

Neil Rothnie Architecture.
FAO: Ian Hislop
73 Huntly Street
Aberdeen
Scotland
AB10 1TE

Cater Group Ltd.
Fao Mr Steve Choi
703 Great Northern Road
Aberdeen
AB24 2DU

Decision date: 2 April 2020

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

Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats.
At 8 Saughton Road North Edinburgh EH12 7HG

Application No: 19/05935/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 19 December 2019, 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;

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as the proposal fails to draw on the positive qualities of the area and would be damaging to the character and appearance of the surrounding area.

2. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as the proposed scale, form and design by virtue of being unsympathetic to the neighbouring building which it will adjoin will not have a positive impact on its surroundings.
3. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as future occupiers will have limited amenity in terms of internal floor living spaces.
4. The proposal is contrary to Local Development Plan Policy Env 6 in respect of the detrimental impact on the character and appearance of the conservation area by introducing an incongruous intervention in the street and to the conservation area.

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

Drawings 01-05., 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 not acceptable as it does not comply with policies of the Local Development Plan. The proposal is not of an appropriate scale, form and design. The proposal will not preserve or enhance the character or appearance of the conservation area and does not provide an acceptable living environment for future occupiers. The design of the car parking dominates the front garden. Although housing could be acceptable on this site, there are no material planning reasons to justify granting the application in view of non-compliance with several policies. There are no material considerations which 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 Jackie McInnes directly on 0131 469 3731.

D R Leech

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 19/05935/FUL
At 8 Saughton Road North, Edinburgh, EH12 7HG
Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats.**

Item	Local Delegated Decision
Application number	19/05935/FUL
Wards	B06 - Corstorphine/Murrayfield

Summary

The proposal is not acceptable as it does not comply with policies of the Local Development Plan. The proposal is not of an appropriate scale, form and design. The proposal will not preserve or enhance the character or appearance of the conservation area and does not provide an acceptable living environment for future occupiers. The design of the car parking dominates the front garden. Although housing could be acceptable on this site, there are no material planning reasons to justify granting the application in view of non-compliance with several policies. There are no material considerations which outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LDES01, LDES04, LDES05, LEN06, LHOU04, NSGD02, NSLBCA, CRPCOR,
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Report of handling

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

The application site is on the west side of Saughton Road North just before the road turns into Corstorphine High Street near its junction with Kirk Loan. It is currently a vacant builders yard with shed/storage type buildings.

Adjoining the site to the north is a four storey block of flats and to the south is a one and a half storey cottage. To the rear is a row of houses and Corstorphine Bowling Green is opposite. There is a variety of architectural styles in the street and wider area. The surrounding area is predominantly residential although there is a range of land uses including open space, library and the street is a busy thoroughfare.

This application site is located within the Corstorphine Conservation Area.

2.2 Site History

2 November 2017 - permission granted for complete demolition in a conservation area. (application number 17/03626/CON); and

18 July 2018 - planning permission granted for proposed change of use from class 4 business/light industrial to class 9 private residential with the formation 2 new proposed dwellings (application number 18/01184/FUL).

Main report

3.1 Description Of The Proposal

The proposal seeks permission for a change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of four residential flats.

The proposed development would be four storeys high and abut the existing building to the north of the application site.

Garden areas would be provided for the flats and terraces would be provided on the third (top) floor. Two parking spaces will be provided in the front garden and cycle parking for four bicycles will be provided in the rear garden.

A Planning and Design Statement has been submitted with the planning application and is available to view on the Council's Online Services.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The principle is acceptable in this location;
- b) The scale, form and design are acceptable;
- c) There is any impact on the character and appearance of the conservation area;
- d) There is a sufficient level of amenity for future occupiers;
- e) There is any impact on the amenity of existing neighbouring properties;
- f) There are any roads or transport impacts;
- g) There are any archaeological impacts;
- h) There are any other considerations; and
- i) The public comments have been addressed.

a) Principle of Development

Policy Hou 1 Housing Development in the Edinburgh Local Development Plan (LDP) states the circumstances that priority will be given to the delivery of the housing land supply. Criteria (d) of policy Hou 1 permits housing on suitable sites in the urban area, provided that the proposals are compatible with other policies in the plan. The application site is in the urban area of the LDP and the street and surrounding area are residential in character.

The existing extant planning permission 18/01184/FUL has established that housing is acceptable on the site. However, full compliance with Policy Hou 1 is dependent on compliance with other policies of the LDP.

b) Scale, form and design

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.

LDP Policy Des 4 (Development Design - Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.

It is acknowledged that there is an extant planning permission to build two four storey townhouses on the site and that this is a material consideration. However, each planning application must be assessed on its own merits and the current application in front of the planning authority is for more (four) residential units which intensifies the proposed use of the land and design differences compared to the existing permission (18/01184/FUL). The assessment, therefore, is on the merits of the current planning application.

The key design changes compared to the extant planning permission (18/01184/FUL) are:

Four residential units (*two residential units in 18/01184/FUL*)

Stairwell access protruding on the front elevation

Flat roof (*pitched butterfly style roof in 18/01184/FUL*)

Terraces on top floor on front (east elevation) (*two balconies on front and two terraces on rear in 18/01184/FUL*)

This part of Corstorphine Conservation Area has a variety of architectural styles. The flatted block is prominent in the streetscene and the proposal to abut the block will detract from its formality and symmetry. The massing and elevational treatment bears no relationship to the frontage in terms of respecting its composition of materials or taking reference from its roof profile, floor-to-floor height, window proportions or geometry.

The proposed building will be a similar height to the neighbouring flatted block located north of the site. The flat roof enables its four storeys to be just under the height of the neighbouring building of three storeys plus a pitched roof. Whilst the building lines on the ground and top floors would align with the adjoining properties, the first and second floors will overhang the ground floor and this would result in a visual discord in terms of scale, positioning and massing. The proposal will sit back from the street and back from the building line of the cottage to the south of the site with its rear building line similar to the rear building line of the cottage. The existing walls of the sheds will be reduced in height and will provide boundary walls and this is acceptable. The massing and positioning will detract from the character of the application site nor of the surrounding area. The proposal's height and scale will not be sympathetic to the neighbouring buildings.

The proposed building typology is at odds with surrounding built form where the street is not characterised by a projecting stairwell at ground floor level, overhanging upper floors or roof terraces.

At street level, the proposed frontage will be dominated by car parking which will interrupt the strong rhythm of garden space found on this street.

Policy Des 1 encourages innovation in the design and layout of new buildings, streets and spaces and the Edinburgh Design Guidance encourages high quality contemporary designs. However, doubling the number of residential units on the site (from two to four) has resulted in, albeit a few and small, design changes which will detract from the street scene and do not sit comfortably abutting the residential flatted block to the north.

The proposed building is a bold modern design which will abut a three storey block of flats and be next to a one and a half storey cottage. Policy Des 4 requires development proposals to have a positive impact on its surroundings. The proposal abuts a defined block and fails to respect the integrity of its defined frontage as evident in the street scene. It is inappropriately positioned in relation to the neighbouring properties on Saughton Road North and, by having car parking in the front garden, it interrupts the rhythm of garden space.

The policies of the LDP and the Edinburgh Design Guidance do encourage high quality contemporary designs. Although the proposal is very similar to the extant planning permission, the intensification of the site in terms of unit numbers and the design changes has resulted in a different scheme that fails to draw on the positive characteristics of the surrounding area and as such the application is being assessed on its own merits..

The proposal is not of an appropriate scale, form and design. It does not comply with LDP policies Des 1 and Des 4.

c) Conservation Area

The Corstorphine Conservation Area Character Appraisal emphasises the retention of the village character and vernacular architecture, the varied grain of the area, the retention of the informal street layout and footpath network, the consistency in the use of traditional materials, and the prevalence of residential uses. It states that the area is characterised by "a mix of plot sizes, building types and forms" and that "a mix of house forms and architectural styles over time in modest sized developments giving a sense of incremental change, respect for prevailing character and fit."

Policy Env 6 of the LDP states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area.

This part of Corstorphine Conservation Area has a variety of architectural styles. The existing flatted block is prominent in the streetscene and the proposal to abut it will detract from its formality and symmetry. The massing and elevational treatment will be an incongruous intervention in the streetscene and will not preserve or enhance the character and appearance of the conservation area.

A prevailing character of the street is front gardens with no parking. The proposal by virtue of introducing parking in the front garden will undermine the defined development pattern in terms of front garden space and will detract from the character and appearance of the conservation area.

The proposal will not preserve or enhance the character or appearance of the conservation area. The proposal does not comply with LDP policy Env 6 or the non statutory guidance on listed buildings and conservation areas.

d) Amenity for future occupiers

LDP Policy Hou 4 (Housing Density) requires an attractive residential environment.

LDP Policy Des 5 (Development Design - Amenity) sets out the criteria for assessing amenity.

The amount of internal floor space advised in the Edinburgh Design Guidance as being the minimum requirement for two bedroom flats is 66 square metres. The proposals have an internal floor space of 61.8 square metres for the ground/first floor flats and 61.9 square metres for the upper flats (second and third floors). This is 4.2 square metres and 4.1 square metres less than the minimum size advised as being acceptable. Taking account of the amount of non-habitable space, this falls to 54.9 square metres and 56.3 square metres respectively giving a shortfall of 11.1 square metres and 9.7 square metres respectively. The proposal does not provide a sufficient amount of internal floor area and, therefore, does not comply with Policy Hou 4 or with the Edinburgh Design Guidance.

Private outdoor space should be usable for a range of functions. The rear garden ground for the ground/first floor flats exceeds the minimum length of 3 metres advised as being acceptable in the Edinburgh Design Guidance. The upper flats have a terrace and access to a communal rear garden of 7 metres in length and 36 square metres.

The proposal will provide a sufficient amount of private outdoor amenity space and complies with Policy Des 5 and the Edinburgh Design Guidance.

The amount of internal amenity space is acceptable and complies with Policy Des 5 and the Edinburgh Design Guidance.

The proposal will not provide an acceptable internal living environment for future occupiers. It does not comply with Policy Hou 4 nor with the Edinburgh Design Guidance.

e) Amenity of existing neighbouring properties

The front windows and terraces will overlook the public street and front gardens of neighbouring properties which are already in public view. The rear windows will be more than 9 metres, the minimum threshold, advised as being acceptable in the Edinburgh Design Guidance. There are no issues regarding overlooking or loss of privacy.

The middle two floors will extend beyond the depth of the existing neighbouring residential flatted block to the north. This will result in a negligible loss of daylighting from the neighbouring windows which is acceptable.

f) Road and Transport

LDP Policies Tra 2 - Tra 4 sets out the requirements for private car and cycle parking. The Council's Parking standards are set out in the Edinburgh Design Guidance.

Two parking spaces are proposed. The Roads Authority has advised that it has no objections to the application and that the number of parking spaces complies with the Parking Standards.

There are no Roads Authority or transport issues. However, the design of the parking spaces will dominate the front garden in part of the street where there is currently no parking in front gardens. Hedges are proposed; however there is no structural planting to minimise the visual impact of the dominance of the parking in the front garden and street scene.

The proposal complies with policies Tra 2 and Tra 3 but does not comply with policy Tra 4.

g) Archaeology

The City Archaeologist has advised that the site is regarded as occurring within an area of archaeological potential in terms of the late-medieval and later development of Corstorphine village. Therefore, a condition requiring a programme of archaeological work is recommended for any grant of planning permission.

h) Other considerations

A Site Investigation and a Surface Water Management Plan will be required to ensure that the proposal can be accommodated on the site.

i) Public comments

Objections

Material

Boundary wall - details of heights. Addressed in 3.3 b).

Non-material

Undertaking work to roughcast boundary wall

Access to and damage to garden

CONCLUSION

The proposal is not acceptable as it does not comply with policies of the Local Development Plan. The proposal is not of an appropriate scale, form and design. The proposal will not preserve or enhance the character or appearance of the conservation area and does not provide an acceptable living environment for future occupiers. The design of the car parking dominates the front garden. Although housing could be acceptable on this site, there are no material planning reasons to justify granting the

application in view of non-compliance with several policies. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design Quality and Context, as the proposal fails to draw on the positive qualities of the area and would be damaging to the character and appearance of the surrounding area.
2. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design - Impact on Setting, as the proposed scale, form and design by virtue of being unsympathetic to the neighbouring building which it will adjoin will not have a positive impact on its surroundings.
3. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design - Amenity, as future occupiers will have limited amenity in terms of internal floor living spaces.
4. The proposal is contrary to Local Development Plan Policy Env 6 in respect of the detrimental impact on the character and appearance of the conservation area by introducing an incongruous intervention in the street and to the conservation area.

Risk, Policy, compliance and governance impact

4.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

5.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

One letter of comment was received.

Background reading / external references

- [To view details of the application go to](#)
- [Planning and Building Standards online services](#)

Statutory Development

Plan Provision	The application site is in Corstorphine Conservation Area in Edinburgh Local Development Plan.
Date registered	19 December 2019
Drawing numbers/Scheme	01-05., Scheme 1

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Jackie McInnes, Planning officer
E-mail:jackie.mcinnes@edinburgh.gov.uk Tel:0131 469 3731

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

The Corstorphine Conservation Area Character Appraisal emphasises the retention of the village character and vernacular architecture, the varied grain of the area, the retention of the informal street layout and footpath network, the consistency in the use of traditional materials, and the prevalence of residential uses.

Appendix 1

Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for the proposed change of use from class 4 (business/light industrial) to class 9 private residential with the formation 4 new residential flats

The site lies within the south-eastern limits of the historic medieval village of Corstorphine. As such the site is regarded as occurring within an area of archaeological potential in terms of late-medieval and later development of the village of Corstorphine. Accordingly, this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) ENV5 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Although the buildings proposed for demolition currently occupying the site are not regarded as having archaeological significance, ground breaking works associated with their demolition (e.g., grubbing up of foundations, floor slabs and services) and subsequent construction operations could disturb significant remains relating to the development Corstorphine, from the late-medieval period onwards. Accordingly, it is recommended that a programme of archaeological work is carried out during ground breaking works associated with both demolition and construction in order to fully excavate and record any significant remains that may be disturbed.

Accordingly, it is essential that the following condition is attached to this consent to ensure that undertaking of the above elements of archaeological work are undertaken.

'No demolition/development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Please contact me if you require any further information.

Roads Authority

No objections to the application.

Note:

The 2 parking spaces is acceptable based on the Council's parking standards which requires a maximum of 4 parking spaces for the proposed development in Zone 2.

END

Memorandum

To Head of Planning
City of Edinburgh Council
Planning and Transport
Place
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

F.A.O. Jackie McInnes

From John A Lawson
Archaeology Officer

Date 14th January 2020

Your 19/05935/FUL
ref

Our ref 19/05935/FUL

Dear Jackie,

8 Saughton Road North, Corstorphine

Further to your consultation request I would like to make the following comments and recommendations in respect to this application for the proposed change of use from class 4 (business/light industrial) to class 9 private residential with the formation 4 new residential flats

The site lies within the south-eastern limits of the historic medieval village of Corstorphine. As such the site is regarded as occurring within an area of archaeological potential in terms of late-medieval and later development of the village of Corstorphine. Accordingly, this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and Edinburgh Local Development Plan (2016) ENV5 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

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Lynne Halfpenny, Director of Culture, Cultural Services, Place

City of Edinburgh Council Archaeology Service, Museum of Edinburgh, 142 Canongate, Edinburgh, EH8 8DD

Tel 0131 558 1040

john.lawson@edinburgh.gov.uk

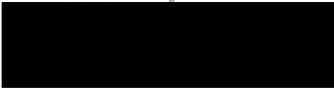
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The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Please contact me if you require any further information.

Yours faithfully



John A Lawson
(Archaeology Officer)

MEMORANDUM

PLACE

To: **Jackie McInnes**

Our Ref: T/TP/DC/41598/KA

Your Ref: 19/05935/FUL

Date: 15 January 2018

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

PLANNING APPLICATION No: 19/05935/FUL

FOR: Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats.

AT: 8 Saughton Road North, Edinburgh, EH12 7HG

ROADS AUTHORITY ISSUES

No objections to the application.

Note:

The 2 parking spaces is acceptable based on the Council's parking standards which requires a maximum of 4 parking spaces for the proposed development in Zone 2.

Kofi Appiah

Tel: 2-3579

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100214916-003

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Neil Rothnie Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ian	Building Name:	
Last Name: *	Hislop	Building Number:	73
Telephone Number: *		Address 1 (Street): *	Huntly Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB10 1TE
Email Address: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="c/o Neil Rothnie Architecture"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="73"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Huntly Street"/>
Company/Organisation	<input type="text" value="Cater Group Ltd."/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Aberdeen"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="AB10 1TE"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="8 SAUGHTON ROAD NORTH"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH12 7HG"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="672639"/>	Easting	<input type="text" value="320012"/>
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Description of Proposal

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

Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats. [19/05935/FUL] at 8 Saughton Road North, Edinburgh EH12 7HG

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Please refer to enclosed Notice of Review Statement

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

Yes No

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

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

Notice of Review Statement All drawings and documents originally submitted in support of the Planning Application Copy of the Report of Handling [Refusal 19/05935/FUL] Copies of all drawings from the previously approved application [Approval 18/01184/FUL] Copy of the Report of Handling [Approval 18/01184/FUL]

Application Details

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

19/05935/FUL

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

12/12/2019

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

02/04/2020

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Ian Hislop

Declaration Date: 15/04/2020



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: planning.systems@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100214916-001

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

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Proposed change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of 4no. new residential flats.

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

Has the work already been started and/or completed? *

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Neil Rothnie Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ian	Building Name:	
Last Name: *	Hislop	Building Number:	73
Telephone Number: *		Address 1 (Street): *	Huntly Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Aberdeen
Fax Number:		Country: *	Scotland
		Postcode: *	AB10 1TE
Email Address: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	c/o Neil Rothnie Architecture
First Name: *		Building Number:	73
Last Name: *		Address 1 (Street): *	Huntly Street
Company/Organisation	Cater Group Ltd.	Address 2:	
Telephone Number: *		Town/City: *	Aberdeen
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	AB10 1TE
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

8 SAUGHTON ROAD NORTH

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH12 7HG

Please identify/describe the location of the site or sites

Northing

672639

Easting

320012

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

305.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Builders yard with storage and office buildings

Access and Parking

Are you proposing a new altered vehicle access to or from a public road? *

Yes No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? *

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

If Yes or No, please provide further details: * (Max 500 characters)

Propose site layout includes for provision of 1no. 610 litre general waste bin, 1no. 610 litre recycling bin and 1no. food waste bin.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

How many units do you propose in total? *

4

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

Yes No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

Yes No

Is any of the land part of an agricultural holding? *

Yes No

Are you able to identify and give appropriate notice to ALL the other owners? *

Yes No

Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Address:

William T. Thomson & Sonc/o Campbell Smith LLP, 21, York Place, Edinburgh, Scotland, EH1 3EN

Date of Service of Notice: *

13/12/2019

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Ian Hislop

On behalf of: Cater Group Ltd.

Date: 12/12/2019

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

A copy of an Environmental Statement. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Ian Hislop

Declaration Date: 12/12/2019

Payment Details

Online payment: 1 [REDACTED]

Payment date: 13/12/2019 09:14:00

Created: 13/12/2019 14:45

Proposal Details

Proposal Name	100214916
Proposal Description	Residential Development to Form 4no. Flats
Address	8 SAUGHTON ROAD NORTH, EDINBURGH,
EH12	7HG
Local Authority	City of Edinburgh Council
Application Online Reference	100214916-003

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
Notice of Review Statement	Attached	A4
01 Existing Layouts DPP Application	Attached	A2
02 Proposed Layouts DPP Application	Attached	A1
03 Proposed Boundary Treatments DPP Application	Attached	A4
04 Proposed Site Section DPP Application	Attached	A3
05 Location Plan DPP Application	Attached	A4
06 3D Visual DPP Application	Attached	A3
07 Shading Diagram DPP Application	Attached	A2
Design and Access Statement DPP Application	Attached	A4
Application Form DPP Application	Attached	A4
Covering Letter DPP Application	Attached	A4
Report of Handling Refusal 19-05935- FUL	Attached	A4
04A Ground Floor Layout As Approved 18-01184-FUL	Attached	A3
05A First Floor Layout As Approved 18-01184-FUL	Attached	A3
06A Second Floor Layout As Approved 18-01184-FUL	Attached	A3
07A Third Floor Layout As Approved	Attached	A3

18-01184-FUL		
08A Roof Layout As Approved 18-01184-FUL	Attached	A3
09B Elevation and Section As Approved 18-01184-FUL	Attached	A3
10B Elevations As Approved 18-01184-FUL	Attached	A3
Report of Handling Approval 18-01184-FUL	Attached	A4
Covering Letter Notice of Appeal	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-003.xml	Attached	A0

Our Ref: 3439

PROPOSED DEVELOPMENT TO FORM 4NO. FLATS AT 8 SAUGHTON ROAD NORTH, EDINBURGH FOR THE CATER GROUP LTD.

SUPPORTING STATEMENT TO APPEAL AGAINST REFUSAL OF DETAILED PLANNING PERMISSION

Context

This review application is in connection with an application for Detailed Planning Permission (19/05935/FUL) for Change of Use from Class 4 (Business / Light industrial) to Class 9 (Private Residential) with the formation of 4no. new residential flats. This application was refused planning permission by City of Edinburgh Council.

Detailed Planning Permission was previously granted for this site in July 2018 (18/01184/FUL) for Change of Use from Class 4 (Business / Light Industrial) to Class 9 (Private Residential) with the formation of 2no. new residential dwellings.

Reasons for Review Application

The single and principal reason for this notice of review is based on the fact that Full Planning Permission was granted previously on 18/07/18 (18/01184/FUL) for a development of size, scale, form & design very similar to that proposed on the refused application.

The basis of this Notice of Review will be to compare how the current application was assessed against relevant policy as a comparison with the previously approved application to highlight the differences and discrepancies between each.

Reasons for refusal

- '1. The proposal is contrary to the Local Development Plan Policy Des 1 in respect of Design, Quality and Context, as the proposal fails to draw on the positive qualities of the area and would be damaging to the character and appearance of the surrounding area.'*
- '2. The proposal is contrary to the Local Development Plan Policy Des 4 in respect of Development Design – Impact on Setting, as the proposed scale, form and design by virtue of being unsympathetic to the neighbouring building which it will adjoin will not have a positive impact on its surroundings.'*
- '3. The proposal is contrary to the Local Development Plan Policy Des 5 in respect of Development Design – Amenity, as future occupiers will have limited amenity in terms of internal floor living spaces.'*
- '4. The proposal is contrary to Local Development Plan Policy Env 6 in respect of the detrimental impact on the character and appearance of the conservation area by introducing an incongruous intervention in the street and to the conservation area.'*

As ultimately the decisions arrived at by City of Edinburgh Planning Department are different, we will compare the assessments made by them in each Report of Handling and follow with our comments.

Report of Handling

Summary

18/01184/FUL

'The proposal complies with the development plan. The proposal is acceptable in this location and will not have a detrimental impact on the character and appearance of the conservation area. There will be no impact on residential amenity, traffic and road safety.'

19/05935/FUL

'The proposal is not acceptable as it does not comply with policies of the Local Development Plan. The proposal is not of an appropriate scale, form and design. The proposal will not preserve or enhance the character or appearance of the conservation area and does not provide an acceptable living environment for future occupiers. The design of the car parking dominates the front garden. Although housing could be acceptable on this site, there are no material planning reasons to justify granting the application in view of non-compliance with several policies. There are no material considerations which outweigh this conclusion.'

We have no comment to make on this section of the report.

Links

We have no comment to make on this section of the report.

Background

2.1 Site Description

18/01184/FUL

'The application site is a builders yard incorporating a large single storey storage shed to the rear and a small two storey office to the front.'

'This application site is located within the Corstorphine Conservation Area.'

19/05935/FUL

'The application site is on the west side of Saughton Road North just before the road turns into Corstorphine High Street near its junction with Kirk Loan. It is currently a vacant builders yard with shed/storage type buildings.'

'Adjoining the site to the north is a four storey block of flats and to the south is a one and a half storey cottage. To the rear is a row of houses and Corstorphine Bowling Green is opposite. There is a variety of architectural styles in the street and wider area. The surrounding area is predominantly residential although there is a range of land uses including open space, library and the street is a busy thoroughfare.'

'This application site is located within the Corstorphine Conservation Area.'

These descriptions differ in information when there should be no reason for this.

2.2 Site History

We have no comment to make on this section of the report.

Main Report

3.1 Description of the Proposal

18/01184/FUL

'Planning permission is sought for the erection of two townhouse style dwelling-houses. The dwellings will have four bedrooms over four floors. The building will be finished in coursed recon stone, off white render/roughcast and profiled metal cladding/roofing. The proposal features a front terrace overlooking a bowling club, a full height glazed front and a gull-winged roof.'

'Scheme One

The initial scheme proposed a rear terrace on the top floor. However, this was then omitted on request of the planner due to concerns with overlooking and privacy.'

19/05935/FUL

'The proposal seeks permission for a change of use from Class 4 (business / light industrial) to Class 9 (private residential) with the formation of four residential flats.'

'The proposed development would be four storeys high and abut the existing building to the north of the application site.'

'Garden areas would be provided for the flats and terraces would be provided on the third (top) floor. Two parking spaces will be provided within the front garden and cycle parking for four bicycles will be provided in the rear garden.'

'A planning and Design Statement has been submitted with the planning application and is available to view on the Council's Online Services.'

Although narrated within the extant consent, there is no specific mention of the change of use of the site within the 'Description of Proposals', albeit this is of no consequence to the final outcome.

3.2 Determining Issues

18/01184/FUL

'Do the proposals harm the character or appearance of the conservation area? If they do there is a strong presumption against granting of permission.'

19/05935/FUL

'Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states – special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.'

All other statements made under this heading are the same, however we would question why these paragraphs differ.

3.3 Assessment

18/01184/FUL

'b) Impact on the Character and Appearance of the Conservation Area'

'Policy Env 6 of the LPD states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area. The Corstorphine Conservation Character Area Appraisal states that the area is characterised by "a mix of plot sizes, building types and forms" and that "a mix of house forms and architectural styles over time in modest sized developments giving a sense of incremental change, respect for prevailing character and fit".'

'The proposal is for a contemporary build which represents the "sense of incremental change" of "architectural styles over time" as stated in the character appraisal. The proposed development will enhance the character and appearance of the Corstorphine Conservation Area. The proposal complies with LDP policy Env 6 and the non statutory guidance on listed buildings and conservation areas.'

19/05935/FUL

'c) Conservation Area'

'The Corstorphine Conservation Area Character Appraisal emphasises the retention of the village character and vernacular architecture, the varied grain of the area, the retention of the informal street layout and footpath network, the consistency in the use of traditional materials, and the prevalence of residential uses. It states that the area is characterised by "a mix of plot sizes, building types and forms" and that "a mix of house forms and architectural styles over time in modest sized developments giving a sense of incremental change, respect for prevailing character and fit".'

'Policy Env 6 of the LDP states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area.'

'This part of Corstorphine Conservation Area has a variety of architectural styles. The existing flatted block is prominent in the street scene and the proposal to abut it will detract from its formality and symmetry. The massing and elevational treatment will be an incongruous intervention in the street scene and will not preserve or enhance the character and appearance of the conservation area.'

'A prevailing character of the street is front gardens with no parking. The proposal by virtue of introducing parking in the front garden will undermine the defined development pattern in terms of front garden space and will detract from the character and appearance of the conservation area.'

'The proposal will not preserve or enhance the character or appearance of the conservation area. The proposal does not comply with LDP policy Env 6 or the non statutory guidance on listed buildings within conservation areas.'

What is proposed is very similar in terms of scale, form, design, overall height (four storeys), shape (small footprint on ground, increased depth at first and second and reduced at third floor), position on the site and relation to adjoining building is all the same. It is therefore incomprehensible that the extant consent is deemed to comply with LDP Policy Env 6 and our proposal does not.

This is argued by the statements, *'it will detract from its formality and symmetry'*. *The massing and elevational treatment will be an incongruous intervention in the street scene'*. How can this be the case when considering the proposals are very similar in terms of scale, form and design.

The Planning Officer further misdirects themselves by stating that *'introducing parking in the front garden will undermine the defined development pattern in terms of front garden space and will detract from the character and appearance of the conservation area'*. This was not raised, assessed or considered to be a deficiency in the extant consent which has an almost identical arrangement of two car parking spaces to the front of the development.

18/01184/FUL

'c) Scale, Form and Design'

'The proposed dwelling matches the general height and massing of the neighbouring block of flats in line with Policy Des 4. Policy Des 1 encourages innovation in the design and layout of new buildings, streets and spaces. The proposed development is of an innovative design and introduces a contemporary palette to the area.'

19/05935/FUL

'b) Scale, Form and Design'

'LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.'

'LDP Policy Des 4 (Development Design – Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.'

'It is acknowledged that there is an extant planning permission to build two four storey townhouses on the site and that this is a material consideration. However, each planning application must be assessed on its own merits and the current application in front of the planning authority is for more (four) residential units which intensifies the proposed use of the land and design differences compared to the existing permission (18/01184/FUL). The assessment, therefore, is on the merits of the current planning application.'

'The key design changes compared to the extant planning permission (18/01184/FUL) are:

Four residential units (two residential units in 18/01184/FUL)

Stairwell access protruding on the front elevation

Flat roof (pitched butterfly style roof in 18/01184/FUL)

Terraces on top floor on front [east elevation] (two balconies on front & two terraces on rear in 18/01184/FUL)'

'This part of Corstorphine Conservation Area has a variety of architectural styles. The flatted block is prominent in the street scene and the proposal to abut the block will detract from its formality and symmetry. The massing and elevational treatment bears no relationship to the frontage in terms of respecting its composition of materials or taking reference from its roof profile, floor to floor height, window proportions or geometry.'

'The proposed building will be a similar height to the neighbouring flatted block located north of the site. The flat roof enables its four storeys to be just under the height of the neighbouring building of three storeys plus a pitched roof. Whilst the building on the ground and top floors would align with the adjoining properties, the first and second floors will overhang the ground floor and this would result in a visual discord in terms of scale, positioning and massing. The proposal will sit back from the street and back from the building line of the cottage to the south of the site with its rear building line similar to the rear building line of the cottage. The existing walls of the sheds will be reduced in height and will provide boundary walls and this is acceptable. The massing and positioning will detract from the character of the application site nor of the surrounding area. The proposal's height and scale will not be sympathetic to the neighbouring buildings.'

'The proposed building typology is at odds with surrounding built form where the street is not characterised by a projecting stairwell at ground floor level, overhanging upper floors or roof terraces.'

'At street level the proposed frontage will be dominated by car parking which will interrupt the strong rhythm of garden space found on this street.'

'Policy Des 1 encourages innovation in the design and layout of new buildings, streets and spaces and the Edinburgh Design Guidance encourages high quality contemporary designs. However doubling the number of residential units on the site (from two to four) has resulted in, albeit a few and small, design changes which will detract from the street scene and do not sit comfortably abutting the residential flatted block to the north.'

'The proposed building is a bold modern design which will abut a three storey block of flats and be next to a one and a half storey cottage. Policy Des 4 requires development proposals to have a positive impact on its surroundings. The proposal abuts a defined block and fails to respect the integrity of its defined frontage as evident in the street scene. It is inappropriately positioned in relation to the neighbouring properties on Saughton Road North and, by having car parking to the front garden, it interrupts the rhythm of garden space.'

'The policies of the LDP and the Edinburgh Design Guidance do encourage high quality contemporary designs. Although the proposal is very similar to the extant planning permission, the intensification of the site in terms of unit numbers and the design changes has resulted in a different scheme that fails to draw on the positive characteristics of the surrounding area and as such the application is being assessed on its own merits.'

'The proposal is not of an appropriate scale, form and design. It does not comply with LDP policies Des 1 and Des 4.'

There is a huge discrepancy, firstly in how policies are referred to and summarised and secondly, but obviously due to the first, how they are then interpreted and the conclusions which are drawn from this.

The increased number of units is given as a reason, aside *'few and small design changes which will detract from the street scene...'*. However the number of units is not a material consideration in assessment of scale, form and design, and the few small design changes are not specified. It is therefore difficult if not impossible to make sense of this comment.

The same comment is applied to the following paragraph which asserts that the proposals *'fail to respect the integrity of its defined frontage as evident in the street scene'*, what does this actually mean? The overall scale, form and design is very similar and this is acknowledged in the third paragraph.

It is our opinion that the Planning Officer has misdirected themselves and have highlighted differences between the extant approval and the proposals but with no reasoned or detailed argument as to why these differences are not acceptable in the context having accepted that the *'scale, form and design is very similar'*.

The key design changes compared to the extant planning permission are listed as:

'Four residential units (two residential units in 18/01184/FUL)

Stairwell access protruding on the front elevation

Flat roof (pitched butterfly style roof in 18/01184/FUL)

Terraces on top floor on front [east elevation] (two balconies on front & two terraces on rear in 18/01184/FUL)

What is proposed is four flats, these four flats fit within the same scale, form and design. It is questionable given the reference to minimum areas of flats in later paragraphs, why this is not "clarified" i.e. Four flats compared to two townhouses.

Stairwell access protruding on front elevation; While the central stair extends beyond the footprint at ground floor, it does not extend beyond the footprint of the whole building. The adjacent house to the south sits closer to Saughton Road North, so the stair sitting forward does not obscure not detract from any established or key view. In fact, due to existing walls, etc to the frontages of both adjacent buildings, this "projection" will not be obvious if even noticeable at all. There is no narrative, no justification for, nor any commentary by the planning officer seeking an uncluttered area at ground floor in the extant planning permission.

Flat Roof Design (pitched butterfly style roof in 18/01184/FUL); This is detailed design and is a matter of opinion. Again as per the previous item, there is no narrative, no justification for, nor any commentary by the Planning Officer regarding the design of the roof. Whilst the overall scale, form and design are very similar, we content that the simplicity of the flat roof as proposed is justified and it eludes to a more simpler, cleaner lined design compared to the extant planning permission. If a butterfly roof is strongly desired by the Planning Officer, this was never conveyed to us and it would be possible for this to be changed if this resulted in approval.

Terraces on top floor on front [east elevation] (two balconies on front and two terraces on rear in 18/01184/FUL); We are unclear why this is highlighted as the arrangement of terraces / balconies are identical to the extant planning permission and our proposal is terraces to the third floor east elevation and Juliet balconies to the first floor west elevation.

d) Amenity for Future Occupiers

The actual Internal Floor Area of the proposed flats are 80.9 square metres (ground and first floor flats) and 83.3 square metres (second and third floor flats). Contrary to what is stated within the planning report this well exceeds the minimum requirement demanded by the Edinburgh Design Guidance of 66 square metres for a two bedroom flat. The figures stated within the report are simply incorrect and as such this paragraph should be ignored in its entirety.

Given the corrected internal floor areas above it is clear that the proposal will provide an acceptable internal living environment for future occupiers. Furthermore it does provide a sufficient amount of internal floor area and, therefore does comply with Policy Hou 4 and with the Edinburgh Design Guidance.

None of the other headings within the Report of Handling highlight any deficiencies and generally acknowledge compliance with relevant policies.

Conclusion

The main crux of this Notice of Review is the fact that what is proposed is very similar in scale, form, design, materials, height and site positioning to the extant planning approval (18/01184/FUL) and yet having been assessed against exactly the same set of policy documents the extant planning application was approved but this proposal was refused.

The Planning Officer concedes in the report that *'there is an extant planning permission to build two four storey townhouses on the site and that this is a material consideration'*. Having accepted that the previous approval is a material consideration it must follow given the similarities in each design that this constitutes a strong argument for approval of this proposal. However the Planning Officer having stated this proceeds to ignore the extant approval in every consideration.

Our summary of the reasons for refusal are;

- Massing and elevational treatment bears no relationship to the existing frontage in terms of composition of materials, roof profile, floor to floor height, window proportions or geometry. (our proposal matches the extant approval in all of these categories)
- Proposed building typology is not characterised by overhanging upper floors or roof terraces. (our proposal matches the extant approval in all these design features)
- The proposed frontage will be dominated by car parking. (our proposal has two parking spaces to the front of the site, exactly as per the extant approval)
- The increase of residential units (from two to four) has resulted in design changes which do not sit comfortably abutting the residential flatted block to the North. (The proposed four flats fit within exactly the same building form and make no difference to the abutment with the existing flatted property)
- The proposed building is inappropriately positioned in relation to the neighbouring properties. (The proposed building is positioned identically to the extant approval)
- The massing and elevational treatment will be an incongruous intervention in the street scene. (the massing is exactly the same and the elevational treatment is very similar to the extant approval)
- The proposals do not result in sufficient internal floor space to meet the minimum requirements in the Edinburgh Design Guidance. (This is simply incorrect, the proposed internal floor areas well exceed the minimum requirements)

It is our considered opinion that the Planning Officer has misdirected themselves. The reason or rationale for the misdirection is not clear as there are no detailed or reasoned arguments why the proposals justify refusal compared to the approval of 18/01184/FUL.

As a result it is also our intention to submit a claim for expenses in association with this Notice of Review and losses associated with the refusal of the planning application.

For all the reasons set out above we would request that the board award the review and grant Detailed Planning Permission.



3439

City of Edinburgh Council
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

Dear Sirs

**PROPOSED RESIDENTIAL DEVELOPMENT AT 8 SAUGHTON ROAD NORTH,
EDINBURGH. EH12 7HG**

Please find enclosed the following as e-development application to apply for Detailed Planning Permission for the above;

1. Copy of drawings no. 3439-01, 02, 03, 04, 05 & 06.
2. Copy of the completed application form.
3. Copy of our Design & Access Statement.
4. Our client's lodgement fee of £1604.00.

We trust the enclosed is sufficient for you to process the application but should you require anything further, please contact the undersigned.

Yours sincerely,

Ian M. Hislop
Neil Rothnie Architecture



3439

City of Edinburgh Council
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

Dear Sirs

**PROPOSED RESIDENTIAL DEVELOPMENT AT 8 SAUGHTON ROAD NORTH,
EDINBURGH. EH12 7HG [PLANNING REF: 19/05935/FUL]**

Please find enclosed the following as application for a Notice of Review in connection with the above application for Full Planning Permission which was refused by City of Edinburgh Planning Department.

1. Copy of Notice of Review Statement.
2. Copies of all documents and drawings originally lodged in support of the Planning Application.
3. Copy of the Report of Handling [Refusal 19/05935/FUL].
4. Copies of all drawings from the previously approved application [Approval 18/01184/FUL].
5. Copy of the Report of Handling [Approval 18/01184/FUL].

We trust the enclosed is sufficient for this Notice of Review application to be processed but should you require anything further please contact our office.

Yours sincerely,

Neil Rothnie Architecture

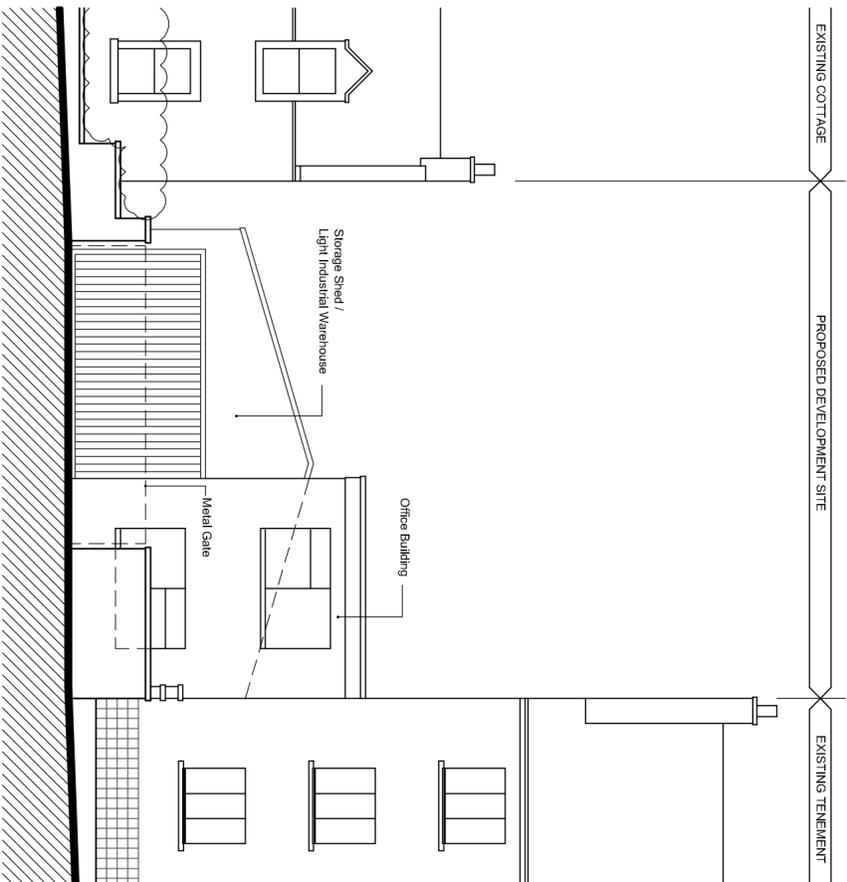


Proposed Residential Development, 8 Saughton Road, Edinburgh. EH12 7HG

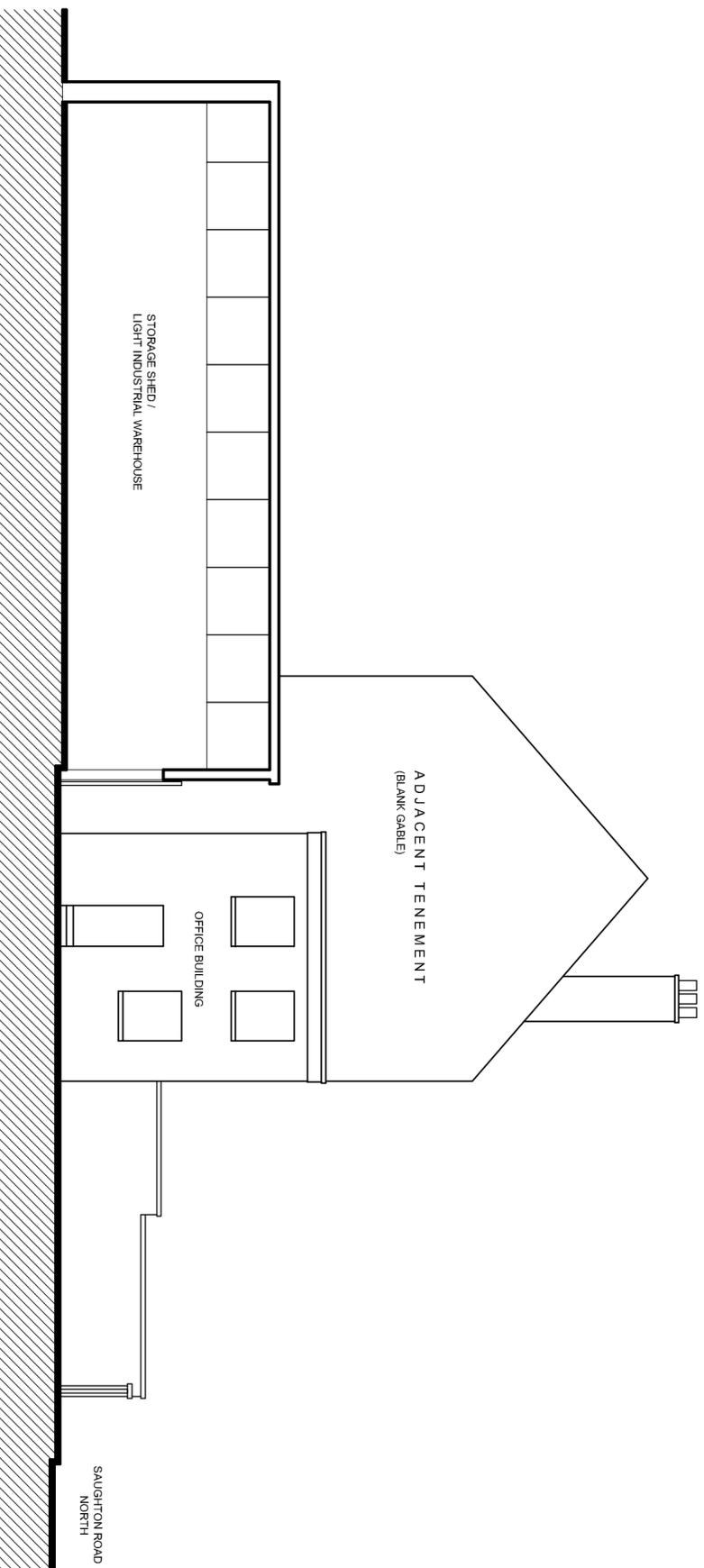
DESIGN + ACCESS STATEMENT

1. PROJECT ; Proposed new-build residential flatted development to site, with extant consent for 2no. dwellings
2. ADDRESS; 8 Saughton Road, Edinburgh. EH12 7HG
3. BRIEF DESCRIPTION ; To amend the existing Planning Approval , 18/01184/FUL to form 4no. flats to the building consented [overall volume, scale etc to be very similar]
4. SITE AREA ; 305 sq m
5. LOCAL AUTHORITY ; City of Edinburgh Council
6. CLIENT ; Cater Group
7. ARCHITECT ; Neil Rothnie Architecture
8. JUSTIFICATION ; The use as residential is established by the consent 18/01184/FUL. All aspects and matters considered in this Planning application have been taken as being agreed and we note the various amendments to the original proposals based on site visits and detailed discussions with the Planning Officer at the time. It should, therefore, be noted that what is stated in this Design and Access statement adds to the revised planning statement for the change of use from Class 4 to Class 9 use. This approval establishes a building of a style, shape and scale which is to be 'copied'. The overall height of what is proposed is marginally lower than that approved and materials to elevations is proposed to be similar as roughcast to the upper floors and horizontal timber linings [as pre-bleached (silver/grey) larch (timber)linings to the uppermost level. The position of windows on elevations are broadly the same as are the functions of rooms which they serve. What is proposed is to split what was two semi detached houses , each over four floors to 4no. flats, each one spread over two floors [duplex] as two flats over two flats. 2no. car parking spaces are proposed and whilst this is less than car parking standards would require, the provision to the consented dwellings was a reduction on standards and is very much in line with policy, in so far as parking standards are set as a maximum, encouraging less parking whilst the site has good access to all modes of public transport; the site is within a walkable distance to Glasgow Road/St John's Road, Corstorphine. In addition there is a car club stance within the Corstorphine neighbourhood centre. This in turn provides all facilities; shops, medical facilities and the like. It is not practical, nor desirable in road safety terms to increase the number of car parking spaces within the site. Whilst the lower two flats will have direct access to their own terraced areas at ground floor level, the upper flats will have private space at third floor level. Windows etc to the rear [west]are restricted to accessing Juliet balconies; again in line with what is approved for the 2no. dwellings. There is a communal open garden area available to all flats to the west. Recycling [bin storage] is provided within the site as is cycle parking [100%]
9. In summary we consider that an amendment to accommodate four flats in lieu of two dwellings is no different in terms of scale and design. It is also no more onerous in terms of amenity and its impact on any neighbouring properties or they on what is proposed. As the proposals effectively copy those previously approved the issue of daylighting etc is no different and this is demonstrated on the specific drawing [section]. The flats will all enjoy an open and east/west aspect, as noted in the original design statement ; 'spectacular views over the bowling green across the road and Edinburgh beyond'

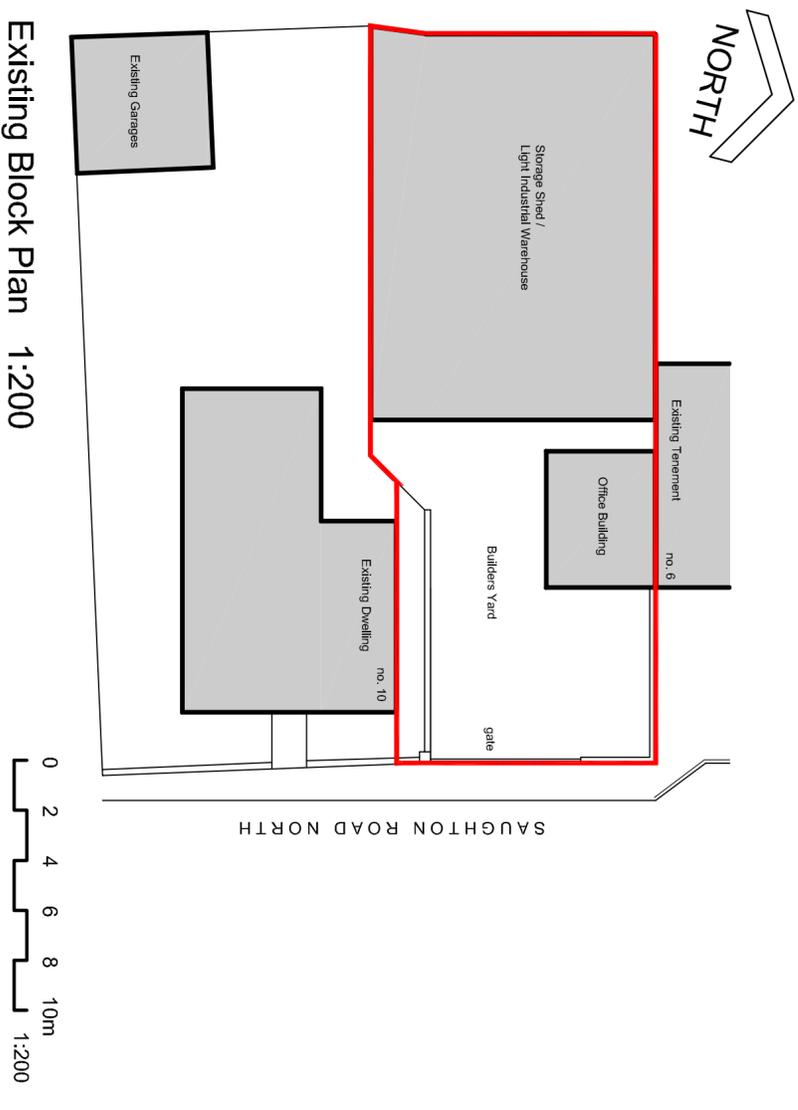
December 2019



Existing East Elevation 1:100



Existing Site Section 1:100



Existing Block Plan 1:200

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REV. NO.	DESCRIPTION	DATE

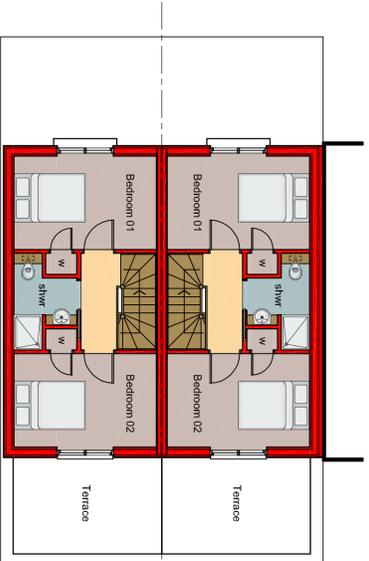


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 ARCHITECTURE AND DESIGN CONSULTANTS
 73 HUNTLY STREET, ABERDEEN, AB10 1TE
 TEL 01224 624724 FAX 01224 649394
 info@neilrothnie.co.uk www.neilrothnie.co.uk

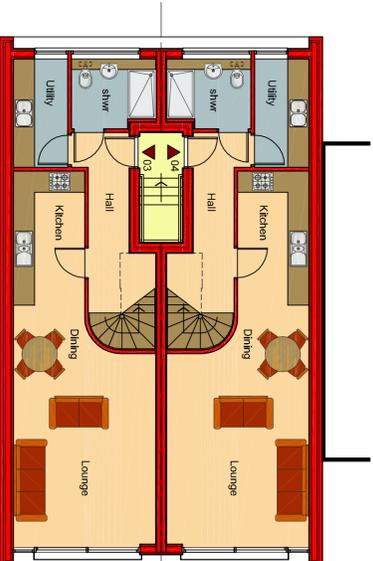
CLIENT CATER GROUP LTD.
 PROJECT PROPOSED DEVELOPMENT TO FORM 4NO. FLATS
 AT 8 SAUGHTON ROAD NORTH, EDINBURGH
 CONTENT EXISTING LAYOUTS

SCALE 1:100 / 1:200 @ A2 DATE DECEMBER 2019
 JOB REFERENCE 3439 DRAWING REV 01
 DRAWN BY

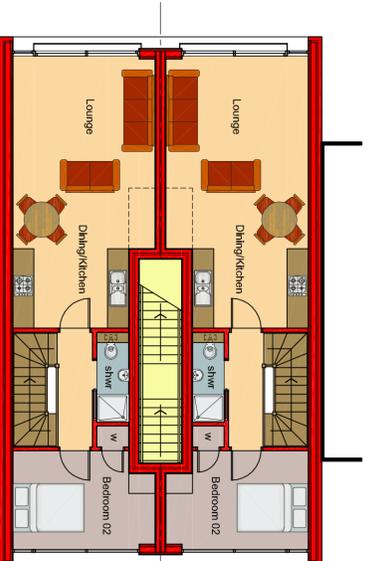




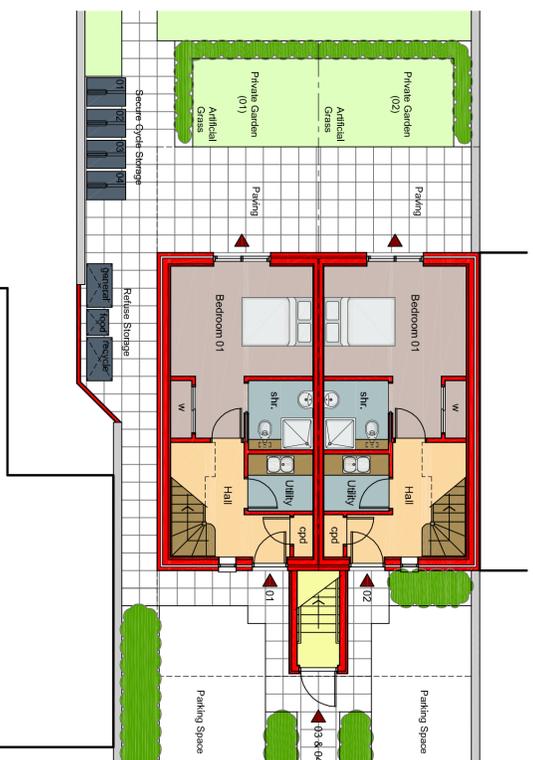
Proposed Third Floor 1:100



Proposed Second Floor 1:100



Proposed First Floor 1:100



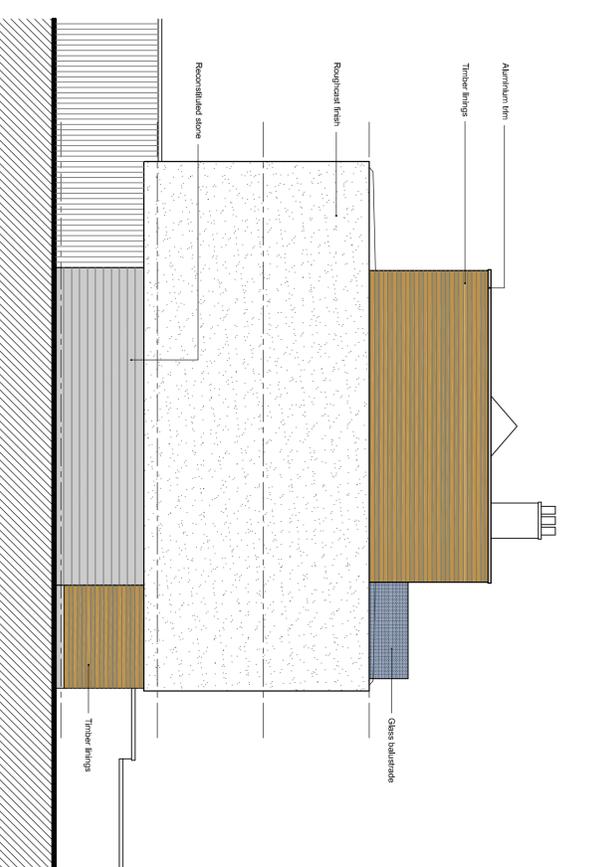
Proposed Ground Floor 1:100



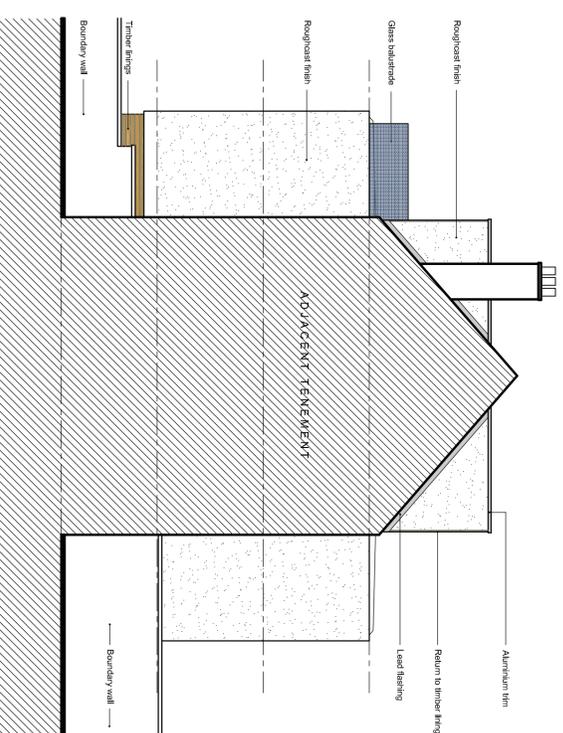
Proposed East Elevation 1:100



Proposed West Elevation 1:100



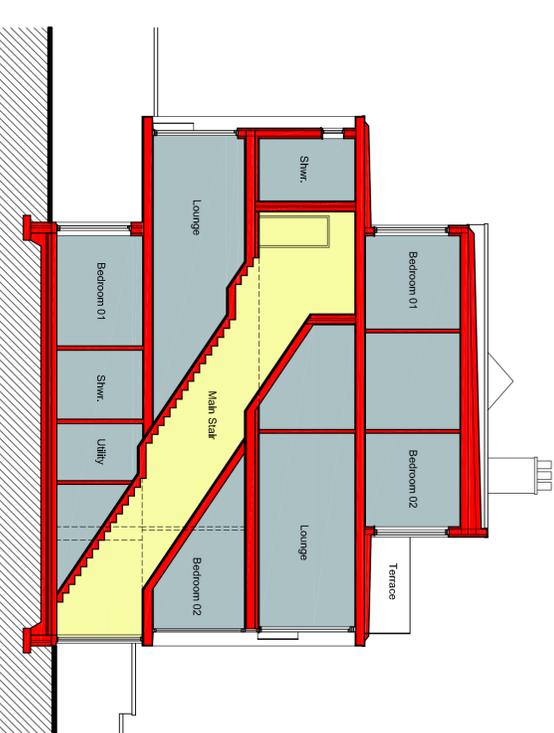
Proposed South Elevation 1:100



Proposed North Elevation 1:100



Proposed Block Plan 1:200



Proposed Cross Section 1:100

FINISHES SCHEDULE:	DESCRIPTION
FLAT ROOFS -	Light grey single ply membrane.
TERRACE -	As above with walk over rafter in dark grey.
TIMBER LININGS -	Larch V-joint boards orientated to weather to uniform grey / silver.
ROUSKAST* -	Smooth render with surface scaped texture in off white colour (R60).
GLAZING SYSTEM -	Aluminium narrow frame system with dark grey finish.
PAVING DOORBS -	As per glazing system above.
WINDOWS -	As per glazing system above.
GLASS BALUSTRADE -	Clear glass with stainless steel tangs (optional).
RECON STONE -	Asklei block (400 x 215mm) as cement stone mix with red grey finish.

0 1 2 3 4 5m
1:100

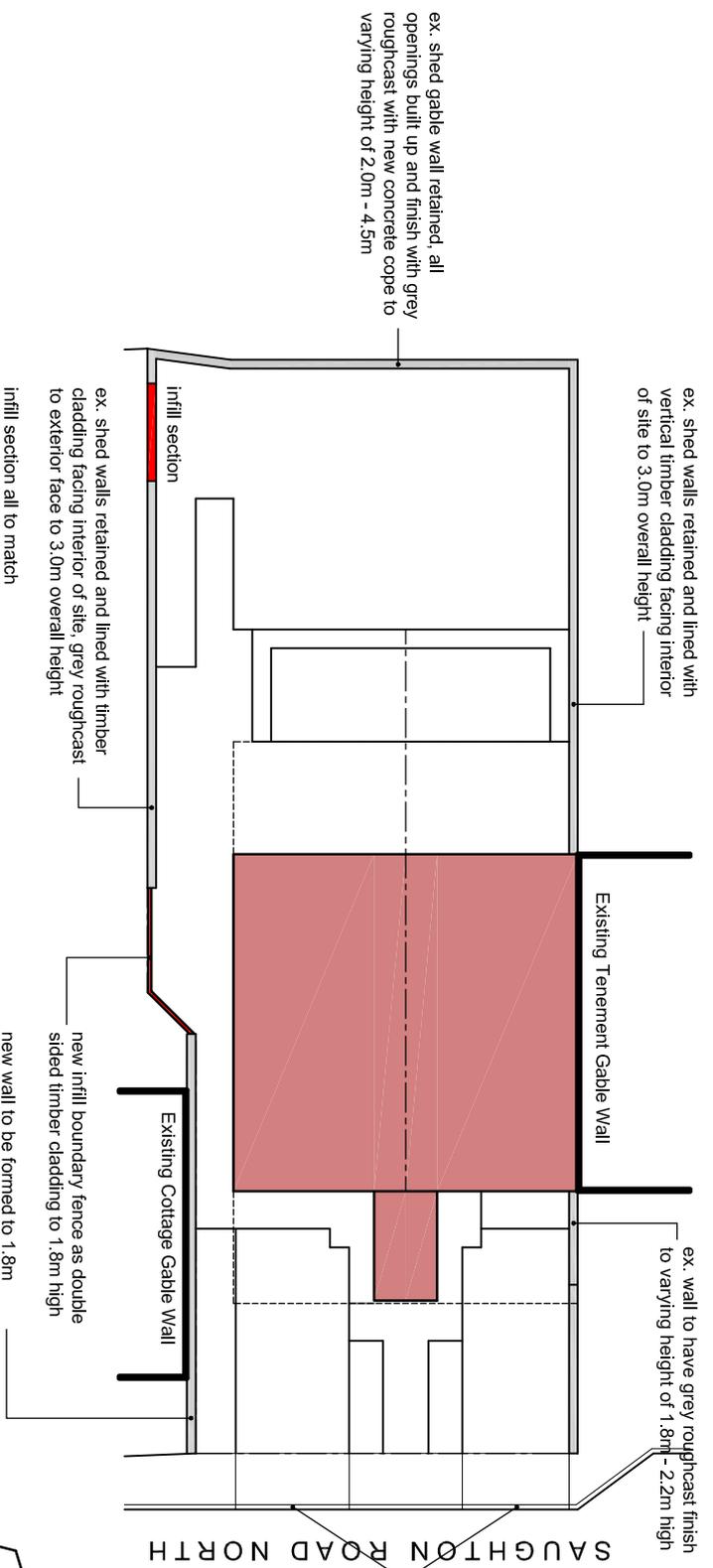
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 ARCHITECTURE AND DESIGN CONSULTANTS
 73 HUNTY STREET, ABERDEEN, AB10 1TE
 TEL: 01224 624724 FAX: 01224 646394
 info@neilrothnie.co.uk www.neilrothnie.co.uk

CLIENT: CATER GROUP LTD.
 PROJECT: PROPOSED DEVELOPMENT TO FORM ANO FLATS
 AT 8 SAUGHTON ROAD NORTH, EDINBURGH
 CONTRACT: PROPOSED LAYOUTS

SCALE: 1:100 / 1:200 @ A1 DATE: DECEMBER 2019
 JOB REFERENCE: 3439 DRAWING NO: 02 DRAWN BY: [signature]



Proposed Boundary Treatment 1:200



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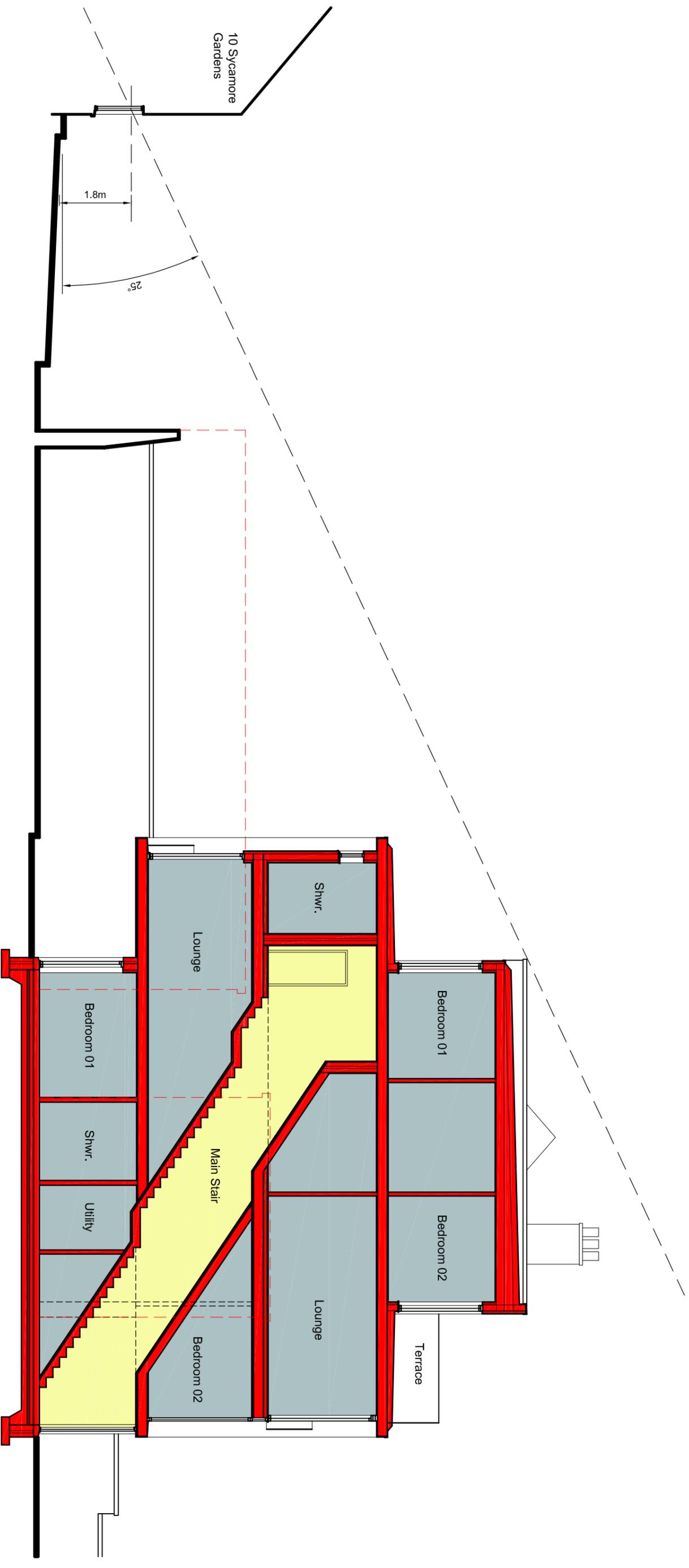


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 ARCHITECTURE AND DESIGN CONSULTANTS
 73 HUNTLY STREET, ABERDEEN, AB10 1TE
 TEL 01224 624724 FAX 01224 649394
 info@neilrothnie.co.uk www.neilrothnie.co.uk
 CLIENT CATER GROUP LTD.

PROJECT PROPOSED DEVELOPMENT TO FORM 4NO. FLATS
 AT 8 SAUGHTON ROAD NORTH, EDINBURGH
 CONTENT PROPOSED BOUNDARY TREATMENTS

SCALE 1:200 @ A4 DATE DECEMBER 2019
 JOB REFERENCE DRAWING REV
 3439 03
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existing drop kerb removed
 and 2no. dropped kerbs
 formed to new parking spaces



Proposed Site Section 1:100



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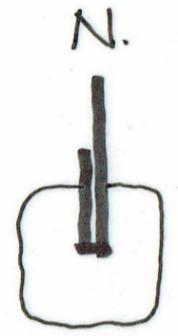
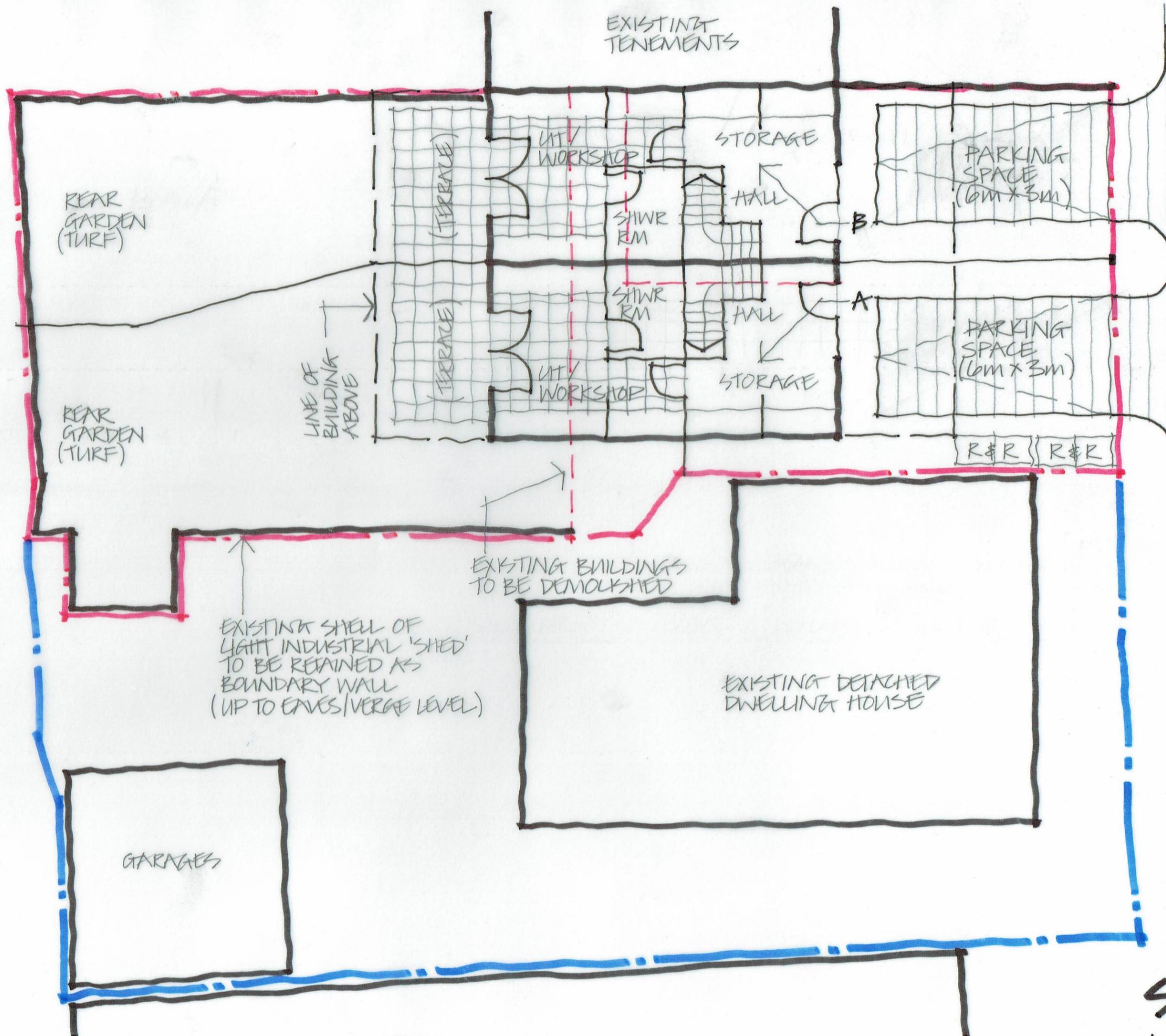


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 TEL 01224 624724 FAX 01224 669394
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PROJECT PROPOSED DEVELOPMENT TO FORM 4NO. FLATS
 AT 8 SAUGHTON ROAD NORTH, EDINBURGH
 CONTENT PROPOSED SITE SECTION

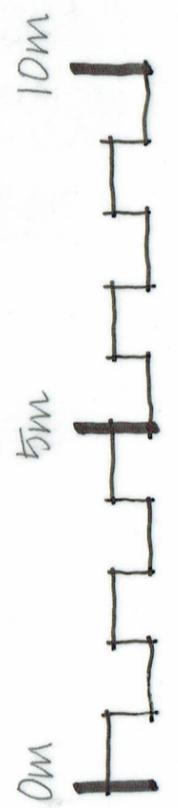
REV NO.	DESCRIPTION	DATE

SCALE 1:100 @ A3 DATE DECEMBER 2019
 JOB REFERENCE DRAWING REV 04
 3439 DRAWN BY



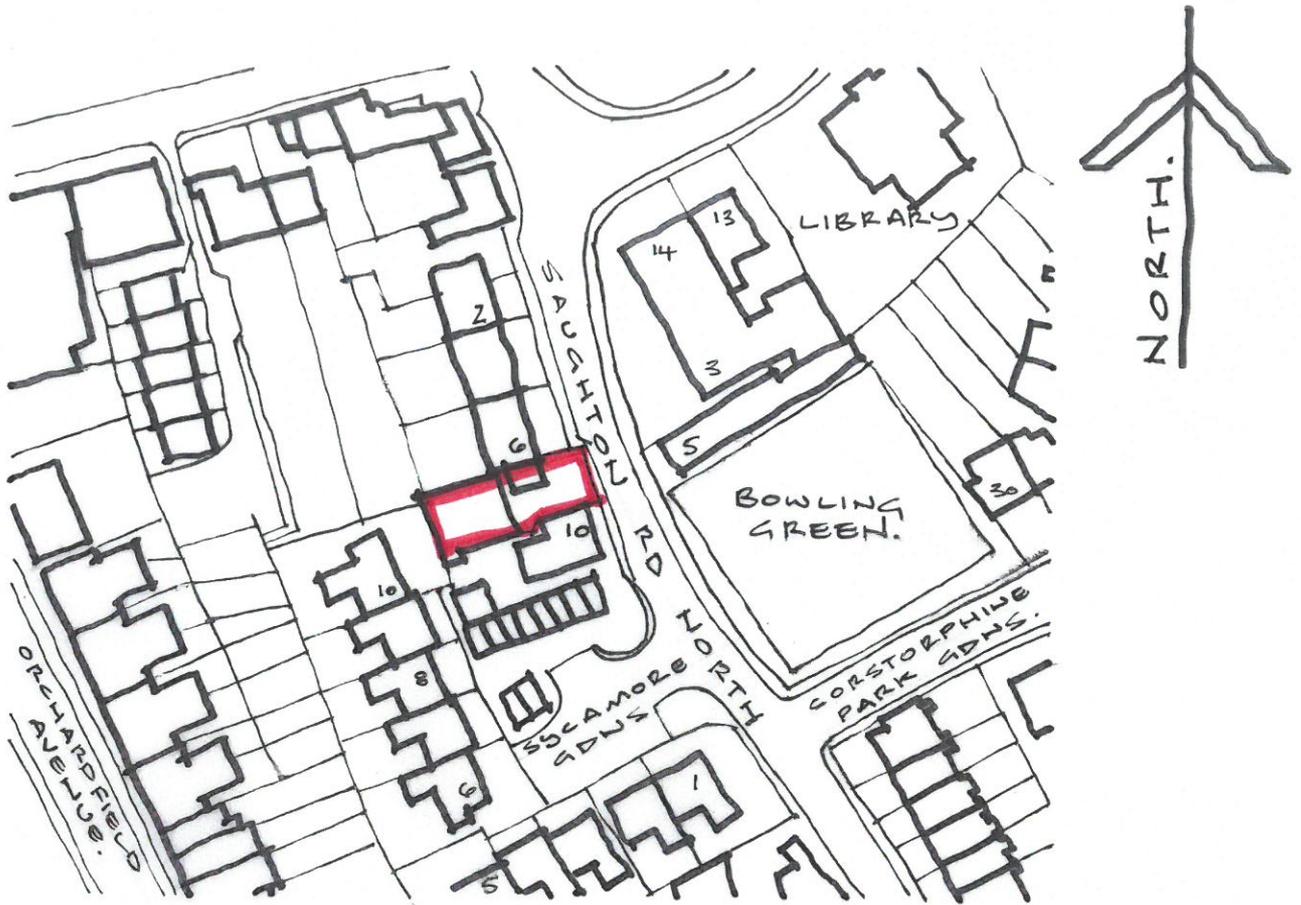
GIFA (A)
= 210m² / 2260ft²

GIFA (B)
= 210m² / 2260ft²

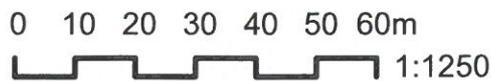


PROPOSED GROUND FLOOR LAYOUT

SK 004(A)
1:100@A3



LOCATION PLAN 1:1250.



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REV NO.	DESCRIPTION	DATE

neil rothnie architecture



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 ARCHITECTURE AND DESIGN CONSULTANTS
 73 HUNTLY STREET, ABERDEEN, AB10 1TE
 TEL 01224 624724 FAX 01224 649384
 info@neilrothnie.co.uk www.neilrothnie.co.uk

CLIENT CATER GROUP LTD.

PROJECT PROPOSED DEVELOPMENT TO FORM 4NO. FLATS
 AT 8 SAUGHTON ROAD NORTH, EDINBURGH

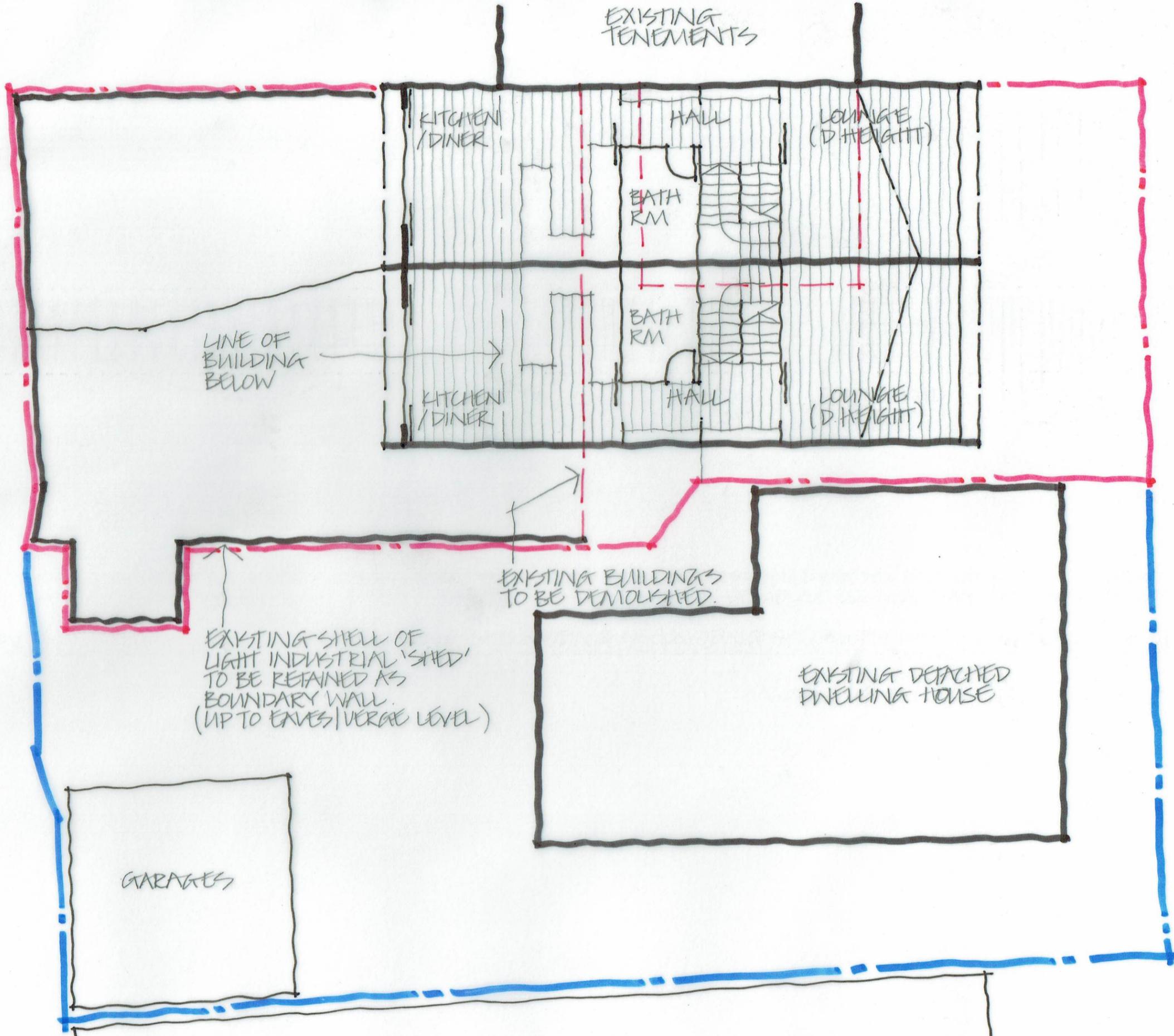
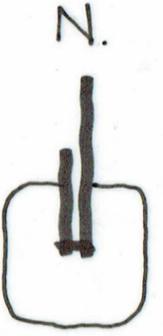
CONTENT LOCATION PLAN

SCALE 1:1250 @ A4 DATE DECEMBER 2019

JOB REFERENCE 3439 DRAWING 05 REV

DRAWN BY

EXISTING TENEMENTS



LINE OF BUILDING BELOW

EXISTING BUILDINGS TO BE DEMOLISHED.

EXISTING SHELL OF LIGHT INDUSTRIAL 'SHED' TO BE RETAINED AS BOUNDARY WALL. (UP TO EAVES / VERGE LEVEL)

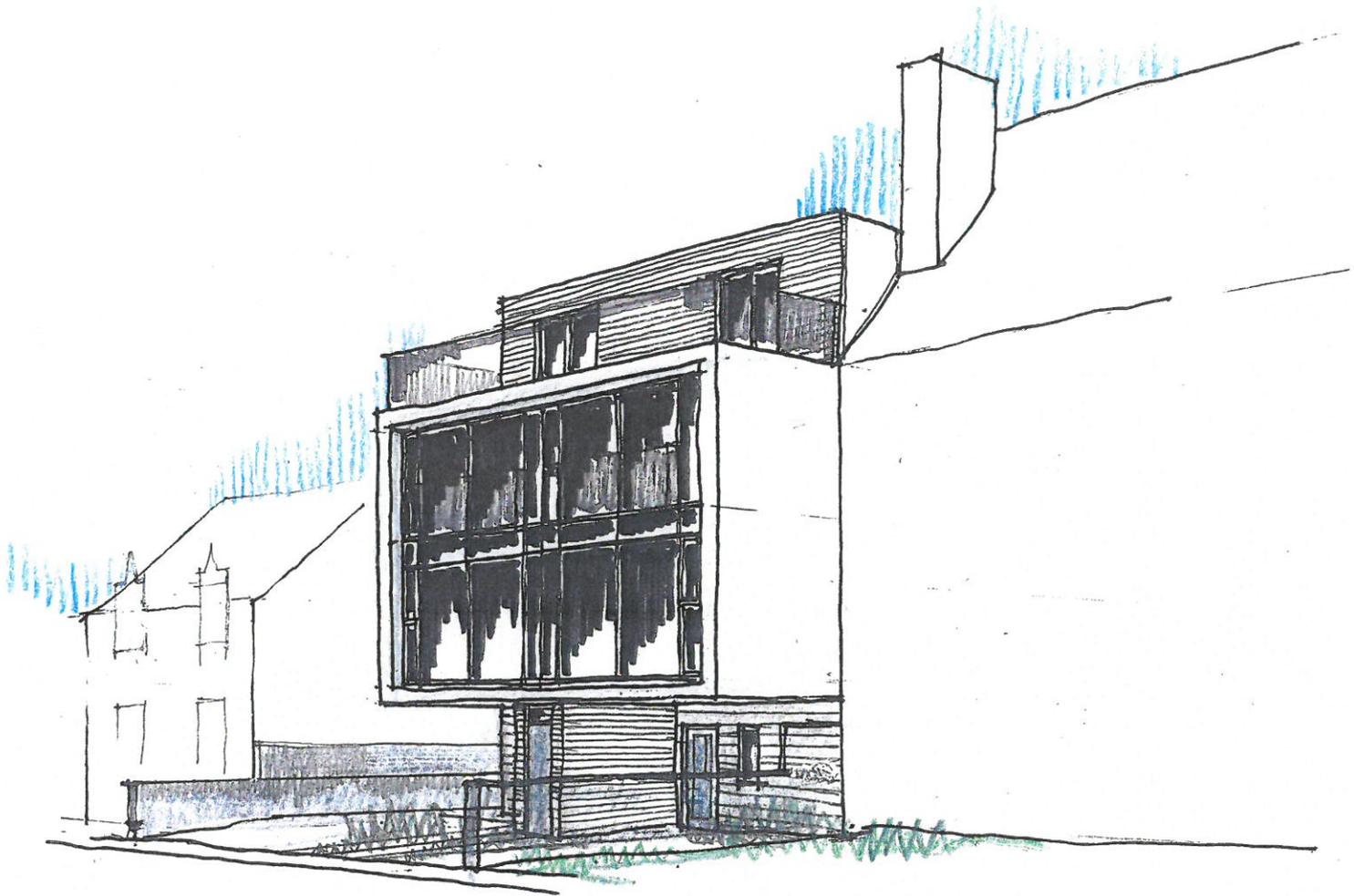
EXISTING DETACHED DWELLING HOUSE

GARAGES



PROPOSED FIRST FLOOR LAYOUT

SK 005(A)
1:100@A3



neil rothnie **architecture**



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 ARCHITECTURE AND DESIGN CONSULTANTS
 73 HUNTLY STREET, ABERDEEN, AB10 1TE
 TEL 01224 624724 FAX 01224 648364
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PROJECT PROPOSED DEVELOPMENT TO FORM 4NO. FLATS
AT 8 SAUGHTON ROAD NORTH, EDINBURGH

CONTENT 3D IMAGE

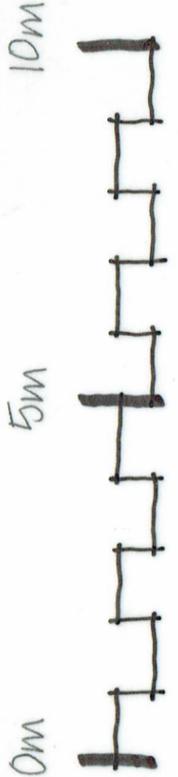
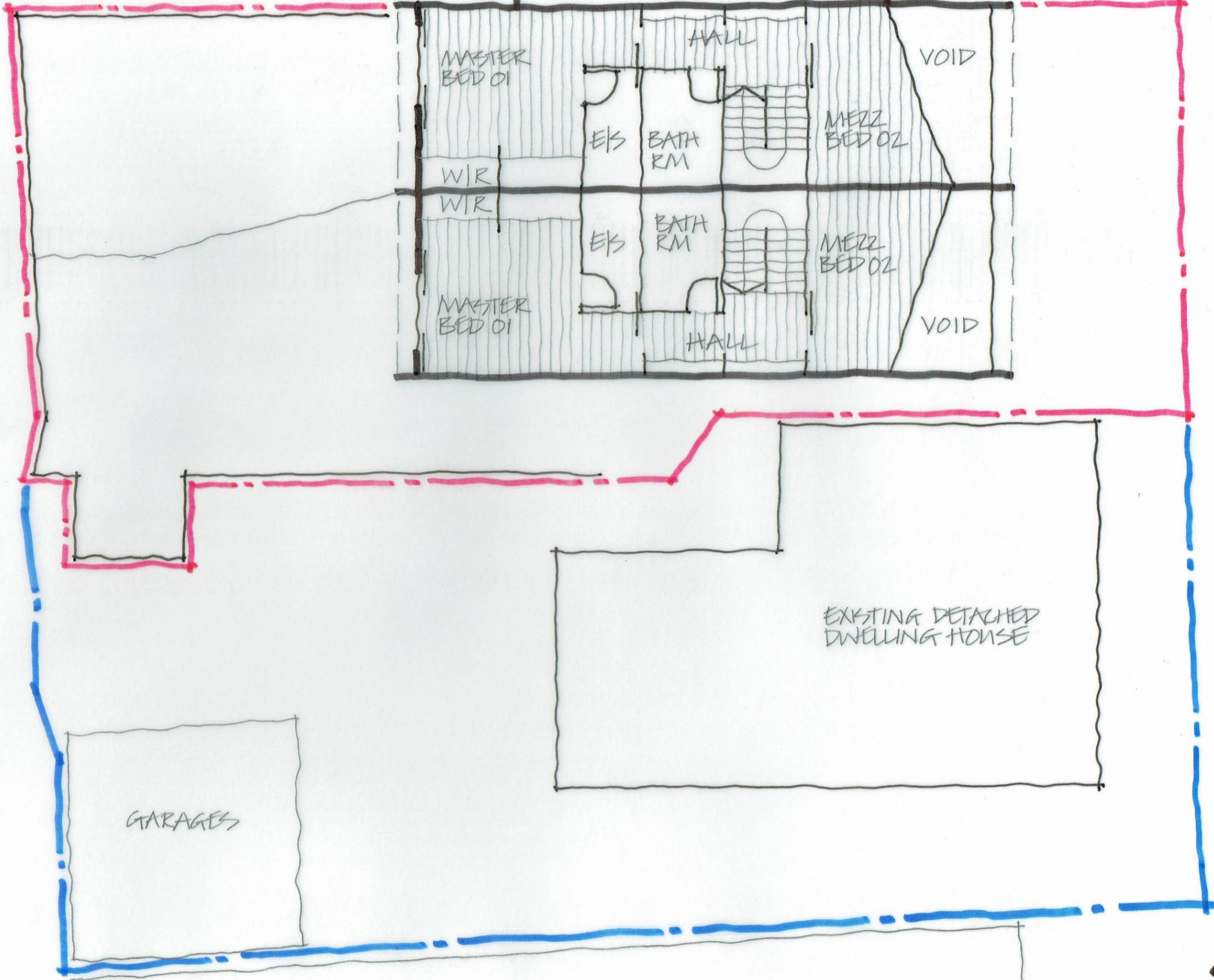
SCALE N.T.S. DATE DECEMBER 2019

JOB REFERENCE 3439 DRAWING 06 REV

DRAWN BY

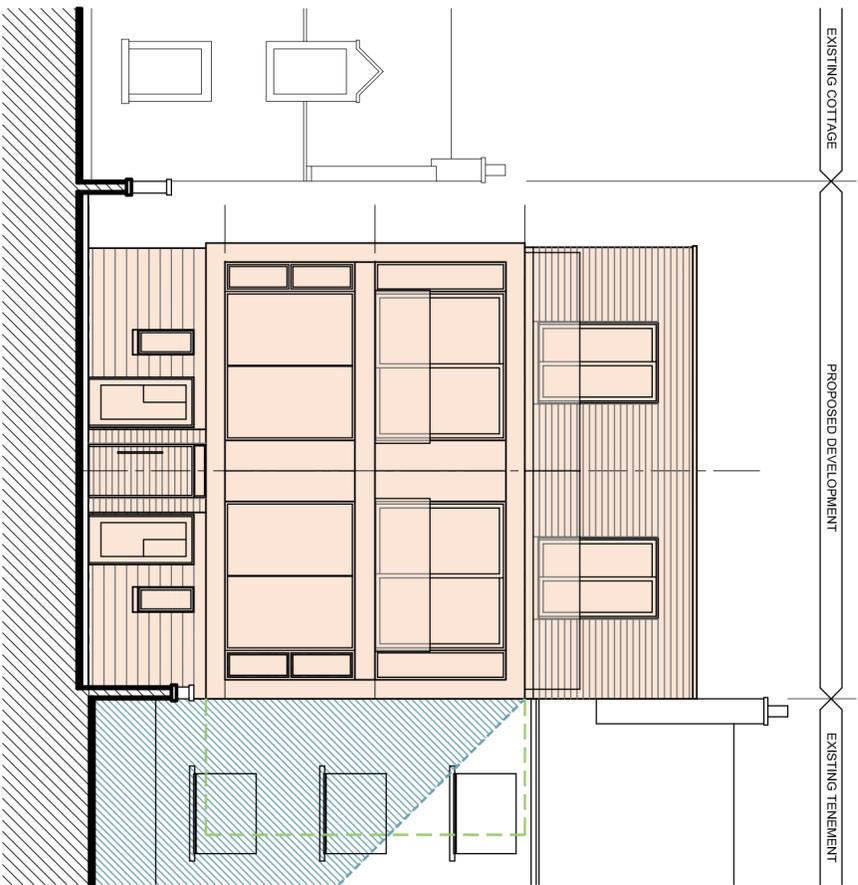
REV NO.	DESCRIPTION	DATE

EXISTING TENEMENTS



PROPOSED SECOND FLOOR LAYOUT

SK 006(A)
1:100@A3



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REV. NO.	DESCRIPTION	DATE



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 73 HUNTLY STREET, ABERDEEN, AB10 1TE
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 info@neilrothnie.co.uk www.neilrothnie.co.uk

CLIENT **CATER HOMES**

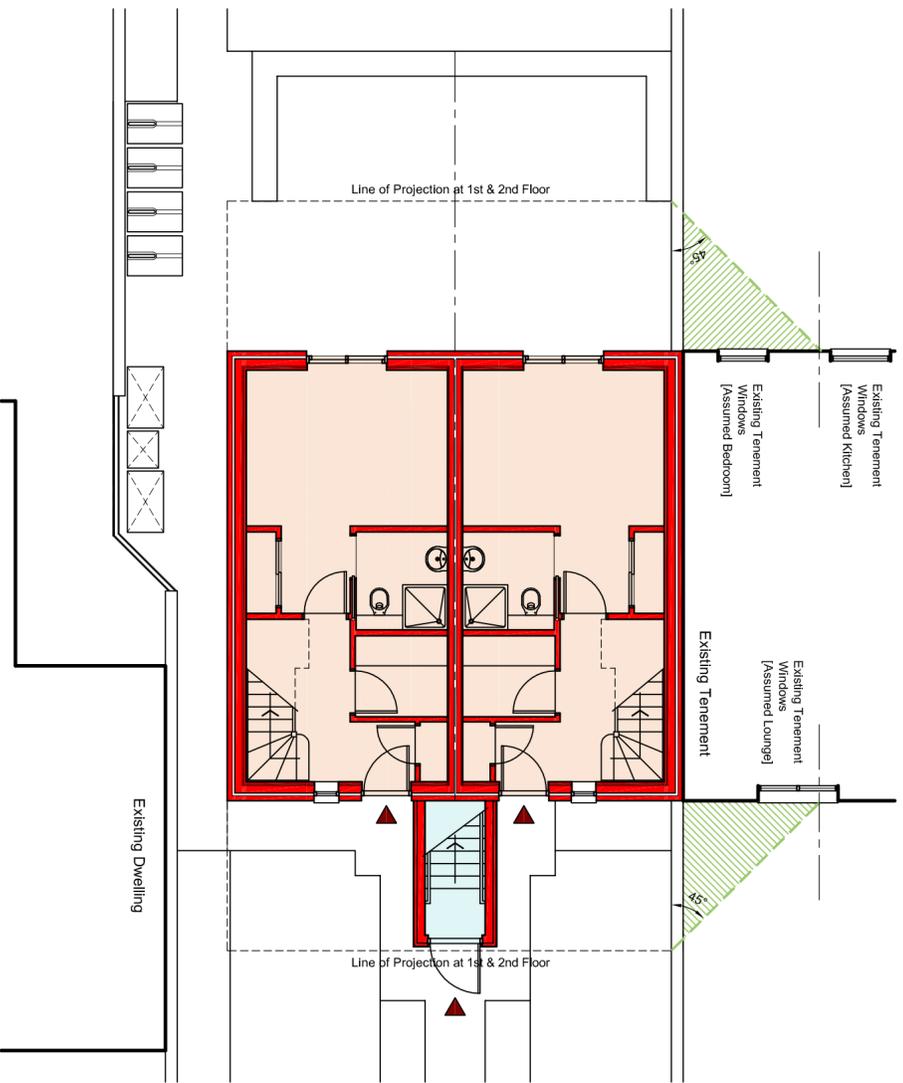
PROJECT **PROPOSED DEVELOPMENT TO FORM 4NO. FLATS**
 AT 8 SAUGHTON ROAD NORTH, EDINBURGH

CONTENT **SHADING DIAGRAMS**

SCALE **1:100** DATE **FEBRUARY 2020**

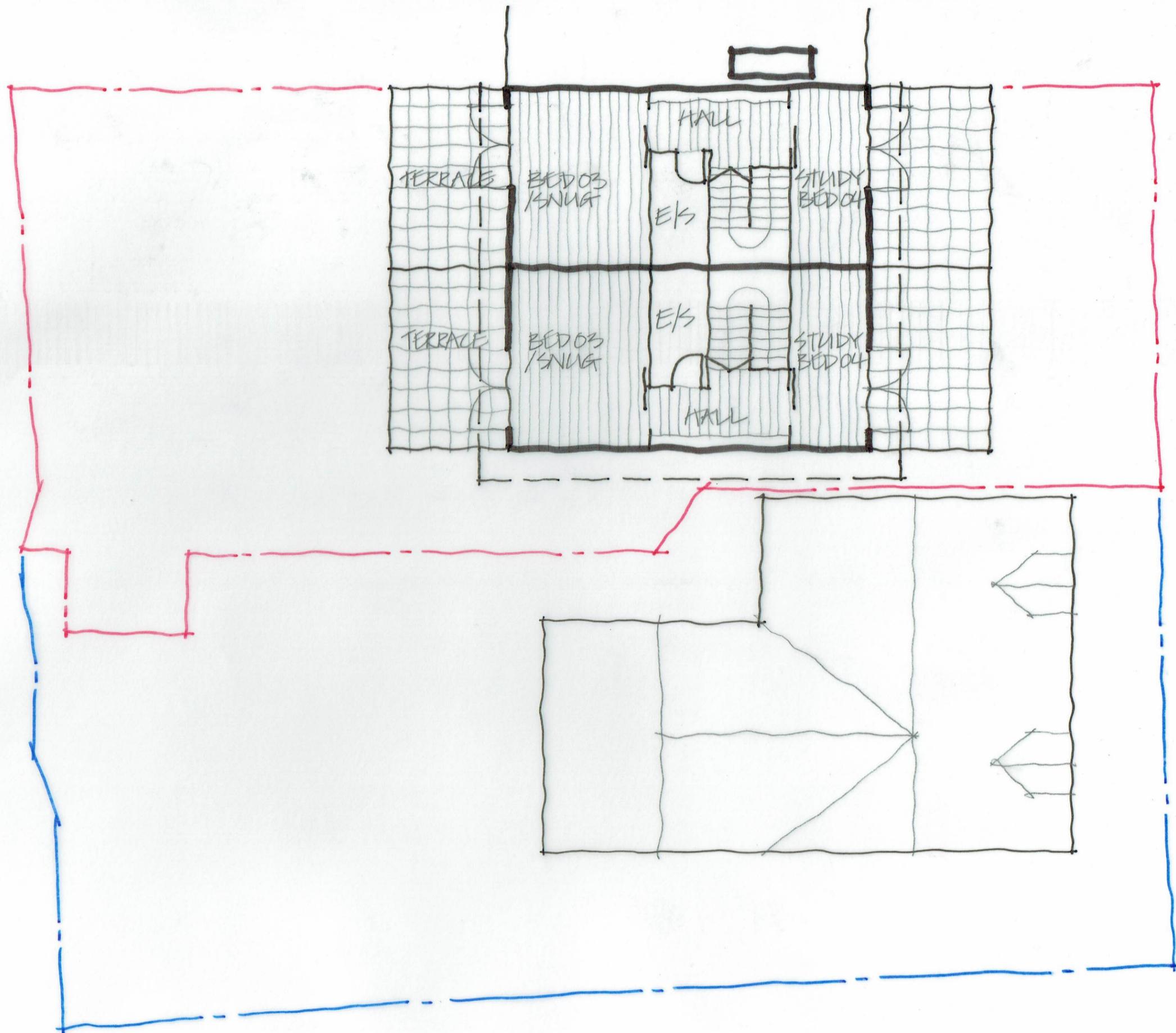
JOB REFERENCE **3439** DRAWING **07**

DRAWN BY



SHADING LEGEND

-  Denotes Shading at 45° on Elevation
-  Denotes Shading at 45° on Plan
-  Denotes Plan Shading Overlay on Elevations



PROPOSED THIRD FLOOR LAYOUT

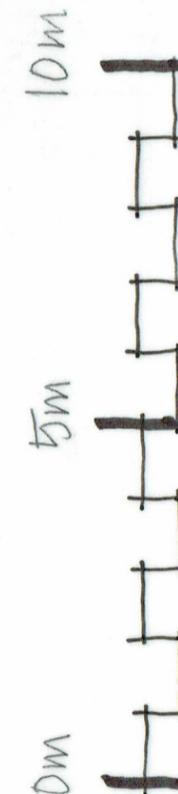
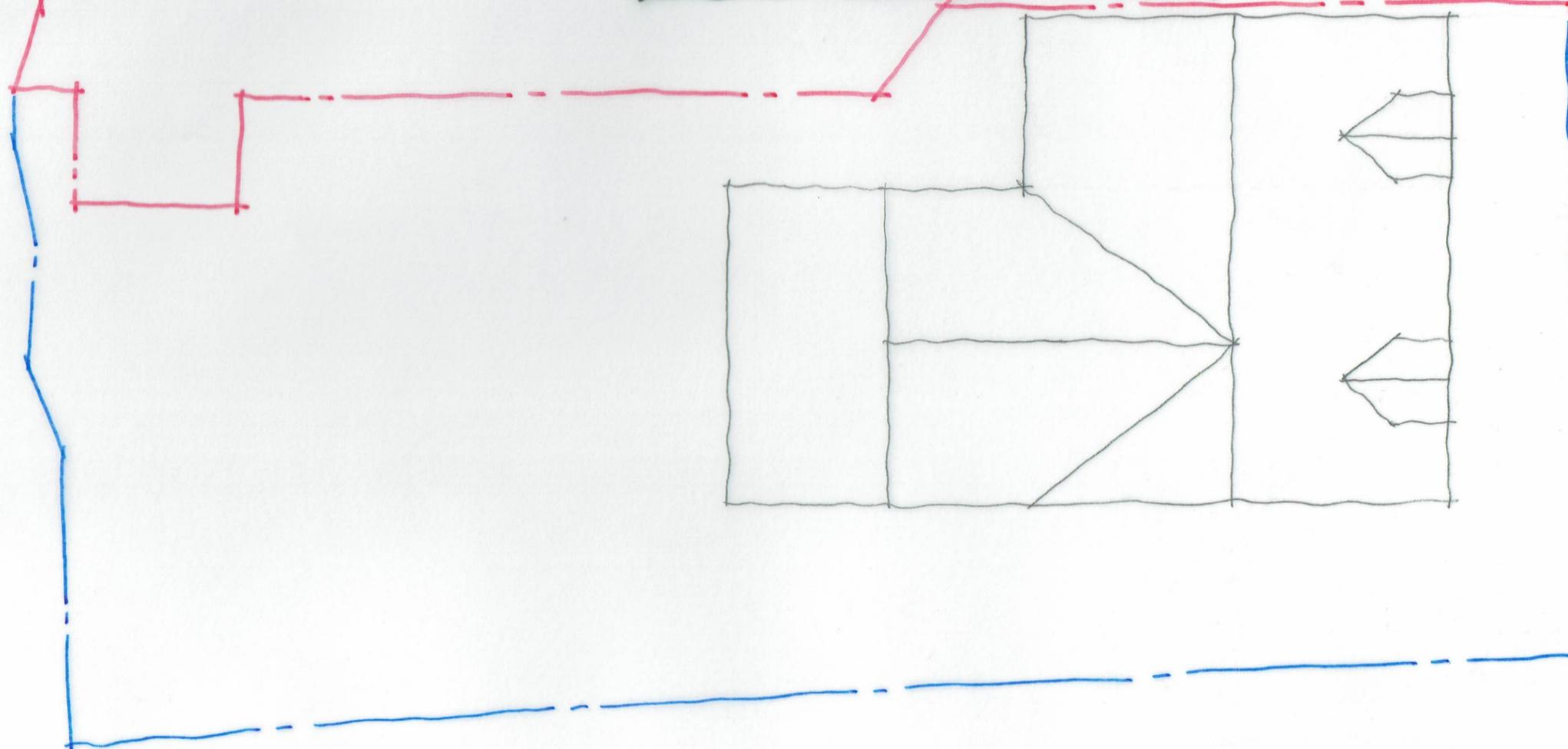
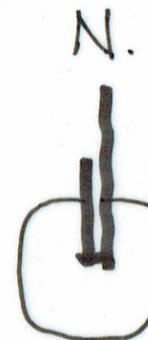
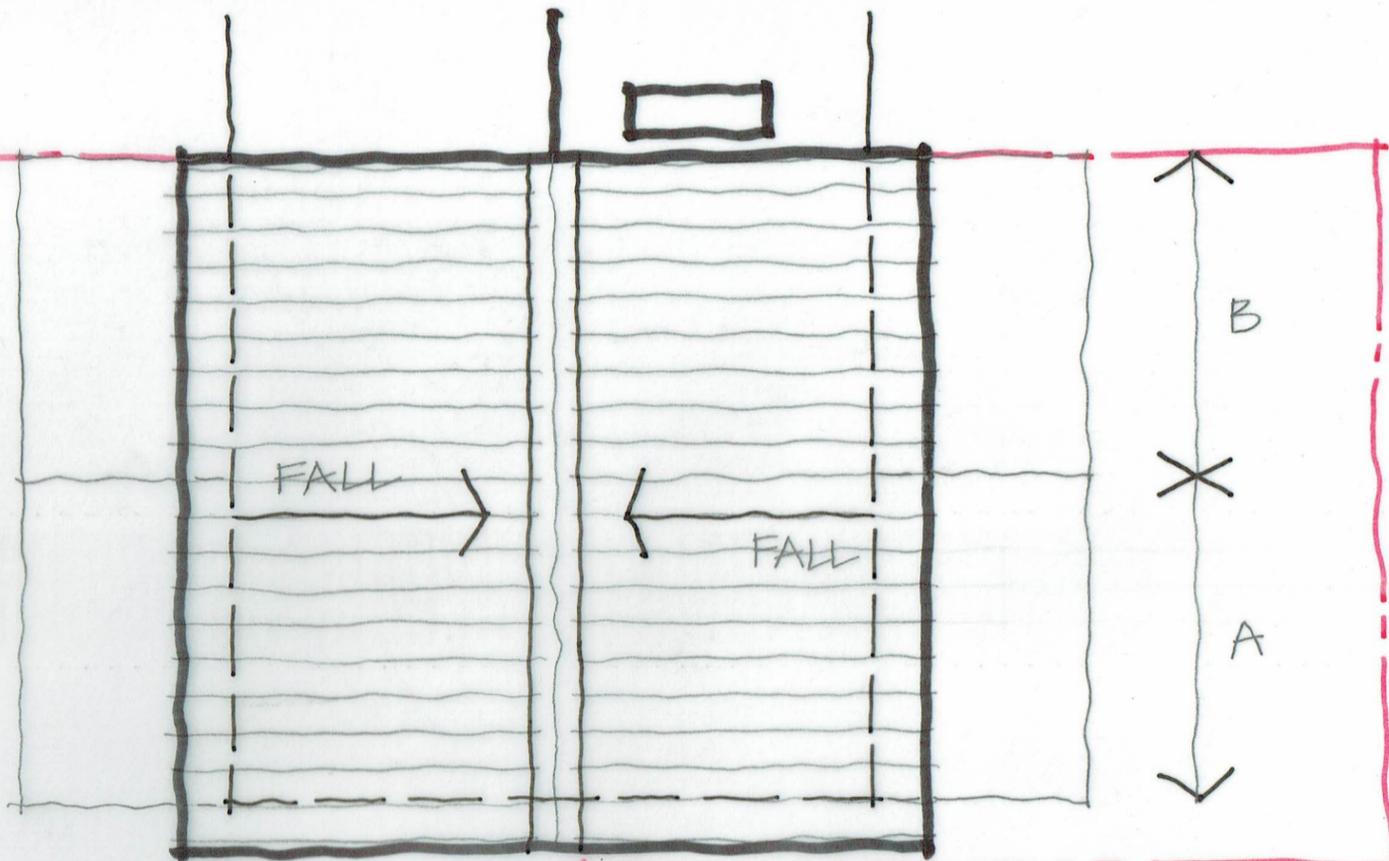
SK 007(A)
1:100 @A3

* EACH PROPOSED TERRACED VILLA HAS APPROX. 210m² / 2260ft² OF GIFA ACCOMMODATION

• 1 no. 6m x 3m DRIVEWAY PARKING SPACE

• APPROX. 12m LONG REAR GARDEN (PRIVATE + SCREENED)

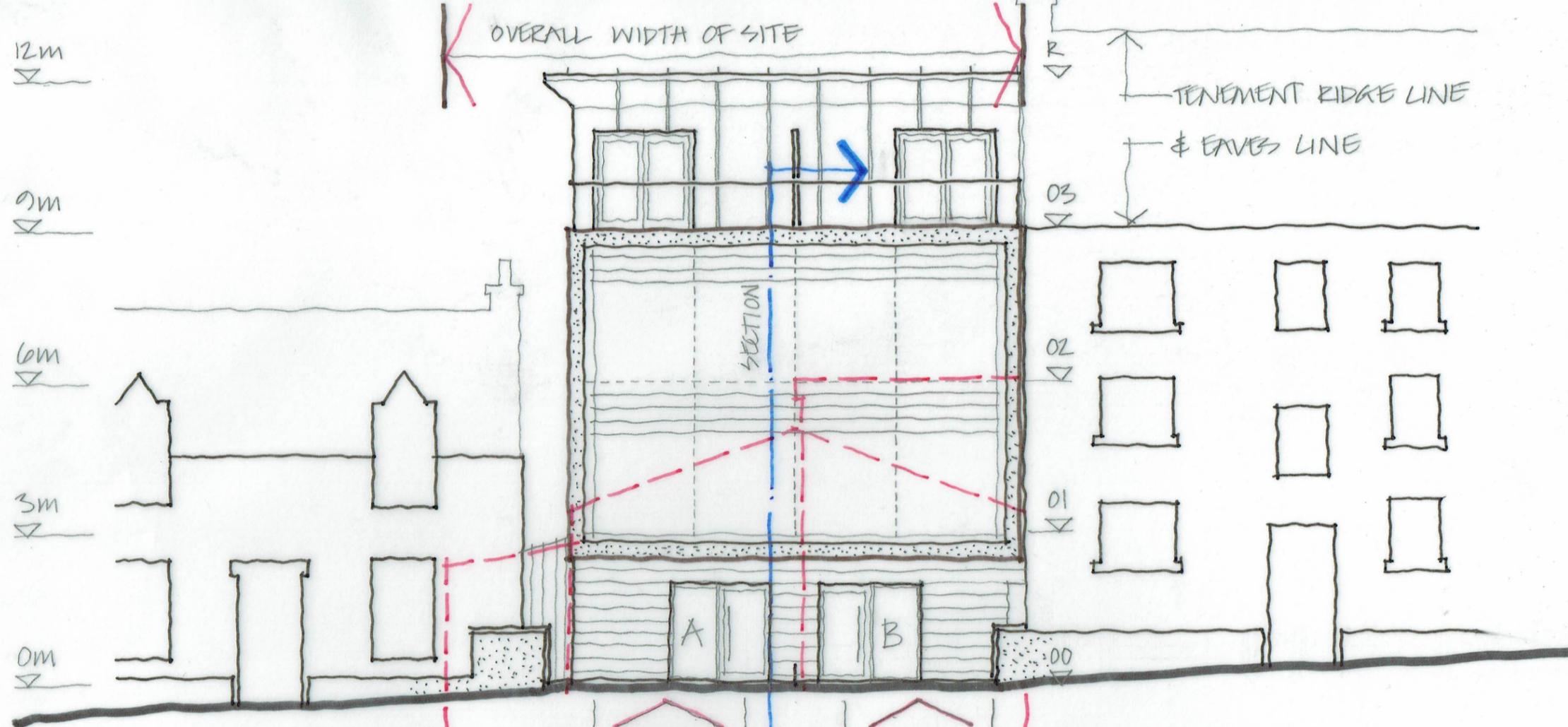
• APPROX. 7.5m LONG FRONT GARDEN / DRIVEWAY ACCESS



PROPOSED ROOF LAYOUT

SK 000(A)
1:100 @ A3

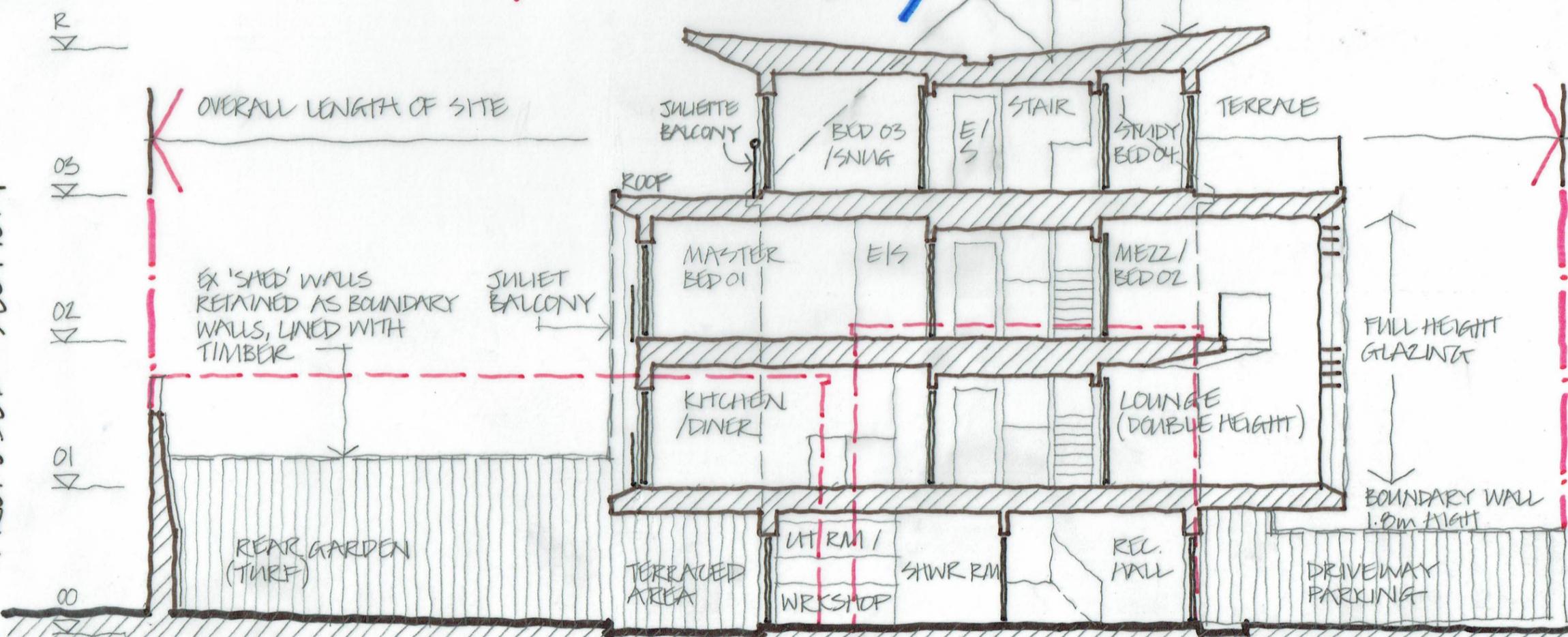
PROPOSED ELEVATION (FRONT)



KEY

-  UPPER: PROFILED METAL CLADDING/ROOFING
-  MIDDLE: OFF WHITE RENDER/ROUHCAST
-  BASE: COURSED RECON STONE
-  SECTION LINES/HATCHING
-  TO BE DEMOLISHED

PROPOSED SECTION

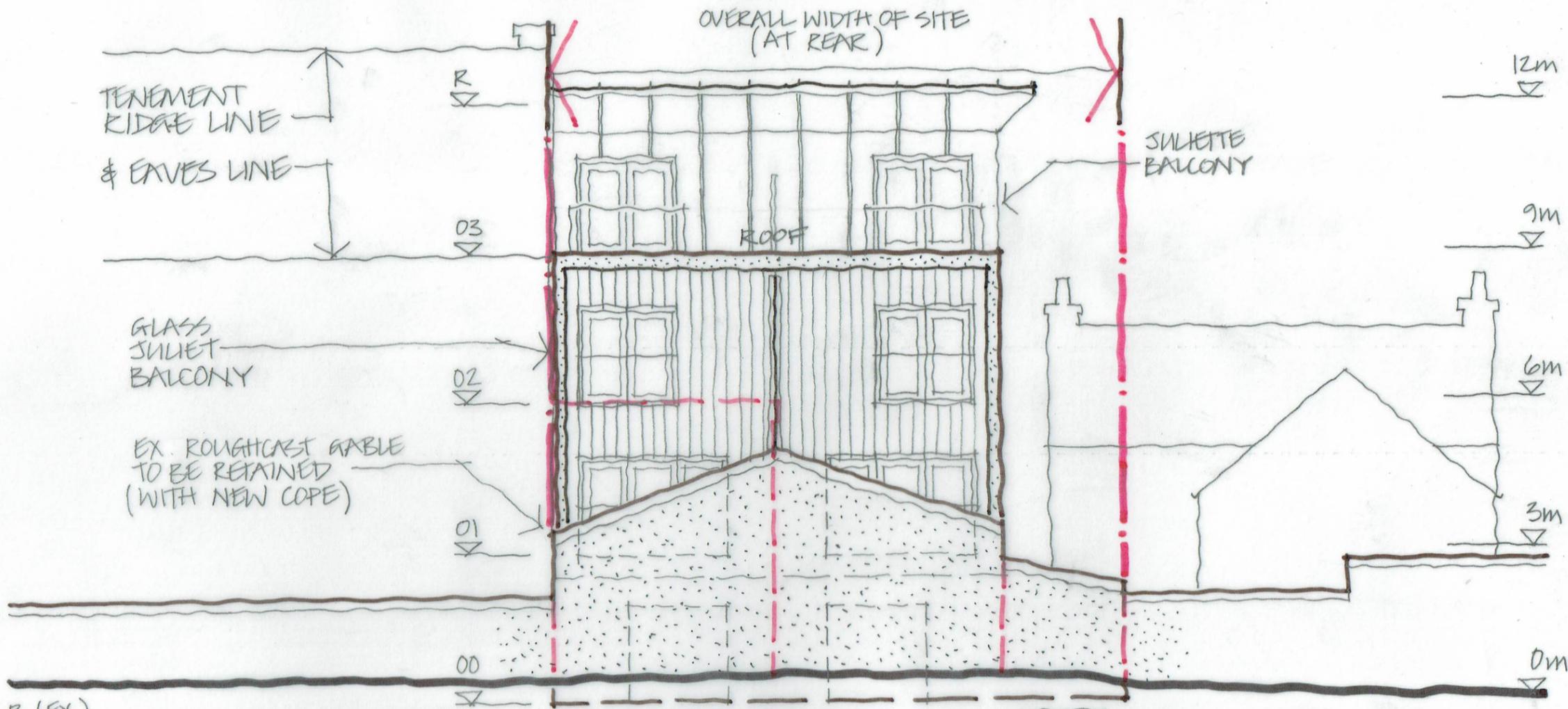


~~(A)~~ (B)

SK-021
1:100 @ A3

MAIN ACCESS (SAUGHTON RDN)

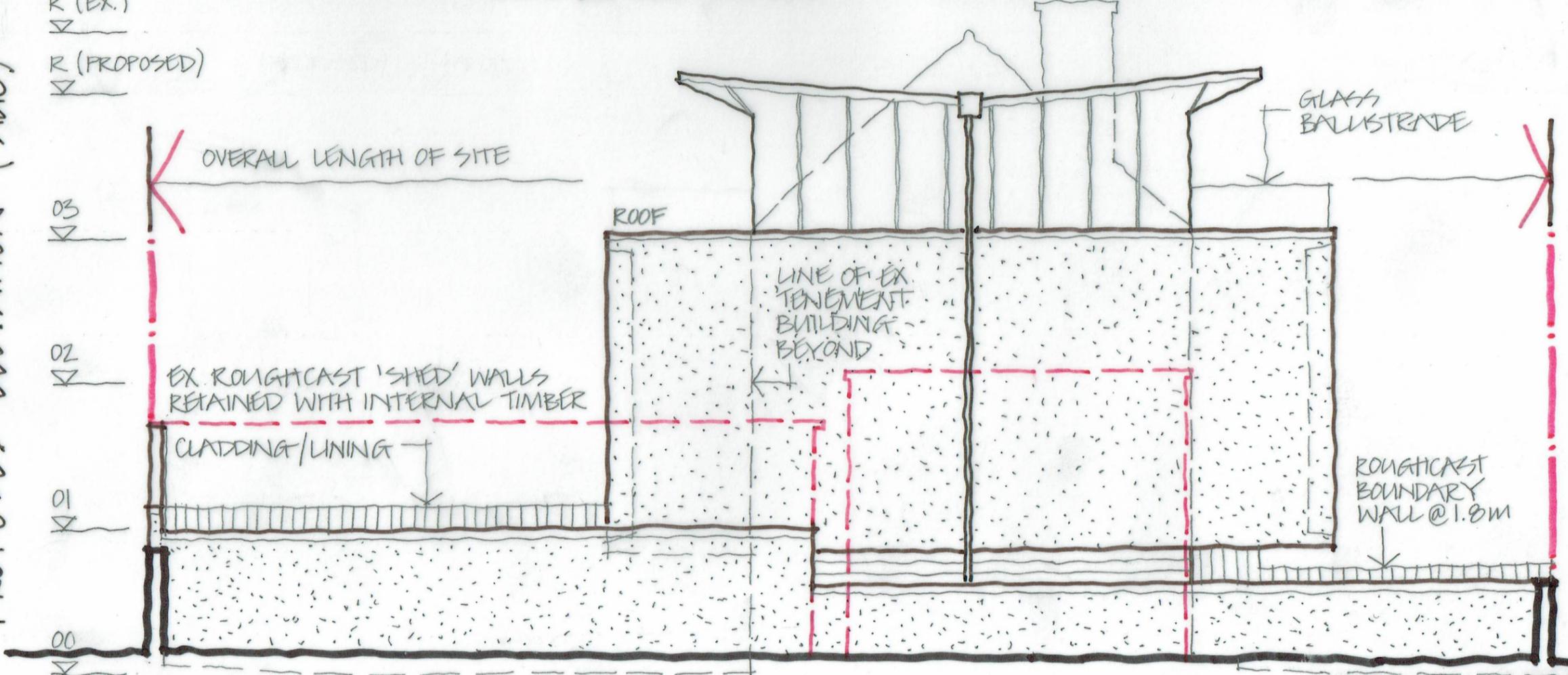
PROPOSED ELEVATION (Rear)



KEY.

- UPPER: PROFILED METAL CLADDING/ROOFING
- MIDDLE: OFF WHITE RENDER/ROUGHCAST
- BASE: COURSED RECON STONE
- VERTICAL TIMBER CLADDING INFILL + FENCING
- TO BE DEMOLISHED

PROPOSED ELEVATION (Side)



SK-022 (A) (B)
1:100 @ A3