

F.E.M Building Design.
FAO Douglas Mack
8 Plantain Grove
Lenzie
Glasgow
G66 3NE

Mr & Mrs Banks
4 Pentland Villas
Edinburgh
EH14 5EQ

Decision date: 8 January 2021

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

Form single-storey kitchen extension and 2nd storey flat-roof extension above existing extension.

At 4 Pentland Villas Edinburgh EH14 5EQ

Application No: 20/04772/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 2 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 the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not compatible with the character of the existing property and will be detrimental to neighbourhood amenity.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as it does not preserve or enhance the character and appearance of the conservation area.
3. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as it does not fit with the original building and respect its neighbours.

4. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as it does not preserve or enhance the character and appearance of the conservation area.

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

Drawings 01 - 03, 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 scale, form and design of the proposal will have a detrimental impact on the character of the host property, the wider area and will not preserve the character of the conservation area . The proposal does not comply with LDP policies Des 6, Env 12, the non-statutory Guidance for Householders and the non-statutory Guidance for Listed Buildings and Conservation Areas. There are no other material considerations that outweigh this decision.

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 Luke Vogan directly at luke.vogan@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 4 Pentland Villas, Edinburgh, EH14 5EQ

Proposal: Form single-storey kitchen extension and 2nd storey flat-roof extension above existing extension.

**Item – Local Delegated Decision
Application Number – 20/04772/FUL
Ward – B02 - Pentland Hills**

Recommendation

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

Summary

The scale, form and design of the proposal will have a detrimental impact on the character of the host property, the wider area and will not preserve the character of the conservation area. The proposal does not comply with LDP policies Des 6, Env 12, the non-statutory Guidance for Householders and the non-statutory Guidance for Listed Buildings and Conservation Areas. There are no other material considerations that outweigh this decision.

SECTION A – Application Background

Site Description

The property is a semi detached one and a half storey dwellinghouse of a traditional cottage style. The property forms an end to a row of four cottages known as Pentland Villas within the heart of Juniper Green village. Located within an established residential area, Lanark Road lies to the south of the property. The rear boundary of the property borders onto the bowling green.

The property is located within the Juniper Green Conservation Area.

Description Of The Proposal

The application proposes the erection of a single storey extension to the rear of the property and a single storey extension on top of the existing extension.

Relevant Site History

09/00855/FUL

Single storey extension to rear and side of property
Refused
22 May 2009

09/01554/FUL

Single storey extension to rear and side of property
Granted
28 July 2009

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 8 January 2021

Date of Advertisement: 20 November 2020

Date of Site Notice: 17 November 2020

Number of Contributors: 3

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

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 the conservation area;

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 the conservation area

Policy Des 12 (Alterations and Extensions) states 'planning permission will be granted for alterations and extensions to existing buildings which...in their design and form, choice of materials and positioning are compatible with the character of the existing building; will not result in an unreasonable loss of privacy or natural light to neighbouring properties...and will not be detrimental to neighbourhood amenity and character.'

Policy Env 6 (Conservation Areas - Development) states 'development within a conservation area or affecting its setting will be permitted which...preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal; preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area and demonstrates high standards of design and utilises materials appropriate to the historic environment'.

The non-statutory Guidance for Householders states 'extensions and alterations should be architecturally compatible in design, scale and materials with the original house and its surrounding area'.

The non-statutory Guidance for Listed Buildings and Conservation Areas states: 'The aim should be to preserve the spatial and structural patterns of the historic fabric and the architectural features that make it significant.' and, 'Interventions need to be compatible with the historic context, not overwhelming or imposing.' and, 'Proposals must preserve or enhance the character or appearance of the conservation area.'

The Juniper Green Conservation Area Character Appraisal emphasises the traditional village character, and the wide and interesting mix of architectural styles and forms.

Juniper Avenue and the surrounding streets are characterised by period residential development. The streetscape is defined by a mixture of detached, semi-detached and, terraced traditional cottage style properties, primarily two storey in height. The roofscape is defined by pitched roofs primarily. Frontages are defined primarily by small private gardens with pedestrian access. Boundary treatments consist of a mixture of high and low stone walls and. mature hedgerows and vegetation.

The property is an example of a traditional storey and a half semi-detached cottage, of stone build, rendered and painted white with a pitched roof finished with dark grey slate. Frontages are characterised by small private gardens, two have added driveways, with hedgerows to the front boundaries. The cottages occupy generous sites with large gardens to the rear. These four properties at Pentland Villas offer a good example of well preserved cottages. All alterations including extensions have been finished in a sympathetic style to the original architectural style and historic fabric. The property benefits from a single storey wrap around extension to the side and rear elevations as existing.

The application proposes extending on top of the existing single storey wrap around extension and, an extension to the rear of the existing extension.

The proposed development is out with the character and appearance of the area. The side elevation (north west) of the property is exposed and publicly visible from Juniper Avenue and Juniper Terrace and, the rear elevation is publicly visible from the bowling green. The introduction of a two storey extension onto these elevations would have a detrimental impact to the character and appearance of the property. The proposal would have a significant impact to the structural pattern of the historical fabric and special architectural features of the property and adversely affect the aesthetic architectural balance of Pentland Villas. The proposal is not compatible with the historic context of the area and therefore does not align with the non-statutory Guidance for Listed Buildings and Conservation Areas.

Whilst the property benefits from a single storey modern extension to the ground floor, the proposed second storey extension would overwhelm the appearance of the property from the principal elevation and detract from the original character and appearance of the property. The proposed second storey extension is not architecturally compatible in design, scale or fabric with the original house and its surrounding area. Therefore, given its exposed location it does not preserve or enhance the character of the conservation area. The proposed dormer terrace does not align with Policies Des 12 and Env 6.

The materials proposed are red cedar with antracite aluclad window frames and they contrast the historic fabric of the host property. Whilst the non-statutory Guidance for Householders encourages the use of contrasting materials, of high quality, in this instance the materials proposed do not relate to the existing building or neighbouring properties. Therefore, the proposal does not align with the non-statutory Guidance for Householders or Listed Building and Conservation Area guidance. The materials as proposed would not preserve or enhance the special character of the property or of the conservation area, particularly given sympathetic design and fabric of neighbouring developments. The proposed materials not align with Policies Des 12 and Env 6.

In summary, the proposal would overwhelm the original form, appearance and design of the property and would have a detrimental impact to the character of the conservation area. The proposals therefore do not comply with Local Development Plan Policies Des 12, Env 6, the non-statutory Guidance for Householders, the non-statutory Guidance for Listed Buildings and Conservation Areas and the Juniper Green Conservation Area Character Appraisal.

b) Neighbouring amenity

The proposals have not 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.

In processing the application, there were discussions about possible amendments and to obtain additional information to allow the calculation of impact to neighbouring amenity from the agent. However, the agent advised the applicant wished to proceed with the application as existing.

c) Equalities and human rights

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

d) Public comments

Three comments have been received.

Material consideration:

Concern for the impact to the character of the streetscape - this is addressed in section a);

Concern for the scale of the development - this is addressed in section a);

Concern for the design and materials proposed and their impact to the host property and to the conservation area - this is addressed in section a); and,

Concern for the impact to neighbouring amenity (sunlight, daylight and, overshadowing) - this is addressed in section b).

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

Reasons

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not compatible with the character of the existing property and will be detrimental to neighbourhood amenity.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as it does not preserve or enhance the character and appearance of the conservation area.
3. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as it does not fit with the original building and respect its neighbours.
4. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as it does not preserve or enhance the character and appearance of the conservation area.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 2 November 2020

Drawing Numbers/Scheme

01 - 03

Scheme 1

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

Contact: Luke Vogan, Planning Officer
E-mail: luke.vogan@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

Comments for Planning Application 20/04772/FUL

Application Summary

Application Number: 20/04772/FUL

Address: 4 Pentland Villas Edinburgh EH14 5EQ

Proposal: Form single-storey kitchen extension and 2nd storey flat-roof extension above existing extension.

Case Officer: Luke Vogan

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:having been in consultation with my neighbours we have decided to object to the extension as this would lead to the blocking of sunlight in the morning to our houses and gardens and also the communal drying green.

i am sending this on behalf of myself at no 4 and also the residents of no 2 3 and 5 juniper terrace

Comments for Planning Application 20/04772/FUL

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Application Number: 20/04772/FUL

Address: 4 Pentland Villas Edinburgh EH14 5EQ

Proposal: Form single-storey kitchen extension and 2nd storey flat-roof extension above existing extension.

Case Officer: Luke Vogan

Customer Details

Name: Mr stuart povey

Address: 4 juniper terrace edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:having been in consultation with my neighbours we have decided to object to the extension as this would lead to the blocking of sunlight in the morning to our houses and gardens and also the communal drying green.

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Case Officer: Luke Vogan

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Juniper Green is in a Conservation Area, see Section 61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

and as such the planning authority and the Scottish Ministers are obliged to protect Conservation Areas from development that would adversely affect their special character.

I object to the proposed double extension of 4 Pentland Terrace on the grounds that the character of the street (Juniper Avenue) will be totally altered by this application being granted.

Juniper Avenue will be affected in the following ways, the appearance, symmetry of the street will be permanently altered, by increasing the height of the existing building there will be a significant loss of sunlight, daylight and privacy of the buildings opposite as well as overshadowing of the same front gardens and pavements, by increasing the number of bedrooms in the property it would probably lead to an increased need for more parking spaces in the future in an already congested street.

All of the above are my objections to the planning application and I sincerely hope that you give them your fullest consideration..

Edward Dalglish

Comments for Planning Application 20/04772/FUL

Application Summary

Application Number: 20/04772/FUL

Address: 4 Pentland Villas Edinburgh EH14 5EQ

Proposal: Form single-storey kitchen extension and 2nd storey flat-roof extension above existing extension.

Case Officer: Luke Vogan

Customer Details

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The AHSS Forth & Borders Cases Panel has examined the application and wishes to object to the proposal.

The property in question is situated within the Juniper Green Conservation Area and is part of a row of paired one-and-a-half-storey cottages. We object to the alterations to the property and the existing extension, in particular:

1. We object to the scale of the extension to first floor level, which is at odds with the other properties in the surrounding area.
2. We object to the design and materials of the extension, which are not sympathetic to the predominant architectural styles of the Conservation Area. Whereas the existing extension reads as a coherent modern contrast to the more traditional main house, the present proposals are disjointed and incoherent, reading as a jumble of differing additions.

The proposals conflict with Local Development Plan Policy ENV6, and will negatively affect the architectural and historical interest of the building and its wider setting.

Comments for Planning Application 20/04772/FUL

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Proposal: Form single-storey kitchen extension and 2nd storey flat-roof extension above existing extension.

Case Officer: Luke Vogan

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

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Application Number: 20/04772/FUL

Address: 4 Pentland Villas Edinburgh EH14 5EQ

Proposal: Form single-storey kitchen extension and 2nd storey flat-roof extension above existing extension.

Case Officer: Luke Vogan

Customer Details

Name: Mr Edward Dalglish

Address: 13/1 Juniper Avenue Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Juniper Green is in a Conservation Area, see Section 61 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997

and as such the planning authority and the Scottish Ministers are obliged to protect Conservation Areas from development that would adversely affect their special character.

I object to the proposed double extension of 4 Pentland Terrace on the grounds that the character of the street (Juniper Avenue) will be totally altered by this application being granted.

Juniper Avenue will be affected in the following ways, the appearance, symmetry of the street will be permanently altered, by increasing the height of the existing building there will be a significant loss of sunlight, daylight and privacy of the buildings opposite as well as overshadowing of the same front gardens and pavements, by increasing the number of bedrooms in the property it would probably lead to an increased need for more parking spaces in the future in an already congested street.

All of the above are my objections to the planning application and I sincerely hope that you give them your fullest consideration..

Edward Dalglish

From: stuart povey
Sent: 29 Mar 2021 08:18:27 +0000
To: Local Review Body
Subject: 4 juniper avenue juniper green eh15

Sent from [REDACTED] for Windows 10

Dear sir

My objections to this extension remain the same for myself and my
Neighbours as it would block sunlight to my property and garden
And also that of my neighbours we thoroughly object to this extension
In the strongest possible way
Your sincerely
Stuart povey

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 100323316-002

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:	F.E.M Building Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Douglas	Building Name:	
Last Name: *	Mack	Building Number:	8
Telephone Number: *	07966201299	Address 1 (Street): *	Plantain Grove
Extension Number:		Address 2:	Lenzie
Mobile Number:		Town/City: *	Glasgow
Fax Number:		Country: *	Scotland
		Postcode: *	G66 3NE
Email Address: *	douglas@femdesign.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr & Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="David & Gemma"/>	Building Number:	<input type="text" value="4"/>
Last Name: *	<input type="text" value="Banks"/>	Address 1 (Street): *	<input type="text" value="Pentland Villas"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Juniper Green"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH14 5EQ"/>
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="4 PENTLAND VILLAS"/>
Address 2:	<input type="text" value="EDINBURGH"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="JUNIPER GREEN"/>
Post Code:	<input type="text" value="EH14 5EQ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="668470"/>	Easting	<input type="text" value="319490"/>
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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)

Form single-storey kitchen extension and 2nd storey flat-roof extension above existing extension.

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

see attached Appeal Statement

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

Yes No

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

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

Photos x 14 drawings x 2 Appeal Statement

Application Details

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

20/04772/FUL

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

02/11/2020

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

08/01/2021

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 Douglas Mack

Declaration Date: 20/03/2021



15 March 2021

Appeal Statement to support Appeal to the Review Body

4 Pentland Villas, Juniper Green

Form single storey kitchen extension and second storey flat roof extension above existing extension (20/04772/FUL)

The reason we are seeking a review of the refusal of Planning Permission at 4 Pentland Villas, Juniper Green, is that the reasons for refusal, are in our opinion unsubstantiated. The property is a two storey end terrace residential dwelling which is situated in the Juniper Green Conservation area. The property has been previously extended as have many of the properties in the area including the adjoining neighbour. We would suggest that to provide a high standard of contemporary extension to the existing dwellinghouse will not be detrimental to the property, neighbourhood or indeed the Conservation Area as reasoned in the Planning refusal. With the undertaking of numerous new build housing sites in the Edinburgh area it would appear that there is a shortage of substantial family properties in this area and this is, in fact, the main reason my clients wish to build an extension, to allow their young family to grow in this neighbourhood without having to move house as many other families previously have. We would therefore request that the Local Review Body share the opinion that our proposals will enhance the immediate site and property and will in no way detract from the character of the existing property or be detrimental to the neighbourhood amenity. Our main grounds for Appeal is that that there would appear to be a precedence set for development within the immediate Conservation Area which is of a similar scale and contemporary design to that which we propose. Our detailed representation is outlined in the statement below.

The reasoning that the proposed extension '*is not compatible with the character of the existing property and will be detrimental to the neighbourhood amenity*' is in our opinion completely unsubstantiated and incorrect. The design of the proposed extension is to completely contrast against the traditional wet dash render of the existing house with a narrow vertical cedar cladding and Anthracite colour Aluclad windows. The property which would suggest a precedence has been set for this type of extension at the rear of 29 Juniper Avenue (Planning approval 13/04188/FUL) would appear to have the same thought process behind it's design. Although the external materials of the contemporary extension at 29 Juniper Avenue differ to those proposed on my clients proposed extension (Juniper Avenue being smooth render against the traditional stone) the basic concept is the same. Rather than attempt to use the materials to match the existing property, use completely contrasting materials to highlight the contrast between the original house and the subservient extension. We would strongly suggest that our proposed extension has no greater an impact on either

the existing property or the neighbourhood amenity than that of the contemporary extension at 29 Juniper Avenue. For your information, the property at 29 Juniper Avenue is perhaps 40 yards over the street from my clients property and it's extension can be clearly seen from their front door!!!! Various developments have been permitted on Juniper Avenue previously with new build houses, roof dormers, extensions etc all of which are within the same Conservation Area.

The reasoning that the proposed extension '*does not preserve or enhance the character and appearance of the Conservation Area*' is in our opinion unsubstantiated due to the various types of building works which would appear to set a precedence for development in the immediate locale. As specified above the main argument against this reasoning would be the recent approval of the contemporary extension to the rear of 29 Juniper Avenue which is fully visible heading North down Juniper Avenue and also from Juniper Place. My clients proposed extension would be visible heading south on Juniper Avenue only. We would suggest that the visual impact on the Conservation Area is clearly no more than that of the contemporary extension at 29 Juniper Avenue.

To summarise, it is our opinion that our proposal to extend the existing dwellinghouse and it's design would cause no greater impact on the character or amenity of 4 Pentland Villas and the immediate Conservation Area than that which exists at present. We would suggest that my clients proposal would only serve to enhance the character and amenity of the property by contrasting the extensions contemporary finishes against the traditional materials of the original house, a design feature which can be seen all over Edinburgh area (see photo of contemporary extension at Park Lane, Duddingston as one example) . We would request that you consider our appeal in a manner which lends to a favourable outcome for my clients.

Proposal Details

Proposal Name	100323316
Proposal Description	Extend dwellinghouse
Address	4 PENTLAND VILLAS, EDINBURGH, JUNIPER GREEN, EH14 5EQ
Local Authority	City of Edinburgh Council
Application Online Reference	100323316-002

Application Status

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

Attachment Details

Notice of Review	System	A4
Existing floor plans and elevations	Attached	A1
Proposed floor plans and elevations	Attached	A1
Planning refusal document	Attached	Not Applicable
Pentland Villas from junction of Juniper Place	Attached	Not Applicable
Pentland Villas looking north	Attached	Not Applicable
Juniper Avenue extension from junction of Juniper Place	Attached	Not Applicable
Dormer extensions to rear of Juniper Avenue	Attached	Not Applicable
Extension at 29 Juniper Avenue from 4 Pentland Villas front door	Attached	Not Applicable
Extension at 29 Juniper Avenue from Juniper Place	Attached	Not Applicable
Front of 4 Juniper Villas from north	Attached	Not Applicable
Juniper Avenue looking North	Attached	Not Applicable
Modern house at North end of Juniper Avenue	Attached	Not Applicable
North elevation of 4 Pentland Villas	Attached	Not Applicable
South elevation of extension to 29 Juniper Avenue	Attached	Not Applicable
Rear elevation of extension at 29 Juniper Avenue	Attached	Not Applicable

Contemporary extension Park Lane	Attached	Not Applicable
Contemporary extension on Park Lane from Duddingston Park	Attached	Not Applicable
Appeal Statement	Attached	Not Applicable
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0

F.E.M Building Design.
FAO Douglas Mack
8 Plantain Grove
Lenzie
Glasgow
G66 3NE

Mr & Mrs Banks
4 Pentland Villas
Edinburgh
EH14 5EQ

Decision date: 8 January 2021

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

Form single-storey kitchen extension and 2nd storey flat-roof extension above existing extension.

At 4 Pentland Villas Edinburgh EH14 5EQ

Application No: 20/04772/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 2 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 the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not compatible with the character of the existing property and will be detrimental to neighbourhood amenity.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as it does not preserve or enhance the character and appearance of the conservation area.
3. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as it does not fit with the original building and respect its neighbours.

4. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as it does not preserve or enhance the character and appearance of the conservation area.

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

Drawings 01 - 03, 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 scale, form and design of the proposal will have a detrimental impact on the character of the host property, the wider area and will not preserve the character of the conservation area . The proposal does not comply with LDP policies Des 6, Env 12, the non-statutory Guidance for Householders and the non-statutory Guidance for Listed Buildings and Conservation Areas. There are no other material considerations that outweigh this decision.

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 Luke Vogan directly at luke.vogan@edinburgh.gov.uk.

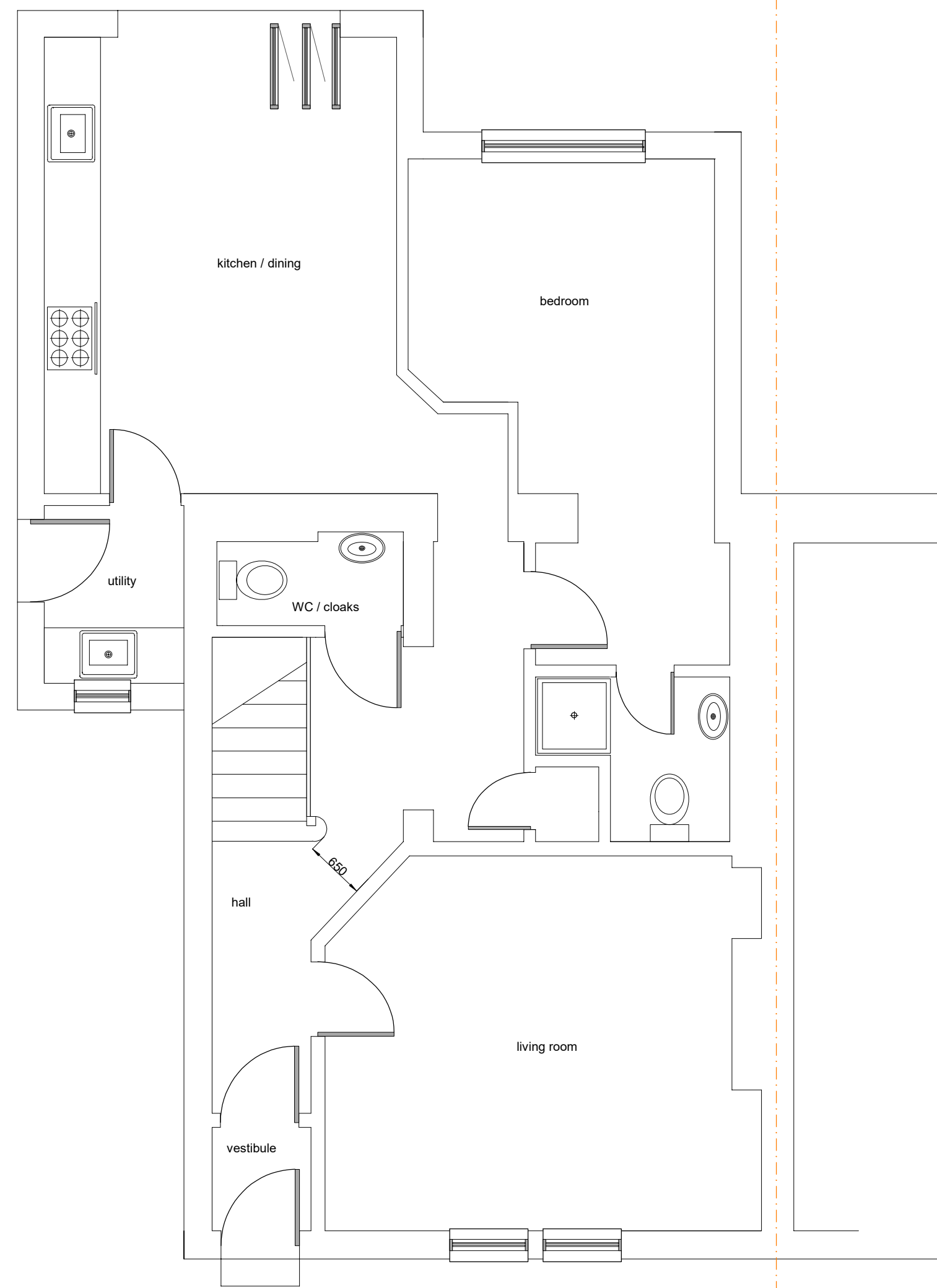
D R Leech

Chief Planning Officer
PLACE
The City of Edinburgh Council

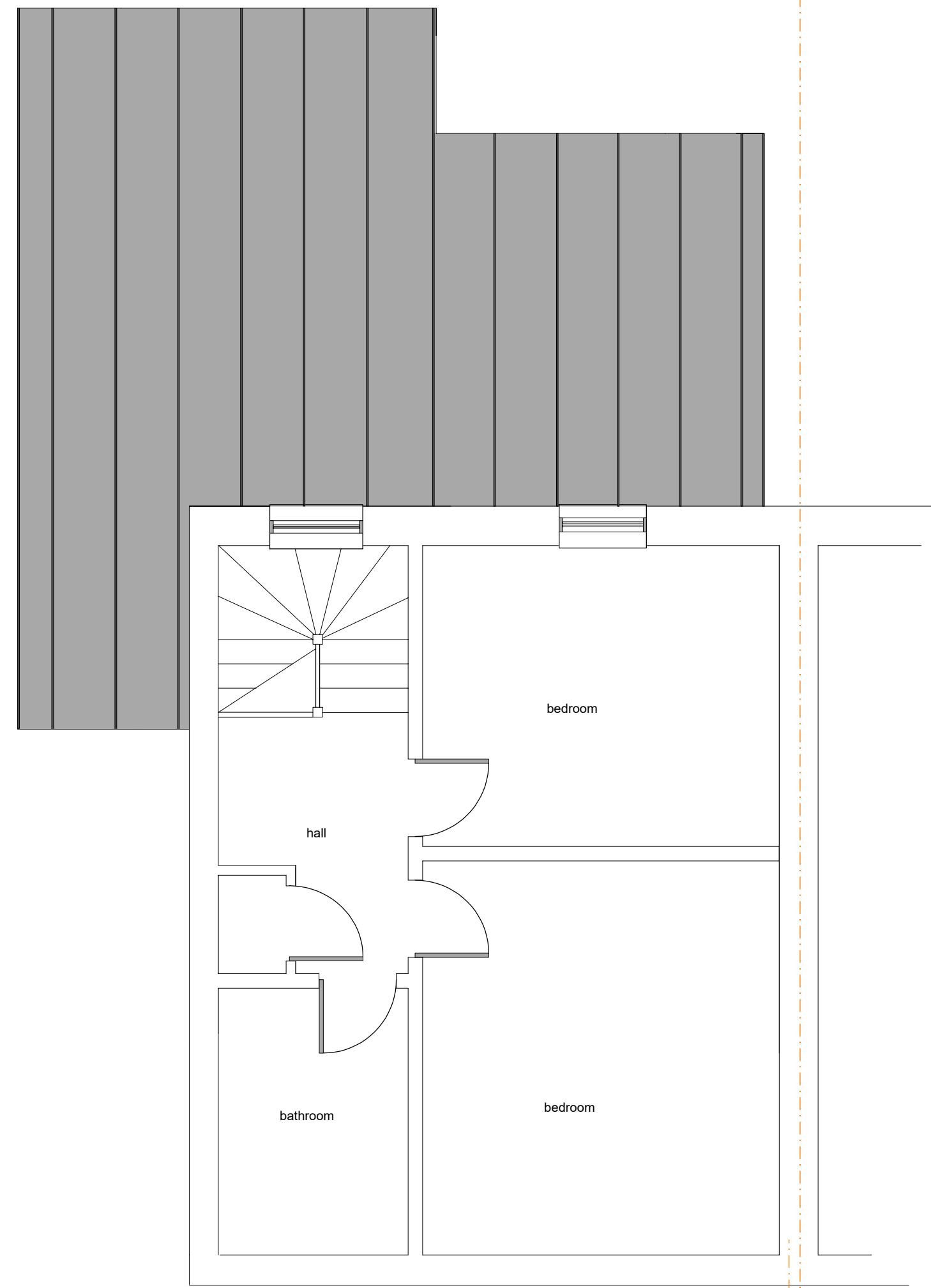
NOTES

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.

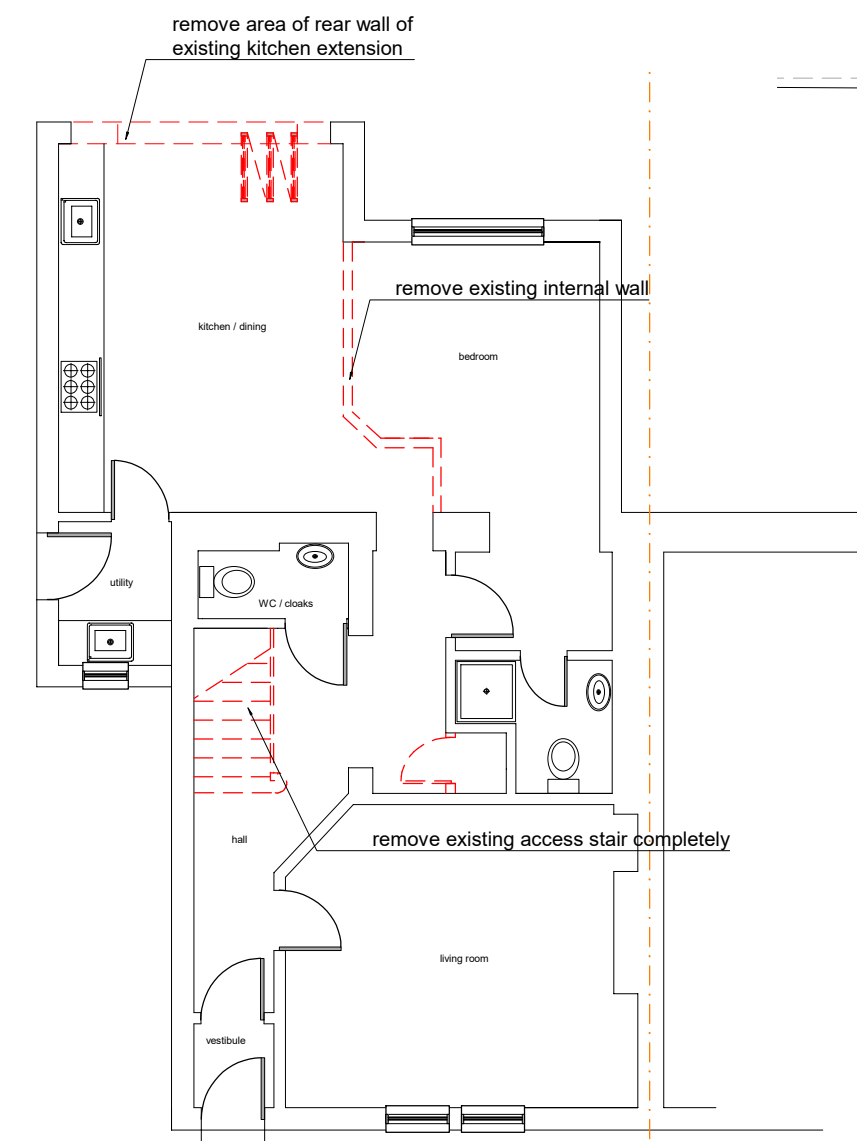
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has 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.



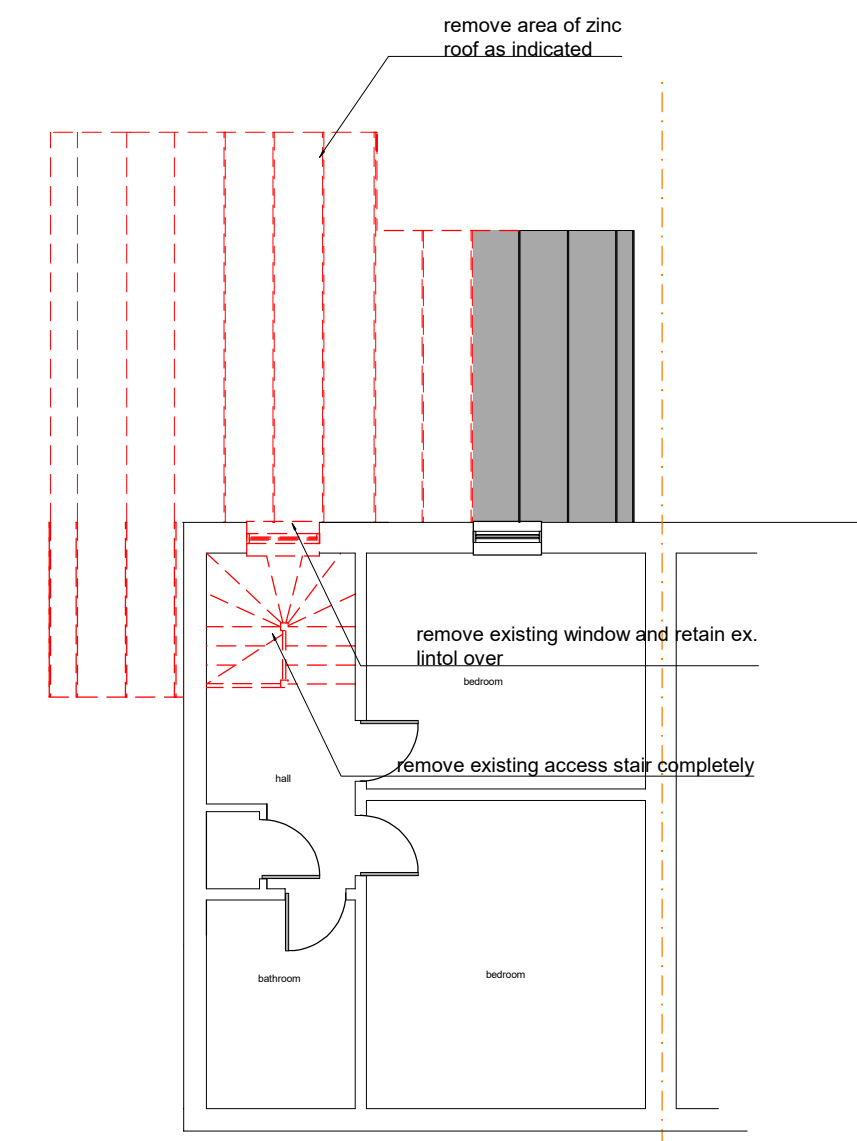
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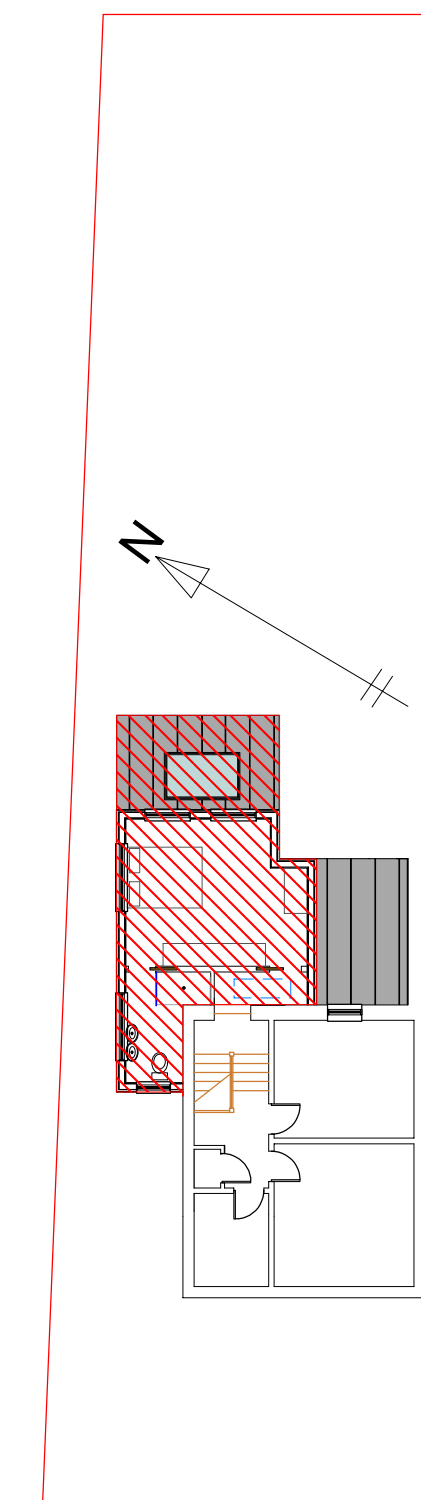
EXISTING FIRST FLOOR PLAN (1:50)



GROUND FLOOR PLAN INDICATING REMOVALS (1:50)



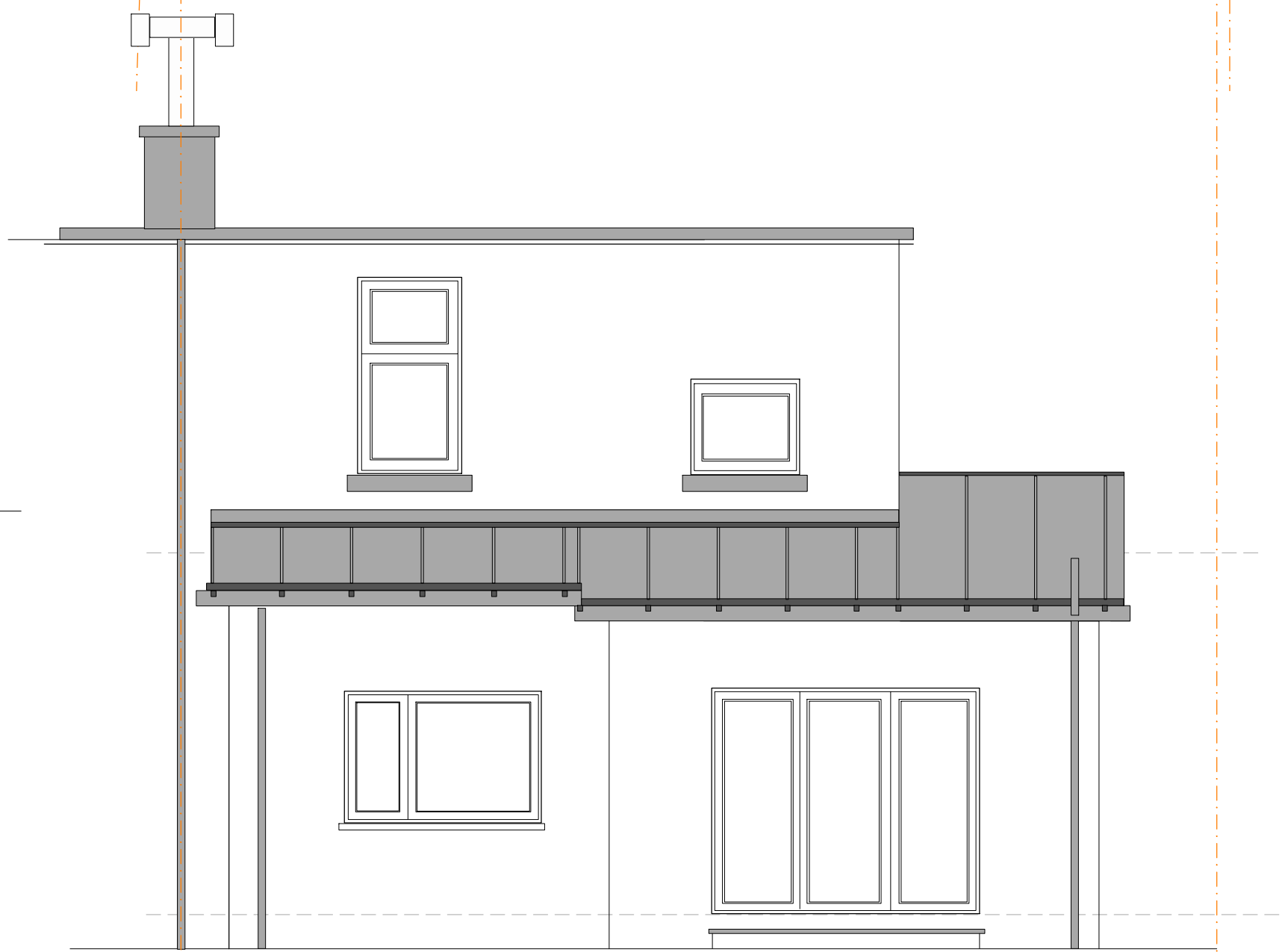
FIRST FLOOR PLAN INDICATING REMOVALS (1:100)



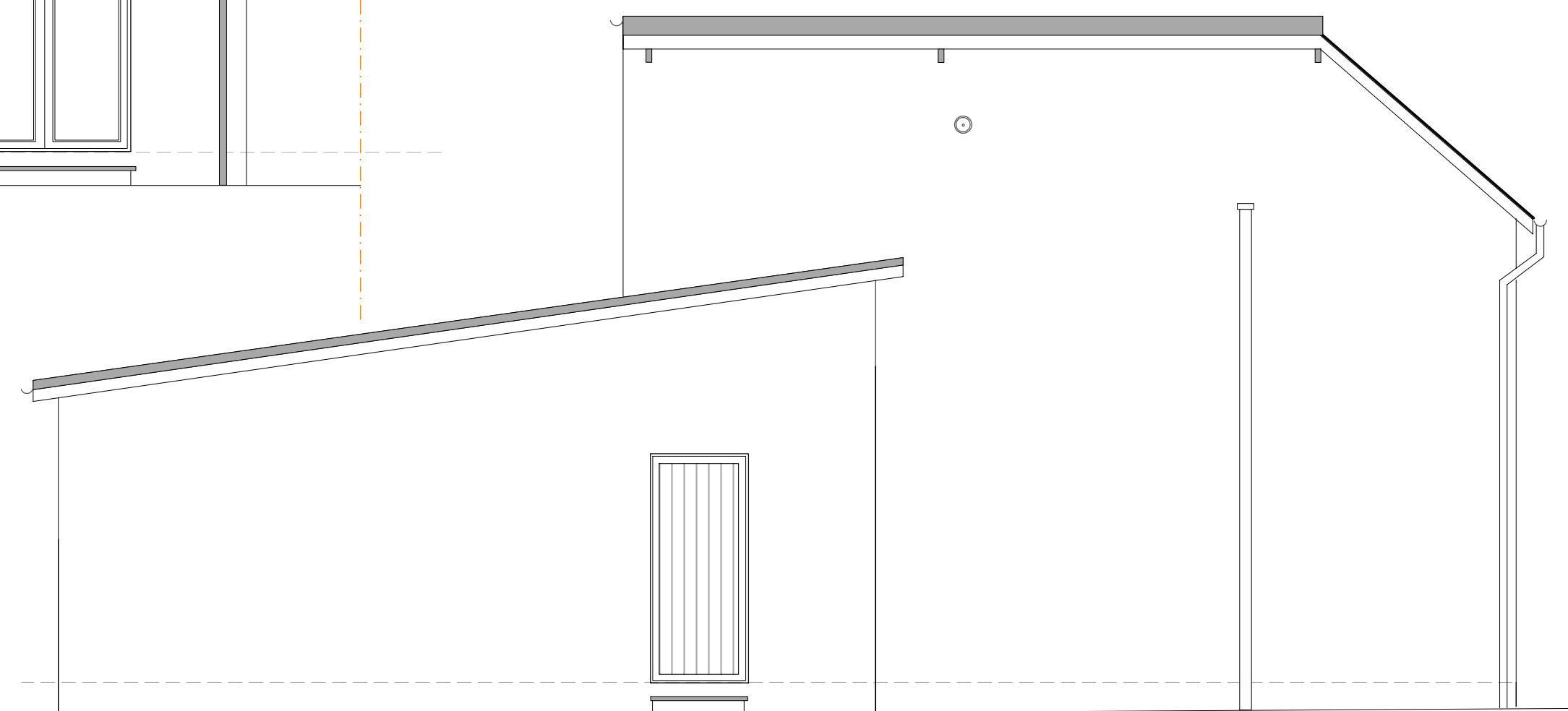
SITE BLOCK PLAN (1:200)



EXISTING FRONT ELEVATION (1:50)



EXISTING REAR ELEVATION (1:50)



EXISTING NORTH ELEVATION (1:50)

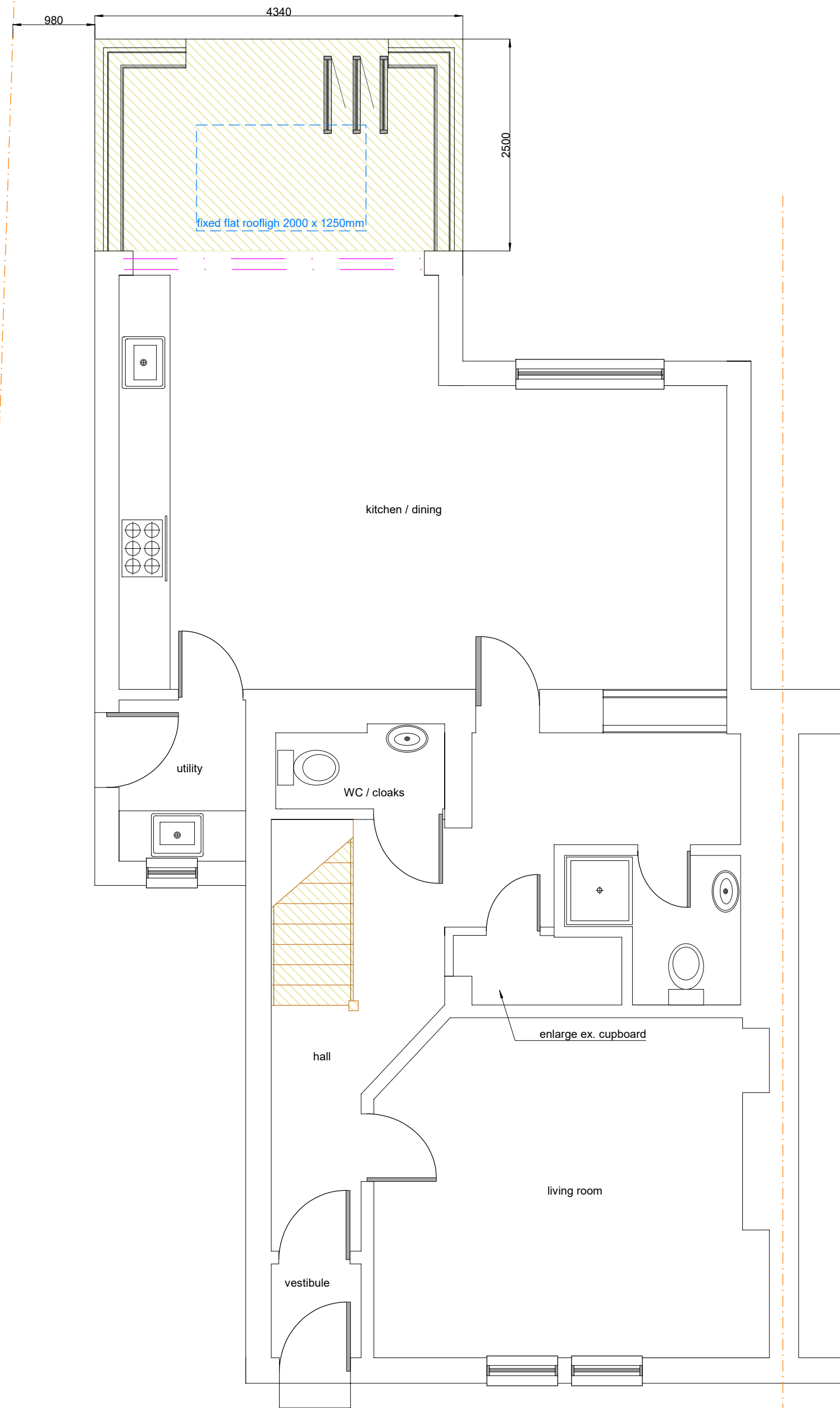
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- The Construction (Design and Management) Regulations 2015(CDM2015) requires all contractors to have the skills, knowledge and experience to identify, reduce and manage health and safety risks. Principal contractor to plan, manage and monitor construction work carried out either by all contractors or by workers under the contractors control, to ensure that, as far as is reasonably possible, is carried out without risks to health and safety (Note: if the householder carries out the works themselves, it is classed as DIY and CDM 2015 does not apply).
- All dimension to be checked on site prior to works commencing
- Drawings must not be scaled. All dimensions are to be checked by contractor

Client:
Mr & Mrs Banks
4 Pentland Villas
Juniper Green
Edinburgh

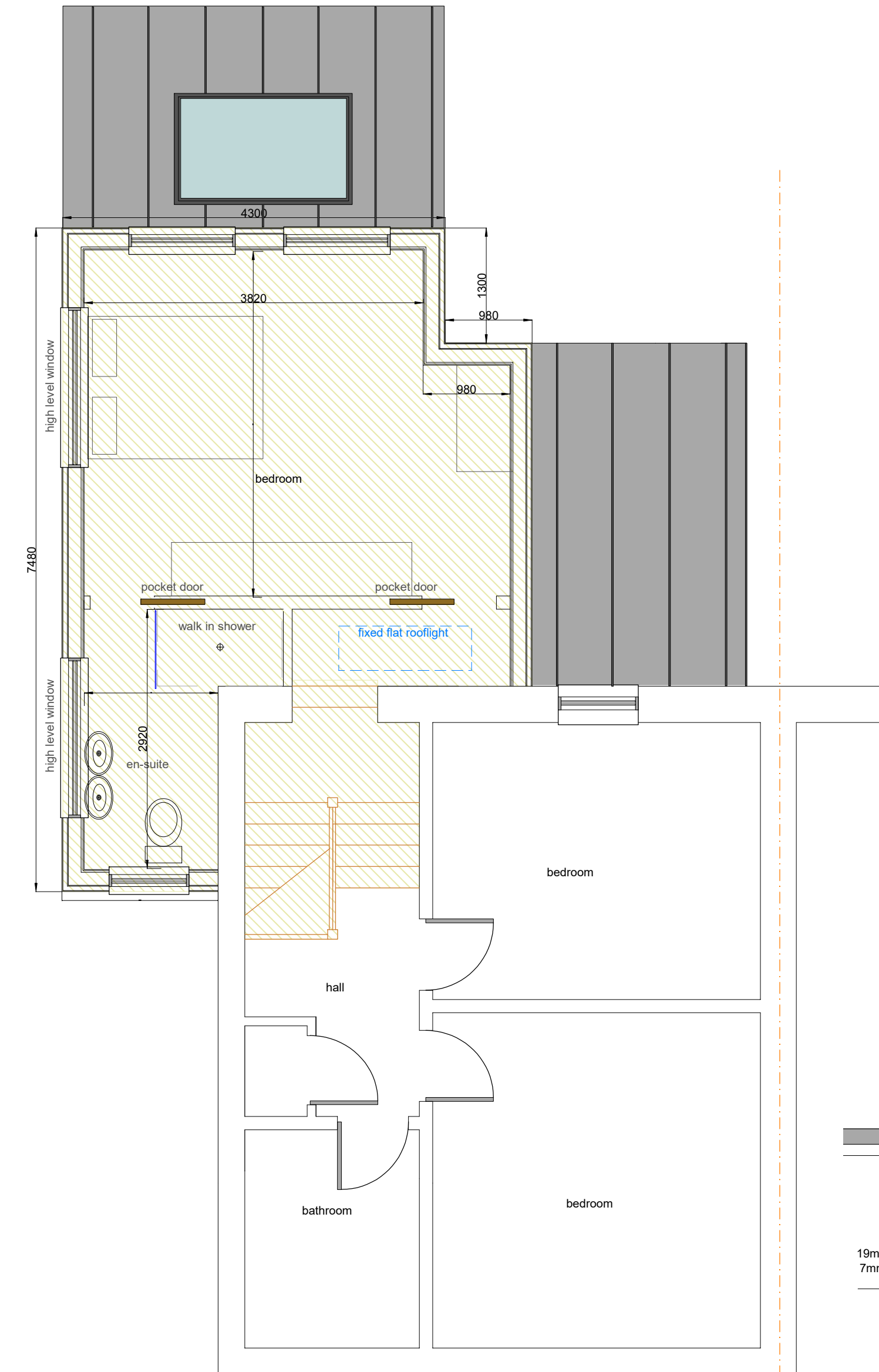
Project:
Extend dwellinghouse

Drawing Number:
20/Banks/PP/001(-)





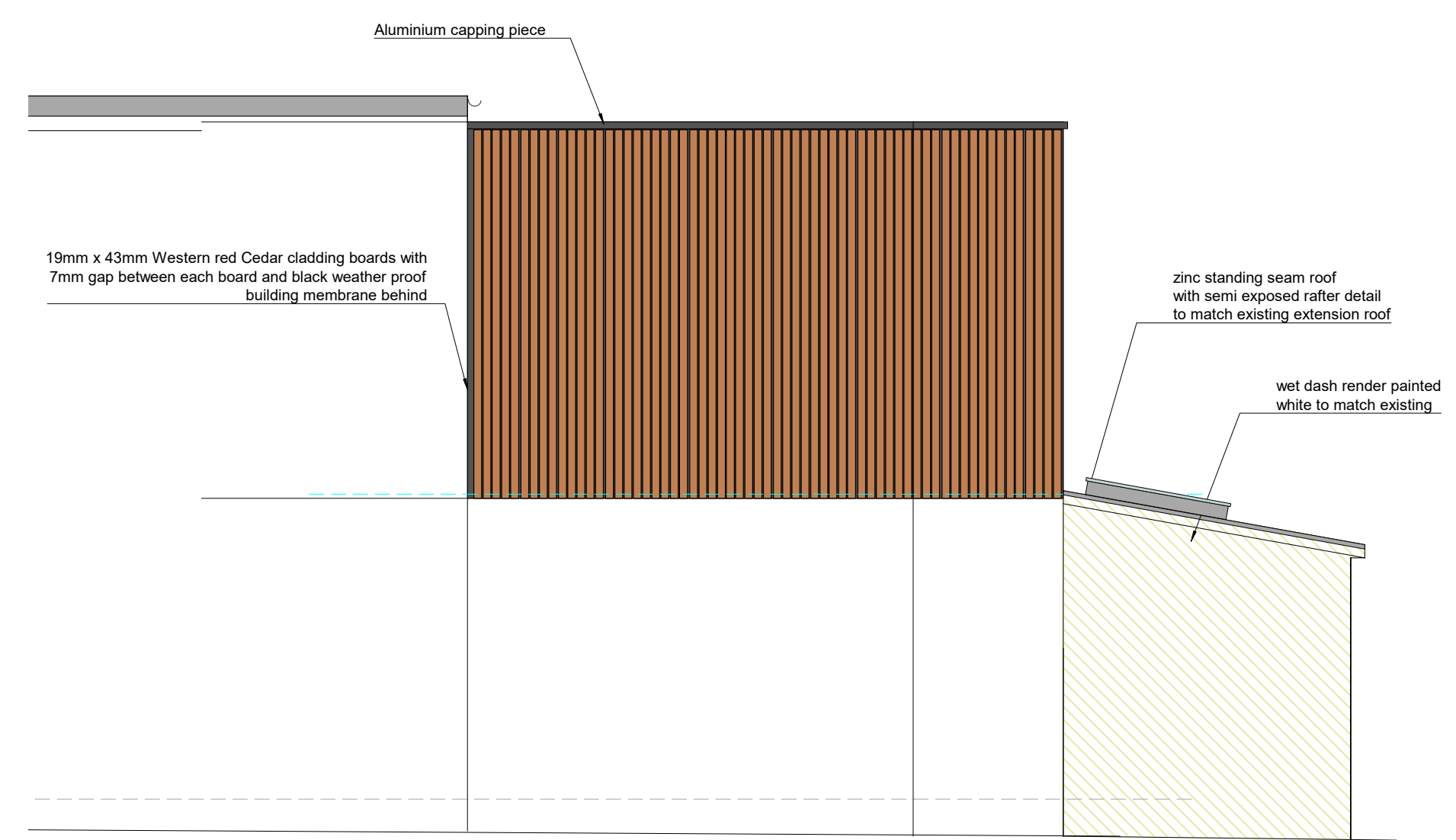
GROUND FLOOR PLAN AS PROPOSED (1:50)



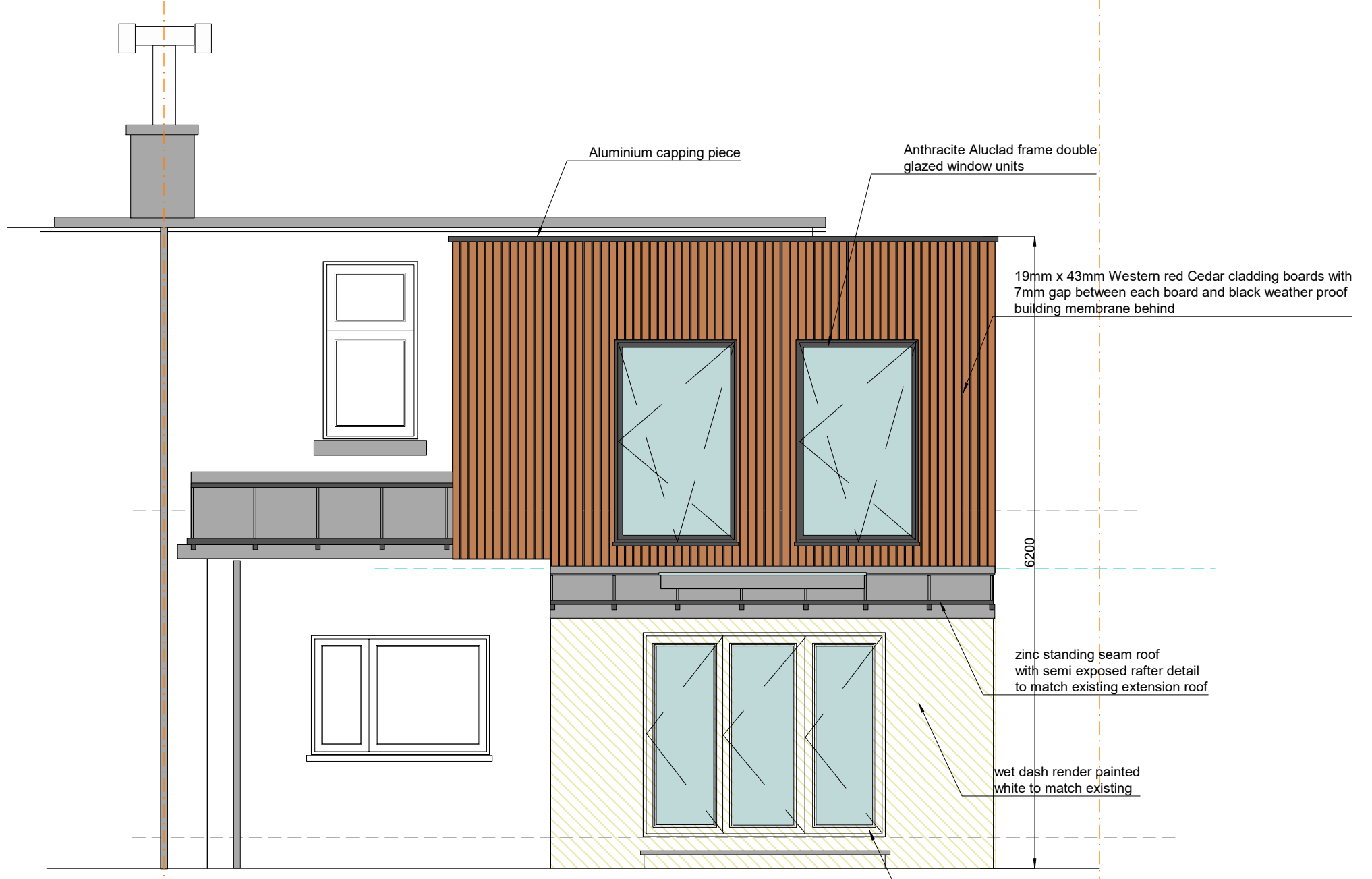
PART FIRST FLOOR PLAN AS PROPOSED (1:50)



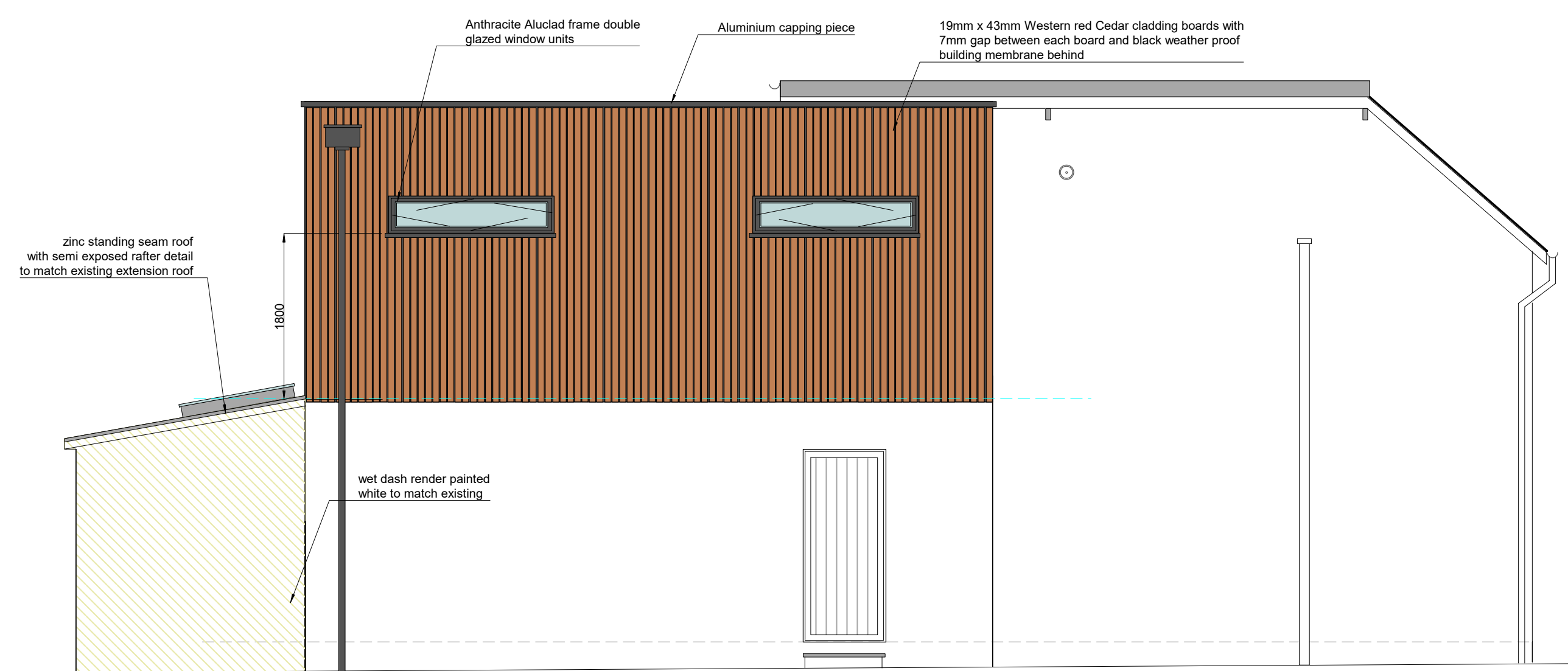
PROPOSED FRONT ELEVATION (1:50)



PROPOSED SOUTH ELEVATION (1:50)



PROPOSED REAR ELEVATION (1:50)



PROPOSED NORTH ELEVATION (1:50)



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 All dimension to be checked on site prior to works commencing
 Drawings must not be scaled. All dimensions are to be checked by contractor

Client:
 Mr & Mrs Banks
 4 Pentland Villas
 Juniper Green
 Edinburgh

Project :
 Extend dwellinghouse

Drawing Number:
 20/Banks/PP/002(-)





JUNIPER
TERRACE

CA13 TYB

NL60 XHZ





PARK LANE





TRANSPORTER
HIGHLINE

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