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Dear Sirs

**23/02897/FUL | Proposed construction of a new house. | 14 Lampacre Road  
Edinburgh EH12 7HX**

I refer to the email sent to me on Friday 8 December 2023 advising that the Council had received a request to review.

It was a bit of a shock to receive this 45 page report, late on a Friday afternoon, just 2 weeks before Christmas and given only 2 weeks in which to respond.

The reasons for the refusals of the Planning Applications made to date, have been consistent and the matter of "Flooding" is only one of several reasons for refusal.

My objections to the three planning applications, to date, are still valid and I will be grateful to receive confirmation that they continue to be on record.

It is worthwhile to note that the previous three applications have received 33 Objections and Zero Support. This indicates how controversial, the proposal is regarded.

The Applicant continues to lodge new applications and completely ignores the reasons for refusals in previous applications. I am 75 years old, live on my own and I find it extremely stressful, not knowing when yet another application will be made. Surely the Council has some obligation to limit such harassment.

The 45 page, desk-top report suggests that flooding is not a problem. I confess to being a layperson and do not fully understand the report. However I am aware of the following Fact :- During the last few years there have been flash floods that have affected local properties including some at the other end of Tyler's Acre Road. These properties have sandbags outside their front doors to prepare themselves for another flash flood. Perhaps these households should be consulted to get their views, to see if this 45 page desk-top report will alleviate their fears of flooding.

Yours faithfully

William Clark

18 Lampacre Road

Edinburgh

EH12 7HX

**23/02897/FUL | Proposed construction of a new house. | 14 Lampacre Road  
Edinburgh EH12 7HX**

**Response to Review**

**Having just received this email I was dismayed at the tight time scale given to reply. One can only assume instigating this review 2 weeks prior to Christmas is surely designed to frustrate any reply.**

**I have submitted objections to all 3 applications which still stand and would expect them to be fully considered for this review. This project has been roundly condemned by the neighbourhood with a total of 33 neighbour objections and NO support.**

**Although the Flooding Report states otherwise there is flooding in the area, evidence of which can be seen in the form of sand bags placed around the doorways of various properties on Tylers Acre Road. Any additional burden on the existing drainage system would surely require a Council led upgrade.**

**All 3 previous planning applications have been refused with the drainage issue being just one of several well documented reasons - all of which remain unchanged.**

**This project is clearly for profit alone without a single thought given to the detriment it would cause, or to bringing any value to the surrounding area. I would also, once again like to draw your attention to the inconsistencies shown and liberties taken within the proposal plans.**

**As a pensioner living alone this process has become extremely stressful. This harassment has been ongoing for nearly 2 years and it is my hope that the Council can finally put a stop to any further applications.**

**Elissa Mitchell  
16 Lampacre Road  
Edinburgh EH127HX**

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 3m<sup>2</sup>. 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.



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Dear Sir / Madam,

I refer to your email dated the 8<sup>th</sup> December 2023 and wish to make a further written submission in relation to the review. I trust that my written objections submitted to each of the three applications will be taken into consideration.

I would like it to be noted that to date there have been three planning applications with unanimous objections from a substantial number of neighbours and no submissions in favour of the proposed new dwelling. It is clear that the neighbourhood is strongly not in favour of this development for a number of reasons, which have been thoroughly discussed in previous objection letters.

I would also like it to be noted that submitting the appeal two weeks before Christmas would appear to be a deliberate attempt to limit the number of appeal submissions which is a very busy and already stressful time for many families. This follows on from many attempts in the 3 applications to provide misleading information regarding many aspects of the application.

I would like to re-iterate my previous objections, before raising issues with both the review submission from the "Owner's Group" and the Harley Haddow report on flood risk.

### **Summary of Previous Objections**

As stated in my objection letter for the proposal submitted in July 2023, the new design does not consider the previous reasons for rejection given by the council. Firstly, it is an unsympathetic addition to the area, removing a large, amenable green space and being out of character with both neighbouring properties, as it is significantly lower than both making it look rather out of place. This is clear simply from looking at the street view drawing submitted in the application, in which the new property looks rather unusual. Secondly, the new development results in a significant loss of garden space for the current residents of 14 Lampacre Road. Finally, the design did not initially acknowledge flood risk, let alone provide any description of preventative measures or impact reports. Although now provided, I have several issues with the report provided which I will outline below.

I raised several additional objections which I shall quickly summarise here. Firstly, the addition of a four bedroom property with no additional parking provided is likely to make parking in the area more challenging. Secondly, the title deeds of the properties of the corner plot specifically prohibit this form of development. Thirdly,

we have concerns regarding the lack of airflow and sunlight on parts of our property which will prevent it naturally drying out. I have several environmental concerns, as although the area is not frequented by planning protected species it is frequented by a large number of garden birds, mammals, and pollinating insects, all of which should be respected, and all of which will suffer during the construction period and will lose green space afterwards.

The building is also out of character with the neighbourhood, as it is significantly smaller in height than any other neighbouring building. Finally, there is still a high degree of inaccuracy in the submitted plans, and they blatantly mislead planning authorities and neighbours, for example by claiming that a planned 1.6m timber screening fence is pre-existing when it does not exist already. I would particularly like to note here, that no matter the council's decision, I petition that this timber screening fence should not be permitted and the existing metal fence should be maintained to encourage wildlife corridors in the area.

For reference, and to ensure their inclusion, I have attached a copy of my objections to the proposed property.

### **Planning Appeal Statement – Sorrell Associates**

As part of the appeal process a submission has been made by the “Owners Group”, produced by Sorrell Associates. I would like to raise a number of issues with this report, as I disagree with it on many points. I will outline my points in response to the numbered paragraphs in the report for ease of reference:

2.18: I would contest that although a gable-to-gable relationship is maintained with 18 Lampacre Road, this is not the case with the corner plot property. We note that in fact the front door of 16 Lampacre Road is opposite the proposed new dwelling. Additionally, I would contest that the unusually low height of the property increases visual impact by looking ridiculous, and would propose that the plot is simply too small for a building that is the correct size to match the environment. Roof pitch of 25deg is less than most in the area, failing to blend in.

2.22: I would contest that significant changes were not made from the second submission, and in fact all of the issues raised by neighbours and the council remained unaddressed. The “Owners Group” do not have grounds for disappointment at the council's decision here.

3.8: The review document states there are no windows in the side elevations of the property. This is a straight lie, as the submitted drawings show no fewer than 6 windows in the side elevations of the property. This is just more evidence of deliberate misinformation provided by the “Owner's Group”, and this has been raised numerous times before. I propose that the application must now be considered to have no side elevation windows and the drawings must be overridden, and construction must be enforced as such if permission is given.

3.11: The rear of the property is much closer than the quoted 10m to the rear of the plot and will overshadow the rear garden of 16 Lampacre Road.

3.15: I would like to raise my disappointment that the council does not consider the protection of the many birds, mammals, and pollinating insects, that visit the gardens

in the immediate area, including that of 14 Lampacre Road, of interest in this planning application. The urban environment, and gardens in particular, are an important habitat for many species, and habitat loss and habitat disruption are frequently cited as important factors in species' declines.

4.5: I find the suggestion that neighbours' comments regarding flooding are unworthy somewhat insulting, particularly since no regard is taken for the occupation of the residents. I would propose that there are numerous issues in the Harley Haddow report, which I shall discuss below, and also that even in the report they acknowledge it has many shortcomings. These are of course ignored by the "Owners Group". The Harley Haddow report has merely considered the Civil Engineering aspects of the project, and focuses purely on the built environment. I am a geoscientist, and have significant concerns regarding soil drainage due to the properties of the soil at the site. I discuss these in more detail below.

4.10: This will be discussed below.

4.12: This proposal suggests that all floodwater shall be directed away from the buildings implies they will be directed straight onto neighbouring properties which is clearly unacceptable.

5.7, 5.8, 5.9: The absence of specific planning regulations does not give the "Owners Group" the right to create a new one. Particularly, it should be noted that the existing property is not a typical flatted apartment, and is clearly not the sort of property which the 10sqm and 20% of total footprint regulation was created for, as this clearly refers to communal green space. This cannot be applied to a maisonette with a private garden.

5.11: The reasons for refusal cite a general loss of amenity, not a loss of space. The proposed new garden is clearly a very significant downgrade not just in terms of size but also quality of space.

5.13: There is no minimum threshold size other than that proposed by the "Owners Group" using inappropriate guidelines. Separating a small garden into two even smaller spaces is a ridiculous idea and prevents enjoyment by both residents and wildlife.

5.14: The part of the garden described as more private by the "Owners Group" is the part directly overshadowed with significant loss of light. However, the front windows of the new property will look directly over the front garden which the "Owners Group" suggest is suitable, despite having no screening from the street either.

5.16: The report highlights itself that the difference with other front gardens typically enjoyed by residents, such as our own at 52 Tyler's Acre Road, have mature hedges 2m approx. in height which not only provides suitable privacy but also provides sanctuary for wildlife.

5.17: In terms of privacy and being able to enjoy some tranquil space, front gardens are quite clearly inferior. The statement provided by the report is strange, and the decision to split the garden with a fence makes things worse, not better.

6.11: The townhouses and upper/lower villas are found on two separate streets are not intermingled. There are not occasional “four-in-a-block” properties, there is one, and it occupies a specific place in a corner plot.

6.12: No bungalows are found in the immediate vicinity of the proposed development, they are all on separate streets or a distance down the proposed street.

6.23: Just because the house is smaller than it was in previous proposals does not mean it isn't crammed in.

6.25: I struggle to see how visual connection is provided when the new property is lower than properties on both sides of it.

6.29: I would like to reinforce that all proposals should be considered on their own merit, and these should be discounted and not considered.

### **Planning Appeal Form**

This form provided by Edinburgh Council states that no new matters should be considered, apart from exceptional circumstances. The flood report by Harley Haddow is clearly a new matter, and should not be considered as there are no exception reasons it could not have been submitted earlier. Flood risk was raised as an issue in all three previous applications, so the “Owners Group” were clearly aware of it and simply chose to ignore it until now. No explanation of why it was not raised previously is given.

Less than half the site can be seen from public road/land, as the rear part of the plot is behind a concrete wall.

I don't believe the name and address of the applicant has been provided.

### **Harley Haddow Report on Flood Risk**

As for the appeal statement, I shall label comments with their relevant section for ease of reference.

1.0: The report from Harley Haddow gets off to a bad start by suggesting the site is “brownfield.” A garden is not a brownfield site, and this misinformation makes the development seem more attractive than it is.

3.3.1: A key piece of evidence that is provided that flooding will not be an issue is that from the web based SEPA map, it “looks like” flooding would be contained with the rear garden of the property. This is a very subjective statement to base an important decision on.

3.3.2: At no point up until now have the proposals included SUDS, and the design of this is not available for review. Additionally, this is another matter which should have been included in previous applications and should not be permitted to be considered. It is of note that no SUDS arrangements are described other than in this brief statement, therefore whether they will actually be included is debatable given the previous misinformation provided by the “Owners Group”.

3.3.3: This implies that surface water flows are directed towards neighbouring properties. This is clearly unacceptable and surely increases flood risk on other properties. How it can be said that water is directed away from the building, and there will be no impact on neighbouring properties is very strange.

“Any remaining flood routes shall be unimpeded as they will pass through the garden of the proposed house.” Does this statement forget that there will a large house there preventing water flow?

4.1: SUDS is mentioned nowhere in the actual plans and should not be permitted to be introduced for consideration as there is no reason it should not have been included earlier. Modelling only seems to consider drainage from roofs and not from direct rainfall onto the garden area.

5.0: The report notes that this was a purely desk based study. It also states that no flood modelling was carried out, and no topographical survey. Therefore there is no evidence of the flow paths presented in the Appendices as accurate topography is not understood. The area will of course appear flat on a map, however flow of surface water clearly occurs in my own garden, requiring only a sub 1m elevation difference which will of course not show up on a map. The lack of any modelling is concerning.

Additional Comments regarding the Harley Haddow report:

I am concerned by the quality of this report. It relies on no hard evidence, and additionally only considers the built environment, which is only a part of the flood risk puzzle. In particular, no mention is made anywhere in the report of the drainage capacity of the soil in the garden areas, and clearly no attempt has been made to consider their affect. In fact, drainage into soil is not considered, and is apparently assumed to happen quickly and effectively. As mentioned above, I am a geoscientist, and shall outline the issues the poor draining soil may cause this development in the below paragraphs.

Of course, if the report had taken the time to consider the soil at the site, it would have been discovered that the gardens of the corner plot are underlain by a thick and dense clay soil with very low permeability. Water is unable to drain effectively into this soil as fluid flow in soil is governed by permeability, and for this reason, my garden frequently contains large puddles on grass when rain is heavy and prolonged, for example in the recent storms. If the “Owners Group” had paid attention to previous submissions they would have realised my concerns were with a reduction in natural drainage. It is already clear that drains in the area are unable to cope with sustained rainfall, as heavy rain frequently leads to large amounts of standing water on the street.

The concern is that when water is unable to drain through gardens, it will build up and cause increased flooding of the area. Therefore, the increased discharge into green spaces from impermeable areas in the proposed design as calculated in the Harley Haddow report is a clear issue for concern. A major concern is that the reduced drainage space to the rear of the proposed property will result in less drainage ability for the new development, and flooding to the rear of the property. As stated in the report, water drains to the rear garden of the new property. Due to very poor drainage, water is likely to pool here, and always has been. By increasing the

rate of water flow to this rear garden space and reducing intervening drainage space, more water will be trying to drain into a smaller space in a smaller amount of time. The poor draining soil here means that water will buildup and pool more quickly and in larger quantities than previously, increasing the flood risk. This is simple fact.

### **Concluding Remarks**

I have many complaints with this proposal as there are many issues. The “Owners Group” have tried to allay concerns within this appeal, but have completely failed on all fronts as both submissions have many issues. The lack of a geoscience perspective in the flooding report by Harley Haddow is concerning and means the report does not at all deal with my concerns and instead attempts to brush off the issue by stating that the runoff will be at a higher rate. This is the exact issue I was concerned about, as higher discharge means the soil will be able to cope even less. Additionally, this is all new material which the council states should not be permitted for appeal processes.

In addition, there are many misinformations, issues, and incorrect statements in the appeal statement provided. This continues the theme of the “Owners Group” providing misinformation throughout the entire process of all three applications.

I ask the appeal group to consider that the council’s initial position was correct, and that the position is clearly supported by the community, as all submissions to all proposals have been negative. I hope the correct decision will be reached.

Kind Regards,

Stuart Holley (resident of 52 Tyler’s Acre Road)

 External email >

Dear Sir / Madam,

I refer to your email dated the 8<sup>th</sup> December 2023 and wish to make a further written submission in relation to the review. I trust that my written objections submitted to each of the three applications will be taken into consideration.

This appeal brings into question only one aspect of the many reasons that the previous planning applications were refused. To date there have been three planning applications with unanimous objections from the neighbours and no submissions in favour of the proposed new dwelling.

I would also like to add that submitting the appeal two weeks before Christmas would appear to be a deliberate attempt to limit the number of appeal submissions which is a very busy and already stressful time for many families.

The checklist application for notice of review "Have you provided the name and address of the applicant?" I submit the following -

The address submitted is not the address of the ultimate beneficiaries of the Owners' Group. The property is rented out and the current tenants state that they have nothing to do with the Owners' Group.

The Owners' Group is not registered on Company's House and if it is a sole trader, it is a legal requirement to write their name before their business trading name.

In the Statement of Reasons for seeking Review I submit that under the previous refused application 22/04900/FUL dated 28<sup>th</sup> September 2022, one of the reasons for the refusal was the risk of flooding. Therefore, it is a fair assumption to make that the ultimate beneficiaries of the Owners' Group knew that this was a risk prior to the submission of application number 3 (23/02897/FUL). Why it was not raised with the appointed officer before the third application was determined has not been explained as required in the appeal application page 3 of 5.

Under the review procedure "Can the site be clearly seen from the road or public land?" the bulk of the land proposed for the new dwelling is hidden from view behind the existing garage of the property and a wall crossing the centre of the property. Therefore, the majority of the proposed site will be not able to be seen from the road or public land.

### Harley Haddow Report

Introduction –

I believe it is a little disingenuous to state that that this is a brownfield site. Whilst there is an existing garage, the proposed new dwelling would sit almost entirely in the garden area of the existing dwelling to which under the NPPF definition of a brownfield site garden ground is excluded.

2.0 Site Information –

Whilst the application did state 260 square metres of boundary area, this is a gross overestimation of the actual site area which equals 9.14 x 28.1 metres on the two longest boundaries and the property is not rectangular.

I would also like to note that by Harley Haddow's own admission the report is purely desktop based. No topographic surveys, flood modelling, drainage surveys or site visitation have been conducted on this site.

### 3.0 Flood Risk Assessment –

Harley Haddow have stated that the proposed new dwelling would be bounded by existing residential properties and is relatively flat and that there appears to be a slight low point on the Tylers Acre side. As the proposed new site is part of the existing dwelling this seems to contradict the elevation plans submitted with the aforementioned application.

Harley Haddow have cited the SEPA mapping which is showing flood risk in the area but their statement that any flooding would be contained in the rear garden of the proposed new dwelling has not taken into account the heavy clay soils of the area which have an absorption rate of approximately 6 millimetres per hour nor the substantial paving in the submitted application of the proposed new dwelling which would lead to even more runoff. This would only serve to increase the flooding risk not only of the proposed new dwelling but all neighbouring properties.

Harley Haddow have stated that there would be no detriment to the existing drainage network and that there will be no increased risk to properties downstream. There has been an increasing amount of floodings in this area both upstream and downstream which suggests that the current drainage network cannot cope with the existing amount of rainfall. Harley Haddow seem to be stating that one more won't make a difference. I would like to point out the idiom "The Final Straw".

Harley Haddow have proposed that all surface water flows will be directed away from the proposed new dwelling. This would mean that it will be directed straight into the existing dwellings on either side since the proposed dwelling would sit on top of the boundaries. This would increase the moisture in and around the existing dwellings coupled with a restriction that a new dwelling would cause in the airflow under the existing dwellings, which is designed to keep the wood frames dry and rot free, will inevitably increase the risk of rotting the foundations of the existing dwellings.

Even if the existing drainage systems were to cope with the additional waterflow into them it would still not resolve surface flooding issues.

Regards,

Nick Young

50 Tylers Acre Road

Edinburgh

EH12 7HZ





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 External email >

 First time sender >

I refer to planning application 23/02897/FUL in respect of a new building at 14 Lampacre Road, which you are soon to review. I have objected to this application on previous occasions and wish to let you know that I continue to object. The proposed building will block sunlight/daylight from my home, and there are also concerns about flooding/ drainage and adding to existing car parking pressures in the street. Yours faithfully. Mrs E Hamilton