

Arctec Build Ltd.
FAO: Andrew Dodds
4 4
The Maltings
Haddington
EH41 4EF

Mr Kevin Brocklehurst.
16A Skerryvore Loan
Edinburgh
EH10 6TX

Decision date: 9 July 2020

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

Construction of single storey extension to North and West Elevations of existing house.
At 16A Skerryvore Loan Edinburgh EH10 6TX

Application No: 20/01981/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 13 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** 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:-

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

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

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

The proposal is not of an acceptable scale, form or design, would be detrimental to neighbourhood character and the character of the host building. It would not comply with Edinburgh Local Development Plan Policy Des 12 or the non-statutory Guidance for Householders.

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 20/01981/FUL At 16A Skerryvore Loan, Edinburgh, EH10 6TX Construction of single storey extension to North and West Elevations of existing house.

Item	Local Delegated Decision
Application number	20/01981/FUL
Wards	B08 - Colinton/Fairmilehead

Summary

The proposal is not of an acceptable scale, form or design, would be detrimental to neighbourhood character and the character of the host building. It would not comply with Edinburgh Local Development Plan Policy Des 12 or the non-statutory Guidance for Householders.

Links

<u>Policies and guidance for this application</u>	LDPP, LDES12, NSG, NSHOU,
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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

Three storey end terrace property situated to the west side of Skerryvore Loan.

2.2 Site History

6 October 2017 - Application refused for proposed two storey extension to side of property (Application reference - 17/03312/FUL).

16 March 2018 - Application refused for proposed two storey extension to side of property (Application reference - 17/06061/FUL) and decision uphold by LRB.

21 March 2019 - Planning application granted for a single-storey extension to side of property (Application reference - 19/00288/FUL).

Main report

3.1 Description Of The Proposal

The application proposes a single storey 'wrap around' extension to the front elevation which faces an area of public open space to the north and the side of the property.

Similar proposal was already refused on a two different occasions in October 2017 (ref. 17/03312/FUL) and in March 2018 (ref. 17/06061/FUL). The second proposal was presented to the Local Review Body and the decision was to uphold the decision by the Chief Planning Officer to refuse planning permission.

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.

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 proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;
- b) The proposal will cause an unreasonable loss to neighbouring amenity;
- c) Any comments raised have been addressed.

a) Policy Des 12 of the Edinburgh Local Development Plan states that planning permission will be granted for alterations and extensions to existing buildings which in their design and form, choice of materials and positioning are compatible with the character of the existing building and will not be detrimental to neighbourhood amenity and character. In addition, the non-statutory Guidance for Householders advises that the scale of an extension must be in keeping with the overall spatial pattern of the area. Extensions should not overwhelm or dominate the original form or appearance of the property, or detract from the character of the area.

The proposed extension is not compatible and fails to integrate with the existing building, due to its scale, form and design that is too distinct from the original design. It would disrupt the uniformity of the terrace and would be an incongruous addition.

The Guidance for Householders also states that 'extensions that project beyond the principal elevation line are not generally allowed unless this fits in with the local character of the street'. There are no similar extensions within the vicinity. The proposed front elevation development will appear as an unsuitable addition on the end of the terrace and it would disrupt the uniformity of the terrace.

With respect to the design, the detailing of the north elevation, which distinguishes it as the front elevation, will be lost and the north elevation would read as a side elevation. Overall, the scale and design of the extension would detract from the character and appearance of the property and the terrace as a whole.

The development would also result in the complete loss of an existing gap between the front of the property and the adjacent public space to the north. This gap represents a subtle, yet effective transition, between the terrace and open space. The infilling of the side garden at the application site is not in keeping with the spatial pattern of development of the area. Overall, it would not fit in with the local character of the area.

The proposal is of an unacceptable scale, form and design, would not be compatible with the existing building and would not be in keeping with the spatial pattern of the area, contrary to Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders.

b) The proposed development fully complies with the privacy requirements of the non-statutory Guidance for Householders. The proposal will not have an adverse impact on neighbouring amenity in terms of loss of privacy and daylighting.

c) No comments received.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to Edinburgh Local Development Plan Policy Des 12 in respect of Alterations and Extensions and the non-statutory Guidance for Householders. The proposed development is of an inappropriate scale, form and design and is not compatible with the existing building, terrace, or neighbourhood character.

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 13 May 2020

Drawing numbers/Scheme 01-04,
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.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

Appendix 1

Consultations

No consultations undertaken.

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 100255852-002

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:	Arctec Build Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Andrew	Building Name:	
Last Name: *	Dodds	Building Number:	4
Telephone Number: *	07715049752	Address 1 (Street): *	4
Extension Number:		Address 2:	The Maltings
Mobile Number:		Town/City: *	Haddington
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH41 4EF
Email Address: *	andrew.dodds1@btopenworld.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="16A"/>
First Name: *	<input type="text" value="Kevin"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Brocklehurst"/>	Address 1 (Street): *	<input type="text" value="Skerryvore Loan"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH10 6TY"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="andrew.dodds1@btopenworld.com"/>		

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="16A SKERRYVORE LOAN"/>
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="EH10 6TX"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="668507"/>	Easting	<input type="text" value="324843"/>
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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)

Construction of single storey extension to North and West Elevations of existing house

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 document

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)

Supporting statement letter Floor plans and elevations as existing Floor plans and site plan as proposed Elevations as proposed Site location plan

Application Details

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

20/01981/FUL

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

13/05/2020

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

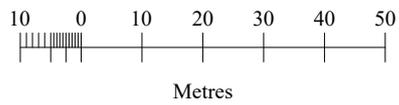
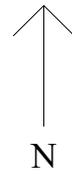
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, 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.

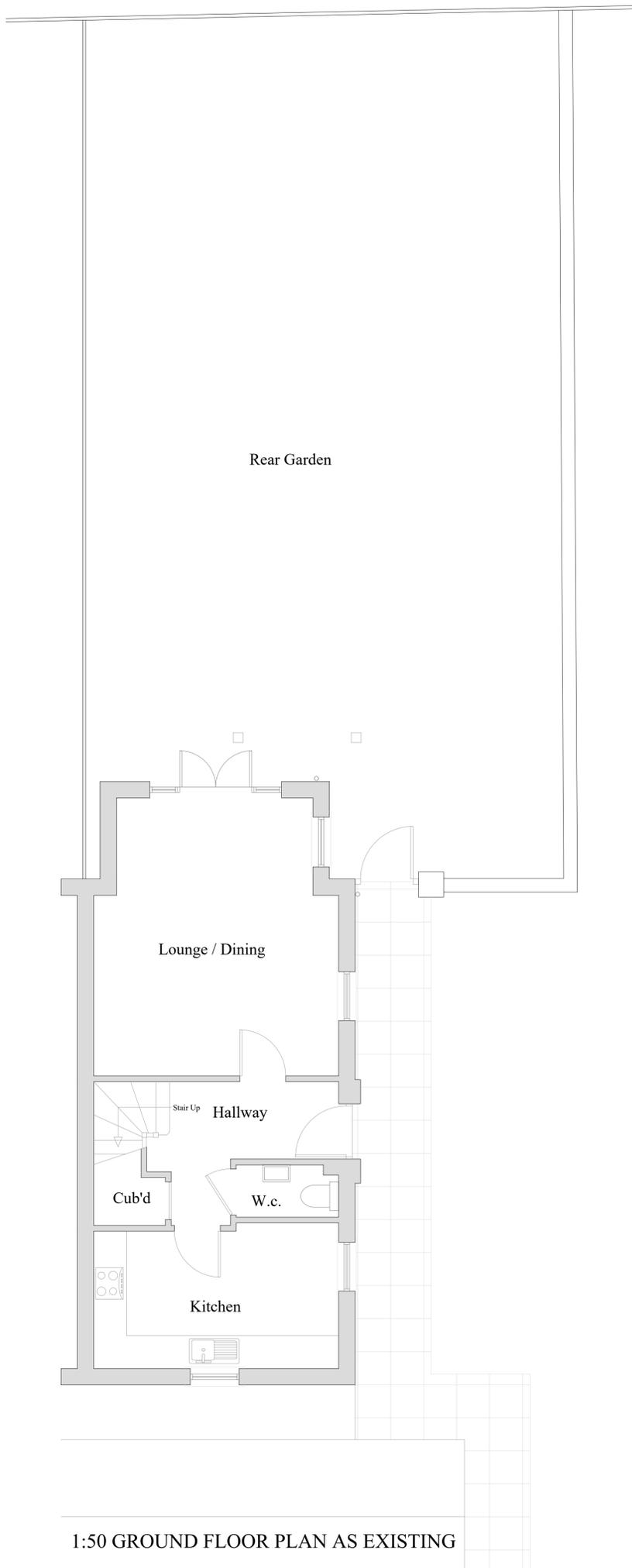
Declaration Name: Mr Andrew Dodds

Declaration Date: 21/09/2020



1:1250 SITE LOCATION PLAN

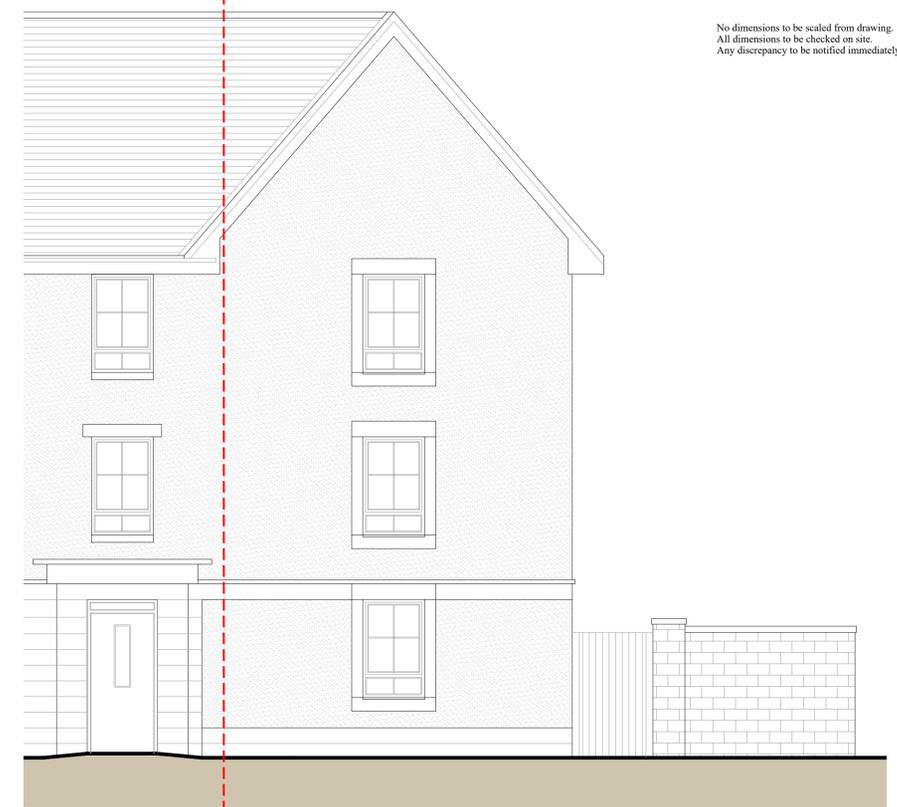
No dimensions to be scaled from drawing.
All dimensions to be checked on site.
Any discrepancy to be notified immediately.



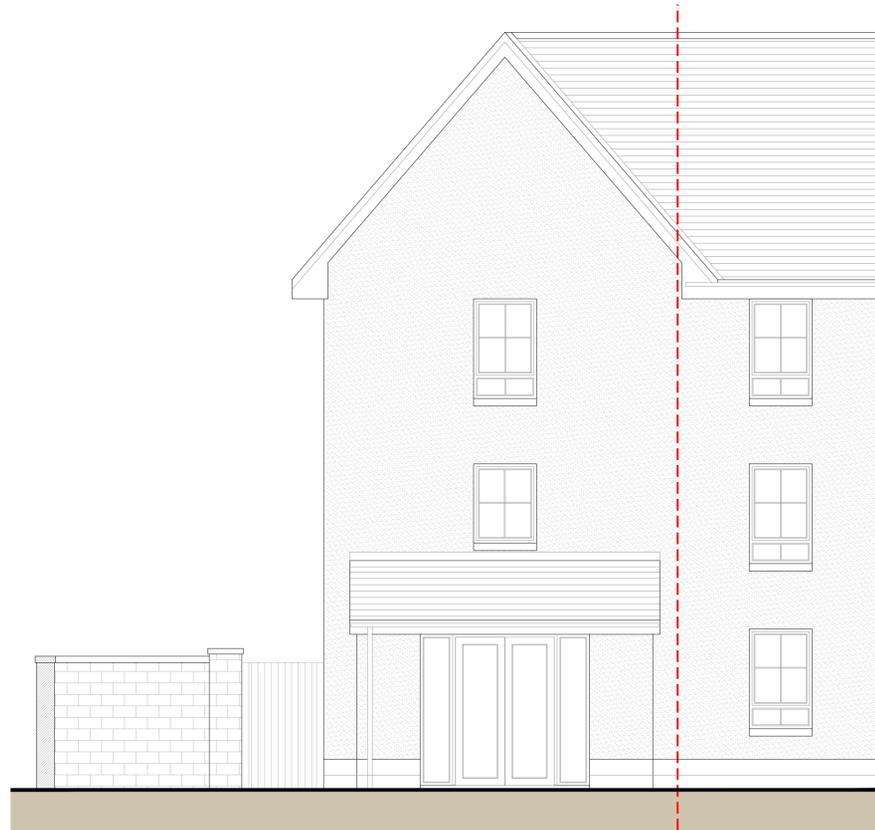
1:50 GROUND FLOOR PLAN AS EXISTING



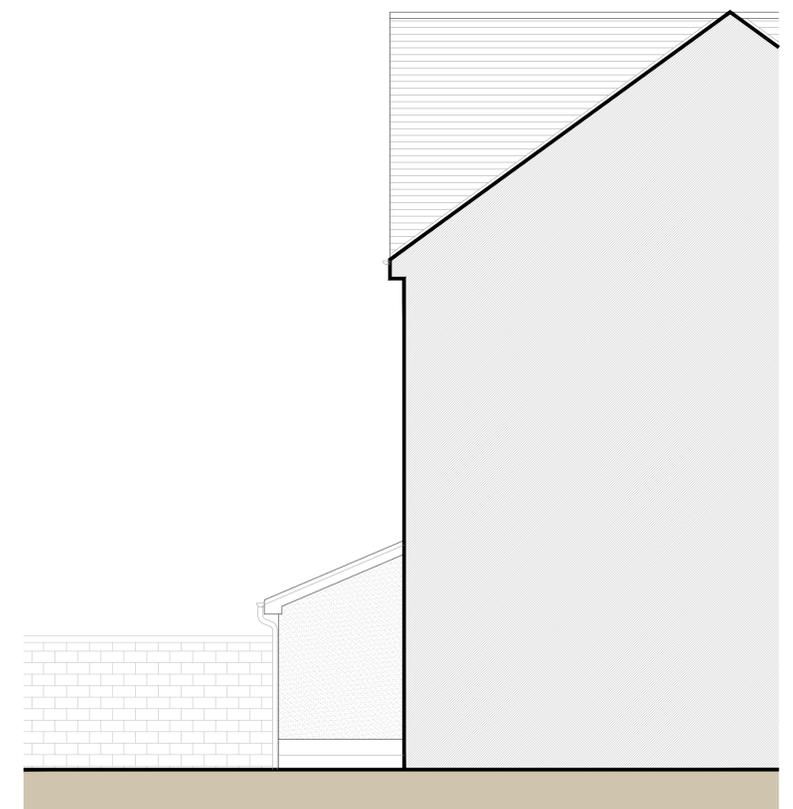
1:50 NORTH ELEVATION AS EXISTING



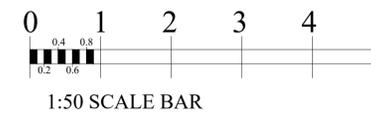
1:50 EAST ELEVATION AS EXISTING



1:50 WEST ELEVATION AS EXISTING

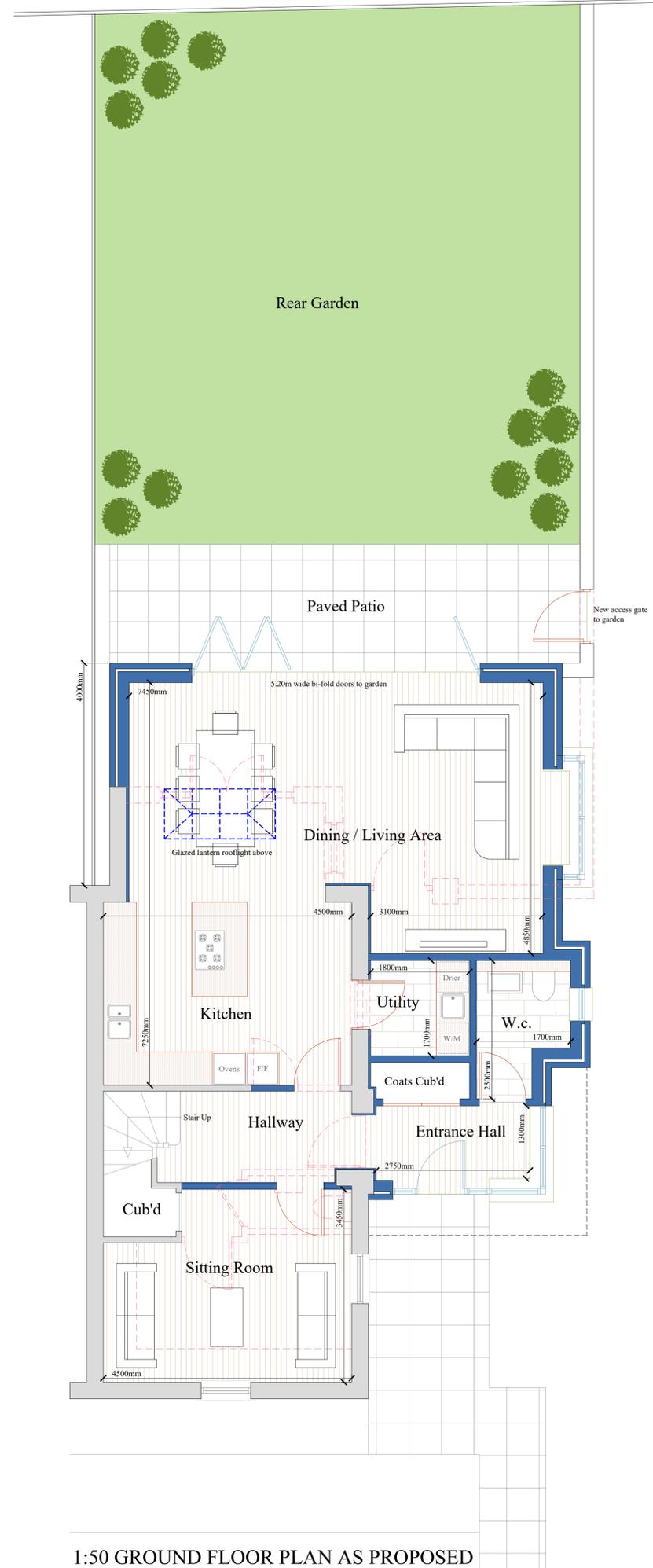


1:50 SOUTH ELEVATION AS EXISTING

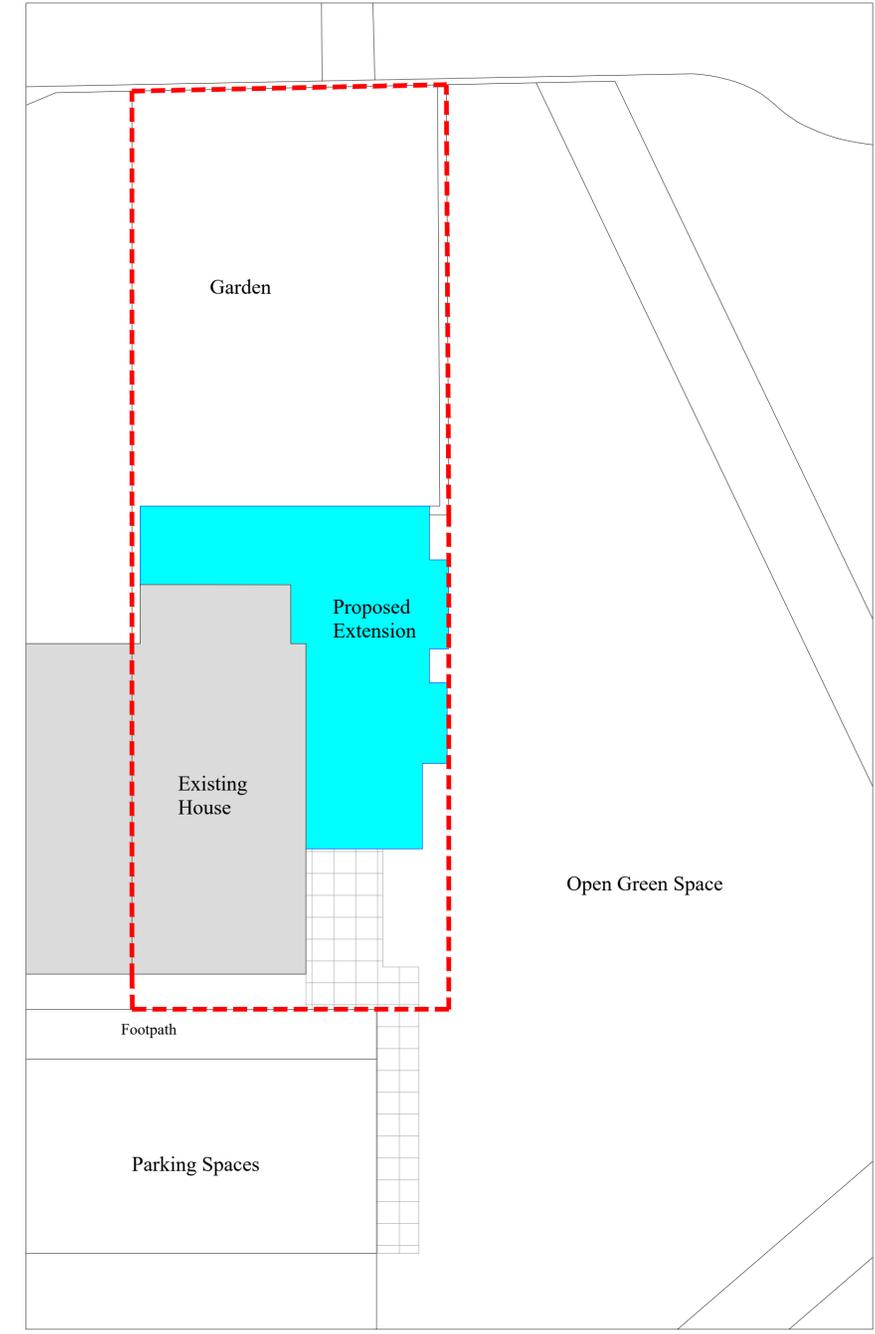
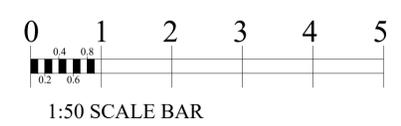


<p>Extension to Dwelling House at 16A Skerryvore Loan, Edinburgh for Mr & Mrs Brocklehurst</p>		<p>ARCTEC BUILD LTD ANDREW DODDS 4 The Maltings Haddington EAST LOTHIAN EH41 4EF Tel - 01620 820960 Mob. 07715 049752 Andrew.dodds1@btopenworld.com</p>
<p>Existing Floor Plan and Elevations</p>		
1:50	22220 - 01	A
April 20		

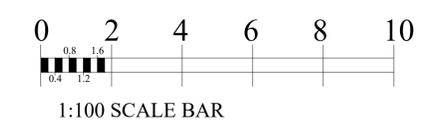
No dimensions to be scaled from drawing.
All dimensions to be checked on site.
Any discrepancy to be notified immediately.



1:50 GROUND FLOOR PLAN AS PROPOSED



1:100 OVERALL BLOCK PLAN AS PROPOSED



Extension to Dwelling House at
16A Skerryvore Loan, Edinburgh
for Mr & Mrs Brocklehurst

Proposed Floor Plan and Overall Block Plan
1:50 1:100
April 20

22220 - 02

**ARCTEC
BUILD LTD**
ANDREW DODDS
4 The Maltings
Haddington
EAST LOTHIAN
EH41 4EF
Tel - 01620 820960
Mob. 07715 049752
Andrew.dodds1@btopenworld.com

No dimensions to be scaled from drawing.
All dimensions to be checked on site.
Any discrepancy to be notified immediately.



1:50 NORTH ELEVATION AS PROPOSED

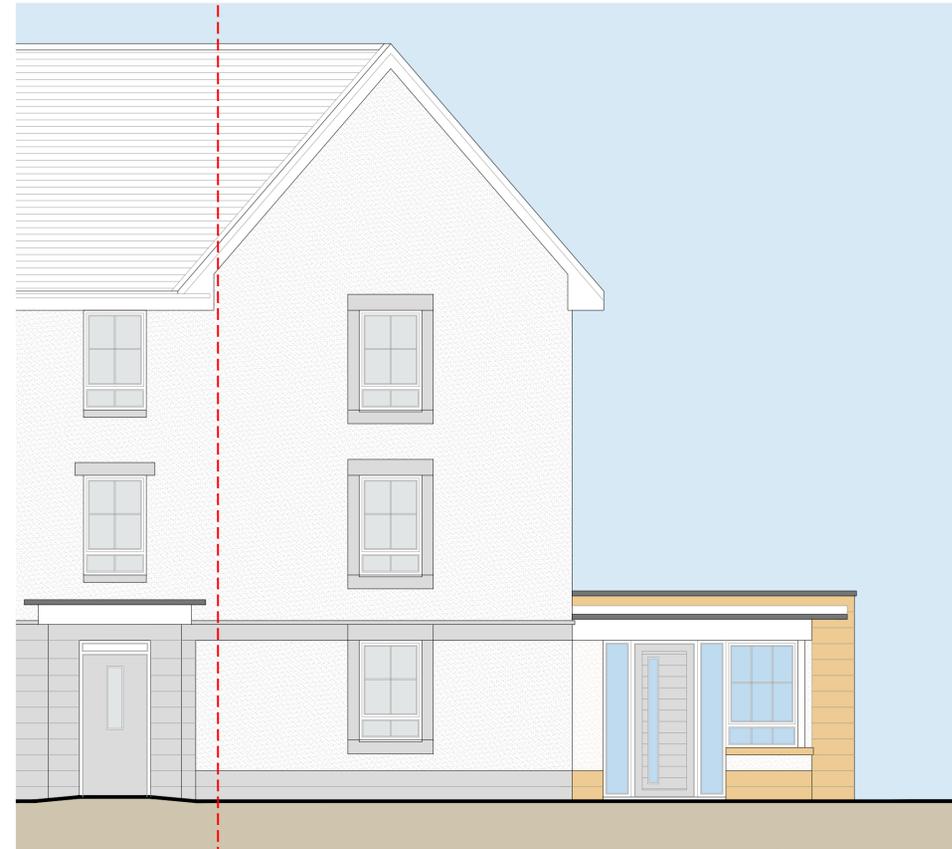
Dark grey aluminium flashings around projecting roof edge, to match style of adjacent houses.

Buff coloured smooth precast facing blocks to external wall feature panels to match existing house

White UPVC framed windows fully around extension to match existing. White UPVC fascia panel formed above door / windows, fully match style of adjacent houses

All external walls where shown to be finished with 18mm dry-dash render to fully match the existing house

Existing garden wall rebuilt and returned to meet the corner of the extension. Wall to incorporate new gate to access garden.



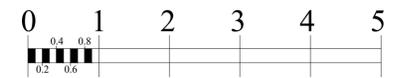
1:50 EAST ELEVATION AS PROPOSED

Dark grey aluminium capping to head of external walls

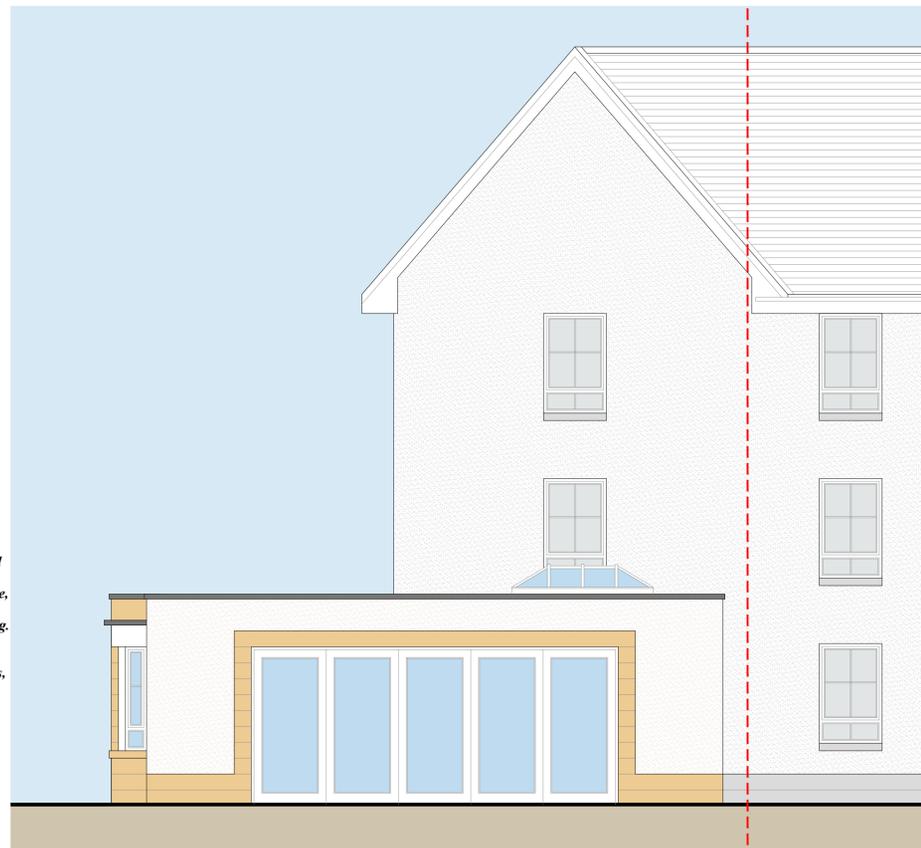
Buff coloured smooth precast facing blocks to external wall feature panels to match existing house

White UPVC framed windows fully around extension to match existing. White UPVC fascia panel formed above door / windows, fully match style of adjacent houses

Dark grey composite external doorset with full height fully glazed side panels



1:50 SCALE BAR



1:50 WEST ELEVATION AS PROPOSED

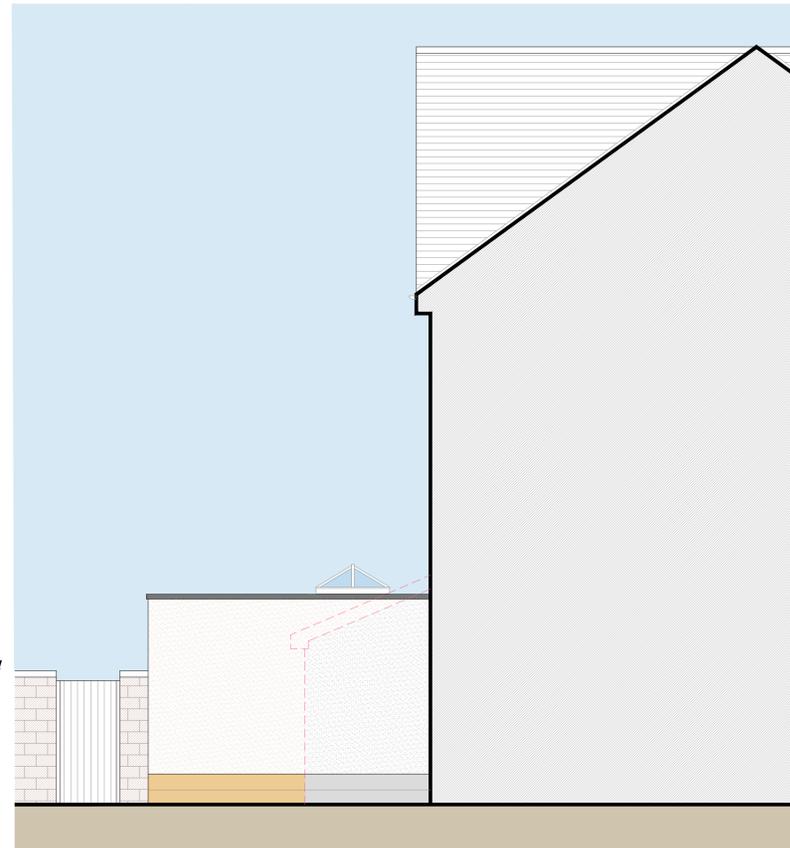
External walls of extension finished with a combination of dry dash render, to fully match existing house, together with buff coloured precast facing blocks, to fully match existing.

West elevation fitted with white aluminium framed concertina doors, providing access to garden. Doorset formed with precast feature band, coloured to match existing window surrounds.

Box-bay window to North Elevation of extension, to fully match style of windows to adjacent houses.

White aluminium framed lantern rooflight installed on new flat roof

Existing mono-pitched roof over rear outshoot to existing house removed as shown dotted. Side wall extended and finished with dry-dash render to match existing



1:50 SOUTH ELEVATION AS PROPOSED

Extension to Dwelling House at
16A Skerryvore Loan, Edinburgh
for Mr & Mrs Brocklehurst

**ARCTEC
BUILD LTD**

ANDREW DODDS
4 The Maltings
Haddington
EAST LOTHIAN
EH41 4EF
Tel - 01620 820960
Mob. 07715 049752
Andrew.dodds1@btopenworld.com

Proposed Elevations	
1:50	22220 - 03
April 20	

Proposal Details

Proposal Name	100255852
Proposal Description	Construction of single storey extension to North and West Elevations of existing house
Address	16A SKERRYVORE LOAN, EDINBURGH, EH10 6TX
Local Authority	City of Edinburgh Council
Application Online Reference	100255852-002

Application Status

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

Attachment Details

Notice of Review	System	A4
22220-01A	Attached	A1
22220-02A	Attached	A1
22220-03A	Attached	A1
001	Attached	A4
Planning Appeal Letter	Attached	Not Applicable
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0

Kevin Brocklehurst
16A Skerryvore Loan
Edinburgh
EH10 6TX

Dear Edinburgh Council

RE: 16A Skerryvore Loan - 20/01981/FUL

We have had our application for an extension to our family home declined by Edinburgh City Council. I am writing this letter with hope to have the decision reviewed.

Our Property is rare in the development in that our front entrance to our home is at the side of the building facing the open large grass area. We have a boundary out of the side entrance area to the grass of approx. 4m then it naturally flows on to communal grass. At the other side of the grass there are two blocks of Flats

Our extension is mainly at the rear but has a small wrap around taking up a small part of this unused land that houses our wheelie bins. A small Part of this land is where we were hoping to extend to make life much more comfortable for our Family of 6, we urgently need more living space as this would help with our children's life and having space to homework etc. The extension at this part does not affect anyone in any way, it doesn't affect any of our neighbour's sun light & we had no objections from any of our neighbours to the application. I have used two separate sets architects; both are confused by the decision.

I also invited my local Councillor Scott Artur to show him the property and he fully understood why we are so disappointed. Scott has been helpful and understanding.

We ultimately need more space as living conditions are getting cramped. Our children are very settled in the local School – Buckstone Primary and we don't want to have to re-locate everyone.

We are going to have to put up wooden sheds in the areas of where the extension would be to house essentials as we don't have enough room in our home. We believe having a nice extension that blends beautifully with the house would be far nicer for everyone than having different wooden sheds that deteriorate with time.

We would really appreciate a review of the decision as we have no understanding of why this small extension affects anyone apart from helping a family have a more comfortable life.

Kind Regards,

Kevin Brocklehurst