

Mr James Mcnee.
76 Station Road
Ratho Station
Newbridge
EH28 8QT

Decision date: 12 January 2021

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

The construction of a new detached timber dwelling house including parking and vehicular access.

At Land Adjacent To 93 Station Road Ratho Station Newbridge

Application No: 20/05011/PPP

DECISION NOTICE

With reference to your application for Planning Permission in Principle registered on 16 November 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 policy Env 10 - Green Belt of the Edinburgh Local Development Plan. No exceptional planning reasons have been given to justify a new house in this location and the proposal will have a detrimental impact on the landscape quality and rural character of the surrounding area.
2. The proposal is contrary to policy Env 12 - Trees of the Edinburgh Local Development Plan. The proposal is likely to have a damaging impact on trees protected by a tree preservation order and impact adversely on the amenity value of the group of protected trees as a whole.
3. The proposal is contrary to policy Tra 2 of the Edinburgh Local Development Plan as the proposed development exceeds the car parking provision as set out in the Council's Edinburgh Design Guidance.

4. The proposal is contrary to policy Tra 7 of the Edinburgh Local Development Plan (LDP). The proposed development is located on land safeguarded for long term extensions to the tram network as listed in Table 9 of the LDP and will therefore prejudice the implementation of a public transport proposal.

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

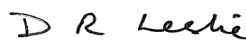
Drawings 01, 02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposals are not acceptable as the development will have a detrimental impact upon the landscape quality and rural character of the green belt and will adversely impact on protected trees. The proposals will prejudice the implementation of a safeguarded public transport proposal and exceed Council's car parking standards. The proposal is contrary to policies Env 10, Env 12, Tra 2, and Tra 7.

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 Lewis McWilliam directly at Planning Officer.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

Application for Planning Permission in Principle

20/05011/PPP

At Land Adjacent To, 93 Station Road, Ratho Station

The construction of a new detached timber dwelling house including parking and vehicular access.

Item	Local Delegated Decision
Application number	20/05011/PPP
Wards	B01 - Almond

Summary

The proposals are not acceptable as the development will have a detrimental impact upon the landscape quality and rural character of the green belt and will adversely impact on protected trees. The proposals will prejudice the implementation of a safeguarded public transport proposal and exceed Council's car parking standards. The proposal is contrary to policies Env 10, Env 12, Tra 2, and Tra 7.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES04, LDES05, LEN10, LEN12, LHOU01, LHOU03, LHOU04, LTRA02, LTRA03, LTRA07, NSG, NSGD02, NSGCGB,

Report of handling

Recommendations

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

Background

2.1 Site description

The proposal site is an area of sloped, grass land that lies within the Green Belt to the east side of Station Road. The land forms part of a wider landscaped area, consisting of protected trees that lie adjacent to a former railway track. There are a mix of uses in the wider area including residential dwellings, a school and large industrial units.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The application proposes the following works;

-The construction of a new detached timber dwelling house including parking and vehicular access.

3.2 Determining Issues

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposal can be considered acceptable in principle;
- b) The proposal raises any issues in respect of transport with regard to public transport proposals and safeguards, parking, road safety and access.
- c) The proposal would have a detrimental impact on the character and appearance of the surrounding area;
- d) The proposal will have an adverse impact on protected trees
- e) The proposal will result in the creation of a satisfactory residential environment;
- f) The proposal will result in an adverse impact on neighbouring amenity
- f) The proposal raises any other issues;
- g) Any issues raised in representations have been addressed.

a) Principle of Development

Policy Env 10 (Development in the Green Belt and Countryside) states 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 subject to criteria 1-3.

The proposal site lies within the Green Belt therefore LDP policy Env 10 - Green Belt is applicable. Policy Env 10 states development will only be permitted where it meets one of criteria (a-d) and will not detract from the landscape quality and / or rural character of the area.

The proposed development is for a new build residential dwelling and associated works. This use is not for the purpose of agriculture, woodland and forestry, horticulture or countryside recreation. A countryside location is not essential for this use. The proposal does not meet criteria (a).

Further, the proposal does not relate to an existing use or building therefore criteria (b-d) are not applicable.

The site is a small area of sloping grass land that lies in proximity to a cluster of trees to the south and east of the site. The land is rural in character and is a continuation of the wider countryside setting to the east. The north and west of the site is primarily

characterised by 2 storey detached residential dwelling houses with industrial units beyond. This defines the north-west boundary of the green belt.

There is clear distinction between these sides of Station Road, their respective uses and overall character.

There is no development on this area of land; aside from an electricity sub-station of limited scale. The submitted drawings show only the indicative footprint of the proposed dwelling and layout of parking spaces with materials that may be used. Detailed design matters and the scale and form of the house would be assessed through any subsequent application for approval of matters specified in the conditions of any planning permission in principle granted. However, the proposed footprint is such that any dwelling would form an incongruous isolated feature which will detract from the landscape quality and rural character of the surrounding area. The proposal is not characteristic of the area as a dwelling house could not be constructed on this site that respects the undeveloped, rural nature of the land.

A dwelling house on this the site would not meet any of the criteria of policy Env 10 and there are no material planning reasons why it should be approved contrary to this policy. It would be incongruous within the rural setting and detract from the landscape quality and rural character of the area. The proposal is therefore contrary to policy Env 10 - Green Belt.

b) Transport

LDP policy Tra 7 - Public Transport Proposals and Safeguards, states permission will not be granted for development which would prejudice the implementation of the public transport proposals and safeguards listed in Table 9.

Paragraph 282 of the LDP explains that public transport proposals are required to reduce reliance on private car, help meet climate change targets and sustainable development objectives.

The proposal site is on land safeguarded for a long term extension to the tram network connecting Newbridge and Ratho to the existing line that terminates at the Airport. This safeguarded route is detailed as T1 in Table 9 of the LDP and shown on the proposals map.

The construction of a residential dwelling and associated works, in this location, would prejudice the implementation of this safeguarded tram route. The proposal is therefore contrary to policy Tra 7.

LDP policy Tra 2 - Car Parking states that planning permission will be granted for development where proposed car parking provision complies with the levels set out in Council guidance.

Edinburgh Design Guidance (EDG) states for residential dwellings within Zone 3, there should be a maximum of one car parking space per unit. The proposal shows provision for two off-street car parking spaces and therefore exceeds these standards. The proposal is therefore contrary to policy Tra 2.

LDP policy Tra 3 - Cycle Parking states that planning permission will be granted for development where proposed cycle parking and storage provision complies with levels set out in Council Guidance.

EDG states the cycle space requirement for a residential dwelling is one space / one bedroom, two spaces / two/ three bedrooms and three spaces for four or more bedrooms. The number of cycle spaces or bedrooms proposed is not detailed on the proposal therefore it is not possible to accurately assess if policy Tra 3 is complied with.

Detailed design matters including cycle provision would be assessed through any subsequent application for approval of matters specified in the conditions of any planning permission in principle granted.

The Roads Authority were consulted on the proposal however have not made any comments.

The proposal will prejudice the future implementation of a safeguarded public transport proposal and exceeds Councils' parking standards for a residential dwelling. The proposal is contrary to LDP policy Tra 2 and Tra 7.

c) Character and Appearance of the Surrounding Area

LDP policy Des 1 states 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.

LDP policy Des 4 states development will be granted that has a positive impact on its surroundings including the character of the wider townscape having regard to height and form; scale and proportions, including space between buildings; position of buildings and other features on site; materials and detailing.

LDP policy Hou 4 states, amongst other criteria, that council will seek an appropriate density of development on each site having regard to its characteristics and those of the surrounding area.

As stated in section (a) of the report, the submitted drawings provide only an indicative layout of the proposed dwellinghouse and some of the materials which may be used.

Detailed design matters would be assessed through any subsequent application for approval of matters specified in the conditions of any planning permission in principle granted.

d) Impact on Trees

LDP Policy Env 12 states that development will not be permitted if likely to have a damaging impact on a tree or woodland protected by a Tree Preservation Order or any other tree or woodland worthy of retention unless necessary for good arboricultural reasons. Where permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

The application site lies in proximity to a group of trees. The site and its surroundings are protected by a Tree Preservation Order.

The proposed plans don't accurately reflect the number of trees being impacted on by the proposal and no tree survey has been submitted in the form specified in BS 5837:2012 for all trees with a stem diameter of 75mm or more, at 1.5m above ground on the site or within 12m of its boundary; as required in the EDG.

There is concern that the nature of the site as sloping land would lead to adverse impacts on the TPO trees as a result of construction activities. The incremental loss of trees and erosion of this landscape will adversely impact on the TPO as a whole, contrary to policy Env 12.

e) Creation of a Satisfactory Residential Environment

LDP policy Des 5 states that planning permission will be granted for developments where it is demonstrated that future occupants will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

LDP policy Hou 3 states that planning permission will be granted for development which makes an adequate provision for greenspace to meet needs of future residents.

Edinburgh Design Guidance outlines the space standard requirements for residential properties.

The plans provided do not detail the overall size of the proposed development. Detailed design matters including dimensions, internal and external layouts of the proposed house would be assessed through any subsequent application for approval of matters specified in the conditions of any planning permission in principle granted.

f) Amenity of Neighbouring Residents

LDP policy Des 5 also states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected.

The submitted drawings provide an indicative layout of the proposed dwellinghouse. However, detailed dimensions of the proposed house and the subsequent impact on neighbouring residents by virtue of any overshadowing, loss of daylight and privacy implications would be assessed through any subsequent application for approval of matters specified in the conditions, if planning permission in principle is granted.

g) Other matters

Flood risk management were consulted and recommended a surface water management plan be submitted as part of the planning application. Should consent have been granted details of this would have been included by condition.

Environmental Protection were consulted and recommend further details of potential land contamination to be included by condition should consent have been granted.

Network Rail were consulted and raised no objection or comments to the proposals.

The Coal Authority were consulted. The site lies within the Development Low Risk Area and there is no requirement for a Coal Mining Risk Assessment to be submitted.

h) Public Comments

The application received 3 objections summarised as the following;

Material Comments

- Site lies in Green Belt - assessed in section 3.3 a)
- Impact on road and pedestrian safety issues for lane to north of the site - addressed in section 3.3 b). The roads authority were consulted on the proposal and have not made any comments.
- Land safeguarded for tram line route and impact upon this - Assessed in section 3.3 b).
- Site lies in an area of protected trees - assessed in section 3.3 d)
- Impact on old railway line - Network rail were consulted (see section 3.3 e)

Non-material

- Trees have previously been removed from site - Previous removal of trees cannot materially be assessed within the scope of this planning application. Unauthorised felling of trees may be a matter for separate planning enforcement investigation.

Conclusion

The proposals are not acceptable as the development will have a detrimental impact upon the landscape quality and rural character of the green belt and will adversely impact on protected trees. The proposals will prejudice the implementation of a safeguarded public transport proposal and exceed Council's car parking standards. The proposal is contrary to policies Env 10, Env 12, Tra 2, and Tra 7.

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 - Green Belt of the Edinburgh Local Development Plan. No exceptional planning reasons have been given to justify a new house in this location and the proposal will have a detrimental impact on the landscape quality and rural character of the surrounding area.
2. The proposal is contrary to policy Env 12 - Trees of the Edinburgh Local Development Plan. The proposal is likely to have a damaging impact on trees protected by a tree preservation order and impact adversely on the amenity value of the group of protected trees as a whole.

3. The proposal is contrary to policy Tra 2 of the Edinburgh Local Development Plan as the proposed development exceeds the car parking provision as set out in the Council's Edinburgh Design Guidance.

4. The proposal is contrary to policy Tra 7 of the Edinburgh Local Development Plan (LDP). The proposed development is located on land safeguarded for long term extensions to the tram network as listed in Table 9 of the LDP and will therefore prejudice the implementation of a public transport proposal.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

Three representations have been received.

Background reading / external references

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

Statutory Development**Plan Provision**

Policies - Edinburgh Local Development Plan Urban Area

Date registered

16 November 2020

**Drawing
numbers/Scheme**01, 02,

Scheme 1

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

Contact: Lewis McWilliam, Planning Officer
E-mail: lewis.mcwilliam@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

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

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

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

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

LDP Policy Tra 7 (Public Transport Proposals and Safeguards) prevents development which would prejudice the implementation of the public transport proposals and safeguards listed.

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.

Appendix 1

Consultations

The Coal Authority : The application site does not fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Network Rail : After examining the proposal Network Rail considers that it will have no impact on railway infrastructure and therefore have no comments/objections to this application.

Flood Risk Management : We recommend liaising with SEPA to confirm the private sewage system and septic tank proposals satisfy their requirements. I have reviewed the documents on the portal. We have no major concerns over this application, although have the following comments to be addressed by the applicant:

Please provide details of the surface water drainage arrangements. The drainage arrangements should be clarified by producing a Surface Water Management Plan (SWMP) report. This should be prepared in line with the self-certification scheme - details of which can be found at the link in my signature below.

As a minimum the SWMP should provide clarification on the following points:

1. Please identify existing and proposed ground level surface water flow paths on drawings. This can be achieved by taking the existing site survey and overmarking arrows to denote falls and then completing the same with the postdevelopment arrangement. This should include runoff from outside of the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. First, to understand if there is any significant re-direction of surface flows to surrounding land. Second, to identify if surface water will flow towards property entrances and sensitive receptors.

2. We welcome the proposals to discharge surface water to the ground via a soakaway. Has soakaway testing been conducted? We typically request details of soakaway testing to confirm that the proposals are feasible and that the 1:200-year+40%CC storm event can be safely managed on site.

3. Please provide a SWMP checklist. A copy of the checklist can be found at the link below. The checklist provides a summary of the information provided to support this application : www.edinburgh.gov.uk/downloads/file/22712/surface-watermanagement-checklist

4. Please provide a signed copy of the declaration certificate A1, provided on page 13 of the link below:

www.edinburgh.gov.uk/downloads/file/22711/flood-risk-and-surface-water-management-plan-requirements

Environmental Protection :

Environmental Protection has no objections to the application, subject to the following condition:

1. Prior to the commencement of construction works on site:

a. A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b. Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

The proposed development is to create new residential property on what was previously railway cutting. It is not structurally attached to or beside existing residential properties and is farther away from the current industrial and commercial uses in the area than existing residential properties. Due to the transport / industrial nature of the area, we recommend the above condition to ensure any potential land contamination is appropriately investigated and remediated.

Informative

It is noted that this development includes a septic tank for the treatment of sewage. Any new private sewage system requires to be registered with the Scottish Environment Protection Agency as required by Regulation 7 of the Water Environment (Controlled Activities) (Scotland) Regulations 2011.

Therefore, Environmental Protection has no objection to the application, subject to the above condition.

END



The Coal
Authority



INVESTOR IN PEOPLE



RTPI
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200 Lichfield Lane
Berry Hill
Mansfield
Nottinghamshire
NG18 4RG

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.gov.uk/coalauthority

For the Attention of: Lewis McWilliam

Edinburgh City Council

[By Email: planning@edinburgh.gov.uk]

30 November 2020

Dear Lewis McWilliam

PLANNING APPLICATION: 20/05011/PPP

**THE CONSTRUCTION OF A NEW DETACHED TIMBER DWELLING HOUSE.;
STATION ROAD, RATHO STATION, NEWBRIDGE**

Thank you for your consultation notification of the 27 November 2020 seeking the views of The Coal Authority on the above planning application.

The Coal Authority Response: Material Consideration

I can confirm that the above planning application has been sent to us incorrectly for consultation.

The application site **does not** fall within the defined Development High Risk Area and is located instead within the defined Development Low Risk Area. This means that there is no requirement under the risk-based approach that has been agreed with the LPA for a Coal Mining Risk Assessment to be submitted or for The Coal Authority to be consulted.

The Coal Authority Recommendation to the LPA

In accordance with the agreed approach to assessing coal mining risks as part of the development management process, if this proposal is granted planning permission, it will be necessary to include The Coal Authority's Standing Advice within the Decision Notice as an informative note to the applicant in the interests of public health and safety.

Yours sincerely

**Christopher Telford BSc(Hons) DipTP MRTPI
Principal Development Manager**



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200 Lichfield Lane
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Yours sincerely

**Christopher Telford BSc(Hons) DipTP MRTPI
Principal Development Manager**

To: Lewis McWilliam
From: Claire Devlin, Environmental Protection

Date: 07/12/20

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

20/05011/PPP | The construction of a new detached timber dwelling house. | Land Adjacent To 93 Station Road Ratho Station Newbridge

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1. Prior to the commencement of construction works on site:
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 - b. Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

The proposed development is to create new residential property on what was previously railway cutting. It is not structurally attached to or beside existing residential properties and is farther away from the current industrial and commercial uses in the area than existing residential properties. Due to the transport / industrial nature of the area, we recommend the above condition to ensure any potential land contamination is appropriately investigated and remediated.

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Therefore, Environmental Protection has no objection to the application, subject to the above condition.

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

Comments for Planning Application 20/05011/PPP

Application Summary

Application Number: 20/05011/PPP

Address: Land Adjacent To 93 Station Road Ratho Station Newbridge

Proposal: The construction of a new detached timber dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Mary Knox

Address: 65 Station Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The site of the proposed building is in a Tree Protected area..

It is in the Green Belt.

It is on ground safeguarded for a future tram route.

The proposed access to the site is from the lane to its north. This lane is a Right of Way and is supposed to be a Safe Route to School. The lane joins Station Road . Traffic of all kinds and sizes uses the lane to access industrial units to the east and Station Road to access similar to the South.

Station Road is frequently congested especially at the end of the school day and has cars parked its whole length. *

The lane is used by schoolchildren, and dog walkers** and has access to the Hillwood housing estate. The junction with Station Road is a dangerous one and vehicles turning in and immediately turning into the proposed access would make it even worse.

* Volume of traffic has decreased temporarily due to Covis restrictions.

** The lane is the only route left for them.

Comments for Planning Application 20/05011/PPP

Application Summary

Application Number: 20/05011/PPP

Address: Land Adjacent To 93 Station Road Ratho Station Newbridge

Proposal: The construction of a new detached timber dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

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Address: Land Adjacent To 93 Station Road Ratho Station Newbridge

Proposal: The construction of a new detached timber dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Janice Aitken

Address: 61 Station Road Newbridge

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This area of land has a tree preservation order on it and as such I would have thought building would be discouraged. The applicant has already cut down three trees without permission which may or may not have contaminated this piece of land.

The land is within the green belt and as such residential building should not be sanctioned.

This land was safeguarded for the tram line 2 phase 3.

The lane whereby this land is accessed is a main route for children accessing the primary school from the Hillwood estate and there is already too much traffic to and from the industrial estate also accessed from this land.

Comments for Planning Application 20/05011/PPP

Application Summary

Application Number: 20/05011/PPP

Address: Land Adjacent To 93 Station Road Ratho Station Newbridge

Proposal: The construction of a new detached timber dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This area of land has a tree preservation order on it and as such I would have thought building would be discouraged. The applicant has already cut down three trees without permission which may or may not have contaminated this piece of land.

The land is within the green belt and as such residential building should not be sanctioned.

This land was safeguarded for the tram line 2 phase 3.

The lane whereby this land is accessed is a main route for children accessing the primary school from the Hillwood estate and there is already too much traffic to and from the industrial estate also accessed from this land.

Comments for Planning Application 20/05011/PPP

Application Summary

Application Number: 20/05011/PPP

Address: Land Adjacent To 93 Station Road Ratho Station Newbridge

Proposal: The construction of a new detached timber dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Patricia Alderson

Address: 59 Station Road Ratho Station Newbridge

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this proposal on the following grounds:

To allow construction a significant amount of material will be required to fill in the old railway line and the felling of trees that are the subject of a tree Preservation order.

It is likely to compromise the construction and routing of the proposed tram line.

It is in the Greenbelt.

Comments for Planning Application 20/05011/PPP

Application Summary

Application Number: 20/05011/PPP

Address: Land Adjacent To 93 Station Road Ratho Station Newbridge

Proposal: The construction of a new detached timber dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I wish to object to this proposal on the following grounds:

To allow construction a significant amount of material will be required to fill in the old railway line and the felling of trees that are the subject of a tree Preservation order.

It is likely to compromise the construction and routing of the proposed tram line.

It is in the Greenbelt.

From: Ellen McCalman
Sent: Tue, 15 Dec 2020 12:18:43 +0000
To: Lewis McWilliam
Subject: RE: Ref: 20/05011/PPP Land Adjacent to 93 Station Road

Ref: 20/05011/PPP Land Adjacent to 93 Station Road

The application site is protected by TPO 142 (this is an Area TPO, but there is no need to mention that, just that there is a TPO). The trees were protected because as a group they perform an important role for amenity, setting, screening and biodiversity.

The site consist of land formerly associated with the railway and as such is not flat. The site plan doesn't accurately reflect the number of trees being impacted on by the proposals as due to the change in levels required to build a house there will be a further impact on the TPO trees. The loss of TPO trees would be contrary to ENV12 of the local plan. The concern would be a gradual erosion of the TPO by piecemeal development, where the individual trees are considered to be 'less important', but it is the tree group as a whole that is important

ENV12 Trees

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.

DES 3 Development Design

Edinburgh Design Guidance

3.5 Trees A suitably qualified Arboriculturalist should be used to survey and evaluate the existing tree and woodland resource within the site and 12m beyond. Design development to take into account above and below ground constraints for retained trees and future planting. Survey, assess and identify trees to be retained. Mature trees in a good condition have a high value and should be retained where possible. Protect retained trees and areas identified for new tree planting during construction. Ensure trees for retention are marked on masterplans.

Where trees are damaged and then decline or where inappropriate design leads to conflict, these positive benefits are lost. Successfully marrying trees and new development requires a process of survey, analysis and design which is set out in the British Standard (BS) 5837:2012

Trees in relation to design, demolition and construction. This provides a balanced approach on deciding when trees should be retained, how design considerations will be affected by existing trees and appropriate protection for trees during development.

It is a duty under Section 159 of the Planning Act (1997) that conditions must be applied to all planning applications where existing trees require protection.

*Ellen McCalman
Arboricultural Officer*

Please note that I work Mon – Thursday

Planning Initiatives Team | Planning and Transport | Place | The City of Edinburgh Council | Waverley Court, Level G:2, 4 East Market Street, Edinburgh, EH8 8BG | ellen.mccalman@edinburgh.gov.uk | www.edinburgh.gov.uk

We are adapting our service so that we can support communities and businesses across Edinburgh through this difficult time. Our aim is to boost online public input to planning processes so that we can make and issue decisions which will help with both a swift recovery and a positive future for the city. To do this we have introduced ways for people to stay informed and comment on planning proposals despite the coronavirus lockdown.

Our office is still closed and we are working from our homes where possible. Thank you for your support and understanding during this time. You can access our services online at www.edinburgh.gov.uk/planning-building. Please follow the [Planning Edinburgh](#) blog to keep up to date with changes to our service and how we are planning for the future Edinburgh through City Plan 2030 and the City Mobility Plan.

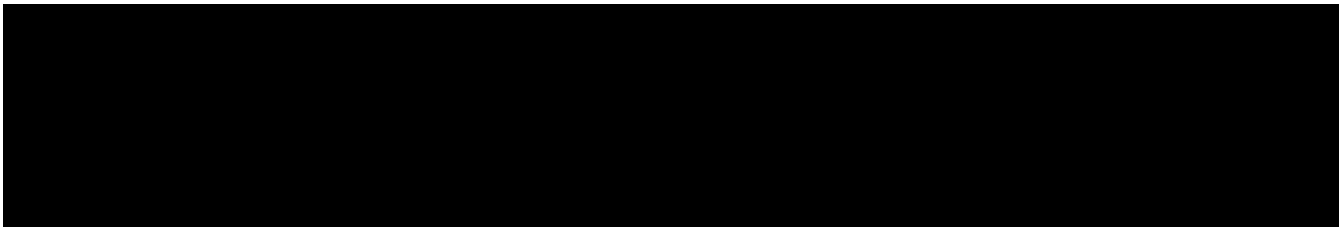


From: Lewis McWilliam <Lewis.McWilliam@edinburgh.gov.uk>

Sent: 09 December 2020 12:47

To: Ellen McCalman <Ellen.McCalman@edinburgh.gov.uk>

Subject: RE: Ref: 20/05011/PPP Land Adjacent to 93 Station Road



From: Thomas Findlay on behalf of Flood Planning
Sent: Fri, 11 Dec 2020 10:23:35 +0000
To: Lewis McWilliam
Cc: Flood Planning
Subject: 20/05011/PPP - 93 Station Road Ratho Station

Dear Lewis,

Thank you for the consultation request. We recommend liaising with SEPA to confirm the private sewage system and septic tank proposals satisfy their requirements. I have reviewed the documents on the portal. We have no major concerns over this application, although have the following comments to be addressed by the applicant:

Please provide details of the surface water drainage arrangements. The drainage arrangements should be clarified by producing a Surface Water Management Plan (SWMP) report. This should be prepared in line with the self-certification scheme - details of which can be found at the link in my signature below.

As a minimum the SWMP should provide clarification on the following points:

1. Please identify existing and proposed ground level surface water flow paths on drawings. This can be achieved by taking the existing site survey and over-marking arrows to denote falls and then completing the same with the post-development arrangement. This should include runoff from outside of the site, from unpaved areas within the site, and from paved areas in events which exceed the capacity of the drainage system. The purpose of these drawings is twofold. First, to understand if there is any significant re-direction of surface flows to surrounding land. Second, to identify if surface water will flow towards property entrances and sensitive receptors.
2. We welcome the proposals to discharge surface water to the ground via a soakaway. Has soakaway testing been conducted? We typically request details of soakaway testing to confirm that the proposals are feasible and that the 1:200-year+40%CC storm event can be safely managed on site.
3. Please provide a SWMP checklist. A copy of the checklist can be found at the link below. The checklist provides a summary of the information provided to support this application.
 - <https://www.edinburgh.gov.uk/downloads/file/22712/surface-water-management-checklist>
4. Please provide a signed copy of the declaration certificate A1, provided on page 13 of the link below:
 - <https://www.edinburgh.gov.uk/downloads/file/22711/flood-risk-and-surface-water-management-plan-requirements> (Page 13)

Kind regards,

From: Colin Jamieson
Sent: Mon, 22 Mar 2021 19:01:16 +0000
To: Stuart Preston
Cc: [REDACTED]
Subject: Comment for LRB 76 Station Road

Stuart

The e-mail below appeared to be blocked by your " mailsweeper " perhaps due to the file size of the attached photographs. Hopefully the photographs will be released accordingly but in the meantime I hope the reply below will suffice for your purposes. Regards.

Yours faithfully

James E McNee .

From: Colin Jamieson
Sent: 22 March 2021 18:55
To: Stuart.Preston@edinburgh.gov.uk
Cc: [REDACTED]
Subject: Comment for LRB 76 Station Road

Dear Stuart

Thanks for your previous e-mail below. I would respond as follows ;-

I am not in any way an expert in tree management I only took advise from " Woodland Maintenance " whom I previously arranged to visit the site and comment. I am unsure regarding the exact culprits of the dumping / fly tipping but it has been continuing on a long term sporadic basis perhaps by visitors to the nearby small industrial units or by casual parkers (there are cars frequently parked at the road end and at the bridge). I attach additional photographs for your consideration / information. I now have tenants in all my nearby yards and this area certainly does not look pleasant hence my request to tidy up and locally develop the area. My long term plan with regard to the adjacent woodland would be to ;-

Thin the under growth, remove dead standing trees, dead wood and thin where required. As stated there is what appears to be a serious issue with ivy in the area that will also need managing.

I would photograph all the trees that I am looking to remove or reduce in height and would give a full description and reasons why I would look to remove.

I have set a budget for replanting and would look to bring the surrounding woodland area up to a good standard of health.

I would also welcome any direction from the Council on this matter.

I hope you will look favourably upon my application

Yours faithfully

James E McNee .

From: Stuart Preston <Stuart.Preston@edinburgh.gov.uk>

Sent: 12 March 2021 15:26

To: [REDACTED]

Subject: Comment for LRB 76 Station Road

To whom it may concern

Please find enclosed comment for the above LRB

"Re appeal to above.

I understood ivy on trees was not a reason for felling them.

It attracts insects which feed the birds.

There IS dumping on the site (done by neighbours!)"

Please send any response you may have to LocalReviewBody@edinburgh.gov.uk

Many Thanks

Stuart Preston

This email and files transmitted with it are confidential and are intended for the sole use of the individual or organisation to whom they are addressed.

If you have received this eMail in error please notify the sender immediately and delete it without using, copying, storing, forwarding or disclosing its contents to any other person.

The Council has endeavoured to scan this eMail message and attachments for computer viruses and will not be liable for any losses incurred by the recipient.















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 100373316-001

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

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="James"/>	Building Number:	<input type="text" value="76"/>
Last Name: *	<input type="text" value="Mcnee"/>	Address 1 (Street): *	<input type="text" value="Station Road"/>
Company/Organisation	<input type="text" value="Mr James Mcnee"/>	Address 2:	<input type="text" value="Ratho Station"/>
Telephone Number: *	<input type="text" value=""/>	Town/City: *	<input type="text" value="NEWBRIDGE"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH28 8QT"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value=""/>		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land Adjacent to 93 Station Road, Ratho Station

Northing

672246

Easting

313239

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)

The construction of a new detached dwelling house including parking on land adjacent to 93 Station Road, Ratho Station currently owned by the applicant.

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.

I am contesting that the dwelling which will be eco friendly will have a detrimental affect on the character of the area. The location is at a main road end and at the access road to small industrial units. Cars are frequently parked at the bridge and it is used as a dumping ground for bag and other waste. With respect to tree protection i have taken advise from a specialist and the trees are in poor condition as they are choked with ivy. I will replace any trees removed with native species.

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)

JM2020-L1-Site Location Plan A3 JM2020-P1-Existing and Proposed Plans A1 JM2020-PH-Photo Presentation A3 Additional Photo No 1 Additional Photo No 2

Application Details

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

20/05011/PPP

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

15/11/2020

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

12/01/2021

Review Procedure

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☐ Yes ☐ No ☒ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mr James Mcnee

Declaration Date: 27/02/2021

Proposal Details

Proposal Name	100373316
Proposal Description	The construction of a new detached timber dwelling house including parking on land adjacent to 93 Station Road, Ratho Station.
Address	
Local Authority	City of Edinburgh Council
Application Online Reference	100373316-001

Application Status

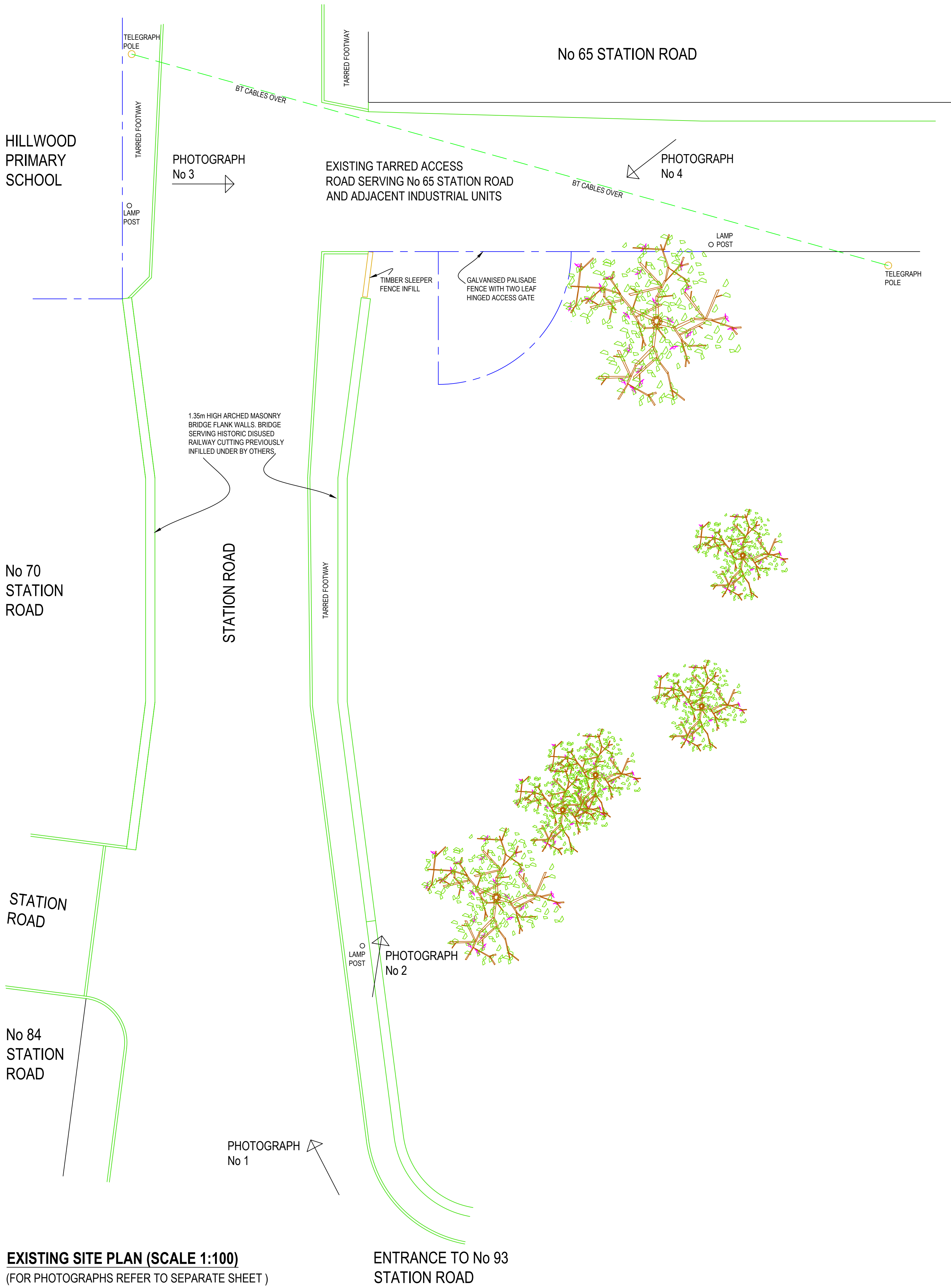
Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
JM2020 - L1	Attached	A3
JM2020 - P1	Attached	A1
JM2020 - PH	Attached	A3
Additional Photo No 1	Attached	A4
Additional Photo 2	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

CLIENT - MR JAMES McNEE
PROPOSED NEW DWELLING HOUSE AT
No 93 STATION ROAD, RATHO STATION,
MIDLOTHIAN, EH28 8QT
DRAWING No JM2020 - L1 -
SITE LOCATION PLAN
(SCALE 1 : 1250 AT A3)





CLIENT - MR JAMES McNEE
PROPOSED NEW DWELLING HOUSE AT
No 93 STATION ROAD, RATHO STATION,
MIDLOTHIAN, EH28 8QT
DRAWING No JM2020 - P1 - EXISTING
AND PROPOSED SITE PLANS
(SCALE 1 : 100 AT A1)





JM2020 – PH - Proposed New Dwelling House - 93 Station Road, Ratho Station, EH28 8QT – For Mr James E McNee

(For location of photographs refer to drawing No JM2020 – P1)



Photo 1



Photo 2



Photo 3



Photo 4