



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: [planning.support@edinburgh.gov.uk](mailto: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 100614489-002

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

## Applicant or Agent Details

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

☐ Applicant ☒ Agent

## Agent Details

Please enter Agent details

Company/Organisation: F.E.M Building Design

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

First Name: \* Douglas Building Name:

Last Name: \* Mack Building Number: 8

Telephone Number: \* 07966201299 Address 1 (Street): \* Plantain Grove

Extension Number: Address 2: Lenzie

Mobile Number: Town/City: \* Glasgow

Fax Number: Country: \* Scotland

Postcode: \* G66 3NE

Email Address: \* [douglas@femdesign.co.uk](mailto:douglas@femdesign.co.uk)

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

☒ Individual ☐ Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="Mark"/>	Building Number: <input type="text" value="31"/>
Last Name: *	<input type="text" value="Robertson"/>	Address 1 (Street): * <input type="text" value="Duddingston View"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH15 3LZ"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="31 DUDDINGSTON VIEW"/>
Address 2:	<input type="text" value="BINGHAM"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH15 3LZ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="672648"/>	Easting	<input type="text" value="329817"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Erect a rear extension to dwellinghouse and install a new mansard roof over whole of existing and extension footprint to create additional living accommodation on upper floor.

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

It is our opinion that the reasons provided for the refusal of this application is unjustified in this particular case

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)

Planning Appeal Statement including photographic evidence, OS Map, drawings submitted with original application, Refusal notice

## Application Details

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

23/00222/FUL

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

19/01/2023

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

01/05/2023

## Review Procedure

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

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

## Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

## **Declare – Notice of Review**

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

Declaration Name: Mr Douglas Mack

Declaration Date: 08/05/2023



**APPEAL TO THE LOCAL REVIEW BODY IN RESPONSE TO REFUSAL OF PLANNING APPLICATION 23/00222/FUL AT 31 DUDDINGSTON VIEW, EDINBURGH**

We are seeking a review of the refusal of Planning Permission by City of Edinburgh Council for the rear extension and new roof configuration to the above property. We will outline as part of this appeal that, in this particular instance we feel that the reasons provided for refusal are, in our opinion unjustified and that the proposals should be approved Planning Permission.

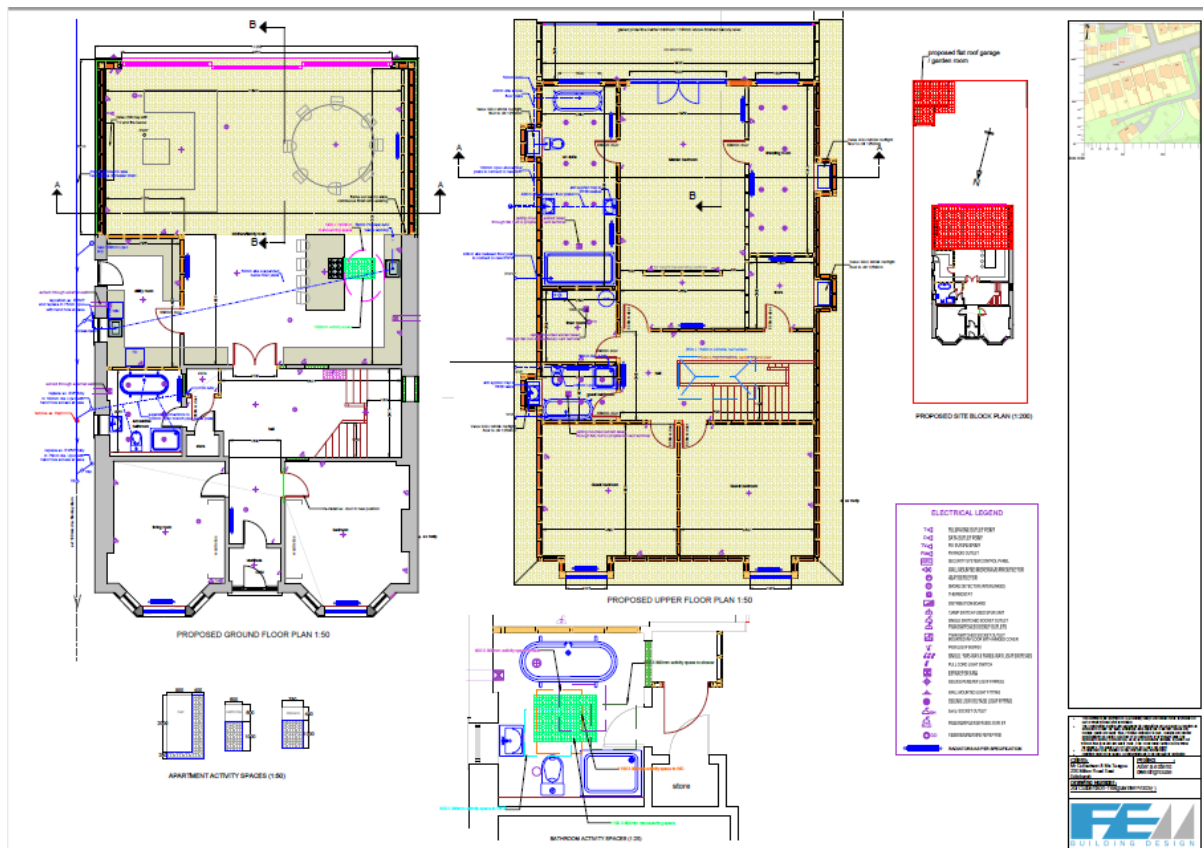
We would initially point out that the Planning Officer assigned this case, Ms Marwick, had informed us that she was mindful to approve the Planning Permission and only the intervention of her senior officers prevented the Planning approval being issued. As such, we would suggest that the decision to refuse this application was perhaps based upon a subjective opinion of the senior officers. We aim to demonstrate that Ms Marwick's favourable assessment of the proposal should not have been overturned. We would also point out the fact that during the Planning consultation process, no objections to the proposal were submitted.

The first reason for refusal, that '*The proposals are contrary to policy 16 (g) (i) of National Planning Framework 4 as they would have a detrimental impact on the character of the home and the surrounding area in terms of size, physical impact and design*' we would suggest is not correct in this particular case and that a precedence of this general type of extension within the Duddingston / Milton Road area of Edinburgh has been set by similar extensions and alterations. The most relevant property to consider would be that at 17 Duddingston View, just a few doors along from the property to which this application relates. This property has had a similar roof extension to that which we propose and was approved following Appeal to the Local Review Body (REFERENCE 11/03219/FUL). We would suggest that the roof extension to 17 Duddingston View and its location between two similar properties has the same impact as the proposal at 31 Duddingston View in terms of any impact on the character of the home and its surrounding area. James Allanson of CEC, when entering into discussions with regards to possible refusal did acknowledge this property but was of the opinion that the works to no. 17 weren't relevant to our application. We would strongly suggest otherwise and are of the opinion that due to the 'corner plot' of no. 31 the impact on the home and surrounding area would actually be less than that at no.17.

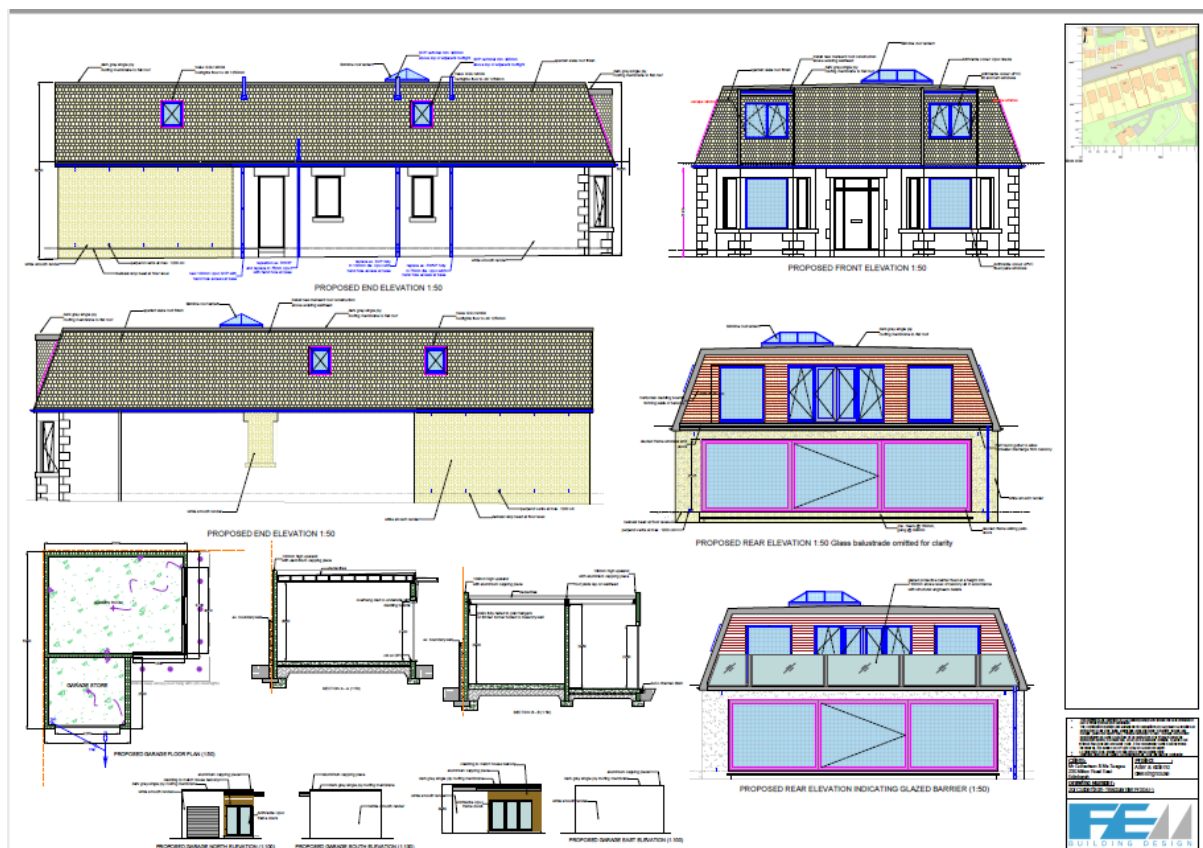


17 Duddingston View

A previous Planning approval by CEC at 236 Milton Road East (currently under construction, ref. 20/04806/FUL) is very similar to that in this proposal. Similar to that at 17 Duddingston View, this property is located between two similar size traditional bungalows. Its Planning approval on a main road into Edinburgh would support suggestions that a precedence has been set recently in this area of East Edinburgh.



236 Milton Road East Proposed floor plans as approved



236 Milton Road East Proposed Elevations as approved



We have provided photographic evidence also, that the due to the east facing boundary wall and trees behind the wall the proposed rear extension will be hardly visible to pedestrians walking onto Duddingston View from Bingham Park. The limited visibility of the rear of the property and the fact that there is an expanse of mature trees to the rear would therefore suggest that there is no detrimental impact on the surrounding area.



Boundary wall and fence of 31 Duddingston View taken from NE



31 Duddingston View and access to Bingham Park from North



View from Bingham Park entrance towards rear of 31 Duddingston View

The second reason for refusal, that *'The proposals are contrary to NPF 4 Policy 14c as the works would be detrimental to the amenity of the surrounding area and inconsistent with the*

*six qualities of successful places as the proposal does not reinforce the distinctive local architectural style, design, materials, and traditional sense of place achieved by the neighbourhood.* we would suggest is unjustified.

The six qualities referred to in NFP 4 Policy 14c (distinctive, safe and pleasant, easy to move around, welcoming, adaptable and resource efficient), in our opinion would be reinforced by this proposal. We would suggest that the design of the proposed extension and roof alteration at 31 Duddingston View would achieve the sense of Place referred to in NFP4 Policy14c in terms of the immediate area. We have provided photographic evidence of similar development to similar bungalows in the immediate Duddingston area.

Due to the vast degree of development undertaken in this area of East Edinburgh it would be difficult to identify a particular architectural style which remains. It is our opinion that the proposed development at 31 Duddingston View would in no way be to the detriment of any particular architectural style which has previously been eroded in the area. We have provided photographic evidence of a number of similar extensions and roof alterations within the immediate locale of 31 Duddingston View which would reinforce this suggestion.

Reasons 3 and 4 for the refusal decision which are '*The proposals are contrary to policy Des 12 of the adopted Edinburgh Local Development Plan (LDP) as in their design and form, choice of materials and positioning they are not compatible with the character of the existing building and will be detrimental to neighbourhood amenity and character (reason 3) and 'The proposals are contrary to the Council's Non Statutory Guidance for Householders as they are not compatible with the character of the existing building and will have a detrimental impact on the character and appearance of the surrounding neighbourhood' (reason 4)*' are, in our opinion unjustified in this particular case due the precedence set of similar developments in the area and also the particular plot to which this application relates.

As stated previously and supported by photographic evidence we would suggest that the precedence set by previous development means that the works proposed by this application would not be any less compatible with the character of the existing building and neighbourhood than that which exists presently. The previous development referred to at 17 Duddingston View being of most relevance to this suggestion.

As part of the design and Planning process, we provided proposed elevation and site block plan drawings confirming that daylighting to the neighbouring property at 33 Duddingston View would comply with current guidance and therefore any impact on their amenity would be restricted by the design of the proposed rear extension. Due to the corner plot of 31 Duddingston View and the open land of Duddingston Park to the rear we are of the opinion that there would be no detrimental affect on the either the neighbourhood amenity or appearance.





12 Duddingston Gardens South



32 Durham Square



39 Milton Road West



56 Durham Avenue





58 Mountcastle Drive North



66 Mountcastle Drive South on corner of Duddingston View



66 Mountcastle Drive South

In summary, we feel that what we initially viewed as a reasonably straightforward Planning approval (suggestion reinforced by the original Case Officers decision to approve the proposal) has been refused with little reference to the previous development in this area of East Edinburgh to similar style bungalows. We are of the opinion that the design and scale of the development would in no way have any detrimental impact upon the property itself, it's immediate neighbours or the surrounding neighbourhood. We would request that that the information contained in this statement be carefully considered to allow a satisfactory outcome for my clients.

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

Mr Mark Robertson.  
31 Duddingston View  
Edinburgh  
EH15 3LZ

**Decision date: 1 May 2023**

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

Erect a rear extension to dwellinghouse and install a new mansard roof over whole of existing and extension footprint to create additional living accommodation on upper floor.

At 31 Duddingston View Edinburgh EH15 3LZ

**Application No: 23/00222/FUL**

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 19 January 2023, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

**Reason for Refusal:-**

1. The proposals are contrary to policy 16 (g) (i) of National Planning Framework 4 as they would have a detrimental impact on the character of the home and the surrounding area in terms of size, physical impact and design.
2. The proposals are contrary to NPF 4 Policy 14c as the works would be detrimental to the amenity of the surrounding area and inconsistent with the six qualities of successful places as the proposal does not reinforce the distinctive local



architectural style, design, materials, and traditional sense of place achieved by the neighbourhood.

3. The proposals are contrary to policy Des 12 of the adopted Edinburgh Local Development Plan (LDP) as in their design and form, choice of materials and positioning they are not compatible with the character of the existing building and will be detrimental to neighbourhood amenity and character.

4. The proposals are contrary to the Council's Non-Statutory Guidance for Householders as they are not compatible with the character of the existing building and will have a detrimental impact on the character and appearance of the surrounding neighbourhood.

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

Drawings 01-06, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposals are not subservient to the original dwellinghouse and are not of an acceptable scale, form and design. The proposals would overwhelm the form of the original house and would introduce an incongruous roof design leading to an adverse impact on the character and appearance of the surrounding area. The proposals do not comply with the aims of the development plan and are contrary to NPF 4 policies 14 and 16g, LDP policy Des 1 and the Council's Non-Statutory Guidance for Householders.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact James Allanson directly at [james.allanson@edinburgh.gov.uk](mailto:james.allanson@edinburgh.gov.uk).

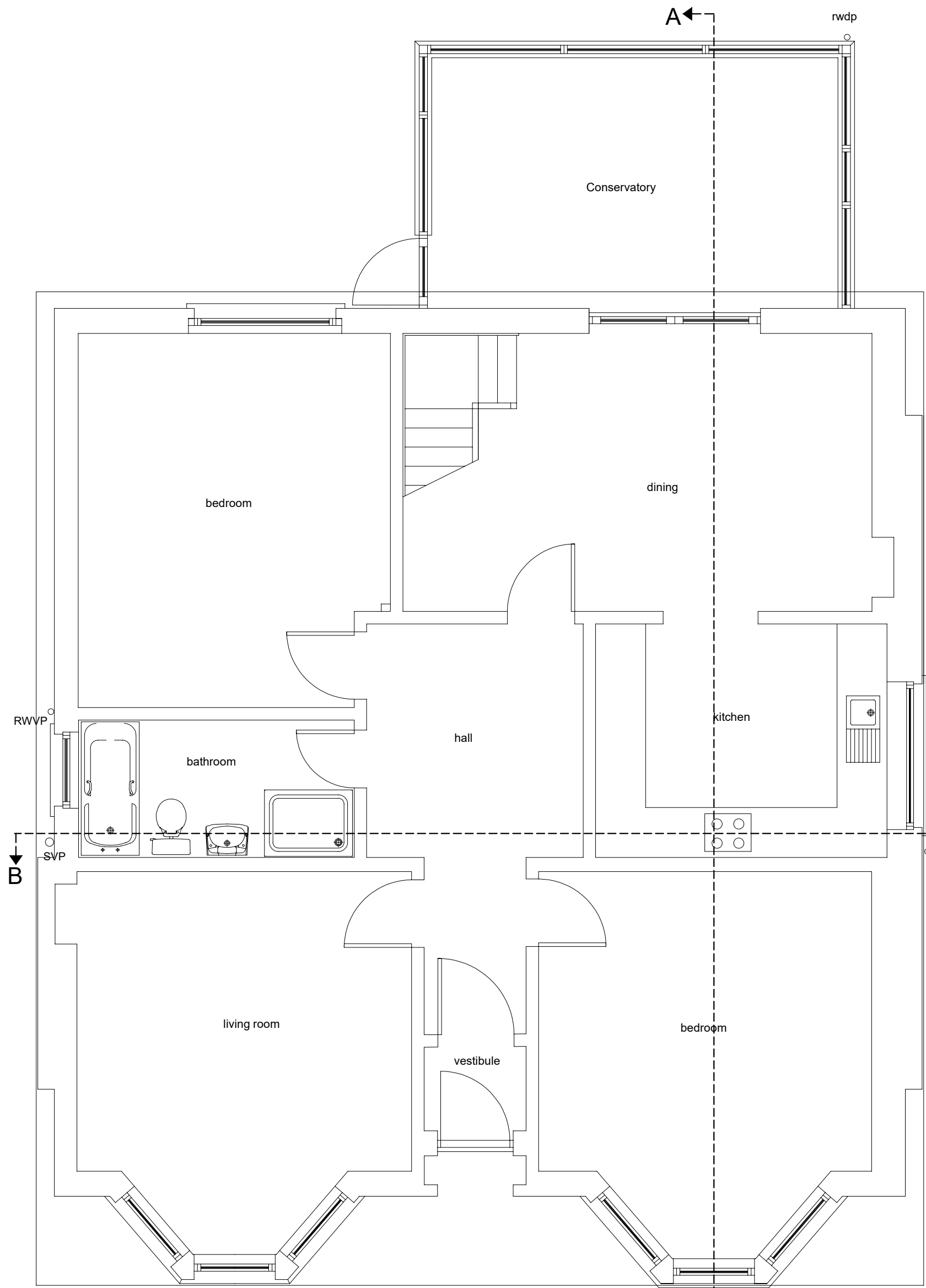


**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

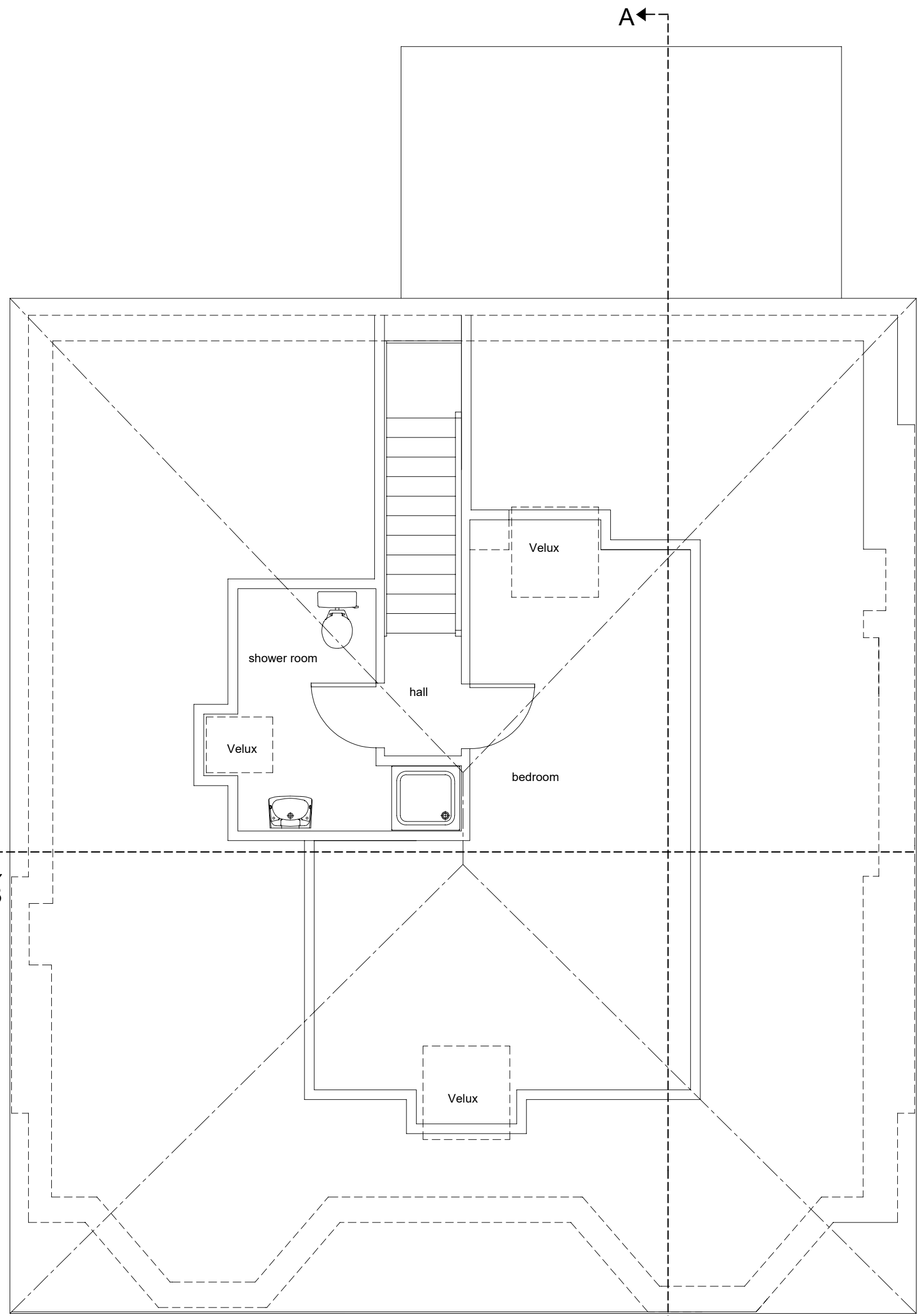
## NOTES

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

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



EXISTING GROUND FLOOR PLAN 1:50



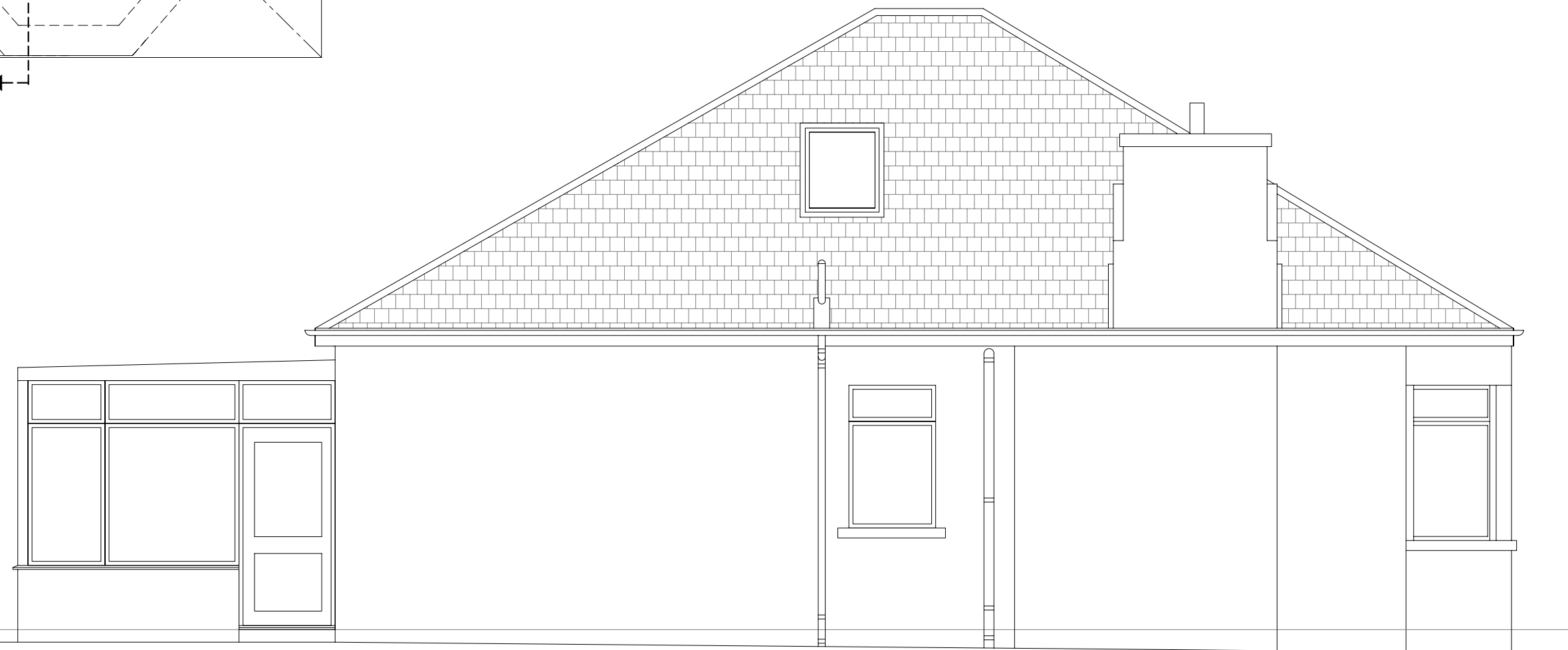
EXISTING UPPER FLOOR PLAN 1:50



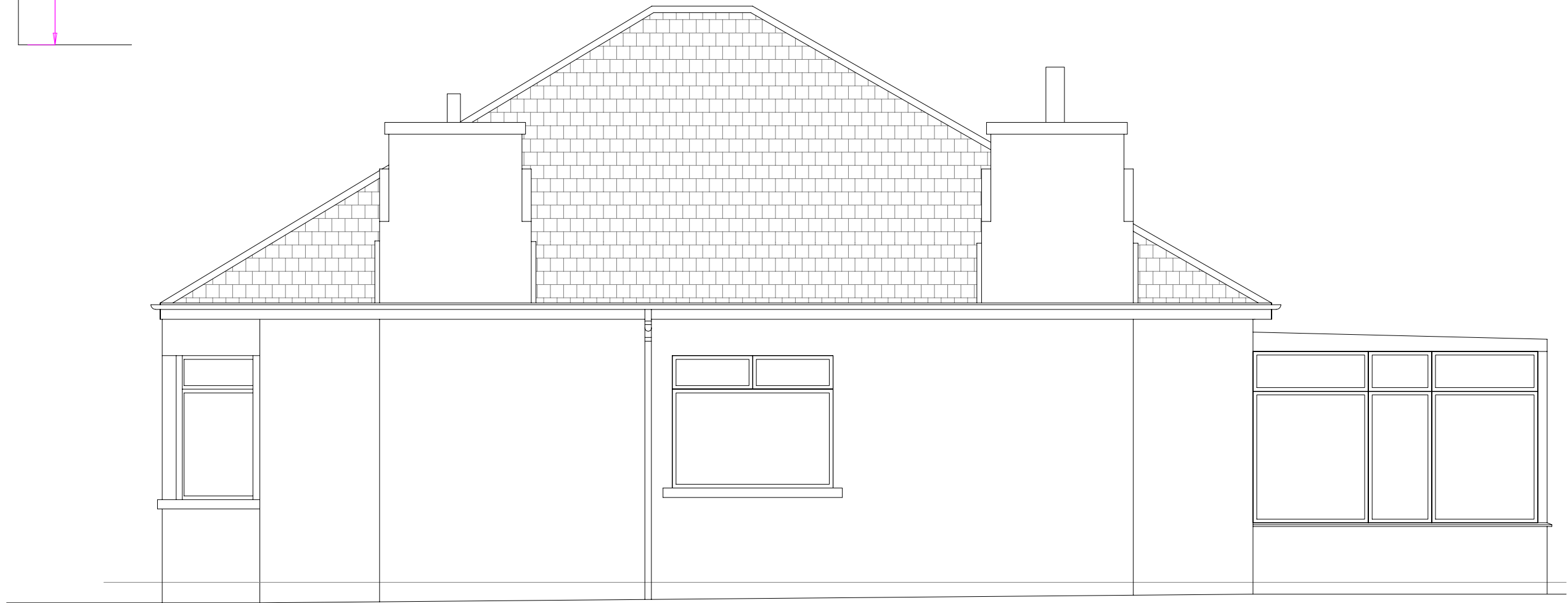
EXISTING REAR ELEVATION 1:50



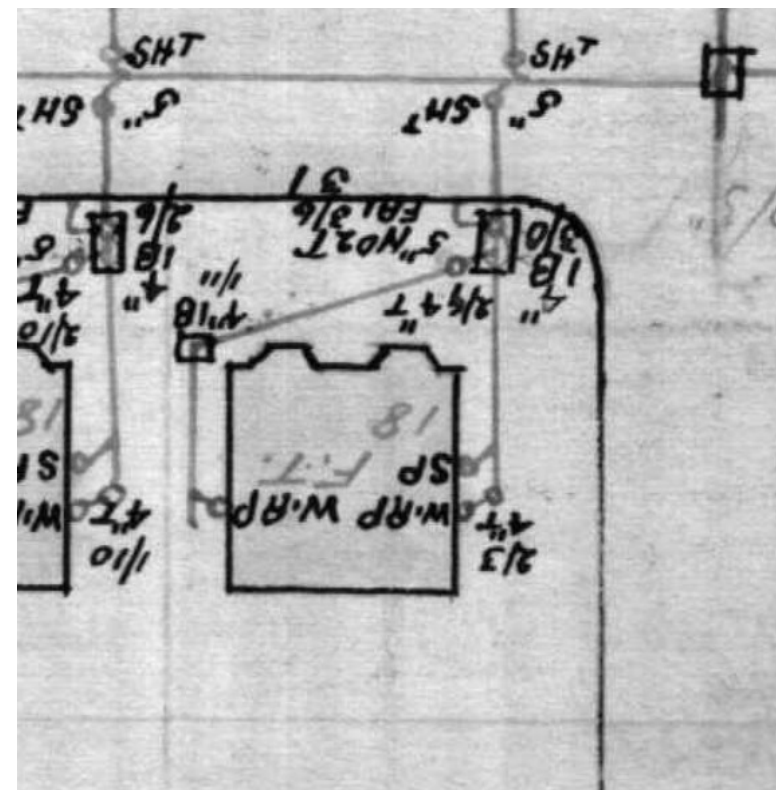
EXISTING FRONT ELEVATION 1:50



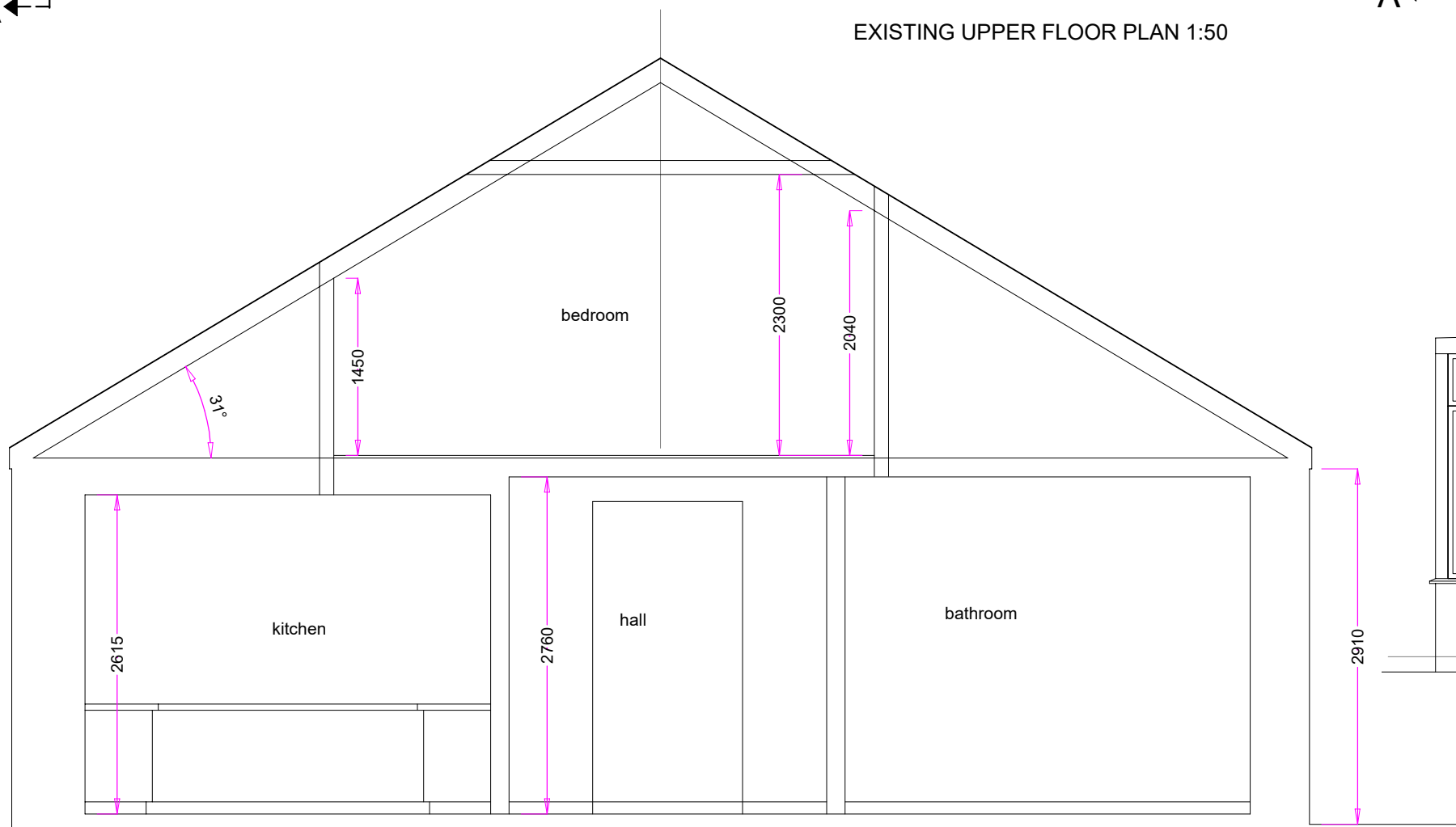
EXISTING END (EAST) ELEVATION 1:50



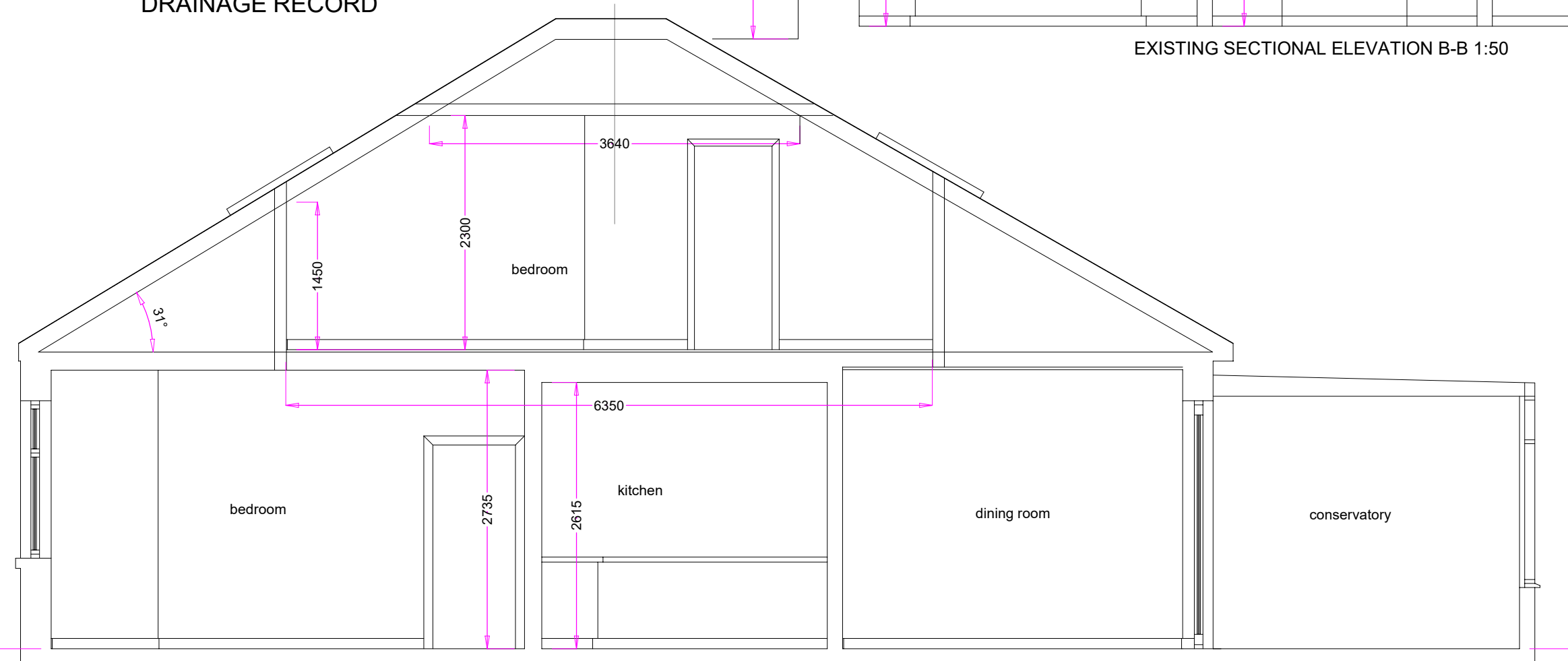
EXISTING END (WEST) ELEVATION 1:50



DRAINAGE RECORD



EXISTING SECTIONAL ELEVATION B-B 1:50



EXISTING SECTIONAL ELEVATION A-A 1:50



Scale 1:1250

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

**Client:**  
Mr & Mrs Robertson  
31 Duddingston View  
Edinburgh

**Project:**  
Alter & extend  
dwellinghouse

**Drawing number:**  
23/Robertson/BWP/001(-)



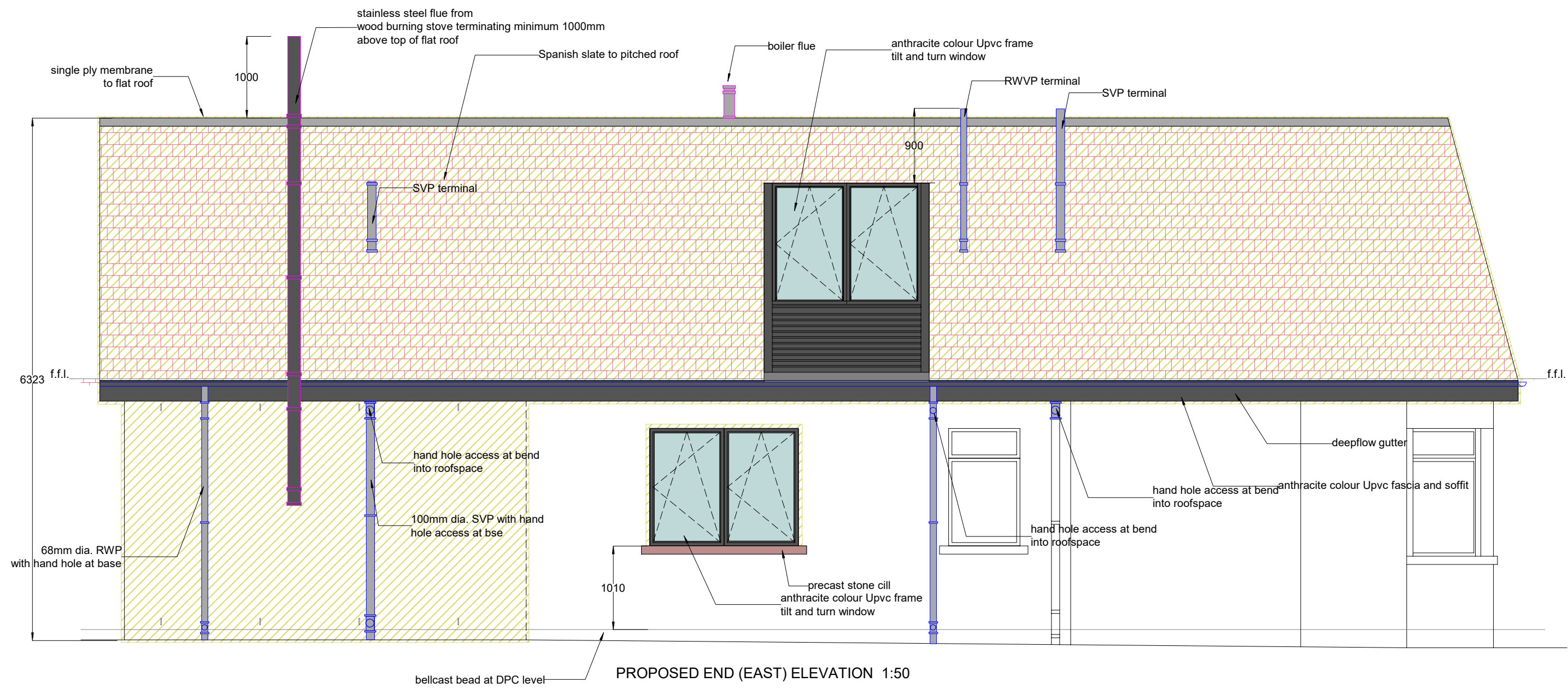
## 31 Duddingston View, Edinburgh, EH15 3LZ



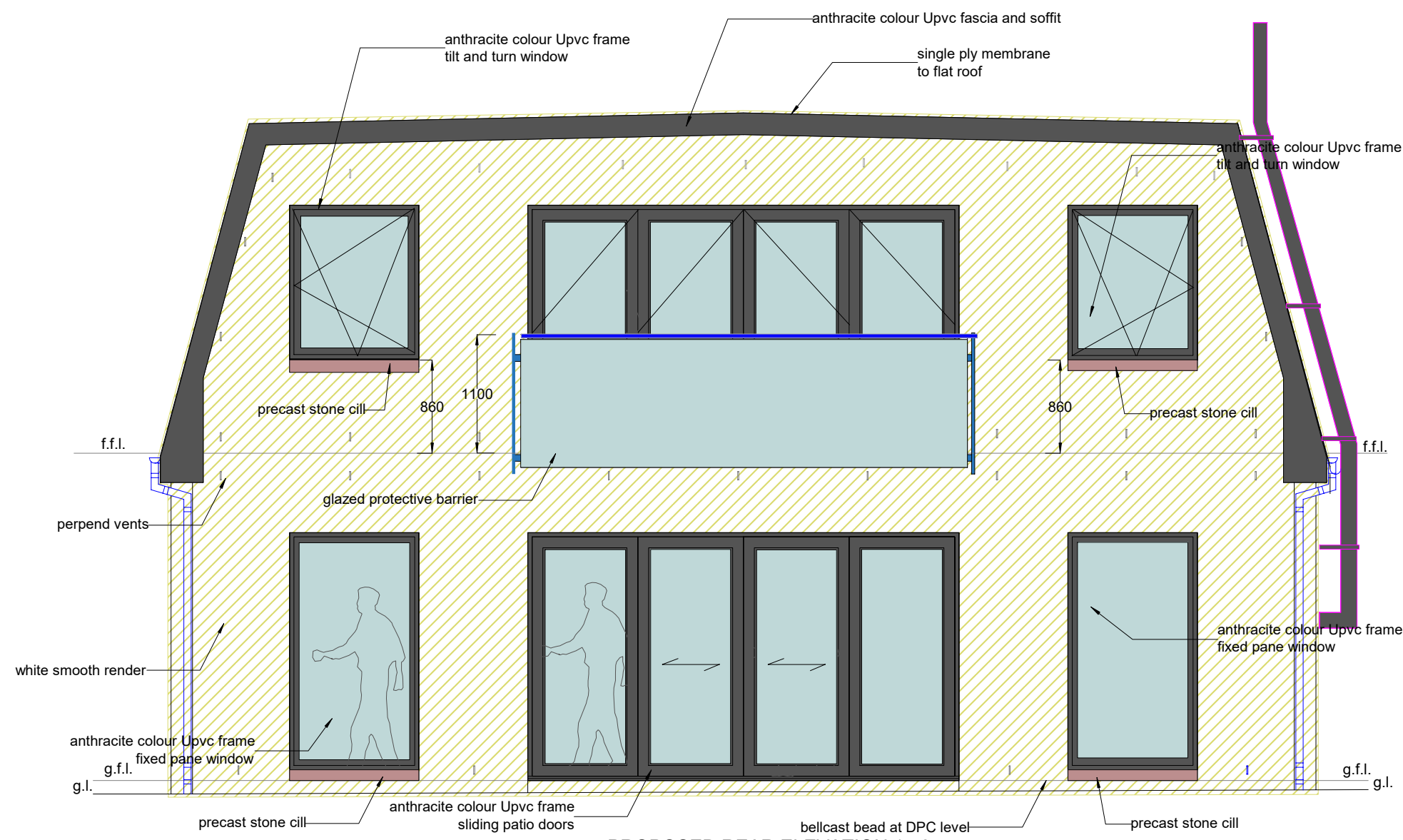




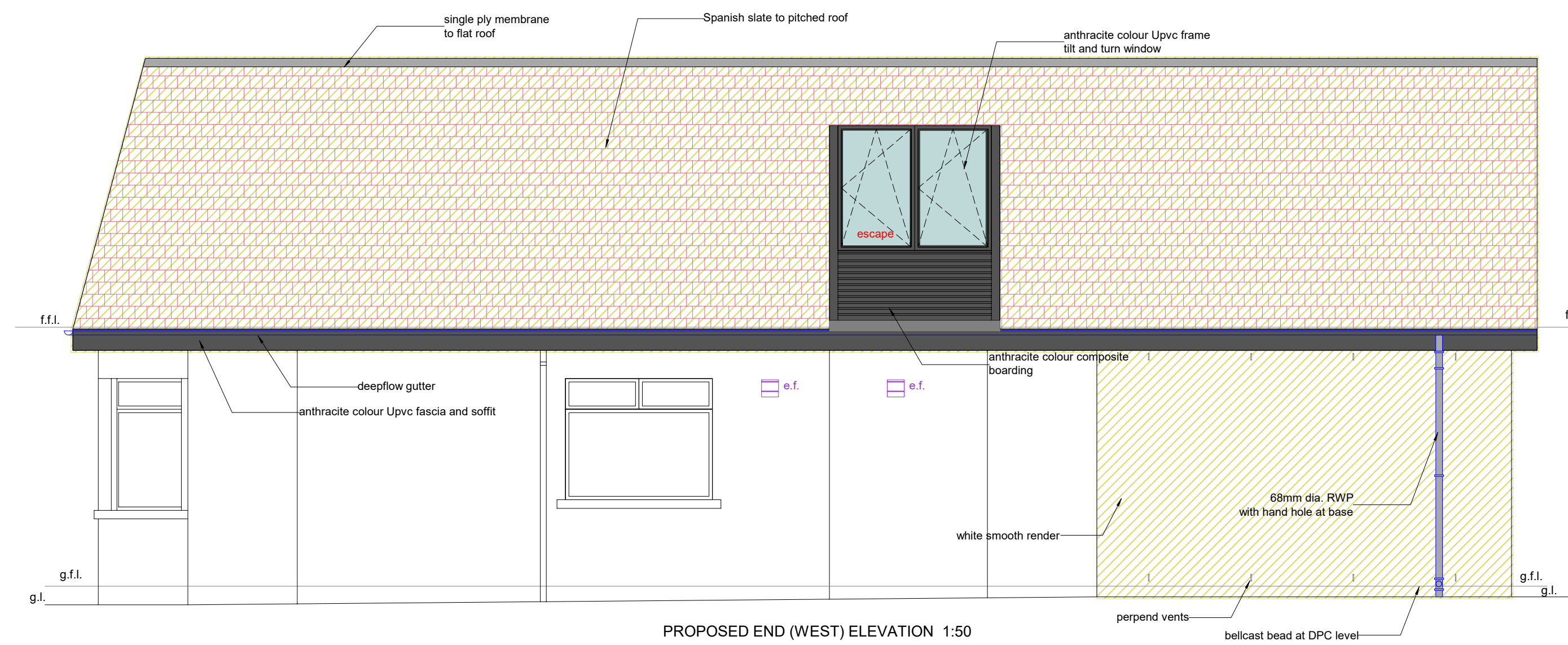
PROPOSED FRONT ELEVATION 1:50



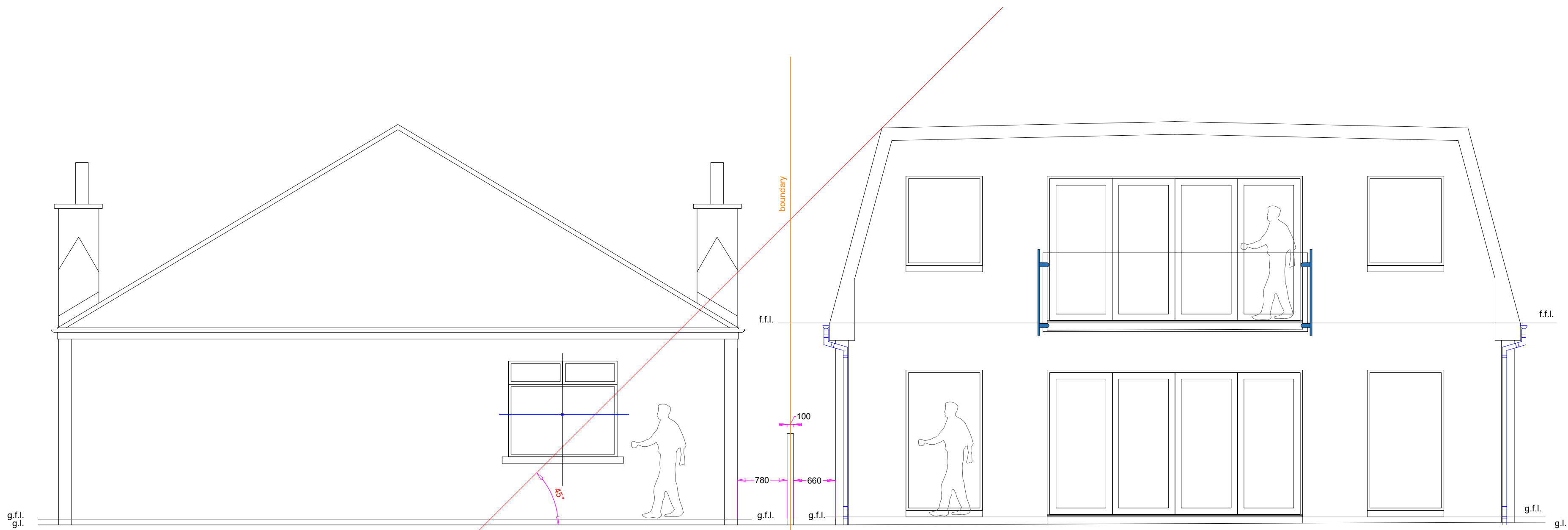
PROPOSED END (EAST) ELEVATION 1:50



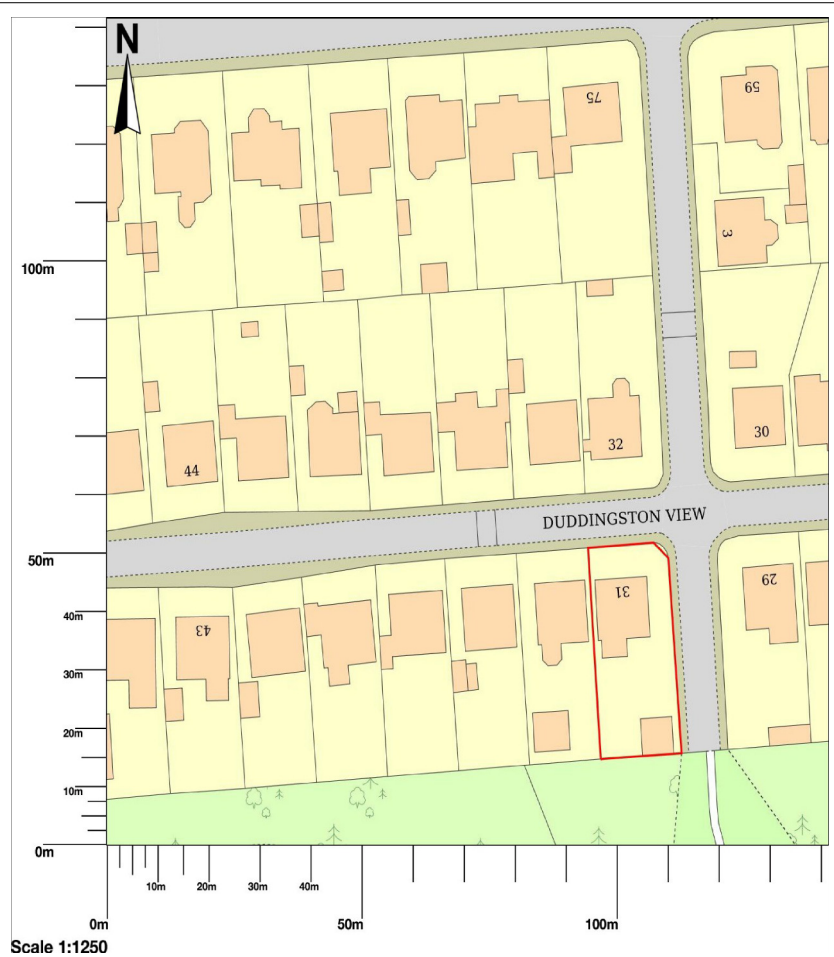
PROPOSED REAR ELEVATION 1:50



PROPOSED END (WEST) ELEVATION 1:50



PROPOSED REAR ELEVATION INDICATING NEIGHBOURING PROPERTY 1:50



Scale 1:1250

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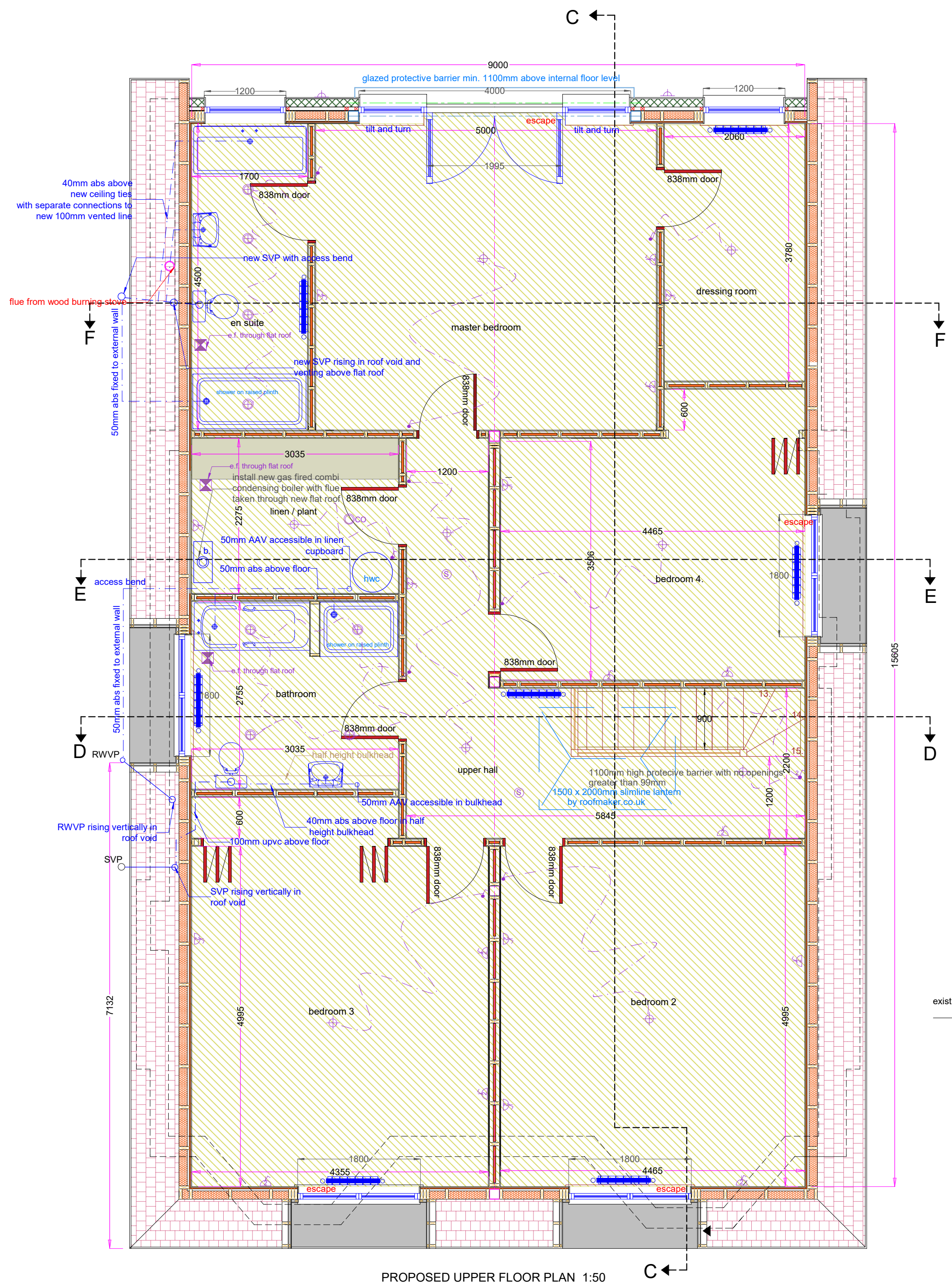
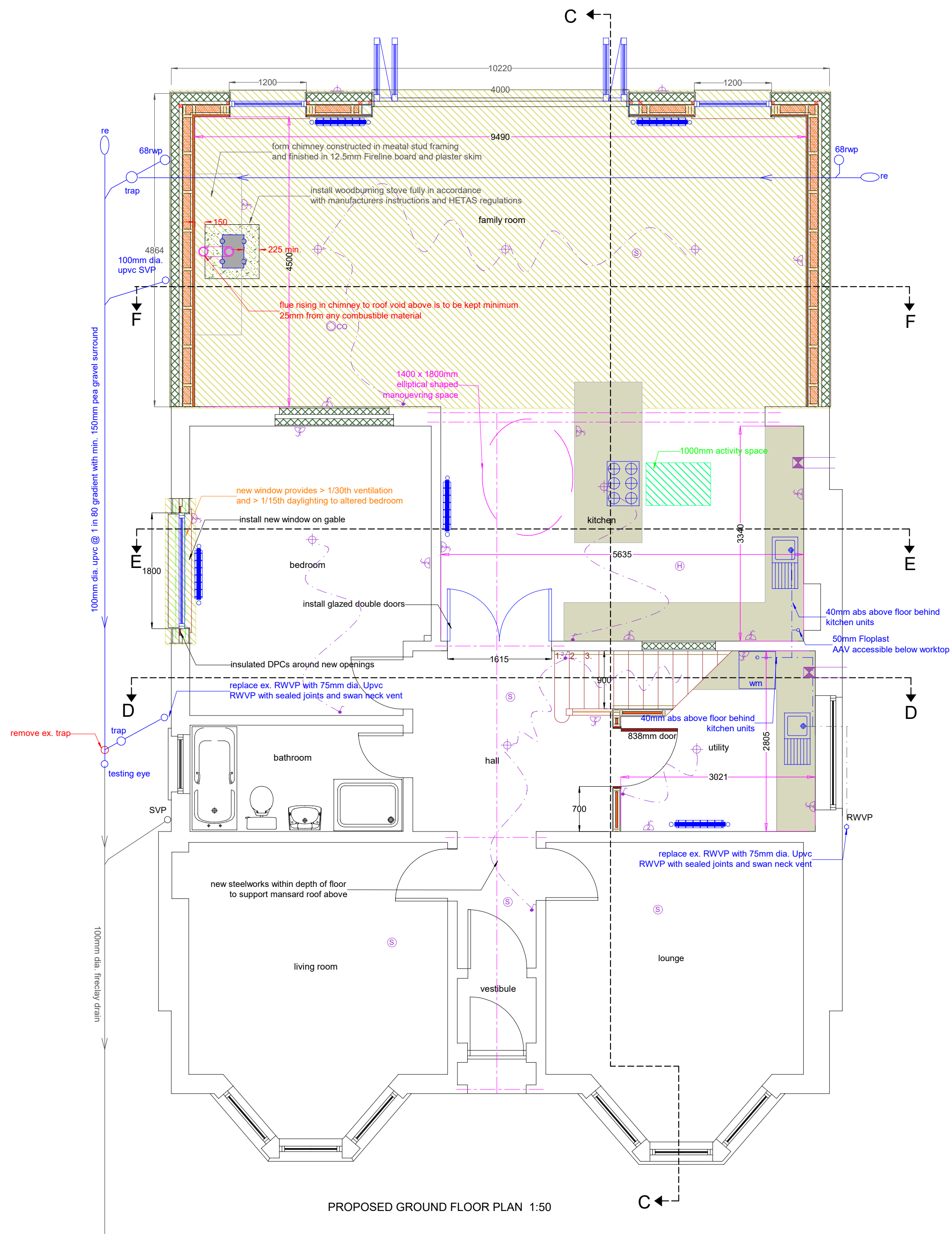
**Client:**  
Mr & Mrs Robertson  
31 Duddingston View  
Edinburgh

**Project:**  
Alter & extend  
dwellinghouse

**Drawing number:**  
23/Robertson/BWP/005(-)

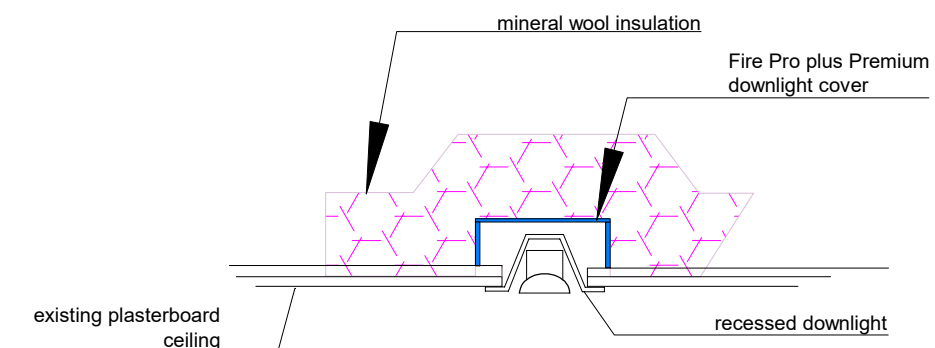




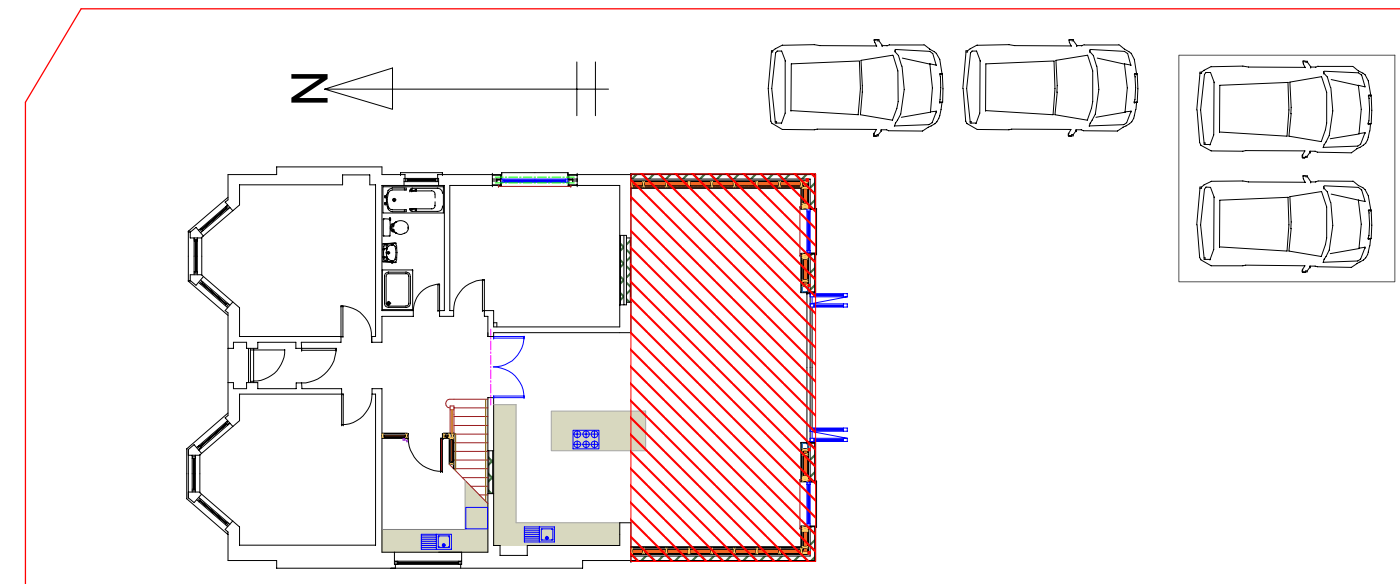
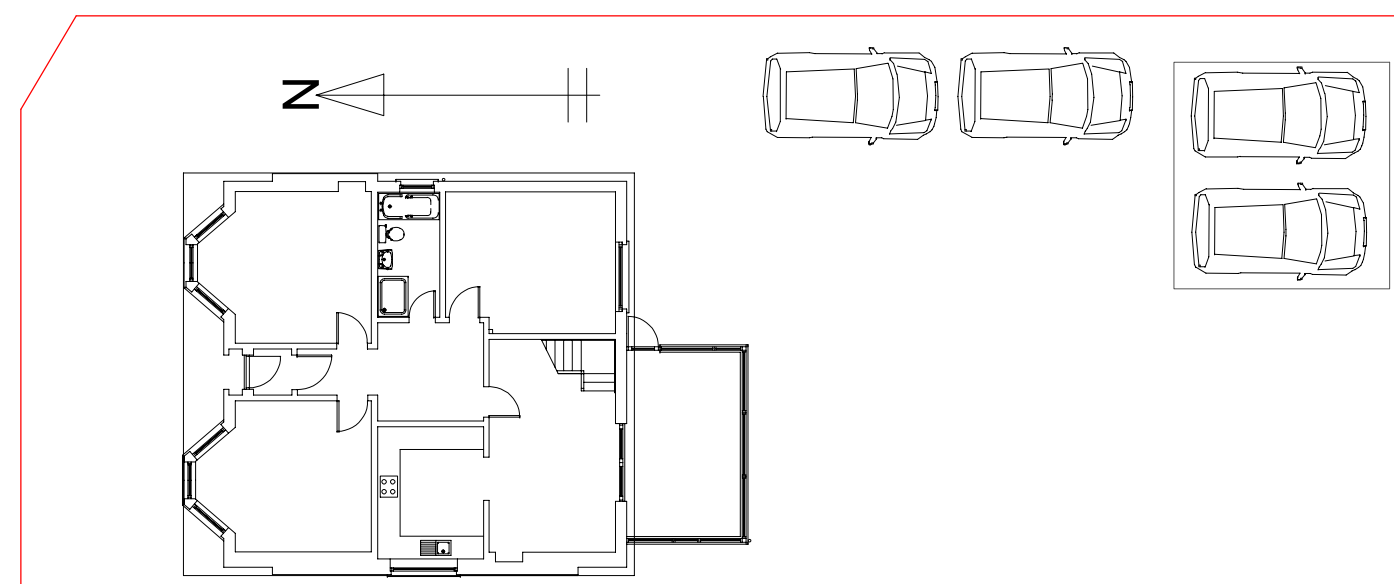
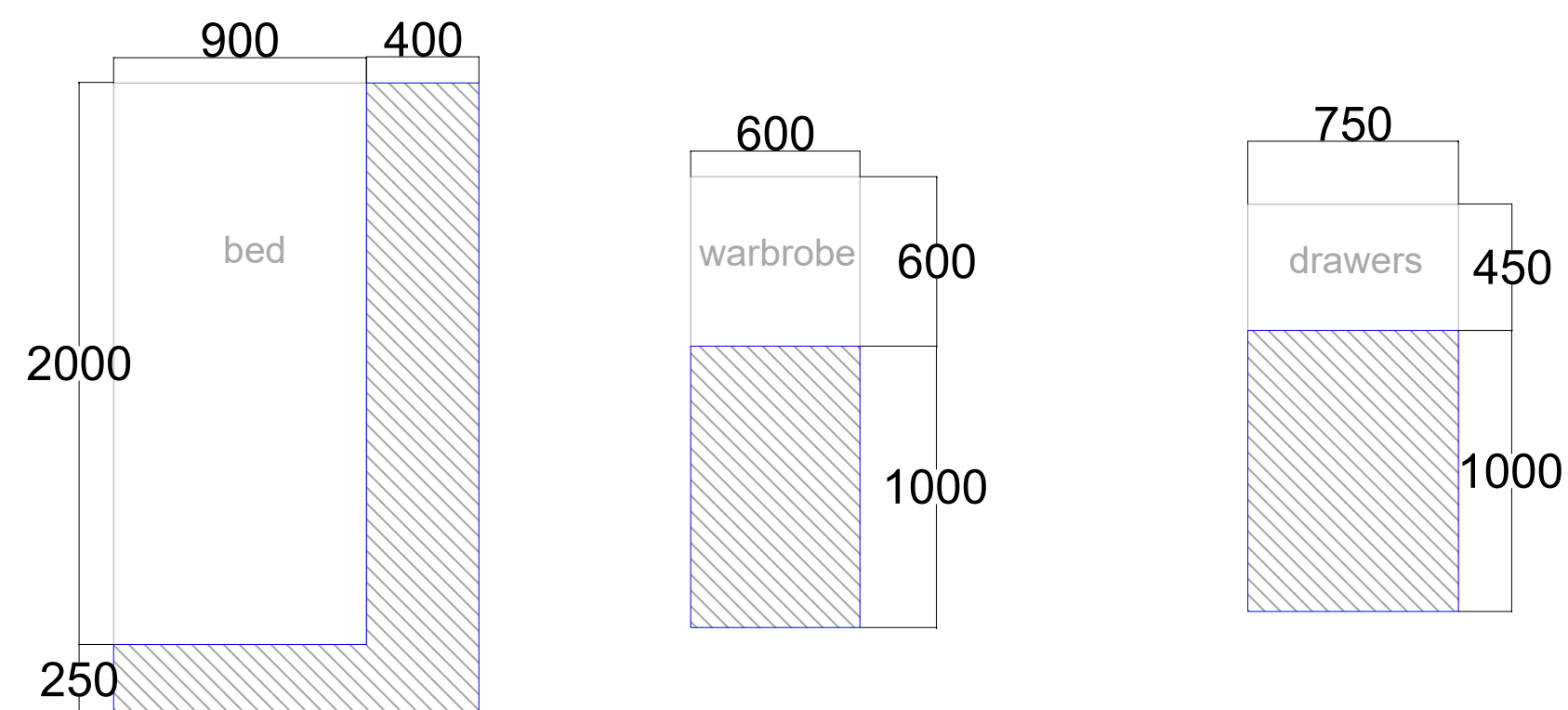


### ELECTRICAL LEGEND

T	TELEPHONE OUTLET POINT
D	DATA OUTLET POINT
TV	TELEVISION POINT
FM	FM RADIO OUTLET
SEC	SECURITY SYSTEM CONTROL PANEL
W	WALL MOUNTED MICROWAVE/PIR DETECTOR
H	HEAT DETECTOR
S	SMOKE DETECTOR (INTERLINKED)
Th	THERMOSTAT
DB	DISTRIBUTION BOARD
13A	13AMP SWITCH FUSED SPUR UNIT
SS	SINGLE SWITCHED SOCKET OUTLET
TS	TWIN SWITCHED SOCKET OUTLETS
TSF	TWIN SWITCHED SOCKET OUTLET MOUNTED IN FLOOR WITH HINGED COVER
LS	TWIN LIGHT SWITCH
2W3W	SINGLE, TWO-WAY & THREE-WAY LIGHT SWITCHES
PLCS	PULL CORD LIGHT SWITCH
EF	EXTRACTOR FAN
CLPF	CEILING PENDANT LIGHT FITTING
WMLF	WALL MOUNTED LIGHT FITTING
CLLVLF	CEILING LOW VOLTAGE LIGHT FITTING
CO	CARBON MONOXIDE DETECTOR
SH	5amp SOCKET OUTLET
RCD	TWIN SWITCHED RCD IP55 OUTLET
R	RADIATORS AS PER SPECIFICATION



RECESSED DOWNLIGHTER (1:10)



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23/Robertson/BWP/003(-)