

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 100647632-001

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:	<input type="text"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Cameron"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="McCue"/>	Building Number:	<input type="text" value="60"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Address 1 (Street): *	<input type="text" value="Tradeston St"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="G5 8BH"/>
Email Address: *	<input type="text" value="REDACTED"/>		

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="Eddie"/>	Building Number:	<input type="text" value="71"/>
Last Name: *	<input type="text" value="Thomson"/>	Address 1 (Street): *	<input type="text" value="Ashley Drive"/>
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="EH11 1RN"/>
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="71 ASHLEY DRIVE"/>
Address 2:	<input type="text" value="POLWARTH"/>
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="EH11 1RN"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="671505"/>	Easting	<input type="text" value="323151"/>
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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)

Loft conversion including addition of rear dormer. (resubmission relating to 22/04098/FUL). At 71 Ashley Drive Edinburgh EH11 1RN

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

Please see the file uploaded as supporting documents

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

Yes  No

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

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

L21282 - Eddie Thomson - 23\_02078\_FUL.docx (contains point by point response, project from 23 Ashley drive, five letters of support, local photos)

## Application Details

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

23/02078/FUL

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

12/05/2023

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

12/07/2023

## 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 Cameron McCue

Declaration Date: 06/10/2023

**Site Address:** 71 Ashley Drive, Edinburgh, EH11 1RN

**Description of Development:** Loft conversion including addition of rear dormer. (resubmission relating to 22/04098/FUL).

**Application Reference No:** 23/02078/FUL

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### **Appeal Summary:**

This appeal is made under Section 43A of the Town and Country Planning (Scotland) Act 1997 in relation to the planning application submitted at 71 Ashley Drive for a loft conversion, including dormer.

This appeal has been prepared by HOKO Design, on behalf of Eddie Thomson, against the decision notice issued for application referenced 23/02078/FUL.

The planning application referenced 23/02078/FUL was submitted to Edinburgh City Council on 12<sup>th</sup> May 2023 and a decision notice was received 12<sup>th</sup> July 2023.

The previous application referenced 22/04098/FUL was submitted on 9<sup>th</sup> September 2022 and withdrawn 15<sup>th</sup> May 2023, as advised by the Planning Officer.

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### **Application Summary:**

The dwelling is located in the residential area of Shandon, Edinburgh, south west of Edinburgh Old Town. Ashley drive is solely residential with no distinct architectural style with regards to scale, form or materiality. The majority of dwellings have had some form of alteration or extension; including rear and side extensions, as well as front, rear and side dormers.

The proposal in question would create two double bedrooms and a shower room within the currently unusable first floor footprint. In order to facilitate suitable headroom on the first floor, a dormer is required. The dormer is proposed to be clad in slate, as per the existing roof finish and in keeping with the neighbouring dormers. The form of the dormer is modest and, in our opinion, not detrimental to the dwellings existing form. The refusal points outlined below appear to be subjective, rather than objective.

I want to express that both HOKO Design Ltd and the clients for this application are willing to pursue any required modifications to aid the approval of this application, particularly with regard to form and material. With this in mind, we hope that we can work constructively with the planning department to find an agreeable solution, even if this involves compromising some aspects of the original proposal.

1. The proposal does not comply with NPF4 Policy 14c as the works would be poorly designed 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.

*NPF4 Policy 14C: Development proposals that are poorly designed, detrimental to the amenity of the surrounding area or inconsistent with the six qualities of successful places, will not be supported.*

*Policy 14B: **Distinctive:** Supporting attention to detail of local architectural styles and natural landscapes to be interpreted, literally or creatively, into designs to reinforce identity.*

***Sustainable:** Supporting the efficient use of resources that will allow people to live, play, work and stay in their area, ensuring climate resilience, and integrating nature positive, biodiversity solutions.*

***Adaptable:** Supporting commitment to investing in the long-term value of buildings, streets and spaces by allowing for flexibility so that they can be changed quickly to accommodate different uses as well as maintained over time.*

#### **Response to Reason for Refusal:**

There is no distinct local architectural style, design or materials. Although Ashley Drive is solely residential, the architectural style consists of bungalows, 1.5 storey detached dwellings, semi-detached housing and terraced housing. Although the proportions and ridge heights differ across the whole streetscape, the vast majority of dwellings have converted the loft space for use as residential amenity via dormers or rooflight conversion. Cowan Road, immediately adjacent to Ashley Drive, also has a considerable run of tenement flats.

As above, there is no distinct material palette used in the immediate vicinity of 71 Ashley Drive. The surrounding buildings are clad in blonde sandstone, painted sandstone, sand coloured pebble dash render, white pebble dash, painted pebble dash, smooth render, vertical timber, and random rubble. The majority of roofs are finished in slate.

The proposal is sympathetic to the existing building form, follows the existing roof line, and is clad in exactly the same material as the existing roof finish and surrounding dormers. Front, rear and side dormers are not uncommon on Ashley Drive and the proposal is certainly not detrimental to the local area or inconsistent with the neighbouring properties.

One of the reasons for refusal is that the proposal does not reinforce the sense of place achieved by the neighbourhood. The proposal increases the usable footprint of the existing dwelling without the requirement of a considerable rear extension. The addition of two bedrooms and a shower room will allow the applicant to remain in the local area, as well as adding long term value to the property. The additional space created couldn't align closer with NPF4 Policy 14B above with regards to flexibility of space to accommodate different uses over time.

2. The proposal does not comply with LDP policy Des 1 as the works would be an inappropriate design which is damaging to the character and appearance of the surrounding area.

*LDP DES 1: Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance. This policy applies to all new development, including alterations and extensions. The Council expects new development to be of a high standard of design. The Council's policies and guidelines are not to be used as a template for minimum standards. The purpose of the policy is to encourage innovation in the design and layout of new buildings, streets and spaces, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated.*

**Response to Reason for Refusal:**

The neighbouring dwelling at 75 Ashley Drive has an existing first floor extension which is considerably more prominent than the dormer proposed as part of this application. As above, there is no distinct character or appearance of the surrounding area. The proposed dormer will be clad in the same finish as the existing roof to tie it in with the existing materiality. The majority of neighbouring dormers are also clad in slate.

The street facing front elevation will remain largely unchanged, other than the addition of two small rooflights and continuation of the existing roof line. This is considerably less detrimental or damaging than a poorly considered street facing dormers that can be found elsewhere on the street. It is clear that the proposal is sympathetic to the immediate site context with regards to materiality and form.

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3. The proposal does not comply with NPF4 Policy 16g as the works would have a detrimental effect on the character of the home and surrounding area; would not be acceptable in terms of design; and would have a detrimental effect on neighbouring properties.

*NPF4 Policy 16g: Householder development proposals will be supported where they:*

- I. do not have a detrimental impact on the character or environmental quality of the home and the surrounding area in terms of size, design and materials; and*
- II. do not have a detrimental effect on the neighbouring properties in terms of physical impact, overshadowing or overlooking.*

**Response to Reason for Refusal:**

As per the response to refusal points 1 and 2 above, it's difficult to ascertain why the proposal would have a detrimental impact on the neighbouring properties. The majority of dwellings on the street have converted the loft space to maximise the existing footprint through the addition of dormers or rooflights.

The proposal won't cause any physical impact or overshadowing of the neighbouring properties. This concern has never been noted by the Planning Officer prior to issue of the decision notice. If we were made aware of this concern, a sun path study could have been submitted as an additional supporting document for clarity. No windows have been proposed on the side elevation and therefore there is no possibility of overlooking. The rear elevation, where windows are proposed, is considerably wooded past the ownership boundary. There are no houses towards the rear of the dwelling.

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4. The proposal does not comply with LDP policy Des 12 as the works would not be in keeping with the existing building or character of the wider area; would not be acceptable in terms of form and design;

*LDP DES 12: Planning permission will be granted for alterations and extensions to existing buildings which:*

*a) in their design and form, choice of materials and positioning are compatible with the character of the existing building*

*b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties*

*c) will not be detrimental to neighbourhood amenity and character*

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

**Response to Reason for Refusal:**

As above, the choice of design and form is sympathetic to the existing building form and the form of neighbouring dwellings. The choice of materials are also in keeping with the existing dwelling and surrounding streetscape.

The proposed dormer sits within the existing roof line and therefore creates no risk of overshadowing. The lack of windows on the side elevation confirms that there is no loss of privacy or risks of overlooking.

Loft conversions are commonplace throughout Ashley Drive, the form of which differs on every property. The proposal is not detrimental to the neighbourhood amenity or character, and certainly not uncommon in the immediate vicinity.

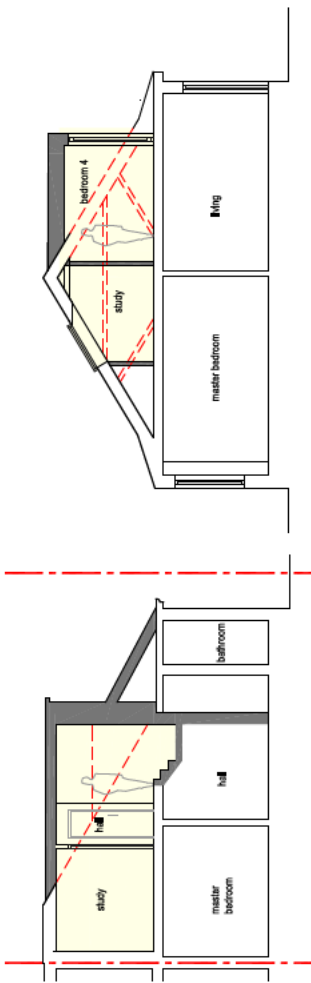
An application for a very similar proposal was approved at 23 Ashley Drive in January 2020 (appendix 1). This application was for a proposed side and rear dormer, with the extension of the existing roof line. After discussions with the Planning Officer, Annmaree Marwick, it was made clear that an application along the lines of the proposal at 23 Ashley Drive would be suitable to obtain planning approval.

On the 4<sup>th</sup> April 2023, the Planning Officer noted “*I’ve had a chance to review 23 Ashley Drive and if your clients wish to do something which essentially replicated this design then that would likely be acceptable. The box dormer which was proposed back in February would not.*”. Ongoing discussions gave the impression that the revised proposal would be favourable and since it is more restrained than similar proposals that have been approved on the same street, we were expecting an alternative outcome.

Appendix 1: Planning approval at 23 Ashley Drive

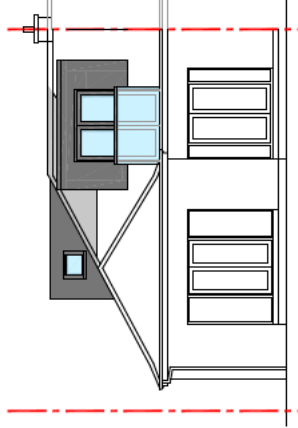
The above information is provided for the purpose of the planning application. It is not intended to constitute a contract or any other legal agreement. The applicant is responsible for providing accurate and complete information. The architect and design team accept no liability for any errors or omissions in the drawings. The drawings are prepared on the basis of the information provided and do not constitute a warranty or guarantee of any kind. The drawings are for the use of the planning authority and are not to be used for any other purpose without the written consent of the architect and design team. The drawings are the property of the architect and design team and are to be returned to them on completion of the planning application. The drawings are not to be reproduced or used in any other way without the written consent of the architect and design team.

**materials for extension:**  
 walls: render to match existing  
 roof: slate to match existing  
 dormer wall: dark grey cladding panel  
 dormer roof and walls: standing seam roof  
 house windows: white double glazed units to match existing.  
 Dormer windows: dark grey double glazed units.

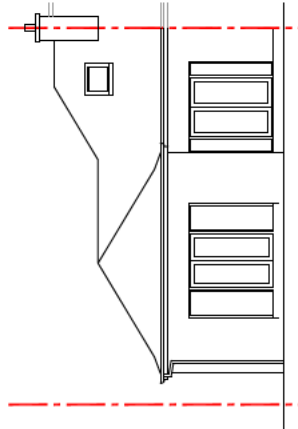


section A-A [1:100]

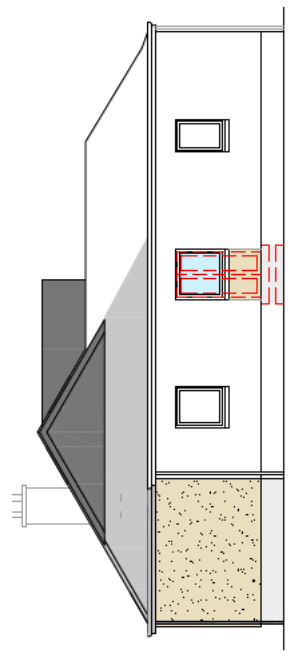
section B-B [1:100]



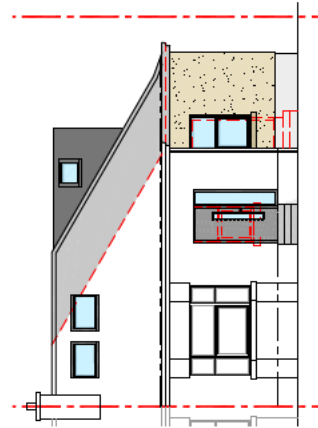
proposed rear elevation [1:100]



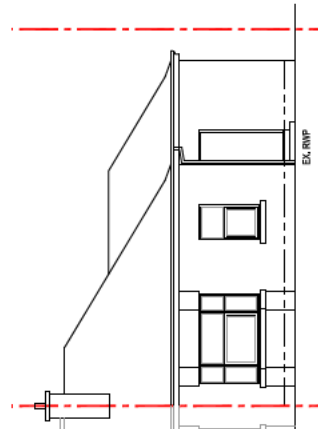
existing rear elevation [1:100]



proposed side elevation [1:100]



proposed front elevation [1:100]



existing front elevation [1:100]

PROJECT NO. 19037 - PDIC DATE 23.08.2023 DRAWN BY P. J. HARRIS CHECKED BY P. J. HARRIS	PROJECT NO. 19037 - PDIC DATE 23.08.2023 DRAWN BY P. J. HARRIS CHECKED BY P. J. HARRIS
23 ASHLEY DRIVE EGBURGH	PROPOSED ELEVATIONS AND SECTION A, B & C
sibrach.wood.architects	
The Sibrach Group Edinburgh, Scotland Tel: +44 (0)131 550 3000 Email: info@sibrachwood.co.uk	

**Appendix 2:** Five letters of support have been presented by neighbours in the immediate vicinity of the proposal, including the direct neighbours either side of the proposal. This further emphasises the point that the proposal is not detrimental to the local character, form, appearance or amenity of the neighbourhood.

After consideration of planning application reference no. 23/02078/FUL (available to view on the planning application section of website [Edinburgh.gov.uk](http://Edinburgh.gov.uk)), please take this note as formal declaration of support for your project.

NAME (print): GIWA MACDONALD

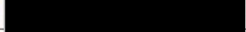

SIGNATURE: 

HOUSE NUMBER: 79 Ashley Drive

DATE: 14/09/2023

After consideration of planning application reference no. 23/02078/FUL (available to view on the planning application section of website [Edinburgh.gov.uk](http://Edinburgh.gov.uk)), please take this note as formal declaration of support for your project.

NAME (print): HEATHER CARGILL / GORDON CARGILL

SIGNATURE:  / 

HOUSE NUMBER: 31 Cowan Rd.

DATE: 17.9.23

After consideration of planning application reference no. 23/02078/FUL (available to view on the planning application section of website Edinburgh.gov.uk), please take this note as formal declaration of support for your project.

NAME (print): Sandra Payne



SIGNATURE: 

HOUSE NUMBER: 65, Ashley Drive

DATE: 17.09.23

After consideration of planning application reference no. 23/02078/FUL (available to view on the planning application section of website Edinburgh.gov.uk), please take this note as formal declaration of support for your project.

NAME (print): ROBIN MORTON VICKI MORTON

SIGNATURE:  

HOUSE NUMBER: 73 ASHLEY DRIVE

DATE: 17/9/23

After consideration of planning application reference no. 23/02078/FUL (available to view on the planning application section of website Edinburgh.gov.uk), please take this note as formal declaration of support for your project.

NAME (print): TRACY ROBINSON

SIGNATURE: 

HOUSE NUMBER: 69

DATE: 20/9/2023

**Appendix 3:** Selection of neighbouring properties with regards to differing scales, form, and materiality



