

Timber Bush Associates Ltd.
FAO: Graeme Blackwood
2 Seton West Mains
Tranent
EH33 1NA

Mr Pahuja
36 Cammo Gardens
Edinburgh
EH4 8EG

Decision date: 8 December 2020

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

Raise the roof level to form a full height first floor. Small extension to the rear of the garage. Additional accommodation at the secondary entrance to create a utility area and prep kitchen.

At 36 Cammo Gardens Edinburgh EH4 8EG

Application No: 20/04344/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 12 October 2020, 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 the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would have an adverse impact on the character of the property and the neighbouring area.
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as it is not compatible with the character of the existing building or neighbourhood.

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

Drawings 01-06, 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 application for development is not in accordance with the Edinburgh Local Development Plan as it does not comply with policy Des 12 (Alterations and Extensions) and the non-statutory Guidance for Householders. It is not compatible with the existing building and the character of the area. There are no material considerations which outweigh this conclusion.

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 Weronika Myslowiecka directly at veronika.myslowiecka@edinburgh.gov.uk.

D R Leech

Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

**Application for Planning Permission
36 Cammo Gardens, Edinburgh, EH4 8EG**

Proposal: Raise the roof level to form a full height first floor. Small extension to the rear of the garage. Additional accommodation at the secondary entrance to create a utility area and prep kitchen.

**Item – Local Delegated Decision
Application Number – 20/04344/FUL
Ward – B01 - Almond**

Recommendation

It is recommended that this application be **Refused** subject to the details below.

Summary

The application for development is not in accordance with the Edinburgh Local Development Plan as it does not comply with policy Des 12 (Alterations and Extensions) and the non-statutory Guidance for Householders. It is not compatible with the existing building and the character of the area. There are no material considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site is a detached bungalow, located on Cammo Gardens.

Description Of The Proposal

The application proposes an additional first floor level to the detached bungalow. In addition, the proposal seeks a side extension to the rear of the garage.

Relevant Site History

05/00590/FUL
Erection of a conservatory
Granted
1 April 2005

05/03410/FUL
Extension to form utility room, wc and bedroom
Refused
4 November 2005

07/02076/FUL
Alterations + extension to west side of property
Granted
14 June 2007

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 20 October 2020

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 0

Section B - Assessment

Determining Issues

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

Do the proposals comply with the development plan?

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

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

Assessment

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

- a) the proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;
- b) the proposal will cause an unreasonable loss to neighbouring amenity;
- c) any impacts on equalities or human rights are acceptable; and
- d) any comments raised have been addressed.

a) Scale, form, design and neighbourhood character

Edinburgh Local Development Plan (LDP) Policy Des 12 states that alterations or extensions to existing buildings should, in their design and form, choice of materials and positioning be compatible with the character of the existing building and that they should not be detrimental to neighbourhood amenity and character. The non-statutory Guidance for Householders requires alterations and extensions to be architecturally compatible in design, scale and materials with the original house and its surrounding area; extensions should not overwhelm or dominate the original form or appearance of the house, or detract from the character of the area. For bungalows, this guidance states that extensions should be designed in a way that retains the character of the original property and is subservient in appearance.

The key issue to be determined is whether or not the conversion of this bungalow to a two-storey house is acceptable. Whilst there are examples of two-storey houses in the area; the bungalow type of the house is characteristic in this section of the street and as a result, the frontage should remain undisturbed. The introduction of a two storey house would look out of place within the immediate context.

The proposed development is of an inappropriate scale, form and design as it would result in an incongruous, bulky and overly dominant addition to the property. It would dominate the original house, rather than being subservient to it. The resulting bungalow would lack the simplicity of form which is characteristic of properties of this type.

The additional storey proposed to the bungalow is uncharacteristic and overpowers the surrounding bungalows. It is not in keeping with the scale and overall spatial pattern of the area. The proposed additional storey to the bungalow would detract from the amenity of the neighbouring property.

In the area, there are a number of examples of extensions but not of such a scale and form. Secondly, the property has already been overly developed to the back and any additional development would represent overdevelopment.

The proposed scale, design and form is not compatible with the character of the existing building and fails to respect the character of the surrounding residential area, contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders.

b) Neighbouring amenity

The proposals have been assessed against requirements set out in the non-statutory Guidance for Householders to ensure there is no unreasonable loss to neighbouring amenity with respect to privacy, overshadowing and loss of daylight or sunlight.

The proposals comply with Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders.

c) Equalities and human rights

This application was assessed in terms of equalities and human rights. No impact was identified.

d) Public comments

No comments were received.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it would have an adverse impact on the character of the property and the neighbouring area.
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as it is not compatible with the character of the existing building or neighbourhood.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 12 October 2020

Drawing Numbers/Scheme

01-06

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Weronika Myslowiecka, Planning Officer
E-mail: veronika.myslowiecka@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: 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 100315346-002

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Timber Bush Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Graeme	Building Name:	
Last Name: *	Blackwood	Building Number:	2
Telephone Number: *		Address 1 (Street): *	SETON WEST MAINS
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	TRANENT
Fax Number:		Country: *	SCOTLAND
		Postcode: *	EH33 1NA
Email Address: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Sunny"/>	Building Number:	<input type="text" value="36"/>
Last Name: *	<input type="text" value="Pahuja"/>	Address 1 (Street): *	<input type="text" value="CAMMO GARDENS"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="EDINBURGH"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="SCOTLAND"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH4 8EG"/>
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="36 CAMMO GARDENS"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH4 8EG"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="674915"/>	Easting	<input type="text" value="318187"/>
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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)

RAISE THE ROOF LEVEL TO FORM A FULL HEIGHT FIRST FLOOR. SMALL EXTENSION TO THE REAR OF THE GARAGE. ADDITIONAL ACCOMMODATION AT THE SECONDARY ENTRANCE TO CREATE A UTILITY AREA AND A PREP KITCHEN.

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.

REFER TO REPORT AND ASSOCIATED ATTACHMENTS

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)

PLANNING APPEAL REPORT. PHOTOS OF THE ADJACENT PROPERTIES. PHOTOS OF OTHER TYPICAL TWO STOREY HOUSES WITH VARIOUS ALTERATIONS AND EXTENSIONS. EXISTING AND PROPOSED ELEVATIONS. FRONT AND REAR PHOTOS OF EXISTING HOUSE.

Application Details

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

20/04344/FUL

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

12/10/2020

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

08/12/2020

Review Procedure

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

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

Yes No

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

Please select a further procedure *

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

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

IT IS IMPORTANT THAT THE PHYSICAL MAKE UP OF THIS STREET IS VISUALISED TO SHOW THAT THE CHARACTER OF THE STREET IS VERY MUCH TWO STOREY AND THAT THE PROPOSAL IS IN KEEPING WITH THE CHARACTER OF THE AREA.

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Graeme Blackwood

Declaration Date: 09/02/2021

36 CAMMO GARDENS, EDINBURGH
APPEAL ON REFUSAL OF PLANNING APPLICATION
20/04344/FUL

The application has been refused for 2 reasons.

1." The proposal is contrary to the Local Development Plan Policy Des 12, in respect of Alterations and Extensions, as it would have an adverse impact on the character of the property and the neighbouring area."

2. "The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as it is not compatible with the character of the existing building or neighbourhood."

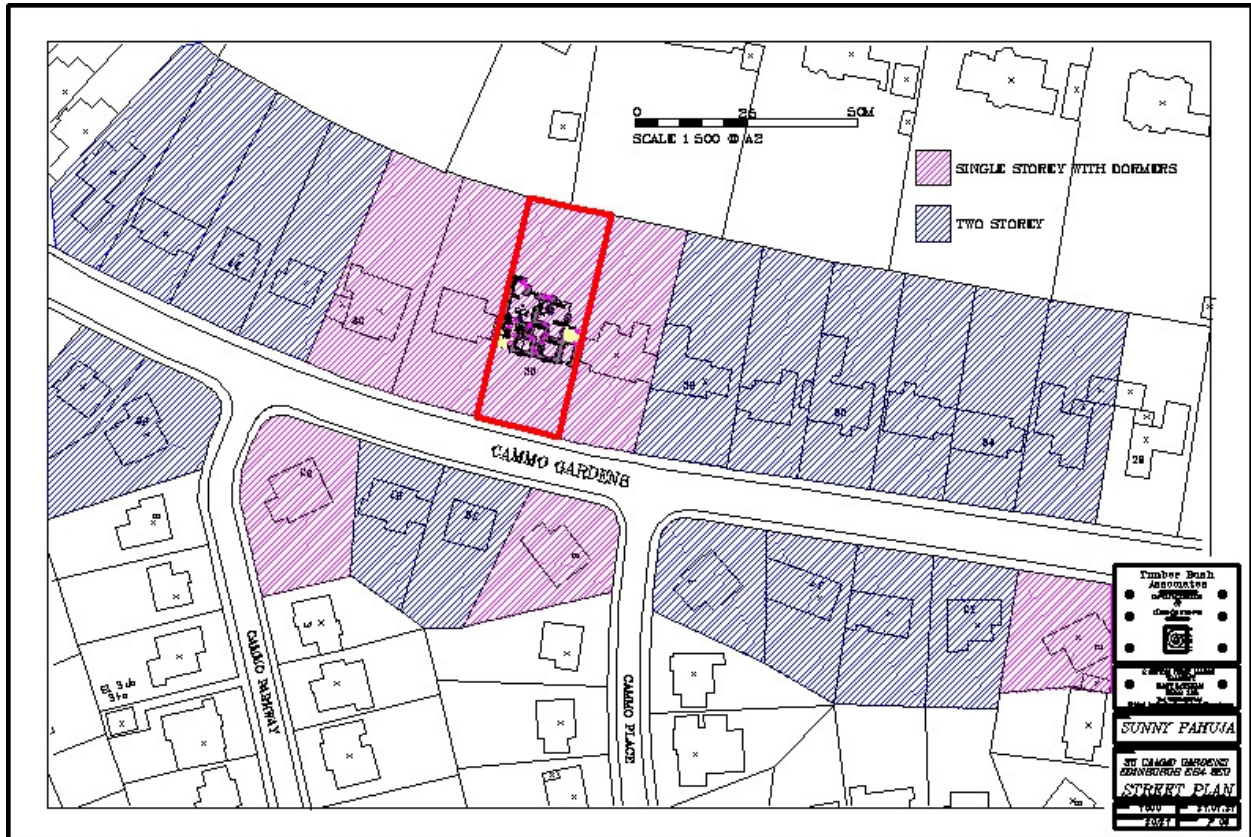
The officer's assessment of the key issues is whether or not the conversion of the bungalow, to a two-storey house, is acceptable.

" the introduction of a two storey house would look out of place within the immediate context."

The reference to Des 12 is incorrect. This should be referenced under Des11.

The attached street plan clearly identifies that the vast majority of houses, in this section of Cammo Gardens, are two storey. The cluster of 4 No bungalows, 34-40 are an exception to the streetscape. There is no set balance to the street. Immediately opposite there are single storey bungalows on the corners with two story houses, adjacent.

The character of the property clearly cannot be assessed as being compatible with the existing building. This is , in effect, a new house."



STREET PLAN

"The proposed development is of an inappropriate scale, form and design as it would result in an incongruous, bulky and overly dominant addition to the property."

The design, form and materials of the proposed house are compatible with the surrounding built environment.

It is not possible to have a two storey house which can possibly be referenced as being subservient to the original bungalow.

Refer to photos, of various adjacent houses, which shows a vast array of house types and forms.

" The additional storey proposed to the bungalow is uncharacteristic and overpowers the surrounding bungalows. It is not in keeping with the scale and overall spatial pattern of the area."

The two storey proposal is clearly not uncharacteristic. The vast majority of the houses are of a similar form. The pattern of the street plan would be altered but not detrimental to the overall pattern. By the very nature of juxtaposition, Nos 34 and 40 already have a two storey house to one side of their properties.

It should be noted that no public comments were received.

The officer states in one section of the report that " The proposed additional storey to the bungalow would detract from the amenity of the neighbouring property"

This is contradicted in [b] Neighbouring amenity, of the report.

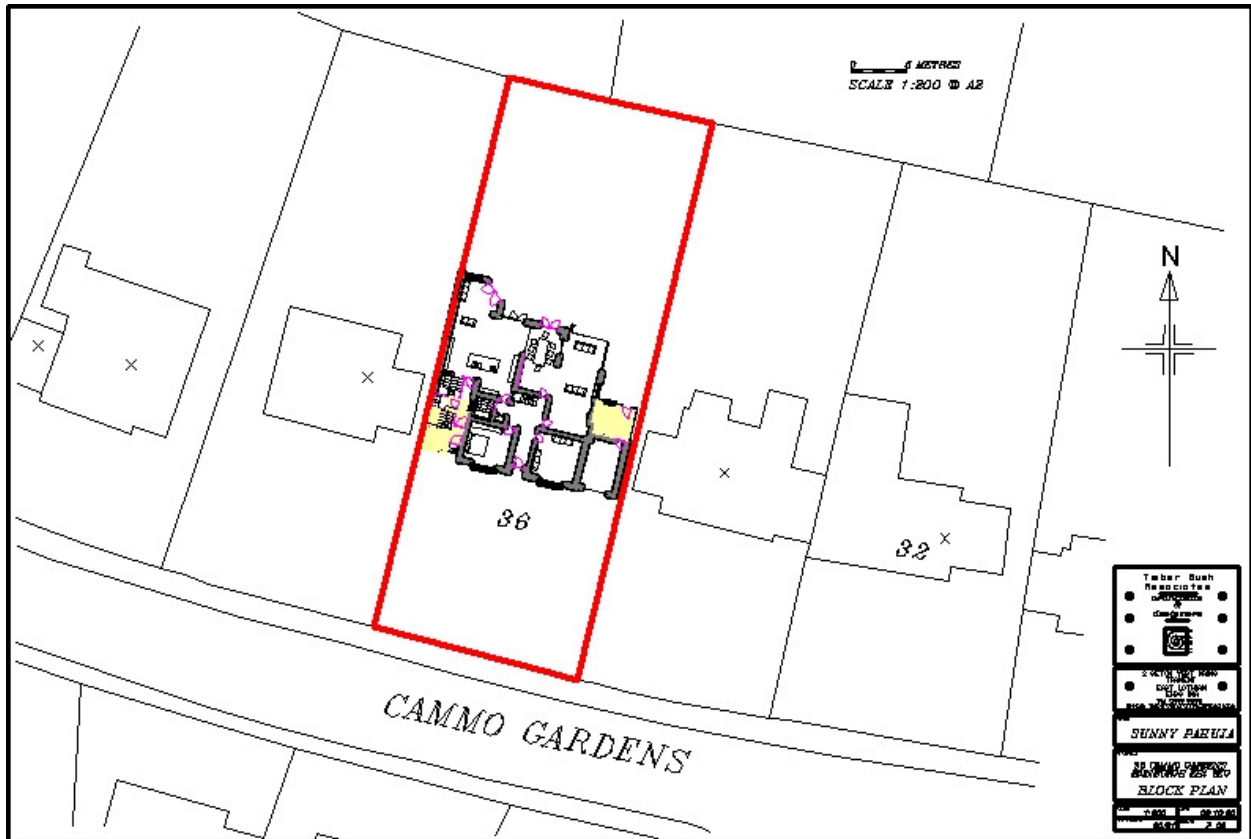
"The proposals have been assessed under requirements set out in the non-statutory Guidance for Householders to ensure that there is no unreasonable loss to neighbouring amenity with respect to privacy, overshadowing and loss of daylight or sunlight."

" The proposals comply with Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders."

The officer also claims that " the property has already been overly developed to the back and any additional development would represent overdevelopment.

The total site area is 964m², or thereby. The footprint of the proposed house is 255m². This equates to 0.26 of the site.

Clearly, this is not an over development of the site.



BLOCK PLAN

The two storey proposal does not change the footprint of the house. There is a small addition to the front of the house to facilitate the requirements of the owner, in preparing large quantities of food, for charities.

The single storey extension to the rear of the garage is ancillary to the function of the house.

With reference to Policy Des 11, it is not possible to comply with the exact wording with regards the compatibility of the existing.

1. This is clearly a new form and is compatible with the character of the neighbourhood.
2. It does not result in unreasonable loss of daylight or privacy.
3. It will not be detrimental to neighbourhood amenity and character.

With reference to 3.29 of Policy Des11

" Alterations and extensions to existing buildings generally raise similar issues to those of new developments."

"Every change to a building, street or space has the potential to enrich or if poorly designed, impoverish a part of the public realm."

" The impact of a proposal on the appearance and character of the existing building and street scheme must be satisfactory and there should be no unreasonable loss of amenity or privacy."

Whilst the design clearly changes the characteristics of the existing building it does not impoverish the character of the immediate environs.

The front elevation is very much inkeeping with typical examples, as shown.

The rear elevation already had an alteration that took a section to full two storey height. This created a compromised design, which is clearly not in keeping with the surroundings, or the character of the existing.

It has been agreed that there is no unreasonable loss of amenity or privacy.

It is the desire of the family that the house meets the requirements of their extended family and their wish to stay in their home, rather than move to a completely new location.

ATTACHMENTS REFERENCED WITH IS REPORT:

1. Photos of the surrounding houses. No19,21,30,32,34,42,& 1 Cammo Place.
2. Other typical houses with extensions. No 13,24 & 30
3. Existing elevations.
4. Proposed elevations
5. Photos of existing house

Prepared by Graeme Blackwood. B Arch [Hons] Dip Arch. A.R.B

TIMBER BUSH ASSOCIATES LTD. FEBRUARY 2021.

Proposal Details

Proposal Name	100315346
Proposal Description	RAISE THE ROOF LEVEL TO CREATE A FULL HEIGHT FIRST FLOOR. SMALL EXTENSION AT THE BACK OF THE GARAGE AND INCREASED ACCOMMODATION AT THE SECONDARY ENTRANCE.
Address	36 CAMMO GARDENS, EDINBURGH, EH4 8EG
Local Authority	City of Edinburgh Council
Application Online Reference	100315346-002

Application Status

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

Attachment Details

Notice of Review	System	A4
PHOTO OF No 19 CAMMO GARDENS	Attached	Not Applicable
PHOTO OF No 21 CAMMO GARDENS	Attached	Not Applicable
PHOTO OF No 30	Attached	Not Applicable
PHOTO OF No32	Attached	Not Applicable
PHOTO OF No34	Attached	Not Applicable
PHOTO OF No42	Attached	Not Applicable
PLANNING APPEAL REPORT	Attached	A4
PHOTO OF No 1 CAMMO PLACE	Attached	Not Applicable
PHOTO OF No24	Attached	Not Applicable
PHOTO OF No13	Attached	Not Applicable
EXISTING ELEVATIONS	Attached	A1
PROPOSED ELEVATIONS	Attached	A1
PHOTO OF FRONT OF HOUSE	Attached	Not Applicable
PHOTO OF REAR OF HOUSE	Attached	Not Applicable
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0



36











L6 CKC





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YY65ZZU



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11

L6 CXC





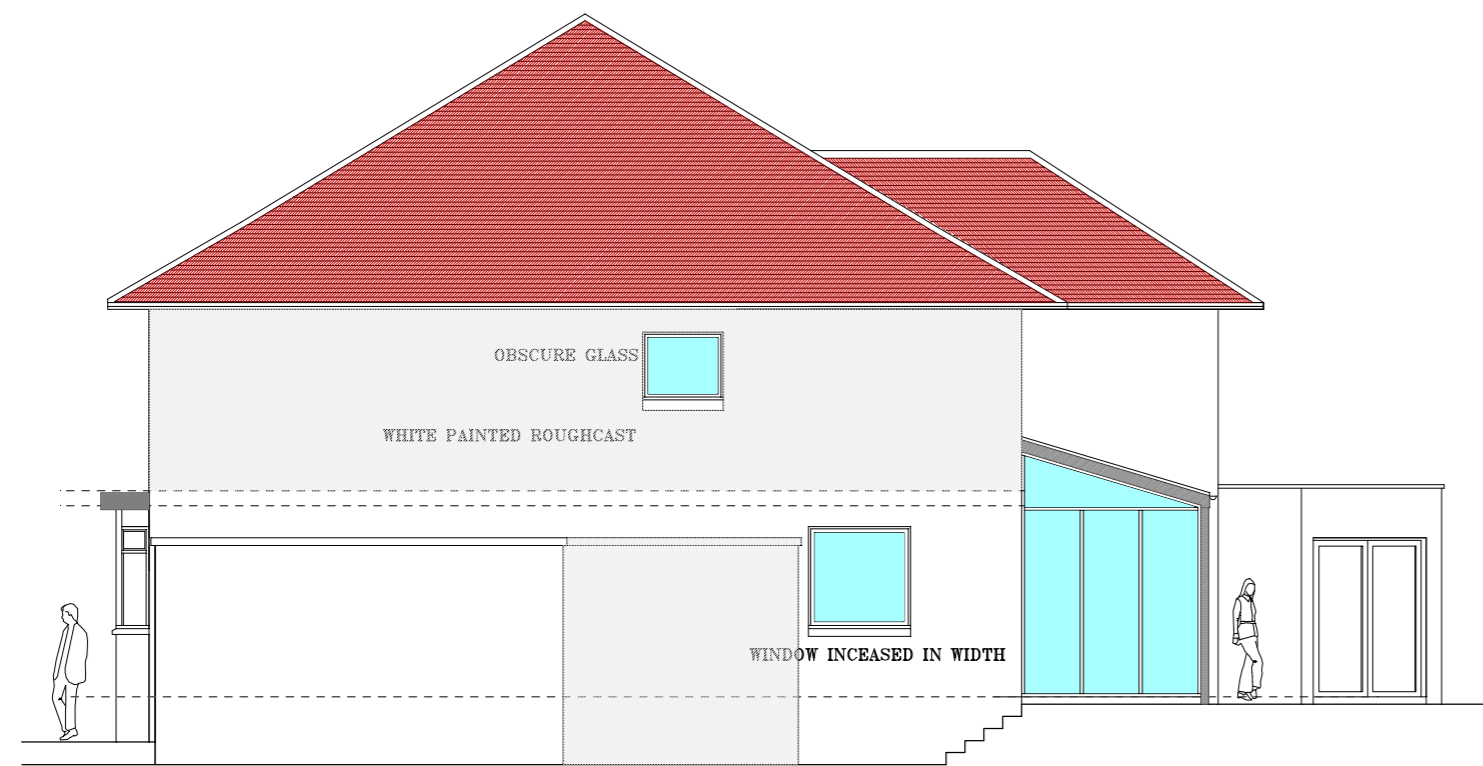




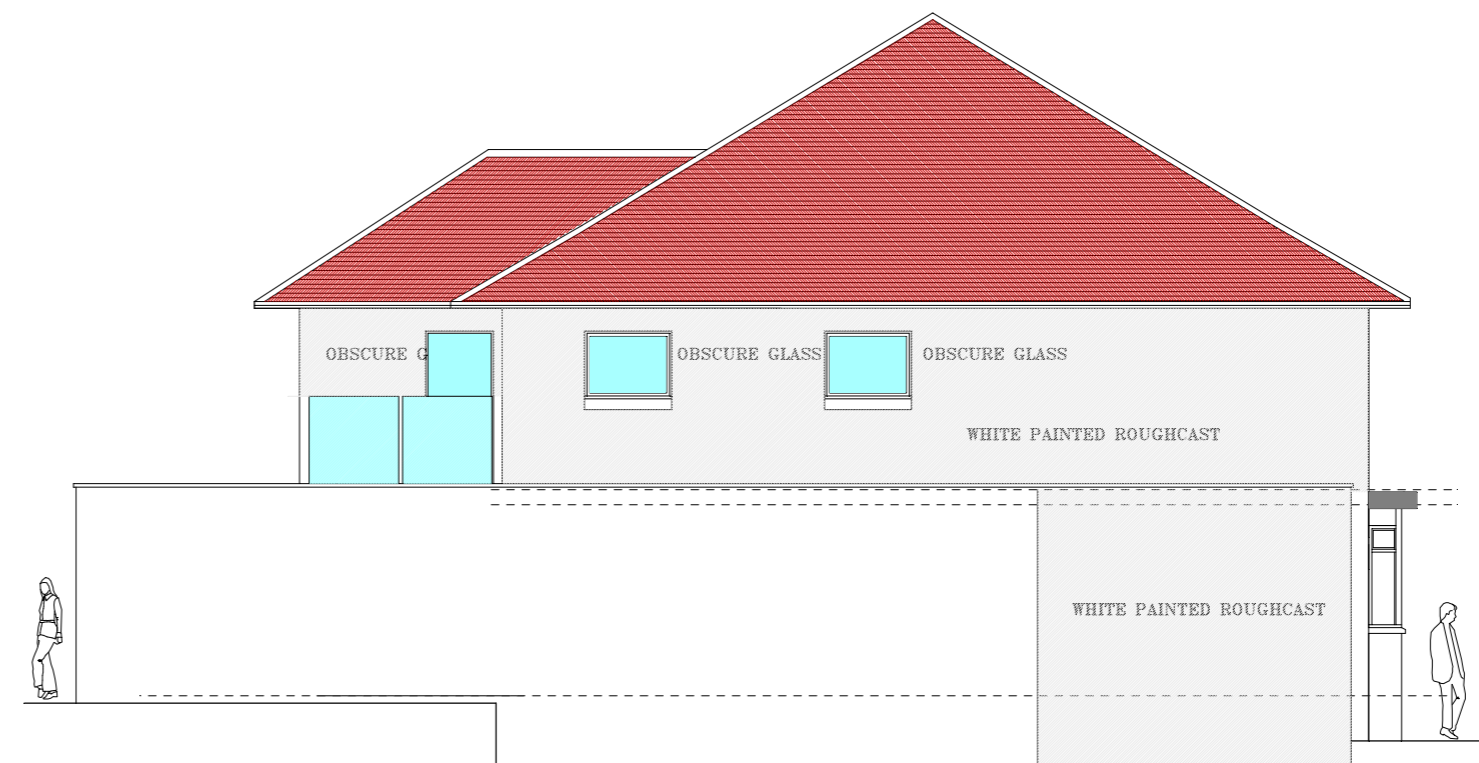
PROPOSED FRONT ELEVATION



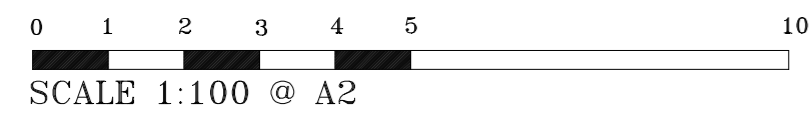
PROPOSED REAR ELEVATION



PROPOSED SIDE ELEVATION



PROPOSED SIDE ELEVATION



Timber Bush Associates
architects & designers

2 SETON WEST MAINS
 TRANENT
 EAST LOTHIAN
 EH33 1NA
 Tel 01875 819151
 E-Mail timberbush@lumison.co.uk

Client
SUNNY PAHUJA

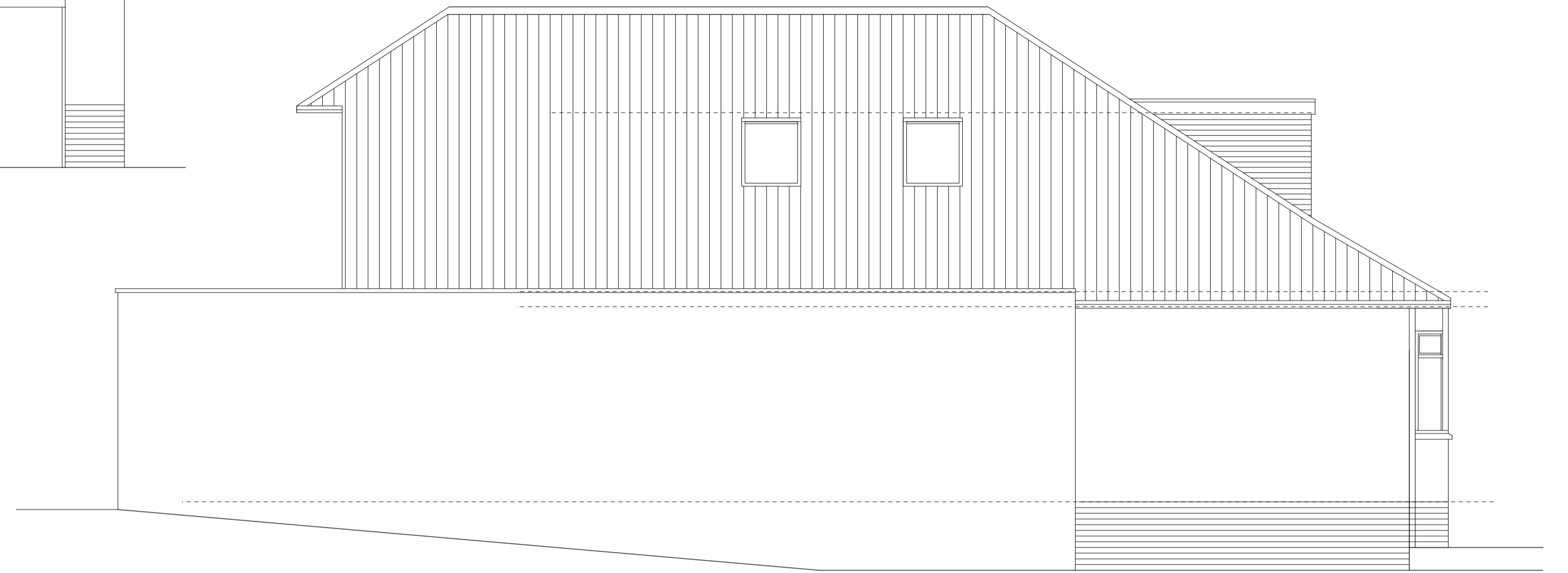
Project
**36 CAMMO GARDENS
 EDINBURGH EH4 8EG
 PROPOSED
 ELEVATIONS**

Scale	1:50	Date	04:10:20
Job Number	20/21	Number	P 06

0 1 2 3 4 5 10
 SCALE 1:50 @ A1



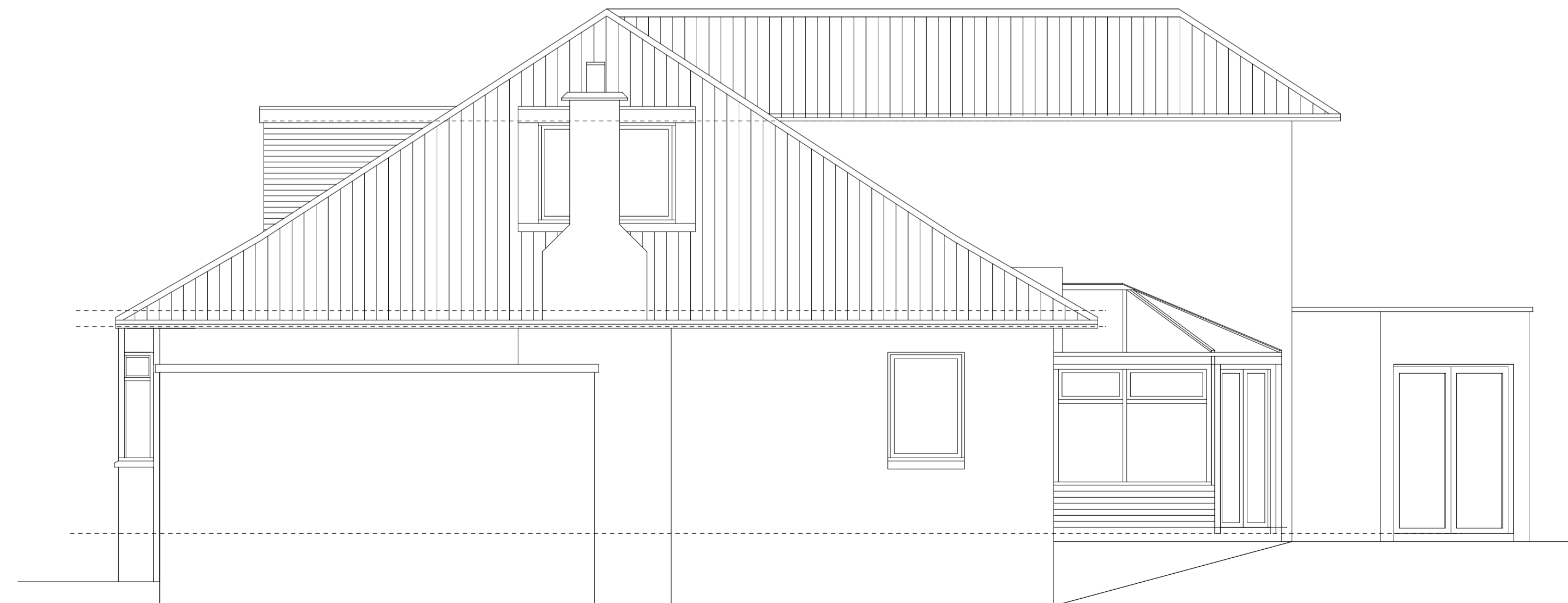
EXISTING FRONT ELEVATION



EXISTING SIDE ELEVATION



EXISTING REAR ELEVATION



EXISTING SIDE ELEVATION

Timber Bush Associates
architects & designers

2 SETON WEST MAINS
 TRANENT
 EAST LOTHIAN
 EH33 1NA
 Tel 01875 819151
 E-Mail timberbush@tunison.co.uk

Client
SUNNY PAHUJA

Project
 36 CAMMO GARDENS
 EDINBURGH EH4 8EG
EXISTING ELEVATIONS

Scale	1:50	Date	24:09:20
Job Number	20/21	Number	P 04