plots.
54. If two semi-detached houses were proposed side-by-side, their internal layouts would be compromised by the restricted width of the plot. This arrangement would also result in long, narrow back gardens of sub-optimal shape which would be impractical to manage.
55. The dimensions of the appeal site are therefore most suited to a layout with two houses one behind the other rather than side-by-side. The appeal proposals will provide each new house with a regular plot size which will achieve the most efficient and sustainable use of

the land.

- 56. The proposed layout of the site will be different to its neighbours but its shape and dimensions are also different, and invite an innovative solution.
- 57. Any impact will be further reduced by the design and appearance of the houses blending with the contemporary styles in Eltringham Grove and on other sites locally, and by regularising the density of housing plots in the street. The second house at the rear of the site will also be surrounded by other dwellings which will restrict its visibility in the local area.

**iv) Influence on the Spatial Character by Other Developments in the Immediate Area**

- 58. In assessing the spatial character of the surrounding area it must be relevant to take into account sites abutting the appeal site on all sides, and not just the houses adjacent on the north and east sides in Eltringham Grove.
- 59. The appeal site can only be accessed from the north through the streets of the pre-war estate but it would be wrong to define its setting solely by the traditional housing layouts of that period. The aerial plan at Fig 6 shows the site (outlined in red) has a 'transitional location' at the southern edge of the estate and its setting is significantly influenced by adjacent developments to the south and west (outlined in blue) in addition to Eltringham Grove (yellow).



**Fig 6 - Aerial view of the area surrounding the appeal site, including West Gorgie Place and Pentland House as well as Eltringham Grove**

- 60. West Gorgie Place - The land adjacent to the south of the appeal site comprises the former railway sidings that serviced the Edinburgh Fruit Market. This land has been developed with houses in the last few years in association with the retail park to the west (application

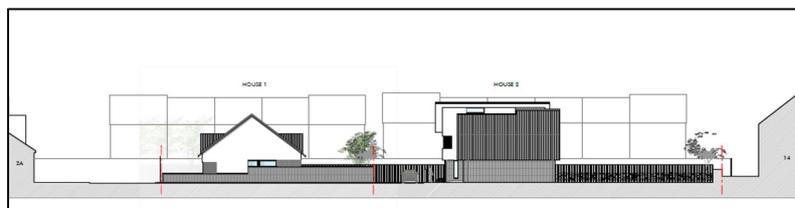
ref 14/00546/AMC), and the new housing has dramatically changed the setting of the site.

61. Instead of the previous 'open aspect', the southern boundary of the site is now faced by the two storey houses in West Gorgie Place. These houses are in two terraces of five and six units whose rear elevations directly overlook the site.



**Fig 7 - Rear elevation of new terraced houses on West Gorgie Place adjacent to the appeal site boundary**

62. As well as enclosing the southern aspect of the site, these houses are on raised ground some one metre higher than the appeal site, which increases their prominence. This is illustrated by the cross section in Fig 8 which shows they will be even higher than the second proposed house which is two and a half storeys, even though they are built as two storey premises.



**Fig 8 - Cross section of the proposed houses showing a lower height and scale compared to the terraced houses in West Gorgie Place**

63. There are further new houses in Sidings Way which extends east from West Gorgie Place and these include a three storey block facing the end of Eltringham Grove.
64. The new houses to the south of the site are of higher density and present a more imposing visual context to the site at no3 Eltringham Grove than the houses to the north. This has substantially altered the spatial character of the area and the immediately setting of the appeal site.
65. Pentland House, 47 Robb's Loan - Pentland House is a six storey office building located immediately to the west of the appeal site. It has a monumental scale in contrast to the

bungalows and houses in the surrounding area and provides a prominent backdrop to the site.



**Fig 9 - view across the appeal site with Pentland House in the background and West Gorgie Place houses on the left**

66. Planning permission was granted in May 2018 for the conversion of Pentland House into student accommodation with 337 bedrooms (application ref 17/03675/FUL) and the building works are currently underway. The scale of the building will remain, but its conversion will introduce a major change to the character of the area as a high density residential use.



**Fig 10 - Pentland House, Robb's Loan entrance**

67. 82 Chesser Crescent - immediately west of Pentland House is a three storey flatted development built by Bett Homes on the site of a former Territorial Army Centre. This was approved by the Council in March 2005 (ref 02/03192/FUL) following refusal of a previous higher density proposal and an unsuccessful appeal.
68. Edinburgh West Retail Park - the former Fruit Market site to the south of Pentland House has been redeveloped as a major retail park following approval in 2014. It not only provides retail facilities for local residents and customers from further afield, but is also a significant

influence on the spatial character of the area in the immediate vicinity of Eltringham Grove.

69. Two other residential developments off Gorgie Road also demonstrate approval of some of the characteristics of the appeal proposals, albeit in different settings. These are shown in Fig 11.



**Fig 11 - Other developments nearby which influence the character of the surrounding area**

70. 494-496 Gorgie Road - Planning permission (ref 05/00456/FUL) was granted for the demolition of two semi-detached houses on the north side of Gorgie Road and the development of two four-storey blocks of 16 flats. The blocks were positioned one behind the other with access to the rear block taken from the main road and running beside the front block, in the same format as the appeal proposal.
71. 511 Gorgie Road - This site was developed in 1995 as a 40 bedroom sheltered housing development in two blocks, one at the front of the site and one at the rear, including a new access from Gorgie Road to serve the rear block.
72. **Conclusion regarding adjacent developments and other local sites** - The West Gorgie Place terraced housing and Pentland House are immediately adjacent to the site boundary and have the effect of surrounding the site to the south and west with high density buildings of prominent scale at close proximity. The other local developments highlighted have also significantly altered the character of the surrounding area.
73. These developments result in a very different spatial character than the 'detached and semi-detached dwellings following a set building line' relied upon by officers. In our view the area would be more accurately described as having a varied and diverse residential

character in which the proposed house in the back garden area would be compatible and certainly not disruptive.

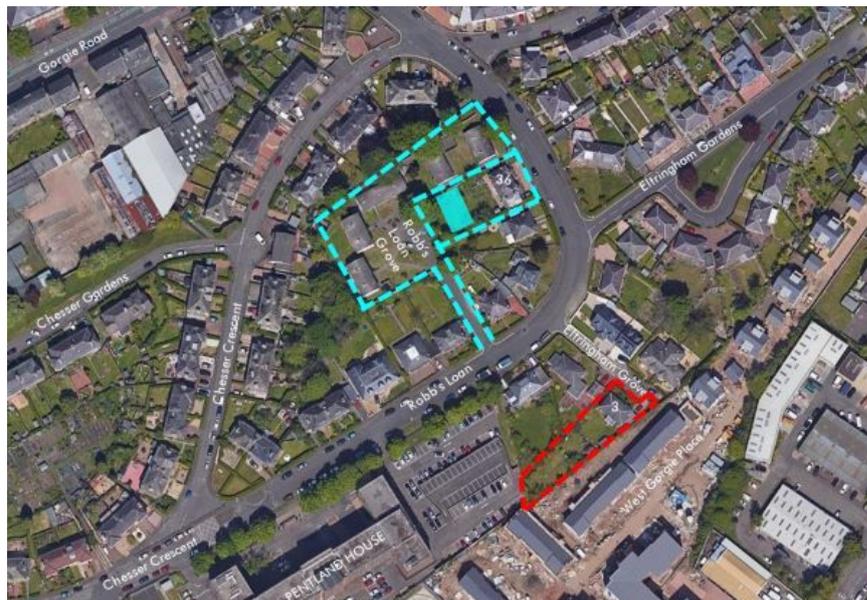
74. This is further supported by the presence of other backland development nearby the site, not mentioned in the Report of Handling.

**v) Examples of Backland Development in the Immediate Vicinity**

75. The case officer gave his opinion to the appellant's agent (email 27 August 2019) that *'the proposed development would disrupt the spatial character of the area ...(due to) ..... an absence of any backland development.'*

76. This was also the basis of the statement in the Report of Handling that *'The construction of a new dwelling in the rear garden ground of the site would result in the introduction of a building which is situated away from its host street and which does not contribute to the established sense of spatial character'*.

77. We consider the officers' opinion is based on a misconception as there are two significant examples of backland development approved by the Council in the immediate locality of the appeal site. This directly contradicts the position on which the reasons for refusal are founded and we ask the LRB to recognise this. The two sites are shown outlined in blue in Fig 12.



**Fig 12 - Approved backland development in Robb's Loan.  
Two examples within 100m of the appeal site**

78. Rear of 44 Robb's Loan - this comprises a sheltered housing development of 13 dwellings which involved the demolition of the house at no44 Robb's Loan to enable creation of an access road, now known as Robb's Loan Grove. It is located to the rear of the houses on Robb's Loan and is within 100 metres of the appeal site.

79. This is a significant backland development in the immediate vicinity of Eltringham Grove. It is a larger scale than the appeal proposal but establishes the principle of both building on a backland area and including a new access road.
80. *Rear of 36 Robb's Loan* - planning permission (ref 15/01784/FUL) was granted on 12 June 2015 for development of a 'three-bedroom single-storey dwelling house with attached garage within the rear garden area' of no 36 Robb's Loan.
81. This proposed the existing house at no36 Robb's Loan remaining in-situ with access to the new house to the rear taken from Robb's Loan Grove. This is a different access arrangement to the appeal proposal, but is otherwise a recent comparable example of the Council granting consent for the sub-division of a back garden to achieve a new house in the immediate vicinity of Eltringham Grove.
82. Both these examples were included in our Assessment of Spatial Character submitted to the council in August 2019. However they were not mentioned in the email response issued shortly after by the case officer, nor in the Report of Handling, which instead falsely states there are no examples of backland development nearby.
83. These examples demonstrate that backland development is an established planning concept in the immediate area and a contributing factor to the sense of spatial character. We therefore ask the LRB to over-rule the officers' position which relies on the absence of backland development as a significant factor in refusing consent.
84. **Policy Context** - there is no direct mention of the acceptability of development in back gardens in Policy Des 1 of the LDP and the only reference appears to be in the council's **Design Guidance** (p45) which states that '*backland development must be avoided where it would disrupt the spatial character of the area*'.
85. The word 'disrupt' suggests an outcome which drastically alters the current situation rather than resulting in a moderate change or minor interruption to the status quo. We submit the appeal proposal will not cause a significant change.
86. The Design Guidance also implies that a proposal would have greater impact if the spatial character of the area has a settled and consistent pattern of development and housing layouts. The officers have tried to suggest this is the case, but our analysis demonstrates there is a wide range of different styles of housing development locally.

**vi) Impact of the Proposed Access Arrangements on the Streetscene**

87. In the Report of Handling the officers consider that:

*'the construction of a separate single lane access road leading off the main street to the house would also result in the introduction of an incongruous built feature which is not replicated within the surrounding area. The neighbouring houses on Eltringham Grove and Robb's Loan are characterised by short driveways / parking*

*areas which are accessed directly from the street without the requirement for a separate access’.*

88. We accept that the inclusion of a driveway to access the house at the rear of the site is a different feature to the immediately neighbouring houses and would introduce an element of change. However this impact will be relatively small and should be regarded as acceptable taking account of the following three factors:
89. **Diverse character of the area** - We have explained above that the area’s spatial character and the setting of the appeal site is influenced by a much more diverse range of house types and mix of development formats than acknowledged by the officials. If this is accepted by the LRB, it must follow that small changes, such as a driveway, would not be ‘out of character’ and can be absorbed without undue impact.
90. More specifically the driveway should be found acceptable because i) it will have minimal visual impact on the Eltringham Grove streetscene and ii) there are examples of driveways running beside other houses in the immediate surrounding area with similar visual appearance. These are both contrary to the justification relied upon by the officials.
91. **Eltringham Grove streetscene** - The officers have exaggerated the impact of the driveway by referring to it as an ‘access road’. This is a term generally used for more significant roadways and its use implies there will be greater visual impact than in reality.
92. The officers’ description of the driveway as ‘an incongruous built feature’ is also exaggerated. The surface of the drive will be laid with ‘permeable paving’ similar to Fig 13 which allows grass to grow through the grid pattern.



**Fig 13 - Permeable paving for the driveway**

93. There will also be a 600mm strip of soft landscaping laid between the drive and proposed House 1. These features will substantially soften the visual appearance of the drive when viewed by neighbours or from the street. It will have the appearance, and the function, of a private driveway rather than an ‘access road’.
94. Fig 14 shows the ‘before and after’ view from the junction with Robb’s Loan. Proposed House 1 will retain the same front building line as the former bungalow, relative to the

neighbouring houses. There was previously a gap between the bungalow and the immediate neighbour at No4A and, whilst this will be marginally increased, the inclusion of the driveway will have little discernible effect on the streetscene.



**Fig 14 - 'Before' and 'after' view from junction of Eltringham Grove with Robb's Loan**

95. We suggest the proposed driveway will not have the dramatic visual impact on the streetscene of Eltringham Grove alleged by the officials.
96. **Existing driveways in the area** - in the Report of Handling the officers say that such driveways are '*not replicated in the surrounding area*'. We agree there are no directly comparable examples in the Eltringham Grove cul-de-sac but this is not surprising as none of the other house plots have dimensions which could accommodate a house in the back garden. This is why the other houses have parking within the front gardens or with garages to the side.
97. However it is not uncommon for houses in the immediate surrounding area to have garages in their back gardens accessed by driveways along the side of the house and we invite the LRB to agree that these have a very similar layout and visual appearance to the appeal proposal.



**Fig 15 - Houses with driveways to rear garden at Nos 3, 5 and 15 Eltringham Gardens**

98. By carrying out a simple search of nearby streets the appellant has identified three such examples in Eltringham Gardens, immediately round the corner from Eltringham Grove, which are shown in the photos in Fig 15. A wider search of the area might reveal other examples.

99. We suggest that these driveways to rear garages are of similar visual appearance within the streetscene as the driveway proposed in the appeal scheme. A modelled image of the driveway is shown in Fig 16, whose appearance will be further softened by the intended landscaping and porous paving.



**Fig 16 - modelled image showing proposed driveway adjacent to Proposed House 1. Appearance to be further softened by landscaping**

100. The three houses with comparable driveways in Eltringham Gardens are literally round the corner from the appeal site, as shown by the aerial view in Fig 17.



**Fig 17 - Three houses (outlined in blue) in Eltringham Gardens with driveways to the back gardens**

100. It is therefore wrong to say that such driveways are ‘not replicated in the surrounding area’, which again results from the officials only considering houses in the same short cul-de-sac of Eltringham Grove in defining ‘the spatial character’. We submit it must be reasonable to

include adjacent sites and streets within this definition.

101. **Conclusion on streetscene impact** - The proposed drive will extend into the site further than its neighbours in Eltringham Grove, but this will not be visually 'incongruous'. It will have minimal impact on the streetscene, and such driveways are part of the existing spatial character of the surrounding area.
102. The shape and dimensions of the appeal site are different to the other houses in Eltringham Grove and merit a different solution. The inclusion of the driveway does not prevent ample provision of garden ground and external amenity space for each proposed house.

## 2.2 CAR PARKING PROVISION

103. The third reason for refusal states that *'The proposal is contrary to Policy Tra 2 of the adopted Edinburgh Local Development Plan as the proposed level of vehicle parking exceeds the standards set out in the Edinburgh Design Guidance'*.
104. This derives from the consultation response from the Roads Authority that *'the proposed two spaces per unit is in excess of the Council's parking standards which permit one space per unit in this area (Zone 2)'*.
105. When the proposal for the two proposed houses at No3 was being designed it was thought that two parking spaces per house would be consistent with the existing character of Eltringham Grove.
106. The bungalow previously on the appeal site had two parking spaces (garage plus one space to the front) and the neighbouring houses at Nos1, 1A, 4 and 4A also have two off-street spaces. It is particularly notable that two spaces were considered appropriate by the Council when granting planning consent for building the new house at No1A in the garden ground of No1 as recently as April 2016 (ref 15/04828/FUL) and for No4A in October 2018 (ref 18/04494/FUL).
107. The LRB is therefore invited to find that approval of two car parking spaces for each new house at No3 would achieve a consistent approach with neighbouring houses and also reduce the possibility of the cul-de-sac becoming blocked with cars parked on the street.
108. However the appellant accepts that the council now operates a maximum parking standard of one space per dwelling and would willingly amend the submitted plans to remove one space from each house if this makes the difference between an approval and a refusal.
109. This reduction could be secured by a planning condition requiring submission of amended plans or by the council granting planning permission but stating that the parking spaces are 'not approved'.

### SECTION 3 SUMMARY

S1 The following summary of the appeal case sets out the key justifications for the proposal and is in a format which the appellant trusts might assist the presenting officer in summarising the case at the LRB meeting. Five presentation slides are also being provided for display to the LRB where indicated below (IN GREEN).

#### Proposed Development (SLIDE 1)

S2 The proposal is to replace the bungalow at No3 Eltringham Grove with two houses, the first located in a similar position at the front of the site, and the second in the back garden. The site would become a double house plot, with a driveway to the second house running from Eltringham Grove along the side of the first house.

S3 There are several matters which are not in dispute and which the planning officials have confirmed are acceptable:

- The house designs achieve the required standards for residential occupation regarding internal space, external amenity & garden areas and cycle parking.
- The amenity of neighbouring residents is protected by meeting standards for privacy, overlooking, sunlight and daylight
- The proposed height, massing, appearance and use of external materials achieves a contemporary design compatible with the area and neighbouring houses
- A flood risk assessment has demonstrated there is no issue regarding flood prevention

#### Impact on Spatial Character of the Area (SLIDE 2)

S4 The key issue at the heart of this case is the consideration by the planning officials that the second house proposed in the back garden area of the site, and its associated access drive from the street, would be so disruptive to the spatial character of the surrounding area that planning permission should be refused.

S5 The officers regard the established spatial character as comprising detached and semi-detached houses which directly face the street. They say there are no examples of backland development in the area. They consider the driveway will be an incongruous built feature that will disrupt the streetscape and clearly defined building lines of Eltringham Grove.

S6 All of these conclusions are challenged by the appellant as the characteristics of the site are different to surrounding plots and merit an alternative approach. The officials have also made several omissions in their assessment of spatial character, focusing too tightly on Eltringham Grove and ignoring adjacent high density housing and backland development that directly influences the setting of the site.

- S7 **Housing Density** - Eltringham Grove originally comprised four bungalows but the other three plots have each had an additional house built in their gardens and these double plots now represent the established character of the street. The appeal proposal would achieve a similar density of development which directly contradicts the reason for refusal which says the density would be incompatible.
- S8 **Unique Dimensions of the Site** - The appeal site has a large site area but it has a narrower frontage than the other plots in the street and extends much further to the rear in a long tapering shape. The dimensions of the site therefore merit a layout with one house behind the other as the most sustainable use of the available land. A layout side by side would restrict the internal house designs and result in rear gardens which are impractical to manage.
- S9 The shape and size of the site are uncharacteristic of the other plots in Eltringham Grove and a different design approach is merited.
- S10 **Adjacent Developments have been Ignored (SLIDE 3)** - The officers say the character of the surrounding area is defined only by the houses in Eltringham Grove. But how can a street 50 metres long and with only four original houses define the whole area?
- S11 This approach ignores the recent development of two storey terraced houses in West Gorgie Place which abut the southern boundary of the site, on the former Edinburgh Fruitmarket railway sidings. It also ignores the dominant six storey presence of Pentland House immediately to the west which is being converted to student flats.
- S12 These sites present a diverse and varied mix of high density residential accommodation. They also wrap around two sides of the site, dramatically defining its setting. The appeal site is at the transition between the pre-war housing estate on one side and these recent developments on the other, but this is not mentioned in the Report of Handling.
- S13 Other significant local developments have also changed the area's character. This means the setting of the site is no longer defined by traditional detached and semi-detached dwellings with regular street frontages of the original estate.
- S14 Instead the proposed layout of two houses would be compatible with the prevailing character of the site and would not disrupt the surrounding area as suggested by the officers.
- S15 **Backland Developments Nearby (SLIDE 4)** - The officers' decision to refuse consent relies on there being no backland development in the area, but there are two examples within 100 metres of the site on Robb's Loan.

- S16 The first is the sheltered housing development of 13 dwellings which required demolition of No44 to make way for the access road known as Robb's Loan Grove. The second is the approval by the council in 2015 for a new house in the back garden of No 36, adjacent to the sheltered houses. Backland development is therefore an established planning concept in the immediate vicinity, but this was also ignored by the officials.
- S17 **Impact of the Driveway on the Streetscene (SLIDE 5)** - the officers have exaggerated the impact of the driveway. They refer to it as an 'access road' instead of a residential driveway. They call it an 'incongruous built feature' but the surface will be laid with 'porus paving' which allows grass to grow through and there will be a planted landscape strip between the house and the drive.
- S19 Also the gap between the new house and the boundary will only marginally increase from the former bungalow. This means there will be little discernible effect on the streetscene.
- S20 **(SLIDE 6)** The officers say there are no such driveways in the surrounding area. However there are various houses with driveways that access garages in their back gardens which have very similar appearance. We have identified three specific houses in Eltringham Gardens just round the corner from the appeal site. This again shows the officers have been too narrowly focused on Eltringham Grove and have not considered the surrounding area, as they suggest.
- S21 For all these reasons the appeal proposal will be compatible with the spatial character of the area. It complies with policy Des 1, Hou 1 and Hou 4 and addresses the three respective reasons for refusal

### **Parking Spaces**

- S22 The proposed provision of two car parking spaces for each house would be consistent with neighbouring houses in Eltringham Grove and with the two most recent planning approvals for infill houses in the street issued by the Council. However the appellant will agree to a planning condition restricting each house to one space if the LRB considers this is merited. This will address the remaining reason for refusal.

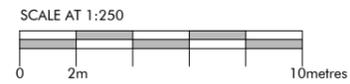
### **Conclusion**

- S23 Most of these issues were pointed out in a written assessment submitted by the appellant early in the application process, but this was never properly acknowledged and the officials have given no reasons to dispute it. We understand there is a general resistance to backland development but we do not believe the circumstances of the appeal proposal have been fully considered, and we ask the LRB for this evidence to be taken into account.
- S23 The LRB members are requested to visit the site in person as it is otherwise difficult to properly appreciate the situation of the site and the character of its surroundings which are at the heart of the justification.





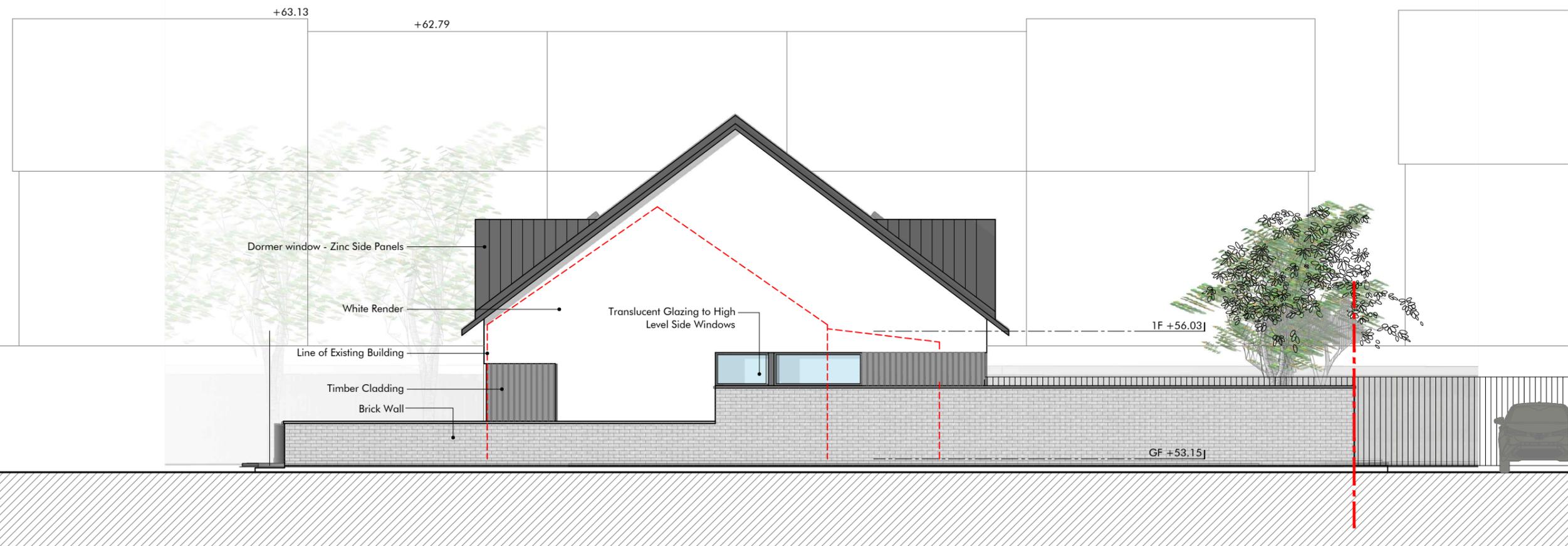
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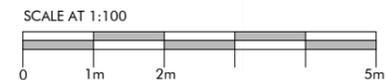
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<p>PROJECT TITLE</p> <p>DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO NEW DWELLINGS</p>		
<p>SITE ADDRESS</p> <p>3, ELTRINGHAM GROVE EDINBURGH EH14 1SH</p>		
STATUS	<b>PLANNING</b>	
DRAWING TITLE	<b>EXISTING SITE PLAN</b>	
DRAWING NUMBER	<b>1902-05-P02</b>	
DATE	June 2019	
SCALE	1:250 @ A3	



**HOUSE 1 - PROPOSED FRONT ELEVATION**  
SCALE 1:100 @ A3



**HOUSE 1 - PROPOSED SIDE ELEVATION**  
SCALE 1:100 @ A3



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**ALFA STUDIO**  
ARCHITECTURE + DESIGN

21, CASTLE STREET  
EDINBURGH  
EH2 3DN  
info@alfastudio.co.uk  
07887 675 994

PROJECT TITLE

DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO NEW DWELLINGS

SITE ADDRESS

3 ELTRINGHAM GROVE  
EDINBURGH  
EH14 1SH

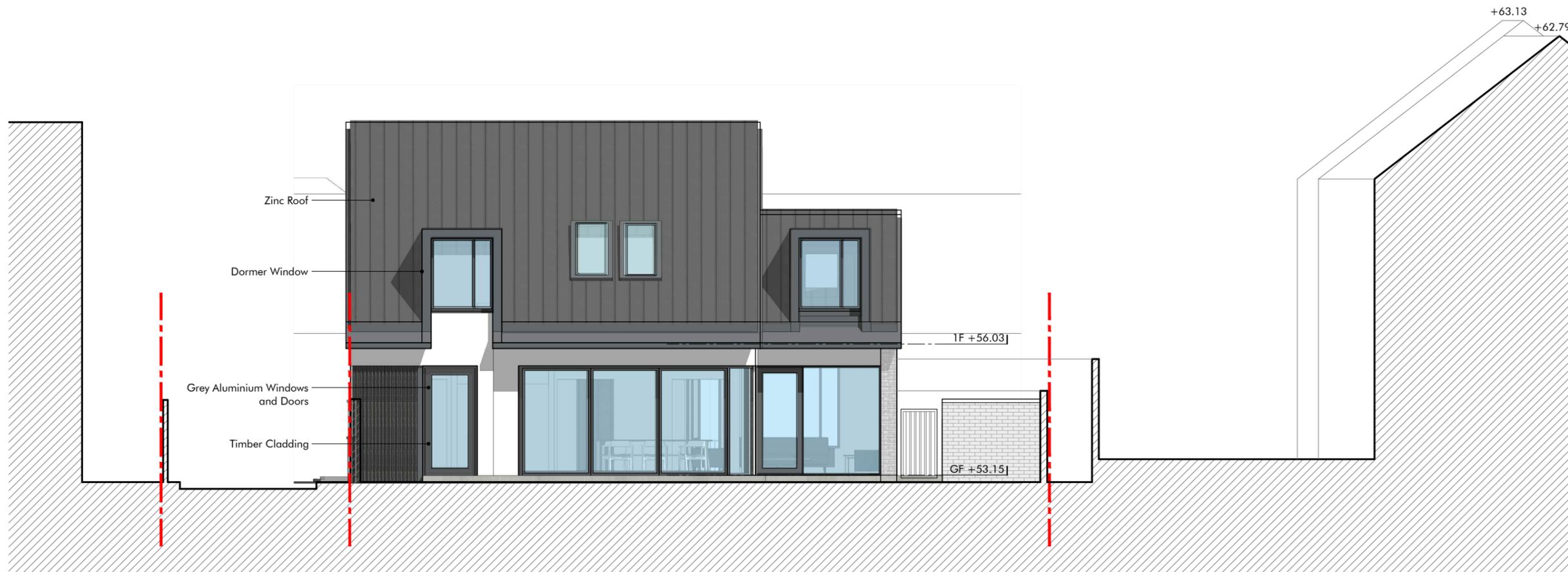
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DRAWING NUMBER **1902-05-P10**

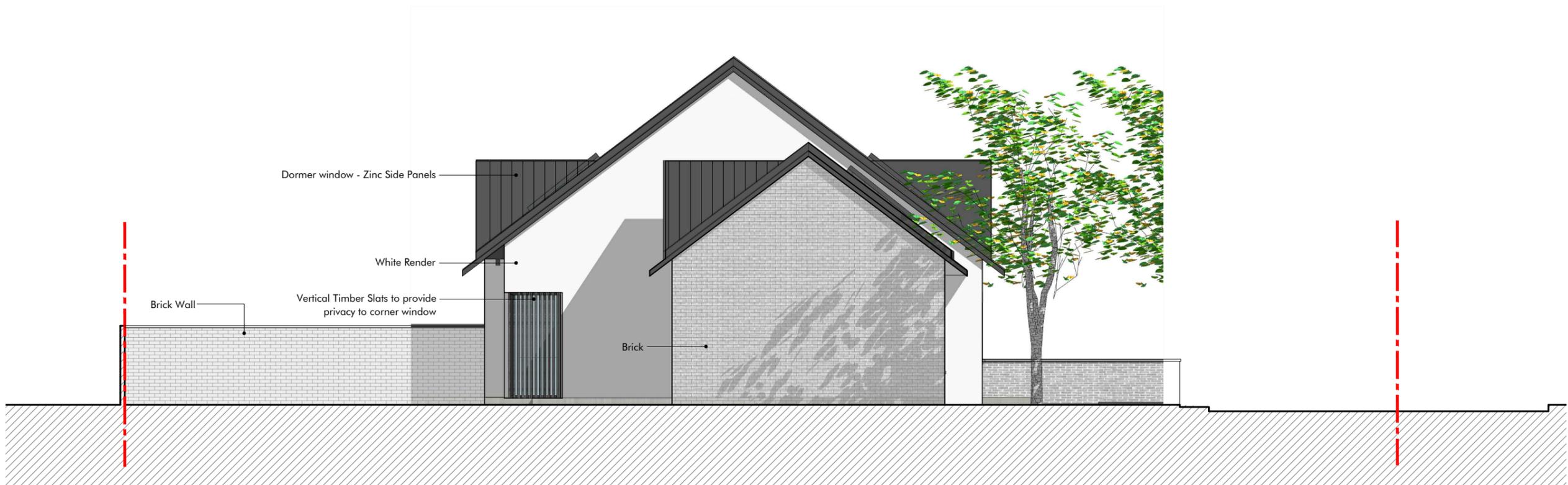
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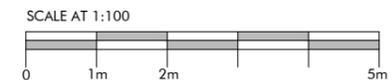


**HOUSE 1 - PROPOSED REAR ELEVATION**  
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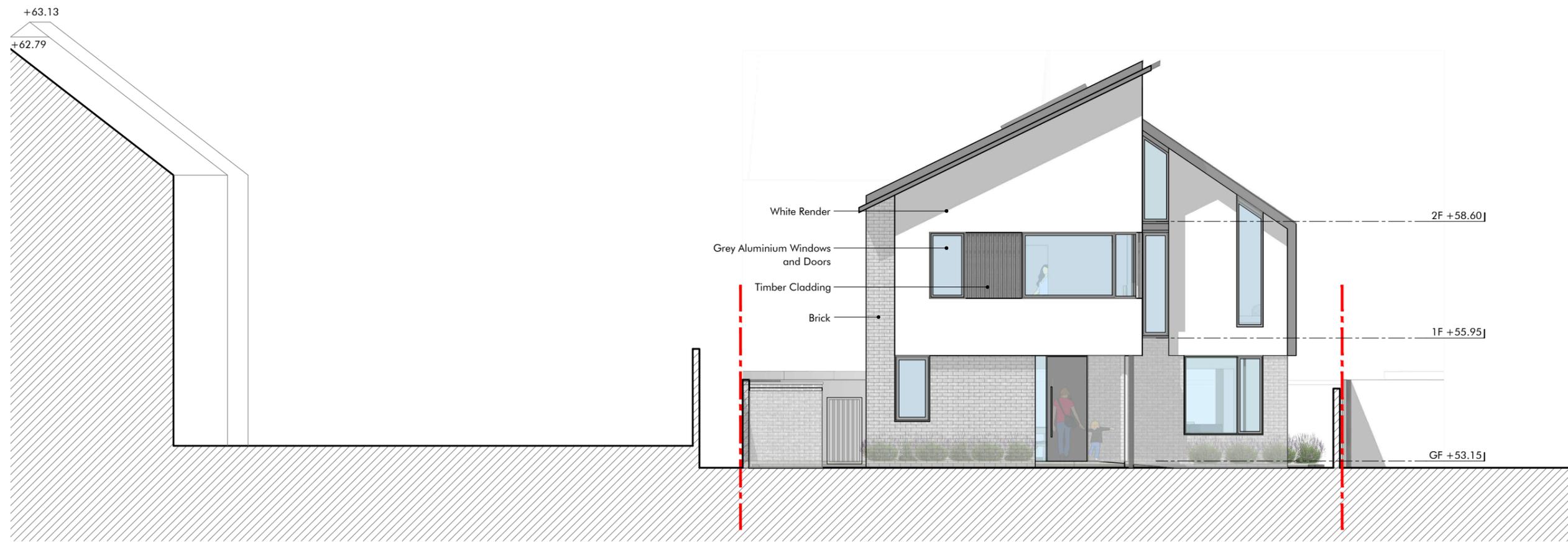
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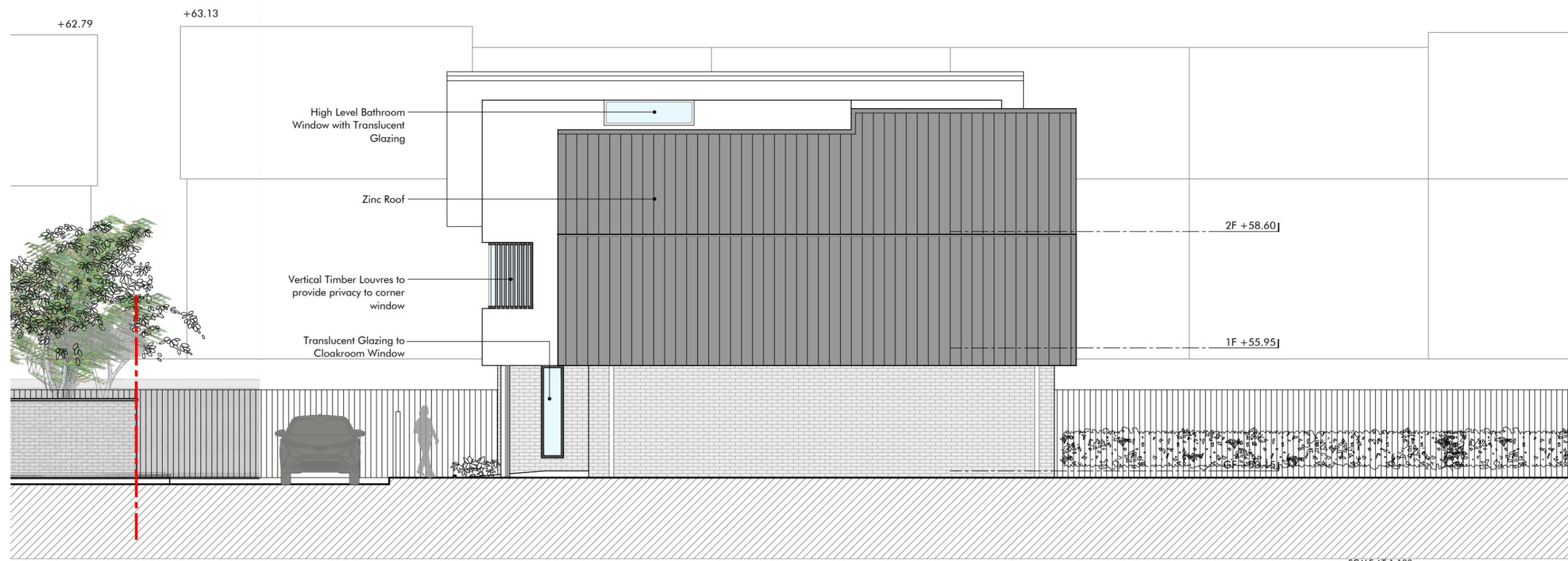
**HOUSE 1 - PROPOSED SIDE ELEVATION**  
SCALE 1:100 @ A3



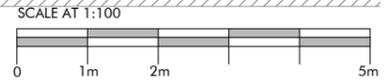
<b>ALFA STUDIO</b> ARCHITECTURE + DESIGN	
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PROJECT TITLE	
DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO NEW DWELLINGS	
SITE ADDRESS	
3 ELTRINGHAM GROVE EDINBURGH EH14 1SH	
STATUS	<b>PLANNING</b>
DRAWING TITLE	<b>PROPOSED HOUSE 1 REAR &amp; SIDE ELEVATIONS</b>
DRAWING NUMBER	<b>1902-05-P11</b>
DATE	June 2019
SCALE	1:100 @ A3



**HOUSE 2 - PROPOSED FRONT ELEVATION**  
SCALE 1:100 @ A3



**HOUSE 2 - PROPOSED SIDE ELEVATION**  
SCALE 1:100 @ A3



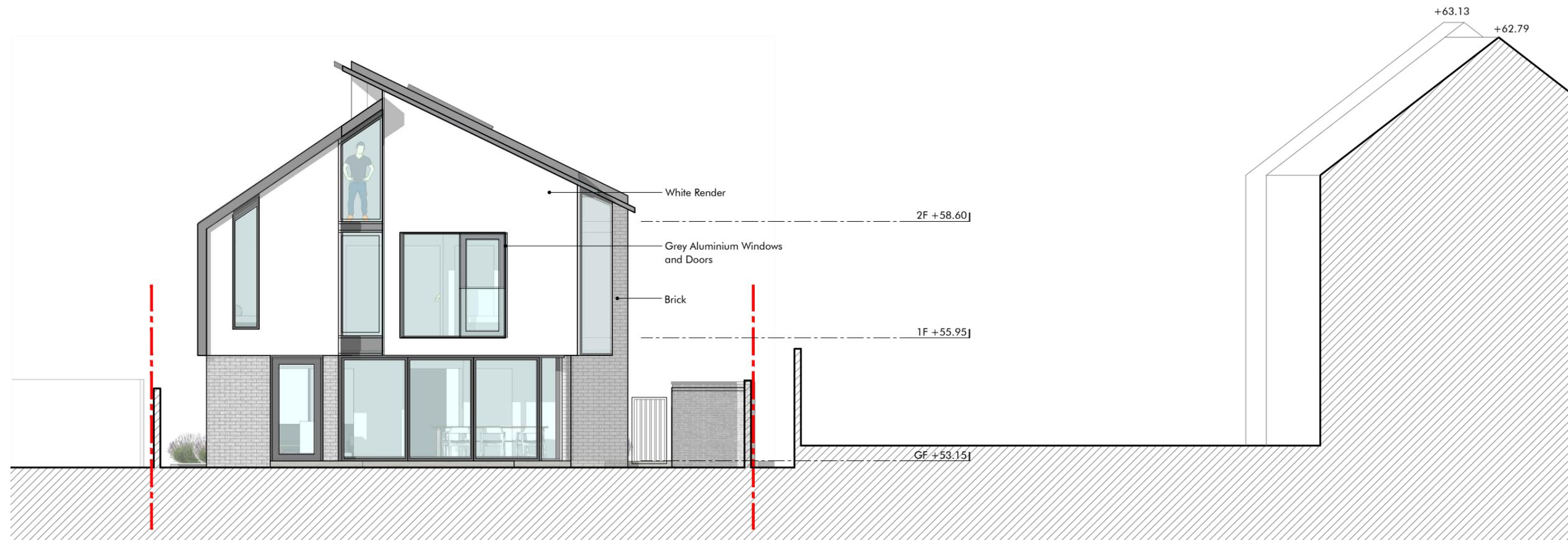
GENERAL NOTES		
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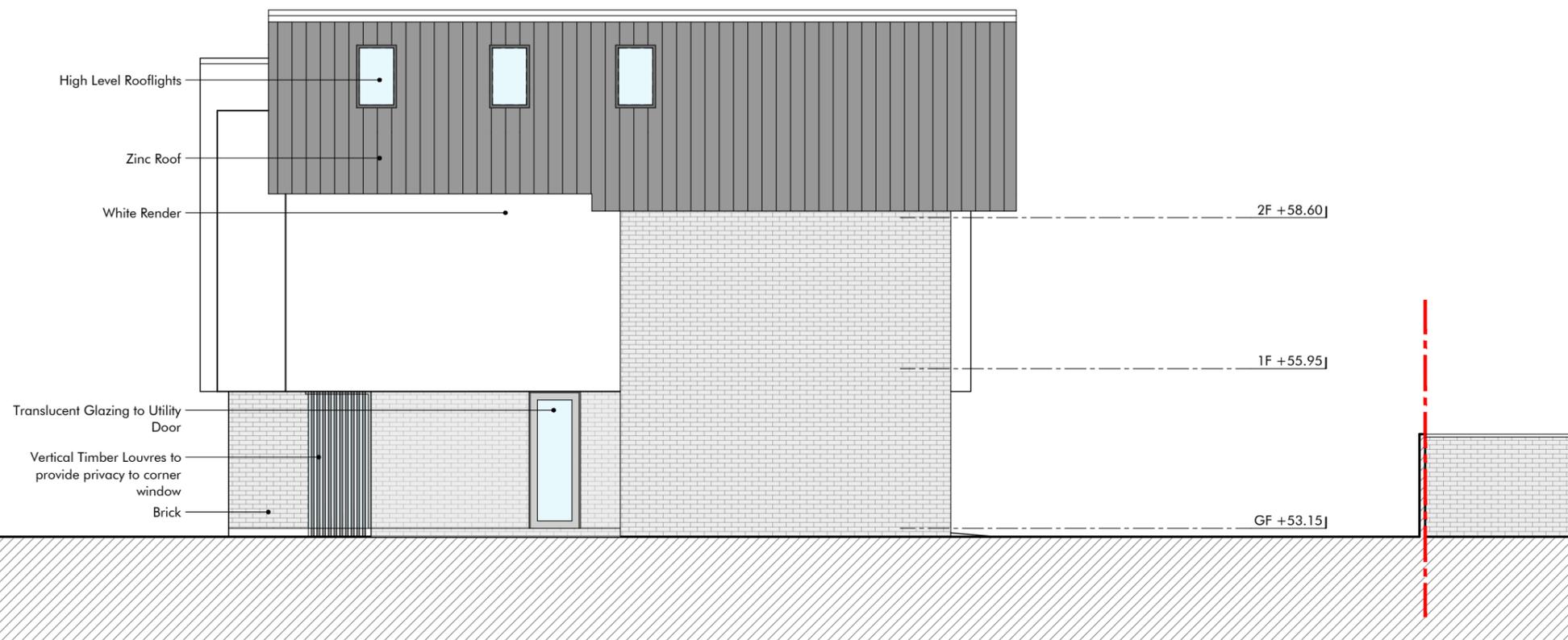
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DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO NEW DWELLINGS

SITE ADDRESS  
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EDINBURGH  
EH14 1SH

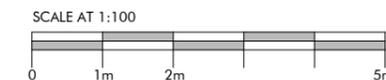
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DRAWING TITLE	<b>PROPOSED HOUSE 2 FRONT &amp; SIDE ELEVATIONS</b>
DRAWING NUMBER	<b>1902-05-P12</b>
DATE	June 2019
SCALE	1:100 @ A3



**HOUSE 2 - PROPOSED REAR ELEVATIONS**  
SCALE 1:100 @ A3



**HOUSE 2 - PROPOSED SIDE ELEVATION**  
SCALE 1:100 @ A3



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info@alfastudio.co.uk  
07887 675 994

PROJECT TITLE

DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO NEW DWELLINGS

SITE ADDRESS

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STATUS **PLANNING**

DRAWING TITLE **PROPOSED HOUSE 2 REAR & SIDE ELEVATIONS**

DRAWING NUMBER **1902-05-P13**

DATE June 2019

SCALE 1:100 @ A3



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PROJECT TITLE

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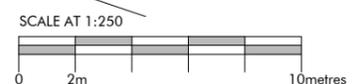
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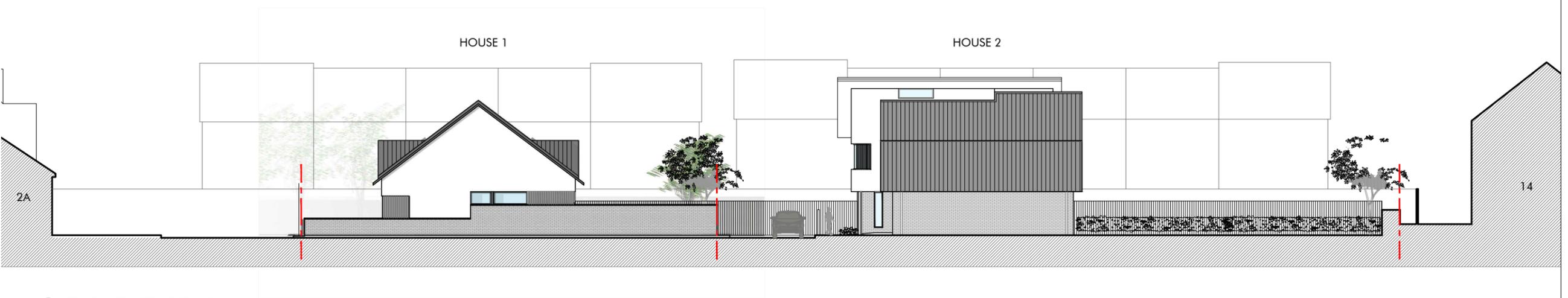
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EDINBURGH  
EH14 1SH

STATUS	<b>PLANNING</b>
DRAWING TITLE	<b>PROPOSED SITE PLAN</b>
DRAWING NUMBER	<b>1902-05-P04</b>
DATE	June 2019
SCALE	1:250 @ A3



**PROPOSED SITE PLAN**  
SCALE 1:250 @ A3





**PROPOSED SITE SECTION**  
SCALE 1:250 @ A3

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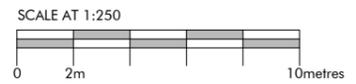
PROJECT TITLE

DEMOLITION OF EXISTING DWELLING AND CONSTRUCTION OF TWO NEW DWELLINGS

SITE ADDRESS

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STATUS	<b>PLANNING</b>
DRAWING TITLE	<b>PROPOSED SITE SECTION</b>
DRAWING NUMBER	<b>1902-05-P14</b>
DATE	June 2019
SCALE	1:250 @ A3



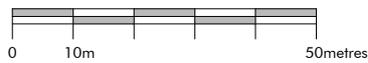
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**LOCATION PLAN**  
SCALE 1:1250 @ A4

SCALE AT 1:1250



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SITE ADDRESS

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STATUS	<b>PLANNING</b>
DRAWING TITLE	<b>LOCATION PLAN &amp; SITE PLAN</b>
DRAWING NUMBER	<b>1902-01-P01</b>
DATE	June 2019
SCALE	1:1250 @ A4