



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 100155690-002

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

Applicant or Agent Details

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

☐ Applicant ☒ Agent

Agent Details

Please enter Agent details

Company/Organisation:

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Building Name:

Last Name: * Building Number:

Telephone Number: * Address 1 (Street): *

Extension Number: Address 2:

Mobile Number: Town/City: *

Fax Number: Country: *

Postcode: *

Email Address: *

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Norman"/>	Building Number: <input type="text" value="41"/>
Last Name: *	<input type="text" value="Whitmey"/>	Address 1 (Street): * <input type="text" value="Old Kirk Road"/>
Company/Organisation	<input type="text" value="All U Store"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH12 6JU"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text"/>	

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"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="671772"/>	Easting	<input type="text" value="320232"/>
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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)

Two terraced rows of single storey secure garage units (10 to the north & 13 to the south) on existing garage plots accessed via existing tarmac driveway.

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.

Please refer to Supporting Documents.

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)

List of supporting documents as follows: 1. Agent's covering letter 2. Appellant's covering letter 3. Colour Elevation/Section Drawing, ref: 1901 PL03 4. Scan copy of Property Definition Plan

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/01414/FUL

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

18/03/2019

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

17/05/2019

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

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 Moray Royles

Declaration Date: 03/07/2019

Proposal Details

Proposal Name	100155690
Proposal Description	Proposed garages on existing garage plots
Address	
Local Authority	City of Edinburgh Council
Application Online Reference	100155690-002

Application Status

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

Attachment Details

Notice of Review	System	A4
1901 Property Definition Plan	Attached	A1
Agent Cover Letter - Notice of Review	Attached	A4
1901 Appellant Letter	Attached	A4
1901 PL03 colour	Attached	A3
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0

Notice of Review statement for Planning Application 19/01414/FUL

03/07/19

Introduction:

This statement is to be read in conjunction with the original planning application, drawings and planning design statement (ref: 19/01414/FUL, see 1901.plandesstat01 registered on 19 March 2019). It sets out the reasons of this appeal on which the Scottish Government DPEA is requested to review the delegated decision dated 17 May 2019. We have appended a copy of the Property Definition Plan that was issued to the Planning Case Officer during the determination period and acts as proof of ownership.

1.0 Background

The applicant (and owner of the site) Mr. Whitmey, has operated his garage letting business for 29 years after the housebuilder, Mactaggart & Mickel (MacMic) approached him in 1990 to sell him their stock of surplus lock-up garage spaces. Mr. Whitmey has always lived locally in Corstorphine and is totally committed to its wellbeing. His is a Chartered Civil Engineer (MICE) and chartered member of the Institute of Water and Environmental Management (MIWEM) and so, takes the wellbeing of his community and the environment very much to his heart. St. John's Road is designated as an Air Quality Management Area (AQMA), one of 38 in Scotland, The City of Edinburgh Council is required to tackle the quality of the air in this AQMA, which has the second highest pollution reading in Scotland of the 38 AQMAs and particularly impacts on the health of the young and elderly.

With the above in mind, Mr. Whitmey engaged an Architects' practice to prepare and submit a planning application for 23 garages with electric vehicle (EV) charging facilities at Forrester Park Avenue, which is the subject of this planning appeal.

2.0 The Existing Condition

2.1 The use for garages has been established at the location since the broader development was constructed in the 1960s. No notable features on the application site are worthy of retention or enhancement.

2.2 The existing means of access to the Forrester Park Estate comprises an appropriate means of servicing garage use on the appeal site.

2.3 There are existing garage units owned & managed by the applicant, located throughout Edinburgh. They provide a positive contribution towards the overall area for the following reasons:

2.3.1 The proposed units will perform an important role in providing safe and secure parking for residents' vehicles as well as domestic storage.

2.3.2 The existing garages are well maintained and managed, with effective procedures in place to prevent fly-tipping and other anti-social / illegal activity. These same management standards will also be applied to the proposed new development.

2.3.3 The facilities offer improved local amenity.

2.3.4 There are no privacy and overshadowing issues.

2.4 With regard to the specific plot of land to which the application relates (marked red on plan) please note that:

2.4.2 All surrounding land immediately adjacent to the site is communal amenity space. Beyond

this there is private housing to the West and national railway infrastructure to the North, South & East.

2.4.4 No neighbouring land (outwith the Applicant's ownership) is suitable for future development.

2.4.5 The site is presently redundant and unused, it has no function and is in a state of neglect. The existing condition of the site is unattractive and does not make a positive contribution towards the overall appearance of the area. The garage access road and plots drainage will be brought into use as intended by MacMic in 1960.

3.0 Comments on the Reasons for Refusal

3.1 The Reasons for Refusal notes that *"The proposal is contrary to Policy Hou7 and Policy Des4 of the LDP as it introduces a commercial storage business within a residential area likely to result in a detrimental effect on living conditions and amenity of nearby residents."*

3.1.1 The proposals do not introduce a commercial storage business within a residential area. As per the Planning Design Statement, the proposed garages are to provide private storage only. We feel a misunderstanding may have occurred that could have been avoided had we been consulted prior to the original decision to refuse consent. To clarify; the proposals are for domestic uses for parking & storage.

3.1.2 The proposals include for fewer garages than initially granted when the development was approved. Please refer to the Property Definition Plan that indicates 31 garage units were approved for this site. The development has since been lacking this facility, resulting in untidy on-street parking and insufficient private storage provision. Building fewer garages that are each half a meter wider than originally proposed improves usability; increased space for opening car doors etc.

3.1.3 The facilities improve local amenity by offering convenient, lettable, covered and secure parking and charging facilities for Electric Vehicles (EVs), and safe, secure storage – solely for the use of Forrester Park residents. It is noted that similar developments throughout the Forrester Park area function efficiently and are well integrated as a local convenience.

3.1.4 Local living conditions are likely to be improved through the provision of off-street parking or storage; minimising on street parking.

3.1.5 The proposals will feature charging points for EVs. Currently Forrester Park residents have little to no option for charging EVs. These proposals introduce a viable alternative to petrol/diesel car ownership in line with objectives of national and local policy aimed at promoting the use of more sustainable personal transport.

3.1.6 Further to item 3.1.3, the garages can be used for convenient secure bicycle storage. The majority of Forrester Park properties are not at ground floor and existing secure bicycle storage provision is very limited. Forrester Park has very good access to cycle routes between Hermiston Gate and the City Centre. These proposals facilitate and encourage the use of environmentally friendly private transport, resulting in improvements in physical & mental health, wellbeing, air quality and reduced noise pollution & congestion.

3.1.7 Convenient storage facilities such as the proposed are used for a myriad of functions that enhance the health (physical & mental), wellbeing and productivity of those local residents who occupy them; providing storage for bulky sports equipment, a space for hobbyist activities, stock or equipment storage etc. The proposed storage spaces will ultimately be put to practical use by local residents to improve their quality of life.

3.1.8 The condition of any green space amenity at this specific location is poor and featureless. Major rail infrastructure flanks almost all sides of the site, resulting in it being an unattractive, neglected and impractical area to dwell. It is also an unsuitable & potentially dangerous space for ball games.

3.1.9 As the proposed units are for the use of local residents only, there will be no increase in vehicle traffic to and from the local area. This cannot be said of any other alternative forms of development.

3.1.10 The proposals will be well maintained and managed by a single point of contact – not a shared/divided responsibility. Tried and tested procedures will be in place to prevent fly-tipping and other antisocial / illegal activity.

3.1.11 For the above reasons, we suggest that the development would make a positive contribution to the local environment of the area by virtue of many benefits including community convenience and a contribution to the public realm by tidying up the area.

3.1.12 The proposals are co-ordinated and form a consistent and suitable form of development on the specific site in question.

3.1.13 The proposals would have no adverse impact on the environment of the area or the privacy of neighbouring properties.

3.1.14 The proposal forms a continuation of the benefits outlined in item **2.3** above. When compared to the status quo, the proposal makes a positive contribution towards the overall appearance of the area.

3.1.15 The proposal makes better use of and will improve the appearance of waste ground. It provides useful private storage facilities that will benefit local residents. It will also offer short term construction employment and long-term local employment for the management & maintenance of the units.

3.1.16 There is clear evidence from the applicant's previous practice (in the successful construction & management of other local garage developments) of proposals being designed in such a way as to not compromise living conditions and amenity in the surrounding area.

3.1.17 Policy Hou 7 of the Edinburgh Local Development Plan notes that proposals will not be permitted that are “non-residential uses incompatible with predominantly residential areas”. We state that the proposals are fully compatible with residential uses and were intended and approved to be constructed with the original development in 1960, to serve those living in the residential area. As above, the area has been short of these facilities ever since the area was first inhabited.

3.1.18 These proposals are in accordance with Policy Des 4; “new development proposals will be expected to have similar characteristics to the surrounding buildings and urban grain.”

3.1.19 With reference to Policy Des 4; the proposed height, form, scale, proportions, space between buildings, position of buildings, materials and details are entirely consistent with buildings throughout the Forrester Park development.

3.1.20 The siting is entirely as per the previously approved scheme. In accordance with Policy Des 4, this does not affect views and is guided by the landscape character.

Conclusion

The proposal is simply to provide previously consented garage provision for the exclusive use of local residents. It is entirely in keeping with what is already approved by CEC and matches the form & scale of other garage units in the vicinity.

- The proposal adheres to the current adopted Local Plan policy, is not inconsistent with the specific requirements of the current adopted Local Plan Policy Hou7 or DES4 and will assist the Council in achieving their AQMA target for St John's Road.
- The proposals do not introduce a commercial storage business within a residential area. All proposed storage is for domestic use only and each garage will have facilities for EV battery charging.
- The proposal represents an appropriate use of the current waste ground resulting in a positive contribution to the improvement of the appearance of the area.
- The proposal does not compromise adjacent open green space.
- The proposals will improve vehicle access throughout the Forrester Park development by reducing road-side parking and enabling/encouraging greater bicycle use.
- The proposal will improve the appearance of the present waste ground and improve the amenity and security of the area resulting in wider public benefit.
- The proposal provides useful private parking and storage facilities (plus the added benefit of EV charging facilities). The functional and efficient design meets the needs of users in the community in an established location with suitable capacity.

Further to this, we note that there was no communication from the Local Authority to the agents, advising that the application was minded for refusal. Had we been notified of this we would have clarified that the proposals are for the exclusive use of Forrester Park residents only. We believe this would have avoided the apparent misunderstanding that these proposals are for commercial use – they are not – they are for the exclusive use of Forrester Park residents only.

Given all the above information, we consider it is very reasonable and wholly appropriate for the appeal to be considered favourably and permission granted.

Sincerely,

Tom Robertson Smith for City Architecture Office

Dear Sir

**Application No: 19/01414/FUL Proposed Garage Units at Forrester Park
Avenue, Edinburgh EH12 9AW**

I have chosen to write to you personally in support of the Appeal into the above planning application proposals in the interests of addressing confusion and misunderstandings which appear to me to have occurred in the City of Edinburgh Council's consideration of the application, ultimately leading to the decision to refuse planning approval. My advisers City Architects Office have managed the application on my behalf and I would wish that this letter be considered in addition to the further submissions prepared by my team of professional advisers.

As you will be aware the Application has been rejected as contrary to the Development Plan and specifically Policies Hou 7 and Des 5 with the suggestion that *'the proposal is not acceptable in this location as it will introduce a commercial business into a residential area and as a result will have a detrimental impact on the residential amenity'*. To my knowledge there was no consultation either with myself or my advisers prior to this decision being reached. That is particularly unfortunate since I believe that concerns associated with these suggested Development Plan non compliances could (and should) have been addressed at that stage.

In many ways I see Forrester Park as a model community, with its own specific characteristics and sense of community, sitting within the suburban area west of Edinburgh City Centre and close to Corstorphine. Located within a triangle of land bounded by the Edinburgh-Glasgow main line railway to the south, the Edinburgh-Aberdeen main line to the north and the busy B701 Meadow Place Road to the west (from which it takes its vehicular access) the site was the subject of a pioneering masterplanning exercise when first developed by respected housebuilders McTaggart and Mickel in the 1960s. That masterplan, covering the entire site area, allowed for the development of 442 apartments in a number of separate blocks together with the provision a similar number of garages for the use of residents.

For unexplained reasons those garages were not built at the same time as the apartments, with the sites allocated for their construction later put up for sale by the builders. I subsequently acquired those sites with the benefit of planning permission for the development of some of the garages.

As you can see from the above narrative there is nothing new in the proposal for the construction of lock up garages at Forrester Park. They were to be part of the original townscape of the proposed community with specific sites allocated for their provision in the development masterplan. My application proposals seek no more than the implementation of a small part of the originally conceived masterplan proposals for garage provision to serve the needs of the then new community.

The clear inference from the grounds of planning refusal is that the future development of 23 garages on a contained part of the Forrester Park site would introduce a '*commercial storage business*' within the closed residential area with consequential detrimental implications for local residents. If that were to be the case I would have full sympathy with the decision. However, it is not and never has been the case that I was promoting such uses in this area. The original Design Statement submitted in support of the application makes clear that '*the proposed garages will be available to let, for private storage purposes only*'. This commitment appears to have been disregarded by the planning authority in reaching its decision to refuse planning consent. Further dialogue at the application stage would have allowed me to emphasise this commitment at that time but I now wish to place on record my position in promoting the development for the sole use of residents of the estate. In my view there can be no suggestion that such development on a pre-allocated site within a suitably secluded part of the wider masterplan development area could adversely affect the amenity of the local residents. Indeed I would suggest that quite the reverse would be the case for reasons outlined in the planning Design Statement accompanying the application proposals.

I am aware that my proposals have not so far met with the widespread approval of local residents, with few suggesting that they would be likely to take up rental if such provision were to be made. I have two observations to make on this suggestion.

First I have been in the business of letting garages in the wider Edinburgh Context and across the Central Belt of Scotland for the past 29 years.

Experience over this time has taught me that what people say at the pre-planning stage is seldom borne out by practice when conveniently located, modestly priced facilities are subsequently made available. I currently manage 200 garages at a number of locations across Edinburgh and the majority are for the use of local residents. At present only 4% are vacant and available for rent.

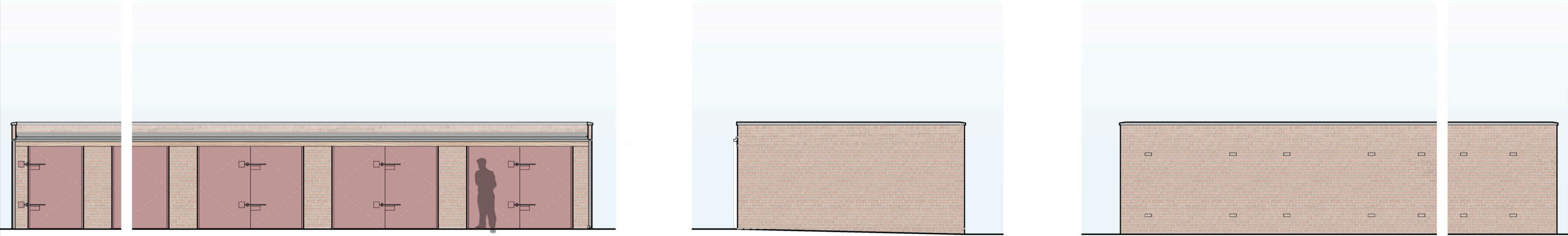
My second observation relates to the provision of charging points for electric vehicles (EV's) which I have specifically requested should be included in the proposed garages at Forrester Park. I like to think that I am suitably forward-thinking in developments in electric vehicle technology which is undergoing a steep transformation at the moment in the interests of promoting more sustainable transport. I am also aware of policies currently being advanced by the Scottish Government and the City Council to promote the use of EV's and to introduce Low Emission Zones specifically aimed at enhancing air quality in our cities. Such policies are expected to be most beneficial to the elderly and children who unfortunately are most at risk from poor air quality. As a resident of Corstorphine myself I am also aware that St Johns Road passing through the village (and to which Meadow Place Road serving the Forrester Park development directly leads) has a history of experiencing one of the worst levels of air pollution in Edinburgh if not in Scotland. Indeed I understand that it is the second most serious of 38 Air Quality Management Areas (AQMA's) in Scotland and the City Council is required to promote measures to improve air quality within it.

I believe strongly that a substantial increase in the use and popularity of EV's has begun already as any visit to a new car showroom will confirm. One of the particular issues in encouraging this wider use (particularly for residents of communities such as Forrester Park without the provision of garages or other suitably convenient charging spaces) is how do you meet the necessary requirements for charging EVs? (I understand that this is a major issue for many communities across the UK with some 40% of householders not having off-road parking where EV charging points can be installed.) With the provision of such facilities in my garages, I am confident that the likely demand for the relatively small number of garages I am currently proposing to build will more than justify their provision. I also believe that their provision will assist in delivering the wider aspirations of the City Council and the Scottish Government in promoting a transfer away from the use of vehicles powered directly by fossil fuels towards cleaner energy sources with the potential to massively improve air quality in the local AQMA and across other areas of the city.

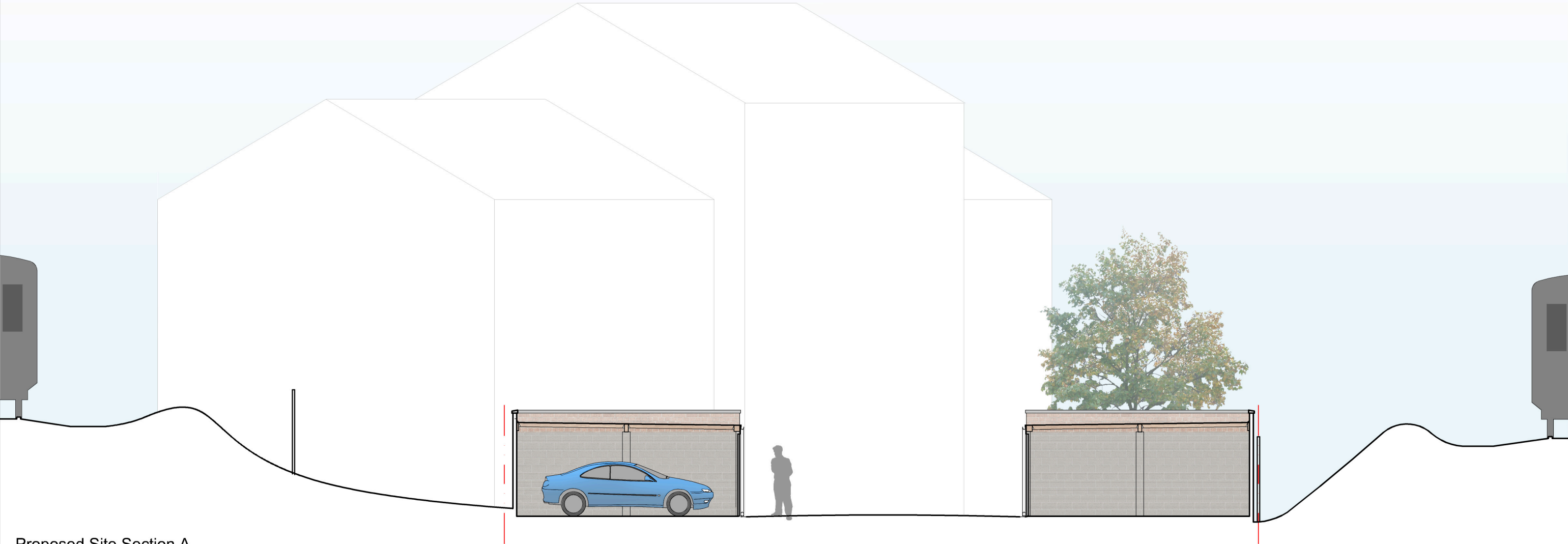
I trust that these further submissions in support of my appeal proposals will assist in clarifying confusions and misunderstandings which I believe have led to the previous unfortunate refusal of planning consent for this development and look forward to the granting of planning approval.

Yours sincerely

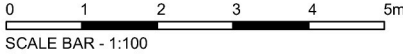
Norman G. Whitmey
(Appellant)



Proposed Unit Elevations
1:100



Proposed Site Section A
1:100



#	dd.mm.yy	#####	##	##
Rev	Date	Reason for issue	By	Chk

Do not scale drawings. Dimensions govern.
All dimensions to be checked on site before proceeding with the work.
City Architecture Office shall be notified in writing of any discrepancies.

City
Architecture
Office

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Client: Mr N. Whitney

Project: Forrester Park Avenue
Garage Plot

Drawing: Proposed Colour Elevations
& Site Section

Scale: 1:100 @ A3

Purpose of Issue: PLANNING

Drawn by: trs

Drawing No: 1901 PL03

