

Mrs Lynn Keggie.  
44 Kingsknowe Drive  
Edinburgh  
EH14 2JX

**Decision date: 21 January 2025**

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

Change the use of room to become a dog grooming salon. The business would be used by 1 groomer and so there will be a limit of 2 or 3 dogs per day. The salon would be open 4 days a week eventually once established. There is a gated access to the rear and access via the main door.

At 49 South Gyle Wynd South Gyle Edinburgh EH12 9EU

**Application No: 24/04765/FUL**

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 7 October 2024, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

**Reason for Refusal:-**

1. The proposal is contrary to the National Planning Framework 4 Policy 16 and Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, Env 33 Amenity, as the proposed use would be inappropriate on a residential street due to increased noise and disturbance.

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

Drawings 01-02, 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 is in accordance with LDP Policies Env 5, Env 7, Inf 7 and NPF4 Policy 1.

The proposals are not in accordance with LDP policies Env 33, Hou 6; NPF 4 Policies 14, 16 and the Council's non-statutory Business guidance.

The proposals will have due regard for the global climate and nature crisis, are acceptable in terms of scale and there are no transport concerns.

The proposal does not comply with the National Planning Framework 4 and Edinburgh Local Development Plan and the Council's Non -statutory guidance as the proposal would likely lead to an increase in noise and disturbance to the detriment of living conditions for nearby residents. There are no other material considerations to 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 Adam Gloser directly at [adam.gloser@edinburgh.gov.uk](mailto:adam.gloser@edinburgh.gov.uk).



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

## NOTES

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

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

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# Report of Handling

## **Application for Planning Permission 49 South Gyle Wynd, South Gyle, Edinburgh**

**Proposal: Change the use of room to become a dog grooming salon. The business would be used by 1 groomer and so there will be a limit of 2 or 3 dogs per day. The salon would be open 4 days a week eventually once established. There is a gated access to the rear and access via the main door.**

## **Item – Local Delegated Decision Application Number – 24/04765/FUL Ward – B03 - Drum Brae/Gyle**

### **Recommendation**

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

### **Summary**

The proposal is in accordance with LDP Policies Env 5, Env 7, Inf 7 and NPF4 Policy 1.

The proposals are not in accordance with LDP policies Env 33, Hou 6; NPF 4 Policies 14, 16 and the Council's non-statutory Business guidance.

The proposals will have due regard for the global climate and nature crisis, are acceptable in terms of scale and there are no transport concerns.

The proposal does not comply with the National Planning Framework 4 and Edinburgh Local Development Plan and the Council's Non -statutory guidance as the proposal would likely lead to an increase in noise and disturbance to the detriment of living conditions for nearby residents. There are no other material considerations to outweigh this conclusion.

## **SECTION A – Application Background**

### **Site Description**

The application relates to a rear conservatory within a residential dwellinghouse to the south of South Gyle Wynd. The property is located within a cluster of other residential

premises in a cul-de-sac neighbourhood. The property is two stories, and the area is residential in nature.

### **Description Of The Proposal**

The application seeks to use the rear conservatory as a dog grooming business. The proposals mentions that the operations would occur from 10am-4pm for 4 days a week and would include approximately 2-3 dogs a day.

### **Supporting Information**

- Supporting Notes

### **Relevant Site History**

No relevant site history.

### **Other Relevant Site History**

No other relevant history.

### **Consultation Engagement**

No consultations.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 9 October 2024

**Date of Advertisement:** Not Applicable

**Date of Site Notice:** Not Applicable

**Number of Contributors:** 0

## **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) & City Plan 2030 (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?**

The relevant development plan policies to be considered are:

LDP Policy Env 5 - Alterations, Extensions and Domestic Outbuildings

LDP Policy Env 7 - Sustainable Developments

LDP Policy Env 33 - Amenity

LDP Policy Hou 6 - Inappropriate Uses in Residential Areas

LDP Policy Inf 7 - Private Car Parking

NPF4 Policy 1 Tackling the Climate and Nature Crises

NPF4 Policy 14 Design, Quality and Place

NPF4 Policy 16 Quality Homes

The non-statutory Business Guidance is a material consideration that is relevant when considering NPF 4 policies 14, 16 and LDP Hou 6.

### Principle of Proposed Development

The proposal would have a neutral impact in terms of the climate crisis, in compliance with NPF4 Policy 1. The proposal would support compact urban growth and would be accessible by sustainable modes of transport. The proposals comply with NPF4 Policy 1 and LDP Policy Env 7.

South Gyle Wynd and the neighbouring streets are wholly residential in character. The proposed use has potential to give rise to dog barking, causing a noise nuisance beyond normal domestic expectations for pet dogs. This would result in a loss of residential amenity.

Although the proposed development is for a small-scale commercial use, owing to the nature of the proposed use and the proximity of neighbouring dwellings, the overall amenity afforded to neighbouring residents has the potential to be detrimentally affected.

The proposal therefore does not comply with objectives of NPF 4 Policy 16 and LDP Policies Hou 6 and Env 33.

### Scale, Design and Materials

No alterations are proposed.

The proposal complies with NPF 4 Policy 14 and LDP Policies Env 5 with regard to the proposed development's scale, design and materials.

## Amenity

As set out above, given the nature of the business and proximity to neighbouring properties, the proposal is likely to have a detrimental impact on existing amenity.

The proposal therefore does not comply with NPF 4 Policy 16 and LDP Policy Env 33.

## Traffic and Parking

There are no new car parking spaces proposed. The application will have a neutral impact on the on street car parking provision in compliance with LDP Policy Inf 7

## **Conclusion in relation to the Development Plan**

The proposal does not comply with National Planning Framework 4 and Edinburgh Local Development Plan and the proposal is likely to have a detrimental effect on the living conditions of nearby residents.

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

The following material planning considerations have been identified:

### 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

None received.

## **Conclusion in relation to identified material considerations**

The material considerations do not raise any specific issues.

## **Overall conclusion**

The proposal is in accordance with LDP Policies Env 5, Env 7, Inf 7 and NPF4 Policy 1.

The proposals are not in accordance with LDP policies Env 33, Hou 6; NPF 4 Policies 14, 16 and the Council's non-statutory Business guidance.

The proposals will have due regard for the global climate and nature crisis, are acceptable in terms of scale and there are no transport concerns.

The proposal does not comply with the National Planning Framework 4 and Edinburgh Local Development Plan and the Council's Non -statutory guidance as the proposal would likely lead to an increase in noise and disturbance to the detriment of living

conditions for nearby residents. There are no other material considerations to outweigh this conclusion.

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

### **Reason for Refusal**

1. The proposal is contrary to the National Planning Framework 4 Policy 16 and Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, Env 33 Amenity, as the proposed use would be inappropriate on a residential street due to increased noise and disturbance.

### **Background Reading/External References**

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

**Further Information** - [Local Development Plan](#)

**Date Registered:** 7 October 2024

### **Drawing Numbers/Scheme**

01-02

Scheme 1

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

Contact: Adam Gloser, Planning Officer  
E-mail: [adam.gloser@edinburgh.gov.uk](mailto:adam.gloser@edinburgh.gov.uk)



Appendix 1

**Consultations**

No consultations undertaken.

## Appendix 2

### **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: Adam Gloser

Date: 20 January 2025

#### **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): Sonia Macdonald

Date: 21 January 2025