

Architects Designworks.
FAO: Robert Bloor
3/4 Dun-Ard Garden
Edinburgh
EH9 2HZ

Ms A Hussain.
22 Drum Street
Edinburgh
EH17 8QH

Decision date: 9 July 2020

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

Variation of treatment to elevations: change from render and stone to lime mix wet dash harling.

At 22 Drum Street Edinburgh EH17 8QH

Application No: 20/02107/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 22 May 2020, 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 and Enforced** 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:-

1. The proposals would be harmful to the appearance of the building and the character and appearance of the conservation area. The proposed development is contrary to Policy Des 12 (Alterations and Extensions) and Policy Env 6 (Conservation Area - Development) of the Edinburgh Local Development Plan and Edinburgh Council's Guidance on Listed Buildings and Conservation Areas.

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

Drawings 01-02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposed lime mix wet dash harling of the building would be harmful to the appearance of the building and the character and appearance of the Conservation Area. Consequently, the proposed development is contrary Policy Des 12 (Alterations and Extensions) and Policy Env 6 (Conservation Area - Development) of the Edinburgh Local Development Plan and the Council's non-statutory "Listed Buildings and Conservation Area Guidance".

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 Weronika Myslowiecka directly on 0131 529 3903.

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 20/02107/FUL

At 22 Drum Street, Edinburgh, EH17 8QH

Variation of treatment to elevations: change from render and stone to lime mix wet dash harling.

Item	Local Delegated Decision
Application number	20/02107/FUL
Wards	B16 - Liberton/Gilmerton

Summary

The proposed lime mix wet dash harling of the building would be harmful to the appearance of the building and the character and appearance of the Conservation Area. Consequently, the proposed development is contrary Policy Des 12 (Alterations and Extensions) and Policy Env 6 (Conservation Area - Development) of the Edinburgh Local Development Plan and the Council's non-statutory "Listed Buildings and Conservation Area Guidance".

Links

Policies and guidance for this application	LDPP, LDES12, LEN06, NSG, NSLBCA,
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Report of handling

Recommendations

1.1 It is recommended that this application be Refused and Enforced subject to the details below.

Background

2.1 Site description

The proposal relates to a detached one and a half storey circa 19th century vernacular cottage located on south side of Drum Street, close to its junction with Newtoft Street.

This application site is located within the Gilmerton Conservation Area.

2.2 Site History

23 March 2020 - Planning permission refused for change external wall finish of street elevation from stone to render (19/06142/FUL).

04 November 2019 - Pending enforcement investigation (19/00873/EOPDEV) for non-compliance with approved drawings (17/03915/FUL) in terms of materials (rendering the front elevation rather than the approved stone).

17 October 2017 - planning permission granted for alterations and extension to existing detached cottage (renewal of lapsed consent 11/00584/FUL) (application number 17/03915/FUL).

21 April 2011 - planning permission granted for the raising of the roof of cottage to form a one and a half storey dwelling (application number 11/00584/FUL).

Main report

3.1 Description Of The Proposal

The application proposes variation of treatment to elevations changing from stone to lime mix wet dash harling.

A similar proposal was refused in March 2020 (ref. 19/06142/FUL) for a change to the front elevation from stone to render. The work has been partially progressed to the pre-rendering stage without the consent.

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 scale, form and design is acceptable; and would preserve or enhance the character and appearance of the conservation area.
- b) There would be no unreasonable loss to neighbour's amenity.
- c) Any comments raised have been addressed.

a) Effect on the Appearance of the Buildings and the Character and Appearance of the Conservation Area

The Gilmerton Conservation Area Character Appraisal states that the essential character of Gilmerton Conservation Area includes a strong representation of buildings in the vernacular tradition displaying domestic scale and attractive proportions. Furthermore, it identifies the essential character as the predominance of traditional materials including stone and slate as providing unifying elements within the townscape.

The property in question is one of the few original buildings within the area and the existing traditional lime pointed random rubble stonework of the ground floor (north elevation) of the building was an intrinsic part of the vernacular character of the building and made a positive contribution to the character and appearance of the Gilmerton Conservation Area.

The drawings docketed to the previous planning permissions (11/00584/FUL and 17/03915/FUL) for the raising in height of the building from single-storey to one and a half storey delineate the front elevation of the raised section of the building as being faced in pointed rubble stonework to match that of the stonework (ground floor) of the front elevation of the original building. The side and rear elevations of the heightened building are delineated on docketed drawings as being rendered.

The raising in height of the building has been carried out. Initially, the additional storey was faced in stone but it did not match the original lime-pointed random rubble stonework of the front elevation as required by the consent. Subsequently, the whole elevation has been covered with a grey coloured mortar which is harmful to the character and appearance of the existing original building and the character and

appearance of the Gilmerton Conservation Area. This work was refused in a previous application (19/06142/FUL) and is unauthorised.

The currently proposed lime mix wet dash harling is not significantly different from that proposed in the last application (ref. 19/06142/FUL) which was already refused for the same reasons and to even implement this to an appropriate conservation standard, the existing and unauthorised mortar render would need to be removed. It is considered that the proposed down-grading of materials is not appropriate especially in a context when the raising of the height of the property was based on the use of high quality materials and the use of appropriate stone to ensure a continuity of character.

The visual incongruity of the unauthorised and incorrect stonework on the front elevation of the raised section of the building does not justify the granting of planning permission for the lime mix wet dash harling of the front elevation of the building which would be unacceptable in planning terms for the above stated reasons.

The lime mix wet dash harling of the building would not be an appropriate replacement for the previously approved stone for the front elevation. Consequently, the proposed development is contrary to Part a) of Policy Des 12 (Alterations and Extensions) and Policy Env 6 (Conservation Area - Development) of the Edinburgh Local Development Plan and the Council's non-statutory "Listed Buildings and Conservation Area Guidance".

b) Neighbouring Amenity

The proposal would not result in an unreasonable loss of neighbouring residential amenity. The proposal complies with the non-statutory guidance with respect to daylight, sunlight and privacy and thus complies with Part c) of Local Plan Policy Des 12.

c) Representations

- No comments received.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposals would be harmful to the appearance of the building and the character and appearance of the conservation area. The proposed development is contrary to Policy Des 12 (Alterations and Extensions) and Policy Env 6 (Conservation Area - Development) of the Edinburgh Local Development Plan and Edinburgh Council's Guidance on Listed Buildings and Conservation Areas.

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

No representations have been received.

Background reading / external references

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

Statutory Development

Plan Provision Edinburgh Local Development Plan

Date registered 22 May 2020

Drawing numbers/Scheme 01-02,
Scheme 1

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

Contact: Weronika Myslowiecka, Planning Officer
E-mail: weronika.myslowiecka@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Consultations

No Consultations received.

END

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 100258710-002

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:	Architects Designworks		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Robert	Building Name:	3/4
Last Name: *	Bloor	Building Number:	
Telephone Number: *		Address 1 (Street): *	Dun-Ard Garden
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH9 2HZ
Email Address: *			

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

Ms

You must enter a Building Name or Number, or both: *

Other Title:

Building Name:

First Name: *

A

Building Number:

22

Last Name: *

Hussain

Address 1
(Street): *

Drum Street

Company/Organisation

Address 2:

Telephone Number: *

Town/City: *

Edinburgh

Extension Number:

Country: *

Scotland

Mobile Number:

Postcode: *

EH17 8QH

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:

22 DRUM STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH17 8QH

Please identify/describe the location of the site or sites

Northing

668613

Easting

329271

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)

Variation of treatment to elevations: change from render and stone to lime mix wet dash harling

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.

See attached supporting 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)

02 Supporting Statement

Application Details

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

20/02107/FUL

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

22/05/2020

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

09/07/2020

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 Robert Bloor

Declaration Date: 02/08/2020

Proposal Details

Proposal Name	100258710
Proposal Description	Variation to elevations resubmission of application 19/06142/FUL
Address	22 DRUM STREET, EDINBURGH, EH17 8QH
Local Authority	City of Edinburgh Council
Application Online Reference	100258710-002

Application Status

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

Attachment Details

Notice of Review	System	A4
LRB Supporting Statement	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0

Local Review Body

Refusal of Planning Consent for 22 Drum Street – 20/02107/FUL

1.0 Proposed Development

Variation of treatment to elevations: change from render and stone to lime mix wet dash harling.

2.0 Reason for Review of Refusal

The original permission 11/00584/FUL was approved with render to the front elevation and not stone as stated in the report of handling to this refused application 20/02107/FUL.

See attached submitted approved front elevation to 11/00584/FUL

3.0 Reasons for challenging the reasons for the Council's decision:

Reason One:

The report of handling to the original permission 11/00584/FUL considered the use of render to the front elevation as being wholly sympathetic to the Gilmerton Conservation Area character appraisal, being of a vernacular tradition of domestic scale using traditional materials.

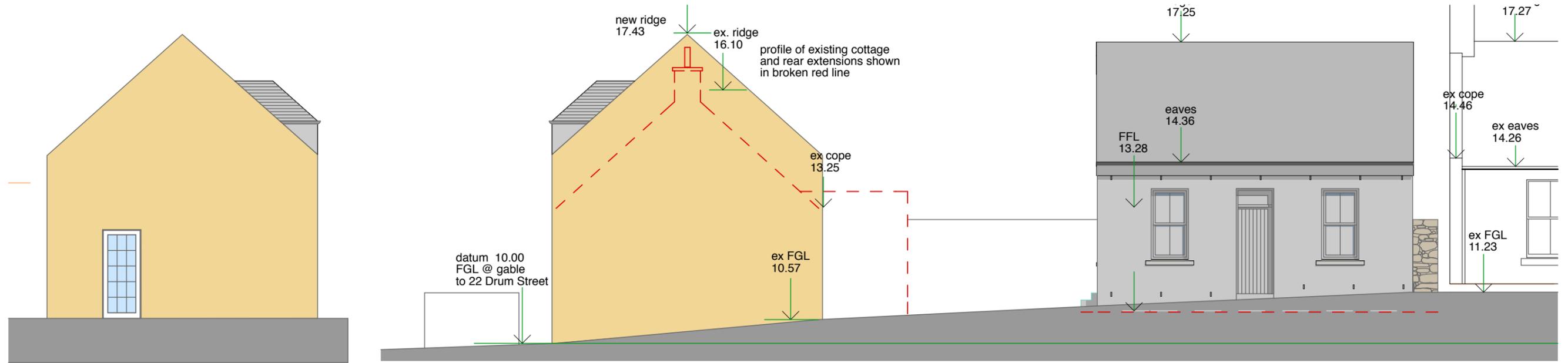
The Report of handling states:

The proposed rendering of the wall is not common in the neighbouring area however it is noted within the conservation area character appraisal that there is a wide mix of external materials in the area including pebbledash, painted render and more traditional stone, so the use of render will not be detrimental to the appearance of the surrounding area.

The proposal is traditional in character and will not have a detrimental impact upon the surrounding area. The character and appearance of the conservation area will be maintained

Conclusion

The use a wet dash render will be in keeping with the character appraisal of the Gilmerton Conservation Area and as such the Local Review Body should allow the appeal.



south east gable

north west gable to private access lane

EXTERNAL FINISHES :

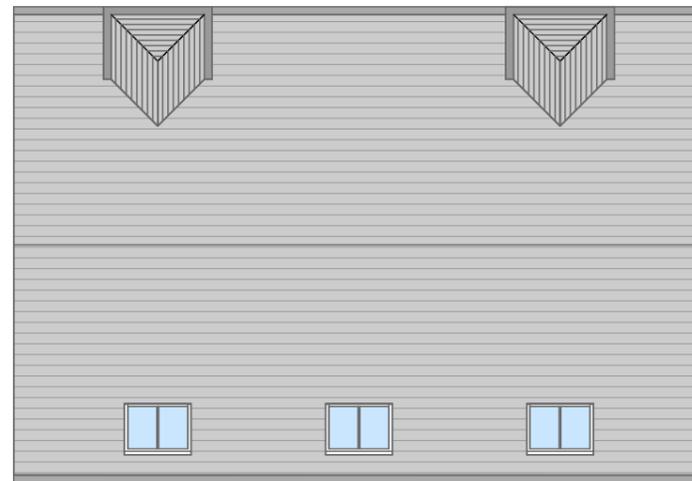
- natural slate roof*
- Velux rooflights*
- rendered walls painted*
- timber windows & doors*
- painted white*



south west



north east to Drum Street



roof plan

**alterations and attic extension
to existing detached cottage
22 DRUM STREET
EDINBURGH, EH17 8QH**

elevations & roof plan

scale 1:100 February 2011 **drg. 04**

WHITELAW ASSOCIATES
WHITFIELD, WEST LINTON, EH46 7AX
telephone 01968 660452