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Fao Alexander Lees.
32 Carseview
Bannockburn
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FK7 8LQ

Mr & Mrs Michael Fletcher.
4 Harbour Lane
South Queensferry
EH30 9PT

Decision date: 27 July 2021

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

Internal alterations and enlargement of existing house.
At 4 Harbour Lane South Queensferry EH30 9PT

Application No: 21/01809/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 6 April 2021, 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:-

1. The proposed alterations to the roof and windows; including the proposed materials, design of the dormer window and change in pitch do not comply with non-statutory guidance and are not in keeping with character of the area or the building itself. The proposals are contrary to Local Development Plan Policy Des 12 (Alterations and Extensions).
2. The proposals alterations to the roof and the replacement of windows conflicts with Queensferry Character Appraisal and will have a detrimental impact on the character of the Conservation Area. The proposals are Contrary to Local Development Plan Policy Env 6 (Conservation Areas - Development).

3. The proposal does not identify and retain features worthy of retention and existing features are not incorporated or enhanced through the proposed design. The proposals are contrary to Local Development Plan Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features).

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

Drawings 01-04, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is contrary to Local Development Plan policies Des 3, Des 12 and Env 6. The proposal conflicts with the Queensferry Conservation Area Character Appraisal and also conflicts with non-statutory guidance. It is recommended the proposal is refused on this basis.

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 Christopher Sillick directly at christopher.sillick@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

**Application for Planning Permission
4 Harbour Lane, South Queensferry, EH30 9PT**

Proposal: Internal alterations and enlargement of existing house.

**Item – Local Delegated Decision
Application Number – 21/01809/FUL
Ward – B01 - Almond**

Recommendation

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

Summary

The proposal is contrary to Local Development Plan policies Des 3, Des 12 and Env 6. The proposal conflicts with the Queensferry Conservation Area Character Appraisal and also conflicts with non-statutory guidance. It is recommended the proposal is refused on this basis.

SECTION A – Application Background

Site Description

The application site is a first floor flat set within a converted two storey dwelling. To site is partially visible from the Forth to the north, though some screening is provided by modern residential development. To the south of the site is a cluster of five listed buildings.

The application site is located within the Queensferry Conservation Area.

Description Of The Proposal

The proposals include the following;

Principal Elevation

- Change in roof pitch;
- Replacement of existing slate with Spanish slate;
- Formation of three new windows at first floor level;
- Replacement of upper floor timber framed windows with alu-clad double glazed units;

- Replacement of existing velux windows with three conservation style units.

Rear Elevation

- Replacement of existing dormer windows with new box dormer with slate cheeks, alu-clad window units and metal roofing.
- Alteration of roof pitch;
- Formation of new balcony with glass balustrade;
- Replacement of first floor windows with alu-clad double glazed units,

Relevant Site History

No relevant site history.

Consultation Engagement

Archaeologist

Publicity and Public Engagement

Date of Neighbour Notification: 14 April 2021

Date of Advertisement: 23 April 2021

Date of Site Notice: 20 April 2021

Number of Contributors: 1

Section B - Assessment

Determining Issues

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

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

Do the proposals comply with the development plan?

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

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

Assessment

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

- a) the proposals will adversely affect the character and appearance of the conservation area;
- b) the proposal will result in an unreasonable loss of neighbouring amenity;
- c) any impacts on equalities and human rights are acceptable; and
- d) any comments received are addressed.

a) Character and appearance of conservation area

Local Development Plan policy Des 12 (Alterations and Extensions) 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.

LDP policy Des 3 states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

Policy Env 6 (Conservation Areas - Development) states that development within a conservation area or affecting its setting will be permitted where it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The Queensferry Conservation Area Character Appraisal emphasises the importance of the use of traditional materials including; stone and harl, slate and pantiles, timber windows and doors. On materials, the Character Appraisal notes a significant level of uniformity is achieved from the use of local building materials, despite the considerable range of building styles. The predominant materials form a restricted palette of rubble and dressed sandstone, render and slate roofing. The Character Appraisal also notes the importance of the roofscape in the Conservation Area and the importance of traditional buildings on the shoreline.

The existing dwelling is characterised by the use of stone, Scottish slate and timber framed windows. Although the roof has been modified through the formation of two dormer windows to the rear and velux windows on the principal elevation, the roof retains the traditional appearance of the original design. The proposal would result in a significant change to the existing roof and indeed to the building itself. The removal of slates to the rear of the building and the use of metal would be a modern intervention which is unprecedented in the area. The colour and texture of different roof covering materials make a substantial contribution to the character of a building. Many traditional roofing materials can also develop attractive long term weathering patterns. Alterations and repairs to roofs and their associated features should protect the character of the traditional buildings. The alteration of the roof pitch to the principal elevation and the significant increase in the extent of the dormer window coverage to the rear, along with the introduction of a new balcony would unbalance the property and unnecessarily replace a traditional roof. This conflicts with the Conservation Area Character Appraisal and would result in harm to the building itself.

The design of the dormer windows does not comply with design guidance set out in the Council's 'Guidance for Householders' which states that dormers in conservation areas will be acceptable when they are compatible with the building and the character of the surrounding area. Dormers should be of such a size that they do not dominate the form of the roof. If there are two or more dormers, their combined width should be less than 50% of the average width of the single roof plane on which they are located. In this instance the proposed dormer will cover more than 50% of the roof plane, the proposed dormer will dominate the roof plane and does not relate to the traditional appearance of the building or the design approach taken with other traditional buildings in the area. The proposed fenestration to the rear does not reflect the existing pattern and will further unbalance the appearance of the property.

The proposed replacement of existing timber framed windows with aluminium framed windows is also not supported. Guidance set out in the Council's 'Listed Buildings and Conservation Areas' document states that replacement windows and doors on all elevations of unlisted properties of a traditional design within conservation areas must match the original proportions, appearance, materials, and opening method. Appropriate timber sealed unit double glazing will normally be considered acceptable. As the application site is a top floor flat and the windows on the ground floor are to remain unchanged, the introduction of new alu-clad modern windows on the upper floors will further unbalance the appearance of the property.

Research undertaken by the applicant indicates that the application site used to be a windmill and that the dwelling that stands today was formed from a roofless shell. It is clear however, that in its design form and choice of materials the intention was for this building to mirror the surrounding traditional development which characterised the shore. The Planning Authority recognises that the elevations provided in support of this application are not true elevations in the sense that existing modern development to the north of the site provides some screening. However, the alterations to the rear will not be entirely screened and the alterations to the principal elevations will be entirely visible. However, it is also important to emphasise that Conservation Area character is not derived solely from what is visible. With regard to the Conservation Area Character Appraisal, the traditional elements of this building are worthy of retention, making a positive contribution to the Conservation Area.

It is clear that there are modern buildings surrounding the property which do not contribute positively to the Conservation Area. However, this does not justify further development which conflicts with the Local Development Plan and the Conservation Area Character Appraisal. Indeed, the surrounding modern development highlights the importance of retaining traditional development across the shoreline to prevent further erosion of the Conservation Area's character. The change to the roof in particular will result in damage to the building itself and will erode the remaining character of the shoreline.

The proposal is contrary to Local Development Plan policies Des 3, Des 12 and Env 6. The proposal conflicts with the Queensferry Conservation Area Character Appraisal and also conflicts with non-statutory guidance set out in *Guidance for Householders* and in the *Listed Buildings and Conservation Areas* guidance document. It is recommended the proposal is refused on this basis.

b) Residential Amenity

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

c) Equalities and human rights

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

d) Public Comments

The application received one comment from the Architectural Heritage Society Scotland, objecting to the proposals.

Material Comments

- The application proposes the use of several different building materials that overwhelm the original traditional character of the building and diminish its material and design integrity; this is addressed in section 3.3a) of the report.
- New windows with the original proposed are not consistent with original design of the building in their proportions, style, and opening method; this is addressed in section 3.3a) of the report.
- The proposed change to the roof does not reflect or relate to any of the traditional roof types in the conservation area. The proposed roof design will have a detrimental impact on character of the building and negatively affects the roofscape of the conservation area; this is addressed in section 3.3a) of the report.

CONCLUSION

The proposal is contrary to Local Development Plan policies Des 3, Des 12 and Env 6. The proposal conflicts with the Queensferry Conservation Area Character Appraisal and also conflicts with non-statutory guidance. It is recommended the proposal is refused on this basis.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposed alterations to the roof and windows; including the proposed materials, design of the dormer window and change in pitch do not comply with non-statutory guidance and are not in keeping with character of the area or the building itself. The proposals are contrary to Local Development Plan Policy Des 12 (Alterations and Extensions).
2. The proposals alterations to the roof and the replacement of windows conflicts with Queensferry Character Appraisal and will have a detrimental impact on the character of the Conservation Area. The proposals are Contrary to Local Development Plan Policy Env 6 (Conservation Areas - Development).

3. The proposal does not identify and retain features worthy of retention and existing features are not incorporated or enhanced through the proposed design. The proposals are contrary to Local Development Plan Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features).

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 6 April 2021

Drawing Numbers/Scheme

01-04

Scheme 1

**David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council**

Contact: Christopher Sillick, Planning Officer
E-mail: christopher.sillick@edinburgh.gov.uk

Appendix 1

Consultations

NAME:

COMMENT:

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

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

Thank you for completing this application form:

ONLINE REFERENCE 100487663-001

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: | AGL Architect Ltd | | |
| Ref. Number: | | You must enter a Building Name or Number, or both: * | |
| First Name: * | Alexander | Building Name: | |
| Last Name: * | Lees | Building Number: | 32 |
| Telephone Number: * | 07814139222 | Address 1 (Street): * | Carseview |
| Extension Number: | | Address 2: | Bannockburn |
| Mobile Number: | | Town/City: * | Stirling |
| Fax Number: | | Country: * | Stirlingshire |
| | | Postcode: * | FK78LQ |
| Email Address: * | info@aglarchitect.co.uk | | |

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|---|--|--|
| Title: | <input type="text" value="Other"/> | You must enter a Building Name or Number, or both: * | |
| Other Title: | <input type="text" value="Mr & Mrs"/> | Building Name: | <input type="text"/> |
| First Name: * | <input type="text" value="Michael"/> | Building Number: | <input type="text" value="4"/> |
| Last Name: * | <input type="text" value="Fletcher"/> | Address 1 (Street): * | <input type="text" value="Harbour Lane"/> |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text"/> |
| Telephone Number: * | <input type="text"/> | Town/City: * | <input type="text" value="South Queensferry"/> |
| Extension Number: | <input type="text"/> | Country: * | <input type="text" value="Scotland"/> |
| Mobile Number: | <input type="text"/> | Postcode: * | <input type="text" value="EH30 9PT"/> |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | <input type="text" value="REDACTED"/> | | |

Site Address Details

| | |
|---|--|
| Planning Authority: | <input type="text" value="City of Edinburgh Council"/> |
| Full postal address of the site (including postcode where available): | |
| Address 1: | <input type="text" value="4 HARBOUR LANE"/> |
| Address 2: | <input type="text" value="QUEENSFERRY"/> |
| Address 3: | <input type="text"/> |
| Address 4: | <input type="text"/> |
| Address 5: | <input type="text"/> |
| Town/City/Settlement: | <input type="text" value="SOUTH QUEENSFERRY"/> |
| Post Code: | <input type="text" value="EH30 9PT"/> |

Please identify/describe the location of the site or sites

| | | | |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="678445"/> | Easting | <input type="text" value="312931"/> |
|----------|-------------------------------------|---------|-------------------------------------|

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)

Internal alterations and enlargement of existing house. At 4 Harbour Lane South Queensferry EH30 9PT

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.

Our full statement is included in the LRB submission

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

Yes No

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

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

LRB Statement - Parts 1 & 2 due to file size. Existing Plans & Elevations Proposed Plans & Elevations

Application Details

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

21/01809/FUL

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

06/04/2021

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

27/07/2021

Review Procedure

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

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

Yes No

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)

Site visit important to assess visibility of proposals from vistas into site and to explore conservation area

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Alexander Lees

Declaration Date: 20/10/2021



Local Review Board Statement: 4 Harbour Lane,
South Queensferry

for Mr & Mrs M Fletcher

(Applicants)

1st October 2021

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STATEMENT IN SUPPORT OF THE APPEAL AGAINST THE DECISION OF THE CITY OF EDINBURGH COUNCIL TO REFUSE THE PLANNING APPLICATION FOR THE INTERNAL ALTERATIONS & ENLARGEMENT OF EXISTING HOUSE AT 4 HARBOUR LANE, SOUTH QUEENSFERRY. EH30 9PT

PLANNING REFERENCE: 21/01809/FUL

DECISION DATE: 27 July, 2021

1. Project Background

- 1.1 The Applicants submitted a detailed planning application to Edinburgh City Council on 5th April 2021 to replace their leaking roof and internal alterations including a slight enlargement of their dwelling house. This application was refused on the 27th July 2021 with three reasons given for the decision. They are as follows:
 - 1.1.1 The proposed alterations to the roof and windows; including the proposed materials, design of the dormer window and change in pitch do not comply with non-statutory guidance and are not in keeping with the character of the area or the building itself. The proposals are contrary to Local Development Plan Policy Des 12 (Alterations and Extensions).
 - 1.1.2 The proposals for alterations to the roof and the replacement of windows conflicts with the Queensferry Character Appraisal and will have a detrimental impact on the character of the Conservation Area. The proposals are Contrary to Local Development Plan Policy Env 6 (Conservation Areas - Development).
 - 1.1.3 The proposal does not identify and retain features worthy of retention and existing features are not incorporated or enhanced through the proposed design. The proposals are contrary to Local Development Plan Policy Des 3 (Development Design).
- 1.2 Mr & Mrs Fletcher wish to appeal the decision to refuse their application. This statement is made in support of their appeal.

- 1.3 Communication from the Planning Authority, throughout the determination period, was limited and the Applicants were only advised of the decision to refuse the application late in the process. We (AGL Architect) requested that the planning officer enter into discussions to come to a mutually acceptable solution. However, this did not happen.
- 1.4 The Applicants and ourselves were frustrated that the Planning Authority determined this application without communication with either party, particularly given the references to subjective policies referred to in the refusal notice.
- 1.5 The Appellants submit that the subjective policies, referred to in the refusal notice, have prejudicially influenced the Planning Authority and wrongly harmed the planning application's chance of being approved.
- 1.6 When arranging to submit the application, the Applicants consulted with 28 of their immediate neighbours and invited comment and feedback to the proposals. All of those 28 neighbours were supportive and the Applicants are not aware of any of them raising concerns with the Planning Authority.

2. Site Analysis / Building Description

- 2.1 The Applicant's dwelling is located within a condensed urban plot within the Conservation Area of South Queensferry.
- 2.2 There are no open vistas into the site. However, the top floor of the dwelling provides direct sight to the Forth and the Forth bridges.
- 2.3 Access to the property is off a narrow pedestrian lane, called Harbour Lane, which connects the main road through the town with the old Harbour. The plot is in a confined space with no private external space or garden ground.
- 2.4 The property:
 - (a) consists of a 2½ storey town house with stone walls and slate roof punctured by Velux windows on the town side and flat roofed dormer windows overlooking the Forth, and
 - (b) is split into 2 residences: a ground floor flat, owned by the neighbours and the first and attic floors, which make up the Applicant's property.
- 2.5 The property has always had "dormer" windows facing north. The original dormers were replaced with larger ones when the roof was rebuilt in the 70s. They have metal frames.
- 2.6 We have records of various internal and external works to the property over the years. The most recent being the works to divide the property into two residences and to convert the attic space into the current accommodation.
- 2.7 The Applicants' property currently has 3-bedrooms, with the sleeping and bathroom accommodation on the first floor and the kitchen and living area on the second floor to maximise use of the view during daylight hours.
- 2.8 The property is surrounded by buildings of various sizes and designs built at different times. The variation of building styles and materials in the immediate vicinity of the Applicants' property are mixed, some sympathetic to the area, others being more modern and not sympathetic to the area.
- 2.9 The Application was made because the roof is leaking and has structural problems. It has to be replaced.
- 2.10 Leaks on the north face are caused by water being pushed under the tiles with northern winds.

- 2.11 The Applicants obtained quotes from builders to fix this issue and to replace the current concrete gable end seals with a lead lining. These quotes came to in excess of £30,000, including work to replace dry rot and damaged timbers discovered in the roof.
- 2.12 The current roof line is not level, due to the past reuse of old timbers and woodworm damage. In time it will become unsound.
- 2.13 When adding insulation to the roof zone, the Applicants discovered both the roof and top floor joists have woodworm. Some is historic. Overall, the Applicants realise that the most economic solution is a complete removal of the roof structure and its replacement.
- 2.14 The Applicants are also keen to explore the use of renewables. Therefore, it would be both economic and sensible to strengthen and rebuild the roof structure at the same time as the works are carried out to solve the water leaks, dry rot and damaged timbers.
- 2.15 This will future-proof and protect the building for the next century. That investment brings a sharp focus on the long term utilisation of the old converted attic in today's world. Its character has changed substantially over the years since the original stone walls were constructed.
- 2.16 The Covid-19 lockdown confined the Applicants to a relatively small space for a long time, while a rising 2 year-old boy, mostly indoors. During the winter months there is minimal light down-stairs and mental health of any occupant of the residence calls for design changes so as to provide for better utilisation of the available space.
- 2.17 The Applicants' consideration of design options for internal changes included maximising the view by removing the restrictive dormers on the North pitch of the roof, providing for better open plan living spaces and more light to the lower floor. These changes provide a positive environment to support the family's wellbeing and mental health.
- 2.18 We have incorporated a number of design changes, with materials used in the Conservation Area, into our proposals for the Application.
- 2.19 Location of 4 Harbour Lane is circled in the photo below. The roof comprises a pitched roof with two flat roofed dormers to the north-facing pitch. It is within a condensed area of the Conservation Area and is not really visible from any of the surrounding streets because of the land contours in the area and other existing buildings.



3. The Application Proposal

- 3.1 The proposal includes:
- (a) replacing the existing roof structure to future proof the life of the whole building by making it weathertight,
 - (b) alteration to the internal layout of the house to suit modern living arrangements while,
 - (c) provide a fourth bedroom at the first floor level,
 - (d) open up the attic for open plan living, exploiting the views over the Forth by maximising the window space (instead of being viewed through small poorly constructed dormers),
 - (e) maximising the natural light to the first-floor.
- 3.2 Our designs progressed with a balancing act between structural implications and design solutions. These allow a significant amount of daylight into the lower floor level.
- 3.3 The materials specified were determined by the location of the house and its surrounding micro climate. These materials were chosen for durability reasons, given the wind and salt environment (not cost considerations).
- 3.4 Metal roofing, aluminium windows, slate roofing are all found in the SQ Conservation Area.
- 3.5 We will mention the proposed materials later in this report.
- 3.6 The current North and South elevations of the existing building are shown on the next two pages. **Note:** this portrayal of these elevations is not visible from any street location in the vicinity i.e. as a whole building or image of what is presented here¹.

¹ Other buildings and the ground elevations restrict a full view of these elevations.



NORTH ELEVATION



SOUTH ELEVATION

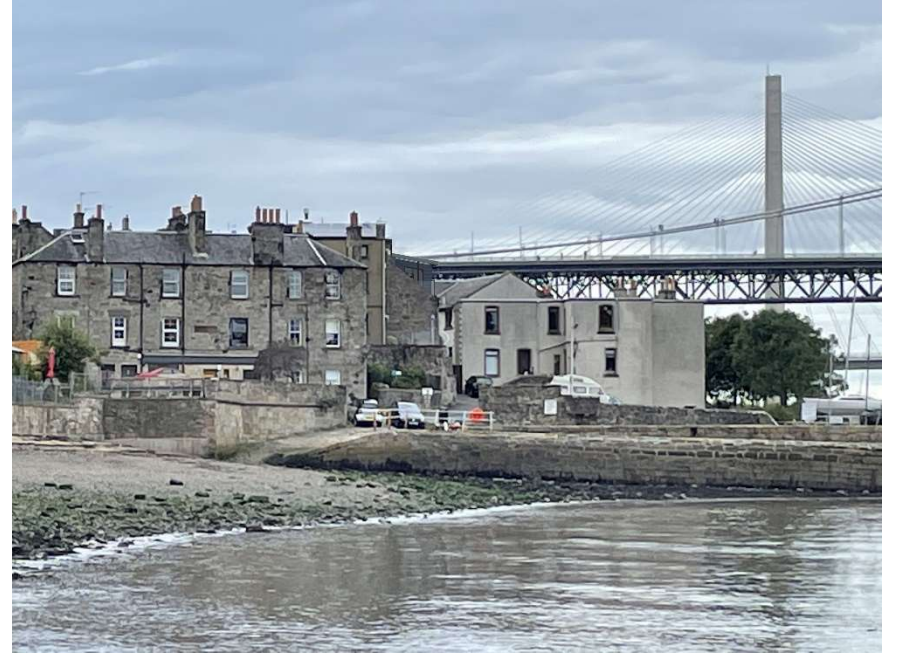
4. THE REASONS FOR REFUSAL AND THE APPLICANTS' COMMENTS ON THESE REASONS

- 4.1 The planning application was refused with three reasons given for that decision, as set out in para 1.1 above.
- 4.2 It is now proposed to address each of these reasons to demonstrate why the Applicant's application can be approved without being in contravention of the quoted Local Plan Policies. Responses to Reason 1 start at para 4.6, Reason 2 at para 4.45 and Reason 3 at para 4.54.
- 4.3 In order to understand that the proposal enhances the character and appearance of the Conservation Area one should first assess the existing characteristics of the area.
- 4.4 The South Queensferry Conservation Area has a large mix of building designs and types, all of which have their own individual roof types.
- 4.5 In particular, there are a mixture of traditional dormers / storm dormers and more contemporary roof designs using the latest building technology. The Applicants' proposal provides a sympathetic contemporary approach to a traditional solution.
- 4.6 ***Reason 1: The proposed alterations to the roof and windows; including the proposed materials, design of the dormer window and change in pitch do not comply with non-statutory guidance and are not in keeping with the character of the area or the building itself. The proposals are contrary to Local Development Plan Policy Des 12 (Alterations and Extensions).***
- 4.7 This reason is inconsistent with what anyone can currently see in the immediate proximity of the Applicants' building in South Queensferry.
- 4.8 The objective of the Applicants' proposed alterations, which have to proceed in some form, is to maximise the beneficial utilisation of the space including the benefits of the daylight and view available from the upper floor of the house.
- 4.9 Because this project has a significant cost and will have a long term impact on the future of the building, with a structural change to the roof structure for long term weather tightness, we have altered the roofline only as necessary and negated the need for a large dormer roof overlooking the Forth.
- 4.10 Researching the history of this building, the roof has always had north-facing windows protruding from the roof. The proposed elevations are "true" elevations in that they show the full elevation as a single aspect. The Applicants and AGL Architect would like to reinforce to the LRB that north-facing windows will never be seen as a full elevation due to the site constraints and only slim portions of the building which are visible.

4.11 The following photographs, are vistas into the location of 4 harbour Lane. Photo A is existing, Photo B is Proposed:



4.12 A



B



4.13 A

B



A



B

- 4.14 During the design process both AGL Architect and the Applicants carried out investigative work which discloses there is no consistent, uniform roof design within the town CA.
- 4.15 It is clear that the character of the CA has changed since the last appraisal update (2015) and the surrounding different types of roofscapes, alongside the "traditional" dual pitched roofs, have changed the character of the area.
- 4.16 Recent approvals have allowed asymmetrical roofs to be built within the Conservation Area.
- 4.17 Our design changes to the roof have been with a view to reflect the general character of the location and the needs of the Applicants' family requirements. While we appreciate there is a change in the appearance of the house roof (in absolute terms), the proposal fits in perfectly with the numerous unusual roof forms within South Queensferry.
- 4.18 The changes for the south-facing roof reflect the 2 and 3.5 story houses found on the high street, a common trait in South Queensferry, thus keeping in-line with the look and feel of other buildings in the area while maintaining the core stone structure of the building. Any "unbalanced look" to our elevations should be considered as common in South Queensferry.

- 4.19 We have found a number of large mansard roof types throughout the CA which allow additional accommodation. However, we believe that our proposal has less massing and impact on the CA. Other traditional builds in the area have had similar changes made to them, to incorporate the view. These includes changes to local restaurant fronts to include windows to view the Forth. (Appendix 3)
- 4.20 Off Gote Lane in Hillwood Place, a similar development has been done to make the most of the view, further along in the binks and down Shore Road Mansard roof designs have been used to provide views of the Forth. Houses on Station Road have altered roofs to include wide window roof balconies which we imagine have been permitted to allow for a view of the Forth bridges². (Appendix 4)
- 4.21 When going through the design process for the changes to this property the diversity of local roofs was considered and a large gable end dormer roof design was obviously unsympathetic.
- 4.22 The final design consideration was to match other 2.5 story buildings and retain a slate roof (as this was considered to be more reflective of the local architecture) from the most visible angle off Harbour Lane while, on the North elevation, we lowered the pitch to maximise the vertical glazing along the wall head.
- 4.23 AGL Architect consider the asymmetrical design of the roof does not have a significant effect on the area as it is hidden by neighbouring buildings. The incorporation of the balcony on the East gable of the roof helps reduce the visible impact from the East and allows for the design to blend in with the house and surroundings.

² <https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=HN5OQZEWU1000>

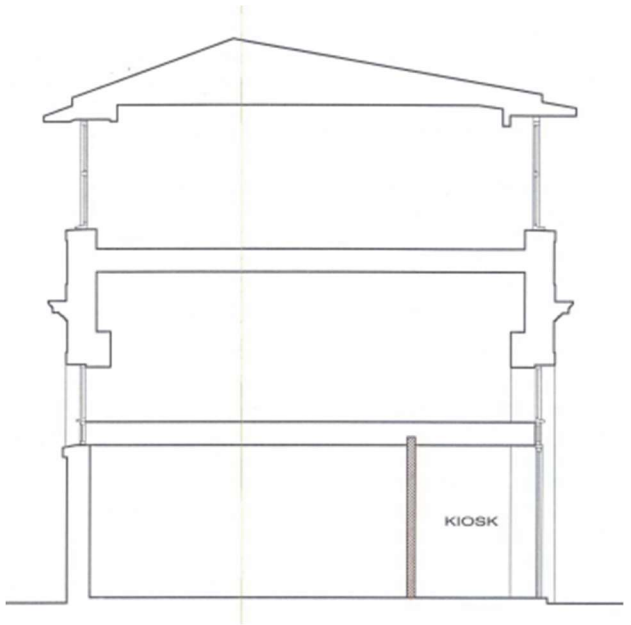
4.24 Below are examples of asymmetrical roofs:



Bellstane.



Rear of 56 High Street.



Station Masters House.



11/13 The Loan.

4.25 Our investigation has shown that the roofscapes of the Conservation Area are varied. This is also reinforced by the text found in the Conservation Area Charter 2001 & 2016:

The architectural form and character of Queensferry is rich and varied with many fine historic buildings dating from its origins as a medieval burgh and following through several periods including Georgian and Victorian, to the present day. The materials are traditional: stone and harl, slate and pantiles, timber windows and doors. The roofscape is important with its variations in form and features, such as crow-step gables, a variety of dormer styles and chimneys with cans. The shoreline setting embraces the riverfront buildings and the historic settlement is framed within the Victorian rail bridge and the 1960's road bridge

Materials

4.26 The proposed materials were specified for two reasons:

- (a) to suit the construction requirements of the finishes, and
- (b) to provide durability within the marine environment.

4.27 The AGL Architect interpretation of this Conservation Area appraisal is more in line with how the materials impacts the local views and topography of Queensferry

“Views down from the rail and road bridges and from pathways at the upper levels of Back Braes and Ravel Bank provide panoramas of the town’s picturesque roofscape against the backdrop of the Firth.” This commentary relates to the views looking north where 4 Harbour Lane is hidden from view.

4.28 This interpretation is formed by local knowledge that “metal” and flat roofs have been constructed recently in the Conservation Area, for example a similar material has been used off Stoneycroft Road³. The assumption being that if the roof material or building is not identifiable visible in the forestated view then there is discretion for a more robust material to match the sea weather this building is exposed to.

4.29 You will note that 4 Harbour Lane is substantially hidden by the neighbouring buildings and thus the north face mentioned is not visible in the “towns picturesque roofscape”.

³ <https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=MWM91XEWLO000>

- 4.30 We advised the Planning Authority that we would be willing to explore traditional materials, however as designers, we need to keep in mind the future maintenance and access to such areas as roofs and working at height. The choice of material was for durability and weathering, of which aluminium is far superior and can be colour matched to look like wood. At the distance which it will be viewed, the window frame would be indistinguishable to timber and thus a valid reason to not use wood. Also, while the guideline is in place, the majority of “replacement windows in the area are in fact upvc. There is a similar design in the Conservation Area, on “the Craigs” behind 23 Edinburgh Road⁴, that has done something similar and has aluminium framed windows.
- 4.31 North facing Aluminium frames have been approved for use in the Conservation Area as recently as 31st December 2020⁵.
- 4.32 The choice of the proposed materials is also based on the fact that, due to the roof height from ground level, the windows would not be readily visible. We calculated that this minor variation to the non-statutory guidance for householders, would be accepted in this specific case as the existing windows are single glazed aluminium. This is similar to another recently approved planning permission for replacement windows in the area.
- 4.33 The use of **metal**, in the South Queensferry Conservation area, is more prevalent than indicated by the response, which could suggest that the documentation used for assessment is outdated or planners are retrospectively trying to enforce an old ideal.
- 4.34 There are three factors that contribute to this:
- (a) precedence of metal roofs in the SQF Conservation Area,
 - (b) current general use of metal, and
 - (c) willingness to approve “replica” metal materials.
- 4.35 The Applicants property already has significant use of metal as part of its existing structure, including **metal** framing in the existing dormers.
- 4.36 In revisiting the use of metal, through guaranteed applications in the SQF Conservation area, it would be negligent not to ask the question of how many instances of use are required before this material is no longer considered alien? There have been a number of developments with metal roofing being approved, therefore there is a contradiction here.
- 4.37 There are three buildings, in South Queensferry, that have metal roofs. Each of these have been approved and built at different times over the last 20 plus years. These are:

⁴ <https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=LBM4ZTEW01U00>

⁵ <https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=QJVQBKEWLFW00>

(a) Stations Masters office - Turn of the century this is also a listed building cat B (two photos below)



(b) 4A Stoneycroft Road - New build approved in 2015 (photo below)⁶



⁶ <https://citydev-portal.edinburgh.gov.uk/idxpa-web/applicationDetails.do?activeTab=documents&keyVal=MWM91XEWLO000>

(c) 4 Newhalls Road - Unknown when the work in this photo was done



- 4.38 In addition to these sites, when looking at buildings, in the Conservation area, **metal** is commonly used for roof ridges, fascia, gable ends and dormer sides. This is particularly noticeable when compared with a new build area like Kirkliston which looks to be more “metal free” than the South Queensferry Conservation Area.
- 4.39 The below garage on Station Road, was approved in 2007⁷



⁷ <https://citydev-portal.edinburgh.gov.uk/idxpa-web/applicationDetails.do?activeTab=documents&keyVal=JVPTABEW7N000>

- 4.40 Replica **metal** has been approved a number of times over the last 5 years and it is noticeable that the low angle roofs use a membrane roof colour matched to metal. Which would suggest that the concept of “metal” is not foreign but encouraged as long as it is not actually metal! Is this not contradictory behaviour?⁸
- 4.41 An example of this is Harbour Head, which has a flat roof coloured light grey to replicate a **metal /lead** roof.
- 4.42 We have proposed **Aluminium** windows as a preference for longevity, colour matched. While the Applicants are willing to match the existing UPVC window frames in the body of the house (if required as a condition of approval), the preference for the North face is to use a colour match composite frame for both wear and sound proofing. **Aluminium** frames have been used in the Conservation Area for north-facing windows - see 13 Edinburgh Road property⁹ and photos below of highstreet



- 4.43 5 Station Road recently had aluminium frames approved as from 31st December 2020¹⁰.

⁸ <https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=P0FEW2EWMW300>
<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=QJVQBKEWLFW00> <https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=PGS89HEWMB400>
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⁹ <https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=JQQ678EWW1000>

¹⁰ <https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=QJVQBKEWLFW00>

- 4.44 Velux windows and light wells are commonplace throughout the Conservation Area, these use aluminium frames and are at a similar height to the proposed use of aluminium frames for this application at 4 Harbour Lane (See Appendix 4 for examples).
- 4.45 **Reason 2:** *The proposals for alterations to the roof and the replacement of windows conflicts with the Queensferry Character Appraisal and will have a detrimental impact on the character of the Conservation Area. The proposals are Contrary to Local Development Plan Policy Env 6 (Conservation Areas - Development).*
- 4.46 While investigating the history of 4 Harbour Lane we have found, from discussions with locals, that the building's current dormers are different to the original dormers. The current house was rebuilt from a roofless stone wall shell (Appendix 2).
- 4.47 Therefore, the proposed adjustments to the roof could be considered as modernisation of the rebuild and keeps the existing characteristics and features worth retention - including the stone walls and view of the harbour.
- 4.48 The existing roof line is not the same as when the structure was originally built so cannot represent an amendment to the history of the building itself – more a progression of the building's form.
- 4.49 The Conservation Area guidance states **“Buildings dating from the 17th to mid-20th century reflect gradual evolution.”**
- 4.50 The evolution of sea fronted buildings, to maximise views, is a natural progression for any seaside town anywhere in the world. (See Oroco pier example in Appendix 3)
- 4.51 It is our understanding that conservation planning guidelines have been created by the Scottish Executive to support and guide positive development in a Conservation Area and do not have to replicate the surrounding areas.
- 4.52 The Applicants' proposals for this application are positive and we submit they fit in with the variety of roof designs within the CA. We appreciate this can come down to personal interpretation, so we invite an objective assessment based on what is now already occurring in the South Queensferry Conservation Area.
- 4.53 **Reason 3:** *The proposal does not identify and retain features worthy of retention and existing features are not incorporated or enhanced through the proposed design. The proposals are contrary to Local Development Plan Policy Des 3 (Development Design).*
- 4.54 The roofscape in this area has always accommodated dormer windows therefore history is being preserved and enhanced by the previous rebuild and again by the Applicants' current proposals (Appendix 2a and 2b).

- 4.55 The Queensferry Character Appraisal document is not intended to give prescriptive instructions on what designs or styles will be acceptable in the area. Instead, it is used to ensure that the design of an alteration or addition is based on an informed interpretation of context.
- 4.56 For this Application the context of the building, with north-facing elements set off each gable, has not changed.
- 4.57 With reference to Local Development Plan policy Des 3, the proposed alterations to the Applicants building will have a positive impact on its setting, having regard to the positioning of the building on the site, its height, scale and form, materials and detailing, wider townscape and landscape impacts and impacts on views. The roof rebuild design has minimised the impact of height on site using a balcony to transition the changes scale at close proximity and the natural position of the site does this at mid/long distances, at which the changes would not be visible to the human eye, due to the site lines involved and how the building is nestled in amongst surrounding building

5. Conclusion

- 5.1 The Applicants submit that their proposals are positive and fit in well with the local area. They have discussed the proposals with 28 of their immediate neighbours with positive support.
- 5.2 In submitting this Application, we have been transparent and encouraged collaboration between AGL Architect and policy managers to find common ground in areas where there is room for interpretation within the guidelines.
- 5.3 The Conservation Planning Guidelines have been created by the Scottish Executive to support and guide positive development in a Conservation Area and do not have to slavishly replicate the surrounding areas. They are not intended to give prescriptive instruction on what designs or styles will be acceptable in the area. That is evident from the current look and feel of the area now.
- 5.4 Instead, the Conservation Planning Guidelines can be used to ensure that the design of an alteration or addition is based on an informed interpretation of context.
- 5.5 Contrary to both the Scottish Executive and the Conservation Area guidance documentation, planning has used these documents as prescriptive instructions to decline the proposal without engagement or consultation.

- 5.6 Whilst there were three specific reasons for refusing the application, interpretation of subjective policies together with hiding behind the idea of protecting the character of the Conservation Area seem to be the dominant consideration.
- 5.7 Having established that:
- the character is not of a singular, uniform design, scale, mass or use of materials, and
 - the traditional historic protection is no longer the most significant consideration,
- we have sought to demonstrate why the proposals will not have the adverse effect contemplated by the Planning Authority.
- 5.8 As the Appellant, the Applicants have established that, by adding a high-quality architectural design to this mix of buildings, the alteration proposals will enhance the Conservation Area as a whole and its character.
- 5.9 You have been presented with examples of other buildings in the area which have gained planning approvals, including in particular a decision earlier this year to approve aluminium window frames. These support a reasonable and appropriate development for the area for the reasons advanced in this submission and you are asked to find that the current refusal of the Application is inappropriate.
- 5.10 The changes proposed by this Application are necessarily required, as the roof is leaking and has structural problems. It has to be replaced soon.
- 5.11 Covid-19 and the need for isolation during a pandemic, has exposed the critical necessity for a living environment which enhances mental health and wellbeing. The design for the renovation of this property, now in use as a residence with no “outside play areas”, is intended to meet this need in our modern world.
- 5.12 Mr & Mrs Fletcher ask that the Local Review Body overturn the decision of the Planning Officer and grant permission for the alterations to their residence as set out in their application, supported by the reasons set out in this submission. The Applicants will discuss future revisions to the proposals with the Planning Authority, should this be necessary, as they were willing to do (if the opportunity had been made available) when the proposals were lodged for approval.

Refer Appendices 1 to 4 attached

Appendix 1

Dalmany station historic photos:



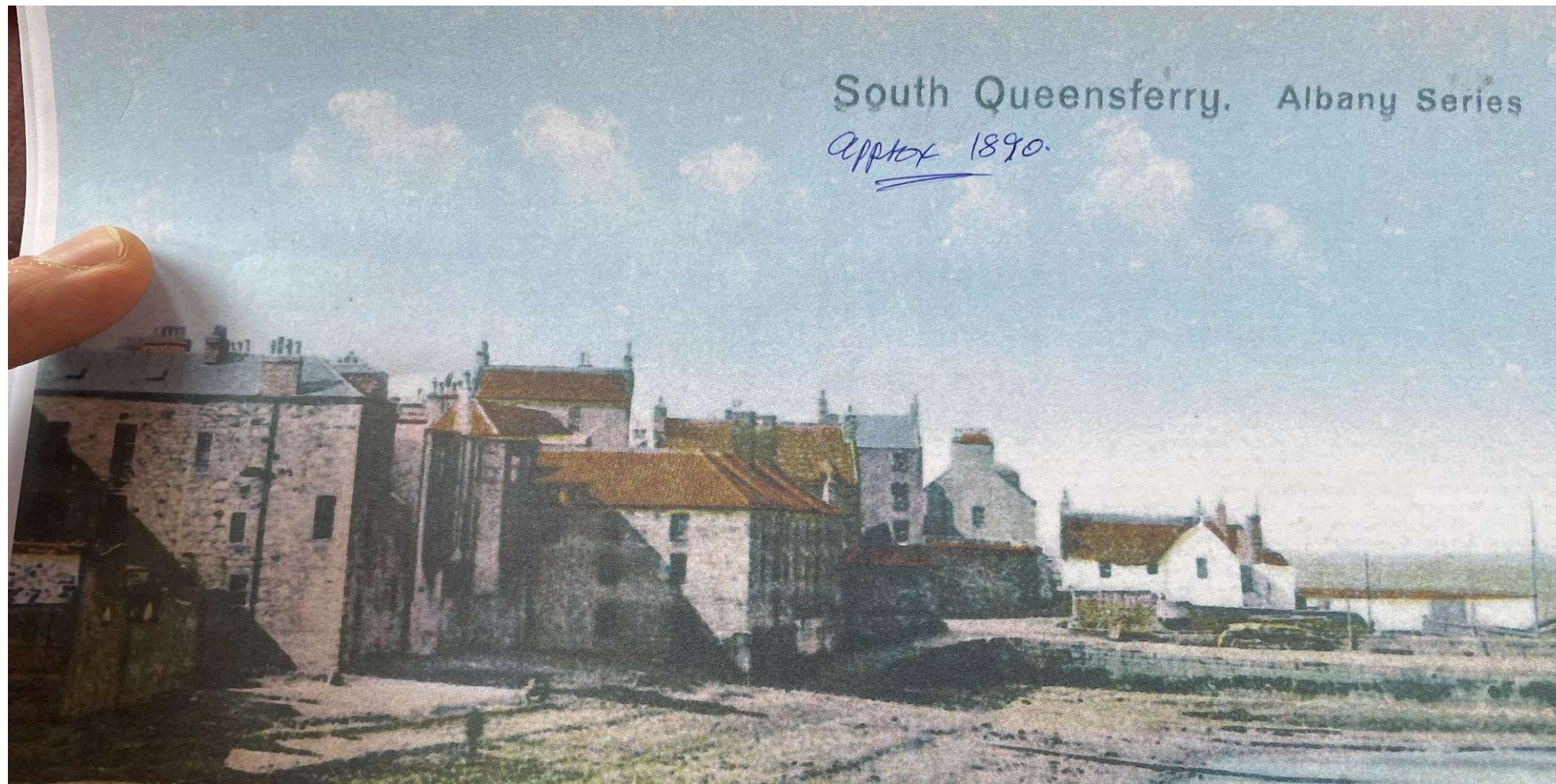
© Crown Copyright: HES (List C Survey)

Description Dalmany Station View of office from West.

Date 1975 to 1976

Collection List C Survey

Appendix 2 a: Historic Photos of 4 Harbour Lane - 1890



Appendix 2b Harbour lane 1940 - <https://canmore.org.uk/collection/1312837>



Appendix 2c Harbour Lane 2021



Appendix 3: Windows added for view

Orocco Pier 2007



2021



Appendix 4:

Gote Lane

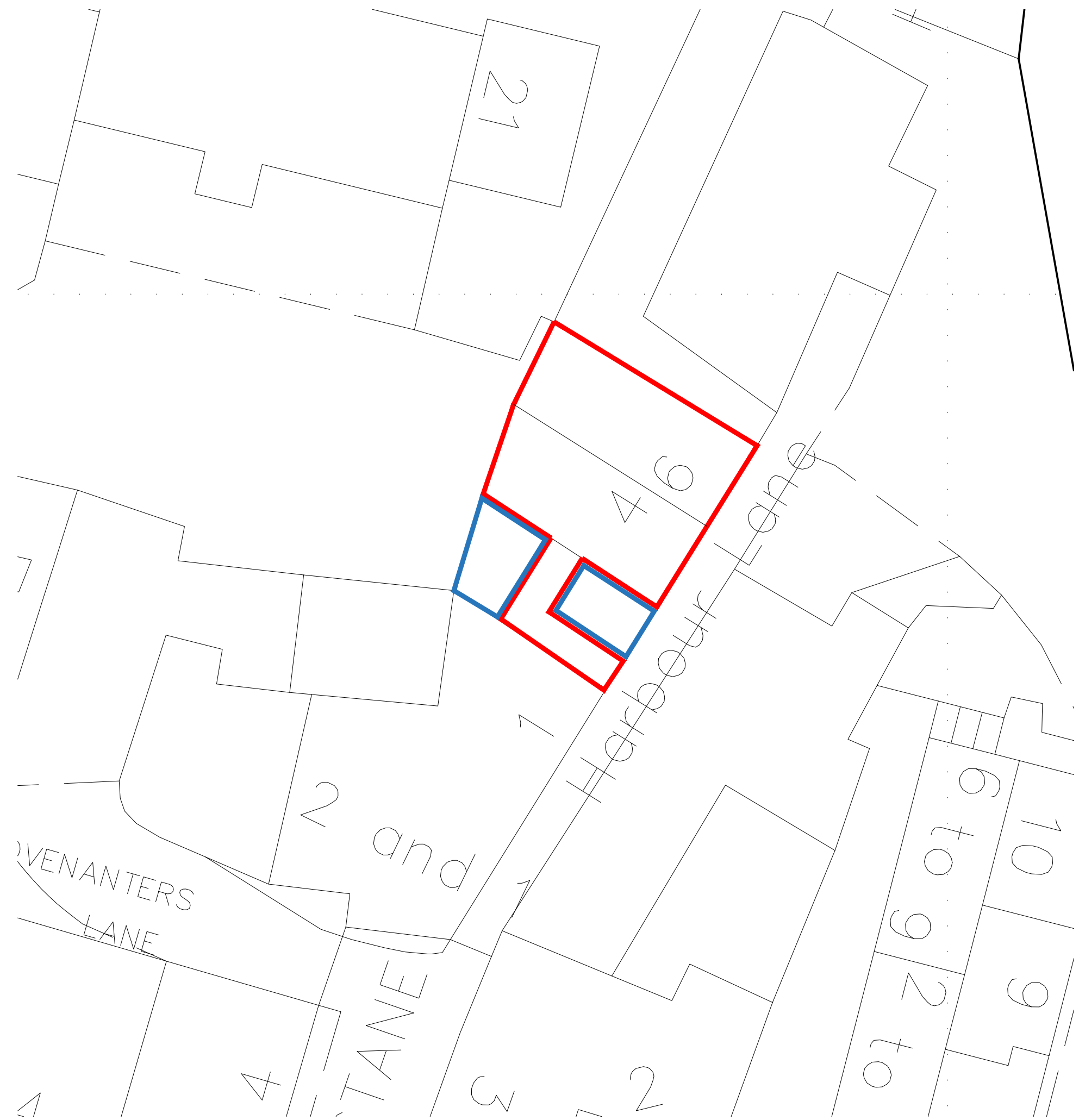


Harbour Head

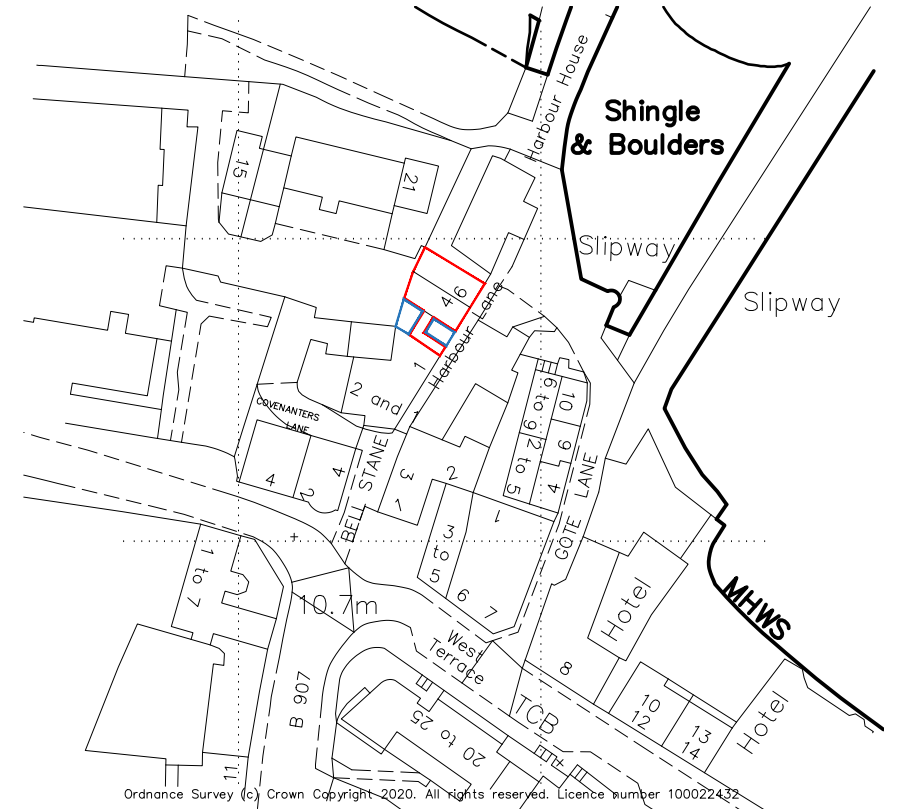
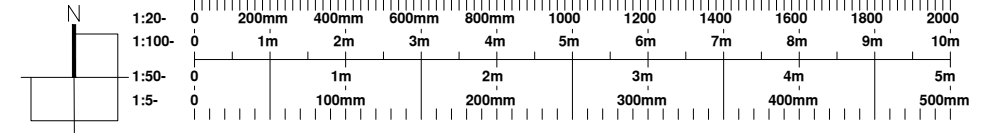


Binks





BLOCK PLAN SCALE 1:200



LOCATION PLAN SCALE 1:1250

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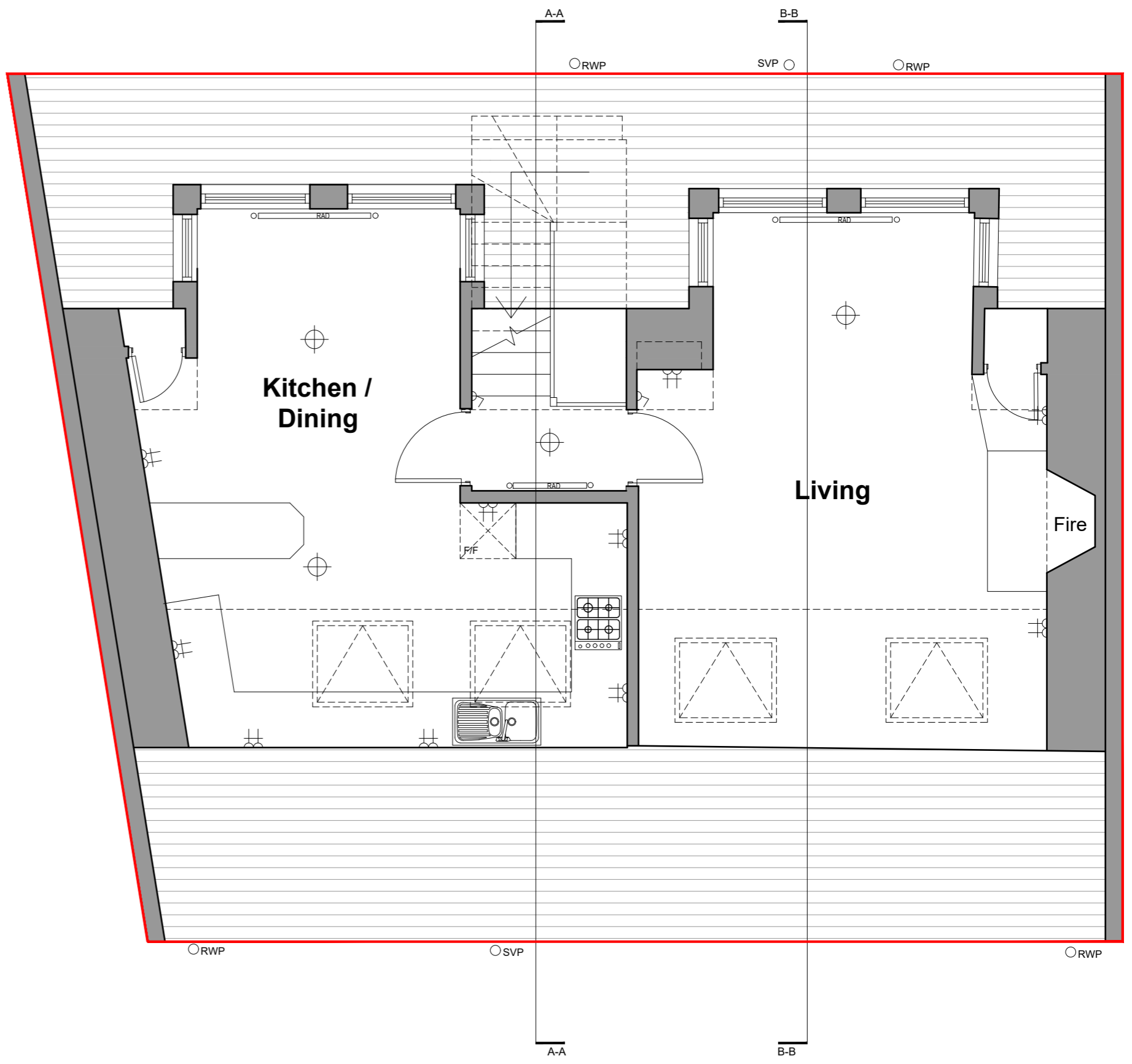
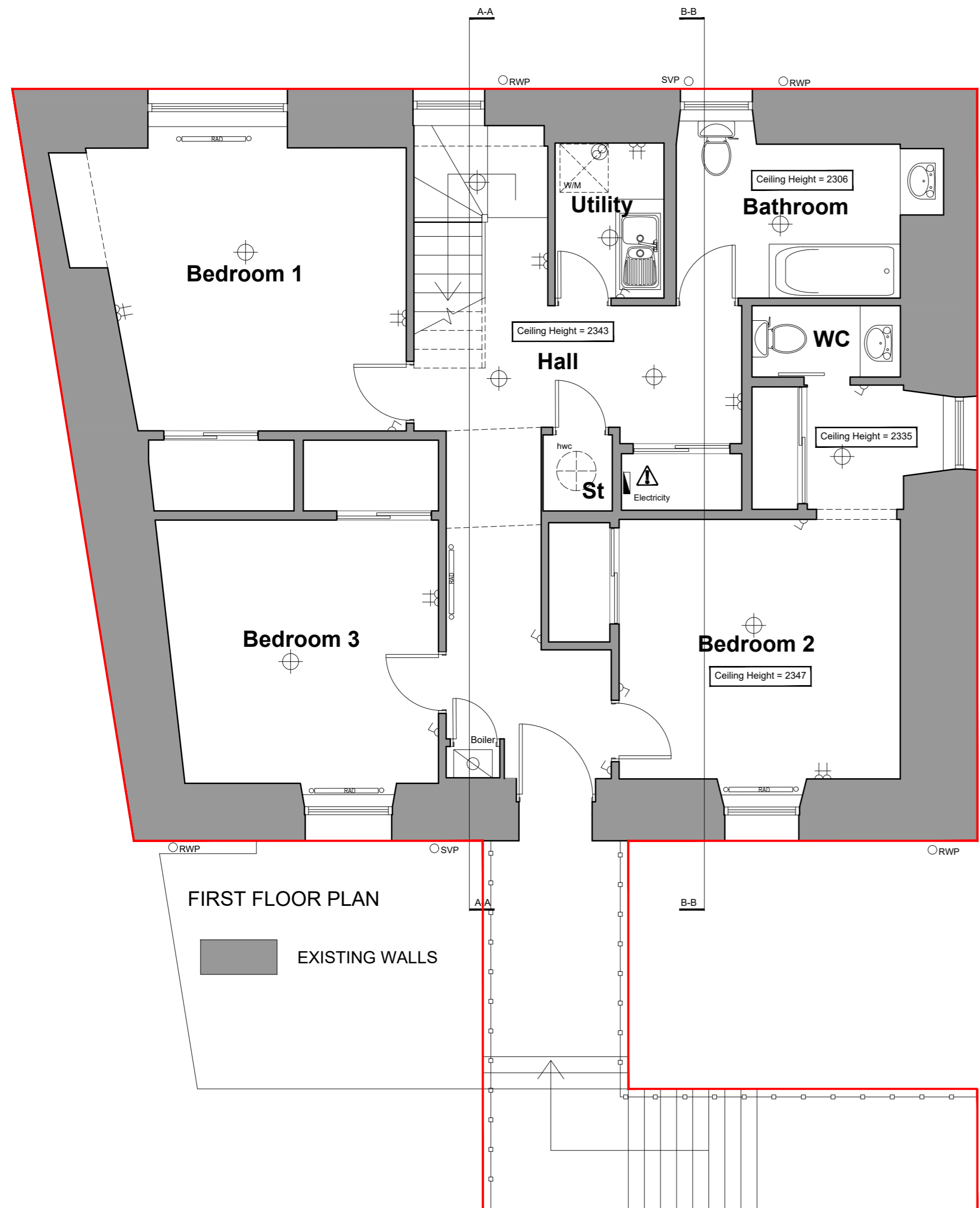
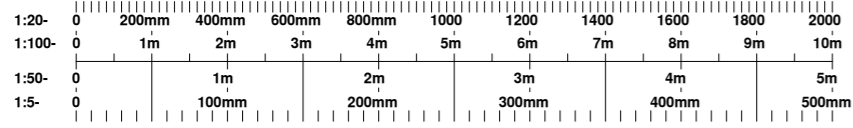
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MR & MRS M FLETCHER

PROPOSED INTERNAL ALTERATIONS
4 Harbour Lane,
South Queensferry

LOCATION & SITE PLANS

| | | | | | | | |
|----------|----------------|-----------|----------|-------|-----|---------|----------|
| scale | ASW NOTED @ A3 | date | 16.08.18 | drawn | AGL | #status | EXISTING |
| proj no. | 18-133 | Drawn no. | 100 | REV | - | | |



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- ELECTRICAL LEGEND**
- LIGHT SWITCH
 - PENDANT LIGHT FITTING
 - TWIN 13A SOCKET POINT-LOW LEVEL
 - TWIN 13A SOCKET POINT-HIGH LEVEL
 - MECHANICAL EXTRACTOR FAN
 - SMOKE DETECTOR (CEILING MOUNTED)

EXISTING CONSTRUCTION - HOUSE

EXISTING HOUSE CONSTRUCTION COMPRISES:

- TIMBER FLOOR.
- SOLID MASONRY / TRADITIONAL CAVITY WALLS.
- ROOF COMPRISES NATURAL SLATE ON TIMBER SARKING BOARDS SUPPORTED ON TIMBER TRUSSED RAFTERS.
- TIMBER DOORS AND WINDOWS
- EXISTING WALL / FLOORS / CEILINGS UN-INSULATED

CDM 2015 regulations

AGL has sought to minimise or remove residual risks where possible as part of the design process.

It is anticipated that other designers and contractors will co-operate to identify any potential construction hazards and to eliminate them where possible. Measures to minimise residual hazards will be reviewed on a regular basis.

⚠ This symbol highlights areas of work that require special attention during construction, or residual risks which have been identified by AGL.

⚠ AGL recommends that a utility survey to locate and expose existing services prior to works commencing on site be carried out by the Client. The locations noted on the plans are assumed and AGL cannot be liable for incorrect services locations.

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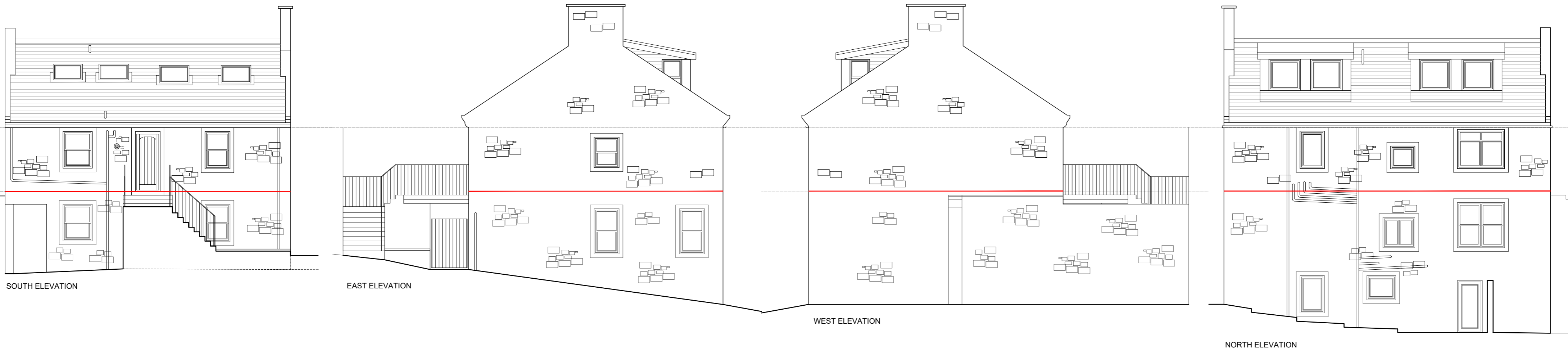
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PROPOSED INTERNAL ALTERATIONS

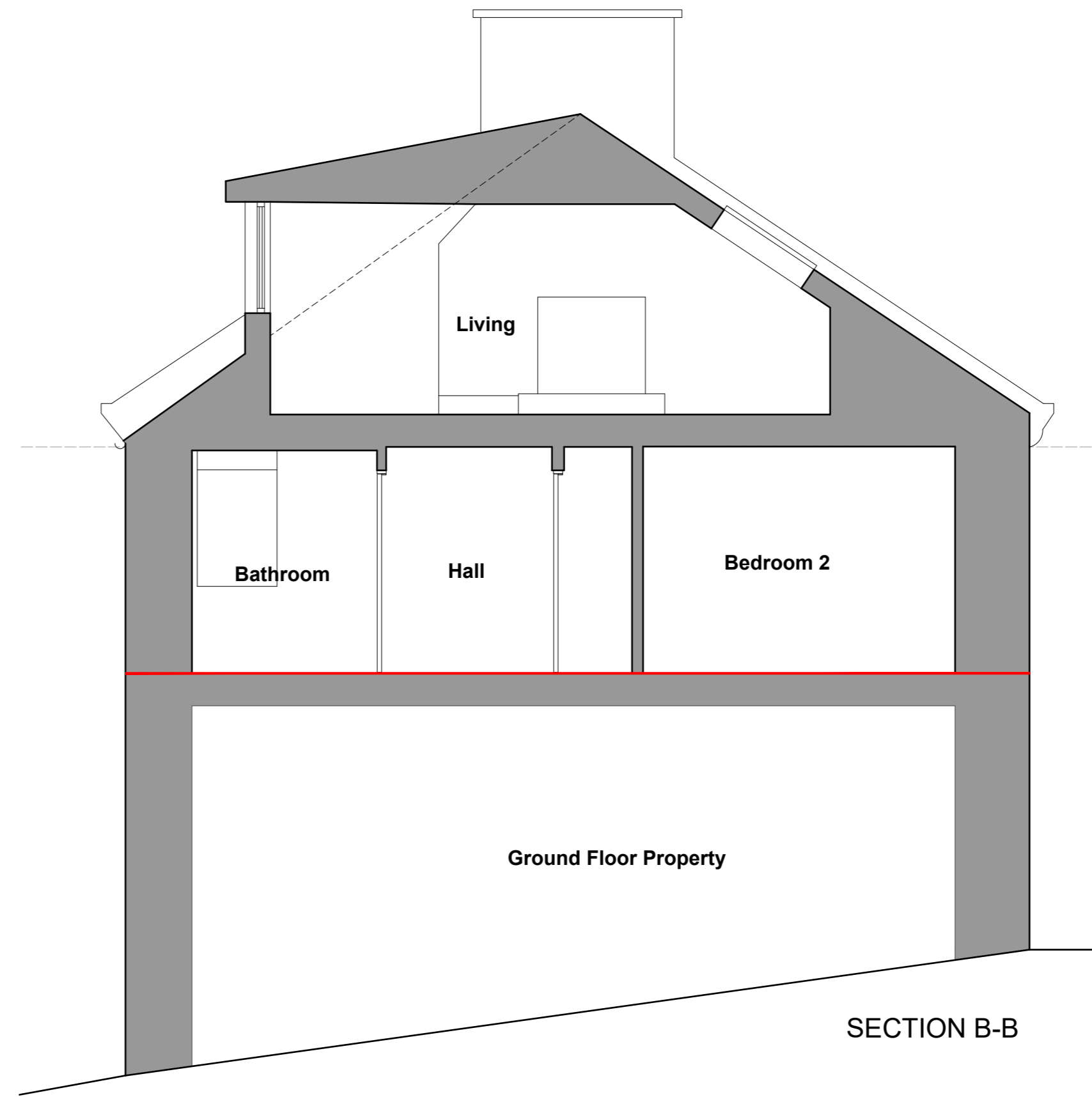
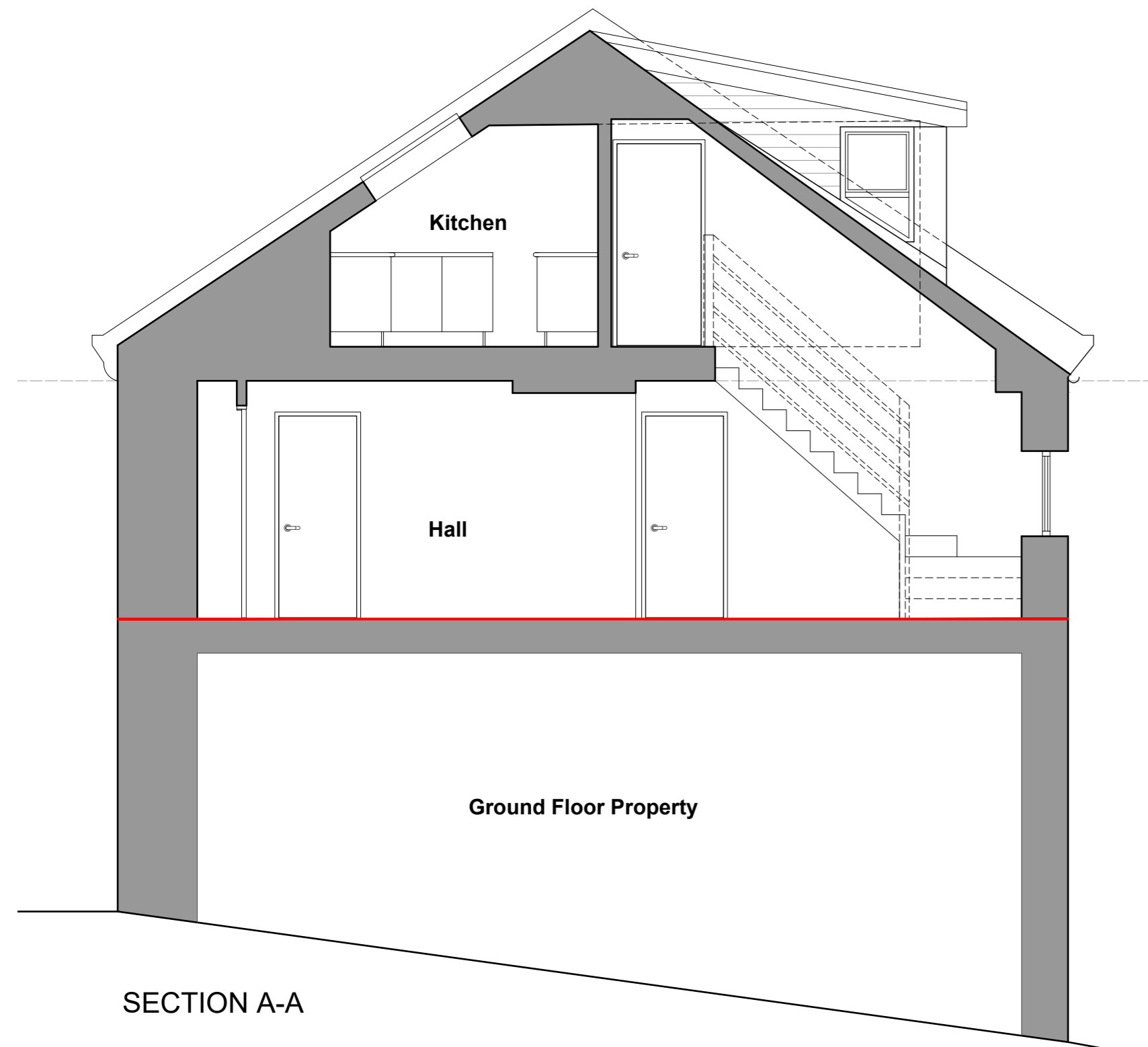
4 Harbour Lane,
 South Queensferry

EXISTING PLANS

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| PROJ NO. | DESG NO. | REV | |
| 18-133 | 200 | - | |



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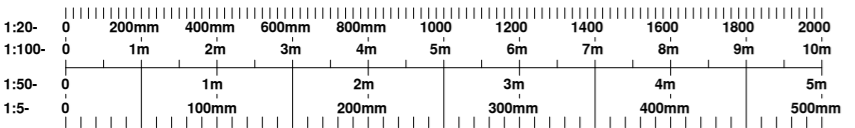
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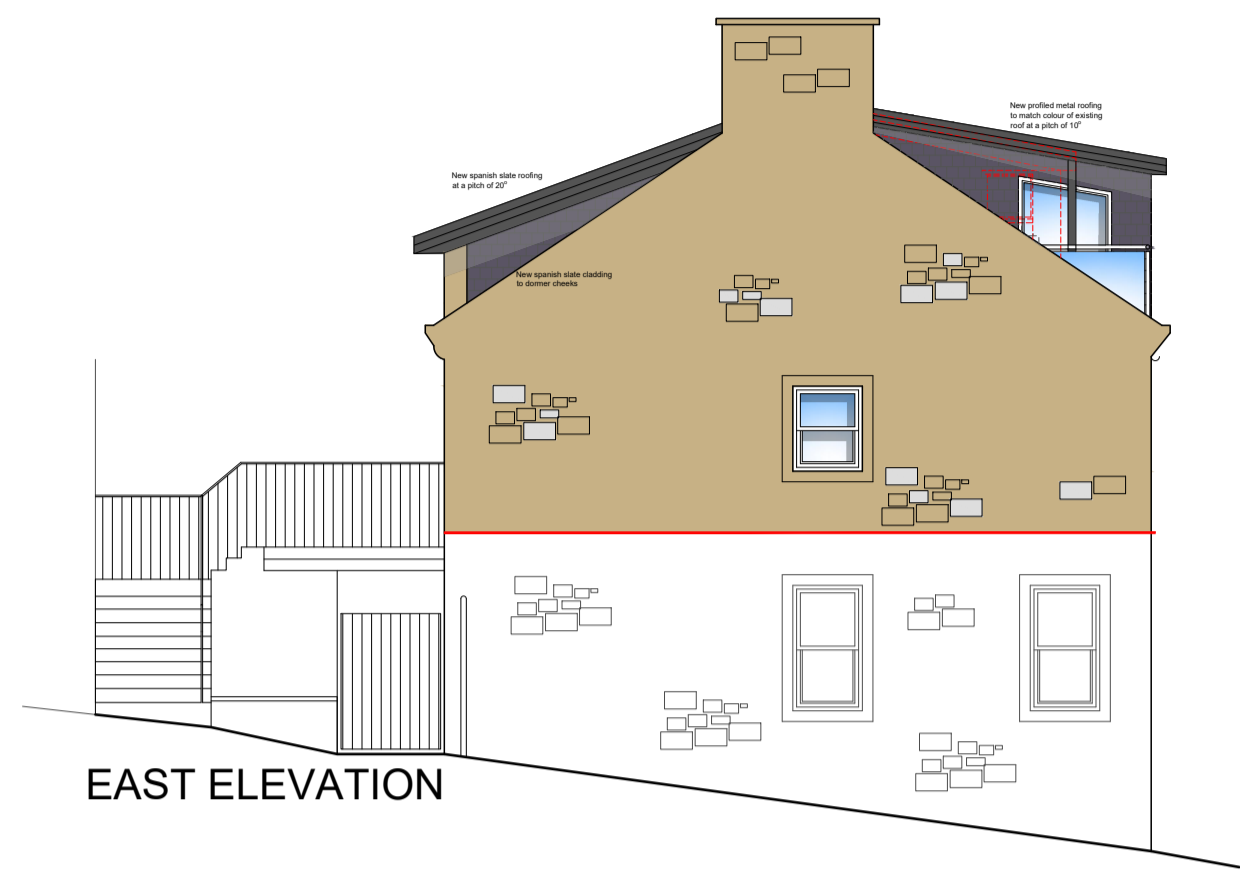
PROPOSED INTERNAL ALTERATIONS
 4 Harbour Lane,
 South Queensferry

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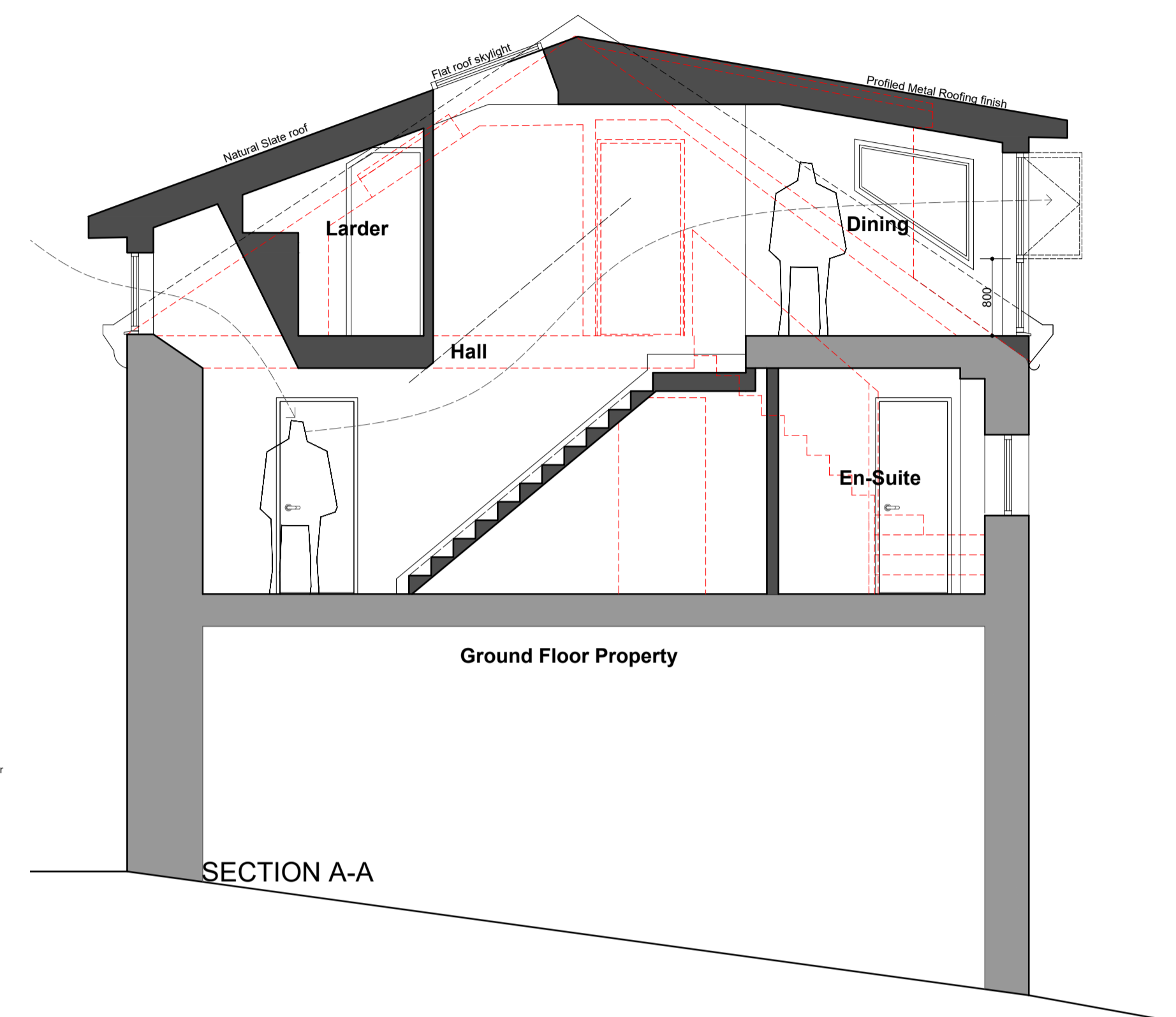
SOUTH ELEVATION



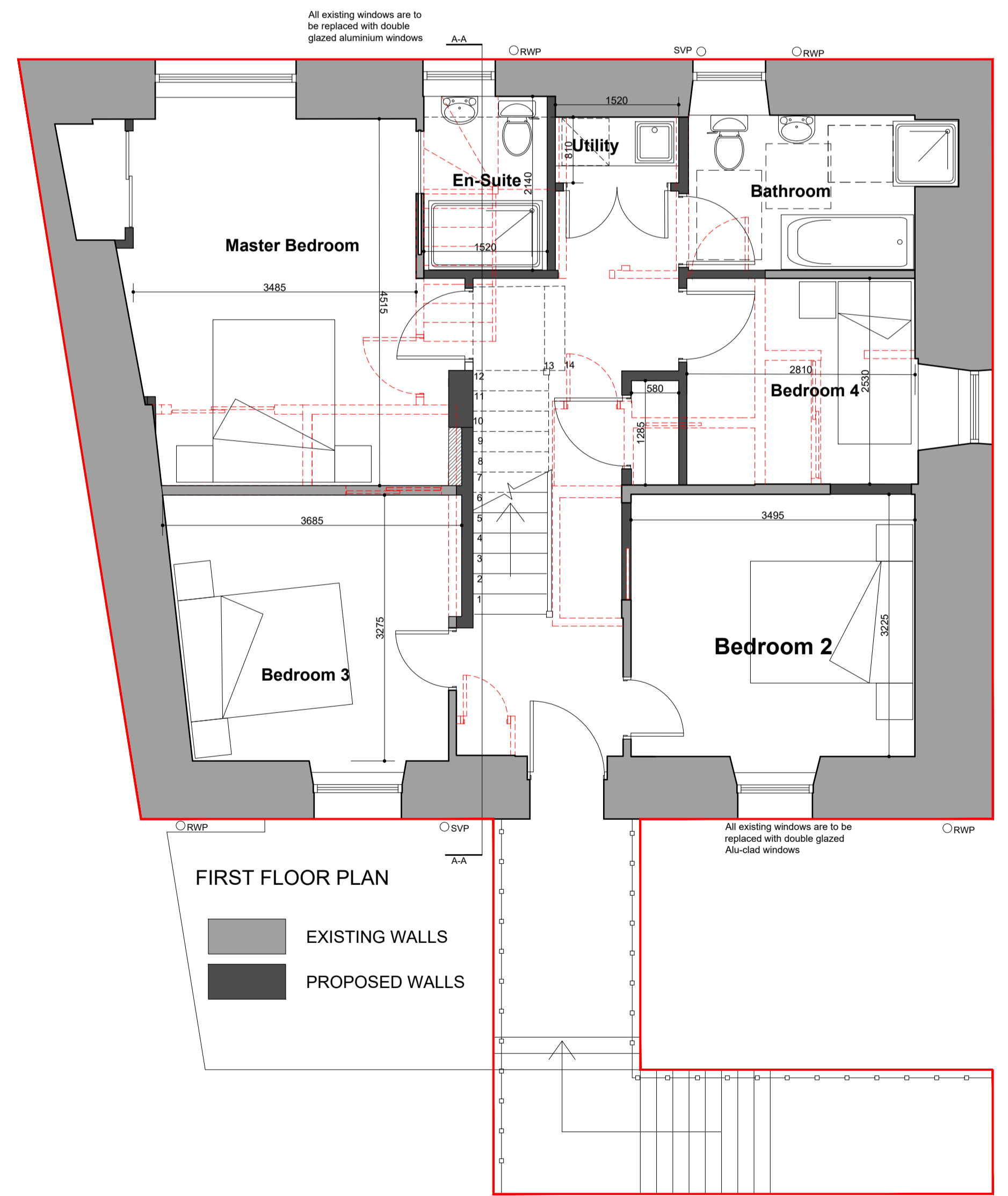
EAST ELEVATION



NORTH ELEVATION

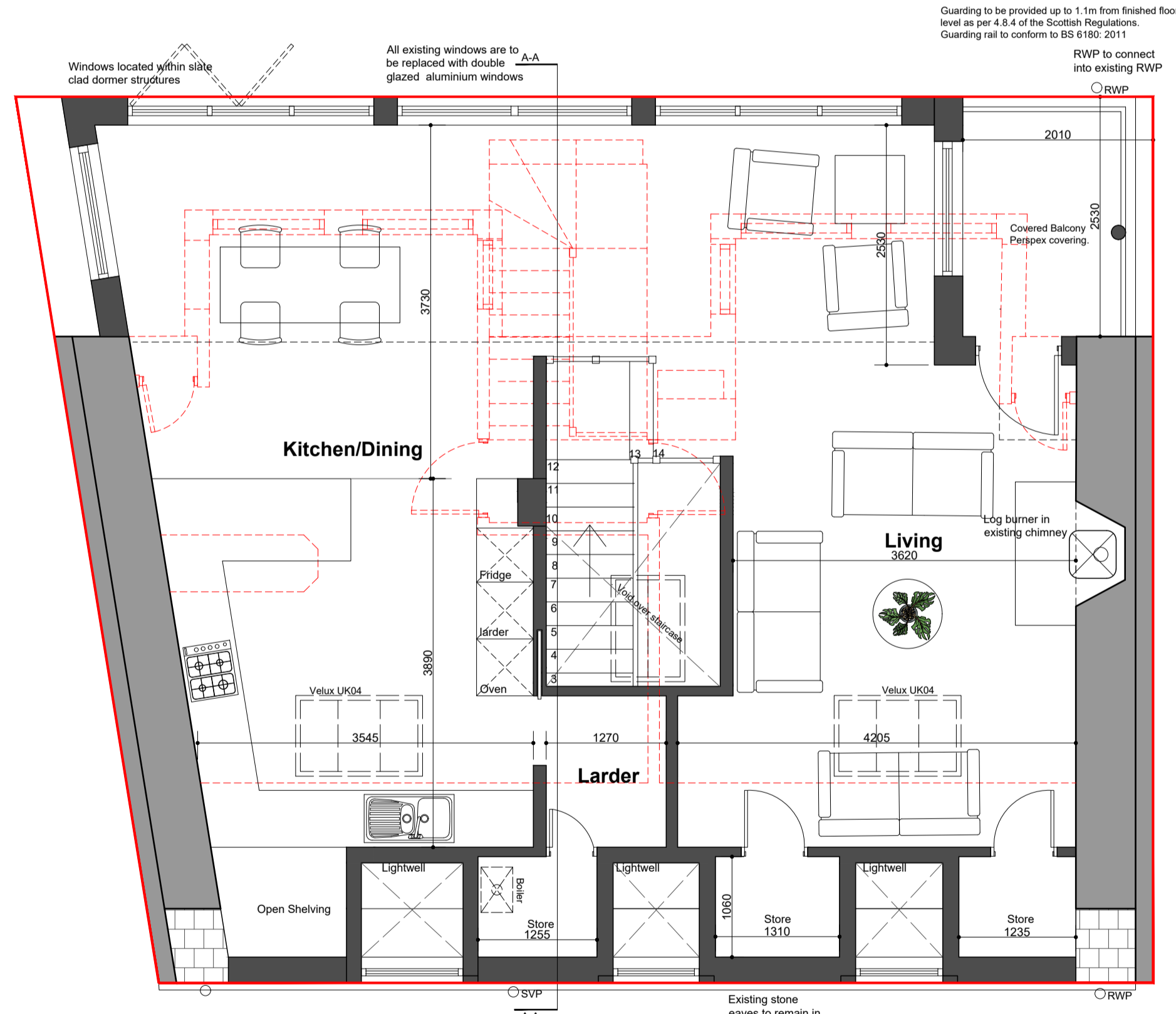


SECTION A-A



FIRST FLOOR PLAN

- EXISTING WALLS
- PROPOSED WALLS



SECOND FLOOR PLAN

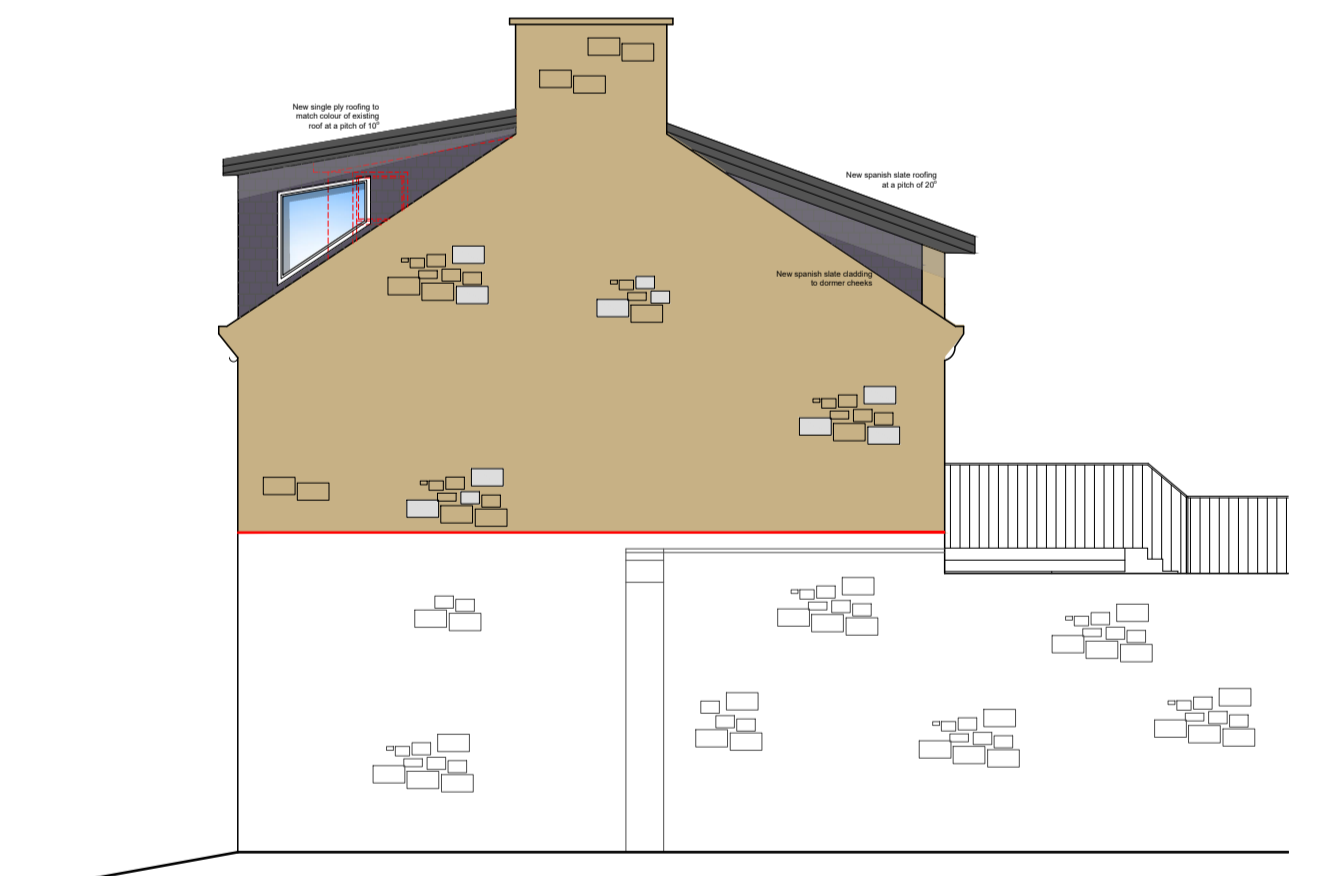
FIRST FLOOR LEGEND

| Room | Area |
|----------------------------------|----------------------------|
| Master Bedroom | 15.7m ² |
| Bedroom 2 | 11.3m ² |
| Bedroom 3 | 11m ² |
| Bedroom 4 | 7m ² |
| Bathroom | 6.5m ² |
| Utility | 2.6m ² |
| Hall | 11.5m ² |
| En-suite | 3.2m ² |
| GROSS INTERNAL FLOOR AREA | = 60.3m² |

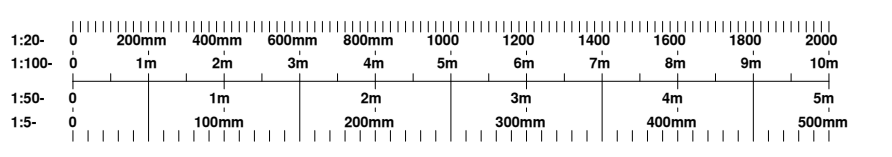
SECOND FLOOR LEGEND

| | |
|----------------------------------|--------------------------|
| Kitchen/Dining | 30m ² |
| Living | 29.5m ² |
| Larder | 3.2m ² |
| GROSS INTERNAL FLOOR AREA | = 64m² |

GROSS INTERNAL FLOOR AREA = 60.3m²



WEST ELEVATION



CDM 2015 regulations
 AGL has sought to minimise or remove residual risks where possible as part of the design process.
 It is anticipated that other designers and contractors will co-operate to identify any potential construction hazards and to eliminate them where possible. Measures to minimise residual hazards will be reviewed on a regular basis.
 This symbol highlights areas of work that require special attention during construction, or residual risks which have been identified by AGL.
 AGL recommends that a utility survey to locate and expose existing services prior to works commencing on site be carried out by the Client. The locations noted on the plans are assumed and AGL cannot be liable for incorrect services locations.

Client: MR & MRS M FLETCHER
 Project: PROPOSED INTERNAL ALTERATIONS,
 4 HARBOUR LANE,
 SOUTH QUEENSFERRY
 SCALE 1:50 / 1:100 @A1
 Dwg no:18-133-PL-201

