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EH1 2DP

Mr Scott Hughes
8/5 Boat Green
Edinburgh
Scotland
EH3 5LW

Decision date: 9 April 2019

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

Alterations to the existing property and a new rear extension (as amended).
At 6 Davidson Park Edinburgh EH4 2PF

Application No: 18/10505/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 21 December 2018, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reason for Refusal:-

1. The proposal is contrary to Edinburgh Local Development Plan Policy Des 12 in respect of Alterations and Extensions, and also the non-statutory Guidance for Householders. The proposed development is overly dominant in both scale and footprint; would erode the character of the existing bungalow; and would be detrimental to neighbourhood character.

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

Drawings 01, 02, 03, 04, 05A, 06A, 07A, 08A., represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal does not comply with the local development plan or non-statutory guidance. It is not acceptable. There are no material considerations upon which to justify approval.

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 Peter Martin directly on 0131 469 3664.

D R Leechie

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 18/10505/FUL
At 6 Davidson Park, Edinburgh, EH4 2PF
Alterations to the existing property and a new rear extension
(as amended).**

Item	Local Delegated Decision
Application number	18/10505/FUL
Wards	B05 - Inverleith

Summary

The proposal does not comply with the local development plan or non-statutory guidance. It is not acceptable. There are no material considerations upon which to justify approval.

Links

[Policies and guidance for this application](#) LDPP, LDES12, NSG, NSHOU,

Report of handling

Recommendations

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

Background

2.1 Site description

The application property is a detached bungalow, located on the north side of Davidson Park.

There is an existing detached garage positioned to the side and rear of the main house.

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 construction of a two storey extension. The proposed development is positioned to the rear of the dwellinghouse, with a single storey link element providing a physical connection to the main building.

The extension will measure 6.10 metres in height to its ridge, will have a maximum length of 18 metres, a maximum width of 9.7 metres. The footprint of the proposed extension would be 155 square metres.

The proposal includes the reconfiguration of hard and soft landscaping to the front, side and rear of the existing dwelling, including areas of concrete slabbing and grasscrete. This work is permitted development under class 3C of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No further assessment of this work is required.

Supporting Statement

This application includes a supporting statement. The supporting statement is available to view on the Planning and Building Standards online services.

Previous Scheme

The application has been amended to reduce the size of the extension.

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 proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;
 - b) The proposal will cause an unreasonable loss to neighbouring amenity;
 - c) Any impacts on equalities or human rights are acceptable;
 - d) Any comments raised have been addressed.
- a) Policy Des 12 of the Edinburgh Local Development Plan states that 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 and will not be detrimental to neighbourhood amenity and character.

Whilst it is acknowledged that the application property occupies a relatively large plot, the non-statutory Guidance for Householders states that extensions should complement the existing house, leaving it as the dominant element. The existing house has a footprint of 118 square metres. The proposed extension would have a footprint of 155 square metres, more than doubling the footprint of the existing house. The proposed development is overly dominant in both scale and footprint, contrary to the guidance.

For bungalow extensions, the non-statutory Guidance for Householders advises that extensions should be designed in a way that retains the character of the original property and is subservient in appearance. Moreover, the hipped roof character of the host building should be respected. The roof design of the proposed extension is not in keeping with the existing property's hipped roof design. The proposal does not tie in with the existing building and would erode the character of the existing bungalow, contrary to this guidance.

The scale and layout of the proposed development is not in keeping with the overall spatial pattern of the area, which is not characterised by similar large extensions. The proposed development would be detrimental to neighbourhood character.

The proposal is of an unacceptable scale, form and design and will be detrimental to neighbourhood character, contrary to Local Development Plan Policy Des 12.

b) With regard to daylight and sunlight, the proposed development fully complies with the 45 degree criterion set out in the non-statutory Guidance for Householders and will not result in an unreasonable loss of daylight or sunlight for neighbouring properties.

With regard to privacy, the north east (side) elevation includes two rooflights at first floor level. The rooflights, by way of their positioning and angle within the roof, will not provide unrestrained opportunities to overlook the neighbouring properties and are acceptable. All other proposed window are in full compliance with the privacy requirements set out in the non-statutory Guidance for Householders.

c) The application was assessed in terms equalities and human rights. No impact was identified.

d) Public comments

Material Representations - Objection:

- The scale of the extension - This has been addressed in 3.3a;
- Not in keeping with the area - This has been addressed in 3.3a;
- The proposed development will result in an unreasonable loss of daylight for neighbouring properties - This has been addressed in 3.3b;
- The proposed development will result in an unreasonable loss of sunlight for neighbouring properties - This has been addressed in 3.3b;
- The proposed development will result in an unreasonable loss of privacy for neighbouring properties - This has been addressed in 3.3b.

Non-material Representations :

- The proposed development appears to be a separate dwellinghouse and not an extension. This is a householder planning application, and does not propose any material change of use or the formation of a new planning unit. The extension under assessment would be for ancillary accommodation to the existing dwellinghouses. The assessment of this application relates to the operational development only;
- Disturbance during the construction. If planning permission is granted for a development, the planning authority is unable to control or limit noise and disturbance associated with its construction;
- Lack of clarity in the submitted plans, including no details of what is proposed to be built in the North West corner of the application site. The submitted plans and drawings, as amended, provided sufficient detail for the determination of this planning application. The assessment of this planning application relates to the extension as proposed only. Other elements of work may benefit from permitted development rights under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No further assessment of these elements would be required.
- The proposed development will result in noise disturbance for neighbouring properties. The application site is within a residential area and the proposed development will not result in any noise, other than that which would be created by activities that are incidental to the enjoyment of the dwelling house.

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

3.4 Conditions/reasons/informatives

Reason for Refusal:-

1. The proposal is contrary to Edinburgh Local Development Plan Policy Des 12 in respect of Alterations and Extensions, and also the non-statutory Guidance for Householders. The proposed development is overly dominant in both scale and footprint; would erode the character of the existing bungalow; and would be detrimental to neighbourhood character.

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

The application attracted four representations, all objecting to the planning application.

A full assessment of the representation can be found in the main report in the Assessment section.

Background reading / external references

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

Statutory Development Plan Provision	Edinburgh Local Development Plan.
Date registered	21 December 2018
Drawing numbers/Scheme	01, 02, 03, 04, 05A, 06A, 07A, 08A.
	Scheme 2

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

Contact: Peter Martin, Planning officer
 E-mail:peter.martin@edinburgh.gov.uk Tel:0131 469 3664

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

Appendix 1

Consultations

No Consultations received.

END

Comments for Planning Application 18/10505/FUL

Application Summary

Application Number: 18/10505/FUL

Address: 6 Davidson Park Edinburgh EH4 2PF

Proposal: Alterations to the existing property and a new rear extension.

Case Officer: Peter Martin

Customer Details

Name: Ms Carol Sloman

Address: 7 Davidson Park Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I live at 7 Davidson Park. My comments on the planning application at 6 Davidson Park are as follows:

I am concerned about the size of the proposed extension and the effect it will have on my property. The neighbourhood consists of bungalows, many of which (including mine) have single storey extensions built in the back gardens which are in keeping with the low rise nature of the area. This application however is for a two storey extension which is of a significant size: the scale is such that it looks like a separate house rather than an extension and is possibly larger than the original bungalow.

Looking at the plans, there appears to be a narrow gap between the extension and the boundary between nos 6 and 7, leading to:

Loss of daylight/sunlight - a large two storey building would block out light from most of my garden, particularly in the afternoon as the extension is along the west boundary.

Lack of privacy - the plans of the east facing elevation show windows overlooking my garden on both levels.

The extension would loom over my property quite significantly and would be difficult to ignore.

Overall therefore, the scale of the proposed extension, including the height and the massing effect of such a large building, would I believe substantially overshadow my home, particularly as the extension is so close to the boundary between the two properties.

I would have no objection to a one storey extension - although this would also contribute to loss of daylight and privacy, there are many extensions of a similar nature in the area which do not have such a negative effect on their neighbours as this proposed extension would appear to have.

Comments for Planning Application 18/10505/FUL

Application Summary

Application Number: 18/10505/FUL

Address: 6 Davidson Park Edinburgh EH4 2PF

Proposal: Alterations to the existing property and a new rear extension.

Case Officer: Peter Martin

Customer Details

Name: Mr George Smith

Address: 27 Grigor Avenue Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:(1) - The overall size of the proposed development seems unduly large. It is in effect a completely new house, albeit joined to the existing house.

(2) - The proposed building is, in part, 2 storeys high, with the windows facing West, thereby overlooking our garden thus resulting in a lack of privacy.

(3) - The noise which would be created in the building of, what is essentially, a complete new house at the bottom of our garden.

(4) - The lack of clarity in Diagram 05 which shows two rectangular shapes at the North West corner of the site plan with no legend to explain what these are. A visit to the Planning Department could not throw any light on this either.

Comments for Planning Application 18/10505/FUL

Application Summary

Application Number: 18/10505/FUL

Address: 6 Davidson Park Edinburgh EH4 2PF

Proposal: Alterations to the existing property and a new rear extension.

Case Officer: Peter Martin

Customer Details

Name: Mr John Cannavan

Address: 3 grigor gardens Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:I am concerned about the size of the proposed extension which almost amounts to a newbuild house , although ostensibly an attachment to the existing bungalow. It would be close enough to my property and high enough to potentially overlook it and affect the natural light coming in to my property.

Comments for Planning Application 18/10505/FUL

Application Summary

Application Number: 18/10505/FUL

Address: 6 Davidson Park Edinburgh EH4 2PF

Proposal: Alterations to the existing property and a new rear extension.

Case Officer: Peter Martin

Customer Details

Name: Dr Keith Hodgson

Address: 29 Grigor Avenue Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

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

- Overshadowing and loss of privacy

The proposal includes an upstairs bedroom and glass fronted set of stairs. The window for this bedroom will overlook directly into our back garden and our downstairs rooms.

- Noise and disturbance

This is more than an extension to an existing property. From the submitted document detailing the takedowns, it is clear that the entire back garden is going to be re-developed and what amounts to a completely new house is going to be built in its place. This will create a lot of noise and risks disturbing our 7 month old child.

I would also seek clarification on the following:

- White box on 'site plan as proposed (document 5)'

On document 5 (site plan as proposed), there are two white boxes in the top left hand corner of the site. There is, however, no corresponding white box on the legend. I would like to clarify what will be built on these white boxes? Are they further parking spaces or is this going to be a garage? If it is a garage, what sort of structure will this be (flat roofed etc), as this will have a further impact to my objections detailed above. Additionally, if this is a garage, this will have an impact on our property as there will be cars driving along the grasscrete (which backs on to the boundary of our property) to and from the garage.

Overall, It is disingenuous to state that this is an 'extension', when the new property has all the features of a house and no reliance on the current property.

From: [REDACTED]
Sent: 25 Jun 2019 21:36:52 +0100
To: Local Review Body
Subject: Planning application 18/10505/FUL
Importance: Normal

Dear Ms Bellhouse

I would like to make the following observations in response to the report by Stefano Smith.

My overriding impression is that undue weight has been given to personal rather than planning aspects of the appeal.

The length of time the house has been in family ownership , suppositions regarding the mother's health and care requirements

at some indeterminate time in the future , these seem to me to be much less relevant than some of the practical facts.

My wife is registered disabled and having such a large building project 15/20 yards from our home and separated only by a hedge

would be highly stressful for us but I would not for a minute expect that to be a factor in an appeal where planning is the relevant issue.

The revised plans for this development are only marginally reduced from the initial submission. I am at a loss to understand

Stefano Smith's point about the two sections of the proposed building being less than the existing house footprint when , taken as a

whole it is still larger . This seems contradictory . Also , the comparison made with the 'Granny flat' in the House at Grange is not

comparing like with like as it is a single storey , not partly two storey as proposed in this application.

As in my original objection , I will repeat my view that this is not an extension but is virtually an adjoining house and can be made so by

the closing or sealing of a connecting door.

As for the quality of the building materials used and the 'award winning' status of the architect , that is all very well but I fail to see the

relevance when the issue is of a building ,the size ,suitability and positioning of which , will negatively impact neighbours on all sides.

The layout of streets around Davidson Park ,i.e .Grigor Avenue , Grigor Gardens .means that there are several gardens adjoining the

applicant's garden on all sides and any extension should be sympathetic , unobtrusive and genuinely part of the original house in order

that the neighbourhood amenity is not disrupted.

In my view , this proposal would disrupt that amenity , not just for myself but for several householders.

Kind regards

John cannavan

Reference 18/10505/FUL
Address 6 Davidson Park, Edinburgh, EH4 2PF
Proposal Alterations to the existing property and a new rear extension (as amended).

Dear Sir/ Madam,

I am writing to reiterate my objections to the application for planning permission for alterations to the existing property and a new rear extension (as amended) (reference number: 18/10505/FUL) at 6 Davidson Park, Edinburgh, EH4 2PF.

This is in response to the lodging of an appeal by Stefano Smith Planning via the LRB form and supporting documents, dated the 13th of June 2019.

Before I list my objections, I must comment on the tone and substance of the appeal in general. As a lay person, I was struck by the emotive tone and, at times, condescending nature of some of the statements contained within the lengthy document.

A number of assertions were made as if they were fact, when they are no more than opinion proffered by a consultancy firm with very marked interests. I do, however, trust that the findings of the appeal will be based on the facts as they relate to current planning legislation and it is on this basis that I make my objections.

Dr Keith Hodgson & Mrs Ríona Ní Bhrolcháin
29 Grigor Avenue, Edinburgh, EH4 2PQ

Acceptability in terms of scale, form and design

A number of issues were raised under this broad umbrella, a number of which I would like to specifically object to:

'The footprint of the proposed extension albeit larger than the original dwelling, when broken down into its two constituent elements, that is, the single storey link and the one and a half storey extension, are each less than the original property.'

It should not be possible to separate the proposed extension in to multiple parts in order to falsely claim the size of the extension will not make it the dominant feature of the dwelling. The extension is one single extension and should be considered as a whole. When viewed this way, the proposed dwelling would be a large extension with a bungalow attached.

Furthermore, as I stated in my original objection, it is disingenuous to call the proposed alteration an extension, as it has all the amenities of a house in its own right. In the future, it might be possible to turn the property into two separate dwellings.

'It is recognised in the Council's non-statutory guidance that high-quality innovative design, as is the case with this proposed extension, can complement the existing property, leaving it as the dominant element, as well as maintaining the quality and character of the surrounding area [underlining my own]'

The underlined portion of the statement is just one of many opinions offered throughout the document. It is not clear to me that there is anything particularly innovative about the plans, other than building a large house and claiming it is an extension.

'The proposed extension would occupy approximately 15% of the garden area, retaining approximately 60% as useable garden space which complies to the non- statutory guidance'.

I could not find enough evidence within this document to support this claim. In addition, in the original documents submitted, there were a number of other structures labelled within the plan that do not require one to go through the planning process (a garage, an area of 'grasscrete' and parking for at least two cars). When these are accounted for, it is not clear to me whether the proposed extension will still be compliant to the non-statutory guidance (although this may be the case).

'The scale and layout of the proposed development is in keeping with the overall spatial pattern of the area which is characterised by bungalows with alterations and extensions, several of which are large and have been subsequently approved following appeal or review by LRB'

This statement, although not false, does not accurately represent the situation within the local area. Having walked around where I live, the following properties are all bungalows, but they only consist of **single level extensions**:

- 3 Grigor Avenue
- 9 Grigor Avenue
- 13 Grigor Avenue
- 15 Grigor Avenue
- 17 Grigor Avenue
- 45 Grigor Avenue
- 58 Grigor Avenue
- 60 Grigor Avenue
- 4 Davidson Road
- 8 Davidson Road
- 10 Davidson Road
- 9 Davidson Park (planning permission recently granted)
- 11 Davidson Park

None of the properties listed have a one and a half story extension and therefore the addition of this aspect of the extension would *not* be in keeping with the 'overall spatial pattern' of the area.

Furthermore, the permission that was granted on appeal at 11 Davidson Road was a single level extension that enlarged the footprint of the dwelling and extended the living space that was already present. The application in this case is adding three bedrooms, a kitchen/living room and multiple bathrooms and is, therefore, not comparable.

'The proposal is of an acceptable scale, form and design and will not be detrimental to the neighbourhood character'

See point above. The proposal is not in keeping with other properties of the same style that have had extensions.

Section 2: Context for the proposal

Section 2 of the statement details the context for the current application.

Within this section, there are a number of statements that I take issue with. In reference to the family situation of the applicant, the following is stated:

'The planning case officer for this application appeared unsympathetic to any of these points. We know however, that such issues have been important in previous decisions taken by the Local Review Body. For example, the recent decision of the Local Review Body (LRB) on 29th May to grant planning permission for the erection of a single storey extension to form a fully accessible dwelling house at 42 Grange Road, Edinburgh. See this Planning Statement Section 3.3.7 Appeal and Local Review Body Decisions.'

On closer review of this decision, it is clear that the dwelling in question is markedly different from 6 Davidson Park. 42 Grange Road is a large semi-detached two story house in the south of Edinburgh and the extension that was approved was a single story extension. In this case, the original property remained the dominant feature and the extension built was, in-fact, smaller than the proposed extension in this case. Although the family situation may have been similar (again, this is difficult to confirm), there are multiple other issues that are clearly different and therefore this case should not be used to justify this appeal.

'They also wished to ensure that the extension was an integral part of the existing property and that the living arrangements operated as a single home rather than two separate units, truly reflecting the ethos of 'multi-generational' living.'

I disagree with this statement as both the existing property and extension will be able to function as independent households. This is highlighted by the fact that the two parts of the property will have separate entrances.

Section 3: Development plan and material considerations:

The 'Non-statutory guidance for householders' details that:

'Rear extensions to bungalows should be in keeping with the existing property roof design and its ridge line should be below the ridge of the existing property.'

Due to the design feature of the single story link room, the roof of the one and a half storey extension is not in-keeping with the existing property roof design as, although lower than the current height of the roofline, is not continuous with it. This is particularly apparent from our vantage point at 29 Grigor Avenue and this is likely why we have the strongest objection to this particular aspect. From our point of view it will appear to be a totally distinct dwelling.

Section 4: Determining issues

The effect of the proposed extension in terms of over dominance in both scale and footprint on the character of the existing bungalow.

It is noted in this section that the property occupies a large key-stone plot. This is clearly the case, however, should it not be the size of the original dwelling that determines when the size of the extension becomes the dominant feature, not the size of the plot the building is on? In this case, the proposed extension, with twice the footprint and the one and a half storey component of the extension, will clearly be the dominant feature, especially from our vantage point.

Conclusion

In conclusion, there are a number of different aspects of the application that I object to. The aims of the extension are commendable, but these could be achieved without the imposition of such a dominant structure. Thank you for your consideration of these objections.

Dr Keith Hodgson & Mrs Ríona Ní Bhrolcháin
29 Grigor Avenue,
Edinburgh,
EH4 2PQ

From: [REDACTED]
Sent: 9 Jul 2019 19:33:52 +0100
To: Alison Kirkwood
Cc: Local Review Body
Subject: Fw: Review of Planning Application decision for 6 Davidson Park Edinburgh
Importance: Normal

Thank you so much for calling me back. I am forwarding my original submission, copying in the Local Review Body as you suggested. When I got home this afternoon, there was a reply to my enquiry email from Aidan McMillan so I am forwarding the email to him as well. I would say this is what happens when someone who is not in the habit of using the computer has to do something on-line, but, I still cannot see where I have gone wrong, as I have the correct e-mail address on my original submission.

Kind Regards
Pamela Smith (Mrs)
----- Original Message -----

From: [REDACTED]
To: localreviewbody@edinburgh.gov.uk
Cc: planning@edinburgh.gov.uk
Sent: Tuesday, June 25, 2019 5:54 PM
Subject: Review of Planning Application decision for 6 Davidson Park Edinburgh

Planning Application 18/10505/FUL
Your reference 19/00075/REVREF

My husband and I submitted an objection to the above Planning Application under my husband's name. My husband died last month but I would wish the objection to stand in my name:-
Mrs Pamela A R Smith
27 Grigor Avenue
Edinburgh EH4 2PQ

However in response to your e-mail of 13 June regarding Notice of Local Review and Supporting Documents, I have the following comments to make:-

(a) Executive Summary and Sec 2.1

As you only consider objections which are relevant to planning issues, I assume the reverse is true and that the emotive statement set out in the above will have no bearing on the planning application. Indeed I could say that my house is my children's inheritance and that, having lived here for nearly 40 years, I have no wish to see that devalued by the suggested development OR that having lost my husband last month, the peace and solace I gain from my garden will be destroyed, pushing me to my endurance limit. I am sure other objectors could make similar claims but we choose not to do so as it is not relevant to the planning issue in hand. Mrs Hughes and indeed myself are fit and active but no-one can tell us what will happen in the future.

(b) Executive Summary

I find it quite unprofessional that the company, Stefano Smith, makes judgements based on their opinions. Their statement that the proposed design meets 3 key requirements-

"to compliment the existing house leaving it as the dominant element

to maintain the quality and character of the surrounding area and :-

to respect the amenity of adjacent neighbours"

is purely subjective and one with which I totally disagree.

(c) Executive Summary

It is also a nonsense to suggest that by splitting the proposed extension into 2 constituent elements, neither will have a larger footprint than the original dwelling. The 2 elements make up the proposed extension and have to be considered as such.

(d) Executive Summary and photos at 2,3and 4.

I accept that it is a large plot but the photographs attached to the Statement give, in my opinion, a distorted view of the scale of the garden. I am not sure how the % of ground being occupied by the proposed development is calculated but the % of useable garden space doesn't take account of any planned future permitted development ie garages and access road shown on the drawings included in the supporting documents.

(e) Sec 2.3.6

I know my husband and I were aware of the changes to the original plans but considered the amendments inconsequential.

(f) Secs 3.3.7-3.3.16

As regards the development at 9 Davidson Park - this is a single storey extension to the existing bungalow, increasing the overall footprint, but in keeping with the area - not a completely self contained house and as such I do not really see any comparison.

(g) As regards the revised plans for 6 Davidson Park, it is still the case that this is not an extension to the existing bungalow but rather a completely self contained house being built, albeit with a connecting door. Both homes will have their own front door,living areas,sleeping areas, kitchen and bathrooms. The tweaks that have been made to the original plans do nothing to take away from this fact. The effect of the proposed "extension" in terms of scale and footprint of the existing bungalow is, in my opinion,out of keeping with the area and over dominant.

Precedence seems to indicate that only single storey extensions proper have been approved in the area.

Pamela A R Smith (Mrs)



Our Ref: SSP/Scott_Hughes/NoR/SSP006 Stefano Smith Planning

City of Edinburgh Council
Local Review Body

via email: LocalReviewBody@edinburgh.gov.uk

17th July 2019

Dear Sir/Madam

**6 DAVIDSON PARK, EDINBURGH NOTICE OF REVIEW (19/00075/REVREF) –
APPELLANT RESPONSE TO OBJECTION COMMENTS**

We write on behalf of the appellant Mr Scott Hughes in response to the objections received to the above. The Notice of Review was received by the City of Edinburgh Council ('the Council') on the 13th June 2019. The Council informed interested parties that they had 14 days to make further representations, that is, by the 27th June 2019.

Three objections were subsequently received from the previous four objectors to the planning application, namely:

- John Cannavan (3 Grigor Gardens) (25th June 2019)*;
- Dr Keith Hodgson & Mrs Ríona Ní Bhrolcháin (29 Grigor Avenue) (undated)*; and
- Pamela Smith (27 Grigor Avenue) (25th June 2019)**

We received these objections via email from Aidan McMillan (Transactions Officer, City of Edinburgh Council) on the 3rd (*) and 10th (**) July 2019.

General Comments in Response to Objections

Several of the comments submitted are a reiteration of previous comments made at the planning application stage. As stated in the 9th April 2019 Development Management Report of Handling (Section 3.3 Assessment (d) Public Comments) (see attached) several of these comments are ***non-material representations***. In responding to the specific objections below, I have identified those that are non-material representations.

A common theme in the objections is that elements of the argument put forward in the appeal are ‘opinion’ and not ‘fact’. Where specific quantitative thresholds are set out in the development plan or non-statutory guidance, such as, useable private garden space (normally at least 30 sqm depending on the spatial pattern of neighbourhood to avoid over-development), rear extensions (should not occupy more than one third of the applicant’s original rear garden area), ridge line should be below the ridge of the existing property, and distances between side windows and rooflights to boundaries (see Planning Appeal Statement para.3.3.4) these are responded to by the appellant in the Planning Appeal Statement with ***quantitative, factual evidence***.

Where development plan policy and non-statutory guidance refers to for example, alterations and extensions that complement the existing house leaving it as the dominant element, and maintaining the quality and character of the surrounding area, these are matters of ***planning judgement***. As the appellant’s planning consultant, I have over 30 years experience to draw upon in providing informed planning judgement within the framework of the relevant development plan and material considerations. The conclusions made by way of planning judgement in the Planning Appeal Statement are considered cogent, with clear reasoning. It is not considered in any way irrational or perverse. It is composed of perfectly rational planning judgments.

Specific Comments in Response to Objections

The appellant’s specific response to these objections are detailed below.

John Cannavan - 3 Grigor Gardens

We respond to each of the six points raised by Mr Cannavan as follows.

1. The ***personal situation of an applicant*** has been taken into consideration in previous LRB decisions (e.g. 42 Grange Road) (see attached Minute from LRB 29th May 2019). Particularly ‘that it was important that the applicant was able to stay within their community.’
2. The ***size of the proposed footprint of the extension*** compared with the footprint of the existing bungalow is not the sole measure when considering the effect of the proposed extension on the character and appearance of the existing property. The footprint should not be the only measure in determining the degree of dominance of an extension upon the existing property. Other equally important factors for rear extensions to bungalows, as stated in the Council’s non-statutory Guidance for Householders (March 2018) (p.11), includes its relationship with the existing property’s roof design and ridge line.

Bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance. Extensions must not imbalance the principal elevation of the property. ‘...the principal elevation (usually the front)...’ (p.6). The proposed extension has minimal impact upon the principal elevation (front) of the existing property when viewed from Davidson Park. Rear extensions to bungalows should be in keeping with the existing property roof design and its ridge line should be below the ridge of the existing property. In the case of this appeal, the ridge of the proposed extension is below the ridge of the existing property, and the roof pitch of the extension reflects that of the existing property.

3. The proposed extension is ***not ‘partly two storey’*** as stated by Mr Cannavan. The proposed extension comprises a single storey link connecting the existing bungalow

to a one and a half storey extension. The comparison to the recently approved extension at 42 Grange Road is relevant, particularly with regard the need for the applicant to remain within their community.

4. ***The proposed development appears to be a separate dwellinghouse and not an extension.*** This is a non-material representation. This is a householder planning application, and does not propose any material change of use or the formation of a new planning unit. The extension under assessment would be for ancillary accommodation to the existing dwellinghouse. The assessment of this application relates to the operational development only.
5. The ***quality of the building material*** used is relevant. The Guidance outlines the design matters to be considered when designing extensions and alterations. The materials used to construct a building are one of the most important elements in helping a new extension to sit harmoniously with the original building. The materials to be used on an extension should normally match those of the existing building. The palette of materials for the proposed extension reflect the materials of the existing property; rendered wall finish to match existing, slate, tiled roof and aluminium clad composite windows and doors. This will create a harmonious appearance between the existing property and proposed extension.

The external appearance of the existing property will be ‘refreshed’ at a similar time to the construction of the proposed extension, reinforcing the continuity and harmony between old and new and consolidating the appearance of the single property. The single storey link connecting the existing property to the one and a half storey extension will have a flat, green roof and comprise lead cladding panels and glazing. The materials will be of the highest quality. This link has been designed as an innovative solution in connecting the old and new elements of the property; an approach which is considered acceptable in the non-statutory Guidance for Householders (Step 3: Design Matters – Materials p.16).

6. The ***amenity of neighbouring properties*** will not be detrimentally affected. The proposed extension will respect the amenity of adjacent neighbours as agreed by the Council's planning case officer in the Report of Handling (Section 3.3 (b)):
 - a) Daylight and sunlight - the proposed development fully complies with the 45-degree criterion set out in the non-statutory Guidance for Householders and will not result in an unreasonable loss of daylight or sunlight for neighbouring properties; and
 - b) Privacy - the north east (side) elevation includes two rooflights at first floor level. The rooflights due to their positioning and angle within the roof will not provide unrestrained opportunities to overlook the neighbouring properties and are therefore acceptable. All other proposed windows are in full compliance with the privacy requirements set out in the non-statutory Guidance for Householders. The proposal would therefore not result in an unreasonable loss of neighbouring privacy.

Dr Keith Hodgson & Mrs Ríona Ní Bhrolcháin - 29 Grigor Avenue

We respond to each of the four points raised by Dr Keith Hodgson & Mrs Ríona Ní Bhrolcháin as follows.

1. **Acceptability in scale, form and design** - see response to John Cannavan [pts 2) and 4)]. Also the link element of the extension is an innovative response to the specific characteristics of the site to enable the efficient orientation and siting of the one and a half storey element. The proposed extension would also still be compliant with non-statutory guidance in terms of remaining useable garden space even when including those elements not requiring planning permission (i.e. garage, grasscrete and parking for at least two cars). Also, the examples provided by Dr.Hodgson in response to the spatial pattern of the neighbourhood demonstrates that this is characterised by bungalows that have been extended. The size of the appeal plot, the high quality design and responsiveness of the proposed extension to the existing property and spatial pattern of the area demonstrates the suitability and compliance of the extension with the development plan and relevant guidance.
2. **Context of the proposal** - 42 Grange Road is comparable to this appeal in terms of the development plan policies it had to respond to (Des 12 Alterations and Extensions), as well as the requirements of the applicant to remain within their community.
3. **Development Plan and Material Considerations** - see response to John Cannavan pt.2.
4. **Determining issues** - see response to John Cannavan pt.2.

Pamela Smith - 27 Grigor Avenue

We respond to each of the seven points raised by Mrs Smith as follows.

1. **Need for alterations and extension** – the Planning Statement in Support of NoR Section 2.1 outlines the context of the proposal. The proposed extension enables '**multi-generational' living**' within the property, and allows the Hughes family to remain in the family home and neighbourhood that they have lived in for over 45 years. Multi-generational living is defined as more than two generations living under the same roof. Many researchers also include households with a grandparent and at least one other generation, as is the case with the Hughes family. Multi-generational living arrangements can increase psychological, social, and financial capital—factors associated with improvements in health and longevity. There are many recognised benefits of multi-generational living, including:
 - Reducing the impact on national and local social care services;
 - Sharing expenses – by bringing family members and resources together under one roof, families can collectively address their expenses and allocate finances accordingly;
 - Shared responsibilities - distributing chores and age-appropriate responsibilities amongst family members is a tremendous way of ensuring that everyone does their part;

- Strengthened family bond - while most families come together on special occasions, multigenerational families have the luxury of seeing each other every day. By living under one roof, these families develop a high level of attachment and closeness. Here's how:
 - Grandparents serve as role models for their grandchildren through daily interactions, while grandchildren learn to respect and connect with their elders;
 - Grandparents feel more engaged and useful when they can provide help to their children and grandchildren, whether that's through giving life advice or merely helping a grandchild with homework;
 - Many studies have supported the notion that grandparents regularly have a profound influence on their grandchildren by ushering in a loving atmosphere and healthy relationship; and
 - Loneliness is a common social problem for the elderly. The emptiness of their home weighs heavily on them, making them feel disconnected from the rest of their family and community. Through daily activities with family members in a multigenerational home, grandparents experience a better quality of life.
- Ensured family safety - home security is a terrific benefit of multigenerational living. With multiple generations under one roof, a home is rarely ever left unoccupied for long, and living with other family members increases the chances that someone is present to assist elderly family members should they have an accident.
- Privacy – one of the primary trepidations families face when shifting their lifestyle is the fear of losing privacy. With so many heads under one roof, it can feel like there's no place to turn for solitude. Yet, the proposed extension is designed to ensure that every family member can have quiet time, allowing for complete separation between the generations within the household.

In addition, the point raised with regard the peace and solace gained from the garden at 27 Grigor Avenue is a non-material representation. The application site is within a residential area and the proposed development will not result in any noise, other than that which would be created by activities that are incidental to the enjoyment of the dwelling house.

2. ***Compliance with the Edinburgh Local Development Plan Policy Des 12 Alterations and Extensions and the non-statutory Guidance for Householders*** – the Appeal Statement in support of the NoR demonstrates that the design of the proposed extension is compatible with, and complements the existing property leaving it as the dominant element, and maintains the quality and character of the surrounding area.
3. ***Component parts of the proposed extension*** – the single storey link provides an innovative connection between the existing bungalow and the main one and a half storey extension.
4. ***Substantial plot*** – due to the substantial plot the percentage of remaining useable garden space following the proposed extension still meets the non-statutory guidance.

This includes future permitted development shown on the drawings in the supporting documents (i.e. garage and parking spaces).

5. ***Proposed changes to the original application drawings*** - albeit the residents of 27 Grigor Avenue may have been aware of the proposed changes, we understand that they were not formally consulted on the amendments.
6. ***Extension at 9 Davidson Park*** – the relevance of this extension is that the Council refused the application on the grounds that it did not comply with Policy Des 12 Alterations and Extensions as it undermined the character of the existing bungalow and neighbourhood. The decision was subsequently allowed on appeal by the DPEA Reporter.
7. ***Nature of the proposed extension*** – the proposed extension is an integral part of the existing bungalow and not a self-contained house. This is a non-material representation. See response to John Cannavan (pt.4). The proposed extension is in keeping with extensions in the area and does not detrimentally impact upon the character of the neighbourhood.

In addition, I attach the Minute of the LRB on the 29th May 2019 which approved the proposed extension at 42 Grange Road, Edinburgh. This should be added as Appendix 9 to the Planning Statement in support of the NoR.

In summary, we have critically reviewed the objections and consider that there are no substantive, material representations that have not already been addressed in our Planning Appeal Statement in support of the NoR. We consider that there is a convincing case by which planning permission is justified. For the reasons detailed in this letter and our Appeal Statement, we consider that the proposed extension complies with the Edinburgh Local Development Plan Policy Des 12 Alterations and Extensions and the non-statutory Guidance for Householders. The design of the proposed extension is compatible with, and complements the existing property leaving it as the dominant element and maintains the quality and character of the surrounding area.

We therefore respectfully request that the Local Review Body do not uphold the decision by the Chief Planning Officer and grant planning permission for alterations to the existing property and a new rear extension (as amended) at 6 Davidson Park, Edinburgh.

Kind regards,

Stefano Smith FRPPI
Director, Stefano Smith Planning

Encl. Development Management Report of Handling (9th April 2019) and Appendix 9 (Minute of LRB 29th May 2019 – 42 Grange Road Decision.

•EDINBURGH•

THE CITY OF EDINBURGH COUNCIL

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

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 100168540-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Stefano Smith Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Stefano	Building Name:	
Last Name: *	Smith	Building Number:	58
Telephone Number: *	[REDACTED]	Address 1 (Street): *	Dean Path
Extension Number:		Address 2:	Dean Village
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	UK
		Postcode: *	EH4 3AU
Email Address: *	[REDACTED]		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *
Other Title:		Building Name:
First Name: *	Scott	Building Number:
Last Name: *	Hughes	Address 1 (Street): *
Company/Organisation		Address 2:
Telephone Number: *		Town/City: *
Extension Number:		Country: *
Mobile Number:		Postcode: *
Fax Number:		
Email Address: *		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:	6 DAVIDSON PARK
Address 2:	
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	EDINBURGH
Post Code:	EH4 2PF

Please identify/describe the location of the site or sites

Northing	675372	Easting	322987
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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)

Alterations to the existing property and a new rear extension (as amended) at 6 Davidson Park Edinburgh EH4 2PF.

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 separate Planning Statement provided.

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)

Additional drawings and area plans are being submitted, as well as previous LRB and appeal decisions, in response to matters raised in the reason for refusal and Report of Handling which are disputed by the applicant.

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)

1. Planning Statement to include the following appendices: 1 Application 18/10505/FUL (Original Scheme) 2 Application 18/10505/FUL (Amended Scheme) 3 Report of Handling 4 Decision Notice 5 Planning feedback on Original Scheme 6 Planning Appeal Decision: 9 Davidson Park, Edinburgh 7 Views from Davidson Park 8 Aerial view of 9 and 6 Davidson Park 9 Local Review Body Decision (29/05/2019) – 42 Grange Road 10 Density Site Plan & Sun Study 11 Elevations As Proposed

Application Details

Please provide details of the application and decision.

What is the application reference number? *

18/10505/FUL

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

21/12/2018

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

09/04/2019

Review Procedure

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

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

Yes No

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

Please select a further procedure *

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

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

The property occupies a large 'keystone' plot on the curve of the cul-de-sac at Davidson Park. It is one of the largest plots in the local area. Due to the site's substantial nature and unique characteristics, we strongly recommend an accompanied site visit to allow the LRB to fully appreciate the site issues and how the architecturally designed rear extension has responded to its context. Also there is the opportunity to see the nearby extension at 9 Davidson Park that was allowed on appeal.

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

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

Yes No

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

Yes No

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

The site cannot be clearly seen from a road or public land. Access is required through the applicant's private land. The applicant/agent would be pleased to accompany the LRB on the site inspection.

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 Stefano Smith

Declaration Date: 11/06/2019

Proposal Details

Proposal Name	100168540
Proposal Description	Alterations to the existing property and a new rear extension at 6 Davidson Park, Edinburgh EH4 2PF.
Address	6 DAVIDSON PARK, EDINBURGH, EH4 2PF
Local Authority	City of Edinburgh Council
Application Online Reference	100168540-001

Application Status

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

Attachment Details

Notice of Review	System	A4
Planning Statement in Support of Notice of Review June 2019	Attached	A4
Appendix 5 Planning feedback on the original scheme	Attached	A4
Appendix 6 Planning appeal decision at 9 Davidson Park Edinburgh	Attached	A4
Appendix 7 General Arrangement Views from Davidson Park	Attached	A1
Appendix 8 Aerial view of 9 and 6 Davidson Park Edinburgh	Attached	A4
Appendix 10 General Arrangement Density Site Plan and Sun Study	Attached	A1
Appendix 11 General Arrangement Elevations as Proposed	Attached	A1
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0



STEFANO SMITH PLANNING

CREATIVE | COLLABORATIVE | COMMITTED

Planning Statement in Support of Notice of Review

**Alterations to the existing property and a new rear extension (as amended) at
6 Davidson Park, Edinburgh, EH4 2PF
On behalf of
Mr Scott Hughes**

Application No.18/10505/FUL

June 2019



STEFANO SMITH PLANNING

CREATIVE | COLLABORATIVE | COMMITTED

Prepared by **Stefano Smith Planning**

Planning Statement in Support of Notice of Review – 6 Davidson Park, Edinburgh, EH4 2PF

Document Control Sheet

Project Name: 6 Davidson Park, Edinburgh, EH4 2PF

Project Ref: 003/001

Report Title: Planning Statement in Support of Notice of Review

Doc Ref: 003/001

Date: 10th June 2019

	Name	Position	Signature	Date
Prepared by:	Stefano Smith	Director		20/05/2019
Reviewed by:	Stefano Smith	Director		04/06/2019
Approved by:	Stefano Smith	Director		05/06/2019
For and on behalf of Stefano Smith Planning				

Revision	Date	Description	Prepared	Reviewed	Approved
A	10/06/2019	Final	SS	SS	SS

Stefano Smith Planning disclaims any responsibility to the Client and others in respect of any matters outside the scope of this report. This report has been prepared with reasonable skill, care and diligence within the terms of the Contract with the Client and generally in accordance with the appropriate ACE Agreement and taking account of the manpower, resources, investigations and testing devoted to it by agreement with the Client. This report is confidential to the Client and Stefano Smith Planning accepts no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk.

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Appendices

- Appendix 1** Documents submitted with Application 18/10505/FUL (Original Scheme)
- Appendix 2** Documents submitted with Application 18/10505/FUL (Amended Scheme)
- Appendix 3** Report of Handling
- Appendix 4** Decision Notice
- Appendix 5** Planning feedback on the original scheme (email dated 13th February 2019)
- Appendix 6** Planning Appeal Decision: 9 Davidson Park, Edinburgh (Appeal Ref.P/PPA/230/996)
- Appendix 7** General Arrangement – Views from Davidson Park
- Appendix 8** Aerial view of 9 and 6 Davidson Park, Edinburgh
- Appendix 9** Local Review Body Decision (29th May 2019) – 42 Grange Road, Edinburgh
- Appendix 10** General Arrangement Density Site Plan & Sun Study
- Appendix 11** General Arrangement Elevations As Proposed

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Executive Summary

This Planning Statement is in support of a Notice of Review submitted to City of Edinburgh Council ('the Council') on 11th June 2019 under Section 43A of the Town and Country Planning (Scotland) Act 1997, as amended ('the Planning Act').

We have critically reviewed the proposal and consider that there is a convincing case by which planning permission is justified. This is based on the merits of the proposed development, the stated single reason for refusal, the commentary provided in the planning official's Report of Handling, and analysis of development plan policy, non-statutory Guidance for Householders and other material considerations.

It demonstrates that the proposal by Mr Scott Hughes ('the applicant') for alterations to the existing dwelling house and a new rear extension (as amended) at 6 Davidson Park, Edinburgh ('the property') complies with the adopted Edinburgh Local Development Plan (2017) and the non-statutory Guidance for Householders (March 2018), and that there are material considerations upon which to justify approval.

The application property is a detached bungalow located in a substantial plot on the north side of Davidson Park which is a cul-de-sac. There is an existing detached garage positioned to the side and rear of the main dwelling house. The property is not listed nor located in a conservation area. The property has not been previously altered or extended. There is no relevant planning history for this site. The local area is characterised by a range of types of properties, predominantly bungalows that have been altered and extended.

The current occupier of the property, Mrs Hughes is the mother of the applicant, Mr Scott Hughes. Mrs Hughes has lived alone in the property since her husband died. The property has been within the Hughes family for over 70 years going back to Mr Hughes' grandparents, that is, three generations since 1948. The current generation, that is, Mr Scott Hughes and his young family comprising his wife and eight-month old daughter, now wish to live in the house to provide care and support to his mother during her retirement, enabling her to remain in the family home and local neighbourhood where she has lived for over 45 years.

It is so important that people are not uprooted as a result of old age or health conditions, particularly where there is the opportunity and willingness of the immediate family to provide the necessary support, as is the case here.

The application for Planning Permission is for alterations to the existing property and a new rear extension (as amended). The proposed rear extension comprises two main elements; a single storey link providing a physical connection between the main property and a one-and-a-half storey extension. This is an architecturally designed extension which responds innovatively to the specific site characteristics resulting in a scheme which sits sensitively within the substantial plot and relates well to the existing property.

The application for Planning permission was refused on the 9th April 2019 by Local Delegated Decision. The reason for refusal was:

1. The proposal is contrary to Edinburgh Local Development Plan Policy Des 12 in respect of Alterations and Extensions, and also the non-statutory Guidance for Householders. The proposed development is overly dominant in both scale and footprint; would erode the character of the existing bungalow; and would be detrimental to neighbourhood character.

We do not consider that the planning officials gave adequate regard to the merits of the proposed development in deciding to refuse planning permission. In addition, the Report of Handling includes several important factual errors and procedural irregularities which we consider has unnecessarily and detrimentally influenced the outcome of this decision.

Having regard to the provisions of the development plan and other material considerations where appropriate, the determining issues in this Local Review are:

- a) The effect of the proposed extension on the character and appearance of the existing property.
- b) The effect of the proposed extension on the character of the surrounding residential area.

The creative design solution for the rear extension, developed by award winning architects Aitken Turnbull, responds to the specific site characteristics of the substantial plot and meets the three key requirements:

- To complement the existing house, leaving it as the dominant element;
- To maintain the quality and character of the surrounding area; and
- To respect the amenity of adjacent neighbours.

The proposed extension is considered acceptable in terms of scale, form and design for the following reasons:

- The footprint of the proposed extension albeit larger than the original dwelling, when broken down into its two constituent elements, that is, the single storey link and the one and a half storey extension, are each less than the original property;
- The footprint should not be the only measure in determining the degree of dominance of an extension upon the existing property. Other equally important factors for rear extensions to bungalows, as stated in the Council's non-statutory Guidance for Householders (March 2018) (p.11), includes its relationship with the existing property's roof design and ridge line;
- It is recognised in the Council's non-statutory guidance that high-quality innovative design, as is the case with this proposed extension, can complement the existing property, leaving it as the dominant element, as well as maintaining the quality and character of the surrounding area;
- The proposed extension will create a sympathetic and harmonious addition which respects and responds to the character of the existing property. The proposed extension would appear subservient in appearance to the original property, particularly when viewed from Davidson Park which is the only public viewpoint;
- The proposals will retain a significant private garden space to the rear of the property that is well proportioned to optimise the practical use and enjoyment of the garden for the extended family. The garden will be well-suited to providing high quality amenity space. It will remain as one of the more substantial rear garden spaces in the neighbourhood. The proposal represents a well-balanced and proportionate size of development that fits sensitively within a large, substantial plot;
- The proposed extension would occupy approximately 15% of the garden area, retaining approximately 60% as useable garden space which complies to the non-statutory guidance;
- The scale and layout of the proposed development is in keeping with the overall spatial pattern of the area which is characterised by bungalows with alterations and extensions, several of which are large and have been subsequently approved following appeal or review by LRB; and

Planning Statement in Support of Notice of Review – 6 Davidson Park, Edinburgh, EH4 2PF

- The proposal is of an acceptable scale, form and design and will not be detrimental to the neighbourhood character.

The proposed extension, as accepted by the planning case officer, will respect the amenity of adjacent neighbours with regard:

- To daylight and sunlight, the proposed development fully complies with the 45-degree criterion set out in the non-statutory Guidance for Householders and will not result in an unreasonable loss of daylight or sunlight for neighbouring properties; and
- To privacy, the north east (side) elevation includes two rooflights at first floor level. The rooflights due to their positioning and angle within the roof will not provide unrestrained opportunities to overlook the neighbouring properties and are therefore acceptable. All other proposed windows are in full compliance with the privacy requirements set out in the non-statutory Guidance for Householders. The proposal would therefore not result in an unreasonable loss of neighbouring privacy.

For the reasons detailed in this Appeal Statement we consider that the proposed extension complies with the Edinburgh Local Development Plan Policy Des 12 Alterations and Extensions and the non-statutory Guidance for Householders. The design of the proposed extension is compatible with, and complements the existing property leaving it as the dominant element and maintains the quality and character of the surrounding area.

We therefore respectfully request that the Local Review Body do not uphold the decision by the Chief Planning Officer and grant planning permission for alterations to the existing property and a new rear extension (as amended) at 6 Davidson Park, Edinburgh.

1 Introduction

1.1 Background

- 1.1.1 This Planning Statement is in support of a Notice of Review submitted to City of Edinburgh Council ('the Council') on the 11th June 2019 under Section 43A of the Town and Country Planning (Scotland) Act 1997, as amended ('the Planning Act').
- 1.1.2 It demonstrates that the proposal by Mr Scott Hughes ('the applicant') for alterations to the existing dwelling house and a new rear extension (as amended) at 6 Davidson Park, Edinburgh ('the property') complies with the adopted Edinburgh Local Development Plan (2017) and the non-statutory Guidance for Householders (March 2018), and that there are material considerations upon which to justify approval. See Figure 1.

Figure 1 View of the property at No.6 Davidson Park, Edinburgh from the cul-de-sac



- 1.1.3 The property is located in the Inverleith ward within the Craigeleith area to the west of the city centre. The local area is characterised by a range of types of properties, predominantly bungalows that have been altered and extended. The property is not listed nor within a conservation area. The property is a one and a half story detached bungalow with an existing detached garage positioned to the side and rear of the main dwelling house. It is located at the end of a cul-de-sac on the north side of Davidson Park. The property has a single access driveway to Davidson Park. The property occupies a large 'keystone' plot on the curve of the cul-de-sac measuring some 976 sqm with a large private garden (predominantly to the rear) of some 782 sqm (excluding private driveway of some 78 sqm). It is one of the more substantial plots in the local area.
- 1.1.4 The application for Planning Permission is for alterations to the existing property and a new rear extension (as amended) (App.No.18/10505/FUL). See Appendices 1 and 2. The proposed rear extension comprises two main elements; a single storey link providing a physical connection between the main property and a one-and-a-half storey extension. This is an architecturally designed extension which responds innovatively to the specific site characteristics, resulting in a scheme which sits sensitively within the substantial plot and relates well to the existing property.
- 1.1.5 The proposal includes the reconfiguration of hard and soft landscaping to the front, side and rear of the existing property, including areas of concrete slabbing and grasscrete. This work is permitted development under Class 3C of the Town and Country Planning (General Permitted Development) (Scotland) order 1992 (as amended). The proposal also includes the demolition and reconstruction of the existing detached garage to the rear of the existing dwelling house to

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the north west corner of the curtilage of the property. This element of work is also permitted development.

- 1.1.6 Planning permission for this proposal was refused on the 9th April 2019 by the Council's planning officials under Local Delegated authority (Application No. 18/10505/FUL). See Appendices 3 and 4.
- 1.1.7 The Council's Planning Local Review Body (LRB) is therefore requested to overturn this decision based on written submissions and an accompanied site visit. Due to the substantial nature of the plot and unique characteristics of the site, we strongly recommend an accompanied site visit to enable the Local Review Body to get a real appreciation of the site issues and how the architecturally designed proposed rear extension has responded to its context.
- 1.1.8 Regulations under the Planning Act give allowance to seek a review of the decision within three months, that is, by the 9th July 2019, and the Notice of Review has been duly submitted within that period, that is, on the 10th June 2019.

1.2 Structure of Planning Statement

- 1.2.1 This Planning Statement in support of the Notice of Review is structured as follows:

Section 1 – Introduction

Section 2 – Context of Proposal

Section 3 – Development Plan and Material Considerations

Section 4 – Determining Issues and Assessment

Section 5 – Summary and Conclusion

2 Context of Proposal

2.1 Need for Alterations and Extension

- 2.1.1 The current occupier of the property at 6 Davidson Park, Mrs Hughes is the mother of the applicant, Mr Scott Hughes. Mrs Hughes has lived alone in the property since her husband died. The property has been within the Hughes family for over 70 years going back to Mr Hughes' grandparents, that is, three generations since 1948.
- 2.1.2 The current generation, that is, Mr Scott Hughes and his young family comprising his wife and eight-month old daughter, now wish to live in the house to provide care and support to his mother during her retirement, enabling her to remain in the family home and local neighbourhood where she has lived for over 45 years.
- 2.1.3 Mrs Hughes has been an integral part of the community, having worked at the local primary school Flora Stevenson for many years and is an active member of the local church. She wishes to continue to stay in the family home, in an area she knows and loves, which is close to friends and support services.
- 2.1.4 It is so important that people are not uprooted as a result of old age or health conditions, particularly where there is the opportunity and willingness of the extended family to provide the necessary support, as is the case here. We know all too well the impact that this can have on a person in our society.
- 2.1.5 The planning case officer for this application appeared unsympathetic to any of these points. We know however, that such issues have been important in previous decisions taken by the Local Review Body. For example, the recent decision of the Local Review Body (LRB) on 29th May to grant planning permission for the erection of a single storey extension to form a fully accessible dwelling house at 42 Grange Road, Edinburgh. See this Planning Statement Section 3.3.7 Appeal and Local Review Body Decisions.
- 2.1.6 The existing bungalow is limited in size for modern purposes and unable to accommodate both Mrs Hughes and her son's young and growing family. The Hughes family therefore wish to enlarge the existing property to respond to their current and future needs and enable the existing and extended family to support each other and remain together in the neighbourhood they love and know so well.

2.2 Design Concept

- 2.2.1 An award-winning architect was subsequently appointed, Aitken Turnbull Architects ('the Architects'), to design the proposed alterations and extension to the property, as '*strongly encouraged*' in the Council's non-statutory Guidance for Householders (March 2018). The client brief was to enable 'multi-generational living' at the property, and to design an extension that fits sensitively within the substantial plot complementing the existing bungalow, maintain the quality and character of the surrounding area and respecting the amenity of the adjacent neighbours.
- 2.2.2 In developing the design concept various options were considered, including demolishing the existing bungalow and replacing it with a substantial new-build property within the existing large plot. The family however, wished to retain the family home, building upon the character of the property and maintaining the character and quality of the surrounding area. They also wished to ensure that the extension was an integral part of the existing property and that the living arrangements operated as a single home rather than two separate units, truly reflecting the ethos of 'multi-generational' living.
- 2.2.3 The Architects carefully considered the site characteristics in terms of the substantial size of the plot in the context of the existing property, as well as the orientation of the property on the

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site. The design concept is to create a well-designed, innovative and quality extension complementing the existing property, maintaining the quality and character of the surrounding area and respecting the amenity of the adjacent neighbours.

- 2.2.4 The proposed rear extension responds to this design concept by comprising two main elements; a single storey link providing a physical connection between the main property and a one and half storey extension, resulting in a scheme which sits sensitively within the substantial plot and relates well to the existing property. The existing property and single storey link extension would provide shared living/dining/kitchen accommodation and formal dining room, as well as the dedicated ‘granny annex’; the one and half storey rear extension element would provide the new family bedrooms and garden room. A true interpretation of ‘multi-generational’ living.

2.3 Planning Application Process

- 2.3.1 The full detailed planning application for Planning Permission was registered by the Council on the 21st December 2018 (App.No.18/10505/FUL). The documents submitted with the application in support of the original scheme comprised the following:

- Completed application form
- Drawings
 - Location Plan
 - General Arrangement Site Plan As Existing (Dwg.No.L(-1)001 Rev.A)
 - General Arrangement Site Plan As Proposed (Dwg.No.L(-1)001 Rev.B)
 - General Arrangement Site Plan Down Takings As Proposed (Dwg.No.L(-1)002 Rev.A)
 - General Arrangement Site Floor Plans and Elevations As Existing (Dwg.No.L(-2)001 Rev.A)
 - General Arrangement Floor Plans As Proposed (Dwg.No.L(-2)101 Rev.C)
 - General Arrangement Sections As Proposed (Dwg.No.L(-3)101 Rev.B)
 - General Arrangements Elevations As Proposed (Dwg.No.L(-4)101 Rev.B)
- Supporting Statement

See Appendix 1.

- 2.3.2 The original application was publicised by the Council. The neighbour consultation period ended on the 12 February 2019. The application attracted four representations of objection from neighbours. No comments were received from Craigmyle and Blackhall Community Council.

- 2.3.3 The material representations of objection related to:

- The scale of the extension;
- Not in keeping with the area; and
- The proposed development will result in an unreasonable loss of daylight, sunlight and privacy for neighbouring properties;

- 2.3.4 Following feedback from the planning case officer on the original scheme (email dated 13 February 2019) (Appendix 5), which also addressed the material representations received

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from the neighbours, the scheme was amended reducing both the footprint of the proposed extension, as well as reducing the ridge height. The documents submitted in support of the amended scheme comprised the following:

- Amended Drawings
 - General Arrangement Site Plan As Proposed (Dwg.No.L(-1)001 Rev.C)
 - General Arrangement Floor Plans As Proposed (Dwg.No.L(-2)101 Rev.D)
 - General Arrangement Sections As Proposed (Dwg.No.L(-3)101 Rev.C)
 - General Arrangements Elevations As Proposed (Dwg.No.L(-4)101 Rev.C)
- Supporting Narrative of Changes

See Appendix 2.

2.3.5 The Council's Decision Notice was decided by Local Delegated Decision and issued on the 9th April 2019. See Appendix 4. The application was Refused for the following single reason:

1. Proposal is contrary to Edinburgh Local Development Plan Policy Des 12 in respect of Alterations and Extensions, and also the non-statutory Guidance for Householders. The proposed development is overly dominant in both scale and footprint; would erode the character of the existing bungalow; and would be detrimental to neighbourhood character.'

2.3.6 The Report of Handling however (see Appendix 3), which informed the decision, includes several important factual errors and procedural irregularities:

1. The amended scheme was not subsequently re-consulted upon, and therefore the objectors did not have the opportunity to reconsider their original objections in the light of the revised proposals.
2. The proposed extension is referred to as 'a two storey extension [our underlining]...with a single storey link element providing a physical connection to the main building.' (Report of Handling Section 3.1 para.1). The proposed extension actually comprises two elements, a single storey link and a one and half storey extension not two storey.
3. The measurements specified in Section 3.1 Description of the Proposal para.2 of the Report of Handling are incorrect:

Proposed Extension	Report of Handling	Actual	Difference in Measurement between Actual and Report of Handling
Height to ridge (Existing property)	6.10m Not specified	5.65m 6.28m	Actual maximum ridge height is 0.45m <u>lower</u> than specified in the Report of Handling Maximum height to ridge of existing property is not specified in the Report of Handling. Therefore, the Report does not explain that the amended extension ridge is <u>below</u> the existing property's ridge and therefore in compliance with Guidance for Householders

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Maximum length	18.00m	18.00m	No change
Maximum width	9.70m	8.90m	Actual maximum width of the proposed extension is 0.80m <u>less</u> than recorded in the Report of Handling and therefore subservient to the original property
Total Footprint comprising:	155sqm -single storey link -one and a half storey extension <i>(Existing property)</i>	148sqm Not specified Not specified 118sqm	Actual total footprint of the proposed extension is 7sqm <u>less</u> than recorded in the Report of Handling and therefore lesser impact on the existing property Actual single storey link element of the extension is approximately one-third the footprint of the existing property (approximately 37%) Actual one and a half storey element of the extension is less than the footprint of the existing property (approximately 91%). Actual total footprint of the existing property is 2sqm which is marginally <u>less</u> than recorded in the Report of Handling

4. The Report of Handling in Section 3.1 Description of the Proposal states that '*The application has been amended to reduce the size of the extension.*' However, it does not explain how the application has been amended in response to feedback from the planning officer, and that the amended application includes a supporting statement outlining the 'Narrative of Changes'. The amended scheme reduces both the overall footprint of the extension and the ridge height.
5. The Report of Handling acknowledges that '*the application property occupies a relatively large plot*', but than does not consider the implications of this large plot in terms of its scope for accommodating a commensurate extension without compromising the dominance of the existing property and character of the surrounding area.

2.3.7 We consider that these factual errors and irregularities have unnecessarily and detrimentally influenced the outcome of this decision.

2.4 Key Assessment Issues

2.4.1 Having regard to the provisions of the development plan and other material considerations where appropriate, the determining issues in this Local Review are considered to be:

- Do the proposals comply with the development plan, including relevant policies of the Edinburgh Local Development Plan – particularly Edinburgh Local Development Plan Policy Des 12 in respect of Alterations and Extensions which was specifically referred to in the single reason for refusal;
- Are there any compelling reasons/material considerations that weigh in favour of the proposals, such as relevant Non-Statutory Guidelines (particularly the non-statutory Guidance for Householders, which although referred to in the single reason for

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refusal, does not specify any particular section of the guidance), previous Local Review Body decisions, appeal decisions etc; and

- Has the procedure used to determine the application unfairly influenced the decision (see previous section on factual errors in the Report of Handling and procedural irregularities).

2.4.2 To address these determining issues, the following needs to be considered:

- The effect of the proposed extension on the character and appearance of the existing property in terms of the proposed scale, form and design so that it is acceptable and not detrimental; and
- The effect of the proposed extension on the character of the surrounding residential area and neighbourhood.

2.4.3 We have carefully reviewed the planning application and supporting material in the context of the Development Plan and other material considerations, as well as the Council's Report of Handling and correspondence between the applicant's agent and the Council's officers during the consideration of this planning application. We have also identified several errors and inaccuracies in the Report of Handling which seeks to justify the decision to refuse consent.

2.4.4 In this context, we consider that there are strong planning grounds for the Local Review Body (LRB) to overturn this decision and grant planning permission.

3 Development Plan and Material Considerations

3.1 Introduction

- 3.1.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended) directs that planning applications should be determined '*in accordance with the Development Plan unless material considerations indicate otherwise*'.
- 3.1.2 The development plan in this instance comprises the adopted Edinburgh Local Development Plan 2016. Material considerations include the non-statutory Guidance for Householders (March 2018).

3.2 Development Plan

The single reason for refusal refers only to Policy Des 12 in respect of Alterations and Extensions of the Edinburgh Local Development Plan (ELDP).

Policy Des 12 - Alterations and Extensions

'Planning permission will be granted for alterations and extensions to existing buildings which:

- a) in their design and form, choice of materials and positioning are compatible (our underlining) with the character of the existing building*
- b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties*
- c) will not be detrimental to neighbourhood amenity and character'*

- 3.2.1 The supporting text at para 168 states that:

'Every change to a building, street or space has the potential to enrich or, if poorly designed, impoverish a part of the public realm. The impact of a proposal on the appearance and character of the existing building and street scene generally must be satisfactory (our underlining) and there should be no unreasonable loss (our underlining) of amenity and privacy for immediate neighbours.'

- 3.2.2 The criteria in Policy Des12 are given greater detail in the Council's non-statutory Guidance to Householders (March 2018).
- 3.2.3 On the basis that the reason for refusal only identifies that the proposal is contrary to ELDP Policy Des 12, by inference the proposed development complies with all other relevant development plan policies within the ELDP.
- 3.2.4 Policy Des 1 Design Quality and Context '*applies to all new development, including (our underlining) alterations and extensions.*'

Policy Des 1 Design Quality and Context

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

- 3.2.5 The proposed alterations to the existing property and a new rear extension (as amended) at 6 Davidson Park, Edinburgh complies with Policy Des 1 Design Quality and Context. The overall design concept and architecturally designed, innovative extension responds sensitively to the site characteristics, and respects the existing property and character of the local neighbourhood.

3.3 Material Considerations

Non-statutory Guidance for Householders (March 2018)

- 3.3.1 This document sets out guidance for people considering altering or extending their house. The Guidance explains how new development can conform to Policy Des 12 Alterations and Extensions. Developments that follow this Guidance will normally be supported.
- 3.3.2 All house extensions and alterations should be well designed and of high quality. In particular, they must meet three key requirements. They should:
- Complement the existing house, leaving it as the dominant element;
 - Maintain the quality and character of the surrounding area; and
 - Respect the amenity of adjacent neighbours.
- 3.3.3 The appointment of an architect is strongly encouraged in all cases.
- 3.3.4 The Guidance outlines the issues to consider when assessing whether the site is big enough to take the scale of extension sought – ‘Fitting it on the Site’. The proposed site is a very large, substantial plot accommodating a relatively small bungalow. The specific challenges in fitting the proposed rear extension to the existing property was the orientation of the property on the site. The relevant issues which were taken into consideration by the architect when assessing fitting the proposed extension on to the site and developing the design concept for the new rear extension included the following:
- Working out a plan: assessing the effect of the extension on the existing property to allow for harmony in scale and appearance. For example, by matching doors and windows, roof pitch, materials, and importantly how the junction between the old and new building would be handled.
 - Gardens: there should be enough private garden space left after extensions – normally at least 30 sqm depending on the spatial pattern of neighbourhood to avoid over-development. The general density and scale resulting must also be in keeping with the overall spatial pattern of the area. The area is characterised by bungalows with alterations and extensions. The substantial plot of the proposed development allows for flexibility to develop a sensitively designed extension enabling the retention of more than sufficient private garden space, in excess of a large number of properties in the neighbourhood.
 - Principal elevations and building lines: a building line is the line formed by the frontages of the buildings along a street. Generally, developments other than porches etc are not acceptable in front of the building line as they disrupt the character and appearance of the street. Corner plots can present a particular problem where the majority of the house’s garden space is in front of the building lines. The property is not on a corner plot, but rather a ‘keystone’ site on the curve of a cul-de-sac, which has resulted in one of the more substantial plots in the neighbourhood.
 - Rear extensions: rear extensions should not occupy more than one third of the applicant’s original rear garden area. The proposed rear extension takes up approximately 15% of the plot and less than one third of the original rear garden.

- **Bungalow extensions:** Bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance. Extensions must not imbalance the principal elevation of the property. ‘...*the principal elevation (usually the front)...*’ (p.6). Rear extensions to bungalows should be in keeping with the existing property roof design and its ridge line should be below the ridge of the existing property. The hipped roof character of the host building should be respected. The ridge of the proposed extension is below the ridge of the existing property, and the roof pitch of the extension reflects that of the existing property.
- **Daylight and sunlight:** all extensions and alterations will be required to ensure adequate daylighting, privacy and sunlight both for themselves and to their neighbours. Reasonable levels of daylight to existing buildings will be maintained where the measure of daylight falling on the wall does not fall below 27%. This standard can be achieved where new development is kept below a 25-degree line from the mid-point of an existing window. With regard sunlight to existing development, generally half the area of garden space should be capable of receiving potential sunlight during the spring equinox for more than 3 hours. There are various methods of calculating sunlight, but a simple check is to use the 45-degree method. The planning officer confirms in the Report of Handling that ‘*the proposed extension fully complies with the 45-degree criterion set out in the non-statutory Guidance for Householders and will not result in an unreasonable loss of daylight or sunlight for neighbouring properties.*’
- **Privacy and outlook:** 18m is the minimum recommended distance between windows, usually equally spread so that each property’s windows are 9m from the common boundary.
- **Side windows:** ground floor windows can sometimes be closer than 9m to a boundary if they can be screened in some way. For example, by a fence or hedge, or obscured glazing.
- **Rooflights:** rooflights in new extensions that are within 9m of the boundary may be acceptable so long as they do not have an adverse impact on the existing privacy of neighbouring properties.

The Report of Handling confirms that the proposed extension is ‘*in full compliance with the privacy requirements set out in the non-statutory Guidance for Householders*’, as well as with regard windows and rooflights.

- **Trees:** the retention of trees and landscape can soften the impact of a new building and help to blend in. Mature landscape should therefore be retained where possible, as is the case in this proposed development.
- **Garages and outbuildings:** buildings within the residential curtilage – such as garages, sheds or greenhouses – should be subordinate in scale and floor area to the main house. In many cases, they will be ‘permitted development’. The existing garage is proposed to be relocated in the north-west corner of the site, to the rear of the existing property subordinate in scale and floor area.

- 3.3.5 The Guidance outlines the design matters to be considered when designing extensions and alterations. Such development ‘*should be architecturally compatible in design, scale and materials with the original house and its surrounding area. This does not preclude high quality innovative modern designs* (our underlining).’ Extensions should not overwhelm or dominate the original form or appearance of the house, or detract from the character of the area. A well-designed and attractive extension will enhance the appearance – and value – of a property and of the neighbourhood.

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3.3.6 Relevant design matters applicable to the proposed development include the following:

- **Materials:** the materials used to construct a building are one of the most important elements in helping a new extension to sit harmoniously with the original building. The materials to be used on an extension should normally match exactly those of the existing building. The use of traditional materials, but in a modern design can be an effective way of respecting the character of the building or area whilst still encouraging new architectural ideas. Alternatively, a new extension may be designed to contrast with the existing building using a modern design and materials. '*It is better to set the extension slightly back so that there is a visible break between the old and new* (our underlining).' This design approach of setting the proposed main one and a half storey extension slightly back from the existing property, connected by a single storey link, has been adopted for this proposed extension.
- **Roof design:** In general, the pitch and form of an extension roof should match that of the existing roof. '*Flat roofs may be appropriate on modest, single storey extensions where not visible in public views.*' '*New eaves heights should either match or be lower than existing eaves, to avoid extensions being greater in storey height than the original building.*' Development above the existing roof ridge will not be permitted. The roof ridge of the proposed extension is below the existing roof ridge, and the pitch of the extension roof matches that of the existing roof. The flat roof of the single storey, modest, link element is considered appropriate as an innovative way of linking the main one and half storey extension with the existing property. The single storey link element is also not readily visible in public views.

Previous Appeal and Local Review Board Decisions

Planning Appeal: 9 Davidson Park, Edinburgh – Extension of dwelling house including wooden deck

- 3.3.7 This appeal was against the decision by The City of Edinburgh Council to refuse planning permission for an extension of the dwellinghouse including wooden deck at 9 Davidson Park. The appeal was allowed and planning permission granted subject to conditions. See Appendix 6.
- 3.3.8 This appeal decision is particularly pertinent for the proposed extension at 6 Davidson Park as the issues are similar, and both properties are located on Davidson Park at the end of the cul-de-sac essentially opposite each other.
- 3.3.9 The determining issues in this appeal were:
- the effect of the proposed extension on the character and appearance of the existing building; and
 - on the character of the surrounding residential area, having regard to the provisions of the development plan.
- 3.3.10 The relevant development plan at that time was the Central Area Local Plan 1997 (CELP) Policy CD 19. This policy is very similar to Policy Des 12 of the Edinburgh Local Development Plan (ELDP) which indicates that alterations and extensions should be compatible with the character of the original building in design and form, choice of materials and positioning, and should not result in an unreasonable loss of privacy or natural light to neighbouring properties and should not be detrimental to neighbourhood amenity and character.
- 3.3.11 Based on the written submissions and a site inspection (which we strongly recommend in this case), the Reporter concluded with regards the impact on neighbourhood amenity and character, that the proposed extension would not be highly visible from the public road and

views from neighbouring houses would be restricted by intervening hedges and other boundary features.

- 3.3.12 In the case of the proposed extension at 6 Davidson Park, there are no amenity issues; it is fully compliant with the requirements set out in the non-statutory Guidance for Householders. The proposed rear extension is also not highly visible from the public road. See Appendix 7. The street views from Davidson Park demonstrate that there are only glimpsed and partial views of the proposed rear extension, with the main one and a half storey extension being predominantly hidden behind the existing property, which retains its dominance on the street scene. The glimpsed, partial view of the proposed rear extension from Davidson Park is also seen in the context of existing bungalows, both in the foreground and background, many of which have been subject to alterations and extensions.
- 3.3.13 With respect to the impact of the proposed extension on the character of the existing building at 9 Davidson Park, the Council considered that by extending around three sides of the property the shape and appearance of the traditional pyramidal bungalow would be significantly altered. See Appendix 7 (9 Davidson Park is defined by a broken red line). It was considered that the proposed extension dominated the original dwelling form, and that it was neither compatible with, nor subservient to, the existing property. See Appendix 8. However, although the Reporter acknowledged that the additional floorspace created could be considered substantial, in proportion to the size of the existing dwelling, they were satisfied that the essential character of the bungalow would not be significantly affected by the proposed extension.
- 3.3.14 The design approach for the proposed rear extension at 6 Davidson Park seeks to provide a ‘breathing space’ between the proposed extension and the existing property in order not to ‘swamp’ or overpower its character, unlike the approach adopted at 9 Davidson Park. This design approach of setting the proposed main one and a half storey extension slightly back from the existing property, connected by a single storey link, allows for the character of the existing property to be retained and not be subservient to, or dominated by the proposed extension. The substantial size of the plot at 6 Davidson Park also allows for more than sufficient private garden area to be retained providing an appropriate setting for the extended property.
- 3.3.15 The roof design of the ‘wrap around’ extension at 9 Davidson Park was a mix of pitched roof and flat roof extensions around the pyramidal form of the existing dwelling house. See Appendix 8. The Reporter however, was not persuaded that the proposed extension would dominate the form of the existing dwelling or detract from its character, essentially as views of where there would be the greatest impact on the form of the bungalow would be restricted largely to the rear garden of the property itself. In a similar way for the property at 6 Davidson Park, there are limited views of the impact of the roof design upon the existing property from public viewpoints. Such views would be largely restricted to the rear garden of the property itself.
- 3.3.16 For similar reasons as the Reporter in this appeal, we consider that the proposed extension would not dominate the form of the existing property at 6 Davidson Park or detract from its character. The roof design of the proposed one and a half storey extension responds to the pitch of the existing property, as well as being below the ridge line, in compliance with the non-statutory Guidance for Householders. As a result, the one and a half storey extension is essentially hidden from view behind the existing property when viewed from Davidson Park.

Local Review Body Decision to Grant Planning Permission: 42 Grange Road, Edinburgh – Erection of a single storey extension to form a fully accessible dwelling house

- 3.3.17 Planning permission was previously refused for a single storey, detached, fully wheelchair accessible house on the 22nd March 2018. The request for review was considered at an LRB in May 2018. The LRB were vocal in being highly sympathetic to the circumstances of the case and discussed at length how they could possibly assist in finding a solution.

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- 3.3.18 The proposal was subsequently redesigned in response to the LRB's comments on design and preparing an extension to the existing property and providing a self-contained unit of accommodation for the applicant in the extension. However, the application was refused on 21st March 2019 for five reasons, including being contrary to the ELDP Policy Des 12 Alterations and Extensions, as the proposals in design, form and positioning was not compatible with the character of the existing building.
- 3.3.19 The LRB reviewed the decision at a meeting on the 29th May 2019. See Appendix 9. The LRB in their further deliberations on the matter considered the following:
- The development plan, including relevant policies of the Edinburgh Local Development Plan, including Policy Des 12 Alterations and Extensions;
 - The procedure used to determine the application; and
 - The reason for refusal and the arguments put forward in the request for a review.
- 3.3.20 The LRB carefully considered the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues relevant to this proposed extension at 6 Davidson Park:
- They again were sympathetic to the circumstances of the case of enabling the applicant to adapt his home to meet his current needs, and enable him to remain in the family home and the local neighbourhood where he has lived for many years; and
 - They considered the impact of the proposed alterations and extension, and its compatibility with the character of the existing building in terms of design, form and positioning, and concluded that the proposal represented a respectful addition to the house for a legitimate purpose.
- 3.3.21 The LRB subsequently decided not to uphold the decision by the Chief Planning Officer and to grant planning permission.

3.4 Summary

- 3.4.1 Overall, the proposed development must demonstrate that it is consistent with the development plan, and that there are no material considerations that indicate it should nonetheless be refused. By achieving this, the proposed development should be granted permission.
- 3.4.2 The next section assesses the proposed development in terms of the key determining issues.

4 Determining Issues and Assessment

4.1 Introduction

- 4.1.1 We have critically reviewed the proposal and consider that there is a convincing case by which planning permission is justified. This is based on the merits of the proposed development, the stated single reason for refusal, the commentary provided in the planning official's Report of Handling, and analysis of development plan policy, non-statutory Guidance for Householders and other material considerations.
- 4.1.2 We do not consider that the planning officials gave adequate regard to the merits of the proposed development in deciding to refuse planning permission. We now request that the Local Review Board consider the following matters in overturning this decision and granting planning permission.

4.2 Determining Issues

- 4.2.1 The determining issues in this appeal are:

- 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?

4.3 Assessment

- 4.3.1 Having regard to the provisions of the development plan and material considerations, the following needs to be assessed:

- a. The effect of the proposed extension in terms of over dominance in both scale and footprint on the character of the existing bungalow.
- b. The effect of the proposed extension in terms of over dominance in both scale and footprint on the neighbourhood character.

- 4.3.2 The supporting text to Policy Des 12 in the ELDP states that,

Every change to a building, street or space has the potential to enrich or, if poorly designed, impoverish a part of the public realm. The impact of a proposal on the appearance and character of the existing building and street scene generally must be satisfactory (our underlining) and there should be no unreasonable loss of amenity and privacy for the immediate neighbours.

- 4.3.3 We demonstrate through evidence in this assessment that the architecturally designed extension will, as a minimum, have a satisfactory impact on the appearance and character of the existing property and street scene. As previously explained, the proposed extension is fully compliant with daylight, sunlight, privacy and amenity criteria as agreed by the Council in their Report of Handling and is not a reason for refusal.

a. The effect of the proposed extension in terms of over dominance in both scale and footprint on the character of the existing bungalow.

- 4.3.4 The key issue is that the proposed extension should be compatible with, and complement the existing property, leaving the existing property as the dominant element. In terms of the effect of the proposed extension on the character of the existing bungalow Policy Des 12 of the Edinburgh Local Development Plan states that,

*Planning permission will be granted for alterations and extensions to existing buildings which:
a) in their design and form, choice of materials and positioning are compatible (our underlining) with the character of the existing building.*

- 4.3.5 The effect of the extension upon the character of the existing bungalow should therefore be considered in terms of '*compatibility*', that is, being able to exist together without conflict, across a range of criteria, namely design and form, choice of materials and positioning.

Siting and Positioning

- 4.3.6 Firstly, it should be recognised that the existing bungalow occupies a substantial plot. It is one of the largest plots in the neighbourhood. The existing plot is 976 sqm of which 80% comprises the existing garden, that is, approximately 782 sqm. See Appendix 10. See Figures 2 to 4.

Figure 2 Private rear garden of 6 Davidson Park looking south east



Figure 3 Private rear garden of 6 Davidson Park looking west



Planning Statement in Support of Notice of Review – 6 Davidson Park, Edinburgh, EH4 2PF

Figure 4 Private rear garden of 6 Davidson Park looking east



- 4.3.7 The substantial nature of the existing plot means that the remaining private garden grounds following the extension would be in excess of the Guidance – ‘*normally at least 30 sqm depending on the spatial pattern of neighbourhood to avoid over-development*’ – and would provide sufficient amenity space for the property. The remaining private garden ground would also be in excess of the surrounding properties in the neighbourhood.

Design and Form

- 4.3.8 The Guidance outlines the design matters to be considered when designing extensions and alterations. Such development ‘*should be architecturally compatible in design, scale and materials with the original house and its surrounding area. This does not preclude high quality innovative modern designs*’ (our underlining).’ Extensions should not overwhelm or dominate the original form or appearance of the house or detract from the character of the area. See Figures 5 and 6. A well-designed and attractive extension will enhance the appearance – and value – of a property and of the neighbourhood.

Planning Statement in Support of Notice of Review – 6 Davidson Park, Edinburgh, EH4 2PF

Figure 5 Form, appearance and character of the front of existing property at 6 Davidson Park



Figure 6 Form, appearance and character of the rear of existing property at 6 Davidson Park



- 4.3.9 A new extension may be designed to contrast with the existing building using a modern design and materials. *'It is better to set the extension slightly back so that there is a visible break between the old and new.'*

- 4.3.10 This design approach of setting the proposed main one and a half storey extension slightly back from the existing property, connected by a single storey link, has been adopted for this proposed extension. See Appendices 2 and 7.
- 4.3.11 The link element provides an innovative solution in connecting the old existing property with the new rear extension; touching lightly between the two elements, providing seamless legibility. This allows for the proposed rear extension to provide a ‘breathing space’ between the proposed extension and the existing property in order not to ‘swamp’ or overpower its character. This enables the character of the existing property in terms of height, mass and scale to be retained and not be subservient to, or dominated by, the proposed extension. The substantial size of the plot at 6 Davidson Park also allows for more than sufficient private garden area to be retained providing an appropriate setting for the extended property. See Appendix 10.
- 4.3.12 The siting and layout of the extension was carefully planned to minimise the impact on the street view from Davidson Park and the character of the surrounding area, as well as maximising the amount of retained private garden area. The extended house fits neatly on to the site and does not stand out obtrusively due to the substantial area of the original plot and the skill of experienced architects.
- 4.3.13 With regard the pitch and form of an extension roof this should be compatible with that of the existing roof. *‘Flat roofs may be appropriate on modest, single storey extensions where not visible in public views.’ ‘New eaves heights should either match or be lower than existing eaves, to avoid extensions being greater in storey height than the original building.’* Development above the existing roof ridge will not be permitted.
- 4.3.14 The roof ridge of the proposed extension is below the existing roof ridge, and the pitch of the extension roof matches that of the existing roof. See Appendix 11. The flat roof of the single storey, modest, link element is considered appropriate as an innovative way of linking the main one and half storey extension with the existing property. The single storey link element is also not readily visible in public views from Davidson Park. See Appendix 7.
- 4.3.15 The single dormer and roof materials in the one and half storey rear extension reflects that of the existing property, thereby strengthening the relationship and uniformity between old and new. The roof design of the extension does not seek to mimic, or be a pastiche of the original property, but rather to respond to the parameters of height and pitch of the existing roof, thereby retaining the dominance of the existing property, particularly when seen from public viewpoints.

Materials

- 4.3.16 The materials used to construct a building are one of the most important elements in helping a new extension to sit harmoniously with the original building. The materials to be used on an extension should normally match those of the existing building.
- 4.3.17 The palette of materials for the proposed extension reflect the materials of the existing property; rendered wall finish to match existing, slate, tiled roof and aluminium clad composite windows and doors. See Appendices 2 and 11. This will create a harmonious appearance between the existing property and proposed extension. The external appearance of the existing property will be ‘refreshed’ at a similar time to the construction of the proposed extension, reinforcing the continuity and harmony between old and new and consolidating the appearance of the single property.
- 4.3.18 The single storey link connecting the existing property to the one and a half storey extension will have a flat, green roof and comprise lead cladding panels and glazing. The materials will be of the highest quality. This link has been designed as an innovative solution in connecting the old and new elements of the property; an approach which is considered acceptable in the non-statutory Guidance for Householders (Step 3: Design Matters – Materials p.16).

- 4.3.19 The dormer in the proposed extension is compatible to the dormer in the existing property and in character with those in the surrounding area. The glazing proportions match the existing property.

Gardens

- 4.3.20 There should be enough private garden space left after extensions – normally at least 30 sqm depending on the spatial pattern of neighbourhood to avoid over-development. The general density and scale resulting must also be in keeping with the overall spatial pattern of the area.
- 4.3.21 The area is characterised by bungalows with alterations and extensions. The substantial plot of the proposed development allows for flexibility to develop a sensitively designed extension enabling the retention of more than sufficient private garden space, in excess of a large number of properties in the neighbourhood.
- 4.3.22 There will be enough private garden space left after the proposed rear extension, in excess of the normally regarded minimum of at least 30 sqm. The size of the existing plot, and proposed siting and design of the proposed extension, maximises the use of practical garden space, as well as minimising impact on the amenity of neighbouring properties.

b. The effect of the proposed development in terms of over dominance in both scale and footprint on the neighbourhood character.

- 4.3.23 The neighbourhood is characterised by residential properties, predominantly bungalows the majority of which have been altered and/or extended.
- 4.3.24 The siting and layout of the extension was carefully planned to minimise the impact on the street view from Davidson Park and the character of the surrounding area. The appearance of the street scene will not change significantly.
- 4.3.25 The extended house fits in to the character of the neighbourhood and will not stand out obtrusively.
- 4.3.26 The proposed extension would not be highly visible from the public road and views from neighbouring houses would be restricted by intervening hedges and other boundary features.
- 4.3.27 The elevation of the proposed extension visible from neighbouring properties is well designed.

5 Summary and Conclusion

5.1 Summary

- 5.1.1 We have critically reviewed the proposal and consider that there is a convincing case by which planning permission is justified. This is based on the merits of the proposed development, the stated single reason for refusal, the commentary provided in the planning official's Report of Handling, and analysis of development plan policy, non-statutory Guidance for Householders and other material considerations.
- 5.1.2 We do not consider that the planning officials gave adequate regard to the merits of the proposed development in deciding to refuse planning permission. In addition, the Report of Handling includes several important factual errors and procedural irregularities which we consider has unnecessarily and detrimentally influenced the outcome of this decision.
- 5.1.3 We now request that the Local Review Board consider the following matters in overturning this decision and granting planning permission:
- The application property is a detached bungalow located in a substantial plot on the north side of Davidson Park which is a cul-de-sac. The property is not listed nor located in a conservation area. The property has not been previously altered or extended. The local area is characterised by a range of types of properties, predominantly bungalows that have been altered and extended;
 - The existing bungalow is limited in size for modern purposes and unable to accommodate both Mrs Hughes and her son's young and growing family. The Hughes family therefore wish to enlarge the existing property to respond to their current and future needs and enable the existing and extended family to support each other and remain together in the neighbourhood they love and know so well. It is so important that people are not uprooted as a result of old age or health conditions, particularly where there is the opportunity and willingness of the extended family to provide the necessary support. We know all too well the impact that this can have on a person in our society.
 - The footprint of the proposed extension albeit larger than the original dwelling, when broken down into its two constituent elements, that is, the single storey link and the one and a half storey extension, are each less than the original property;
 - The footprint should not be the only measure in determining the degree of dominance of an extension upon the existing property. Other equally important factors for rear extensions to bungalows, as stated in the Council's non-statutory Guidance for Householders (March 2018) (p.11), includes its relationship with the existing property's roof design and ridge line;
 - It is recognised in the Council's non-statutory guidance that high-quality innovative design, as is the case with this proposed extension, can complement the existing property, leaving it as the dominant element, as well as maintaining the quality and character of the surrounding area;
 - The proposed rear extension has been designed by award winning architects in a way that retains the character of the original property, as well as its dominance so that it is not subservient in appearance to the proposed extension;

Planning Statement in Support of Notice of Review – 6 Davidson Park, Edinburgh, EH4 2PF

- The proposed rear extension complements the existing property in terms of siting, form, design and materials, leaving it as the dominant element;
- The proposed extension will create a sympathetic and harmonious addition which respects and responds to the character of the existing property. The proposed extension would appear subservient in appearance to the original property, particularly when viewed from Davidson Park which is the only public viewpoint;
- The proposals will retain a significant private garden space to the rear of the property that is well proportioned to optimise the practical use and enjoyment of the garden for the extended family. The garden will be well-suited to providing high quality amenity space. It will remain as one of the more substantial rear garden spaces in the neighbourhood. The proposal represents a well-balanced and proportionate size of development that fits sensitively within a large, substantial plot;
- The proposed extension would occupy approximately 15% of the garden area, retaining approximately 60% as useable garden space which complies to the non-statutory guidance;
- The scale and layout of the proposed development is in keeping with the overall spatial pattern of the area which is characterised by bungalows with alterations and extensions, several of which are large and have been subsequently approved following appeal or review by LRB; and
- The proposal is of an acceptable scale, form and design and will not be detrimental to the neighbourhood character.

5.2 Conclusion

- 5.2.1 For the reasons detailed in this Appeal Statement we consider that the proposed extension complies with the Edinburgh Local Development Plan Policy Des 12 Alterations and Extensions and the non-statutory Guidance for Householders. The design of the proposed extension is compatible with, and complements the existing property leaving it as the dominant element and maintains the quality and character of the surrounding area.
- 5.2.2 We therefore respectfully request that the Local Review Body do not uphold the decision by the Chief Planning Officer and grant planning permission for alterations to the existing property and a new rear extension (as amended) at 6 Davidson Park, Edinburgh.

Appendices

See City of Edinburgh Council's Planning Portal:

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/simpleSearchResults.do?action=firstPage>

Appendix 1 Documents submitted with Application 18/10505/FUL (Original Scheme)

Appendix 2 Documents submitted with Application 18/10505/FUL (Amended Scheme)

Appendix 3 Report of Handling

Appendix 4 Decision Notice

Separately attached:

Appendix 5 Planning feedback on the original scheme (email dated 13th February 2019)

Appendix 6 Planning Appeal Decision: 9 Davidson Park, Edinburgh (Appeal Ref.P/PPA/230/996)

Appendix 7 General Arrangement – Views from Davidson Park

Appendix 8 Aerial view of 9 and 6 Davidson Park, Edinburgh

Appendix 9 Local Review Body Decision (29th May 2019) – 42 Grange Road, Edinburgh*

Appendix 10 General Arrangement Density Site Plan & Sun Study

Appendix 11 General Arrangement Elevations As Proposed

*See Minutes of Meeting (29/05/2019) in LRB 26th June 2019 Papers

From: [REDACTED]
Sent: 13/02/2019 10:34:00

To: [REDACTED]

Cc: [REDACTED]

Subject: RE: Planning application 18/10505/FUL - 6 Davidson Park

Project: AT3202

Description: extension to rear of existing bungalow and reconfiguration to form granny flat in existing house

Location: Edinburgh

Client: Scott & Katie Hughes (nee Lester)

Good afternoon,

Planning application 18/10505/FUL - 6 Davidson Park

I have now had time to consider the above application in closer detail. The proposal that has been submitted does not comply with the local development plan and the Council's non-statutory guidance, for the following reasons:

- The non-statutory Guidance for Householders advises that extensions should complement the existing house, leaving it as the dominant element. The proposed development is overly dominant in both scale and footprint, contrary to the guidance;
- The density and scale of the proposed development is not in keeping with the overall spatial pattern of the area, which is not characterised by similar large extensions. The proposed development would be detrimental to neighbourhood character;
- With regard to sunlight/overshadowing to the neighbouring properties, the proposed development rises above the 45 degree line criterion (as set out in the non-statutory Guidance for Householders) and has the potential to result in an unreasonable loss of sunlight for the neighbouring property to the east.

With regard to the above, I will be recommending that this application is refused. If you wish to withdraw the application please confirm by reply to this email before 9am on Monday 25 February.

Please let me know how you wish to progress the planning application.

Yours sincerely

Peter Martin

Peter Martin | Planning Officer | Planning & Transport | PLACE | The City of Edinburgh
Court | Level G2 | 4 East Market Street, Edinburgh, EH8 8BG | [REDACTED]
[REDACTED] www.edinburgh.gov.uk

From 14 December 2015, the help desk will be open from 9am to 1pm Monday to Friday. Please check for the information you need online.

From: Euan Miller [REDACTED]
Sent: 31 January 2019 12:07
To: Peter Martin <[REDACTED]>

Telephone: [REDACTED]
E: dpea@scotland.gsi.gov.uk



Mr D Cooper
Appeals Team - Planning and Strategy
City Development Department
City of Edinburgh Council
Waverley Court (G2)
4 East Market Street
EDINBURGH
EH8 8BG

07/03823/fu

Your Ref: 07/03823/FUL

appeal G3

Our ref: P\PPA\230\996

3 September 2008

Dear Sir

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
PLANNING APPEAL: 9 DAVIDSON PARK, EDINBURGH EH4 2PF

I enclose for your information a copy of the decision letter on this appeal.

The Reporter's decision is final, subject to the right of any aggrieved person to apply to the Court of Session within six weeks from the date of the decision conferred by Sections 237 and 239 of the Town and Country Planning (Scotland) Act 1997; on any such application, the Court may quash the decision if satisfied that it is not within the powers of the Act or that the applicant's interests have been substantially prejudiced by a failure to comply with any requirement of the Act, or of the Tribunals and Inquiries Act 1992, or of any orders, regulations or rules made under these Acts.

Yours faithfully

[REDACTED]

EMMA BUTLER

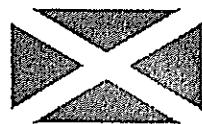


Appeal Decision Notice

T: 01324 696 400

F: 01324 696 444

E: dpea@scotland.gsi.gov.uk



The Scottish
Government

Decision by Douglas G Hope, a Reporter appointed by the Scottish Ministers

- Planning appeal reference: P/PPA/230/996
- Site address: 9 Davidson Park, Edinburgh EH4 2PF
- Appeal by Maureen Baillie against the decision by The City of Edinburgh Council
- Application for planning permission ref. no. 07/03823/FUL dated 11 September 2007 refused by notice dated 31 October 2007.
- The development proposed: Extension of dwellinghouse including wooden deck
- Application drawings: see schedule at end of decision notice.
- Date of site visit by Reporter: 12 August 2008

Date of appeal decision: 3 September 2008

Decision

I allow the appeal and grant planning permission subject to the following conditions:

1. The development hereby permitted shall be commenced within five years from the date of this notice.

Reason: To comply with Section 59 of the Act.

2. Before development commences, written approval from the planning authority must be obtained for the details of the materials to be used on the external surfaces of the extension.

Reason: To ensure that the extension maintains the visual quality of the area.

Reasoning

1. The determining issues in this appeal are the effect of the proposed extension on the character and appearance of the existing building and on the character of the surrounding residential area having regard to the provisions of the development plan.
2. In this respect, policy CD 19 of the Central Edinburgh Local Plan 1997 (CELP) indicates that alterations and extensions should be compatible with the character of the original building in design and form, choice of materials and positioning, should not result in

an unreasonable loss of privacy or natural light to neighbouring properties and should not be detrimental to neighbourhood amenity and character. Policy CD 17 of the CELP states that the council will seek a greater use of traditional materials in new developments where appropriate or other high quality building materials.

3. Policy Des 11 of the emerging local plan, the Finalised Edinburgh City Local Plan 2007, states that the design, form and materials of any extension to a building should be compatible with the character of the existing building; it should not result in an unreasonable loss of privacy or natural light to neighbouring properties, and should not be detrimental to neighbourhood amenity and character.

4. In relation to policy CD 19 of the CELP, based on the written submissions and my site inspection, which included a view of the site of the proposal from the rear garden of the adjoining property, 10 Davidson Park, I am satisfied that the proposed extension would not result in an unreasonable loss of privacy or natural light to neighbouring properties. I note the evidence in relation to the external finishes proposed for the north and south (referred to in evidence as east and west) elevations and the difficulties attached to achieving a pebble dash render on these elevations consistent with the external finish of the existing dwellinghouse. I also note the council's preference for pebble dash render rather than the facing brick proposed. I would agree that pebble dash or stone-effect blockwork would be more appropriate and I am satisfied that choice of materials is a matter that could be dealt with by way of condition. As regards the impact on neighbourhood amenity and character, the proposed extension would not be highly visible from the public road and views from neighbouring houses would be restricted by intervening hedges and other boundary features.

5. With respect to the impact of the proposed extension on the character of the existing building, the council considers that, by extending around three sides of the property, the shape and appearance of the traditional pyramidal bungalow is significantly altered. It is considered that the proposed extension dominates the original dwelling form and that it is neither compatible with, nor subservient to, the existing property. However, although the additional floorspace to be created could be considered to be substantial, in proportion to the size of the existing dwelling, I am satisfied that the essential character of the bungalow would not be significantly affected by the proposed extension. The extended roof on the south elevation would not diminish the pyramidal form of the existing dwellinghouse and the small extension on the north side, to the rear of the existing garage, would appear as a traditional pitched roof extension. The flat-roofed extension on the rear elevation of the bungalow would have the greatest impact on the form of the bungalow but views of this elevation are restricted, largely to the rear garden of the property itself. Based on the above considerations, I am not persuaded that the proposed extension would dominate the form of the existing dwelling or detract from its character.

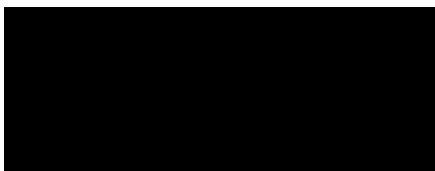
6. In relation to policy CD 17 of the CELP, the external materials to be used on the front elevation match those on the existing building; pebble dash render with concrete "stone" quoins on the corners of the extension. The use of brick on the side elevations is a cause for concern but, as indicated above, I am content that an alternative treatment is possible that would satisfy the requirements of policy CD 17.

7. Section 25 of the Town and Country Planning (Scotland) Act 1997 requires me to determine this appeal in accordance with the development plan unless material considerations indicate otherwise. For the reasons stated in paragraphs 4, 5 & 6 above, I conclude that the proposal complies with the development plan.

8. In relation to other material considerations, policy Des 11 of the emerging local plan re-iterates the requirements of policy CD 19 of the CELP. The council's Development Quality Handbook provides further guidance on the design, form and materials to be used in house extensions and alterations. Based on all the submitted evidence, I am satisfied that the proposed extension accords with the general principles outline in the Handbook in that it does not dominate the original form or appearance of the house or detract from the integrity of the original building or character of the area. I also find that it meets the more specific requirements for side and rear extensions. I can find no justification for a refusal of planning permission in these other material considerations.

9. In relation to the question of precedent, I note the evidence relating to the number of extensions and alterations to neighbouring properties in the surrounding area and in relation to other modern rear extensions on traditional house types in the wider Edinburgh area. For my part, I am satisfied that each application should be considered on its own merits, against the relevant provisions of the development plan and taking account of all other material considerations. That is the approach I have taken in this instance.

10. In conclusion, I am satisfied that a grant of planning permission in this case would not conflict with the relevant provisions of the development plan and that a refusal of planning permission would not be justified by other material considerations.



DOUGLAS HOPE

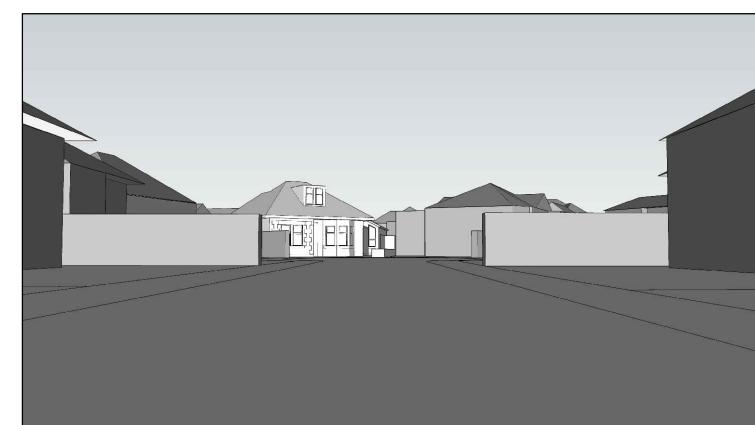
Reporter

Schedule of drawings:

Nos. 90, 91, 92rev A, 93, 94, 95, 96rev A, 97rev A, 98rev A, 101rev F, 102rev C, 103rev C, 104rev C, 105rev C, 106rev D, 107rev C, 108rev C, 110 and 111

View from Davidson Park

Street view from Davidson Park



Street view from Davidson Park



Street view from Davidson Park



notes:

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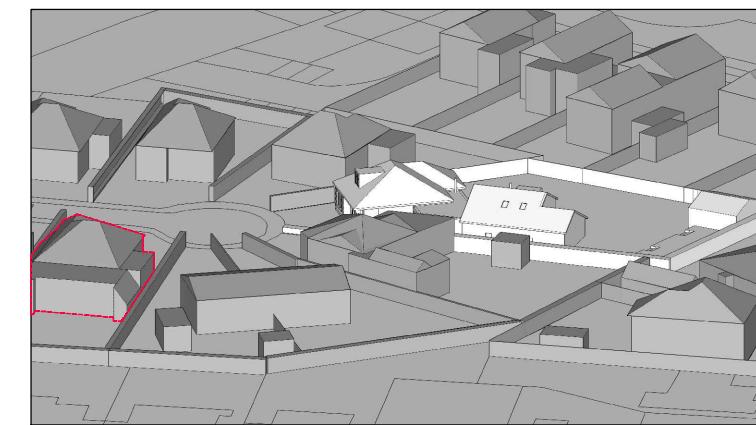
Legend:

9 Davidson Park

View North West



View West



View South



A 07/06/2019 Updated to planning review
Revision Description
project

EM APR
By Chk

Scott & Katie Hughes

6 Davidson Park
Edinburgh
EH4 2PF

title
General Arrangement

scale	size	date	drawn	checked
NTS	A3	June 2019	EM	APR

drawing status

AITKEN TURNBULL ARCHITECTS
5 Castle Terrace
Edinburgh
EH1 2DP

0131 297 2350
enquiries@aitken-turnbull.co.uk
www.aitken-turnbull.co.uk

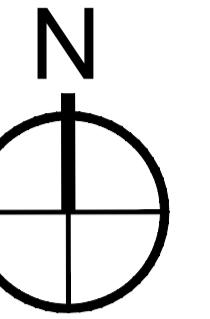
Also at Galashiels & Dumfries



project no.	drawing no.	revision
AT3202	L(-1)005	A



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Existing plot areas

Name	Area	Percentage of plot occupied
Plot	976m ²	
Existing House	116m ²	11.89%
Existing Garden	782.2m ²	80.11%
Existing Drive	78.3m ²	8%

Proposed plot areas

Name	Area	Percentage of plot occupied
Plot	976m ²	
Existing House	116m ²	11.89%
New Extension	148m ²	15.16%
New Garden	589m ²	60.35%
New Drive	123m ²	12.60%

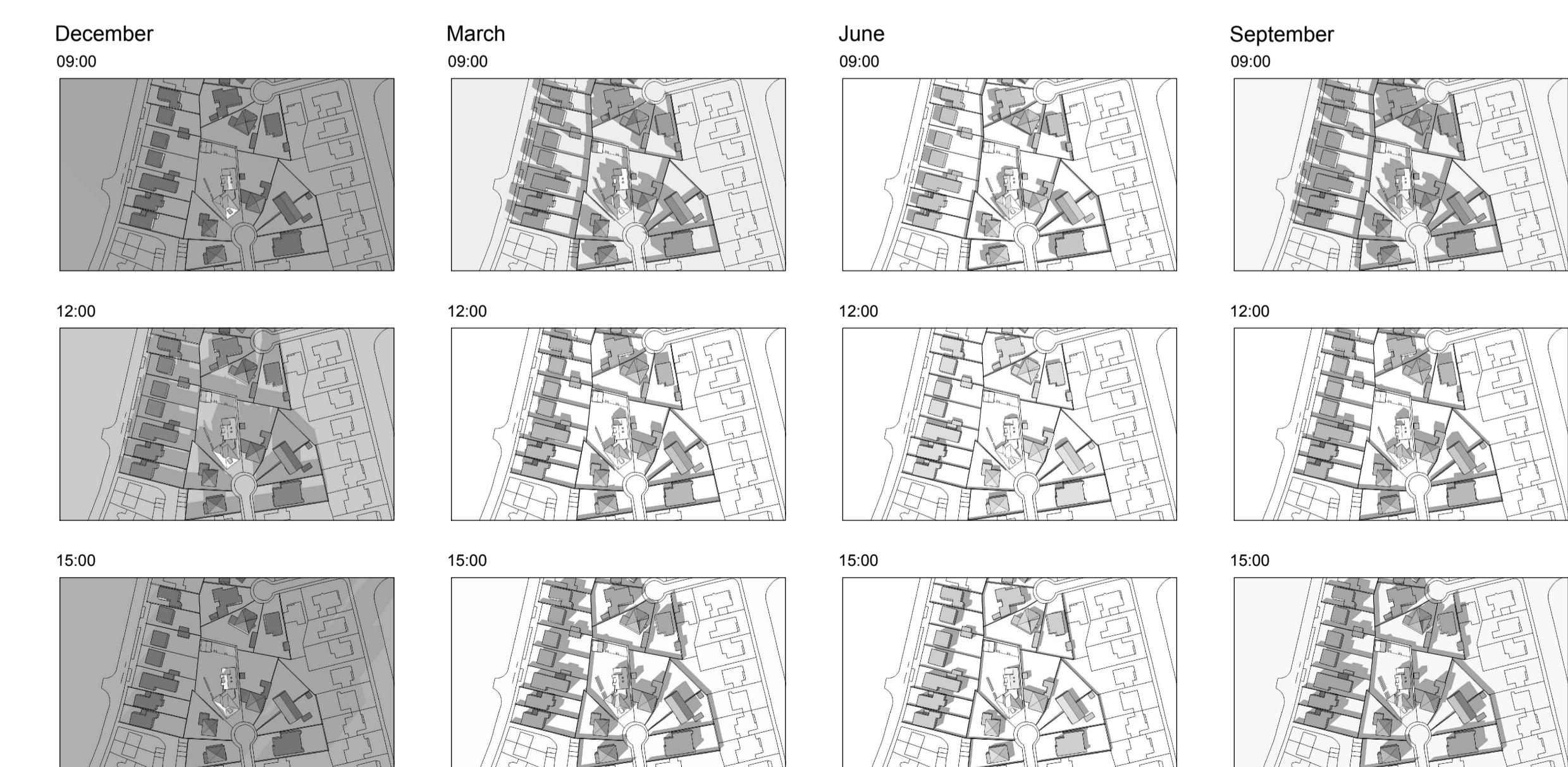
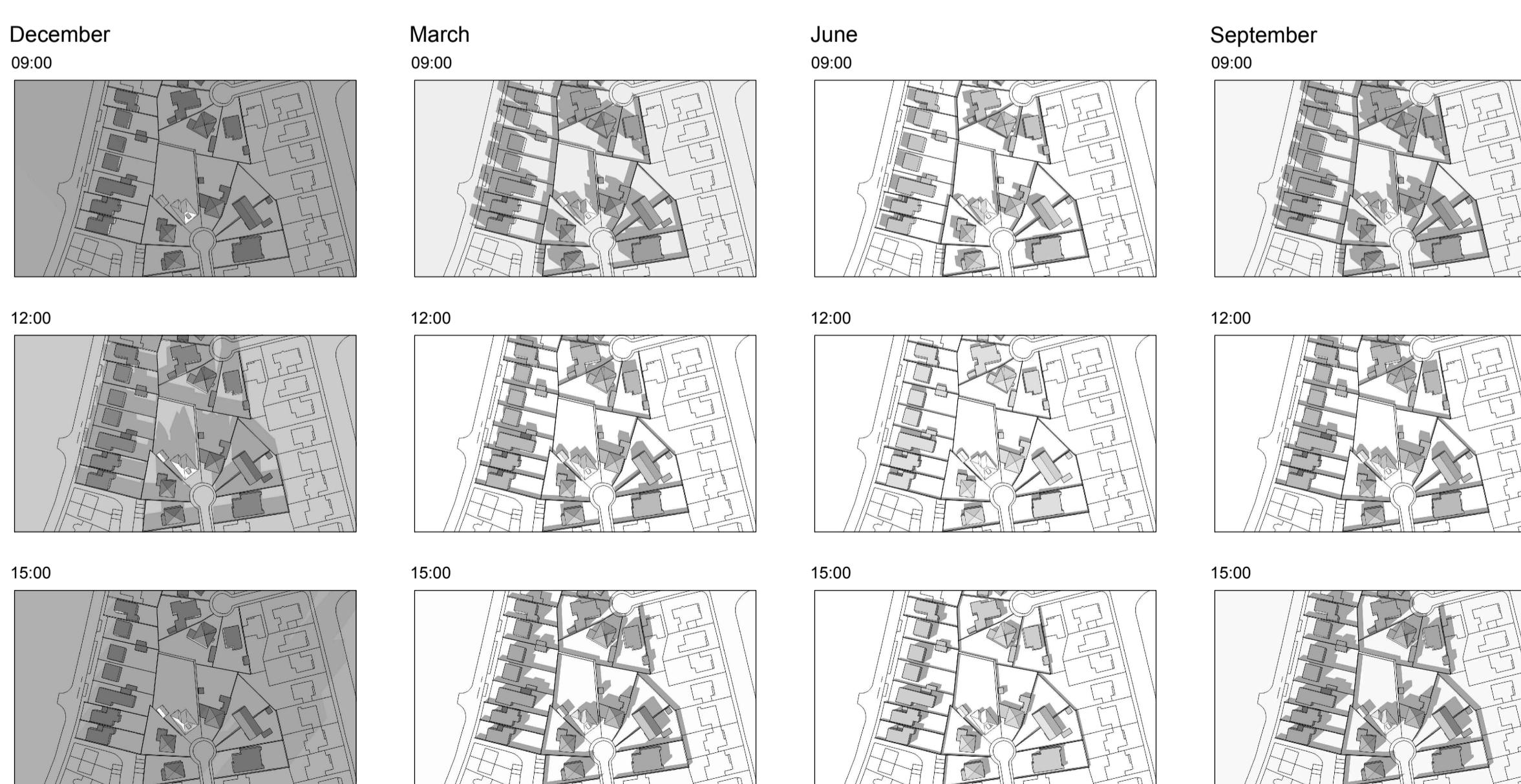


01 Existing Site Plan

Scale: 1:500

02 Proposed Site Plan

Scale: 1:500



03 Existing Sun Study

04 Proposed Sun study

A 05/06/2019 Updated to planning review
Revision Description
By APR

project

Scott & Katie Hughes

6 Davidson Park
Edinburgh
EH4 2PF

title

General Arrangement

Density Site Plan

Sun Study

scale size date drawn checked
1:500 A1 May 2019 EM APR

drawing status
PLANNING

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Also at Galashiels & Dumfries

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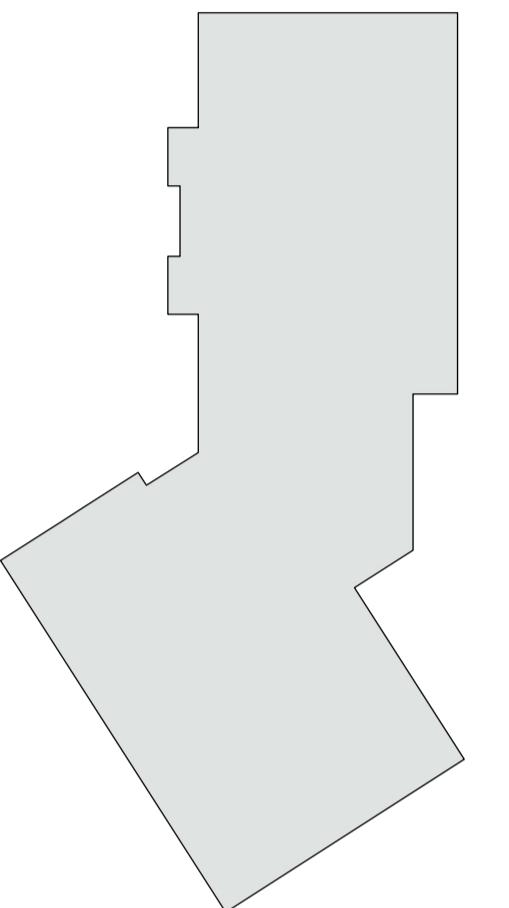
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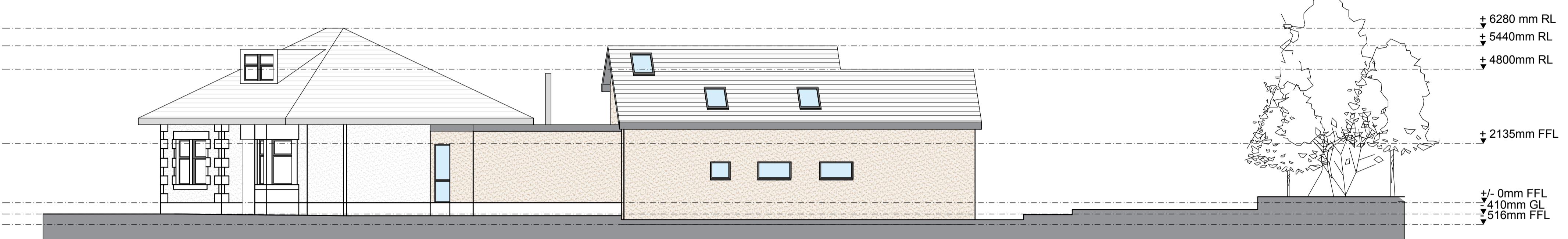
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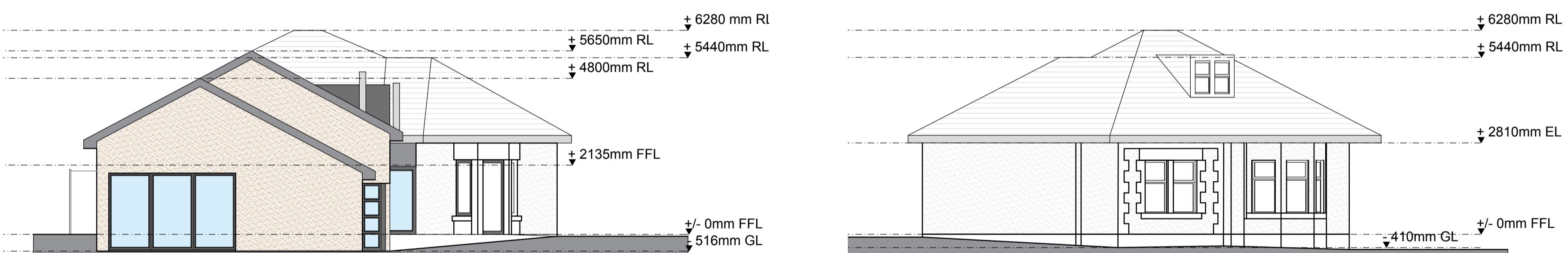


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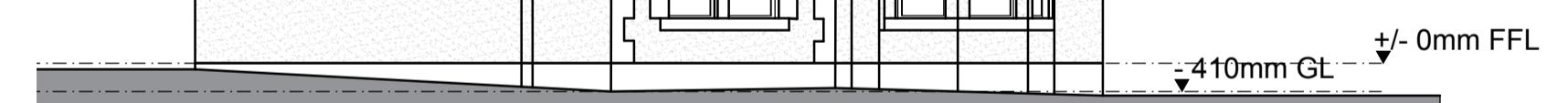
Legend:

- Aluminum clad composite window and door
- Rendered wall finish to match existing
- Flat Roof
- Tiled Roof
- Lead Cladding Panels
- Slate Roof
- Glazing

D 05/06/2019 Updated for planning review
Revision Description
By APR
Chk



04| Proposed Elevation South



Scott & Katie Hughes
6 Davidson Park
Edinburgh
EH4 2PF

title
General Arrangement
Elevations
As Proposed

scale: 1:100	size A1	date Dec 2018	drawn EM	checked APR
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drawing status
PLANNING

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Also at Galashiels & Dumfries

AT

project no. AT3202 drawing no. L(-4)101 revision D