THE CITY OF EDINBURGH COUNCIL

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 100601349-001

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:	Cundall		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Laura	Building Name:	4th Floor Partnership House
Last Name: *	Mcdermott	Building Number:	
Telephone Number: *	0191 2134598	Address 1 (Street): *	4th Floor Partnership House
Extension Number:		Address 2:	Regent Farm Road
Mobile Number:		Town/City: *	Newcastle upon Tyne
Fax Number:		Country: *	United Kingdom
		Postcode: *	NE3 3AF
Email Address: *	l.mcdermott@cundall.com		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Jamie	Building Number:	1
Last Name: *	Hancox	Address 1 (Street): *	Avenue Villas
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH4 2HU
Fax Number:			
Email Address: *	[redacted]		

Site Address Details

Planning Authority: City of Edinburgh Council

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

Address 1:	1 AVENUE VILLAS
Address 2:	INVERLEITH
Address 3:	
Address 4:	
Address 5:	
Town/City/Settlement:	EDINBURGH
Post Code:	EH4 2HU

Please identify/describe the location of the site or sites

Northing	674707	Easting	323507

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)

'Demolition of an existing rear extension to the side and rear to house living, dining and utility facilities and to form basement to extension with study and plant room. Minor internal remodelling of existing house. Apex roof light over existing stair. At 1 Avenue Villas Edinburgh EH4 2HU'.

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 a 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.

The reason for refusal does not specifically say what is unacceptable about the proposal, nor do CEC evidence how the proposal would impact the future of the replacement trees. We have demonstrated (with evidence) that the proposal is not in conflict with Policy ENV12. No thorough quantitative assessment has been carried out by the council, yet they have disregarded all of the evidence we have submitted by refusing the application without evidence to substantiate the refusal.

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)

Local Review body statement - Produced by Cundall Design Statement- Produced by David Blakie Architects Arboricultural report- produced by Hinshelwood Arboricultural Consultants

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.	22/02322/FUL
What date was the application submitted to the planning authority? *	29/04/2022
What date was the decision issued by the planning authority? *	01/07/2022

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

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

The site is enclosed and would require prior notification for access.

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: Miss Laura Mcdermott

Declaration Date: 28/09/2022

1 Avenue Villas

City of Edinburgh Council Local Review Body Applicant Statement

Prepared on behalf of Mr J Hancox

Job No:	1036293
Doc Ref:	1036293-PG01-Avenue Villas PS- Rev B
Revision:	B
Revision Date:	22 September 2022

Project title	Project title	**Job Number**
Report title	City of Edinburgh Council Local Review Body Applicant Statement	1036293

Document Revision History

Revision Ref	Issue Date	Purpose of issue / description of revision
A	13 September 2022	Client Draft
B	20 September 2022	Final Draft

Document Validation (latest issue)

X	X	X
Principal author	Checked by	Verified by

Contents

1.0

Introduction

1.0 Introduction

1.1 Purpose of this report

This Statement is submitted on behalf of Mr J Hancox (hereafter referred to as 'the Applicants') in support of a PLRB appeal against the City of Edinburgh Council, who refused permission under delegate powers for:

'Demolition of an existing rear extension to the side and rear to house living, dining and utility facilities and to form basement to extension with study and plant room. Minor internal remodelling of existing house. Apex roof light over existing stair. At 1 Avenue Villas Edinburgh EH4 2HU'.

The application was refused on Friday 1st July 2022 with the refusal reason being:

> *'The proposal is contrary to the Local Development Plan Policy Env 12 in respect of Trees, as the location of the extension would impact on the long-term growth of replacement trees'*

The Appellant believes that the Reason for Refusal is unreasonable, not substantiated by planning policy and that the application already allows for full tree protection on the site. The Local review body is therefore respectfully asked to intervene in decision making.

The purpose of this report is to assist members of the Planning Local Review Body (PLRB) in their assessment and determination of the appeal. It presents a compelling case for the proposals and advises how the proposed development will comply with Planning Policy; the Development Plan; planning guidance and other material considerations.

We disagree with the refusal reason for the following reasons, in summary:

- The reason for refusal is weak as it does not specifically say what is unacceptable about the proposal in terms of the arboricultural information which has been provided to assess and mitigate for potential impacts to trees. Nor does the reason for refusal specify how or reference evidence to show how the proposal would impact the future of the replacement trees.
- The proposal is not in conflict with Policy ENV12 because arboricultural assessments of the development impact on the Trees on site have been adequately addressed and deemed no impact of detriment will be caused.
- There is no alternative location within the site to locate the extension and provide the appellant with valuable living accommodation on the ground floor.
- No qualitative assessment has been carried out by the council of the site, the specific site characteristics or that the design of the proposed developed has evolved in line with advice received by the council to take careful account of all constraints and opportunities on site.
- The layout, siting and design of the proposal is otherwise acceptable as is the development in all other respects which is confirmed within the Report of Handling and in the approval of the LBC application.

The application represents the third occasion that the David Blaikie Architects have attempted to compromise with the Councils requirements for this site which is effectively sterilised by this decision. The proposed design will enhance the appearance and setting of the conservation area.

2.0 Background Context and Planning History

2.1 Site Location and Description

The Application Site is located within the built-up area of Edinburgh on the east side of Crewe Road South, opposite Comely Bank Cemetery. The full property address is 1 Avenue Villas, Edinburgh, EH4 2HU.

The Application Site is approximately 0.1 hectare in area and is illustrated by the red line boundary in Figure 2.1 below.

The existing building forms an end block of a terrace of 3 residential properties. The stone built terraced block is 2 storeys with double pitched roof and is Category C listed. The existing boundary walls and railings surrounding the properties are also included within the Category C listing and remain unaffected by the proposals.

Figure 2.1- Site Location Block plan and satellite imagery

The property, as can be seen on figure 2.1, has a large amount of land surrounding it which is in the form of sizeable side and rear garden areas. The majority of the trees in the garden ground to the west of the building itself are the subject of a group Tree Preservation Order (TPO). An individual sycamore towards the south of the garden is also covered by the overarching TPO. There is a high stone wall along the western and southern boundary to the grounds.

Whilst not visible from Crewe Road South, due to the stone walls, the sites' grounds are generally in poor condition, being neglected and largely unmanaged, detracting from the internal visual amenity and overall setting of the listed house. The garden ground area formerly comprised numerous buildings and since their demolition, areas of rubble, sub-soil and uneven and made-up ground have been left in situ. An area of more tended and formal garden ground sits to the rear of the property, along the dividing garden wall.

Vehicular and pedestrian access to the property is gained via Avenue Villas, a single lane access track directly off Crewe Road South.

2.2 The Proposed Development

The proposed development intends to create contemporary living spaces to comfortably accommodate the property owners' growing family and to take advantage of the underused nature filled section of garden that the existing house currently feels detached from. Permission is required as the proposal exceeds permitted development thresholds (General Permitted Development (Scotland) Order).

The property owners recognise the importance of retaining and celebrating existing historic and natural features of the house and its' grounds whilst aspiring to create a home fit for 21st century living. Proposed development includes a kitchen, living room and dining spaces along with laundry room, study and a dedicated plant room for renewable energy equipment associated with the improvements.

Figure 2.2 below illustrates the proposed floor plans and elevations for the development.

Figure 2.2: proposed development

The design of the proposed extension has been revised and developed to take into consideration comments received by the Local Authority on the previous two planning submissions. David Blaikie Architects have fully discussed these with the case officer.

To maintain the existing plot pattern, the sandstone garden wall is proposed to be retained and incorporated into the design. The rear extension, containing the dining areas now matches the footprint and height of the existing extension, while the side extension, containing sitting room and utility spaces references the historic buildings that once adjoined the gable.

The Gross Internal Area (GIA), has reduced from previous proposals and in line with comment received, the design has been simplified to a series of more restrained forms. The proposed basement has been significantly reduced in footprint from the previous proposals with the accommodation consolidated to now include only a small study and plant room.

2.3 Planning History

Application reference	Description	Outcome
22/02322/FUL	Demolish existing rear extension and form new extension to the side and rear to house living, dining and utility facilities. Form basement to extension with study and plant room. Minor internal remodelling of existing house. Apex roof light over existing stair.	Refused on 01/07/2022
22/02323/LBC	Demolish existing rear extension and form new extension to the side and rear to house living and dining facilities. Form basement to extension with study and plant room. Minor internal remodelling of existing house. Apex roof light over existing stair.	Approved
21/03858/LBC	Demolish existing rear extension and form new extension to the side and rear to house living and dining facilities. Form basement to extension with guest bedrooms and plant room. Minor internal remodelling of existing house.	Withdrawn
21/03857/FUL	Demolish existing rear extension and form new extension to the side and rear to house living and dining facilities. Form basement to extension with guest bedrooms and plant room. Minor internal remodelling of existing house.	Withdrawn
20/03559/FUL	Demolish existing rear extension and form new extension to the side and rear to house living, dining and kitchen facilities as well as some internal alterations to existing dwelling.	Withdrawn
20/03476/LBC	Demolish existing rear extension and form new extension to the side and rear to house living, dining and kitchen facilities as well as some internal alterations to existing dwelling.	Withdrawn
16/01245/FUL	It is proposed to omit condition 3 of the permission 15/00682/TPO and substitute a new condition as outlined in the supporting statement that forms part of this application.	Withdrawn
15/00682/TPO	Application to carry out remedial works as detailed in accordance with tree condition assessment report.	Granted
14/05083/LBC	Alterations to house and form new vehicle access to front garden along with the removal of the structurally unstable garden wall (as amended to locate parking and access to the side)	Granted
14/05083/FUL	Alterations to house and form new vehicle access to front garden along with the removal of the structurally unstable garden wall (as amended to locate access and parking to side)	Granted

12/03234/LBC	Erection of garden room within the grounds of the listed property.	Granted
12/03234/FUL	Erection of garden room within the grounds of the listed property.	Granted
06/05063/FUL	Minor alterations to internal layout, as well as the construction of garden rooms to villa no 1 and 2 (as amended)	Granted
06/05063/LBC	Minor alterations to internal layout, as well as the construction of garden rooms to villa no 1 and 2 (as amended)	Granted

Significantly, it should be noted that Listed Building Consent accompanying this application was granted by the Council. The issue of difference therefore revolves around the protection of a group of very young TPO Trees and whether they are adequately protected by the proposed works.

3.0 Assessment of Refusal Reason

This section of the report sets out the reason for refusal of the application to which this LRB appeal relates and an assessment of the refusal reason. It must be noted that there was only a single reason for refusal of the application and this statement will primarily address the issues pertaining to this refusal reason as it is assumed all other material matters relating to the application, were satisfactorily handled throughout the determination process.

As advised, it should also be taken into account, that the Listed Building Consent application 22/02323/LBC which was submitted in conjunction with the full application was approved on 8th July 2022. Below are extracts from the Report of handling and confirm that the proposals are acceptable with the exception of the perceived impact upon trees.

“The proposal has an acceptable impact on the character of the listed building and is acceptable in regard to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

“The proposal has minimal impact on the historic fabric and building across the blank gable and the section already covered by an extension has no significant impact on the character of the building.”

The Appellant therefore fails to understand the Councils reasoning and the rationale for refusing this application, especially given the expert advice provided by the Appellant in relation to replacement planting.

3.1 Refusal Reason

The single reason for refusal of application 22/02322/FUL is as follows:

‘The proposal is contrary to the Local Development Plan Policy Env 12 in respect of Trees, as the location of the extension would impact on the long-term growth of replacement trees.

Furthermore, the Report of Handling states:

The trees on the western section of the site are covered by a TPO and this is a major impediment to development. Mature trees on the north section were previously removed and are now replaced by new trees. Whilst the proposal has no impact on the root system of these trees, the purpose of the replanting is to eventually produce trees of the scale which were removed. The proposed extension would impact on the potential growth and future of the replacement trees, undermining the long-term purpose of the TPO.

We disagree with the refusal reason for the following reasons:

- The reason for refusal is weak as it does not specifically say what is unacceptable about the proposal in terms of the arboricultural information which has been provided to assess and mitigate for potential impacts to trees. Nor does the reason for refusal specify how or reference evidence to show how the proposal would impact the future of the replacement trees.
- The proposal is not in conflict with Policy ENV12 because arboricultural assessments of the development impact on the Trees on site have been adequately addressed and deemed no impact of detriment will be caused.
- There is no alternative location within the site to locate the extensions and provide the appellant with valuable living accommodation on the ground floor.
- No quantitative assessment has been carried out by the council of the site, the specific site characteristics or that the design of the proposed developed has evolved in line with advice received by the council to take careful account of all constraints and opportunities on site.
- The layout, siting and design of the proposal is otherwise acceptable as is the development in all other respects which is confirmed within the Report of Handling and in the approval of the LBC application.

3.2 Assessment of Local Plan Policy ENV12

Policy ENV12 of the Edinburgh Local development Plan (2016) is as follows:

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

This policy recognises the important contribution made by trees to character, biodiversity, amenity and green networks. In assessing proposals affecting trees, the Council will consider their value, taking into account current Scottish Government guidance – presently contained in its Policy on Control of Woodland Removal and UK Forest Standard – and their status such as Tree Preservation Order, heritage tree, Ancient Woodland and Millennium Woodland, along with information from tree surveys. Where necessary to protect trees, the Council will use its powers to make and enforce Tree Preservation Orders.

The council have not demonstrated or evidenced how the proposal is likely to have a 'damaging impact on a tree protected by a Tree Preservation Order.' The policy does not set out how this will be determined, nor does it reference any specific guidance that would be used to make this determination. In the absence of any such evidence provided by the council, as part of the application submission, a suitably qualified arboriculturist was appointed to undertake a survey of trees on the site and to provide an arboricultural method statement in line with government guidance.

The Tree survey report concludes the following:

> *"The site can be developed as proposed whilst both retaining the important tree cover, improving its overall quality and enhancing its long-term sustainability".*

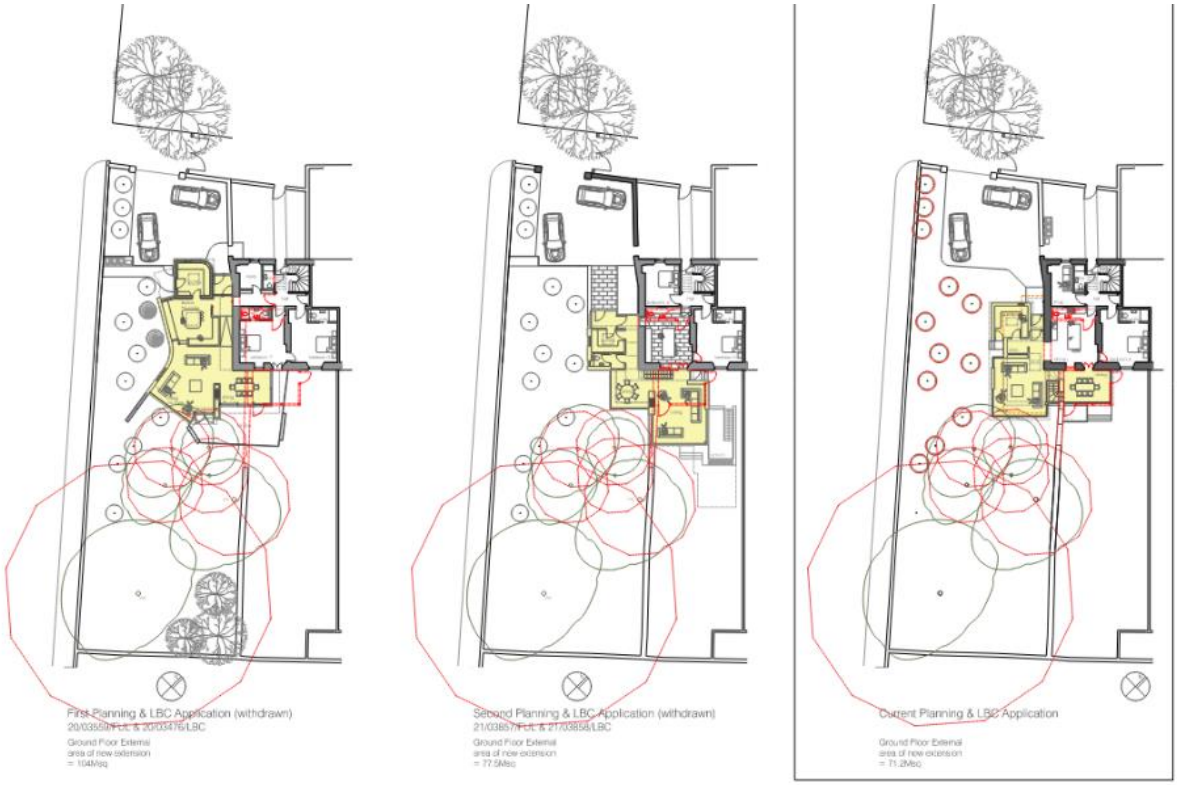
The work carried out by the arboriculturist, demonstrates that all trees can be retained on the site, taking into account the proposed layout whilst enhancing the long-term sustainability of the tree cover on site and it is therefore considered that the proposal does accord with policy ENV12. The Appellant is unclear why the Council is challenging this conclusion.

The refusal reason relates specifically to the long term growth of replacement trees. It is our understanding that several protected trees have been removed in the past due to conflict with existing buildings on site and these trees were replaced.

The replacement trees planted, that will be adjacent to the development envelope and adjacent to the boundary wall are birch and rowans. There is one lime tree that is found further away on the southwest corner of the proposal. Birch and rowan are not large specimen trees even when mature and are seen as a good tree for smaller gardens and spaces or difficult sites as they, especially birch are seen as a pioneering species. They do not produce a large canopy cover, so shading is rarely an issue. There are many new builds that have used birch in very close proximity to the apron of the build with great success and establishment and because the trees are still young (less than 3 years old) they have much better resilience than opposed to mature trees and they will not come to any harm now or in the future due to these combined qualities.

Figure 3.2 below illustrates the proposed layout of 3 planning applications that have been submitted with the last image showing the current application. The proposed development has evolved from the first application and has taken careful consideration of advice and guidance received throughout the process. The current proposal has been carefully designed to avoid existing trees on site, enabling them to be retained and protected to ensure their longevity. The sitting room has been thoughtfully designed to cantilever over a set-back basecourse to further distance foundations from tree roots, enabling long-term sustainability of the current tree cover on site.

Figure 3.2: Planning application history



The Report of Handling has not taken into account the proposed design and the considerations it upholds in terms of tree protection and has not carefully assessed the mitigation measures in determining any impact upon trees.

3.3 British Standard 5837

The British Standard "Trees in Relation to Design, Demolition and Construction to Construction" (BS 5837) (2012), details the steps that should be taken to ensure that trees are appropriately and successfully retained when a development takes place.

This means that where there are trees either on a potential development site or within close proximity to the site, the district council will consider them when making decisions on planning applications for that site. Development proposals should, where appropriate follow the processes and recommendations laid out in BS5837 (2012).

We can confirm that the Tree Survey report carried out, has been undertaken in line with BS5837 (2012) and the development conforms to the guidance and parameters set out within the standard.

BS5837:2012 states that the default position for structures should be outwith the Root Protection Area (RPA) of trees to be retained. The Tree survey confirm that this will be the case for the proposed development. The Tree survey, accompanying report and arboricultural Impact Assessment (AIA) confirm that all trees will be retained and outwith the RPA and Zones of Influence (ZOI), therefore according with BS5837:2012.

4.0 Other Material planning matters

4.1 Consideration of further Development Plan Policies

In addition to Policy ENV12 of the City of Edinburgh Local Plan, a number of other policies and guidance are also relevant to this appeal and are set out below.

4.1.1 Scottish planning policy (SPP) (November 2020)

The purpose of the SPP is to set out national planning policies which reflect Scottish Ministers' priorities for the operation of the planning system and for the development and use of land. The SPP aims to ensure consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances. It directly relates to:

- the preparation of development plans;
- the design of development, from initial concept through to delivery; and
- the determination of planning applications and appeals.

Paragraph 36 of the SPP states that the overarching purpose of planning is to create better places. The policy sets out that placemaking should be a collaborative process of which the outcomes should be 'sustainable, well-designed places and **homes which meet people's needs'** it also states that the approach to placemaking should recognise the unique contribution that all parts of Scotland can make and fundamentally, **harnessing the distinct characteristics and strengths of each place to improve the overall quality of life for people.**

Considering the above, the proposed development aims to make a significant improvement to the property which fundamentally will result in a home which meets the needs of the owners. It is considered that that the proposal does harness the distinct and valuable characteristics and strengths of the property which will result in an overall quality of life for the owners.

In addition, paragraph 28 of the SPP states that the planning system *"should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term."* It has been demonstrated that the proposed development is economically, environmentally and socially sustainable and that it has balanced the costs and benefits of the proposal. This is demonstrated by the various submissions of applications involving several variations of the extension layout that has carefully taken account of constraints and opportunities on site, whilst addressing comments received by consultees and planning officers on previous applications. Whilst the applicant has demonstrated that the proposal balances the costs and benefits of a proposal over the longer-term, we don't not consider that that the Local Authority has suitably balanced all of the material considerations in determining the application.

Furthermore, paragraph 29 of the SPP states that planning decisions should support good design and to protect the amenity of new and existing development. The proposal has been carefully designed to a high standard taking into account existing historical and environmental features on sire, whilst also giving due consideration to the amenity of residents and future residents of the dwelling.

4.1.2 Edinburgh Design Guidance (2020)

This document is part of a suite of non-statutory planning guidance which interpret the policies set out in the Local Development Plan. It is important that, where applicable, these are read in conjunction with one another. For example, when designing a new building in a conservation area, reference should be made to this guidance and the Guidance on Listed Buildings and Conservation Areas. Page 13 of the Design Guidance states that *"Development should retain trees (and especially mature trees) which contribute to the character of the streetscape, backdrop and setting."* It has been demonstrated that all trees are able to be retained and protected on the site. In addition, with particular reference to

appraising sites, the guidance states that *"For a proposal to respond positively to its context, it is essential that it is designed with a good understanding of its site and the surrounding area".* A comprehensive appraisal has been carried out throughout the design process and the design has evolved in line with comments received from consultees and planning officers. It is therefore considered that the proposed development accords with the Design Guidance.

4.2 Rebuttal to objections received

An objection was lodged by Alastair McKie of Anderson Strathearn on behalf of a number of residents surrounding 1 Avenue Villas and we would like to take this opportunity to address some of the points put forward.

With reference to paragraph 1.5 of the objection, this relates fundamentally to the previous applications submitted (References 21/03857/FUL and 21/03858/LBC). This advice concerns an email exchange from Council Planning officer Diana Garret and relates entirely to those applications aforementioned and not the current application subject to this LRB appeal.

Below is an extract from the objection document:

> *"1.5. We consider that the advice of the Council Planning Officer, Diana Garrett in her email to the applicant's agent dated 3 December on applications 21/03857/FUL and 21/03858/LBC is a relevant and important planning basis for assessing the Planning Application and the LBC Application. We set out the terms of her email with our clients' comments in red beneath commenting on the extent that the Planning Application and the LBC Application heed this sound advice."*

As set out above, the objection to the application to which this LRB appeal relates, is based upon advice received by the planning officer for previous applications and the objection has been structured in a way which the objectors make their own assessment of how the current applications take account of that advice. It is pertinent to mention, therefore, that planning applications should be determined on their own merits and not by advice received for a completely different proposal.

Irrespective of this, our client has carefully and sympathetically designed the proposed development to take account of the comments received on the prior 2 applications to achieve an outcome that is acceptable and which considers the important historic and natural features which exist, and considering that the only refusal reason given, related to trees, it is considered that the current planning application satisfied advice received by planning officers in relation to design, layout and scale and its' impact upon the listed building and its setting. Furthermore, it was acknowledged in the report of handling for this application on page 4 "The works have no significant impact on the character of the listed building and are acceptable in regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997)

Within paragraph 1.5, with reference to the client's response, concern is raised in regard to the perceived impact of 'merging plots' and the wrapping around of the extension around the existing home. Issues surrounding plots were confirmed to be 'Non-material' on page 3 of the 'Report of Handling' for the associated Listed Building Consent application (22/02323/LBC), which was approved and therefore not considered to be of relevance to the outcome of this application. Notwithstanding this, it should be considered that this matter has been suitably satisfied, as concerns surrounding the proposed layout, are not included within the reason for refusal provided.

The objection states that an Arboriculture Impact Assessment and Tree survey, in addition to an assessment of flood risk, were not provided. As the Report of Handling states, these documents were submitted in support of the application and a comprehensive assessment of trees and flood risk have been carried out.

Paragraph 1.6 sets out a particular objection to the proposal on the grounds of it "unacceptably impacting on trees which have been replanted" The submitted tree survey and arboricultural work, demonstrates that this is not the case as a proper assessment has been carried out.

5.0 Conclusion

The proposed development, which is the subject of the Local review Body submission, comprises the demolition of an existing rear extension to the side and rear of the house, the creation of new living, dining and utility facilities and the formation of abasement which will include a study and plant room in addition to minor internal remodelling and an Apex roof light at 1 Avenue Villas, Edinburgh.

The proposed extension to the building will make a positive contribution to the character and setting of the building and will enable the occupants to adapt the existing home to their changing needs.

The officer has failed to fully assess and acknowledge the various information, surveys and drawings related to the trees in refusing this application. Extensive survey and assessment work was undertaken and presented to the officer and the to demonstrate avoidance of damage to the trees, yet little, if any of it is discussed in the report of handling with any justification as to why the development cannot be approved.

We consider that the proposed development is supported by the development plan, including LDP policies Env4, Env9 Env12 and Env21 in addition to LDP Design policy Des12.

The proposal is in compliance with Edinburgh Design Guide; Trees on Development Sites Guidance and British Standards and we respectfully request that the Local Review Body grants planning permission for the proposed development.

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Hinshelwood Arboricultural Consultants

Urban Tree Specialists

Survey of Trees at
1 Avenue Villas. Edinburgh

15 June 2022

Hinshelwood Arboricultural Consultants

7 Forth Reach, Dalgety Bay, Dunfermline.

Fife. KY11 9FF

CONTROL SHEET

Project Title:	1 Avenue Villas
Agent for Client:	David Blakie Architects
Council:	City of Edinburgh Council
Survey Date:	17 May 2022
Prepared by:	Graham Hinshelwood
Date of Issue:	15 June 2022
Status:	Final
Version No:	1

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DISCLAIMER

Survey Limitations: Unless otherwise stated all trees are surveyed from ground level using non-invasive techniques, in sufficient detail to gather data for and inform the design of the current project only. The disclosure of hidden crown and stem defects, in particular where they may be above a reachable height or where trees are ivy clad or located in areas of restrictive ground vegetation, cannot therefore be expected. Detailed tree safety appraisals are only carried out under specific written instructions. Comments upon evident tree safety relate to the condition of said tree at the time of the survey only. Unless otherwise stated all trees should be re-inspected annually in order to appraise their on-going mechanical integrity and physiological condition. It should, however, be recognised that tree condition is subject to change, for example due to the effects of disease, decay, high winds, development works, etc. Changes in land use or site conditions (e.g. development that increases access frequency) and the occurrence of severe weather incidents are also significant considerations with regard to tree structural integrity, and trees should therefore be re-assessed in the context of such changes and/or incidents and inspected at intervals relative to identified and varying site conditions and associated risks.
Where trees are located wholly or partially on neighbouring private third-party land then said land is not accessed and our inspection is therefore restricted to what can be seen from within the site. Stem diameters and other measurements of trees located on such land are estimated. Any subsequent comments and judgments made in respect of such trees are based on these restrictions and are our preliminary opinion only. Recommendations for works to neighbouring third-party trees are only made where a potential risk to persons and/or property has been identified during our survey or, if applicable, where permissible works are required to implement a proposed development. Where significant structural defects of third-party trees are identified and associated management works are considered essential to negate any risk of harm and/or damage then we will inform the relevant Council of the matter. Where a more detailed assessment is considered necessary then appropriate recommendations are set out in the Tree Survey Schedule. Where tree stem locations are not included on the plan(s) provided then they are plotted by the arboriculturist at the time of the survey using, where appropriate and/or practicable, a combination of measurement triangulation and GPS co-ordination. Where this is not possible then locations are estimated. Restrictions in these respects are detailed in the report.
This document is intended as a guide to identify key tree related constraints to site development only, and the potential influence of trees upon existing or proposed buildings or other structures resulting from the effects of their roots abstracting water from shrinkable load-bearing soils is not considered herein. The tree survey information in its current form should not therefore be considered sufficient to determine appropriate foundation depths for new buildings. Accordingly, an updated survey, with reference to the current NHBC Standards Chapter 4.2 - Building Near Trees, must therefore be prepared for the specific purpose of informing suitable foundation depths subsequent to planning approval being granted. The advice of a structural engineer must also be sought with regard to appropriate foundation depths for new buildings.

Third Parties: Any disclosure of this document to a third party is subject to this disclaimer. The report was prepared by Hinshelwood Arboricultural Consultants at the instruction of and for use by our client. This report does not in any way constitute advice to any third party who is able to access it by any means. Hinshelwood Arboricultural Consultants excludes to the fullest extent lawfully permitted all liability whatsoever for any loss or damage arising from reliance on the contents of this report.

Table of Contents

1.0 INTRODUCTION

Terms of Reference

Hinshelwood Arboricultural Consultants were instructed to:

a) Survey, either as individuals or by group, all trees having reasonable potential to be adversely affected by or to affect the development of the site under consideration.

b) Prepare a tabulated Tree Survey Schedule based on guidance specified BS5837:2012 - Trees in Relation to Design, Demolition and Construction – Recommendations.

c) Evaluate the potential tree related impacts and design conflicts of the proposals.

d) Advise on removal, retention and management options for the trees in the current context and in the context of the proposed development.

e) Advise on suitable tree protection measures required during development.

f) Annotate the existing site proposal plan to produce a Tree Constraints Plan and a Tree Impact Plan identifying tree retention categories, crown spreads, Root Protection Areas, projected tree related impacts, approximate temporary protective fencing locations, new tree planting suggestions, and other pertinent details; and

g) Produce an Arboricultural Impact Assessment report outlining the main tree related issues and potential tree related impacts in relation to the proposed development and indicating suitable mitigation provisions and retained tree protection measures.

Scope and Purpose of Report

1.1 By detailing foreseeable tree related issues this report is intended to assist the Local Planning Authority (LPA) in their review of the proposed development and, as such, should be supplied to them in support of the planning application to which it pertains.

1.2 The report provides an initial analysis of the impacts that the proposed development is projected to potentially have on trees located both within the site and immediately adjacent to its boundaries. It also offers guidance on suitable retained tree management and mitigation for projected losses, along with appropriate tree protection measures in the context of the proposed development in accordance with current guidance.
Site Visit, Data Collection and Tree Plans

1.3 Further to instruction I confirm that I visited the site on 25 May 2022 and carried out a survey of trees. My survey was carried out in accordance with the preceding disclaimer, and all tree data collected on site is set out in the attached tabulated Tree Survey Schedule (TSS) at Appendix One which, for ease of interpretation, should be read alongside the associated BS5837:2012 Table 1 (as appended).

1.4 During my survey review I identified six individual trees (prefixed ‘T’) and have numbered them accordingly on the Tree Constraints Plan (TCP) and Tree Impact Plan (TIP), as appended. The plans are based on a topographical survey based on existing site plans that were provided in electronic format by the client’s agent, David Blakie Architects and for the purpose of this report, the plans’ details are presumed to be accurate.

1.5 The TCP details the existing site with the readily definable tree constraints, whilst the TIP also has an overlay of the development proposals along with associated tree related impacts and suggestions for mitigation tree planting.

2.0 STATUTORY PROTECTION IN RESPECT OF TREES AND ASSOCIATED WILDLIFE

Tree Preservation Orders and Conservation Area Designations

2.1 Town and Country Planning (Scotland) Act (the Act) and associated Regulations empower Local Planning Authorities (LPAs) to protect trees in the interests of amenity by making Tree Preservation Orders (TPOs). The Act also affords protection for trees of over 75mm diameter that stand within the curtilage of a Conservation Area (CA).

2.2 Subject to certain exemptions, an application must be made to the LPA in question to carry out works upon or to remove trees that are subject to a TPO, whilst six weeks' notice of intention must be given to carry out works upon or to remove trees within a CA that are not protected by a TPO.

2.3 I have not been informed if the site stands within a CA, or if any of the trees are the subject of a TPO. As such, it is therefore essential to contact the Planning Department of the Local Authority prior to scheduling or carrying out any tree works that are not specifically related to the implementation of a detailed (i.e. full) planning consent granted under the Act.

Protected Species

2.4 Nesting birds are afforded statutory protection under the Wildlife & Countryside Act (1981) (as amended) and their potential presence should therefore be considered when clipping hedges, removing climbing plants and pruning and removing trees. The breeding period for woodlands runs from March to August inclusive. Hedges provide valuable nesting sites for many birds and clipping should therefore be avoided during March to July. Trees, hedges and ivy should be inspected for nests prior to pruning or removal and any work likely to destroy or disturb active nests should be avoided until the young have fledged.

2.5 All bat species are protected under Schedule 5 of the Wildlife & Countryside Act (1981) (as amended) and under Schedule 2 of the Conservation of Habitats and Species Regulations 2010 (as amended). In this respect it should be noted that it is possible that unidentified bat habitat features may be located high up in tree crowns and all personnel subsequently carrying out tree works at the site should therefore be vigilant and mindful of the possibility that roosting bats may be present in trees with such features. If any bat roosts are identified then it is essential that works are halted immediately and that a suitably qualified and experienced ecologist investigates and advises on appropriate action(s) prior to works continuing.

3.0 THE SITE AND THE SURROUNDINGS

3.1 The application site is between Crewe Road South to the south west and Avenue Villas numbers 1-3, grade C listed buildings, to the north east; To the north west is a stone telephone exchange building. To the south east is a branch of the Bank of Scotland. The gardens to Avenue Villas contain mature trees towards the bottom of the gardens. Vehicle access is taken from Crewe Road South

3.2 The site was formally the Comely Bank Estate, with Avenue Villas forming the farm house, and the remainder of the site used for farm buildings. The site is currently garden ground in the ownership of 1 Avenue Villas. A garden wall divides the two sites. The site is bound by listed walls, running along the north eastern, south eastern and south western sides. There are mature trees on the site located towards the bottom of the garden. There is evidence that the site previously had buildings on it. (see Figs. 1 & 2, below). Topography within the site is on grade, with gentle falls in ground levels from the north to the south.

4.0 THE TREE POPULATION

4.1 As noted previously, six were surveyed for the purpose of this appraisal. The surveyed trees are a mix of sycamore, beech and birch. All of the trees included in this appraisal are located within the site redline boundary.

4.2 The surveyed trees were all found to be mature in age. Tree sizes range from medium to large, with heights of up to 15 metres, maximum diametrical crown spreads of up to 14 metres and stem diameters of up to 1600 millimetres. Detailed tree dimensions and other pertinent, information such as structural defects and physiological deficiencies, are included in the Tree Survey Schedule (TSS) at Appendix One.

4.3 In respect of the TSS it should be noted that tree quality is categorised within the existing context without taking any site development proposals into account. However, recommendations for works included in the TSS take both current site usage into consideration and the proposed site development where there is definable development related issues with regard to specific trees.

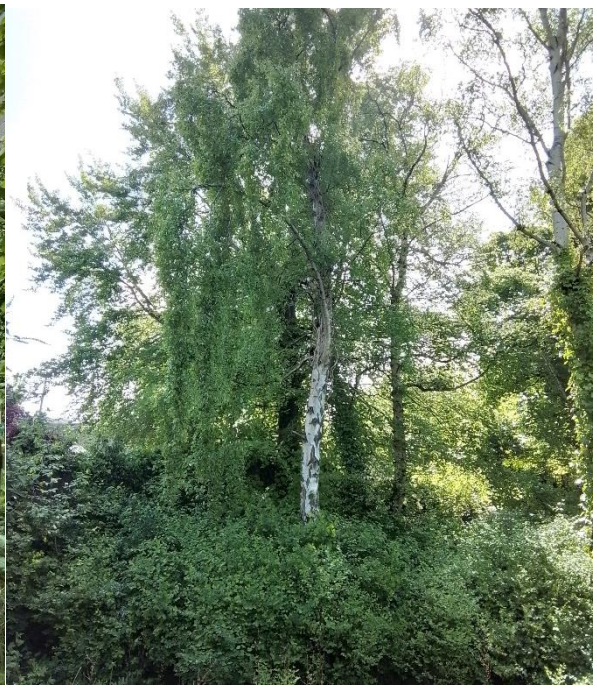
4.4 The TSS includes a column ('Cat. Grade') listing the trees' respective retention values, where they are rated either 'A,' 'B,' 'C' or 'U,' as per BS5837:2012 Table 1 (Appendix One). 'A' category trees are those considered to be of 'high quality' and, accordingly, the most suitable for retention, whilst 'B' category trees are those considered to be of 'moderate quality.' As detailed in Table A (below), one tree was categorised as moderate quality ('B'), five trees were categorised as low quality ('C') and no trees categorised as ('U') trees that should be removed for sound management reasons regardless of site proposals.

Table A: BS5837-2012 Retention Categories of the Surveyed Trees

	Ret. Cats.	Tree Numbers	Totals
Those of a moderate or high quality that should be afforded appropriate consideration in the context of development	A	-	-
	B	T5760 "Sycamore (Acer pseudoplatanus)"	*1 tree*
Those of a low quality that should not be considered a material constraint to development	C	T5755 "Birch (Betula sp.)" T5756 "Birch (Betula sp.)" T5757 "Birch (Betula sp.)" T5758 "Birch (Betula sp.)" T5759 "Beech (Fagus sp.)"	*5 trees*
Those that should be removed for sound management reasons regardless of site proposals	U	-	-
TOTALS			*6 trees*

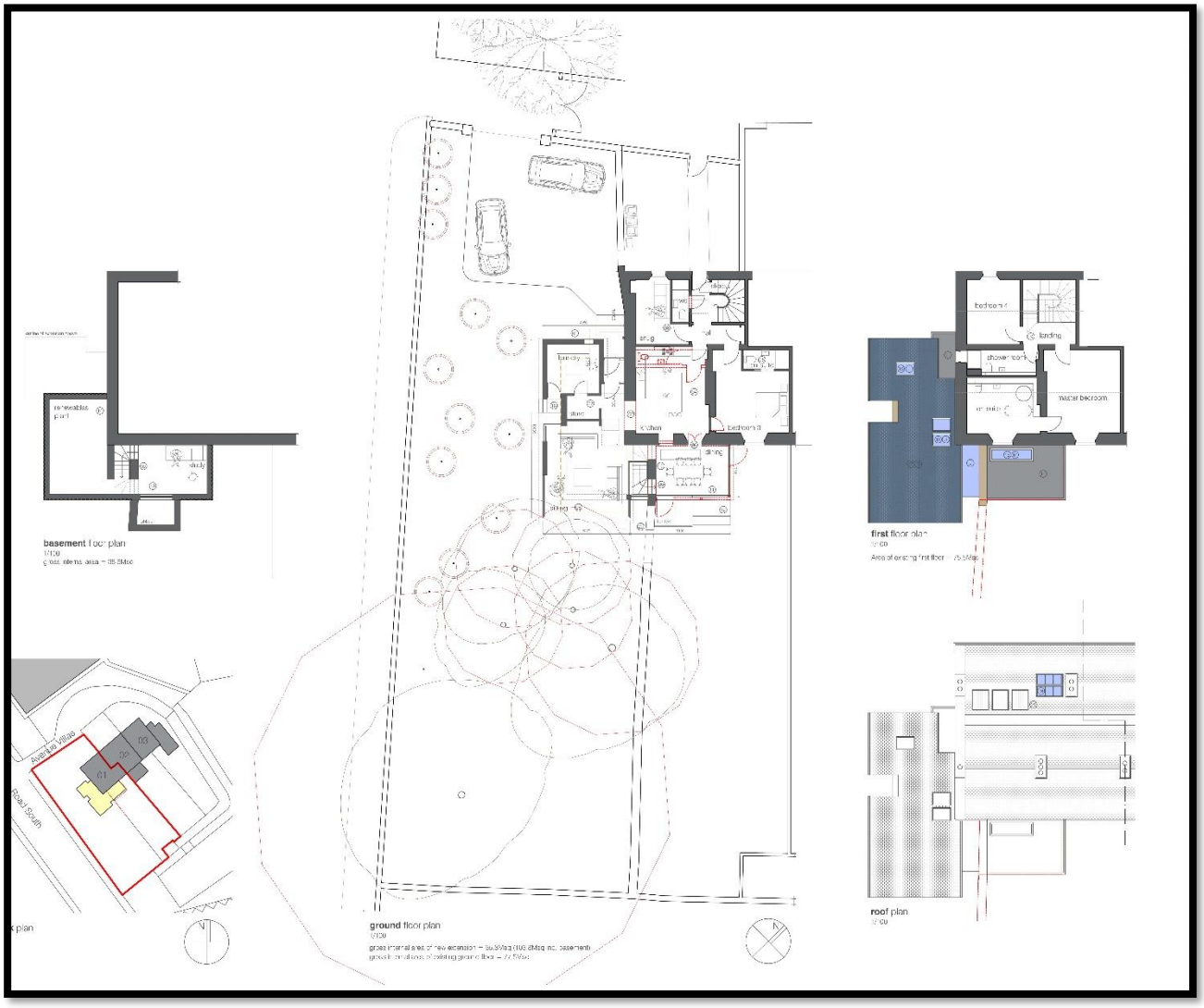
4.5 The area under consideration has historically had hard surfaces and ancillary buildings along with regular management of utilities over a long period of time and, as such, all of the surveyed trees, have had the ground within their RPAs areas extensively managed on a regular basis (see Figs. 3 & 4, below). It is therefore reasonable to conclude that the practices will have affected the morphology and extents of the trees' roots.

4.6



5.0 THE DEVELOPMENT PROPOSAL AND ITS PROJECTED ARBORICULTURAL IMPACTS

5.1 The proposals include building this wall up higher for the extent of the extension to form a solid dividing element between the side and rear extensions. The rear extension, containing dining areas, matches the footprint and height of the existing extension while the side extension, containing sitting and utility areas. Further two elements are further defined as distinct from each other by a proposed band of 'frameless' glass to wall and roof adjoining the altered garden wall., (see TIP). Accordingly, I have been provided with a proposal plan to that effect, as prepared by David Blakie Architects. In order to appraise the projected impacts that the development would potentially have on the trees, the tree constraints details were overlaid onto the site proposal plan, as detailed on the TIP.



Projected Arboricultural Losses Relating to the Proposal

5.2 As detailed in Table B and on the TIP, implementation of the proposed development as it stands is projected not to require in order to form the proposal. Please see paragraphs 6.1 and 6.2 with regard to the retention of trees during development at the site under consideration.

	Ret. Cats.	Removals necessary to implement development	Removals suggested for non-development related reasons	Total number of tree removals
Those of a high quality that should be afforded appropriate consideration in the context of development	**A**	-	-	-
Those of a moderate quality that should be afforded appropriate consideration in the context of development	**B**	-	-	-
Those of a low quality that should be afforded appropriate consideration in the context of development	**C**	-	-	-
Those that should be removed for sound management reasons regardless of site plans	**U**	-	-	-
Totals		-	-	= 0 trees in total

Mitigation Site Landscaping

5.3 As provisionally indicated on the site proposal plan site landscaping, including new tree and hedge planting, is proposed as part of the development. Considering the site's location in a suburban area I would recommend that the landscaping should include the provision of a range of locally native tree species planted as individuals and as small groups throughout the site. Overall, such new tree and hedge planting is projected to deliver a substantial long-term visual amenity in the local landscape and to enhance the ecological value of the site.

5.4 Accordingly, detailed tree planting proposals can be included as part of a detailed landscape plan for the site, which can be conditioned to a planning approval.

6.0 RECOMMENDATIONS FOR SUCCESSFUL TREE RETENTION IN THE CONTEXT OF DEVELOPMENT

Root Protection Areas and Construction Exclusion Zones

6.1 Adequate protection of the Root Protection Areas (RPAs) of retained trees during construction is essential if their long-term viability is to be assured. RPAs, which are calculated through a method provided in BS5837:2012, are ground areas that should be protected by temporary protective fencing as Construction Exclusion Zones (CEZs) throughout the development process, thereby keeping the trees' root zones free from disturbance. Consequently, the RPA distances, as detailed in the TSS (see 6.2, below), and on the TCP and TIP give an idea of the on-site below-ground constraints in respect of tree roots and assist in planning for appropriate tree retention in relation to feasible development. In certain situations, such as at the site under consideration, there is a limited degree of flexibility in the CEZ positioning, as discussed in paragraph 6.2.

6.2 The TSS includes two columns listing the RPAs of the individually surveyed trees and, where applicable, the largest of the trees in any surveyed groups as overall areas in square metres and as radial distances. The radial RPAs are indicated as magenta-coloured circles on the TCP and TIP, which indicate the locations and extents of the applicable CEZs.

6.3 With regard to CEZs the design, materials and construction of the fencing should be appropriate for the intensity and type of site construction works, should conform to at least section 6.2 of BS5837:2012 and should be secured by the imposition of a suitably worded planning condition. In this particular situation the extant boundary structure will align to the CEZ and safeguard the RPA.

6.4 The installation of underground utilities in close proximity to trees can cause serious damage to their roots. As such, it is essential that utilities be routed outside RPAs unless there is no other available option, and specifics regarding these routes should be included as part of a detailed planning application. Where RPAs cannot be avoided then guidelines set out in the National Joint Utilities Group publication 'Volume 4: NJUG Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees (Issue 2) – Operatives Handbook' should be followed (e.g. trenches of a very limited width to be hand dug or the use of directional drilling).

Arboricultural Method Statement

6.5 Government guidance recommends that, where considered expedient by the LPA, an Arboricultural Method Statement (AMS) be prepared detailing special mitigation construction. The AMS should describe and detail the procedures, working methods and protective measures to be used in relation to retained trees in order to ensure that they are protected during the construction process. Production of and adherence to an AMS can be conditioned as part of a planning approval.

7.0 OTHER RECOMMENDATIONS

Non-Development Related Tree Works and Recommendations

7.1 Any general management pruning works for retained trees that are stated to be non-development related, as detailed in the TSS, are recommended in accordance with prudent arboricultural management and should therefore be carried out regardless of any site development proposals and potential changes in land usage. All tree works should be carried out in accordance with BS3998:2010 - Tree Work – Recommendations.

Tree Work Related Consents

7.2 No tree pruning or removal works should commence on site until necessary consents have been obtained from the LPA as part of a planning approval or in respect of any statutory tree protection (e.g. TPOs) that may exist.

Arboricultural Contractors

7.3 All tree works should be conducted by suitably qualified and experienced arboricultural contractors carrying appropriate public liability insurance cover and be implemented to the minimum current CE and UK industry standards and in accordance with industry codes of practice. Only certificated personnel should, in accordance with The Control of Pesticides Regulations, apply any pesticides.

Contractors and Subsequently Identified Tree Defects

Tree contractors should be made aware that, should any significant tree defects become apparent during operations that would not have been immediately obvious to the surveyor, then such defects should be notified immediately to the client and subsequently confirmed to the consultant within five working days.

New Tree Planting

7.4 All tree planting and associated new tree management at the site should be conducted in accordance with BS8545:2014 Trees: from nursery to independence in the landscape – Recommendations.

Retained Tree Management

7.5 Any tree risk management appraisals and subsequent recommendations made in this report were based on observations and site circumstances at the time of my survey. Trees are dynamic living organisms whose structure is constantly changing and even those in good condition can succumb to damage and/or stress.

7.6 In this respect I would note that, under the Occupiers' Liability Act (1957 & 1984), site occupants have a duty of care to take reasonable steps to prevent or minimise the risk of personal injury and/or damage to property from any tree located within the curtilage of the land they occupy. It is accepted that these steps should normally include commissioning a qualified and experienced arboriculturist to survey their trees in order to identify any risk of harm to persons or damage to property that they may present and, where unacceptable risks are identified, taking suitable remedial action to negate those risks.

8.0 SUMMARY AND CONCLUSIONS

8.1 The subject site is a suburban villa located between Crewe Road South to the south west and Avenue Villas numbers 1-3. Four birch trees, one beech and one sycamore tree were surveyed in respect of a proposed extension to form a solid dividing element between the side and rear extensions. The rear extension, containing dining areas, matches the footprint and height of the existing extension while the side extension, containing sitting and utility areas.

8.2 An arboricultural survey has been carried out and this report prepared to support a full planning application to construct the proposal This report provides information in compliance with British Standard BS 5837:2012, Trees in relation to design, demolition and construction and considers the effect the proposed development has on the local character from a tree perspective. The report's purpose is to allow the local planning authority and to follow the LPAs own guidelines to survey trees within 12 m or with a diameter over 75mm to assess the tree information as part of the planning submission.

8.3 All of the trees are located within the site's redline boundary.

8.4 One tree was allocated a moderate retention value (B) and five were allocated a low retention value (C). No trees are of a size and age whereby they can be classed as 'veteran'

8.5 Trees T5755 and T5756 will require minor excavation into the outer area of the RPA. It is estimated that this area, including working area, will be 10 m^2 and will accommodate 8% of the RPA this is below the guidelines as recommended within the BS 5837 of 20% and will form no future detrimental effects on heath or interactions with the tree. See 8.7 below.

8.6 An evaluation of the proposed development in the context of the existing site has indicated that it will be not necessary to remove any trees in order to accommodate the proposal. Tree T5755 and T5756 will be retained in the context of the proposals and protected in accordance with current Government guidance.

BS 5837 category, tree number & species	RPA incursion, precautions & specialised methodology required
A (high quality)	
NONE	
B (moderate quality)	
NONE	
C (low quality)	
T5755 "Birch (Betula sp.)" T5756 "Birch (Betula sp.)"	May require minor excavation and soil moving within the RPA. Conventional construction methods have the potential to damage tree roots and soil structure. Works must be designed to minimise damage and may entail hand excavation to work around significant roots, bridging significant roots, the use of porous materials etc. •Soil structure to be preserved throughout – mats and ground protection to be used at all stages. •All works within RPA to be carried out under arboricultural supervision.

Heads of terms	Outline of appropriate protective measures. Greater detail post-consent will be required in response to a planning condition
Areas to be protected	The draft tree protection plan shows all areas where protective measures are required. Tree protection is shown as barriers and/or ground protection defining the Tree Protection Zone (TPZ) Where necessary, areas outside the TPZ but still within the RPA are indicated. Any works within these areas will require arboricultural supervision and likely to require specialist techniques.
Tree works	Tree pruning and tree removal close to trees to be retained must be carried out by bona fide tree surgeons undertaken in accordance with BS 3998:2010 Recommendations for tree works, or industry best practice.
Protective barriers	Tree protection barriers must be fit for the purpose of excluding site personnel and machinery. The default specification detailed within Section 6 of BS 5837 is to be used unless a different specification has been agreed with the LPA.
Ground protection	Where the full extent of the RPA cannot be protected with barriers alone, ground protection is to be used This could, for example, be for access by pedestrians or machinery across RPAs and ground protection will be fit for the purpose of preventing compaction of the soil structure and damage to roots.
Site set-up, clearance, grading of soil and changes in ground levels	Tree protection MUST be in place before site set-up or clearance is undertaken. If necessary, localised vegetation clearance to install the protection is to be undertaken using hand tools only (including chainsaws, brushcutters etc.) but without the use of tracked or wheeled plant and machinery. Where site hoarding, signs etc. are within RPAs, it will be necessary to show that account has been taken of retained trees in respect to positioning and installation methodology, such as avoiding important roots and lining post holes to avoid the caustic effect of wet concrete on tree roots. Details of proposed soil level changes, whether lowering or raising and mounding and removal of spoil will be required. Soil level changes should not occur within RPAs, however even when outside RPAs significant soil level changes can alter soil hydrology and have other consequences for retained trees.
Site investigation and remediation works	Soil and archaeological investigations, contaminated soil removal, Japanese knotweed control and other works not strictly part of the development often require extensive excavation. This has the potential to damage trees if within RPAs and therefore any proposals will need to be reviewed as part of the detailed AMS
Demolition and removal of existing structures and hard surfaces	Specialist methods will be required to minimise impact on trees, roots and soil structure. Buildings within or adjacent to RPAs must be demolished by pulling inwards, away from the tree. Removal of foundations within RPAs must be undertaken from within the footprint of the building, away from the tree, with excavation on the tree side of the foundation kept to the strict minimum required to effect removal. This operation should be supervised by the appointed arboriculturist. If trenches left by removal of foundations are not to be reused as part of the development, they must be backfilled with topsoil suitable for root growth, where within RPAs. The use of conventional tracked and wheeled machinery causes damage to soil structure from compaction and damage to roots from excavation and must not be used within the RPA. All areas of hard surfacing requiring removal within an RPA will be broken up using a handheld pneumatic drill or mounted hydraulic breaker attached to a digger located outside the RPA. The broken rubble will then be removed by hand. The only exception to this is where the hard surface is of such a size as not to be reachable from outside the RPA. In this situation, a rubber tracked mini digger will be used. The maximum working height of the machine must be less than the lowest branch of any overhanging trees. Removal of fences, sheds, garden structures, low walls etc., must be undertaken by hand where within RPAs.

New structures within RPAs	During the design stage, every effort must be made to keep all new structures and services outside RPAs. Any excavations within RPAs will require supervision by the project arboriculturist. Foundation design that minimises the impact on soil structure and roots is acceptable. It may also be necessary to direct rainfall beneath the slab depending on the percentage of the RPA affected and existing ground conditions.
New hard surfaces within RPAs	Any proposal for new surfacing within RPAs must be able to demonstrate a minimal impact on soil structure and roots and this includes the ability for movement of water and air in and out of the soil. The use of no-dig (a maximum of 50mm of vegetation debris can be removed), cellular confinement systems using porous sub-base and finished surface materials can be acceptable in some circumstances. This has implications for finished levels. Various companies supply CCS and the following link is given by way of example. www.geosyn.co.uk/cellweb.
New and existing services	The location and direction of new underground services should be designed to allow services to be routed away from RPAs of retained trees. When existing services within RPAs require upgrading or it is unavoidable for new services to be installed in RPAs, conventional excavation techniques are usually unacceptable. Trenchless installation should be the preferred option but if that is not feasible, any excavation is likely to have to be carried out by hand or using a compressed air lance under arboricultural supervision. The methodology used must comply with NJUG Volume 4: Guidelines for the Planning, Installation and Maintenance of Utility Apparatus in Proximity to Trees. Overhead services such as lighting, electricity, telecoms etc., should be routed outside the present and future canopy spread of retained trees. This is especially important with CCTV cameras to avoid the need for regular pruning in the future.
Removal of protection	Barriers and other protection must remain in place until all construction activity is complete and there is no realistic risk of damage to soil surfaces.
Landscaping	Landscape operations have the potential to damage trees if not carried out appropriately; in addition, the removal of protective barriers to carry out landscape operations may allow other contractors into previously protected areas. The method statement will need to detail methods to protect RPAs, installation of hard surfaces, fences, topsoil, planting and any other operations within RPAs.
Other risks to trees	Piling rigs, cranes and other high and wide plant and machinery have the potential to damage trees and site operations must be planned to take account of retained trees in advance of any potential conflict. Proposed locations and routes on and off the site should be supplied to the project arboriculturist. Accidental spillage of any materials which could cause damage to a tree even if outside of an RPA, including dust. Fires must be avoided where heat could affect foliage or branches.

8.7 Although implementation of the development will not necessitate the removal of any trees, new tree and shrub planting is suggested as part of the landscaping for the proposal, which is projected to deliver a substantial long-term visual amenity in the local landscape and to significantly enhance the ecological value of the site.

8.8 Accordingly, the provision of and adherence to a suitably detailed landscape proposal plan should be conditioned to a planning permission.

8.9 In consideration of the above findings I therefore conclude that, from the details provided to date, the site in question can be developed as proposed whilst both retaining the important tree cover, improving its overall quality, and enhancing its long-term sustainability

8.10 However, in order to ensure successful existing tree preservation, it is essential that the retained trees are protected in strict accordance with current Government guidance and the recommendations included herein.

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Nominative References

The following documents are indispensable in the application of the recommendations in this report:

- R.G. Strouts, T.G. Winter (1994). Diagnosis of Ill-Health in Trees. DoE
- D. Lonsdale (1999). Principles of Tree Hazard Assessment and Management. ODPM
- C. Mattheck, K. Bethge, K. Weber (1994). The Body Language of Trees. DoE
- C. Mattheck (2007). Updated Field Guide for Visual Tree Assessment. Forschungszentrum Karlsruhe GmBH
- F.W.M.R. Schwarze, J. Engels, C. Mattheck (1999). Fungal Strategies of Wood Decay in Trees. Springer
- Common Sense Risk Management of Trees (2011). National Tree Safety Group / Forestry Commission
- Tree Surveys: A Guide to Good Practice – Guidance Note 7 (2015). The Arboricultural Association
- British Standard BS3998: 2010 Tree Work – Recommendations. BSI


APPENDICES

Ref.	Species	Full Structure	Measurements	Spread	General Observations	Retention Category	RPA	Comments	Measurements2	Recommendations
T5755	Birch *(Betula sp.)*	Tree	Height (m): 10 Stem Diam (mm): 280 Spread (m): 2.5N, 1.5E, 1S, 2W Crown Clearance (m): 6 Lowest Branch (m): 3(W) Life Stage: Mature Rem. Contrib.: 10+ Years	N:2.5 E:1.5 S:1 W:2	Fair overall Physiological and Structural condition. Unbalanced suppressed Crown	C2	Radius: 3.4m. Area: 36 sq m.	The surfacing and levels in the RPA should not be altered as long as the tree is being retained.	Other Reference: Distance1: Distance2: Custom Number 3: Physiological Cond: Fair Structural Cond: Fair Bat Habitat: Low	Pre construction: No action required. During construction: Protect trees with protective barriers - as shown on plans. Manual Excavation for inspection of roots Post construction: No action required.

T5756	Birch *(Betula sp.)*	Tree	Height (m): 10 Stem Diam (mm): 300 Spread (m): 1.5N, 1.5E, 2S, 2W Crown Clearance (m): 3 Lowest Branch (m): 3(W) Life Stage: Mature Rem. Contrib.: 10+ Years	N:1.5 E:1.5 S:2 W:2	Fair overall Physiological and Structural condition. Unbalanced suppressed Crown Prolific ivy.	C2	Radius: 3.6m. Area: 41 sq m.	The surfacing and levels in the RPA should not be altered as long as the tree is being retained.	Other Reference: Distance1: Distance2: Custom Number 3: Physiological Cond: Fair Structural Cond: Fair Bat Habitat: Low	Pre construction: No action required. Sever ivy at base. During construction: Protect trees with protective barriers - as shown on plans produce forward method statement Manual Excavation for inspection of roots Post construction: No action required.
T5757	Birch *(Betula sp.)*	Tree	Height (m): 8 Spread (m): 1.5N, 1.5E, 3S, 4W Crown Clearance (m): 6 Lowest Branch (m): 1(W) Life Stage: Mature Rem. Contrib.: 10+ Years	N:1.5 E:1.5 S:3 W:4	Fair overall Physiological and Structural condition. Unbalanced suppressed Crown Prolific ivy.	C2	Radius: 4.4m. Area: 61 sq m.	The surfacing and levels in the RPA should not be altered as long as the tree is being retained.	Other Reference: Distance1: Distance2: Custom Number 3: Physiological Cond: Fair Structural Cond: Fair Bat Habitat: Low	Pre construction: No action required. Sever ivy at base. During construction: Protect trees with protective barriers - as shown on plans. Manual Excavation for inspection of roots Post construction: No action required.

T5758	Birch *(Betula sp.)*	Tree	Height (m): 8 Spread (m): 1.5N, 1.5E, 3S, 4W Crown Clearance (m): 3 Lowest Branch (m): 1(S) Life Stage: Mature Rem. Contrib.: 10+ Years	N:1.5 E:1.5 S:3 W:4	Poor overall Physiological and Structural condition. Unbalanced suppressed Crown Prolific ivy.	C2	Radius: 5.0m. Area: 79 sq m.	The surfacing and levels in the RPA should not be altered as long as the tree is being retained.	Other Reference: Distance1: Distance2: Custom Number 3: Physiological Cond: Poor Structural Cond: Physical Defect Bat Habitat: Low	Pre construction: Sever ivy at base. Dead wood (minor less than 25mm). During construction: Protect trees with protective barriers - as shown on plans. Manual Excavation for inspection of roots Post construction: No action required.
T5759	Beech *(Fagus sp.)*	Tree	Height (m): 10 Stem Diam (mm): 500 Spread (m): 3N, 5E, 6S, 5W Crown Clearance (m): 5 Lowest Branch (m): 4(S) Life Stage: Mature Rem. Contrib.: 10+ Years	N:3 E:5 S:6 W:5	Fair overall Physiological and Structural condition. Prolific ivy.	C2	Radius: 6.0m. Area: 113 sq m.	This tree will not have to be removed to facilitate a proposed future development. This tree does not form a constraint to the redevelopment of the site.	Other Reference: Distance1: Distance2: Custom Number 3: Physiological Cond: Fair Structural Cond: Fair Bat Habitat: Medium	Pre construction: No action required. Sever ivy at base. During construction: No action required.
T5760	Sycamore *(Acer pseudoplatanus)*	Tree	Height (m): 15 Spread (m): 7N, 4E, 5S, 7W Crown Clearance (m): 4 Lowest Branch (m): 4(W) Life Stage: Mature Rem. Contrib.: 10+ Years	N:7 E:4 S:5 W:7	Fair overall Physiological and Structural condition. Low branches (5.2) obstruct vehicle access. Stem/limb decay. Bark congestion. Dead wood. Prolific ivy.	B2	Radius: 15.0m. Area: 220 sq m.		Other Reference: Distance1: Distance2: Custom Number 3: Physiological Cond: Fair Structural Cond: Physical Defect Bat Habitat: Medium	Pre construction: Crown lift to 5.2 metres for vehicle access. Dead wood (major greater than 25mm). Sever ivy at base. During construction: No action required. Post construction: No action required.

Location 1 Avenue Villas

BS5837:2012 Table 1 – Cascade Chart for Tree Quality Assessment

Cascade Chart for Tree Quality Assessment

TREES UNSUITABLE FOR RETENTION		
Category and Definition	**Criteria**	**Identification on Plan**
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years.	• Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other Category U trees (eg, where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning). • Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. • Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality. *NOTE: Category U trees can have existing or potential conservation value which it might be desirable to preserve; see 4.5.7.*	

TREES TO BE CONSIDERED FOR RETENTION				
Category and Definition	**Criteria**			**Identification on Plan**
	1. Mainly arboricultural qualities	2. Mainly landscape qualities	3. Mainly cultural values, including conservation	
Category A Trees of high quality with an estimated remaining life expectancy of at least 40 years.	Trees that are particularly good examples of their species, especially if rare or unusual; or those that are essential components of groups or formal or semi-formal arboricultural features (eg, the dominant and/or principal trees within an avenue.	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.	Trees, groups or woodlands of significant conservation, historical, commemorative or other value (e, veteran trees or wood-pasture).	
Category B Trees of moderate quality with an estimated remaining life expectancy of at least 20 years.	Trees that might be included in category A, but are downgraded because of impaired condition (eg, presence of significant though remediable defects, including unsympathetic past management and storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation.	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality.	Trees with material conservation or other cultural value.	
Category C Trees of low quality with an estimated remaining life expectancy of at least 10 years, or young trees with a stem diameter below 150mm.	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.	Trees present in groups or woodlands, but without this conferring on them significantly greater collective landscape value, and/or trees offering low or only temporary/transient landscape benefits.	Trees with no material conservation or other cultural value.	

Photographs

T5755

T5755

T5756

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general

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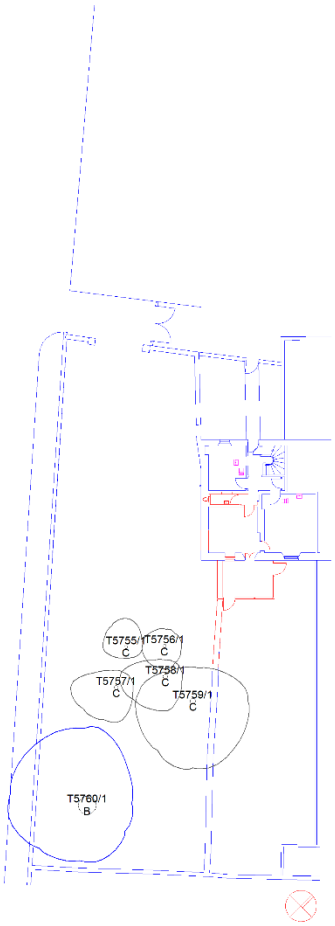
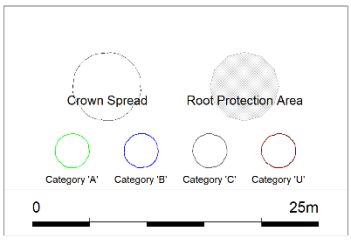
1 Avenue Villas
As Existing

SCALE : 1 : 500 @ A4
DATE : 12/06/2022

N





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1 Avenue Villas
As Proposed

SCALE : 1 : 500 @ A4
DATE : 12/06/2022

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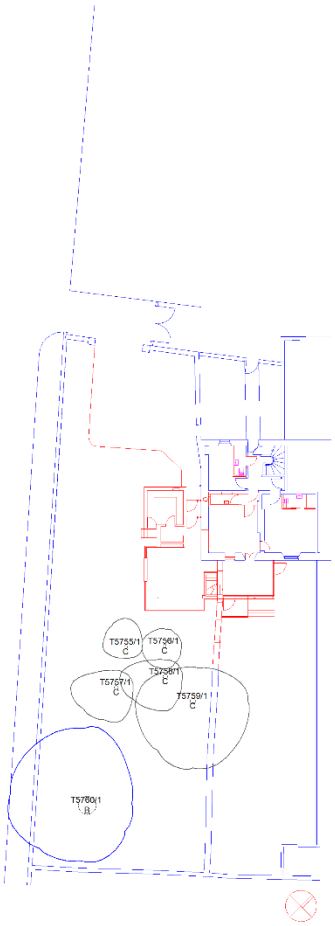

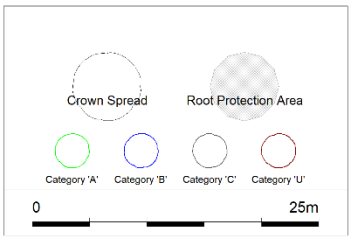

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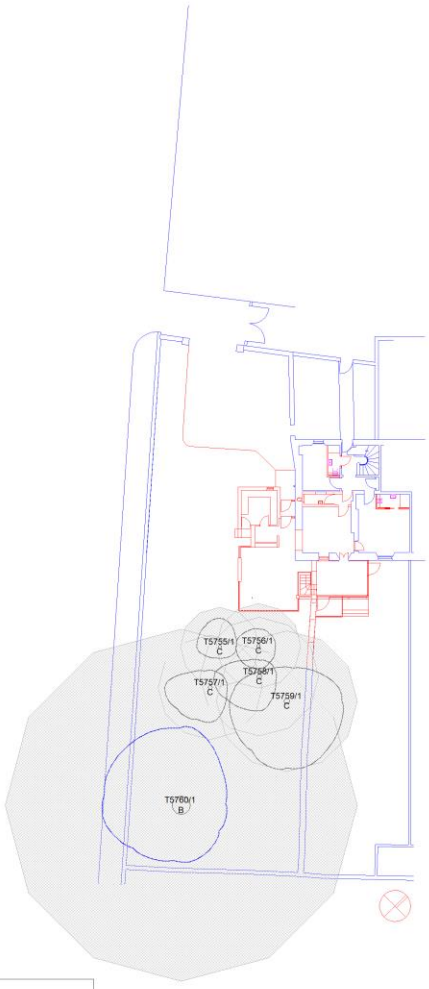
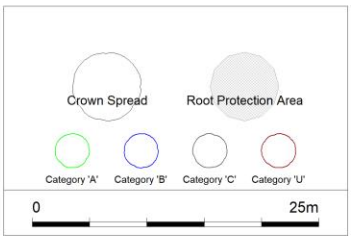
1 Avenue Villas
RPA

SCALE : 1 : 500 @ A4
DATE : 12/06/2022
N





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Proposed Extension to 1 Avenue Villas, Edinburgh, EH4 2HU
April 2022

Design statement

Background

The existing Category C listed building is the westmost house of a terrace of 3 houses that appear to be the subdivision and possible enlargement of an original farmhouse which can no longer be identified visually. The entry in the Listed Building Register highlights that the interest of the building is as a remnant of the area's rural past, not of its architectural quality. This is reflected in its C listed category. The application site is not in a conservation area.

Image 01 – Existing gable with outline of historic attached buildings highlighted (
Image 02 – Existing gable as over from Crewe Road South (July 2021)

The historic maps from 1853 through to 1933 clearly indicate a series of evolving buildings around a yard in the area of land which is currently the westerly section of garden ground, with buildings attached to 4/5ths of the gable wall until 1914 at which point the entire gable wall was built against (below). The profile of these buildings is still clearly evident on the gable (below) with the lower parts of the gable being in lower quality random rubble and the upper parts in finer, random rubble brought to course. The buildings began to disappear in the 20th century before finally being demolished around the middle of the century before the widening of Crewe Road South in the 60's to improve road access to the huge swathes of housing being developed on the Pilton and Muirhouse Estates. The remaining garden ground to the west, while under the same ownership, is largely separated from the front and rear gardens by a stone garden wall.

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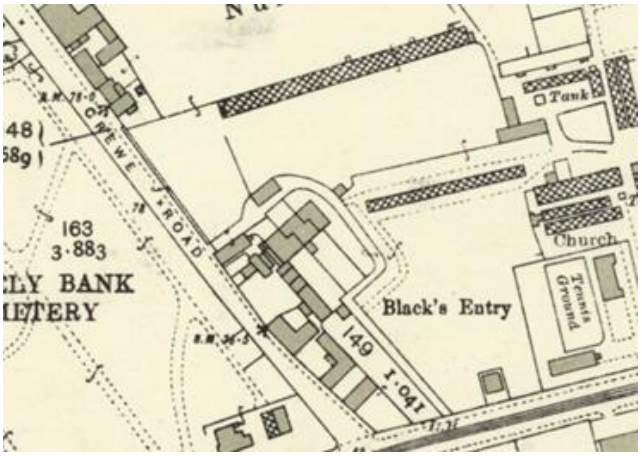

Image 03 – OS Map 1877
Image 04 – OS Map 1933

Matching, metal clad and highly glazed contemporary, single storey extensions adjoin the rear of our client's and the middle terrace property (1 & 2 Avenue Villas). The property to the opposite end of the terrace (3 Avenue Villas) has recently added a contemporary, single storey side extension projecting to the rear (ref no. 17/01672/FUL & 17/01674/LBC)

Image 05 – Rear corner of gable with garden wall and existing rear extension
Image 06 – Rear elevation with rear extension and matching neighbouring extension

Brief

Our client's brief is to create new, contemporary living spaces for their growing family that are light filled and take advantage of the underused and currently separate, nature filled section of garden that the existing house currently feels detached from. They seek to retain and celebrate the existing historic features of the house whilst creating a home fit for 21st century living.

Requested accommodation is to include kitchen, living and dining spaces along with laundry room and study. Our client has requested that the new extension be formed and the existing house upgraded to minimise energy loss and use. As such a dedicated plant room is required for associated renewable equipment.

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Planning Background

First Previous Planning Application - Withdrawn
(ref no. 20/30559/FUL & 20/03476/LBC).

Applications were submitted for a contemporary wrap around extension to gable and rear of the existing house, locating a new, main sitting area on the south corner with new kitchen behind and a dining space replacing the existing contemporary extension to the rear. In forming the suite of living spaces within the new extension and consolidating the existing house as the bedroom wing we formed a new entrance and hallway separating and giving access to these functions.

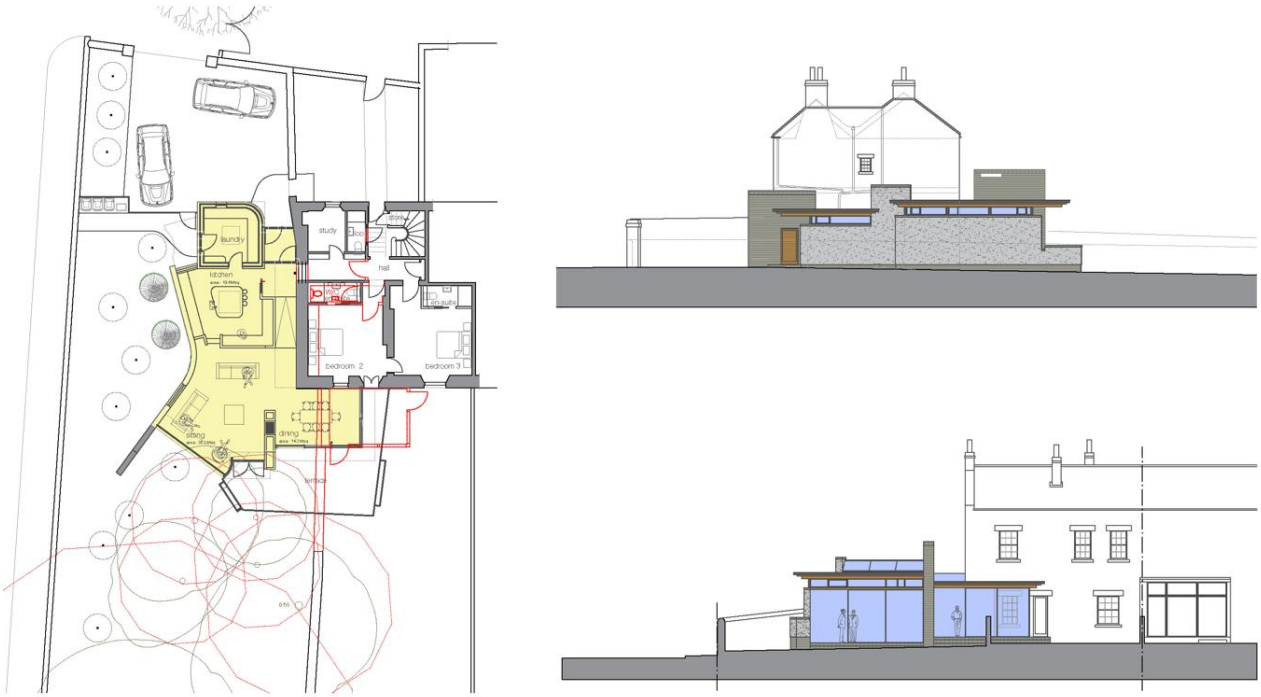

Image 07 – Plans and elevations from first planning application

Materials were chosen, including brick, smooth render and large format glazing, to juxtapose the existing building and create a clear differentiation between the old and new.

The design was carefully conceived to minimise disruption to the existing trees on the site and, after working in conjunction with VLM Landscape, a long term landscape strategy for the site was developed to protect and enhance the abundance of green space in the design. This involved the removal and replanting of two existing trees and more appropriate species of trees being introduced to the garden.

The applications were withdrawn following comments from the Planning department relating to four main areas: scale; attachment to listed structure; materiality and trees:

- *Scale: The footprint of the new extension was near identical to that of the ground floor of the main house. This was adjudged to be too large and not subservient to the existing structure*

- *Attachment to listed structure: The extension covered the whole of the gable end of the property which was adjudged to be insensitive to the character of the listed building.*
- *Material: The deliberate choice of contemporary materials to contrast with the old was deemed inappropriate for a development adjoining an older building.*
- *Trees: The plan to remove two trees to build the extension was unwelcomed despite the intention to re-plant the trees elsewhere on the plot.*

Second Previous Planning Application - Withdrawn
(ref no. 21/03857/FUL & 21/03858/LBC).

A revised design was produced to advance the themes and architectural qualities of the former proposal whilst seeking to address the concerns raised by the planning department in the previous application.

Image 08 – Plans and elevations from second planning application

To make the extension more subservient to the existing house and enable more of the existing elevations to remain exposed the proposed extension was reduced in size by approximately 25% from an external ground floor area of 104m^2 to 77.5m^2. A basement storey was proposed below the extension to provide necessary space with reduced impact on the existing house.

The revised design had a 'light-touch' connection to the listed structure using only frameless glass where it attaches, with the connecting structure adjoining no more than 50% of the length of the side and rear elevation of the original structure.

The architecture of the new extension was still intended as a strong contemporary aesthetic however in response to previous comments the proposed materials were changed to be

more contextual to the house specifically replacing the proposed brick to solid masonry elements with natural sandstone.

The plan form of the extension was designed to avoid affecting any of the protected trees allowing them to remain in their current locations.

While the reduction in scale was welcomed by the Planning department, the applications were withdrawn following council feedback with comment including:

- *Presenting a highly visible glass "frontage" to Crewe Road South. The preference is for a more solid frontage – replicating the gable/main road relationship.*
- *Wrapping the extension around the corner of the building. Historic maps suggest the area to the west of the gable was either a separate plot, or at least in separate use (possibly as part of the farm). The garden wall separating the two still exists. Merging the plots with a modern extension interrupts the strong, surviving grain/ plot pattern. The preference would be for the extension to sit entirely within the plot lining Crewe Road South, and be subservient to the main building – i.e. either set back from both corners of the gable, or respecting the footprint of the "former building"*
- *The proposed design of the extension is overly complex. It is too busy and would benefit from being more restrained. It is competing with the historic built form. The proposed new basement has the potential to impact on flooding and drainage. A Surface Water Management Plan (SWMP) will be required to confirm the drainage proposals*
- *The proposal will adversely affect amenity and character of the locality by physical damage to protected trees and not allowing replacement trees enough space to grow without coming into conflict with the proposed building. By bringing the building closer to the trees and Crewe Road South makes the building more prominent thereby undermining the visual the trees and woodland strip make. A full tree survey should be provided to address concerns*

Current Application

The design of the proposed extension has been revised and developed to take into consideration the above comments.

To maintain the existing plot pattern, the sandstone garden wall has been retained and incorporated into the extension design. We propose building this wall up higher for the extent of the extension to form a solid dividing element between the side and rear extensions. The rear extension, containing dining areas, matches the footprint and height of the existing extension while the side extension, containing sitting and utility areas, references the historic buildings that once adjoined the gable. The two elements are further defined as distinct from each other by a proposed band of 'frameless' glass to wall and roof adjoining the altered garden wall.

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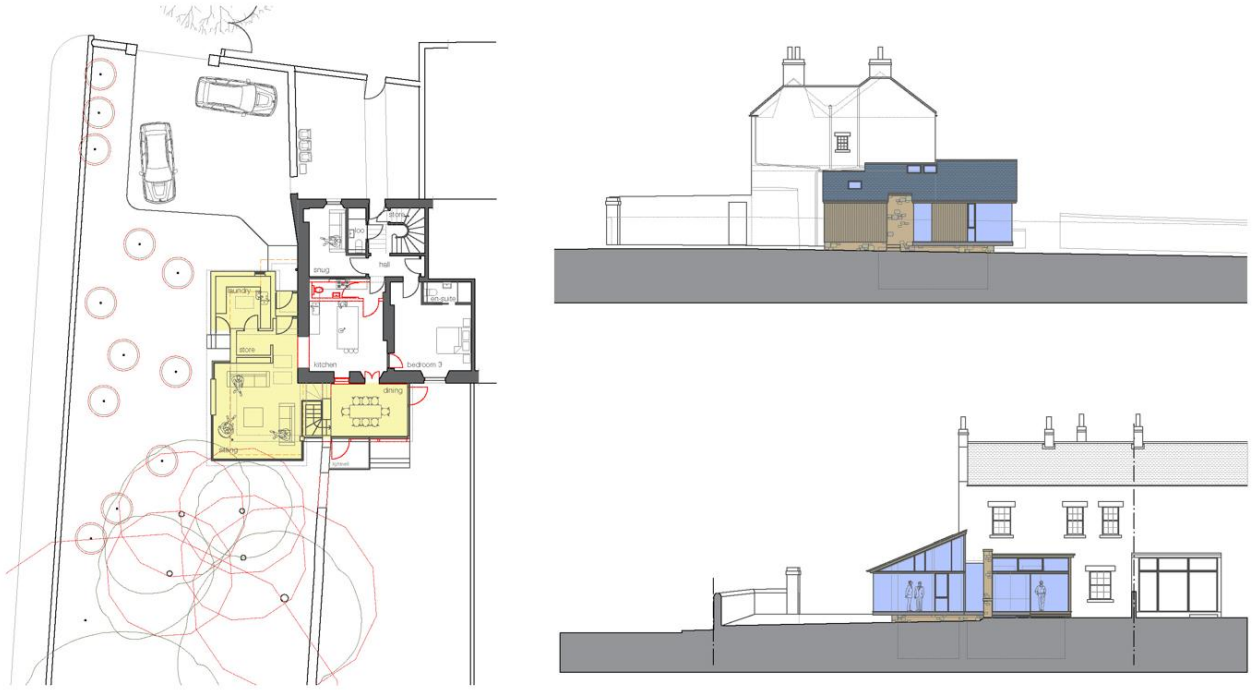

Image 09 – Plans and elevations from second planning application

Externally we propose the garden wall is lowered adjacent to the extension to provide visual connections between extension spaces and the gardens and then lowered to ground level for access between the gardens. The footprint of the wall will be displayed as paving for the extent of the opening with the remainder of the garden wall restored and retained.

Tall vertical elements have been omitted and the overall height of the extension has been reduced to further express the extension as subservient to the existing listed building with it held away from the four sash and case windows to the rear which will remain unaffected.

In line with comments, the design has been simplified to a series of more restrained forms. Glazing to the south west elevation has been reduced providing a more solid 'frontage' to Crewe Road South.

The material palette incorporating sandstone random rubble walls and a natural slate roof will tie in with and complement the materials of the existing building. The masonry elements of the new design will be formed with a traditional quoin arrangement at the corners with squared rubble walling brought to course for the wall faces all to reference the parent structure.

The sandstone walls of the existing house will remain exposed within the extension allowing the original scale and proportions of the house to be read.

The external area of the extension has been reduced from 77.5m2 for the previous application to 71.2m2 with the Gross Internal Area (GIA) at ground floor level reducing from 70.7m2 to 65.4m2, reduced from. This compares to the GIA of the existing house which is 77.5m2 at ground floor level.

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The proposed basement has been significantly reduced in footprint (approximate area including exterior wells and retaining structure) from 117m2 to 52m2 with the GIA reducing from 73m2 to 38.5m2 with accommodation consolidated to now include only a small study and plant room.

As such the combined GIA of the extension including basement has reduced from143.7m2 to 103.8m2.

The garden ground of this house (922m^2) is approximately 3 times larger than the garden ground of either of the adjacent houses (325m^2 and 322m^2) easily giving it scope to accommodate an extension of this size.

The new extension will be formed in materials and technologies with carefully considered low embodied energy characteristics and high levels of insulation to minimise heat loss. A package of fabric improvement measures developed by and published in HES's Sustainable Renovation Guide will be implemented on the existing house along with comprehensive repair and restoration to ensure the future life and viability of the listed structure. Solar voltaic and heat pump technology is proposed for space and water heating along with energy reclamation measures in the ventilation system to minimise energy use. There is a plant room proposed in the basement level to accommodate the associated renewable technology.

A series of sensitive alterations are proposed to the existing house. The current kitchen will be enlarged by incorporating the adjacent wc with new opening formed through the gable to the new sitting room and as well as opening up current window and door openings to the dining extension.

A new cloakroom wc will be formed in part of the ground floor front bedroom which will become a smaller snug space, while an en-suite will be formed in the rear ground floor bedroom. A new apex rooflight is proposed to the ridge of the existing roof to bring natural light into the existing stairwell

Trees

The extension has been designed to avoid existing trees on site with the sitting room element cantilevering over a set-back basecourse to further distance foundations from tree roots. An Arboriculture Impact Assessment and Tree Survey will accompany this application.

Flooding and Surface Water

As requested by Planning a Flood Risk and Surface Water Management Plan will accompany this application.

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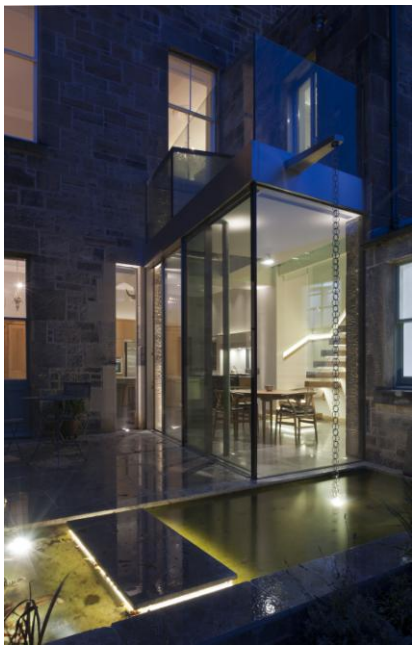
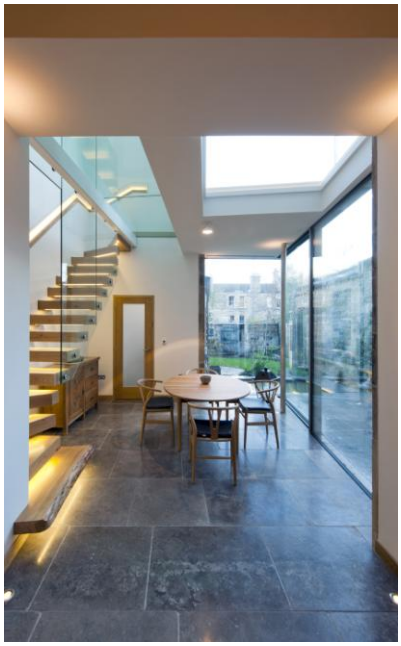
Conclusion

We have previously worked on a number of successful projects involving the altering and extending of listed properties.

Our project for the full refurbishment, sensitive alteration and contemporary extension of B-Listed, 16 East Claremont Street, Edinburgh won a RIAS Award and was nominated for the Andrew Doolan Award for Best Building in Scotland in 2016. Elements of this application successfully featured in that project including the sensitive alteration of existing fabric, the forming of inside/outside spaces through large glazed openings, the use of full height glass with glass to glass connections, the forming of roof lights to capture daylight into the extension and beyond. The images from that project are below and highlight our attention to detail and demand for good quality design, materials and workmanship.


Images 10,11,12 – 16 East Claremont Street, David Blaikie Architects

At Giffordbank Project we added a contemporary extension to the rear of a listed dwelling featuring similar elements to this proposal including a subservient relationship to the existing house, masonry elements to match existing, full height glazing, a stepped roof edge detail and the exposing of existing fabric internally.

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Images 13 & 14 – Giffordbank, David Blaikie Architects

This application for 1 Avenue Villas creates the additional accommodation and improved layout that our clients require to allow them to live comfortably within this neighbourhood of Edinburgh. The extension design presents a more low-key, simplified elevational treatment facing the road of a pitched slate roof, stone and timber clad walls and glass to be more sympathetic and contextual to the existing building. As demonstrated by our previous work, the proposals will be delivered using high quality materials and workmanship along with careful detailing to complement and respect the qualities of this C listed building.

We believe the extension will make a positive contribution to the character of the building and ongoing development of the building and area. We look forward to receiving your decision on this application.

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