

Mrs Jo Mayland.  
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Linlithgow Bridge  
Linlithgow  
United Kingdom  
EH49 7PL

**Decision date: 15 April 2020**

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

Erection of one-and-a-half storey, detached, 5 bedroomed family home.  
At The Old Dairy House Dundas Home Farm South Queensferry EH30 9SS

**Application No:** 19/05253/FUL

**DECISION NOTICE**

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

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

**Conditions:-**

**Reasons:-**

1. The proposal is contrary to policy Env 10 of the Edinburgh Local Development Plan (LDP) in that it does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation. The proposal does not involve an intensification of the existing use, the replacement of an existing building with a new building in the same use, or a change of use of an existing building. It would introduce a further dwelling house into the garden of the Old Dairy House without any justification of exceptional circumstances, and would harm the rural character of the site.
2. The proposal is contrary to non-statutory Guidance for Development in the Countryside and Green Belt as no functional need for such a dwelling has been established; it does not relate to meeting the needs of one or more workers employed

in agriculture; it is not related to a rural activity or business, and it is not a brownfield site or a gap site.

3. The proposal is contrary to design policies Des 1 and Des 4 of the LDP as the creation of another suburban style house into this rural setting adversely impacts on the rural character of the area.
4. The proposal is contrary to policy Tra 2 as it exceeds the Council's parking standards which seek to limit private car parking and encourage active travel.
5. There is insufficient information provided to assess the impact on trees and protected species.

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

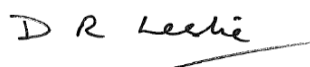
Drawings 01-09, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is contrary to the Edinburgh Local Development Plan (LDP). No exceptional circumstances have been provided to justify a non-conforming development in the Green Belt and the introduction of a large dwelling into this rural setting creates a suburban cluster at odds with the character of the area when read with the house already approved to the east. There is insufficient information to assess impacts on trees and protected species and the proposal does not comply with car parking standards.

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 William Langdon directly on .



**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 19/05253/FUL At The Old Dairy House, Dundas Home Farm, South Queensferry Erection of one-and-a-half storey, detached, 5 bedroomed family home.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	19/05253/FUL
<b>Wards</b>	B01 - Almond

### Summary

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The proposal is contrary to the Edinburgh Local Development Plan (LDP). No exceptional circumstances have been provided to justify a non-conforming development in the Green Belt and the introduction of a large dwelling into this rural setting creates a suburban cluster at odds with the character of the area when read with the house already approved to the east. There is insufficient information to assess impacts on trees and protected species and the proposal does not comply with car parking standards.

### Links

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<b><u><a href="#">Policies and guidance for this application</a></u></b>	LDPP, LDES01, LDES04, LDES05, LEN03, LEN10, LEN12, LEN21, LHOU01, NSG, NSGD02, NSGCGB, NSLBCA,
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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 application site is approximately 0.13 hectares in area and lies to the east of The Old Dairy House and to the south of Dundas Home Farm. There are a number of trees on the site and mature trees associated with the Dundas Castle estate bound the site to the east, west and south. A low stone wall and hedge forms the site's northern boundary, beyond which is an unnamed access road.

The surrounding area is rural in nature and predominantly comprises a mix of agricultural and residential uses. To the north is Dundas Home Farm (formerly Newbigging Steading) which was converted into residential use around 2005.

There are two listed building to the north / north west of the site: category C listed Dundas Home Farm (former Newbigging Farmhouse) (listed on 30 January 1981, ref: 5521) and the category B listed Dundas Home Farm (former Newbigging steading) (listed on 30 January 1981, ref: 5520).

The centre of South Queensferry is located approximately 1.4 km from the site.

The site is located within the Edinburgh Green Belt, a Site of Importance for Nature Conservation and the Dundas Castle Designed Landscape.

### 2.2 Site History

16 January 2014 - Planning permission granted for erection of single storey extension to side and rear of existing dwelling house (The Old Dairy House) (application number 13/04948/FUL).

21 January 2016 - Planning permission in principle refused by the local planning authority for the erection of single 4/5 bedroom house with garage on adjacent plot, but was granted on review (ref: 15/05159/PPP).

12 April 2017 - AMC approved for erection of detached dwelling on adjacent plot (Ref:17/00681/AMC)

29 November 2019 - an application for planning permission was submitted for a new house on the site of that approved under 15/05159/PPP and 17/00681/AMC (ref: 19/05483/FUL). This is pending consideration.

## Main report

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### 3.1 Description Of The Proposal

This application is for the erection of a new dwelling house on land to the east of the Old Dairy House. This would be sited between the Old Dairy House and the site of the new house granted in 2016.

The new house would be 2 storeys in height with a footprint of 258 square metres and is traditional in style and materials.

### 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.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Do the proposals comply with the development plan?

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

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

### 3.3 Assessment

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

- a) The principle of the development is acceptable;
- b) The landscape impacts are acceptable;
- c) The proposal will have a negative impact on the setting of a listed building;
- d) The proposed scale, form and design are acceptable;
- e) The proposal will have a detrimental impact on the amenity of neighbouring residents;
- f) The proposal raises any issues in respect of archaeology;
- g) The proposal raises any concerns in respect of parking or road safety;
- h) The proposal raises any concerns in respect of flood prevention;
- i) Any public comments received have been addressed.

#### a) Principle of Development

The site is designated as being within the Green Belt in the adopted Edinburgh Local Development Plan (LDP). Policy Env 10 of the LDP states that within the green belt and countryside shown on the proposals map, development will only be permitted

where it is for the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings, structures or hard standing areas are of a scale and quality of design appropriate to the use; and the proposal would not detract from the rural character and landscape quality of the area.

The proposal does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation purposes, and a countryside location is not an essential location for the construction of a dwellinghouse. The proposed development of a dwellinghouse would create a new planning unit which is unrelated to the existing use or any other buildings within the site. In addition, the proposal does not involve the replacement of an existing building with a new building of the same use.

Having regard to the above, there are no exceptional planning reasons for approving a new house in this location. Although the development of a new house would contribute to housing targets, the sporadic development of the greenbelt is not acceptable. The proposal does not comply with LDP policy Env 10 or the Council's Guidance for Development in the Countryside and Green Belt. The proposal has not been identified as an area for strategic housing development in the Local Development Plan and as such the principle of the development is unacceptable.

In addition, the proposals fail to comply with LDP Policy Hou 1 as the site is not allocated, is not in the urban area and there is no housing land supply deficit.

In granting planning permission for a new house under application 15/05159/PPP, the Local Review Body decided the addition of a small family house in the garden of the Old Dairy House would be acceptable in the Green Belt as it would be compatible with the housing around it. In this case, a further large house in the garden of the Old Dairy House would not be compatible with that decision.

There are no material considerations that justify approval.

#### b) Impact on Landscape, Wildlife and Trees

**Landscape** - The Dundas Special Landscape Area skirts the northern boundary of Home Farm and Steading to the south of the A90. The SLA encompasses to the south the extensive, wooded, designed landscape, centred around the low rise of Dundas Hill and country house of Dundas Castle. Dundas Castle is recorded within the Inventory of Gardens and Designed Landscapes in Scotland.

From the wider landscape, the site is screened to the south, east and west by mature, deciduous woodland and to the north by the A90 embankments. This cluster of former agricultural buildings and dwellings are briefly visible from the B800 on the A90 overbridge. The Old Dairy House appears to have been established on the estate woodland and is shown as an open area in 1940s aerial imagery. The main Ancient Woodland of Long Established Plantation Origin lines the drive from North Lodge to Dundas Castle further to the south.

Whilst it will alter the character of existing garden associated with the Old Dairy, it is not likely to affect the land cover or core area of the Special Landscape Area (SLA) in terms of the balance of ornamental gardens, parkland or woodlands, nor the wider rural

character of the area. Due to the enclosed nature of the site, visibility from the wider surroundings, core areas of the designed landscape and setting of adjacent listed buildings would be limited. It is not considered that residential development on this site at this scale would have an adverse impact on the special characteristics of the SLA.

**Trees** - The proposed site plan indicates the loss of one tree. However, the site is surrounded by trees and a tree survey has not been submitted. The proposed dwelling would be constructed close to existing mature trees on the west of the site. Whilst it is unlikely trees of significant stature would be affected, a tree survey would be required to ensure that these trees are not impacted by the development. As the principle of the development is not acceptable, this has not been requested as part of this application. The proposals may have unacceptable impacts on trees contrary to LDP policy Env12. However, there is insufficient information to make this assessment.

**Wildlife** - The application site has been identified as a location of notable wildlife species. Prior to any consent being issued steps would need to be taken to determine if a European protected species is likely to be affected by the development. Therefore, the potential of any trees or buildings, which will be impacted on as a result of development, to support bats should be determined. This is in accordance with policy Env16 Species Protection and the Edinburgh Design Guidance. Bat surveys would be required to establish if there are any bats roosting in the trees. As the principle of a residential use has not been established on this site, a bat survey has not been requested.

#### c) Impact on Setting of Listed Building

Policy Env 3 of the of the LDP supports development within the curtilage or affecting the setting of a listed building, provided that it is not detrimental to the character, appearance and historic interest of the building or to its setting. The Farmhouse to the west of the application site is C listed and the former Steading to the north of the site is B listed (ref: LB 5520, date listed: 30/01/1981). Given the boundary treatments demonstrated in the site plan it is concluded that the boundary treatments and vehicle access arrangements are acceptable in protecting the setting of the listed buildings.

The proposal broadly complies with LDP Policy Env 3 (Listed Buildings - Setting).

#### d) Scale, Form and Design

Policy Des 1 states that planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based upon an overall design concept that draws upon the positive characteristics of the area. Policy Des 4 - Development Design states development should have a positive impact on its surroundings, having regard to height and form; scale and proportions, including the spaces between buildings; position of buildings and other features on the site; and materials and detailing.

The proposed development would not be a dwelling modest in size. It is substantially bigger than the new house approved to the east of the site (200 sq.m) but will be a similar scale to the Old Dairy House. In general, the site is characterised by an agricultural feel. Despite the redevelopment of the farmhouse and the old steadings for mixed business and residential use, the buildings have retained a sense of their former

use as agricultural buildings and the rural character of the area is generally preserved. The traditional relationships of farmhouse to steading and other ancillary buildings will be lost with the introduction of this large suburban looking house. Fitting another house into the grounds of the Dairy House will create a mini housing estate with suburban characteristics when read with the existing building and the new house approved to the east. The proposal does not draw on the positive open rural character of the green belt and does not have regard to the open green character and spacing of the site. It represents an overdevelopment of the garden ground of the Old Dairy House and is contrary to policies Des 1 and Des 4.

#### e) Amenity

Policy Des 5 Development Design - Amenity states that permission will be granted for development where it is demonstrated that the amenity of neighbouring properties is not adversely affected and that future occupiers have acceptable amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

The proposed dwelling would meet the requirements of the Edinburgh Design Guidance in terms of the provision of adequate floorspace, and internal living environment for future occupiers. Likewise, the proposal will have sufficient garden ground for the amenity of occupiers.

The proposed house is close to the boundary on the east elevation but around 3m from the west boundary. The proposal satisfies the 25-degree daylighting criterion outlined in the Edinburgh Design Guidance document. The proposal will not result in the loss of daylight to neighbouring windows. Given the height of the proposal and its orientation in relation to neighbouring properties, it will not overshadow neighbouring amenity space. Guidance states that where windows will look on to neighbours that a minimum distance of 9 metres should be maintained from common boundaries. The proposed dwelling would not overlook other residential properties as there are no upper level windows on the east and west elevations. The proposal would not result in an unreasonable loss of neighbouring amenity and is acceptable in this regard.

Whilst the site plan does not show the neighbouring house approved to the east, the proposal is acceptable in terms of impact on its amenity.

The proposal complies with policy Des 5.

#### f) Archaeology

An archaeological evaluation by ARCHUS, in relation to application 16/04410/PPP, indicated that the garden grounds to the east of the Dairy House had been significantly landscaped in the 19th/20th centuries. Accordingly, although adjacent to area previously evaluated it has been concluded that the potential for disturbing significant insitu remains during this development is low. Therefore, there are no known significant archaeological implications in regards to this application..

#### g) Parking and Road Safety

Policies Tra 2 - Private Car Parking and Tra 3 - Private Cycle Parking state permission will be granted for development where proposed car parking provision complies with

and does not exceed the parking levels and cycle parking and storage complies with the standards.

Transport raised no objections to the development but stated that a maximum of two car parking spaces should be allowed which would reduce the proposed parking provision down from 5 to 2. This would be a condition of consent if permission were to be granted.

Cycle parking can be adequately provided within the site.

The proposal does not comply with current car parking standards contrary to policy Tra 2.

#### h) Flooding

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

The SEPA flood maps do not identify this area as being at risk of flooding. As the applicant has not provided anything in relation to drainage for the proposed site this would be required as a condition. This could be addressed but it is not appropriate to seek this information given that the application is not acceptable in principle.

#### i) Public Comments

#### **Material Representations - Objection:**

- A house in this location is not in keeping with the character of the area. Addressed in Section 3.3(b) and 3.3(d).
- The plans submitted are inaccurate and do not show the neighbouring plot. Addressed in Section 3.3(e)

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

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The proposal is contrary to policy Env 10 of the Edinburgh Local Development Plan (LDP) in that it does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation. The proposal does not involve an intensification of the existing use, the replacement of an existing building with a new building in the same use, or a change of use of an existing building. It would introduce a further dwelling house into the garden of the Old Dairy House without any justification of exceptional circumstances, and would harm the rural character of the site.
2. The proposal is contrary to non-statutory Guidance for Development in the Countryside and Green Belt as no functional need for such a dwelling has been established; it does not relate to meeting the needs of one or more workers employed

in agriculture; it is not related to a rural activity or business, and it is not a brownfield site or a gap site.

3. The proposal is contrary to design policies Des 1 and Des 4 of the LDP as the creation of another suburban style house into this rural setting adversely impacts on the rural character of the area.

4. The proposal is contrary to policy Tra 2 as it exceeds the Council's parking standards which seek to limit private car parking and encourage active travel.

5. There is insufficient information provided to assess the impact on trees and protected species.

## **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:**

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

## **Consultation and engagement**

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

There is no pre-application process history.

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

This application has received two letters of representation. These comments have been summarised and addressed in Section 3.3 of this 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****Plan Provision**

Edinburgh Local Development Plan

**Date registered**

4 November 2019

**Drawing  
numbers/Scheme**

01-09,

Scheme 1

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

Contact: William Langdon, Planning Officer  
E-mail: [william.langdon@edinburgh.gov.uk](mailto:william.langdon@edinburgh.gov.uk) Tel:

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

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

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

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

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.

**Non-statutory guidelines** DEVELOPMENT IN THE COUNTRYSIDE AND GREEN BELT, provide guidance on development in the Green Belt and Countryside in support of relevant local plan policies.

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

# Appendix 1

## Consultations

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### Archaeology:

Further to your consultation request I would like to make the following comments and recommendations concerning this AMC application regarding the erection of a dwelling house and detached garage.

An archaeological evaluation by ARCHUS, in relation to application 16/04410/PPP, indicated that the garden grounds to the east of the Diary House had been significantly landscaped in the 19th/20th centuries. Accordingly, although adjacent to area previously evaluated it has been concluded that the potential for disturbing significant insitu remains during this development is low. Therefore, there are no known significant archaeological implications in regards to this application.

### Airport:

The proposed development has been examined from an aerodrome safeguarding perspective and does not conflict with safeguarding criteria. We therefore have no objection to this proposal, however have made the following observation:

### Cranes

Given the nature of the proposed development it is possible that a crane may be required during its construction. We would, therefore, draw the applicant's attention to the requirement within the British Standard Code of Practice for the safe use of Cranes, for crane operators to consult the aerodrome before erecting a crane in close proximity to an aerodrome. This is explained further in Advice Note 4, 'Cranes' (available at <http://www.aoa.org.uk/policy-campaigns/operations-safety/>)

It is important that any conditions requested in this response are applied to a planning approval. Where a Planning Authority proposes to grant permission against the advice of Edinburgh Airport, or not to attach conditions which Edinburgh Airport has advised, it shall notify Edinburgh Airport, and the Civil Aviation Authority and the Scottish Ministers as specified in the Safeguarding of Aerodromes Direction 2003.

### Transport:

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

1. The applicant should be required to reduce the proposed number of parking spaces from 5 to 2, in accordance with the Council's parking standards;
2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric

cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;

3. Access to the car parking area is to be by dropped kerb (i.e. not bell mouth);

4. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;

5. Any gate or doors must open inwards onto the property;

6. Any hard-standing outside should be porous;

7. The works to form the 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)

8. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

END

# Comments for Planning Application 19/05253/FUL

## Application Summary

Application Number: 19/05253/FUL

Address: The Old Dairy House Dundas Home Farm South Queensferry EH30 9SS

Proposal: Erection of one-and-a-half storey, detached, 5 bedroomed family home.

Case Officer: William Langdon

## Customer Details

Name: Mrs Julie MacDonald

Address: 19 Stoneyflatts Park SOUTH QUEENSFERRY

## Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Further to my conversation with William Langdon earlier this week (13/11/19). We own the neighbouring plot and have not been formally notified of the proposed development (we have been omitted from the neighbour notification process). Our plot is directly on the eastern boundary of this application and therefore out of all neighbours notified this development is of direct impact to our land and infact we are the most impacted neighbours of this proposed development due the proximity of this proposed development. What is shown as the eastern boundary on this application is infact our western boundary so we are situated directly alongside what is proposed for this neighbouring plot. Further more, when we purchased our plot/land there was and still is active planning permission for a development. The documents that have been submitted for this proposed development do not reflect this at all, they show nothing on our plot (and we are their direct neighbour). Therefore the drawings submitted are inaccurate and do not accurately reflect the neighbouring area as it does not show what is currently granted for planning permission on our land. We request that this application is therefore withdrawn until such times as both these items have been addressed and at which time they can then be re-submitted.

# Comments for Planning Application 19/05253/FUL

## Application Summary

Application Number: 19/05253/FUL

Address: The Old Dairy House Dundas Home Farm South Queensferry EH30 9SS

Proposal: Erection of one-and-a-half storey, detached, 5 bedroomed family home.

Case Officer: William Langdon

## Customer Details

Name: Mrs Julie MacDonald

Address: 19 Stoneyflatts Park SOUTH QUEENSFERRY

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object on the basis that we own the neighbouring plot and we have not been included on the neighbour notification list. Also our outlook from what is the western boundary of our plot has changed somewhat since our purchase of the land earlier this year. Our western view at time of purchase was made up of trees and greenery. On visiting the site this weekend the view currently is a site that has been completely cleared of these trees (possibly protected ?) etc of which we have had no prior notification. A proposed neighbouring plot, significant change of view and a planning application all comes as a huge surprise to us. The proposed development is extremely close to our western boundary, so much so that it feels imposing and we shall be looking at in excess of a 20m+ single storey mass which is unacceptable with potential loss of light to the western edge of our plot. The proposed development is crammed into the width of the plot with nothing to spare to add greenery or privacy on either side of the eastern or western boundaries. The proposed development is too close to the eastern and western boundaries and is on the verge of being overdeveloped.

**From:** Nancy Jamieson  
**Sent:** 7 Apr 2020 11:04:32 +0000  
**To:** Natural Heritage Consultation  
**Subject:** 19/05253/FUL - The Old Dairy House, Dundas Home Farm

This was one of William Langdon's applications and I have been asked to sign it off. However, he does not seem to have consulted natural heritage despite this being a special landscape area, nature conservation site and it has a number of trees on the site. I am concerned that the proposals will mean the loss of several trees (only 1 shown for removal) and this could impact on the SLA and bats.

William has written it up as having no impact on the SLA but I'm not convinced especially if we end up losing trees.

Can someone have a look at this for all these various issues. Do you want a formal consultation?

*Nancy Jamieson*

*Planning Team Manager*

*Locals 2*

Place Directorate | The City of Edinburgh Council | Waverley Court, Level G:3, 4 East Market Street, Edinburgh, EH8 8BG | Tel 0131 529 3916 | [nancy.jamieson@edinburgh.gov.uk](mailto:nancy.jamieson@edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)



In terms of Covid-19, the situation is constantly changing and we are trying to adapt as much as possible to the situation we all find ourselves in. Officers are working from home and can be contacted by email. Please do not attend Waverley Court. The Planning and Building Standards Helpdesk and Counter area are closed.

The Council is facing challenging times on the delivery of key services and Planning and Building Standards staff may be required to support other essential services within the Council.

Follow us on Twitter [@planningedin](https://twitter.com/planningedin) or subscribing to the [Planning Blog](#)

**From:** Julie Dewar  
**Sent:** 9 Apr 2020 10:47:17 +0000  
**To:** Nancy Jamieson  
**Subject:** Old Dairy House Dundas Home Farm South Queensferry 19/05253/FUL

**Erection of one-and-a-half storey, detached, 5 bedroomed family home. | The Old Dairy House Dundas Home Farm South Queensferry EH30 9SS 19/05253/FUL**

Nancy, as I'm off next week I'm giving you initial thoughts on this application.

The location in relation to the LBS will not be an issue. However, you are correct that trees may be an issue. I note that they identify one tree to be removed but no further information is supplied: age, sps etc. So I agree we need further information on trees and potentially information on potential roost features (PRF) for bats. Obviously, as is the case with numerous application, we cannot carry out any such surveys at this time.

Discuss further as required. Julie

Julie Dewar | Senior Planner Planning Initiatives | Place Directorate | The City of Edinburgh Council | Waverley Court, Level G3, 4 East Market Street, Edinburgh EH8 8BG | Tel 0131 469 3625 |

[Julie.dewar@edinburgh.gov.uk](mailto:Julie.dewar@edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)

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**Wash your hands.**



**Use a tissue for coughs and sneezes.**



**Avoid touching your face.**

[www.nhsinform.scot/coronavirus](http://www.nhsinform.scot/coronavirus)

**From:** Nancy Jamieson  
**Sent:** 7 Apr 2020 11:04:32 +0000  
**To:** Natural Heritage Consultation  
**Subject:** 19/05253/FUL - The Old Dairy House, Dundas Home Farm

This was one of William Langdon's applications and I have been asked to sign it off. However, he does not seem to have consulted natural heritage despite this being a special landscape area, nature conservation site and it has a number of trees on the site. I am concerned that the proposals will mean the loss of several trees (only 1 shown for removal) and this could impact on the SLA and bats.

William has written it up as having no impact on the SLA but I'm not convinced especially if we end up losing trees.

Can someone have a look at this for all these various issues. Do you want a formal consultation?

*Nancy Jamieson*

*Planning Team Manager*

*Locals 2*

Place Directorate | The City of Edinburgh Council | Waverley Court, Level G:3, 4 East Market Street, Edinburgh, EH8 8BG | Tel 0131 529 3916 | [nancy.jamieson@edinburgh.gov.uk](mailto:nancy.jamieson@edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)



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**From:** Andrew Smith  
**Sent:** 14 Apr 2020 13:58:55 +0000  
**To:** Nancy Jamieson  
**Cc:** Ken Tippen; Julie Dewar  
**Subject:** RE: Old Dairy House Dundas Home Farm South Queensferry 19/05253/FUL

Hi Nancy

Landscape comments provided below:

Address	The Old Dairy House Dundas Home Farm South Queensferry EH30 9SS
Proposal	Erection of one-and-a-half storey, detached, 5 bedroomed family home.

**NB: Site visit not undertaken due to COVID-19 working restrictions.**

The site lies to the south of a minor road linking the B800 with Dundas Home Farm and Dundas Mains. It comprises former garden ground to the east of the Old Dairy House. To its north are the residential conversion at Dundas Home Farm (formerly Newbigging Steading) - a category B Listed Building, and Dundas Home Farm (formerly Newbigging Farmhouse) category C Listed.

The Dundas Special Landscape Area skirts the northern boundary of Home Farm and Steading to the south of the A90. The SLA encompasses to the south the extensive, wooded, designed landscape, centred around the low rise of Dundas Hill and country house of Dundas Castle. Dundas Castle is recorded within the Inventory of Gardens and Designed Landscapes in Scotland. Green Belt policy applies and the proposal would be a non-conforming use in terms of justification for a new build use.

From the wider landscape, the site is screened to the south, east and west by mature, deciduous woodland and to the north by the A90 embankments. This cluster of former agricultural buildings and dwellings are briefly visible from the B800 on the A90 overbridge. The Old Dairy House appears to have been established on the estate woodland and is shown as an open area in 1940s aerial imagery. The main Ancient Woodland of Long Established Plantation Origin lines the drive from North Lodge to Dundas Castle further to the south.

Trees are confirmed in the application form as present on or adjacent to the site but no detailed tree survey or constraints plan to BS 5837:2012 has been submitted. The D&A Statement photograph appears to show a small Rowan as proposed for removal to facilitate access. To the north, the site boundary is formed by a low rubble wall with a mix of dressed and random coping stones. Additional screening is provided by Cypress and Laurel hedging of approx. 2m height, which is to be retained.

Further garden plantings (possibly Birch shown in D&A Statement) are to be retained and enclosed by a retaining wall and monoblock driveway. Hard landscape materials are not fully specified. Whilst the boundary wall to the north may not be listed, it is part of the rural character and the detail of boundaries and gate piers might be expected. There appears to be no details of proposed external levels, FFLs or height to ridge of the proposed 1.5 storey dwelling.

The nearest tree to the southeast (assuming the site survey is a true reflection of the canopy spread) is approx. 2-3 m away from the building line. A new 1.8m close board time fence is proposed to the east and west and post and wire fence to the woodland to the south.

Overall, based on the proposed layout and site photographs, the proposal is not thought likely to affect trees of significant stature. Whilst it will alter the character of existing garden associated with the Old Dairy it is likely to sufficiently affect the land cover or core area of the Special Landscape Area in terms of the balance of ornamental gardens, parkland or woodlands, nor the wider rural character of the area. Due to the enclosed nature of the site, screen hedge to the north and proposed 1.5 storey development clustered with existing dwellings, visibility from the wider surroundings, core areas of the designed landscape and setting of adjacent listed buildings would be limited.

The confined site provides little scope for provision of new tree planting additional tree planting should the proposal be consented. However, tree protection conforming to BS 5837:2012 must be put in place prior to any works commencing on site and throughout the construction period to protect existing trees to be retained. A tree protection plan will require to be agreed, including showing location of existing and proposed services. The layout plan does not fully specify the proposed materials for hard and soft landscaping and this would need to be submitted and landscaping implementation condition would be required.

Regards  
Andrew

---

**From:** Nancy Jamieson <Nancy.Jamieson@edinburgh.gov.uk>  
**Sent:** 09 April 2020 12:47  
**To:** Julie Dewar <Julie.Dewar@edinburgh.gov.uk>  
**Cc:** Ken Tippen <Ken.Tippen@edinburgh.gov.uk>; Julie Waldron <Julie.Waldron@edinburgh.gov.uk>; Andrew Smith <Andrew.Smith@edinburgh.gov.uk>  
**Subject:** Re: Old Dairy House Dundas Home Farm South Queensferry 19/05253/FUL

Thanks Julie that was my thought as well. We clearly cannot condition bat surveys as my understanding is that would be against the EEC directive.

One of the main issues for perhaps Julie or Andrew to advise on is impact on the SLA. William had written it up as having no impact but this is a huge house and if there is potential tree loss to the south, it could have an impact on the green edge.

Sent from my iPad

On 9 Apr 2020, at 11:47, Julie Dewar <[Julie.Dewar@edinburgh.gov.uk](mailto:Julie.Dewar@edinburgh.gov.uk)> wrote:

**Erection of one-and-a-half storey, detached, 5 bedroomed family home. | The Old Dairy House Dundas Home Farm South Queensferry EH30 9SS 19/05253/FUL**

Nancy, as I'm off next week I'm giving you initial thoughts on this application. The location in relation to the LBS will not be an issue. However, you are correct that trees may be an issue. I note that they identify one tree to be removed but no further information is supplied: age, sps etc. So I agree we need further

information on trees and potentially information on potential roost features (PRF) for bats. Obviously, as is the case with numerous application, we cannot carry out any such surveys at this time.

Discuss further as required. Julie

Julie Dewar | Senior Planner Planning Initiatives | Place Directorate | The City of Edinburgh Council | Waverley Court, Level G3, 4 East Market Street, Edinburgh EH8 8BG | Tel 0131 469 3625 | [Julie.dewar@edinburgh.gov.uk](mailto:Julie.dewar@edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)

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<image001.jpg>

**From:** Matt Raftery  
**Sent:** 14 Jul 2020 06:48:18 +0000  
**To:** Local Review Body  
**Cc:** Robert McIntosh  
**Subject:** Review of 19/05253/FUL (20/00065/REVREF) - further representations (also relevant to 19/04583/FULL)  
**Attachments:** ufm9.pdf

Dear Sirs

We would like to maintain our original objection to this planning application and make further representations as below.

### *Background*

This review concerns what was, until recently, the wooded garden of the 'Old Dairy House'. In April 2016 permission in principle was granted, on appeal, for a single dwelling in the garden of the Dairy House. That permission has now lapsed.

New applications have been submitted to construct two separate properties in what is (/was) the garden of the Dairy House; this review and application 19/04583/FULL (the "Easterly Plot") which is yet to be determined.

Whilst we cannot comment on the correct legal approach to considering multiple applications it would seem impossible to assess the effect of each application on the character of the area etc. without considering the other as well / their combined impact.

### *In-fill*

Indeed, the applicant relies on both applications being considered together. Much is made of the concept of 'in-fill' and the desirability of that (discussed further below). At present, as we understand it, there is no permission to build a house on the Easterly Plot and, as such, there is no gap to in-fill.

Even if permission is granted for the Easterly Plot (which we do not believe should be the case) it is absurd to suggest a long-standing domestic (and previously wooded) garden, behind a thick hedge requires in-fill. Whether strictly relevant or not, we understand the landowner has recently purchased additional land to extend its garden on the west side of the property: garden space is clearly desirable. It seems similarly absurd to suggest this is a brown-field site, or akin to one. There does not appear to be anything to justify the need to 'in-fill' the space.

### *Improvement of surroundings etc*

The suggestion that the granting of these applications would improve the character of the area is difficult to comprehend.

To briefly repeat a point that has made clearly before, the immediate area of these applications is a historic converted farm steading with farmland to the North and the woodland of the Dundas estate and the Dairy House to the South. The Steadings are effectively four inter-linked buildings; all are listed and

anything visible from the road is presumably tightly controlled to maintain the character of the area. As a personal example we are required to maintain the precise frontage of our property, down the style of door, window, garden railings etc and we imagine the higher listed steadings will be the same. Both of these applications will be squarely within this setting, with the plots being a few meters away from the listed properties.

The construction of additional buildings will, in itself, alter the characteristic of the vicinity and change it from a traditional farm steading scenario to a general residential development. Further, the properties being proposed are not in keeping with the vicinity in terms of size (they are both substantial properties), layout (a closely packed row of detached houses with garages and hardstanding etc) or style (the appearance of the modern, wooden fronted, properties is entirely out of keeping with the listed sandstone appearance of the steading).

To again repeat the point it is hard to see how these substantive, modern and overtly domestic properties could not significantly alter the characteristic of the tightly controlled historic farm steading into which they are being placed. The hedge surrounding the Dairy House garden would need to be substantively removed to allow access; any properties will be clearly visible from the road (something that was stated not to be the case when the permission in principle was being considered) and will evidently create a different impression to what is currently there.

### *Green-belt*

This application is for the construction of a property in a domestic garden within the green belt, a conservation area and an area of special historic interest. It is not clear to us whether the Easterly plot has been sold or retains its domestic garden status; either way, there is no reason to grant either application or build there.

The Edinburgh Development Plan has made considerable provision for construction of a new housing in South Queensferry. Such development and associated infrastructure has been planned in detail and the new A90 road provides a clear demarcation of where the plan ends: to the North of the Road has been extensive construction, to the South remains greenbelt farmland.

The granting of either, or both, of these applications would represent a sustained erosion of the green-belt which, presumably, is something the legislation is keen to avoid. This would seem particularly the case where the erosion would take place near the line of demarcation and do nothing but serve to blur that.

In terms of infrastructure there may be public transport in the area but this is not close. It is roughly a 1.5 mile walk to the train station and a 1 mile walk to the bus stop to Edinburgh. In short, these properties are likely to be dependent on cars, as the ample provision for car parking suggests. The access ways to these properties would be problematic, leading onto a narrow lane and the use of increased volume of cars would have a detrimental effect on noise, specifically as a number of bedrooms (including children's) in the steading development face directly onto the road near where the new accessways would be situated.

### *Summary*

Independently each of the applications will alter, and damage, the character of the area. We understand the original permission in principle highlighted the need to ensure any property constructed was in keeping with the area but that the final layout/style of the property was ultimately not determined/granted. The applicant's approach is effectively to use that lapsed permission in principle to justify the construction of two modern properties, something not contemplated, raised or considered at the time. Combined their effect on the immediate vicinity will be significant and highly detrimental.

The area is popular with walkers and cyclists and its appearance/character is tightly controlled. That character is of interlinked buildings connected with a historic farm steading. The construction of substantive modern properties, in a completely different style and appearance, would clearly alter that environment. The properties and their outbuildings would be clearly visible from the road and in no way fit with the current, protected, character. The suggestion that in-filling the existing domestic garden with a further property would be beneficial to the area is laughable.

Further, granting the application would erode the green-belt with no good reason and bring additional traffic noise into the area.

We support the planning officer's original decision and request that this review be rejected.

Matthew and Claire Raftery  
The Farmhouse, Dundas Home Farm.



Our Ref: ep642/let002/DS

31<sup>st</sup> July 2020

Mr. Aidan McMillan  
City of Edinburgh Planning Local Review Body  
G.2  
Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8BG.

Dear Mr. McMillan

**REVIEW REQUEST - 19/05253/FUL - ERECTION OF DETACHED ONE-AND-A-HALF STOREY DWELLING HOUSE AT THE OLD DAIRY HOUSE, DUNDAS HOME FARM, SOUTH QUEENSFERRY EH30 9SS**

Thank you for your e-mail of 29<sup>th</sup> July 2020 in connection with the above-mentioned Review Request and for your invitation to respond to the submissions of Mr. Matthew and Ms. Claire Raftery of The Farmhouse, Dundas Home Farm, South Queensferry in connection with same.

The entire contents of the submissions made by the Rafterys are predicated on an erroneous assumption made by them that the planning permission in principle which was granted by the Council for the erection of a dwelling house on the plot adjacent to our client's plot under the terms of Planning Permission Reference Number 15/05159/PPP on 25<sup>th</sup> April 2016 has now expired.

As we outlined in Paragraph 2.2 of our original submissions, Approval of Matters Specified in the Conditions contained on that grant of planning permission in principle were granted by the Council on 13<sup>th</sup> April 2017 under Planning Application Reference Number 17/00681/AMC. A '*Notice of Initiation of Development*' relating to these consents and dated 12<sup>th</sup> March 2019 was subsequently served on the Council indicating a development commencement date of 19<sup>th</sup> March 2019. The permissions granted under the terms of Planning Permission Reference Numbers 15/05159/PPP and 17/00681/AMC therefore remain valid in perpetuity and can be completed at any time.

As a consequence of the considerations outlined above no weight whatsoever can be given to the submissions made by the Rafterys in the determination of our client's review request and to do so would be a significant error in law.

Please acknowledge receipt of these further submissions at your earliest convenience.

Thanking you in anticipation of your assistance.

Yours sincerely

A handwritten signature in purple ink, appearing to read "Derek Scott", with a stylized, flowing script.

Derek Scott

cc. Mr. & Mrs. P Mayland



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 100275976-001

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:	Derek Scott Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Derek	Building Name:	
Last Name: *	Scott	Building Number:	21
Telephone Number: *		Address 1 (Street): *	Lansdowne Crescent
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH12 5EH
Email Address: *			

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Joanne (Jo)"/>	Building Number: <input type="text" value="92"/>
Last Name: *	<input type="text" value="Mayland"/>	Address 1 (Street): * <input type="text" value="Avalon Gardens"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text" value="Linlithgow Bridge"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Linlithgow"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH49 7PL"/>
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="THE OLD DAIRY HOUSE"/>
Address 2:	<input type="text" value="DUNDAS HOME FARM"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="SOUTH QUEENSFERRY"/>
Post Code:	<input type="text" value="EH30 9SS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="677034"/>	Easting	<input type="text" value="312638"/>
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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)

ERECTION OF DETACHED ONE-AND-A-HALF STOREY DWELLING HOUSE

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

Please refer to attached statement and other documents

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)

Please refer to attached statement and other supporting documents

## Application Details

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

19/05253/FUL

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

01/11/2019

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

15/04/2020

## 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 \*

Further written submissions on specific matters

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

We reserve the right to respond to any submissions made on this review request by the Planning Officer and/or other third parties/organisations. It would also be advisable for the Review Body to visit the site.

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

It would be advisable for the Local Review Body to make contact in advance to advise of estimated time of arrival.

## 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 Derek Scott

Declaration Date: 01/07/2020

## Proposal Details

Proposal Name	100275976
Proposal Description	ERECTION OF DETACHED ONE-AND-A-HALF STOREY DWELLING HOUSE
Address	THE OLD DAIRY HOUSE, DUNDAS HOME FARM, SOUTH QUEENSFERRY, EH30 9SS
Local Authority	City of Edinburgh Council
Application Online Reference	100275976-001

## Application Status

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

## Attachment Details

Notice of Review	System	A4
Document 1 - Review Request Forms	Attached	Not Applicable
Document 2a - Planning Application Forms	Attached	A4
Document 2b - Location Plan	Attached	A4
Document 2c - Site Plan	Attached	A3
Document 2d - Ground Floor Plan	Attached	A3
Document 2e - First Floor Plan	Attached	A3
Document 2g - North and South Elevations	Attached	A3
Document 2f - East and West Elevations	Attached	A3
Document 2h - Sections	Attached	A3
Document 2i - Rendered Images 1	Attached	A3
Document 2j - Rendered Images 2	Attached	A3
Document 2k - Design and Access Statement	Attached	Not Applicable
Document 3 - Report of Handling	Attached	A4
Document 4 - Decision Notice	Attached	Not Applicable
Review Statement Main Document	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0



# NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	Mrs.	Ref No.	ep642SQF
Forename	Joanne (Jo)	Forename	Derek
Surname	Mayland	Surname	Scott
Company Name	c/o Agent	Company Name	Derek Scott Planning
Building No./Name		Building No./Name	
Address Line 1		Address Line 1	21 Lansdowne Crescent
Address Line 2		Address Line 2	
Town/City		Town/City	Edinburgh
Postcode		Postcode	EH12 5EH
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
<b>3. Application Details</b>			
Planning authority		City of Edinburgh Council	
Planning authority's application reference number		19/05253/FUL	
Site address			
The Old Dairy House Dundas Home Farm South Queensferry EH30 9SS			
Description of proposed development			
Erection of detached one-and-a-half storey dwelling house.			

Date of application

01st November 2019

Date of decision (if any)

15th April 2020

**Note.** This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

#### 4. Nature of Application

Application for planning permission (including householder application)

☒

Application for planning permission in principle

☐

Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)

☐

Application for approval of matters specified in conditions

☐

#### 5. Reasons for seeking review

Refusal of application by appointed officer

☒

Failure by appointed officer to determine the application within the period allowed for determination of the application

☐

Conditions imposed on consent by appointed officer

☐

#### 6. 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.

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

Further written submissions

☒

One or more hearing sessions

☐

Site inspection

☒

Assessment of review documents only, with no further procedure

☐

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

We reserve the right to respond to any submissions made on the Review Request by the Planning Officer, Consultees and/or Third Parties.

#### 7. Site inspection

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

Can the site be viewed entirely from public land?

☐

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

☒

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

Application site can be accessed through The Old Dairy House adjacent.

#### 8. Statement

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. Note: 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please refer to attached Review Statement

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes ☐ No ☒

If yes, please explain below a) why you are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

N/A

### 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

Please refer to attached Review Statement

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

### 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form ☒

Statement of your reasons for requesting a review ☒

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review. ☒

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 from that earlier consent.

### DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature

Name: Derek Scott

Date: 29th June 2020

Any personal data that you have been asked to provide on this form will be held and processed in accordance with Data Protection Legislation.



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

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

Thank you for completing this application form:

ONLINE REFERENCE 100197340-001

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

## Type of Application

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

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

## Description of Proposal

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

Erection of 1.5 storey, detached, 5 bedroomed family home

Is this a temporary permission? \*

☐ Yes ☒ No

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

☐ Yes ☒ No

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

☒ No ☐ Yes – Started ☐ Yes - Completed

## Applicant or Agent Details

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

☒ Applicant ☐ Agent

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Jo"/>	Building Number:	<input type="text" value="92"/>
Last Name: *	<input type="text" value="Mayland"/>	Address 1 (Street): *	<input type="text" value="Avalon Gardens"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Linlithgow Bridge"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="Linlithgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH49 7PL"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

## 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="THE OLD DAIRY HOUSE"/>
Address 2:	<input type="text" value="DUNDAS HOME FARM"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="SOUTH QUEENSFERRY"/>
Post Code:	<input type="text" value="EH30 9SS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="677034"/>	Easting	<input type="text" value="312638"/>
----------	-------------------------------------	---------	-------------------------------------

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

☐ Yes ☒ No

## Site Area

Please state the site area:

1302.11

Please state the measurement type used:

☐ Hectares (ha) ☒ Square Metres (sq.m)

## Existing Use

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

Garden belonging to The Old Dairy House

## Access and Parking

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

☒ Yes ☐ No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

☐ Yes ☒ No

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

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

5

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

☒ Yes ☐ No

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

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

As you have indicated that you are proposing to make private drainage arrangements, please provide further details.

What private arrangements are you proposing? \*

- ☐ New/Altered septic tank.
- ☒ Treatment/Additional treatment (relates to package sewage treatment plants, or passive sewage treatment such as a reed bed).
- ☐ Other private drainage arrangement (such as chemical toilets or composting toilets).

Please explain your private drainage arrangements briefly here and show more details on your plans and supporting information: \*

Intend to use a domestic treatment plant leading to a soakaway within the curtilage of the site

Do your proposals make provision for sustainable drainage of surface water?? \*  
(e.g. SUDS arrangements) \*

☐ Yes ☒ No

Note:-

Please include details of SUDS arrangements on your plans

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

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

☒ Yes

☐ No, using a private water supply

☐ No connection required

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

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

☐ Yes ☒ No ☐ Don't Know

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

Do you think your proposal may increase the flood risk elsewhere? \*

☐ Yes ☒ No ☐ Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

☒ Yes ☐ No

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

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

☒ Yes ☐ No

If Yes or No, please provide further details: \* (Max 500 characters)

Space for garbage and recycling bins has been allocated and shown on the plans

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

☒ Yes ☐ No

How many units do you propose in total? *	<div style="border: 1px solid black; width: 50px; height: 20px; margin: 0 auto; display: flex; align-items: center; justify-content: center;">1</div>	Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.
<h2 style="margin: 0;">All Types of Non Housing Development – Proposed New Floorspace</h2>		
Does your proposal alter or create non-residential floorspace? * <span style="float: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No         </span>		
<h2 style="margin: 0;">Schedule 3 Development</h2>		
Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * <span style="float: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know         </span>		
<p>If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.</p> <p>If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.</p>		
<h2 style="margin: 0;">Planning Service Employee/Elected Member Interest</h2>		
Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * <span style="float: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No         </span>		
<h2 style="margin: 0;">Certificates and Notices</h2>		
<p><b>CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013</b></p> <p>One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.</p>		
Are you/the applicant the sole owner of ALL the land? * <span style="float: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No         </span>		
Is any of the land part of an agricultural holding? * <span style="float: right;"> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No         </span>		
Are you able to identify and give appropriate notice to ALL the other owners? * <span style="float: right;"> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No         </span>		
<h2 style="margin: 0;">Certificate Required</h2>		
<p>The following Land Ownership Certificate is required to complete this section of the proposal:</p> <p>Certificate B</p>		

## Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mrs Jane Gilbert

Address:

The Old Dairy House, Dundas Home Farm, Edinburgh, EH30 9SS

Date of Service of Notice: \*

03/01/2020

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Signed: Mrs Jo Mayland

On behalf of:

Date: 01/11/2019

☒ Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

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

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☐ Yes ☐ No ☒ Not applicable to this application

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

☒ Site Layout Plan or Block plan.

☒ Elevations.

☒ Floor plans.

☒ Cross sections.

☐ Roof plan.

☐ Master Plan/Framework Plan.

☐ Landscape plan.

☒ Photographs and/or photomontages.

☐ Other.

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

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. \*

☐ Yes ☒ N/A

A Design Statement or Design and Access Statement. \*

☒ Yes ☐ N/A

A Flood Risk Assessment. \*

☐ Yes ☒ N/A

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

☐ Yes ☒ N/A

Drainage/SUDS layout. \*

☐ Yes ☒ N/A

A Transport Assessment or Travel Plan

☐ Yes ☒ N/A

Contaminated Land Assessment. \*

☐ Yes ☒ N/A

Habitat Survey. \*

☐ Yes ☒ N/A

A Processing Agreement. \*

☐ Yes ☒ N/A

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

## Declare – For Application to Planning Authority

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

Declaration Name: Mrs Jo Mayland

Declaration Date: 01/11/2019

## Payment Details

Online payment: 1715726181351847

Payment date: 01/11/2019 14:22:00

Created: 01/11/2019 14:22

# REVIEW STATEMENT

**19/05253/FUL - ERECTION OF DETACHED ONE-AND-A-HALF STOREY  
DWELLING HOUSE**

At

**THE OLD DAIRY HOUSE  
DUNDAS HOME FARM  
SOUTH QUEENSFERRY  
EH30 9SS**

Prepared by

**Derek Scott Planning  
Planning and Development Consultants**



**21 Lansdowne Crescent  
Edinburgh  
EH12 5EH  
Tel No: 0131 535 1103  
E-Mail: [enquiries@derekscottplanning.com](mailto:enquiries@derekscottplanning.com)**

On behalf of

**Mr. P & Mrs. J Mayland**

# Executive Summary

**19/05253/FUL - ERECTION OF DETACHED ONE-AND-A-HALF STOREY DWELLING  
HOUSE AT THE OLD DAIRY HOUSE, DUNDAS HOME FARM, SOUTH QUEENSFERRY  
EH30 9SS**

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- The application site, which measures approximately 1302 sq. metres in area, lies beyond the M90 to the south of South Queensferry. It forms part of the garden ground at and is located to the east of the Old Dairy House to the south of Dundas Home Farm; the latter comprising a former farm house and steading complex which was converted to residential use in the mid-2000s. Planning permission exists for a further dwelling house immediately to the east with the result that the site represents a ‘gap’ or ‘infill’ opportunity. The land to the south comprises a mature woodland which forms part of the policies associated with Dundas Castle and its estate.
- The application submitted and subsequently refused by the Appointed Planning Officer had sought detailed planning permission for the erection of a 1½ storey detached dwelling house employing traditional design characteristics. Designed as a family home for our clients and their three children the house also incorporates a number of accessibility and disabled features to future proof it for residency by elderly parents.
- The application was refused by the Appointed Officer for the following reasons:
  - The proposal was considered to represent an inappropriate use in the Green Belt as it was unrelated to any form of countryside use or activity that would justify its existence and as such was contrary to the terms of Policy Env 10 in the Edinburgh Local Development Plan and the Council’s Non-Statutory Guidance for Development in the Countryside and Green Belt;
  - The dwelling proposed was considered to be suburban in style and would have an adverse impact on the rural character and appearance of the area rendering it in contravention of Policies Des 1 and 4 of the Edinburgh Local Development Plan;
  - The proposed dwelling house was considered to have an over provision of car parking spaces, contrary to the terms of Policy Tra 2 of the Edinburgh Local Development Plan; and
  - It was considered that there was insufficient information provided to assess the impact of the proposal on trees and protected species.

- The reasons for the refusal of the application are contested on the following grounds:
  - The site in its present condition does not fulfil any of the recognised purposes or functions of Green Belt designation.
  - The Council has previously granted planning permission for the erection of a dwelling house on the site immediately adjacent to the application site notwithstanding its location in the Green Belt, thus creating a precedent in support of development on sites of this nature in the area.
  - The dwelling house is proposed on a ‘gap’ or ‘infill’ site located between the Old Dairy House to the west; the other dwelling house previously granted by the Council to the east; and a mature woodland to the south thus rendering it compliant with the Council’s Non-Statutory Guidance on Development in the Countryside and Green Belt.
  - The development of a dwelling house on the site will contribute positively to the character and appearance of the area by reinforcing the compact and cohesive nature of the group of properties at and adjacent to Dundas Home Farm with a resultant spatial pattern and density which is respectful to the existing built form.
  - Great care and attention has been given by the project architects to incorporate traditional features within the design including dormer and vertically proportioned windows; appropriately pitched roofs and a palate of materials (e.g. slate roof) to blend and harmonise with the surrounding architectural vernacular.
  - Our clients would happily accept a condition on any permission granted which required one of the proposed external car parking spaces to be removed from the scheme thus leaving two external car parking spaces and associated space for manoeuvring/turning vehicles within the curtilage. Such arrangements would be consistent with the permission granted for the dwelling house on the adjacent plot under the terms of Permission Reference Number 17/00681/AMC.
  - The application proposals involve the loss of a single small rowan tree; the removal of which is required to facilitate the formation of the required access arrangements to the proposed dwelling house. That said tree is not considered to be worthy of retention. There are no other trees on the site itself requiring removal. Our client would be happy to plant a replacement tree in the garden area to the front of the proposed dwelling house if required as a condition of any permission granted.

- Neither our clients, nor the site owners are aware of any protected species roosting in the trees next to or in the vicinity of the site and as a consequence we do not consider that a bat survey is required to be undertaken. This position is further supported by comments made in the Report of Handling on the application relating to the dwelling house on the site immediately adjacent which was deemed acceptable from a nature conservation perspective without such a survey having been undertaken.
- Other points in support of the application include the following:
  - The development of the site will contribute to the supply of land for housing development and to the mix and range of house types available within the Edinburgh Housing Market Area.
  - The development of a dwelling house on the site will bring positive benefits to the economy through the creation of employment opportunities for locally based tradespeople. Such benefits are particularly important at this time given the pressures imposed on those involved in the construction industry as a result of the implications arising from the coronavirus pandemic.
  - Although the site is located in the Countryside and Green Belt it is located in a highly sustainable location being in close proximity to bus and rail based public transport services; the M90; and benefitting from easy access to foot and cycle paths.
- In light of the considerations outlined above it is respectfully requested that the review request made be upheld and that planning permission be granted for the proposal as applied for.

# REVIEW STATEMENT

**19/05253/FUL - ERECTION OF DETACHED ONE-AND-A-HALF STOREY DWELLING HOUSE  
AT THE OLD DAIRY HOUSE, DUNDAS HOME FARM, SOUTH QUEENSFERRY EH30 9SS**

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2.	Location and Description of Site	Page 3.
3.	Description of Proposed Development	Page 7.
4.	Planning Policy	Page 11.
5.	Comment on Reasons for Refusal	Page 35.
6.	Summary & Conclusions	Page 39.

# LIST OF DOCUMENTS

**19/05253/FUL - ERECTION OF DETACHED ONE-AND-A-HALF STOREY DWELLING HOUSE AT  
THE OLD DAIRY HOUSE, DUNDAS HOME FARM, SOUTH QUEENSFERRY EH30 9SS**

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**Document 1 -** Review Request Form

**Document 2 -** Planning Application Documents Relating to Planning Application  
Reference Number 19/05253/FUL

2(a) – Planning Application Forms

2(b) – Location Plan

2(c) – Site Plan

2(d) – Ground Floor Plan

2(e) – First Floor Plan

2(f) – East & West Elevations

2(g) – North & South Elevations

2(h) – Sections

2(i) – Rendered Images 1

2(j) – Rendered Images 2

2(k) – Design & Access Statement

**Document 3 –** Report of Handling relating to 19/05253/FUL

**Document 4 –** Decision Notice relating to 19/05253/FUL

# REVIEW STATEMENT

**19/05253/FUL - ERECTION OF DETACHED ONE-AND-A-HALF STOREY DWELLING HOUSE AT  
THE OLD DAIRY HOUSE, DUNDAS HOME FARM, SOUTH QUEENSFERRY EH30 9SS**

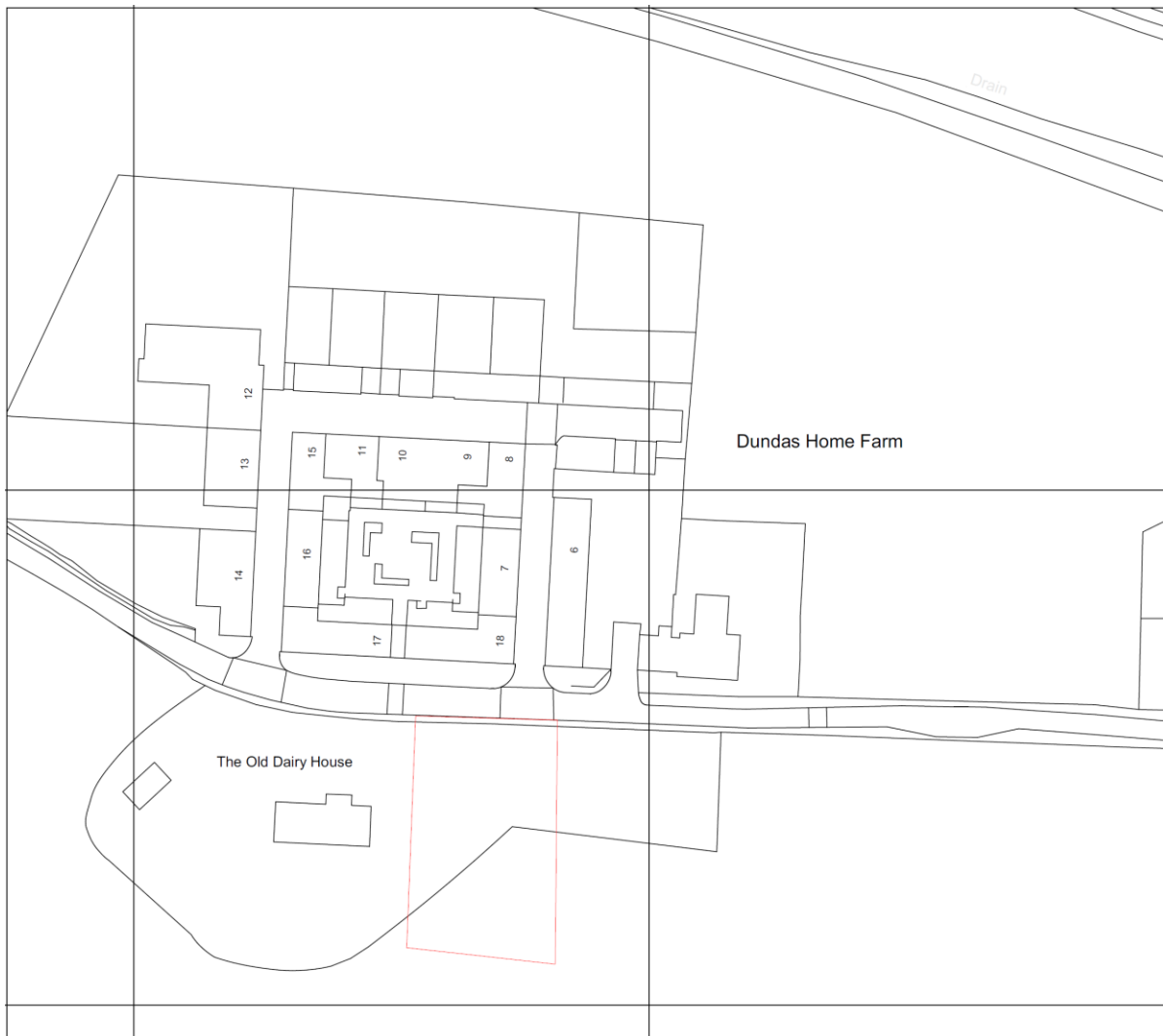
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## **1. INTRODUCTION**

- 1.1 This statement has been prepared by Derek Scott Planning, Chartered Town Planning and Development Consultants and is in support of a request to review the decision of the Appointed Officer in relation to a Planning Application which had sought detailed planning permission for the erection of a one-and-a-half storey dwelling house at The Old Dairy House, Dundas Home Farm, South Queensferry.
- 1.2 The application was refused permission under delegated powers on 15<sup>th</sup> April 2020 (Planning Application Reference Number 19/05253/FUL). The Review Request has been prepared on behalf of the applicant, Mrs. Jo Mayland and her husband Mr. Paul Mayland, who are proposing to purchase the site from the current owner, Mrs. Jane Gilbert.

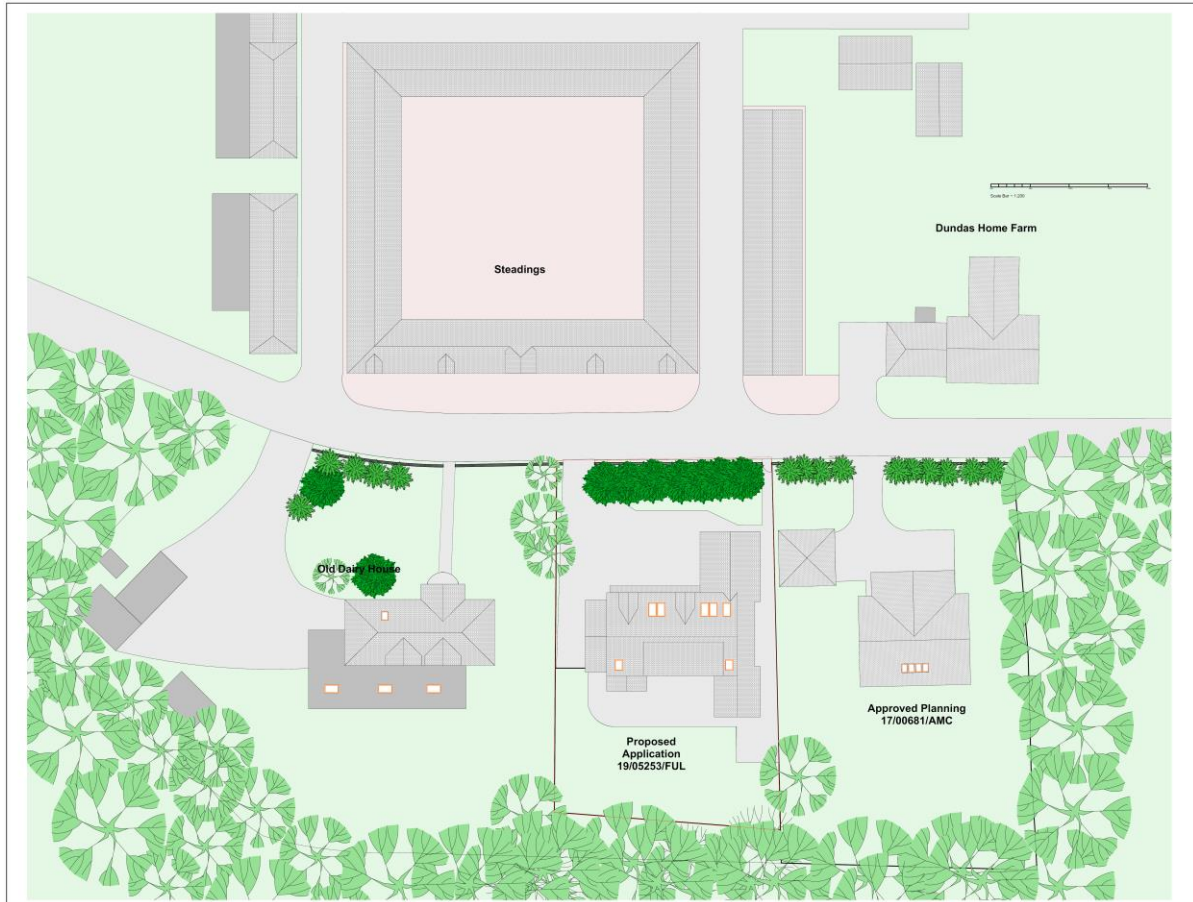
## 2. LOCATION AND DESCRIPTION OF SITE

- 2.1 The application site which measures approximately 1302 sq. metres in area lies beyond the M90 to the south of South Queensferry. It is located to the east and forms part of the garden ground of The Old Dairy House and to the south of Dundas Home Farm. There are a small number of trees on the site itself and a woodland of mature trees associated with Dundas Castle Estate to the south. A number of other trees on the site were removed some time ago. A low stone wall and hedge (4.5 metre high) forms the site's northern boundary, beyond which is an unnamed access road leading to and from the B800. Dundas Home Farm, to the north of the access road referred to, was converted to residential use in the mid-2000s; planning permission having been granted for the conversion in August 2001 under Planning Application Reference Number 01/00258/FUL. Dundas Home Farm (former Newbigging Farm House) is a Category 'C' Listed Building and its associated steading (now residential) is a Category 'B' Listed Building.



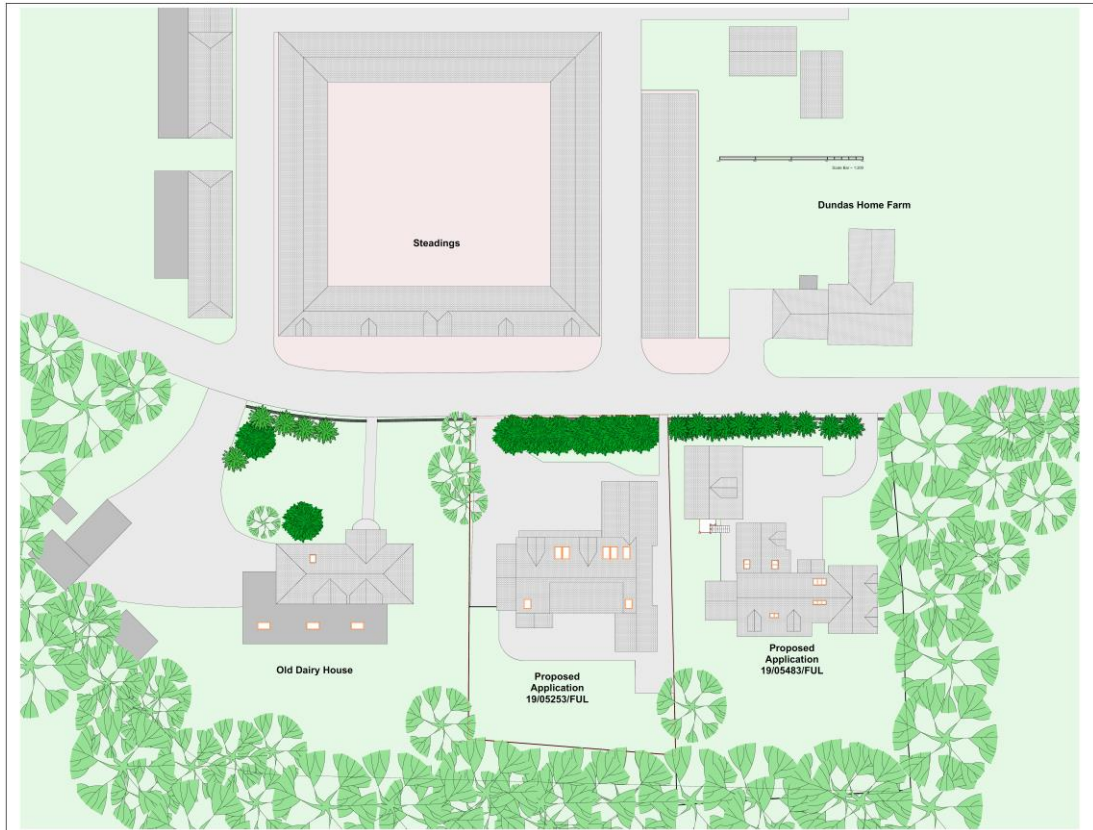
*Location Plan*

- 2.2 Permission has previously been granted for the erection of a one and a half storey dwelling house on the site immediately to the east of the current application/appeal site. Planning Permission in Principle was granted by the Council's Local Review Body on 25<sup>th</sup> April 2016 under Planning Application Register Reference Number 15/05159/PPP with Approval of Matters Specified in Conditions granted on 13<sup>th</sup> April 2017 under Planning Application Reference Number 17/00681/AMC. A '*Notice of Initiation of Development*' relating to these consents and dated 12<sup>th</sup> March 2019 was served on the Council indicating a development commencement date of 19<sup>th</sup> March 2019.



Site Plan showing existing buildings, dwelling house with planning permission (17/00681/AMC) and proposed dwelling (19/05253/FUL)

- 2.3 As a consequence of the decision referred to the application site forms and has the characteristics of an '*infill*' or '*gap*' site sandwiched between The Old Dairy House to the west; the consented dwelling house to the east; Dundas Home Farm to the north; and woodland to the south.
- 2.4 An application for a dwelling house (amended design) was submitted to the Council on 26<sup>th</sup> November 2019 and registered under Planning Application Reference Number 19/05483/FUL. It has not yet been determined.



*Site Plan showing existing buildings, dwelling house featuring in 19/05483/FUL and proposed dwelling (19/05253/FUL)*



*The Dairy House*



*Dundas Home Farm*



*Former Newbigging Farm House*



*Site Frontage looking West*



*Woodland at rear (south of site)*



*Hedge at front of site as viewed within Plot from south*



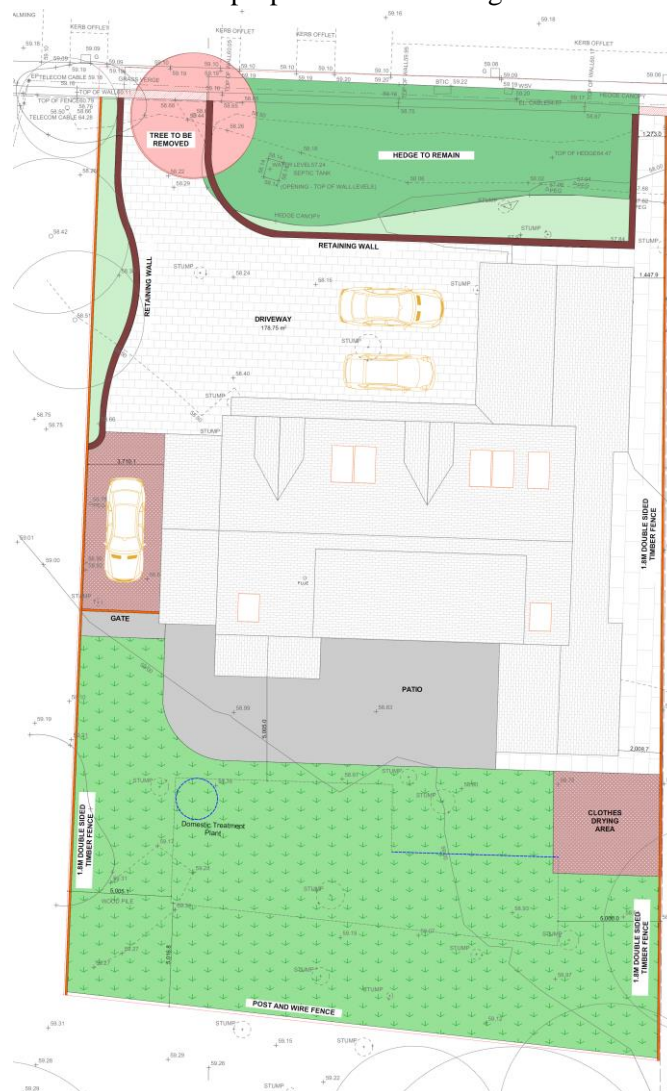
*View from south east corner looking towards north west*



*Proposed access point and existing trees*

### 3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1 The application submitted (**See Document 2**) and subsequently refused by the Appointed Officer under delegated powers had sought detailed planning consent for the erection of a 1½ storey, five bed roomed family home. Accommodation comprised within the proposed dwelling included; on the ground floor, an open plan kitchen/dining/living area, 2 no. bedrooms with an accessible bathroom and dressing room, WC, study, utility, pantry, snug and integral double garage; and on the first floor, three further bedrooms, bathroom, dressing room and a games room. In addition to the proposed stairwell both floors would also be connected with the provision of a lift. The accessibility facilities proposed are required to future proof the dwelling for residency by elderly parents.
- 3.2 The proposed dwelling house which is set on a footprint of c260 sq. metres employs a traditional design in terms of style and materials with the latter comprising rendered walls, a slate roof, fibre cement weatherboard and timber/windows/doors. A single small rowan tree requires removal to facilitate the proposed access arrangements.



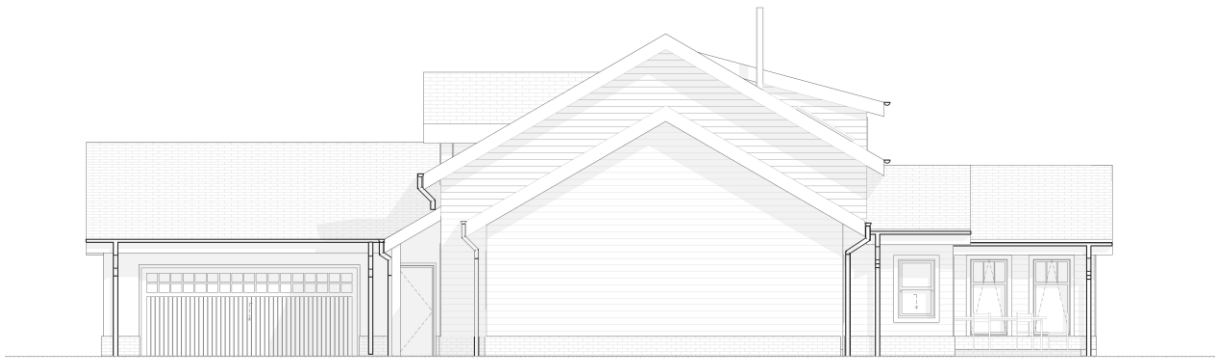
*Proposed Site Plan*



*North Elevation*



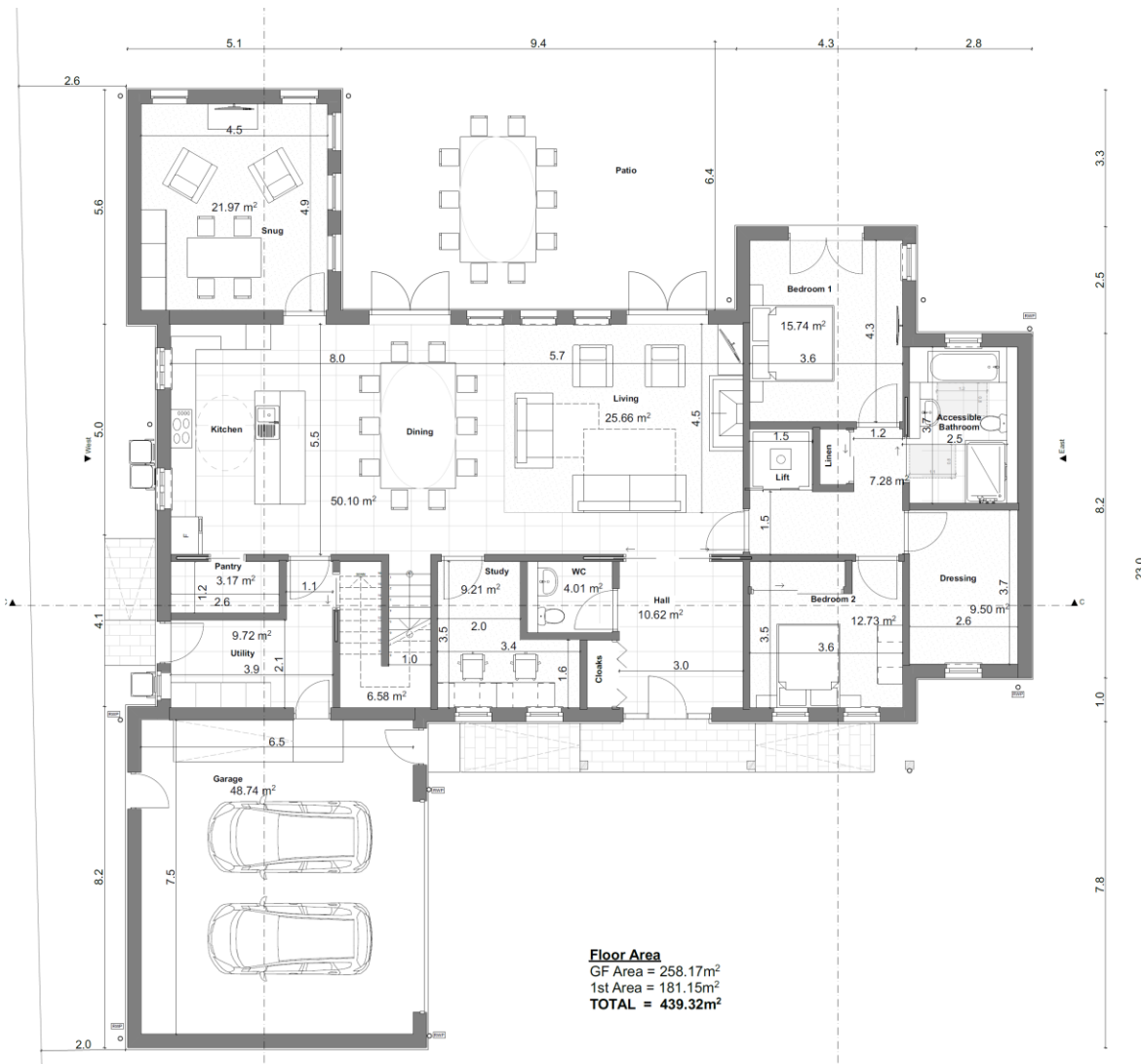
*South Elevation*



*East Elevation*



*West Elevation*



*Proposed Ground Floor Plan*



*Proposed First Floor Plan*

## 4. PLANNING POLICY

- 4.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) (hereinafter referred to as '*the Planning Act*') states that:

*'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 development plan unless material considerations indicate otherwise.'*

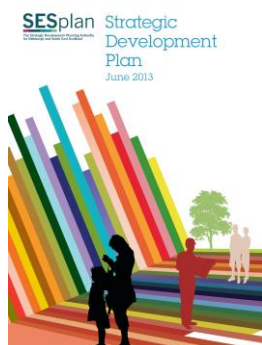
- 4.2 Section 59 (1) of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that:

*'In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possess.'*

- 4.3 In the context of the Planning Act referred to above, it is important to make reference to the House of Lord's Judgement on the case of the City of Edinburgh Council v the Secretary of State for Scotland 1998 SLT120. It sets out the following approach to deciding an application under the Planning Acts:

- *identify any provisions of the development plan which are relevant to the decision;*
- *interpret them carefully, looking at the aims and objectives of the plan as well as detailed wording of policies;*
- *consider whether or not the proposal accords with the development plan;*
- *identify and consider relevant material considerations, for and against the proposal; and*
- *assess whether these considerations warrant a departure from the development plan.*

- 4.4 The relevant development plan for the area within which the application site lies comprises the Strategic Development Plan for Edinburgh and South East Scotland (SESPlan) 2015 and the Edinburgh Local Development Plan 2016. Other material considerations which should be considered in the determination of the appeal include Scottish Planning Policy, Planning History, Consultation Responses and Third Party Representations.



### **Strategic Development Plan for Edinburgh and South East Scotland**

- 4.5 The Strategic Development Plan for Edinburgh and South East Scotland (SESPlan) was approved by Scottish Ministers on 27th June 2013. This plan provides the strategic framework for the determination of planning applications and for the preparation of local development plans. As the application site is located within the Green Belt as defined in the Edinburgh Local Development Plan (referred to below), the terms of Policy 12 on the subject of ‘Green Belts’ is of relevance. This states the following:

*‘Local Development Plans will define and maintain Green Belts around Edinburgh and to the south west of Dunfermline for the following purpose to:*

- a. Maintain the identity and character of Edinburgh and Dunfermline and their neighbouring towns, and prevent coalescence, unless otherwise justified by the Local Development Plan settlement strategy;*
- b. Direct planned growth to the most appropriate locations and support regeneration;*
- c. Maintain the landscape setting of these settlements; and*
- d. Provide opportunities for access to open space and the countryside.*

*Local Development Plans will define Green Belt boundaries to conform to these purposes, ensuring that the strategic growth requirements of the Strategic Development Plan can be accommodated.*

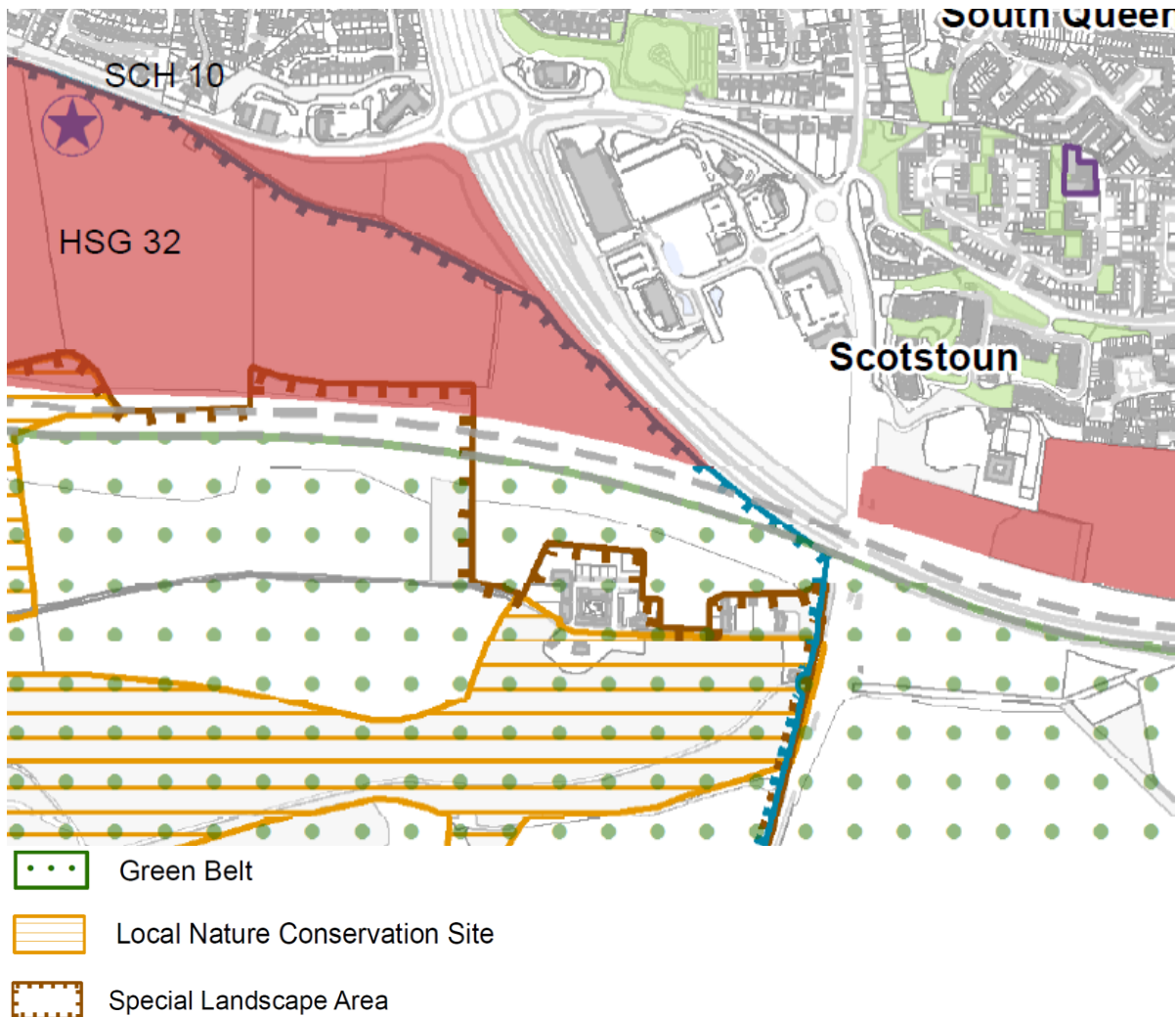
*Local Development Plans should define the types of development appropriate within Green Belts. Opportunities for contributing to the Central Scotland Green Network proposals should also be identified in these areas.’*

- 4.6 Whilst the application site is clearly located within the Green Belt as defined in the Local Development Plan it is important to determine if the site itself contributes to the specific purposes of Green Belt Designation under the terms of Criteria (a-d) above. We are very firmly of the opinion that the site does not so contribute for the following reasons:

- As noted in Paragraph 2.3 previously the application site forms and has the characteristics of an ‘infill’ or ‘gap’ site sandwiched between The Old Dairy House to the west; the consented dwelling house to the east; Dundas Home Farm to the north; and woodland to the south. As a consequence of this the site
  - does not contribute to the identity or character of Edinburgh (a);
  - it will not result in the coalescence of separate settlements (a);
  - whilst the site does not form part of a defined settlement it will form part of a recognisable group or hamlet of dwelling houses which have the characteristics of a small settlement (b);
  - the development of the site will not detract from the landscape setting of any settlement or existing cluster of houses (c); and
  - the site in its present condition does not provide for access for others to the open countryside (d).

### Edinburgh Local Development Plan

- 4.7 The Edinburgh Local Development Plan was adopted by the City of Edinburgh Council in November 2016. The application site lies within the Green Belt on the edge of the South Queensferry Settlement Envelope as defined in the Proposals Map accompanying the Plan. The site also lies within a Special Landscape Area and a Local Nature Conservation Area. Dundas Castle is also recorded within the Inventory of Gardens and Designed Landscapes in Scotland.



*Extract from Local Development Plan – Proposals Map*

- 4.8 Policy Env 10 on 'Development in the Green Belt and Countryside' states the following:

*'Within the Green Belt and Countryside shown on the Proposals Map, development will only be permitted where it meets one of the following criteria and would not detract from the landscape quality and/or rural character of the area:*

- a) *For the purposes of agriculture, woodland and forestry, horticulture or countryside recreation, or where a countryside location is essential and provided any buildings,*

*structures or hard standing areas are of a scale and quality of design appropriate to the use.*

- b) *For the change of use of an existing building, provided the building is of architectural merit or a valuable element in the landscape and is worthy of retention. Buildings should be of domestic scale, substantially intact and structurally capable of conversion.*
- c) *For development relating to an existing use or building(s) such as an extension to a site or building, ancillary development or intensification of the use, provided the proposal is appropriate in type in terms of the existing use, of an appropriate scale, of high quality design and acceptable in terms of traffic impact.*
- d) *For the replacement of an existing building with a new building in the same use provided:*
  - 1) *the existing building is not listed or of architectural / historic merit;*
  - 2) *the existing building is of poor quality design and structural condition,*
  - 3) *the existing building is of domestic scale, has a lawful use and is not a temporary structure; and*
  - 4) *the new building is of a similar or smaller size to the existing one, lies within the curtilage of the existing building and is of high design quality.'*

4.9 Whilst it is accepted that the application proposals are contrary to the Green Belt designation pertaining to the site, the position and premise for advancing the proposals are based on the fact that the site represents an infill development which does not contribute in any way to the principles and objectives of green belt designation as has been outlined previously in Paragraph 4.6 under our assessment of Policy 12 in SESPlan. The development proposals advanced within the application will, in contrast, result in benefits to the landscape quality and character of the area by infilling a gap and therefore creating a more cohesive and compact group of buildings than would otherwise be the case. It is worth stressing at this juncture that in granting planning permission for the erection of the dwelling house to the east of the application site in 2016 under Planning Permission Reference Number 15/05159/PPP the Council's Local Review Body concluded, inter-alia, that:

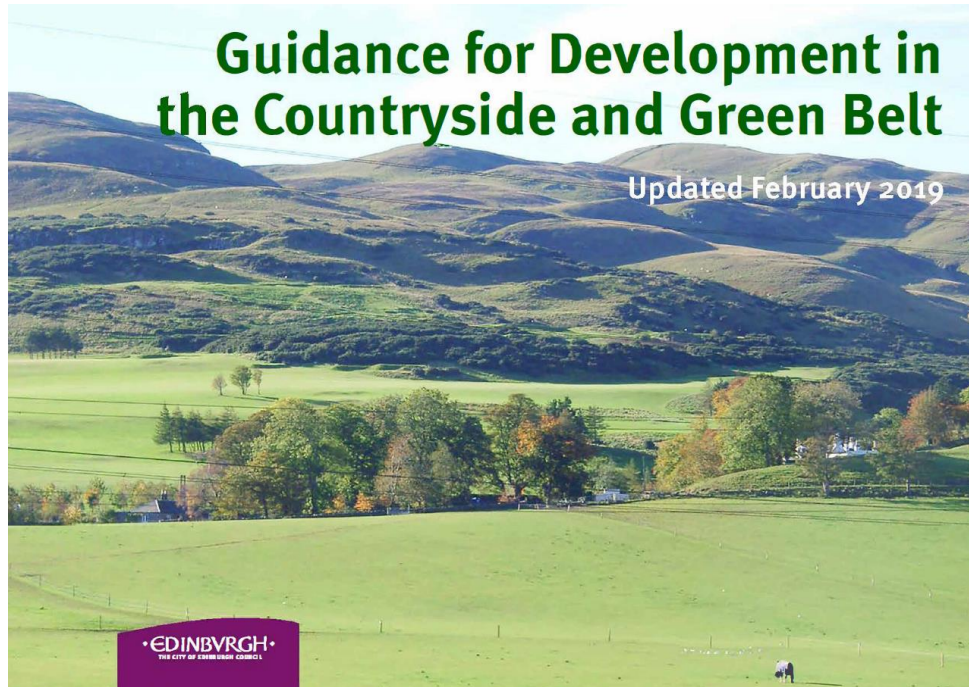
- 1. *The application was for a single house in a part of the Green Belt which has other houses nearby. There would be no harm to the Green Belt provided the new house was of a design and form that suitably integrated with the surrounding houses.'*

Although the decision referred to was made within the context of an earlier and now superseded local development plan (The Rural West Edinburgh Local Plan) the policies pertaining to the area have remained precisely the same, thus creating a precedent in support of the granting of planning permission for the proposal now applied for, by our clients.



*Series of images demonstrating that the proposed dwelling represents the development of an infill/gap site.*

- 4.10 The Council's associated Guidance for 'Development in the Countryside and Greenbelt' (February 2019) is also of relevance in the context of Policy Env10. It states, inter-alia that 'the key test for all proposals in the countryside and green belt will be to ensure that the development does not detract from the landscape quality and/or rural character of the area.' It further states that 'new houses not associated with countryside use will not be acceptable unless there are exceptional planning reasons for approving them. **These reasons include the reuse of brownfield land and gap sites within existing clusters of dwellings.**' (highlighting added) As already noted our client's proposal involves the development of an infill site within a cluster of existing dwellings and as such will not detract from the landscape quality and/or rural character of the wider area within which it is located.



4.11 Other policies within the local development plan against which the application must be considered and assessed include the following:

- Policy Del 1 - Developer Contributions and Infrastructure Delivery
- Policy Des 1 - Design Quality and Context
- Policy Des 2 - Co-ordinated Development
- Policy Des 3 - Development Design - Incorporating and Enhancing Existing and Potential Features
- Policy Des 4 - Development Design – Impact on Setting
- Policy Des 5 - Development Design – Amenity
- Policy Des 6 - Sustainable Buildings
- Policy Des 7 - Layout Design
- Policy Des 8 - Public Realm and Landscape Design
- Policy Des 9 - Urban Edge Development
- Policy Env 3 – Listed Buildings (Setting)
- Policy Env 7 – Historic Gardens and Designed Landscapes
- Policy Env 11 – Special Landscape Areas
- Policy Env 12 - Trees
- Policy Env 15 – Sites of Local Importance
- Policy Env 16 - Species Protection
- Policy Env 22 - Pollution and Air, Water and Soil Quality
- Policy Hou1 - Housing Development
- Policy Hou 2 - Housing Mix
- Policy Hou 3 - Private Green Space in Housing Development
- Policy Hou 4 - Housing Density

- Policy TRA2 – Private Car Parking
- Policy RS1 - Sustainable Energy
- Policy RS6 - Water and Drainage

4.12 Policy Del 1 on ‘*Developer Contributions and Infrastructure Delivery*’ states the following:

1. *Proposals will be required to contribute to the following infrastructure provision where relevant and necessary to mitigate\* any negative additional impact (either on an individual or cumulative basis) and where commensurate to the scale of the proposed development:*
  - a) *The strategic infrastructure from SDP Fig. 2, the transport proposals and safeguards from Table 9 including the existing and proposed tram network, other transport interventions as specified in Part 1 Section 5 of the Plan and to accord with Policy Tra 8. Contribution zones will apply to address cumulative impacts.*
  - b) *Education provision including the new school proposals from Table 5 and the potential school extensions as indicated in Part 1 Section 5 of the Plan. Contribution zones will apply to address cumulative impact.*
  - c) *Green space actions if required by Policy Hou 3, Env 18, 19 or 20. Contribution zones may be established where provision is relevant to more than one site.*
  - d) *Public realm and other pedestrian and cycle actions, where identified in the Council’s public realm strategy, or as a site specific action. Contribution zones may be established where provision is relevant to more than one site.*
2. *Development should only progress subject to sufficient infrastructure already being available or where it is demonstrated that it can be delivered at the appropriate time. In order to provide further detail on the approach to implementation of this policy and to provide the basis for future action programmes Supplementary Guidance will be prepared to provide guidance including on:*
  - a) *The required infrastructure in relation to specific sites and/or areas*
  - b) *Approach to the timely delivery of the required infrastructure*
  - c) *Assessment of developer contributions and arrangements for the efficient conclusion of legal agreements*
  - d) *The thresholds that may apply*
  - e) *Mapping of the cumulative contribution zones relative to specific transport, education, public realm and green space actions.*
  - f) *The Council’s approach should the required contributions raise demonstrable commercial viability constraints and/or where forward or gap funding may be required.’*

4.13 Our client has no difficulty with the principle of considering contributions towards any infrastructure requirements which arise as a result of the direct impacts of the proposal and provided any such requests are entirely compliant with the terms of Scottish Government Circular 3/2012 on ‘*Planning Obligations and Good Neighbour Agreements.*’ We would obviously expect this application to be treated consistent with the approved application in 2017 in respect of these and any other requirements

## Planning Obligations and Good Neighbour Agreements

### Circular 3/2012



- 4.14 Policy Des 1 on '*Design Quality and Context*' states the following:

*'Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.'*

- 4.15 The Design Statement (**Document 2k**) submitted in support of the application clearly demonstrates that the proposal will contribute to a very strong sense of place and character to the benefit of the site and the entire context within which it is located. As noted previously and notwithstanding the zoning provisions pertaining to it, the site exhibits the characteristics of an '*infill*' or '*gap*' site within an established cluster or hamlet of existing buildings thus enabling it to integrate seamlessly in an entirely sustainable and coherent manner. The design itself is traditional in character and sympathetic to those proposed and existing properties surrounding it.

- 4.16 Policy Des 2 on '*Co-ordinated Development*' states the following:

*'Planning permission will be granted for development which will not compromise:*

- a) the effective development of adjacent land; or*
- b) the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council.'*

- 4.17 As noted in our response to Policy Des 1 above, the site is of an '*infill nature*' and will neither impact nor compromise the development of adjacent land.



*Proposed Dwelling House – Rendered Image*

- 4.18 Policy Des 3 on ‘*Development Design - Incorporating and Enhancing Existing and Potential Features*’ states the following:

*‘Planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.’*

- 4.19 The existing hedging and stone walling to the north of the site have been identified as features worthy of retention and have been incorporated within the overall design (except for that area to be removed to facilitate access arrangements) duly assisting with the integration of the proposed dwelling within its context. Only one small tree (a Rowan) is proposed to be removed, again to facilitate the proposed access arrangements.

- 4.20 Policy Des 4 on ‘*Development Design – Impact on Setting*’ states the following:

*‘Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:*

- a) height and form*
- b) scale and proportions, including the spaces between buildings*
- c) position of buildings and other features on the site*
- d) materials and detailing’*

- 4.21 As noted previously the application proposals involve the infilling of a ‘gap’ site between existing and consented dwelling houses. The dwelling house proposed is respectful in terms of its scale, proportions and height to its immediate neighbours to the north, east and west and backs onto a mature woodland which helps contain it within a natural setting. The materials and detailing proposed are reflective of and sympathetic with the established vernacular prevalent in the immediate area. It should also be noted that the hedging to the front will largely screen views of the house from the access road.



4.22 Policy Des 5 on ‘*Development Design – Amenity*’ states the following:

*‘Planning permission will be granted for development where it is demonstrated that:*

- a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook*
- b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses*
- c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas*
- d) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms*
- e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design.’*

4.23 The proposed dwelling house, as noted in the Report of Handling on the application, meets the requirements of the Edinburgh Design Guidance in terms of the provision of adequate floor space and the internal living environment for future occupiers. The proposal also provides for sufficient garden ground to ensure satisfactory amenity levels.

4.24 It lies within c1.5-2.0m of the boundary on the east elevation and around 3m from the west boundary. The proposal satisfies the 25-degree daylighting criterion outlined in the Edinburgh Design Guidance document and furthermore will not result in the loss of daylight to neighbouring windows. Given the height of the proposal and its orientation in relation to neighbouring properties, it will not overshadow neighbouring private garden space. The relevant Guidance states that where windows will look on to neighbours that a minimum distance of 9 metres should be maintained from common boundaries. The proposed dwelling would not overlook other residential properties as there are no upper level windows on the east and west elevations. In short the proposal would not result in an unreasonable loss of neighbouring amenity and is acceptable in this regard rendering it compliant with the terms of Policy Des 5.

4.25 Policy Des 6 on ‘*Sustainable Buildings*’ states the following:

*‘Planning permission will only be granted for new development where it has been demonstrated that:*

- a) the current carbon dioxide emissions reduction target has been met, with at least half of this target met through the use of low and zero carbon generating technologies.*

- b) *other features are incorporated that will reduce or minimise environmental resource use and impact, for example:*
  - i. *measures to promote water conservation*
  - ii. *sustainable urban drainage measures that will ensure that there will be no increase in rate of surface water run-off in peak conditions or detrimental impact on the water environment. This should include green roofs on sites where measures on the ground are not practical*
  - iii. *provision of facilities for the separate collection of dry recyclable waste and food waste*
  - iv. *maximum use of materials from local and/or sustainable sources*
  - v. *measures to support and encourage the use of sustainable transport, particularly cycling, including cycle parking and other supporting facilities such as showers.'*

4.26 Our client's will carry out a detailed SAP assessment in order to be guided towards the best practice possible for creating a low carbon dwelling. They have already decided on using a SIPs construction method, concentrating on a highly efficient Fabric First approach, which will limit the amount of heating required. By using a SIPs highly airtight panel system they will be required to use an MVHR system as the perceived air infiltration rate will be lower than  $5\text{m}^3/\text{h.m}^2$  @ 50 Pa. In addition the following points are also of relevance to the terms of the policy:

- (a) Water Efficient Fittings will be used to prevent undue water consumption;
- (b) Soakaways will be provided on site for both surface and foul water so as not to overburden the urban drainage system;
- (c) SIPs Industries use whitewood timber which is sourced from managed plantations through a recognised timber supplier and sawmills. This timber is vacuum treated, a process that uses no solvents. FSC and PEFC accredited. SIPS panels are typically jointed at 1200mm centres, giving a saving of approximately 50% in timber, when compared to standard timber frame construction. The scheme will also be valued engineered size the structure to 1200mm panel sizes as much as possible so as to reduce unwanted cut-off; and
- (d) The proposed garage will be used for the storage of bicycles. Cycling and/or walking will be used to access Dalmeny train station whenever possible. A Bus stop at the end of Dundas Home Farm Road is also available. Our clients also intend to install an electric car charging station with the intention of moving to electric vehicles in the future.

4.27 Policy DES 7 on '*Layout Design*' states the following:

*'Planning permission will be granted for development where:*

- a) *a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths, public and private open spaces, services and SUDS features has been taken*
- b) *new streets within developments are direct and connected with other networks to ensure ease of access to local centres and public transport and new public or focal spaces are created where they will serve a purpose*
- c) *the layout will encourage walking and cycling, cater for the requirements of public transport if required and incorporate design features which will restrict traffic speeds to an appropriate level and minimise potential conflict between pedestrians, cyclists and motorised traffic*
- d) *car and cycle parking areas and pedestrian and cycle paths are overlooked by surrounding properties*
- e) *safe and convenient access and movement in and around the development will be promoted, having regard especially to the needs of people with limited mobility or special needs*
- f) *public open spaces and pedestrian and cycle routes are connected with the wider pedestrian and cycle network including any off-road pedestrian and cycle routes where the opportunity exists.'*

4.28 Whilst Policy Des 7 is, in essence, more applicable to residential developments involving the erection of multiple units than it is to the erection of single dwelling houses in rural locations, it is worth noting that the current application does not compromise in any materially adverse way the existing form, layout and relationship between the existing and consented properties at Dundas Home Farm.

4.29 Policy Env 3 on '*Listed Buildings – Setting*' states the following:

*'Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.'*

4.30 As noted previously, the former farm house and converted steading to the north of the application site are Category C and B listed buildings respectively. The retention of the hedge and stone wall to the north of the site combined with the traditional characteristics of the dwelling house proposed will ensure that the setting of these listed buildings will be protected and not in any way adversely affected.

4.31 Policy Env 7 on '*Historic Gardens and Designed Landscapes*' states the following:

*'Development will only be permitted where there is no detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes, adverse effects on its setting or upon component features which contribute to its value. Elsewhere, adverse effects on historic landscape features should be minimised. Restoration of Inventory sites and other historic landscape features is encouraged.'*

4.32 The proposed development site is located within the Dundas Castle Inventory site, situated to the south of Dundas Castle Home Farm and set within the garden ground of the Old Dairy House, part of which has previously received permission for the erection of a dwelling house. Development in this location, which in effect is a 'gap' or 'infill' site will not have an adverse impact on the Inventory designed landscape. The development will group with existing estate buildings and will not be visible from the core of the designed landscape or its approaches.

4.33 Policy 9 on the 'Development of Sites with Archaeological Potential' states the following:

*'Planning permission will be granted for development on sites of known or suspected archaeological significance if it can be concluded from information derived from a desk-based assessment and, if requested by the Council, a field evaluation, that either: a) no significant archaeological features are likely to be affected by the development or b) any significant archaeological features will be preserved in situ and, if necessary, in an appropriate setting with provision for public access and interpretation or c) the benefits of allowing the proposed development outweigh the importance of preserving the remains in situ. The applicant will then be required to make provision for archaeological excavation, recording, and analysis, and publication of the results before development starts, all to be in accordance with a programme of works agreed with the Council.'*

4.34 As the garden grounds to the east of the Dairy House have been significantly cultivated and landscaped during the 19<sup>th</sup> and 20<sup>th</sup> centuries, the potential for disturbing significant archaeological remains through the development of the application site for the dwelling house applied for is considered to be exceptionally low as per the conclusions arrived at on the adjacent site under Planning Permission Reference Number 17/00681/AMC.

4.35 Policy Env 11 on 'Special Landscape Areas' states the following:

*'Planning permission will not be granted for development which would have a significant adverse impact on the special character or qualities of the Special Landscape Areas shown on the Proposals Map.'*

4.36 Our comments on Policy Env7 as noted in Paragraph 4.32 are equally applicable to the terms of Policy Env 11. In short it is not considered that the proposal will have an adverse impact on the special character or qualities of the designated Special Landscape Area.

4.37 Policy Env 12 on 'Trees' states the following:

*'Development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for good arboricultural reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.'*

4.38 The application proposals involve the loss of a single small rowan tree (25 cm diameter); the removal of which is required to facilitate the formation of the required access arrangements

to the proposed dwelling house. That said tree is not considered to be worthy of retention, viewed in the context of the wider benefits deriving from the site's development. There are no other trees on the site. Our client would be happy to plant a replacement tree in the garden area to the front of the proposed dwelling house, if deemed necessary to compensate for the loss of the exiting tree referred to.



*Single tree to be removed to facilitate access arrangements*

4.39 Policy Env 16 on '*Species Protection*' states the following

*'Planning permission will not be granted for development that would have an adverse impact on species protected under European or UK law, unless:*

- a) there is an overriding public need for the development and it is demonstrated that there is no alternative*
- b) a full survey has been carried out of the current status of the species and its use of the site*
- c) there would be no detriment to the maintenance of the species at 'favourable conservation status\*'*
- d) suitable mitigation is proposed.'*

4.40 Neither our clients, nor the site owners are aware of any bats roosting in the trees next to or in the vicinity of the site and as a consequence we do not consider that a bat survey is required to be undertaken. This position is further supported by comments made in the Report of Handling on the application relating to the proposed dwelling house adjacent (Planning Application Reference Number 15/05159/PPP) where the following is stated:

*'The proposed development site is within the Dundas Estate Site of Importance for Nature Conservation (SINC). On assessment the location of the development within the garden grounds of the Old Dairy House are not considered likely to cause any significant effect on*

*the nature conservation value for the SINC. The applicant confirms that no trees will be removed as part of the proposal.*

*The proposal complies in principle with RWELP policies E22 (Nature Conservation - Protected Species) and E15 (Trees - Development Impact).’*

Providing the application is treated consistently and equitably with the approved adjoining application in 2017, should the members of the Local Review body be of a mind to support the application in principle, then a bat survey could be commissioned if it is deemed necessary in this area.

4.41 Policy Hou 1 on ‘*Housing Development*’ states the following:

1. *Priority will be given to the delivery of the housing land supply and the relevant infrastructure\* as detailed in Part 1 Section 5 of the Plan including:*
  - a) *sites allocated in this plan through tables 3 and 4 and as shown on the proposals map*
  - b) *as part of business led mixed use proposal at Edinburgh Park/South Gyle*
  - c) *as part of the mixed use regeneration proposals at Edinburgh Waterfront (Proposals EW1a-EW1c and EW2a-2d and in the City Centre)*
  - d) *on other suitable sites in the urban area, provided proposals are compatible with other policies in the plan*
2. *Where a deficit in the maintenance of the five year housing land supply is identified (as evidenced through the housing land audit) greenfield/greenbelt housing proposals may be granted planning permission where:*
  - a) *The development will be in keeping with the character of the settlement and the local area*
  - b) *The development will not undermine green belt objectives*
  - c) *Any additional infrastructure required\* as a result of the development and to take account of its cumulative impact, including cross boundary impacts, is either available or can be provided at the appropriate time.*
  - d) *The site is effective or capable of becoming effective in the relevant timeframe.*
  - e) *The proposal contributes to the principles of sustainable development.*

*\* This should be addressed in the context of Policy Del 1, Tra 8 and the associated Supplementary Guidance.*

4.42 Whilst it is acknowledged that the site is not specifically allocated for residential development in the local development plan due to its location outwith the South Queensferry Settlement Envelope, it has been conclusively demonstrated that the dwelling proposed will not compromise or conflict with the purposes of that Green Belt designation and will make a small but nonetheless worthwhile contribution to the supply of land for housing development and the diversity of choice for such housing within the Council area.

4.43 Policy Hou 2 on ‘*Housing Mix*’ states the following:

*‘The Council will seek the provision of a mix of house types and sizes where practical, to meet a range of housing needs, including those of families, older people and people with special needs, and having regard to the character of the surrounding area and its accessibility.’*

4.44 Whilst the application relates to a single house only it will nevertheless contribute to the mix and size of house types available in the area and provides welcome relief from the mundanity associated with the products generally produced by volume housebuilders.

4.45 Policy Hou 3 on ‘*Private Green Space in Housing Development*’ states the following:

*‘Planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents.’*

- a) In flatted or mixed housing/flatted developments where communal provision will be necessary, this will be based on a standard of 10 square metres per flat (excluding any units which are to be provided with private gardens). A minimum of 20% of total site area should be useable greenspace.*
- b) For housing developments with private gardens, a contribution towards the greenspace network will be negotiated if appropriate, having regard to the scale of development proposed and the opportunities of the site.’*

4.46 Appropriate levels of private open space have been provided within the site to ensure that the occupants will have sufficient space in terms of quantity and quantity to satisfy their functional and recreational requirements.

4.47 Policy Hou 4 on ‘*Housing Density*’ states the following:

*‘The Council will seek an appropriate density of development on each site having regard to:*

- a) its characteristics and those of the surrounding area*
- b) the need to create an attractive residential environment and safeguard living conditions within the development*
- c) the accessibility of the site includes access to public transport*
- d) the need to encourage and support the provision of local facilities necessary to high quality urban living.*

*Higher densities will be appropriate within the City Centre and other areas where a good level of public transport accessibility exists or is to be provided. In established residential areas, proposals will not be permitted which would result in unacceptable damage to local character, environmental quality or residential amenity.’*

4.48 The dwelling house proposed respects and is in keeping with the spatial character and density of the area and as noted previously will contribute, through the development of a gap/infill site, to the cohesiveness and compact nature of the wider group of existing and proposed housing at Dundas Home Farm.

4.49 Policy Tra 2 on ‘Private Car Parking’ states the following:

*‘Planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance. Lower provision will be pursued subject to consideration of the following factors:*

- a) whether, in the case of non-residential developments, the applicant has demonstrated through a travel plan that practical measures can be undertaken to significantly reduce the use of private cars to travel to and from the site*
- b) whether there will be any adverse impact on the amenity of neighbouring occupiers, particularly residential occupiers through on-street parking around the site and whether any adverse impacts can be mitigated through control of on-street parking*
- c) the accessibility of the site to public transport stops on routes well served by public transport, and to shops, schools and centres of employment by foot, cycle and public transport*
- d) the availability of existing off-street parking spaces that could adequately cater for the proposed development*
- e) whether the characteristics of the proposed use are such that car ownership and use by potential occupiers will be low, such as purpose-built sheltered or student housing and ‘car free’ or ‘car reduced’ housing developments and others providing car sharing arrangements*
- f) whether complementary measures can be put in place to make it more convenient for residents not to own a car, for example car sharing or pooling arrangements, including access to the city’s car club scheme.’*

4.50 The Council’s Roads Guidance requires the provision of a maximum of 2 no. car parking spaces (inclusive of garage spaces) in association with the development of a dwelling house of the scale proposed. The site plan submitted with the application shows a double garage (2 spaces) and a further three spaces within the grounds. Our clients would be prepared to accept a condition on any permission granted which required the external car parking space (eastern side of house) to be removed from the scheme. This would leave two spaces remaining in the garage with the associated driving and hard standing area being kept for turning and manoeuvring vehicles so that they can enter and leave the site in a forward gear. Any further reduction in this area would not be practical given the semi-rural location of the house proposed and its likely number of occupants. The level of car parking suggested is consistent with the number of spaces proposed in the consented scheme adjacent (Planning Permission Reference Number 17/00681/AMC).

4.51 Policy RS 1 on ‘Sustainable Energy’ states the following:

*‘Planning permission will be granted for development of low and zero carbon energy schemes such as small-scale wind turbine generators, solar panels and combined heat and power/district heating/energy from waste plants and biomass/wood fuel energy systems provided the proposals:*

- a) do not cause significant harm to the local environment, including natural heritage interests and the character and appearance of listed buildings and conservation areas*
- b) will not unacceptably affect the amenity of neighbouring occupiers by reason of, for example, noise emission or visual dominance.’*

4.52 Our response to Policy Des 6 in Paragraph 4.26 previously are equally applicable to the terms of Policy RS1 on ‘Sustainable Energy.’

4.53 Policy RS6 on ‘Water and Drainage’ states the following:

*‘Planning permission will not be granted where there is an inadequate water supply or sewerage available to meet the demands of the development and necessary improvements cannot be provided.’*

4.54 The application site can be satisfactorily served with water and drainage infrastructure.

#### **Other material considerations**

4.55 As noted previously, in addition to the development plan, due consideration must also be given in the determination of planning applications to other material considerations. Such considerations in this instance include Scottish Planning Policy, Planning History, Consultation Responses and Third Party Representations.



#### **Scottish Planning Policy**

4.56 The current version of Scottish Planning Policy was published by the Scottish Government in 2014. Its purpose is to set out national planning policies which reflect Scottish Ministers’

priorities for the operation of the planning system and for the development and use of land. The SPP aims to promote consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

4.57 The SPP (Paragraph 27) introduces a presumption in favour of development that contributes to sustainable development. The SPP states that *'the planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost.'* (Paragraph 28)

4.58 The SPP (Paragraph 29) states that policies and decisions should be guided by the following principles:

- *giving due weight to net economic benefit;*
- *responding to economic issues, challenges and opportunities, as outlined in local economic strategies;*
- *supporting good design and the six qualities of successful places;*
- *making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;*
- *supporting delivery of accessible housing, business, retailing and leisure development;*
- *supporting delivery of infrastructure, for example transport, education, energy, digital and water;*
- *supporting climate change mitigation and adaptation including taking account of flood risk;*
- *improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;*
- *having regard to the principles for sustainable land use set out in the Land Use Strategy;*
- *protecting, enhancing and promoting access to cultural heritage, including the historic environment;*
- *protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;*
- *reducing waste, facilitating its management and promoting resource recovery; and*
- *avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.*

4.59 Paragraph 32 of the SPP advises that *'the presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Proposals that accord with up-to-date plans should be considered acceptable in principle and consideration should focus on the detailed matters arising. For*

*proposals that do not accord with up-to-date development plans, the primacy of the plan is maintained and this SPP and the presumption in favour of development that contributes to sustainable development will be material considerations.*



4.60 The proposed development adjacent to the Old Dairy House is considered to contribute to sustainable development when assessed against the principles outlined in Paragraph 29 of the SPP for the reasons stated below:

- *giving due weight to net economic benefit;*

The proposed development will generate socio-economic benefits in the area by providing housing choice, stimulating job creation and boosting economic investment – all positive attributes as we face up to the anticipated impacts caused by the coronavirus pandemic.

- *supporting good design and the six qualities of successful places;*

The design proposals for the dwelling house are of a high quality and support the six qualities of successful places. The proposals are distinctive, safe and pleasant, welcoming, adaptable, resource efficient and easy to move around.



- *making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities;*

The development is proposed on an infill site sandwiched between established areas of built development to the east, west and north and contained by a mature woodland to the south.

- *supporting delivery of accessible housing, business, retailing and leisure development;*

The development proposed will facilitate the development of a bespoke individually designed dwelling house. The site is in an inherently accessible location in close proximity to South Queensferry and benefitting from existing facilities and services within it and in close proximity to it including access to public transport (train and bus services), footpaths and cycleways.



- *supporting delivery of infrastructure, for example transport, education, energy, digital and water;*

It is intended that the dwelling proposed will maximise the use of innovative design technology to ensure that it is inherently sustainable and energy efficient.

- *supporting climate change mitigation and adaptation including taking account of flood risk;*

The proposed development will introduce a range of measures which will support climate change mitigation. This will be achieved through enhanced levels of insulation and efficient heating systems/low carbon energy sources. The location of the house and its relationship to South Queensferry will contribute to sustainable transport movements all of which supports climate change mitigation. The site is not at risk of flooding.

- *improving health and well-being by offering opportunities for social interaction and physical activity, including sport and recreation;*

The site enjoys good access to the existing public path network and therefore ease of access to sport and recreational facilities.

- *having regard to the principles for sustainable land use set out in the Land Use Strategy;*

The application proposals have been developed in due cognisance of the principles of sustainable land use with particular reference to the following:

- the proposal will deliver a number of benefits including the development of a bespoke family home.
- The land on which the development is being proposed forms part of a garden area attached to an existing house and not used for any particular purpose. As a consequence its proposed use for the development of a new house is not significant.
- The proposals for the site, have evolved through a thorough understanding and appreciation of the area's eco-system.
- The development proposal will appear as an integral part of the existing cluster of housing at Dundas Home Farm located as it is within a gap/infill site and contributing towards the cohesiveness of the group.
- *protecting, enhancing and promoting access to cultural heritage, including the historic environment;*

The development of the site will not result in an adverse effect on the area's cultural heritage.

- *protecting, enhancing and promoting access to natural heritage, including green infrastructure, landscape and the wider environment;*

The retention of existing landscape features and the provision of further planting and landscaping will ensure that the character and appearance of the area is improved and its biodiversity credentials enhanced.

- *reducing waste, facilitating its management and promoting resource recovery;*

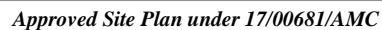
Recycling and refuse facilities will be incorporated into the design. Collection of waste will be undertaken in line with local authority procedures. Every effort will be made to ensure that waste is minimised on site and recycled in accordance with sound principles of sustainability where possible.

- *avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.*

The site will be developed at an appropriate density befitting of the locality and the landscape context within which it is proposed. The amenity of existing development bordering the site will be protected in accordance with Council standards with particular reference to issues such as privacy, overlooking, loss of light, overshadowing etc.

- 4.61 In view of the above the application proposals represent a sustainable form of development; a consideration to which significant weight should be given to in the determination of this review request.

4.62 As noted originally in Paragraph 2.2 the Council has previously granted permission for the erection of a dwelling house on the plot of land immediately to the east of the current application site, concluding in the process, that the site had other houses nearby and that there would be no harm caused to the integrity of the Green Belt as a result of it. The decision referred to, although made under the context of the previous local plan, established a precedent in support of dwelling houses being erected in Green Belt and Countryside locations where they related well to existing dwelling houses and did not detract from the landscape quality or rural character of an area. Similar advice is now contained within the Council's Guidance for the erection of new houses in the Countryside and Green Belt as referred to previously in Paragraph 4.10.



4.63 The Council has consulted and received responses from its Archaeology and Transportation Departments and from Edinburgh Airport. No objections have been raised from these parties. Transportation have suggested that the proposed number of car parking spaces should be reduced to two. As noted in our response to Policy TRA 2 in Paragraph 4.50 our clients would be prepared to accept a condition on any permission granted which required the external car parking space (eastern side of house) to be removed from the scheme allowing for the retention of two external car parking spaces.

### **Third Party Representations**

- 4.64 Only one party submitted objections to the Council on the application raising concerns about the dwelling house not being in keeping with the character of the area and that the plans submitted were inaccurate as they did not show the neighbouring plot. We have responded previously to issues relating to the character of the area and have nothing further to add at this juncture on that particular point. As far as the adjoining plot is concerned there is no requirement under statute to show an approved scheme on a plan unless it has been implemented. Notwithstanding this we have included drawings showing the current proposals and the consented scheme within this document.
- 4.65 Having considered the application proposal against the terms of the development plan and all other material considerations we are firmly and unequivocally of the view that the development of the application site for the single house proposed will contribute to rather than detract from the character of the area by consolidating, through the development of a gap/infill site, the cohesiveness of the established (existing and proposed) group of buildings at Dundas Home Farm. The advantages of developing the site for the scheme proposed, in terms of the improvements it will bring to the character and appearance of the area far outweigh any disadvantages associated with it.

## 5. RESPONSE TO REASONS FOR REFUSAL

- 5.1 Our client's planning application was refused for a total of five reasons. Copies of the Planning Officer's Report of Handling on the application and the Decision Notice are attached as **Documents 3 and 4** respectively. Those reasons and our responses to them are outlined below:

**Reason 1** – *The proposal is contrary to policy Env 10 of the Edinburgh Local Development Plan (LDP) in that it does not involve development for agriculture, woodland and forestry, horticulture or countryside recreation. The proposal does not involve an intensification of the existing use, the replacement of an existing building with a new building in the same use, or a change of use of an existing building. It would introduce a further dwelling house into the garden of the Old Dairy House without any justification of exceptional circumstances, and would harm the rural character of the site.*

- 5.2 **Response** - Whilst it is accepted that our client's personal circumstances are not such as would allow their proposal for the erection of a dwelling house to be justified under any exception existing to the general presumption against the development of new housing in the Edinburgh Green Belt, it is not accepted that the dwelling house proposed would harm the character of the site or the wider area within which it is located. We have advanced the view throughout this statement that the application site is of a 'gap/infill' nature and that its development for the dwelling house proposed would improve the character of the area by contributing to the cohesiveness and compact nature of the established group of dwellings at and in the vicinity of Dundas Home Farm. The principle of such development being allowed in the Green Belt has previously been established through the granting of planning permission for a dwelling house on the plot to the east under the terms of Planning Permission Reference Numbers 15/05159/PPP and 17/00681/AMC.

**Reason 2** – *'The proposal is contrary to non-statutory Guidance for Development in the Countryside and Green Belt as no functional need for such a dwelling has been established; it does not relate to meeting the needs of one or more workers employed in agriculture; it is not related to a rural activity or business, and it is not a brownfield site or a gap site.'*

- 5.3 The terms of the second reason for the refusal of the application follow a similar vein to those in the first. Whilst it is again accepted that an agricultural or other rural/countryside activity have not been put forward in support of the application it is not accepted that the application site does not exhibit the characteristics of a gap site. The Planning Officer in his assessment of the application has failed to give due cognisance to the fact that permission has been granted for the erection of a dwelling house on the site adjacent and that the current application site is located between that site and the Old Dairy House. As a consequence of this we do not consider the proposal to be contrary to the terms of the Council's Non-Statutory Guidance on Development in the Countryside and Green Belt, which as we have noted in Paragraph 4.10 previously, states the following :-

*'the key test for all proposals in the countryside and green belt will be to ensure that the development does not detract from the landscape quality and/or rural character of the*

*area.....new houses not associated with countryside use will not be acceptable unless there are exceptional planning reasons for approving them. These reasons include the reuse of brownfield land and gap sites within existing clusters of dwellings.'*  
(highlighting added)

**Reason 3** – *'The proposal is contrary to design policies Des 1 and Des 4 of the LDP as the creation of another suburban style house into this rural setting adversely impacts on the rural character of the area.'*

- 5.4 The Planning Officer states the following in his Report of Handling on the application insofar as Scale, Form and Design issues are concerned:

*'The proposed development would not be a dwelling modest in size. It is substantially bigger than the new house approved to the east of the site (200 sq.) but will be a similar scale to the Old Dairy House. In general, the site is characterised by an agricultural feel. Despite the redevelopment of the farmhouse and the old steadings for mixed business and residential use, the buildings have retained a sense of their former use as agricultural buildings and the rural character of the area is generally preserved. The traditional relationships of farmhouse to steading and other ancillary buildings will be lost with the introduction of this large suburban looking house. Fitting another house into the grounds of the Dairy House will create a mini housing estate with suburban characteristics when read with the existing building and the new house approved to the east. The proposal does not draw on the positive open rural character of the green belt and does not have regard to the open green character and spacing of the site. It represents an overdevelopment of the garden ground of the Old Dairy House and is contrary to policies Des 1 and Des 4.'*

- 5.5 Whilst it is accepted that the dwelling house proposed has a larger footprint than that for which planning permission has been granted on the adjacent plot, it does, as noted by the Planning Officer, have a similar footprint to the former Dairy House itself and in that respect is not, in our opinion, out of character with the established pattern of development at Dundas Home Farm. We strongly refute and would challenge the suggestion made that the proposed dwelling house is 'suburban' in appearance. Great care and attention has been given by the project architects to incorporate traditional features within the design including dormer and vertically proportioned windows; appropriately pitched roofs and a palette of materials (e.g. slate roof) to blend and harmonise with the surrounding architectural vernacular. Whilst it is accepted that there is a historical relationship between the Old Dairy House and the steading buildings at Dundas Home Farm that relationship is not a visually obvious one in terms of functionality or design connotations particularly since the property has been extended and substantially altered in its appearance over the years. It is therefore quite wrong to suggest that the dwelling house proposed would result in the relationship referred to being lost. Any such relationship, had it existed was lost following the Council's earlier approval for the dwelling on the adjacent plot. The suggestion that the proposed dwelling would create a mini housing estate is entirely disingenuous and gives no cognisance to the fact that the site is a gap or infill opportunity between a proposed and existing house which is contained in the landscape by a mature woodland to the rear and a strong established hedge to the front. As we have noted on numerous occasions previously the dwelling proposed will result in a

cohesive and compact group of buildings within a contained landscape setting and with a spatial pattern and density which is respectful to the existing built form. It does not constitute overdevelopment of the site and is not contrary to the terms of Policies Des 1 or Des 4.

**Reason 4** – *‘The proposal is contrary to policy Tra 2 as it exceeds the Council's parking standards which seek to limit private car parking and encourage active travel.’*

- 5.6 We have addressed the terms of Policy Tra 2 on ‘*Private Car Parking*’ within Section 4 previously (Paragraphs 4.49 & 4.50 respectively). As noted then our clients would be prepared to accept a condition on any permission granted which required the external car parking space (eastern side of house) to be removed from the scheme thus leaving two external car parking spaces only. Any further reduction in this area would not be practical given the semi-rural location of the house proposed, its likely number of occupants and turning/manoeuvring requirements. Such arrangements would be consistent with the permission granted for the dwelling house on the adjacent plot under the terms of Permission Reference Number 17/00681/AMC. We note from the Planning Officer’s Report of Handling on the application that this particular reason for refusal could be addressed through the imposition of an appropriately worded condition.

**Reason 5** - *‘There is insufficient information provided to assess the impact on trees and protected species.’*

- 5.7 We have addressed the impacts on trees and protected species within paragraphs 4.37-4.40 previously. As far as the trees are concerned, the application proposals involve the loss of a single small rowan tree; the removal of which is required to facilitate the formation of the required access arrangements to the proposed dwelling house. That said tree is not considered to be worthy of retention in any event and furthermore is not benefit from any special protection. There are no other trees on the site requiring removal. Our client would be happy to plant a replacement tree in the garden area to the front of the proposed dwelling house if required as a condition of any permission granted.
- 5.8 As far as protected species and specifically bats are concerned, neither our clients, nor the site owners are aware of any such species roosting in the trees next to or in the vicinity of the site and as a consequence we do not consider that a bat survey is required to be undertaken. This position is further supported by comments made in the Report of Handling on the application relating to the proposed dwelling house adjacent (Planning Application Reference Number 15/05159/PPP) where the following was stated:

*‘The proposed development site is within the Dundas Estate Site of Importance for Nature Conservation (SINC). On assessment the location of the development within the garden grounds of the Old Dairy House are not considered likely to cause any significant effect on the nature conservation value for the SINC. The applicant confirms that no trees will be removed as part of the proposal.’*

*The proposal complies in principle with RWELP policies E22 (Nature Conservation - Protected Species) and E15 (Trees - Development Impact).'*

- 5.9 In view of all considerations outlined above we do not consider that any of the reasons for refusal as issued by the Planning Officer stand up to close scrutiny. The advantages of this proposal clearly outweigh any perceived or other disadvantages and as a consequence permission should be granted for the proposal as applied for.

## 6. SUMMARY AND CONCLUSIONS

6.1 The following provides a summary of the key points made in this Supporting Statement:

- The application site, which measures approximately 1302 sq. metres in area, lies beyond the M90 to the south of South Queensferry. It forms part of the garden ground at and is located to the east of the Old Dairy House to the south of Dundas Home Farm; the latter comprising a former farm house and steading complex which was converted to residential use in the mid-2000s. Planning permission exists for a further dwelling house immediately to the east with the result that the site represents a 'gap' or 'infill' opportunity. The land to the south comprises a mature woodland which forms part of the policies associated with Dundas Castle and its estate.
- The application submitted and subsequently refused by the Appointed Planning Officer had sought detailed planning consent for the erection of a 1½ storey detached dwelling house employing traditional design characteristics. Designed as a family home for our clients and their three children the house also incorporates a number of accessibility and disabled features to future proof it for residency by elderly parents.
- The application was refused by the Appointed Officer for the following reasons:
  - The proposal was considered to represent an inappropriate use in the Green Belt as it was unrelated to any form of countryside use or activity that would justify its existence and as such was contrary to the terms of Policy Env 10 in the Edinburgh Local Development Plan and the Council's Non-Statutory Guidance for Development in the Countryside and Green Belt;
  - The dwelling proposed was considered to be suburban in style and would have an adverse impact on the rural character and appearance of the area rendering it in contravention of Policies Des 1 and 4 of the Edinburgh Local Development Plan;
  - The proposed dwelling house was considered to have an over provision of car parking spaces contrary to the terms of Policy Tra 2 of the Edinburgh Local Development Plan; and
  - It was considered that there was insufficient information provided to assess the impact of the proposal on trees and protected species.
- The reasons for the refusal of the application are contested on the following grounds:
  - The site in its present condition does not fulfil any of the recognised purposes or functions of Green Belt designation.
  - The Council has previously granted planning permission for the erection of a dwelling house on the site immediately adjacent to the application site

notwithstanding its location in the Green Belt, thus creating a precedent in support of development on sites of this nature in the area.

- The dwelling house is proposed on a ‘gap’ or ‘infill’ site located between the Old Dairy House to the west; the other dwelling house previously granted by the Council to the east; and a mature woodland to the south thus rendering it compliant with the Council’s Non-Statutory Guidance on Development in the Countryside and Green Belt.
  - The development of a dwelling house on the site will contribute positively to the character and appearance of the area by reinforcing the compact and cohesive nature of the group of properties at and adjacent to Dundas Home Farm with a resultant spatial pattern and density which is respectful to the existing built form.
  - Great care and attention has been given by the project architects to incorporate traditional features within the design, including dormer and vertically proportioned windows; appropriately pitched roofs and a palate of materials (e.g. slate roof) to blend and harmonise with the surrounding architectural vernacular.
  - Our clients would happily accept a condition on any permission granted which required one of the proposed external car parking spaces to be removed from the scheme thus leaving two external car parking spaces and associated space for manoeuvring/turning vehicles within the curtilage. Such arrangements would be consistent with the permission granted for the dwelling house on the adjacent plot under the terms of Permission Reference Number 17/00681/AMC.
  - The application proposals involve the loss of a single small rowan tree; the removal of which is required to facilitate the formation of the required access arrangements to the proposed dwelling house. That said tree is not considered to be worthy of retention. There are no other trees on the site requiring removal. Our client would be happy to plant a replacement tree in the garden area to the front of the proposed dwelling house if required as a condition of any permission granted.
  - Neither our clients, nor the site owners are aware of any protected species roosting in the trees next to or in the vicinity of the site and as a consequence we do not consider that a bat survey is required to be undertaken. This position is further supported by comments made in the Report of Handling on the application relating to the dwelling house on the site immediately adjacent which was deemed acceptable from a nature conservation perspective without such a survey having been undertaken. .
- Other points in support of the application include the following:

- The development of the site will contribute to the supply of land for housing development and to the mix and range of house types available within the Edinburgh Housing Market Area.
- The development of a dwelling house on the site will bring positive benefits to the economy through the creation of employment opportunities for locally based tradespeople. Such benefits are particularly important at this time given the pressures imposed on those involved in the construction industry as a result of the implications arising from the coronavirus pandemic.
- Although the site is located in the Countryside and Green Belt it is located in a highly sustainable location being in close proximity to bus and rail based public transport services; the M90; and benefitting from easy access to foot and cycle paths.

6.2 In light of the considerations outlined above it is respectfully requested that the review request made be upheld and that planning permission be granted for the proposal as applied for. We reserve the right to provide additional information in support of the request prior to its determination by the Council's Local Review Body.

Signed



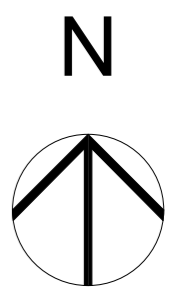
Derek Scott

Date

29<sup>th</sup> June 2020



ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION



DATE	INITIAL	REVISION	SUFFIX
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CLIENT  
Mr & Mrs Mayland

PROJECT  
New Dairy House, Dundas Home Farm, South Queensferry, EH30 9SS

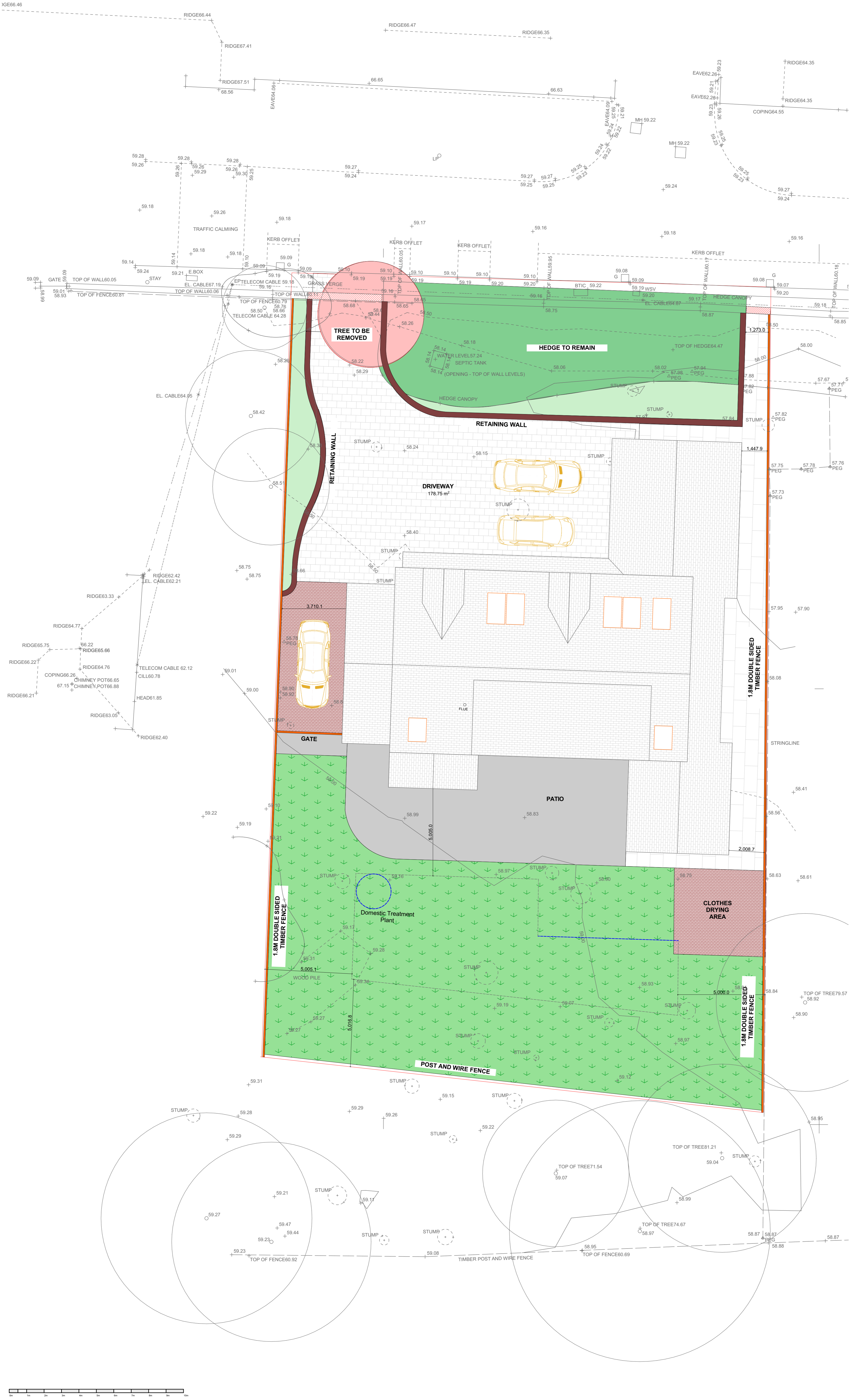
TITLE  
Location Plan  
  
Planning

SCALE @ A3	START DATE	DRAWN	CHECKED
1:1250	Jan 2019	JM	ACC

No. 002  
REV.

LEWIS HOUSE, UNIT 213, EAST WAY  
HILLENDD IND EST, DUNFERMLINE  
FIFE, KY11 9JF, SCOTLAND  
  
t - 01383 737101  
e - info@acarchitects.biz  
w - www.acarchitects.biz





ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION

N



- Tree to be removed
- Existing hedge to remain
- Planting
- Decorative gravel
- Monoblock
- Ceramic Tile Patio
- Slabs
- Grass & Shrubs
- Existing wall to be removed

DATE INITIAL REVISION SUFFIX

**AC** Allan Corfield Architects  
*The Self Build Experts*

CLIENT Mr & Mrs Mayland

PROJECT New Dairy House, Dundas Home Farm, South Queensferry, EH30 9SS

TITLE Site Plan

Planning

SCALE @ A3 1:100 START DATE Jan 2019 DRAWN JM CHECKED ACC

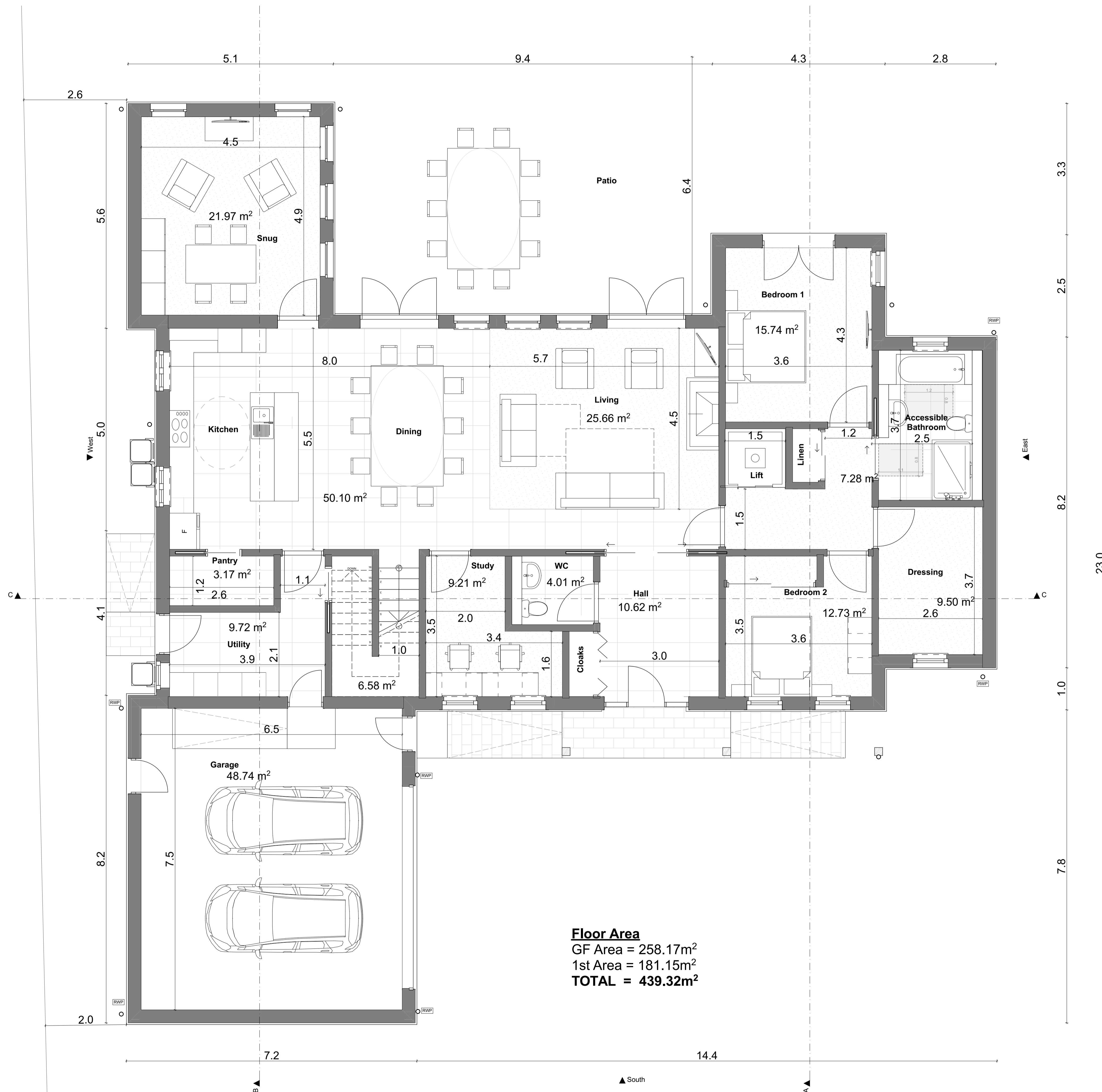
NO. 001

REV.

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w - www.acarchitects.biz

ALL DIMENSIONS TO BE CONFIRMED ON  
SITE PRIOR TO CONSTRUCTION



**Floor Area**  
GF Area = 258.17m<sup>2</sup>  
1st Area = 181.15m<sup>2</sup>  
**TOTAL = 439.32m<sup>2</sup>**

DATE	INITIAL	REVISION	SUFFIX



CLIENT  
Mr & Mrs Mayland

PROJECT  
New Dairy House, Dundas  
Home Farm, South  
Queensferry, EH30 9SS

TITLE  
GF Floor Plan  
**Planning**

SCALE @ AS	START DATE	DRAWN	CHECKED
1:50	Jan 2019	JM	ACC

REV: 101

LEWIS HOUSE, UNIT 213, EAST WAY  
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Scale Bar ~ 1:50

ALL DIMENSIONS TO BE CONFIRMED ON  
SITE PRIOR TO CONSTRUCTION



Scale Bar ~ 1:50

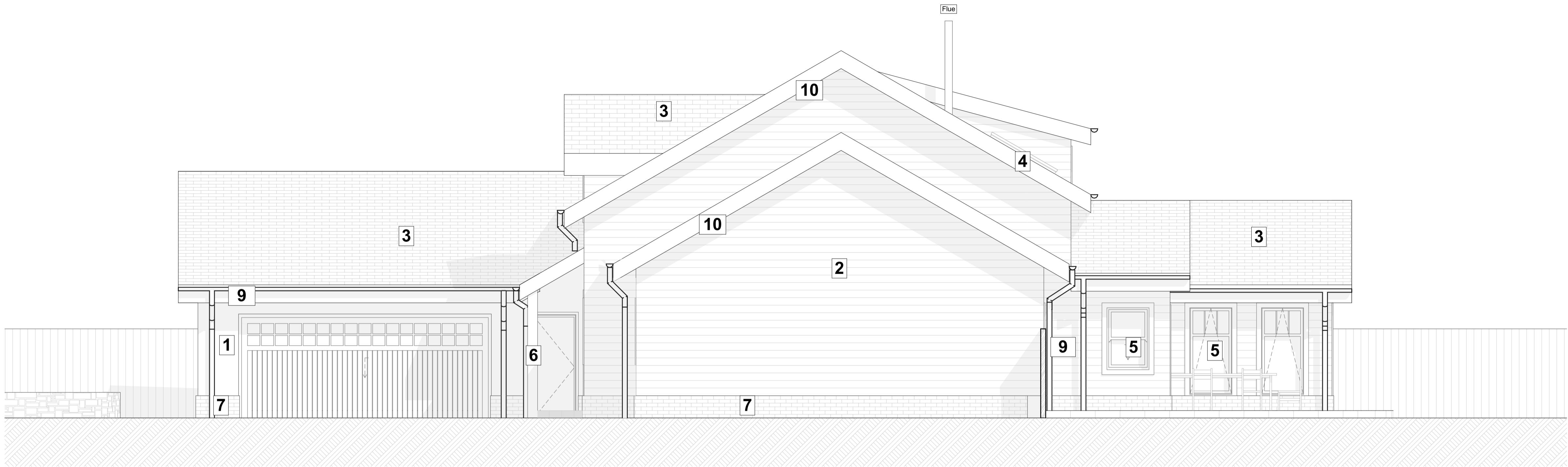
DATE	INITIAL	REVISION	SUFFIX



CLIENT	Mr & Mrs Mayland
PROJECT	New Dairy House, Dundas Home Farm, South Queensferry, EH30 9SS
TITLE	1st Floor Plan <b>Planning</b>

SCALE @ A3	START DATE	DRAWN	CHECKED
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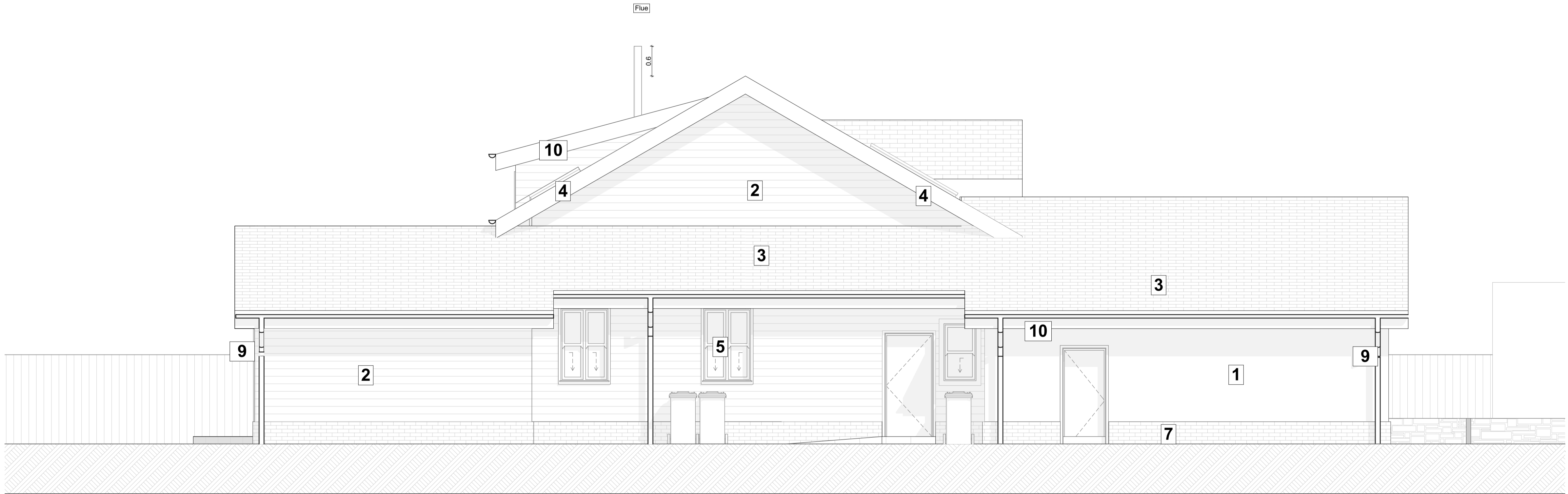
REV.	102
REV.	LEWIS HOUSE, UNIT 213, EAST WAY HILLENDD IND EST, DUNFERMLINE FIFE, KY11 9JF, SCOTLAND t - 01383 737101 e - info@acarchitects.biz w - www.acarchitects.biz



West

Elevation

1:50



East

Elevation

1:50



ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION

- 1 White STO Render, or similar
- 2 White Fibre Cement Horizontal plank e.g. Cembrit or similar
- 3 Slate effect tiles
- 4 Windows RAL 7016 or similar
- 5 Timber window RAL 9010 or similar
- 6 White column
- 7 Brick slip basecourse
- 8 White French Doors
- 9 White UPVC rainwater gutters and downpipes
- 10 White Fascia

DATE	INITIAL	REVISION	SUFFIX



CLIENT  
Mr & Mrs Mayland

PROJECT  
New Dairy House, Dundas Home Farm, South Queensferry, EH30 9SS

TITLE  
Elevations  
**Planning**

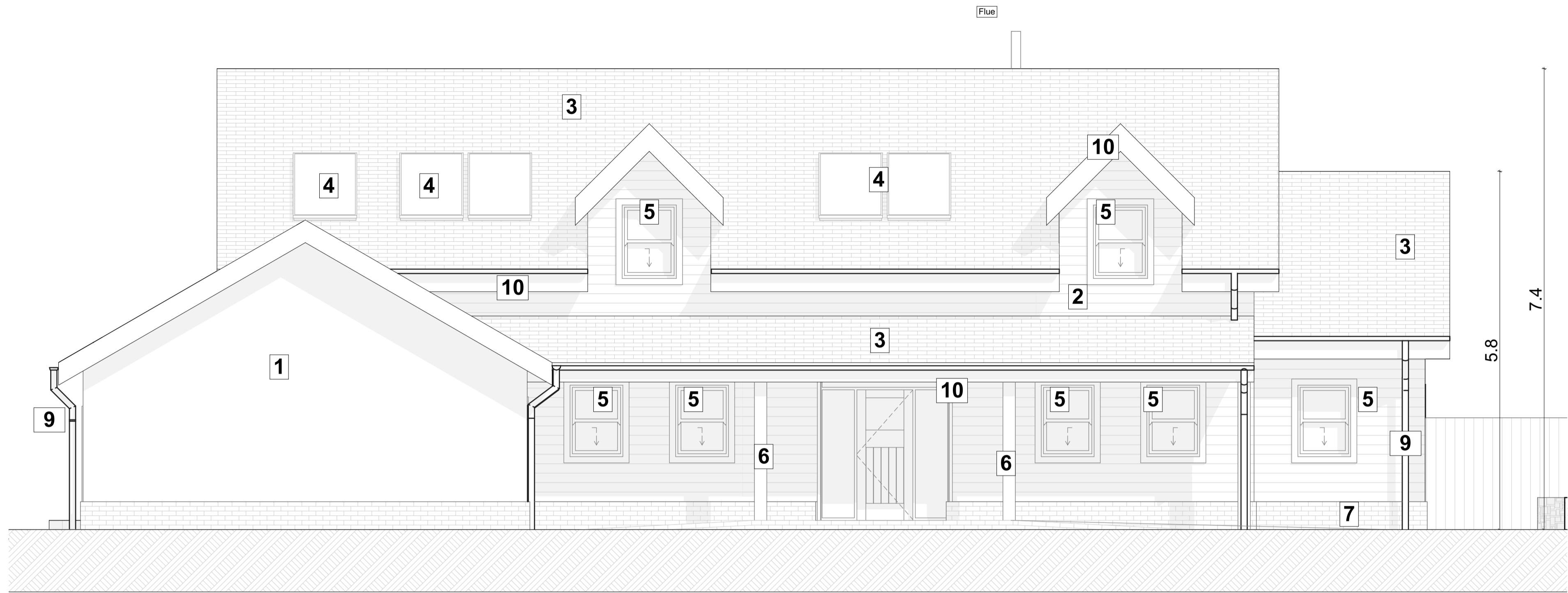
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1:50	Jan 2019	JM	ACC

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LEWIS HOUSE, UNIT 213, EAST WAY  
HILLEND IND EST, DUNFERMLINE  
FIFE, KY11 9JF, SCOTLAND  
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8 White French Doors  
9 White UPVC rainwater  
gutters and downpipes  
10 White Fascia



North

Elevation

1:50



South

Elevation

1:50



DATE	INITIAL	REVISION	SUFFIX



CLIENT  
Mr & Mrs Mayland

PROJECT  
New Dairy House, Dundas  
Home Farm, South  
Queensferry, EH30 9SS

TITLE  
Elevations  
**Planning**

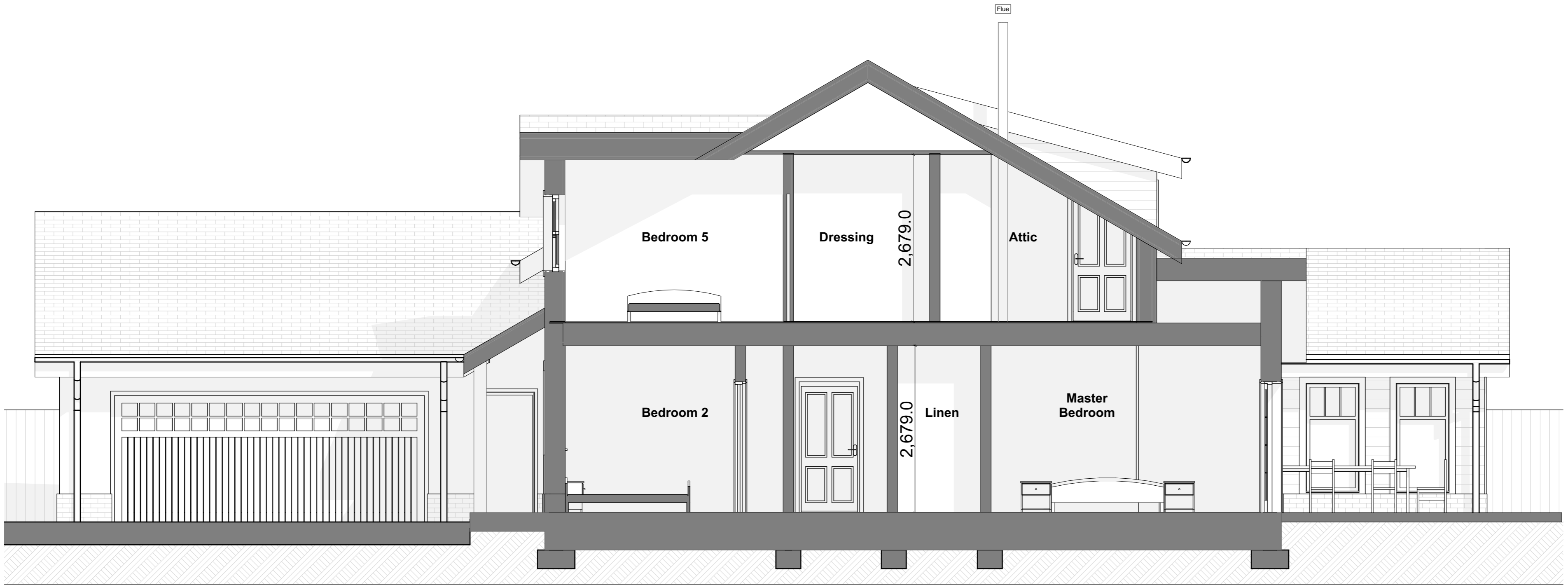
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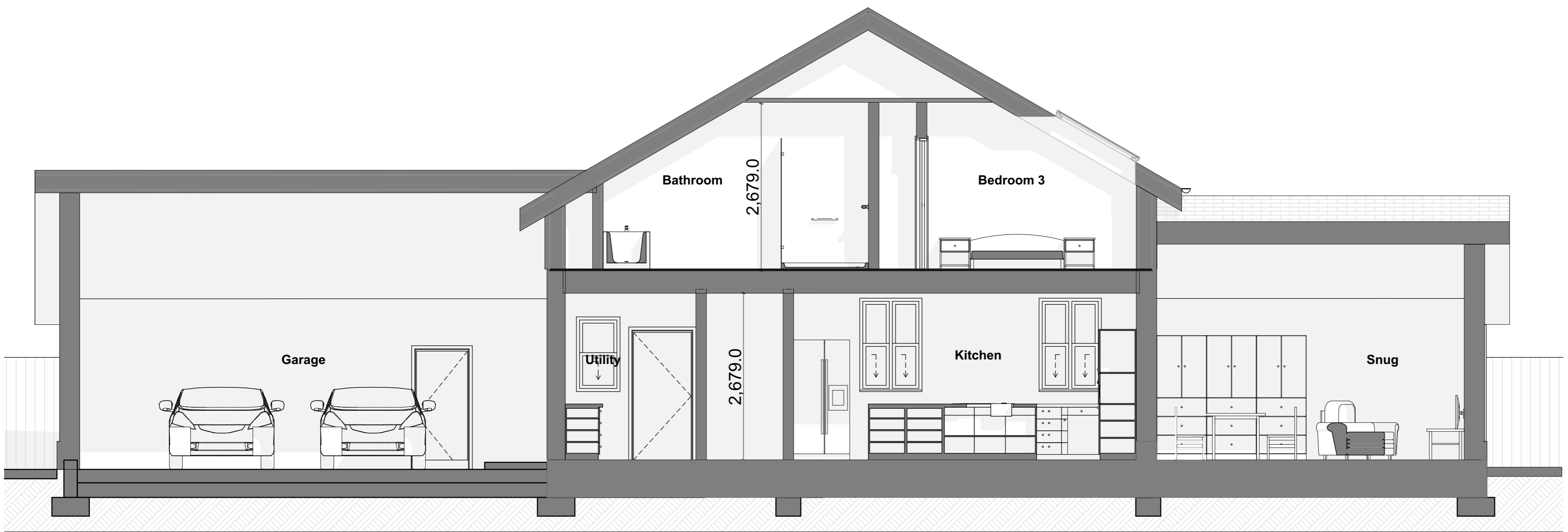
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FIFE, KY11 9JF, SCOTLAND

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ALL DIMENSIONS TO BE CONFIRMED ON SITE PRIOR TO CONSTRUCTION



A Building Section 1:50



B Building Section 1:50



C Building Section Site 1:50

Scale Bar ~ 1:50

DATE	INITIAL	REVISION	SUFFIX



CLIENT  
Mr & Mrs Mayland

PROJECT  
New Dairy House, Dundas Home Farm, South Queensferry, EH30 9SS

TITLE  
Sections  
Planning

SCALE @ A3	START DATE	DRAWN	CHECKED
1:50	Jan 2019	JM	ACC

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300

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ALL DIMENSIONS TO BE CONFIRMED ON  
SITE PRIOR TO CONSTRUCTION

DATE	INITIAL	REVISION	SUFFIX



CLIENT  
Mr & Mrs Mayland

PROJECT  
New Dairy House, Dundas Home  
Farm, South Queensferry, EH30  
9SS

TITLE  
Renders  
**Planning**

SCALE @ A3	PRINTED DATE	DRAWN	CHECKED
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No. 700

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ALL DIMENSIONS TO BE CONFIRMED ON  
SITE PRIOR TO CONSTRUCTION

DATE	INITIAL	REVISION	SUFFIX



CLIENT  
Mr & Mrs Mayland

PROJECT  
New Dairy House, Dundas Home  
Farm, South Queensferry, EH30  
9SS

TITLE  
Renders  
**Planning**

SCALE @ A3	PRINTED DATE	DRAWN	CHECKED
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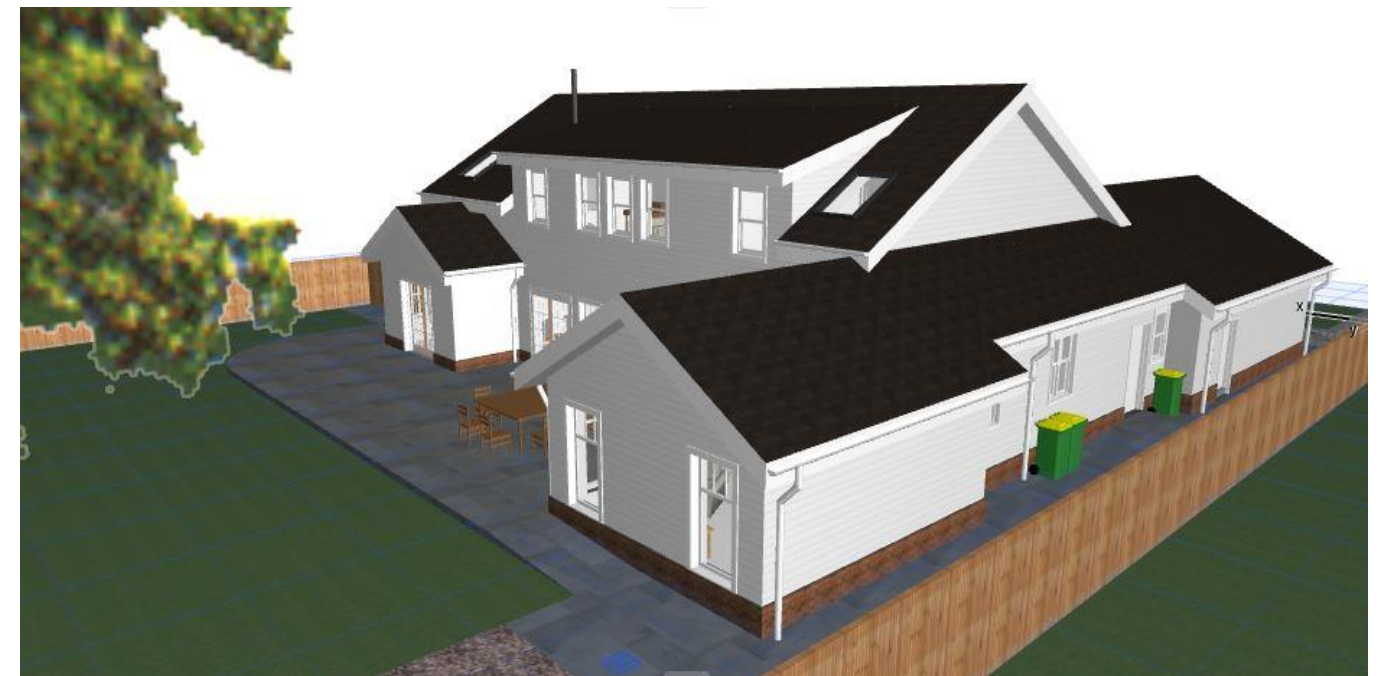
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# DESIGN AND ACCESS STATEMENT

## PROPOSED DWELLING

NEW DAIRY HOUSE, DUNDAS HOME FARM, EH30 9SS



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1.2 Context Photos

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2.1 Design & Material Statements

3.0 Conclusion

## 1.0 Introduction

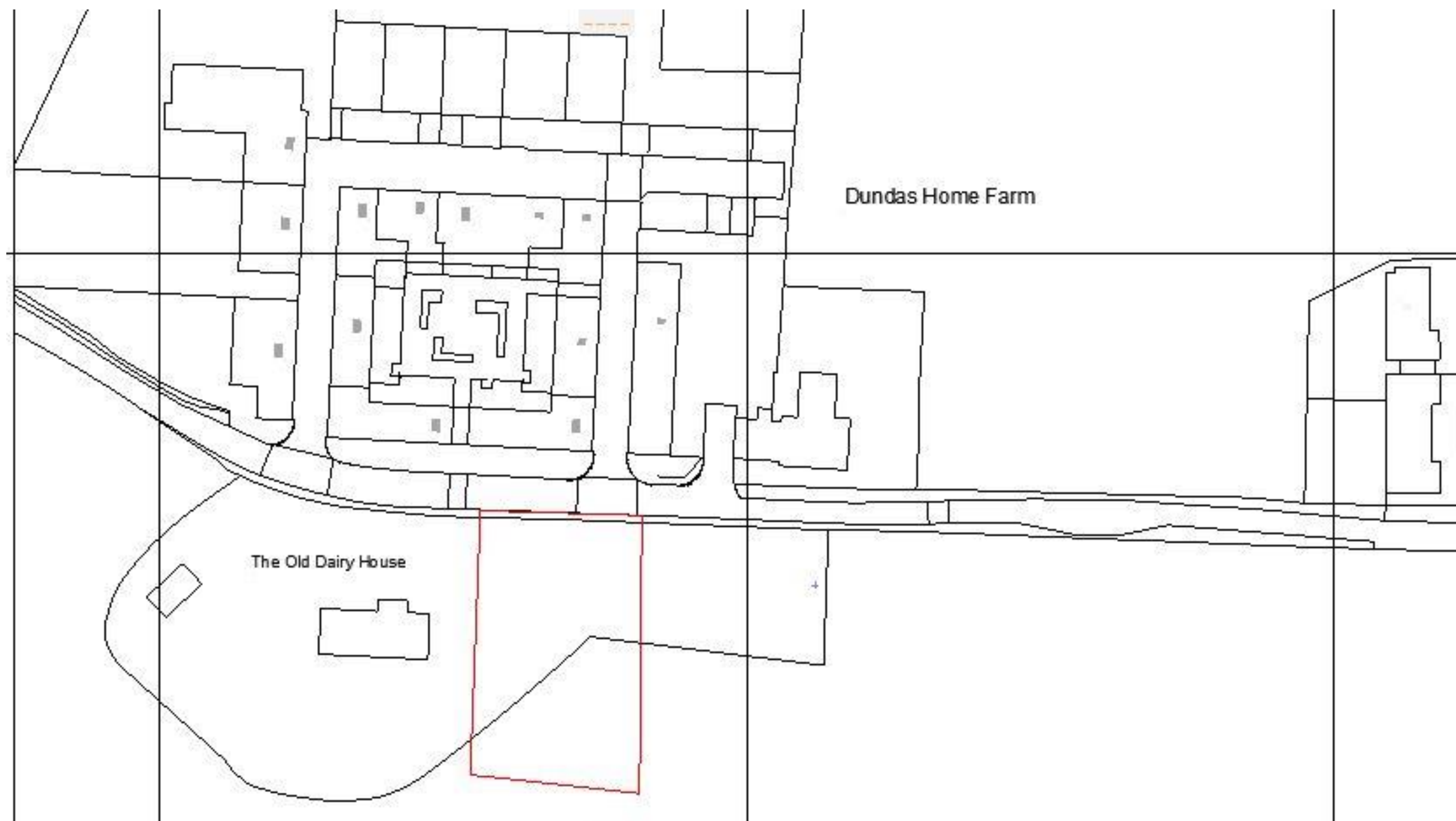
This application refers to the proposed erection of a dwelling adjacent to The Old Dairy House, Dundas Home Farm. The site was formerly garden belonging The Old Dairy House. Planning Permission (15/05159/PPP) and Building Warrant (17/00681/AMC) was obtained, in 2017, for a new dwelling on a similar plot belonging to The Old Dairy House.

### 1.1 Site Context

The site is located to the west of the City of Edinburgh, immediately south of the town of South Queensferry and the access to the new Queensferry Crossing. The Dundas Home Farm complex lies immediately to the north of the proposed development site, on the other side of the minor road which links the B800 with Dundas Home Farm and Dundas Mains. The site itself is bordered to the west, south and east by mature deciduous woodland, with a large hedge separating the site from view from the minor road.

The proposed development area comprises a roughly rectangular plot of land to the east of The Old Dairy House, with the footprint of the proposed dwelling house extending to 258.17m<sup>2</sup>. The style of architecture in the vicinity is redolent of the historical past of the area, with the conversion of the Dundas Home Farm complex being sympathetic to its history.

The proposed detached 1 and a half storey dwelling will have minimal impact on neighboring buildings due to the trees, hedge and distance between the plot and neighboring properties. The proposed roof ridge height will be similar to that of the neighboring buildings. The external finishes will mirror other dwellings on the street: white walls and slate roofs, with the desired external cladding design being of the farmhouse architectural style.



## 1.2 Site Context Photos



Hedge separating site from minor road



Site view South West



Looking North at hedge separating site from minor road



Tree to be removed to create access to site

## 2.0 The Proposal

Our proposal has been designed carefully, focusing on the quality of interior spaces and their connection to the outdoor spaces, providing a versatile living arrangement for changing family life; the ground floor provides living quarters for ourselves but the first floor allows overflow space for children returning home, extended family events and visitors, and has been designed with access for all and future proofing in mind. This design ensures the privacy of residents and neighbours alike, by purposely retaining as much of the established vegetation and orientating rooms to eliminate overlooking.

### 2.1 Design and Materials Statement

The design focusses on access for all, quality and materiality. SIPs, a sustainable, highly energy efficient, high quality product, will be used to construct the house. This product will not only create a comfortable home but will also ensure low running costs for residents. Creating a low carbon footprint is a key ambition for this proposal. One of the many benefits of SIPs is also that it requires a reduced erection period, which will ensure that any disruption to roads and neighbours will be limited.

Material choices of fibre cement weatherboard, render, treated timber windows/door, brick slip and slate tiles will provide beautiful, modernly traditional and practical low maintenance finishes. We feel these materials are suitable for their purpose and location, echoing the country style of the area whilst also reflecting its contemporary era.



## 4.0 Conclusion

The exercise of designing this dwelling proposal has been approached sensitively and practically in response to the context, the requirements of modern family living and ensuring there's accessibility for all. For the following reasons we believe that our design should be approved:

- Planning Permission and Building Warrant has already been granted for a family home in the plot to the east of this plot.
- The proposed house will remain similar in height to the existing properties
- The proposed will be sustainable, thermally efficient, which will lower the carbon footprint of the house and enable a healthy living environment for its occupants.
- The proposed has addressed accessibility issues at all floor levels, providing a future proof solution.
- The proposed dwelling responds to its context in design and, through retaining the hedge on the north elevation, the visual impact of the building will be reduced. This will be reinforced further by the existing trees that surround the south, east and west of the site, screening the property and providing privacy on all sides. The landscape will remain and be further cultivated to ensure this continues.

We believe that we have achieved a sustainable proposal, providing not only a positive impact to existing area and site but to those who will live in it.

We trust that through the design and this supporting Design and Access Statement, you will be in a position to support this application and grant planning approval.