

John Tod Associates.
59 Edinburgh Road
Musselburgh
EH21 6EE

The Owners Group.
14 Lampacre Road
Edinburgh
EH12 7HX

Decision date: 8 September 2023

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

Proposed construction of a new house.
At 14 Lampacre Road Edinburgh EH12 7HX

Application No: 23/02897/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 5 July 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. It has not been demonstrated that the development would not adversely affect the potential to increase local flooding issues, contrary to LDP Policy Env 21.
2. The proposal would diminish the level of external amenity space enjoyed by occupiers of the existing dwelling to an unacceptable degree. This is contrary to NPF Policy 14 and LDP Policies Hou 4.
3. The proposal would constitute an unsympathetic and incongruous addition to the surrounding area, failing to respect the built form and spaces between buildings. This is contrary to NPF 4 Policy 14, NPF 4 Policy 16 and LDP Policies Hou 1, Hou 4, Des 1 and Des 4

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

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

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

The proposal would fail to create an acceptable development within the area. It would fail to respect the existing streetscape character and would result in a cramped and low quality addition, to the detriment of visual amenity. In addition, it would result in a low quality of amenity for the occupiers of the existing property, through the loss of garden ground and resultant overshadowing of the remaining garden. It has not been demonstrated that the building would not create the potential for instances of localised flooding. There are no material considerations that outweigh this conclusion.

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 Murray Couston directly at murray.couston@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

Application for Planning Permission
14 Lampacre Road, Edinburgh, EH12 7HX

Proposal: Proposed construction of a new house.

Item – Local Delegated Decision
Application Number – 23/02897/FUL
Ward – B06 - Corstorphine/Murrayfield

Recommendation

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

Summary

The proposal would fail to create an acceptable development within the area. It would fail to respect the existing streetscape character and would result in a cramped and low quality addition, to the detriment of visual amenity. In addition, it would result in a low quality of amenity for the occupiers of the existing property, through the loss of garden ground and resultant overshadowing of the remaining garden. It has not been demonstrated that the building would not create the potential for instances of localised flooding. There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The site is the garden and parking space of 14 Lampacre Road, a residential flatted property on the upper floors of the building to the north. It is located on the west side of Lampacre Road, to the south of its junction with Tyler's Acre Road.

Description Of The Proposal

Erection of dwellinghouse

Supporting Information

None

Relevant Site History

22/02368/FUL
14 Lampacre Road
Edinburgh
EH12 7HX
Proposed new house (as amended).
Refused

9 August 2022

22/04900/FUL
14 Lampacre Road
Edinburgh
EH12 7HX
Proposed new house (as amended)
Refused

10 March 2023

Other Relevant Site History

No other relevant site history

Consultation Engagement

Transportation Planning

Publicity and Public Engagement

Date of Neighbour Notification: 8 September 2023

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 12

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations; and
- any other identified material considerations.

Assessment

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

a) The proposals comply with the development plan?

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF 4 Sustainable Places Policy 1
- NPF 4 Liveable Places Policy 16
- NPF 4 Liveable Places Policy 14
- LDP Design Policy Des 1, Des 4 and Des 5
- LDP Environment Policy Env 21
- LDP Housing Policy Hou 1 and Hou 4
- LDP Transport Policy Tra 2

The non-statutory Edinburgh Design Guidance is a material consideration that is relevant when considering Liveable Places and Design Policies.

Principle

The site is within a mature residential area and the principle of housing is acceptable. The location is relatively close to Corstorphine Road, which has good links to the city centre and surrounding areas, reducing the need for private car use. The proposal complies with the broad objectives of NPF 4 Policy 1.

LDP Policy Hou 1 supports housing in appropriate locations, provided the development complies with other policies within the LDP. As set out below, the proposal fails to comply with a number of other policies with the development plan.

Accordingly, the application fails to comply with LDP Policy Hou 1.

The proposal would result in the garden area of the existing dwelling being reduced, leaving the occupiers with amenity space that would be to the road front and which would be subject to a considerable degree of overshadowing as a result of the new

building. It fails to comply with LDP Policy Hou 3, which seeks to ensure adequate open space for residents.

Design Quality

The building would be a modest and unassuming design, with a white render finish providing some visual connection with the existing building. Whilst it would not create a distinctive addition to the streetscene, it would not, in isolation, constitute an unacceptable design.

The proposal would result in the much of the side garden of the main property being developed. Although a garage occupies some of the site at present, it is clearly a subservient and incidental building within the context of the streetscape. The site is a prominent, corner feature within the area and enjoys an open aspect, which contributes to the feeling of spaciousness and urban grain provided by the gardens of the properties on either side of Tyler's Acre Road.

The formation of a detached dwelling house would disrupt the established pattern of built development and adversely impact on the ability to appreciate the spaces between buildings and their contribution to the character of the area. This would undermine the character of the area significantly.

Although the proposal would lead to the reduction of soft landscaping, there is no evidence of protected species and the loss of greenspace in these circumstances would not be a reason to refuse the development.

The proposal would fail to comply with LDP Policies Des 1, Des 4 and Hou 4 and NPF 4 Policy 14 and 16.

Residential Amenity

The depth of the house has been reduced to address issues of overshadowing of the neighbouring rear garden ground and the separation of garden ground has been altered from that previously proposed to provide a greater degree of outside amenity space for the existing house. However, as stated above, this parcel of land would be to the front of the properties and would be subject to considerable overshadowing due to the presence of the new building.

The proposal would provide the occupiers of the development an adequate area of external amenity space.

This is contrary to LDP Policy Hou 4 which seeks to ensure new development provides an attractive residential environment.

The non-statutory guidance in relation to the protection of neighbouring amenity does not seek to protect daylight to gable elevations. The building would be orientated such that it would essentially form a gable to gable relationship with properties to the north and south. Accordingly, the proposal would not adversely affect neighbouring daylight.

The proposal fails to comply with LDP Policy Hou 4 and NPF 4 Policy 16.

Flooding

Several comments have been received about potential flooding within the site. No detailed information has been submitted in respect of the impact on flooding, nor has a surface water management plan been provided. If other aspects of the proposal were considered to be acceptable, further consideration could be given to this element of the proposal. However, it would be unreasonable to seek further information when the principle of the development cannot be supported.

Without further information to demonstrate that the development would not have an adverse impact of localised flooding issues, it fails to comply with LDP Policy Env 21.

Parking and Road Safety

A single parking space would be provided, which would be in accordance with the Council's parking standards. Although the formation of an additional dwelling would have the potential to create traffic, it would be a very minor increase in the context of the surrounding area, which is characterised by houses, in which the occupiers may have access to motor vehicles.

The development would not have an adverse impact on road safety and is in compliance with LDP Policy Tra 2.

Conclusion in relation to the Development Plan

The proposal would fail to create an acceptable development within the area. It would fail to respect the existing streetscape character and would result in a cramped and low quality addition, to the detriment of visual amenity. In addition, it would result in a low quality of amenity for the occupiers of the existing property, through the loss of garden ground. It has not been demonstrated that the building would not create the potential for instances of localised flooding. There are no material considerations that outweigh this conclusion.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

material considerations

Impact on amenity; this has been assessed in section (b) above.

Design; this has been assessed in section (b) above.

Road safety; this has been assessed in section (b) above.

Flooding; this has been assessed in section (b) above.

Loss of biodiversity; this has been assessed in section (b) above.

non-material considerations

issues during construction

contents of feus

Protection of private views

Accuracy of neighbour notification

Conclusion in relation to identified material considerations

The issues raised in the representations have been considered and assessed in the above report of handling.

Overall conclusion

The proposal would fail to create an acceptable development within the area. It would fail to respect the existing streetscape character and would result in a cramped and low quality addition, to the detriment of visual amenity. In addition, it would result in a low quality of amenity for the occupiers of the existing property, through the loss of garden ground and resultant overshadowing of the remaining garden. It has not been demonstrated that the building would not create the potential for instances of localised flooding. There are no material considerations that outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reason for Refusal

1. It has not been demonstrated that the development would not adversely affect the potential to increase local flooding issues, contrary to LDP Policy Env 21.
2. The proposal would diminish the level of external amenity space enjoyed by occupiers of the existing dwelling to an unacceptable degree. This is contrary to NPF Policy 14 and LDP Policies Hou 4.
3. The proposal would constitute an unsympathetic and incongruous addition to the surrounding area, failing to respect the built form and spaces between buildings. This is contrary to NPF 4 Policy 14, NPF 4 Policy 16 and LDP Policies Hou 1, Hou 4, Des 1 and Des 4

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 5 July 2023

Drawing Numbers/Scheme

01-04

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Murray Couston, Planning Officer
E-mail:murray.couston@edinburgh.gov.uk

Appendix 1

Consultations

NAME: Transportation Planning

COMMENT: No objections subject to conditions/informatives

DATE: 12 July 2023

The full consultation response can be viewed on the Planning & Building Standards Portal.

Application Certification Record

Case Officer

I have assessed the application against the City of Edinburgh Council's Scheme of Delegation (2023) Appendix 6 – Chief Planning Officer and the Statutory Scheme of Delegation (2023) and can confirm the application is suitable to be determined under Local Delegated Decision, decision-making route.

Case Officer: Murray Couston

Date: 8 September 2023

Authorising Officer

To be completed by an officer as authorised by the Chief Planning Officer to determined applications under delegated powers.

I can confirm that I have checked the Report of Handling and agree the recommendation by the case officer.

Authorising Officer (mRTPI): Alan Moonie

Date: 8 September 2023

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Local1 Team

Customer Details

Name: Mr Gary Richardson

Address: 19 Lampacre Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I think the proposed property will be too near the adjacent houses therefore overlooking and overshadowing them. It will be directly across from the main entrance to Carrickknowe primary school which definitely does not need anymore traffic.

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Local1 Team

Customer Details

Name: Mr Mark Kennedy

Address: 22 Lampacre Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There are many reasons yet again why this should not be approved and there should be no reason as to why this has been submitted again.

1: To close to the traffic calmed area entrance and to close to a school entrance. The safety concerns alone during building work are questionable and there would be no way to possibly make this safe for children or traffic.

2: Lampacre Road and surrounding areas are prone to flooding and sewage back up for this reason alone should be understood as non-approved build. There are no plans for sewage upgrade within this area; I don't think this has been looked at by the developer/Architect. On this note, after looking at the plans regarding elevation, the house plans seem to be lower than the house on the right-hand side they have created, and an area for water to build up and cause problems to surrounding buildings. To displace this water to a drainage/sewage system which is already under strain would create more problems than we already suffer from.

3: Traffic calmed area: how can we keep this area traffic calmed for children/people if we add another house with no parking? Other street parking on Lampacre Road is already a very hard area to park on as most homes have driveways. If another 4-bedroom house is to be placed on this street, not only will it defeat the reason for having a traffic calmed area, it also takes away a green space for wild life as they are taking away a perfectly nice garden and parking area for 14 Lampacre Road.

4: A new build being placed in this area to begin with would be so out of place and not only on top of this, it also invades other people's privacy within their gardens etc.

There are many other reasons this should not be approved, but given that this is now the 3rd

application might have to save some for the next one.

Also i do a lot of work with Developers/Architect and most will always add a design statement regarding the project to give everyone an insight to the project and why. All i seem to see is very crude drawings. No talking about the project or any of the problems spoken above or many unanswered question from many other's in the area.

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Local1 Team

Customer Details

Name: Mr Stuart Holley

Address: 52 Tyler's Acre Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We are of the opinion that the proposed development of a new 2 story property at 14 Lampacre Road should be rejected outright. Our opinion is based on the following points:

No Changes That Should Alter the Council's Previous Grounds for Refusal

This is the third application of a very similar nature that the applicant has made in a period of just over 12 months. Beyond the fact that this causes serious disruption to the lives of us as neighbours, the applicant has continued to disregard complaints made by us in previous applications regarding flooding, fencing, car parking, and building character among other things. More importantly, the new application does not address the council's previous reasons for rejecting the second application, namely:

- The proposal would constitute an unsympathetic and incongruous addition to the surrounding area, failing to respect the built form and spaces between buildings. This is contrary to NPF 4 Policy 14, NPF 4 Policy 16 and LDP Policies Hou 1, Hou 4, Des 1 and Des 4
- It has not been demonstrated that the development would not adversely affect the potential to increase local flooding issues, contrary to LDP Policy Env 21.
- The proposal would diminish the level of external amenity space enjoyed by occupiers of the existing dwelling to an unacceptable degree. This is contrary to NPF Policy 14 and LDP Policies Hou 4.

In the new designs there is no additional garden space for the current occupiers of the existing dwelling compared to the second application, and despite the same shape being drawn for their

retained garden, it has miraculously grown by 3m². Therefore, this comment by the council has been completely ignored.

The applicant continues to maintain that there is no flood risk in the area, in direct opposition to the fact that SEPA rate the area with moderate flood risk. This issue was raised in both the first and second application and continues to be ignored by the applicant, who continues to make no provision for how potential increased flood risk will be managed.

Finally, although minor changes have been made from the previous application regarding fencing and boundary markation, the new property remains out of character with the rest of neighbourhood. It still does not respect the original spacing between buildings, and attempts to squeeze a fairly large house into a very small space. Additionally, the low height of building that is required to provide the acceptable level of light to 12 Lampacre Road (despite still blocking significant light and view from a main window of that property) makes it by far the lowest building in the area, which in the plans looks frankly ridiculous, and is completely out of character with other buildings in the neighbourhood.

In addition, we raise the following points as further reasons that the new development should be rejected.

Title Deeds

It is stated in the burdens section of the title deeds for the properties 50/52 Tyler's Acre Road and 12/14 Lampacre Road which form the building and grounds within which the existing property of 14 Lampacre Road and the proposed new property sit states:

"It shall not be lawful (...) to use any house or building or any part thereof or any garden ground or open space for any purpose which may be deemed a nuisance or likely to injure the amenity of the district."

The proposed development completely goes against this statement. It reduces the available amenity of the property at 14 Lampacre Road which will lose the majority of its garden space for all current and future owners, which is not permitted within the burdens outlined in the title deeds.

Lack of Car Parking

The new development takes away car parking provisions for the existing property at 14 Lampacre Road and only provides a single car parking space for the new property. This means there is no change in the total number of parking spaces. In an area that already has a lack of available on

street parking, introducing a new 4 bedroom property without adding additional parking spaces will generate further competition for parking spaces and increase the number of people parked opposite other properties' parking spaces and making it difficult for people to use their own parking spaces.

Flood Risk

The area has known flood risk as it sits in a topographic low and some flooding did occur last year during heavy rainfall. SEPA grade the area as of moderate flood risk. Please note that the planning application submitted by the developer states the area does not have flood risk which is untrue. Although the plans do leave grassed areas to the front and rear of the building, the building itself does reduce significantly on the drainage area of the original plot. During heavy rainfall it is crucial that surface water is able to drain away, and given the already poor drainage of the area it is a poor idea to reduce the area provided for water to drain when the focus should really be on improving drainage.

Despite repeated similar applications where this issue regarding flooding has been raised in complaints the applicant continues to insist there is no flood risk in the area in their application. This shows a complete disregard for the objections of the council and neighbours.

In addition, the decision of the architect to lower the ground floor into the ground to reduce the height of the building will undoubtedly cause flooding problems for the property considering the very high water table in this area. Without significant work to prevent this water may come up through the floor of the property during flood events, which to emphasise are of moderate risk here and not of no risk as stated in the application.

Concerns Regarding Damage to Buildings

Given the old age of our property, there is some concern that the extended heavy work required to build a new house immediately adjacent to it may cause structural damage to the walls or foundations. It is not uncommon for adjacent buildings to develop cracks in their walls interior or exterior subsequent to building works similar to these.

The loss of direct sunlight along with the blocking of the wind due to the size of the new development will accelerate the deterioration of the outer fabric of the existing building comprising of our property (52 Tyler's Acre), 50 Tyler's Acre Road, and 14/16 Lampacre Road by not allowing it to naturally dry out, as was the intent in its construction. This will cause significant damp penetration. Due to this The Owners Group should be entirely financially responsible to put in extensive damp proofing measures around the existing building, which is only needed now due to the proposed development.

Environmental Aspect

This proposed new house, goes against the Edinburgh Council's own plans of 'Making Edinburgh cleaner, greener and safer for everyone' including the wider plan to increase biodiversity and 'spaces for people'.

In the current era preservation and improvement of environment for wildlife should be at the forefront of our thoughts. The proposed development firstly reduces valuable green space that is utilised by wildlife including a variety of birds and numerous species of pollinators which form a crucial part of our food supply and are known to be in decline throughout the country. Additionally, the presence of the screening fence with no through vision will create an impenetrable barrier for small mammals which pass through the area such as hedgehogs and foxes. Pollinators and birds will of course still be able to pass but their opportunity to feed will be reduced as some plants and small trees will certainly be lost from the garden of the new property.

The plans submitted by the applicant state that they will maintain an "existing" 1.6m timber screening fence between the boundary of the new property and the garden of 12 Lampacre Road. In reality, this is clear mis-representation of the facts, as no such timber screening fence exists. Once again, in repeated planning applications, the applicant has submitted blatantly misleading and incorrect plans with untrue information contained within them. This fence should not be permitted as it will reduce wildlife corridors in the area between adjoining gardens.

Additionally, during the construction of the proposed building the excessive noise which will be produced along with large amounts of dust will disturb the wildlife present in the area and force it to move away. This will have a detrimental impact on these species due to the loss (temporary or not) of a further portion of their habitat immediately adjacent to the proposed property but also on the mental wellbeing of those of us who enjoy having a fantastic variety of wildlife in our gardens. The wide variety of species of bees which are present within the grounds of the original and bordering properties will likely be significantly reduced or destroyed during the construction period and the presence of other animals will be significantly or entirely reduced and their return uncertain.

Character of the New Building

The proposed property would be shorter than others in the area, however given its depth it will be by far the largest property in the area. The low slope angle of the roof is also very unorthodox and would not fit in with the surrounding properties, and neither would the very reduced height of the property, which would look unusual. Finally, the application simply states, "render to match." This does not provide information as to which properties the render will match to, as the property of

12/14 Lampacre Road has a white render while the majority of other buildings in the area are pebble-dashed. The applicant is clearly trying to keep their options open and not provide all the information for us as neighbours to assess. In particular, white render typical of "new-build" estates would not fit at all with the character of the rest of the local area and should therefore not be permitted in this form.

Additionally, the proposed 1.6m solid fence (which according to the applicant is "existing," despite the boundary being marked by an open 3 rail metal fence and a hedgerow) with no light passing through is out of character with the rest of the area. Most fences are either lower or allow the passage of light, allowing a pleasant, wildlife friendly, open plan atmosphere to develop in the gardens between properties. The 1.6m fence will block light, create shade, and create a barrier to the passage of wildlife.

Privacy Issues and Shading of Rear Garden

As outlined above the proposed property will be very visible looking eastwards from our rear garden. Given our proximity to the property it will block out sunlight into the rear garden through parts of the morning, particularly in winter, and cast the garden into shade.

The distance of 10m from the rear of the building to the rear of the property is not particularly representative. The distance is clearly much shorter from the northern window to the rear fence of the property directly to the rear of it on a line drawn perpendicular to that window. This provides a privacy issue for the neighbouring property which borders to the rear of the proposed property along that fence.

Traffic Danger and Disruption During Construction

The area the proposed house is to be constructed in consists of several narrow roads which are used by residents for parking. Heavy traffic from large construction vehicles and vehicles delivering supplies during the period of construction of the proposed house would lead to congestion on these roads and disruption to residents' parking. Additionally, the presence of traffic calming measures outside of the school and directly opposite the proposed development may require large delivery vehicles to mount the pavements to access the site which will cause damage to the walkways and endanger pedestrians attempting to walk down the street.

Additionally, the increased traffic outlined above will create an unsafe environment for pedestrians and cyclists, especially given the narrow nature of the streets. Given the position of the primary school and nursery directly opposite the proposed house this consideration should be taken very seriously as many children and parents use the street to get to and from school every morning and evening. The plans make no effort to explain how this issue may be mitigated. The portion of Lampacre Road directly adjacent to the proposed development are closed for safety reasons

during the day to provide a secure avenue for children to arrive at and depart from school. The developer has made no effort to explain how they plan to operate heavy machinery and deliver goods to the site during or around these times. If their plans involve working outside of typical weekday daytime hours this will cause significant disturbance to residents due to noise, traffic, and dust.

Issues/Inaccuracies with Plans and Planning Application

There are several inconsistencies, inaccuracies, and attempted misinformation in the submitted plans and application forms. On these grounds we also object to the proposed development as it has not truly been made clear what the development will entail and how it will finally look. We feel that the consistent misinformation provided through the current application and the previously rejected applications are an attempt to get the application through by disguising many of the issues with it that people may object to, and this lack of good faith and respect from the proposed developer is concerning. The following are an outline of some of the issues we have encountered while examining the application and associated documents:

-The plans lack details, contain numerous inconsistencies both within themselves with their own provided scale and are scrappy in their production to the point of lacking precision in the placement of walls, fences, and boundaries. The application should not be considered without much more accurate plans so that what is actually involved in the development can be seen in full.

-On the application form it is stated that the area does not have flood risk - in reality SEPA rate the area as having moderate flood risk. This may require a Flood Risk Assessment and at the least the plans should include more information as to how flooding is being prevented, which they do not provide any information on. This is another example of clear misinformation as it was made apparent in the first and second applications at this address that there was a flood risk present.

-The distance of 10m from the rear of the building to the rear of the property is not particularly representative. The distance is clearly much shorter from the northern window to the rear fence of the property directly to the rear of it on a line drawn perpendicular to that window. This provides a privacy issue for the neighbouring property which borders to the rear of the proposed property along that fence.

-Compared to the previous rejected application, the property is now listed as being 23sq.m. smaller than before. However they have managed to fit a what is essentially a property of the same size if not larger within the area.

-The plans do not show the parking space which is being removed which is requested in the application form.

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Local1 Team

Customer Details

Name: Miss Elissa Mitchell

Address: 16 Lampacre Road, Edinburgh EH12 7HX

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Objections to Planning Application 23/02897/FUL

1. There is real concern regarding the safety of the access to Carrick Knowe Primary School. The inevitable increase in parking and therefore traffic volume will add risk to children/parents gathering at the entrance and also visitors seeking access/egress to the school. This will be exacerbated by the LRC restriction of 'waiting at any time' on Lampacre Road traffic proposals. Currently No 14 Lampacre Road boasts a detached garage and a 2 car driveway - the proposal would see a reduction from 3 parking spaces to 1 for the 2 properties.

I submit a quote from the Feu Charter by William Dickson Yr - to James Miller & Partners Ltd. Dated 8th December 1936 alluding to the unlawful use of garden ground or open space that may be 'Deemed a nuisance or likely to injure the amenity of the district. Clause 3 page 4.

2. At 2 stories in height and considerably under 3m from my existing gable wall the overshadowing to my ground floor property would block out at least 40% of my natural sunlight.

Externally, as my property was built more than 74 years ago, lack of sunlight significantly increases the inevitability of damp affecting the fabric of the building, particularly the south most corner.

Internally, this in turn will result in a corresponding percentage increase in heating expenditure . The site plan also fails to show the correct position of my glassed fronted entrance, kitchen and bathroom windows which are directly affected.

3. The plot size is extremely small for the size of build leading to concerns over lack of garden (natural) drainage and also the added burden on and location of the local authority services. Garden ground in the area is is prone to flooding - please refer to SEPA flood map data which

confirms this and therefore in all likelihood surface water issues would arise. I would add that the Planning Application form ticked 'No flooding issues' box - untrue.

4. The location of this build is completely out of keeping with the existing housing and would increase housing density disproportionately and ruin the open outlook of the area. There are no other 2 storey, single occupancy, 4 bedroom, detached dwellings in the area and such a project will likely lower the value of surrounding properties.

I refer again to the Feu Charter by William Dickson Yr. to James Miller & Partners Ltd. Dated 8th December 1936. Clause Third, Page 3 'And no house or building shall be erected on a site or in a style different from that originally agreed upon'.

5. The windows in the proposal are of major concern as they would overlook the rear garden of my property thus denying the privacy appreciated and cherished for over 70 years. I feel this would be a violation of Human Rights.

6. The proposal plans are inaccurate and misleading.

There is no overall height of the proposed building shown, placing doubt on precisely how this would affect my property.

The floor levels are highly challengeable and there are no existing ground levels shown.

The land profile shown on the elevation plans has altered from the first planning application for this site dated June '22. In the current planning application section Y-Y displays a downward slope (which does not exist) from the communal pathway to the new build ground level. This suggests excavation would be required - there is no mention of that requirement, I believe this is to give the illusion that my property would probably have sufficient natural light.

Any excavation work would further affect existing drainage/flood risk.

7. The site plan is not accurate - the site areas quoted are not accurate - OS data suggests a somewhat reduced figure, bringing into doubt the validity of the site survey.

The 3800 dimension between existing ground floor property kitchen window and new build is wrong as is the 10m dimension to the rear of the proposed build.

The rear elevation also wrongly shows 2 sets of patio doors.

There is no 'existing' 1.6m high timber screening fence' to the rear of the site.

The 'contextural' plan should not be taken at face value - by checking the scales, the proposed house has the appearance of being significantly lower in height than it would be - The floor level of the new build appears to be lowered and the floor level of my property raised - again giving the appearance that the proposed roof pitch would allow my property enough natural light - a blatant attempt to mislead? Having lived in this property for 24 years I believe this would infringe my 'Right to Light'.

I wish to state that this is the third planning application for this site, all of which have been roundly condemned by the immediate neighbourhood. The process has also been causing myself, my family and my neighbours considerable stress and as a pensioner I believe this could be described as harassment.

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Local1 Team

Customer Details

Name: Mr William Clark

Address: 18 Lampacre Road Lampacre Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This is the 3rd application for a new 4-bedroom house. The two previous refusal decisions were made very clear. However, these issues have been ignored. The Applicant's details have been withheld. This is a controversial application and as neighbours, I consider that we are entitled to know the Applicant's background. I consider these repeated applications with no regard to previous refusals, to be very distressing. I am in my 70's and live on my own. I cannot relax and enjoy my own home because I don't know how this will end.

In the Application Details there are several errors: -

1 - Site Area - The site area is over measured at 260 square metres. Following building of the proposed new house, the garden for 14 Lampacre Road is stated at only 64 square metres.

2 - Existing parking spaces is stated as 1 (there are 3, one garage space and two drive-in spaces) Despite demolishing the garage and building a new 4-bedroom house with one parking place the number is reduced to only 1. There is also a controversial (Accessible Corstorphine for Everyone) ACE - proposal that both sides of Lampacre Road would become a "Restriction of Waiting at Any Time" zone.

3 - Flood Risk - It is stated that there is no known risk of flooding - not true

4. Trees. It is stated that there are no trees on the site - this is not true.

Carrick Knowe School. The entrance to the school is dangerous and the Council does not appear to be addressing this. The school nor the house in the school grounds between 15 and 17

Lampacre Road have not been included in the notification list.

On any school day there are at least 150 vehicle movements. Huge vehicles (bin lorries, delivery vans etc) need to sometimes manoeuvre backward and forwards to enter the tight entrance. The school entrance is an "accident waiting to happen". The 20mph speed limit on Lampacre Road is ignored. The white markings are worn away and drivers cannot see the road humps.

Flooding -The entrance to the school and outside my house floods when it rains. Drainage is inadequate and the water pools, at these points that are lower than the 2 'street gullies'.

Symmetrical Housing In this area there are streets with lines of houses that have angled buildings at the end of them. Examples are the junction of Tyler's Acre Gardens and Tyler's Acre Avenue and the junction of Lampacre Road and Tyler's Acre Road. Squeezing a 4-bedroom house in the garden of 14 Lampacre Road would destroy this perspective.

Roof Pitch Houses in this area have a roof pitch of around 35 degrees. The proposed house roof pitch is 25 degrees, and the floor level is dropped by 0.65m to appear to lower the height of the building.

Drawings The drawings are of a very poor standard with missing and/or incorrect dimensions. Contextural Elevation (Drawing No 4) is very misleading. The side view is shown considerably narrowed with the dormer window not narrowed.. This gives a false impression that the proposed 4-bedroom house is considerable smaller that the adjacent houses. No overall height of the new building is shown. The pitch of the roof is different on each side and not equal as shown. There are no other buildings in this area where all four bedrooms are in the attic with the windows being dormers.

Drawings The drawings are of a very poor standard with missing and/or incorrect dimensions. Contextural Elevation (Drawing No 4) is very misleading. The side view is shown considerably narrowed with the dormer window not narrowed. This gives a false impression that the proposed 4-bedroom house is considerable smaller that the adjacent houses. No overall height of the new building is shown. The pitch of the roof is different on each side and not equal as shown. There are no other buildings in this area where all four bedrooms are in the attic with the windows being dormers.

The proposed house has 3 windows that overlook my house. The dining area window would look directly into my kitchen.

Drawing No 2 - What does "Existing Boundary Treatment Retained" mean ?

Kitchen / Dining Area has 2 patio doors with kitchen units running over one patio door !

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Local1 Team

Customer Details

Name: Mrs Christine Wilson

Address: 24 Lampacre Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:as previous applications

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Local1 Team

Customer Details

Name: Mrs E Hamilton

Address: 21 Lampacre Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object strongly to this proposed building. It will block daylight from the front of my home (and no doubt those of my neighbours at 19 and 17) thus depriving my home of much needed light and indeed heat also. I also note that it is not clear what the size of the parking area is to be. On street parking has become more and more prevalent in our street in recent years leading to the street becoming increasingly congested with parked vehicles. There is no comfort offered in the plans as to the sufficiency of the driveway being planned by the applicant.

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Local1 Team

Customer Details

Name: Mr J Campbell

Address: 15 Lampacre Road, Carrick Knowe, Edinburgh EH12 7HU

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We object to the proposed building of a 4 bedroom house for the following reasons:

1) Traffic Congestion: The proposed house will likely add to the existing traffic burden on our already congested roads, particularly around the entrance of a primary school which is directly opposite. These roads are not capable of withstanding the impact of HGVs and other construction related vehicles due to their weight.

Increased traffic congestion from HGVs would add a safety risk to those children and families who walk/cycle to and from school as part of the CECs active travel initiative. Disruption to learning and teaching due to the noise created from excavation and construction would also be inevitable.

2) Privacy and light: The proposal would directly impact the privacy of our property and sunlight exposure to those immediately surrounding the planned site impacting quality of life.

3) Overcrowding and Density: The proposed house appears to be squeezed into a very small area of garden space. This sudden increase in density might put a strain on local resources, including, utilities, drainage and water supply, adversely impacting the current residents.

4) Concerns regarding flood risk: The area is prone to flooding during significant rain fall and the proposed house may exacerbate existing issues due to inadequate drainage.

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Local1 Team

Customer Details

Name: Mr Nick Young

Address: 50 Tylers Acre Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We would like to note that we did not receive notification of the application until 17th July 2023. The letter is dated 11th July 2023 which reduced our time to submit an objection and further some of our neighbours are away on summer holiday and may not be aware that they have received a notification from Edinburgh Council.

The application should be rejected because it does not meet national standards of validation.

The current occupants of number 14 Lampacre Road have said they are renting the flat. The Owner's Group does not reside at this address. The owner has not registered as a landlord and the proposed new dwelling would violate the tenants' right to use the property they are renting.

The first application submitted (application number 22/02368/FUL) used up most of the land and was stated to be 225.00 square metres. The second application (application number 22/04900/FUL) stated 202.00 square metres on a smaller plot of land to the first application. The current application number (application number 23/02897/FUL) which at face value is the same size as the second application states the site area as 260.00 square metres. How is it possible that such a basic measurement as the actual proposed site size cannot be done with a modicum of accuracy?

The application form incorrectly indicated that there are no trees on or adjacent to the proposed site. However, there is one small tree on the site, two trees on the adjacent properties and trees on the border between 14 and 16 Lampacre Road.

The submitted plans are inaccurate and misleading. The contextual elevation plan has been drawn incorrectly. The existing dwelling (14/16 Lampacre Road, 50/52 Tylers Acre Road) has been

shown to be on an elevated piece of land. This is not the case. The land is flat to the naked eye. On the contextual drawing the building is at an angle but the roof and dormer window is drawn face on meaning that the architect used two different perspectives for the same building.

The section Y-Y through the proposed new house shows a decreased elevation of approximately 400 millimetres which does not exist. The land is relatively flat. This reduction in elevation of the proposed dwelling appears to have been done to show favourable light conditions to give the impression that natural light goes through number 16 Lampacre Road's window. This is not the case unless the proposal is to build the ground floor below ground level.

The distance between the proposed dwelling and the boundary to neighbours has not been shown. This is because a 7-metre wide building cannot be at least one metre from the boundary on either side when the proposed site is approximately 8.5 metres in width. This could also mean that the building is closer than 3.8 metres as indicated in the Y-Y section.

According to the plans in proposal 22/04900/FUL the rear garden was stated as 68 square metres. In the current plan the building footprint has decreased by 14 square metres. 68 plus 14 square metres does not equal the 120 square metres that is now being stated as the rear garden size.

Further we object to these plans.

The proposed dwelling would be the largest single dwelling in size being 11 metres x 7 metres x 2 floors than all other dwellings in this vicinity on conversely the smallest plot of land. This is outwith the character of the entire neighbourhood.

The proposed 25 degree sloping roof would be different to all other dwellings in the neighbourhood including not being in line with the road which all other houses are. All other in the neighbourhood have approximately a 40 to 45 degree sloping roof.

The proposed new dwelling and existing flat at number 14 Lampacre Road do not have enough car parking spaces or bicycle storage onsite to meet Edinburgh Council requirements for the number of habitable rooms in both properties. Due to the traffic calming and reduction proposals put in place by Edinburgh Council no parking would be allowed on Lampacre Road. Therefore, there are insufficient car parking spaces to meet Edinburgh Council's own requirements for both the existing and proposed new dwelling.

It is difficult to see where builders would park. The proposed new dwelling is exactly opposite the main entrance of Carrick Knowe Primary School. Any blockage of the road gives insufficient space for utility vehicles to access the school grounds. Small children and parents congregate outside the main entrance during opening and closing times. Moving to and from the proposed site would endanger children.

Previous application numbers 22/02368/FUL and 22/04900/FUL and current application number 23/02897/FUL state that the site is not within an area of known risk of flooding and that the proposal does not increase the flood risk elsewhere. The SEPA flood risk map (<https://map.sepa.org.uk/floodmaps/FloodRisk/Risk>) has indicated that the proposed building site and surrounding dwellings are within a medium flood risk area. A dwelling of this size will increase the risk and severity of flooding potentially damaging the foundations of the existing neighbouring dwellings.

A quick postcode check on <https://map.sepa.org.uk/floodmaps/FloodRisk/Risk> would have shown that the proposed building site is in a medium flood risk area. One of the reasons why the second application was rejected was that "it has not been demonstrated that the development would not adversely affect the potential to increase local flooding issues, contrary to LDP Policy Env. 21". However, the applicant has indicated on the current application that there is no flood risk. The applicant has not taken note of the reasons of the refusal of the second application.

Further to this the proposed dwelling would block natural air flow under the existing dwellings which is designed to keep the timber flooring dry and free of rot. Even moderate rainfall already causes localised flooding in this area.

The proposed position of the new dwelling will undermine the spatial character of the area.

The Feu Charter, which is included in all four title deeds of numbers 50 and 52 Tylers Acre Road and numbers 14 and 16 Lampacre Road, clause 3 states unlawful use of garden ground or open space that may be deemed a nuisance or likely to injure the amenity of the district and no house or building shall be erected on a site or in a style different from that originally agreed upon. All four parties agreed in principle to these when they purchased their properties.

The proposed new dwelling in no way improves or enhances the amenity of the local area. It will reduce the natural greenspace, the habitat of local wildlife and the enjoyment of the grounds for all those residing in the existing dwelling and their neighbours.

The proposed new dwelling will directly decrease privacy in our private rear garden including a reduction in sun light. Most properties in the neighbourhood do not have converted lofts. Those that do, have rear facing velux windows. The proposed dwelling with dormer windows would have a commanding view of everyone's private rear gardens down the entire street, therefore reducing the privacy of all neighbours including myself as the adjacent neighbour.

There already exists a driveway with a dropped curb and sloped pavement. Will the curb be raised and the pavement restored as part of the proposed development?

The proposed new dwelling would cast a considerable shadow over the land set aside for all adjacent flats.

We would also like to express our concern about the proposed bin storage locations exactly in front of the window of number 16 Lampacre Road and again to the rear entrance of number 16.

Also, we are concerned with the visual impact of the bin storage, proposed dwelling and car parking in front of number 16 Lampacre Road's window.

In conclusion, the proposed new dwelling does not comply with Scottish Planning Policy Principles as it will fail to protect the amenity of existing dwellings.

Furthermore, the proposed new dwelling has not taken into consideration any of the points raised by Edinburgh Council Planning Board's previous reasons for refusal of the first two applications including submitting an application form that indicated 'not applicable' on reasons where the council said they were applicable.

I consider simply resubmitting applications that have not given due consideration to reasons for rejection of previous applications as bordering on harassment and therefore violating my right of enjoyment of my property.

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Murray Couston

Customer Details

Name: Ms Tess Moncreiff

Address: 20 lampacre road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My objections is as follows:

1-this is a small plot and a squeezed in house will cause loss of sunlight to neighbours

2-loss of habit and nature pass to green space

3-considerable traffics congestion where parking is already stretched. Loss of pavement parking will cause inconvenience to neighbours, delivery drivers, danger to pedestrians, and danger to disabled people

4-this proposal is not in keeping with the nature of area

5-this will put strain on an already poor drainage system with the lack of natural drain away

6-danger by increased in traffic in the long term and in short term building lorries etc In very close proximity to a primary school and in an residential area where walking to school is important and should be safe

7-working from home will be severely hampered by noise and air pollution - not using the car/bus for environmental reasons means trying to work with this added pollution to the determiner of the environment and the people

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Murray Couston

Customer Details

Name: Mrs Karen Crichton

Address: 13 Lampacre Road EDINBURGH

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I consider the plans to be misleading. For example, the drawings for the proposed building alongside the those at each side seems unrealistic in terms of the total height and I fear if built, it would actually be higher than indicated in drawings. The full height of the building does not appear to show in the plans.

The proposed building would be completely out of keeping with those in the street. As the overall size of the building (width and depth) seems excessively large for the size of the plot. I have concerns about lack of gardens contributing to natural drainage, especially as the street is deemed to be of moderate flood risk as per SEPA.

I have lived here for over 23 years and believe the proposed build would block out a vast amount of light and the open view I and other neighbours currently have would be obstructed.

I am also concerned about the privacy and the substantial amount of light that will be blocked for the current properties, numbers 14 18 & 16. The dimensions of the building will block most of the light and privacy in particular for number 16.

I am also concerned for myself and other neighbours that our privacy would be impacted too.

The plans would also appear to reduce the overall parking spaces current available (including the existing garage) and could result in congestion as opposite one of the entrances to the school and could cause a risk to the safety of the young school children. I am also very concerned about the number of vehicles present during the build being a risk to school children.

I am also concerned about the City of Edinburgh Council have proposed plans for 'no waiting time' on Lampacre Road.

Comments for Planning Application 23/02897/FUL

Application Summary

Application Number: 23/02897/FUL

Address: 14 Lampacre Road Edinburgh EH12 7HX

Proposal: Proposed construction of a new house.

Case Officer: Murray Couston

Customer Details

Name: Mrs Janice Cavanagh

Address: 23 Lampacre Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Parking in this street is dangerous opposite the school. Another house and multiple cars is another risk that a child is in danger of getting injured. This is a very busy street with residents and children/parents going to and from school and nursery. Another house built and multiple cars will definitely be an added dangerous crossing to the school.

MEMORANDUM

To: Planning Officer
Local1 Team

From: Transport
Kofi Appiah

Our Ref: 23/02897/FUL

**23/02897/FUL
14 LAMPACRE ROAD
CARRICK KNOWE
EDINBURGH
EH12 7HX**

TRANSPORT CONSULTATION RESPONSE

Summary Response

Limit to 2,000 characters

Full Response

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Any off-street parking space should comply with the Council's Guidance for Householders dated 2018
http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines including:
 - a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
 - b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
 - c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
 - d. Any gate or doors must open inwards onto the property;
 - e. Any hard-standing outside should be porous;

f. The works to form a driveway/footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>

Kofi Appiah

**TRANSPORT
Kofi Appiah
Transport Officer**