

Capital Draughting Consultants Ltd.  
FAO: Keith Henderson  
40 Dinmont Drive  
Edinburgh  
EH16 5RR

Ms C Black  
39 Hutchison Medway  
Edinburgh  
EH14 1QQ

**Decision date: 10 November 2020**

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

Proposed 1 1/2 storey 3 bedroom house.  
At 39 Hutchison Medway Edinburgh EH14 1QQ

**Application No:** 20/03877/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 14 September 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:-**

**Reasons:-**

1. The proposal is contrary to LDP policy Hou 1 as it is not a suitable site in the urban area for a new house.
2. The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the position of the building on this side garden has an unacceptable impact on the spatial character and density of the area.
3. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form, position and spacing of the building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.

4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 as an insufficient amount of garden space will be provided for the amenity of 39 Hutchison Medway, which will unacceptably compromise the living conditions for occupiers of this existing property on the application site.

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

Drawings 01, 02, 03, 04, 05, 06, 07, 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 does not comply with policies Hou 1, Hou 4, Des 4 and Des 5 of the adopted Edinburgh Local Development Plan. The proposed site is not a suitable location for the erection of a dwelling house, the proposal would have a negative impact on the character and appearance of the area and the proposal would unacceptably compromise the amenity of neighbours. There are no material considerations upon which to justify granting planning permission.

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 Lewis McWilliam directly at [lewis.mcwilliam@edinburgh.gov.uk](mailto:lewis.mcwilliam@edinburgh.gov.uk).

*D R Leech*

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

# Report of Handling

## Application for Planning Permission 20/03877/FUL At 39 Hutchison Medway, Edinburgh, EH14 1QQ Proposed 1 1/2 storey 3 bedroom house.

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	20/03877/FUL
<b>Wards</b>	B09 - Fountainbridge/Craiglockhart

### Summary

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The proposal does not comply with policies Hou 1, Hou 4, Des 4 and Des 5 of the adopted Edinburgh Local Development Plan. The proposed site is not a suitable location for the erection of a dwelling house, the proposal would have a negative impact on the character and appearance of the area and the proposal would unacceptably compromise the amenity of neighbours. There are no material considerations upon which to justify granting planning permission.

### Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LDES04, LDES05, LHOU01, LHOU03, LHOU04, LTRA02, LTRA03, NSG, NSGD02,
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# Report of handling

## Recommendations

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

## Background

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### 2.1 Site description

The proposal relates to an area of land on the east side of Hutchison Medway in a residential area.

### 2.2 Site History

The site has the following planning history:

28 October 2020 - Planning permission granted for a rear dormer and rooflights to 39 Hutchison Medway - (Ref:20/03817/FUL)

## Main report

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### 3.1 Description Of The Proposal

The application proposes the following works;

-Proposed 1 1/2 storey 3 bedroom house

### 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 proposal is acceptable in principle;
- b) Scale, form, design and neighbourhood character
- c) The proposal will result in the creation of a satisfactory residential environment;
- d) The proposal will have a detrimental impact on the amenity of neighbouring residents;
- e) The proposal raises any issues in respect of parking provision,
- f) The proposal will have an unacceptable impact on flooding,
- g) Any issues raised by objectors have been addressed

a) Principle of the Proposal

LDP Policy Hou 1 states that housing development will be supported on suitable sites in the urban area provided that proposals are compatible with other policies in the plan.

The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable subject to the proposal being compatible with other policies in the plan. These are assessed below:

b) Scale, form, design and neighbourhood character

LDP policy Des 4 states development will be granted that has a positive impact on its surroundings including the character of the wider townscape having regard to height and form; scale and proportions, including space between buildings; position of buildings and other features on site; materials and detailing.

Where the built environment is of high quality and has a settled townscape character, new development proposals will be expected to have similar characteristics to surrounding buildings and urban grain.

LDP policy Hou 4 states, amongst other criteria, that council will seek an appropriate density of development on each site having regard to its characteristics and those of the surrounding area.

There is a regular pattern to development in the area. Primarily corner ground has not been developed on, and space is retained between properties including driveways and side gardens evident. Any development in these spaces are mainly ancillary structures and extensions, of modest scales. There is an open character to the townscape created as a result of this visible spacing retained between properties.

The proposal site is located at the southern end of the street beside a two-storey 'four in a block' property. The scale, form, design and position of this property is consistent with those along Hutchison Medway and is similar to properties on Hutchison Loan and Gardens in the immediate area. There is a uniform appearance to this side of the street and the immediate context of the side.

The proposed bungalow is of lesser scale, contrasting form and position to the surrounding built environment. There are no bungalows evident in the immediate area. The proposed design, including front dormers and a gable roof are at odds with the established character of property types evident. The proposal is an incongruous addition in this immediate context that fails to respect the uniform character and rhythm of the street.

The location of the building on this side garden and its proximity to the adjacent property is disruptive and harmful to the established spatial character of the area. A dwelling on this side garden is not in keeping with the density of development characteristic of the area. It is not appropriate as it adversely impacts on the open character of the townscape.

The proposal is contrary to LDP policy Des 4 - Development Design - Impact on Setting and LDP policy Hou 4 - Housing Density.

#### c) Amenity of Neighbouring Residents

LDP policy Des 5 also states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring residents is not adversely affected.

The proposal site is an area of land consisting of garden space and unearthened areas where a shed and materials were previously positioned.

The new housing unit and curtilage would occupy this land. As detailed in the supporting statement, the proposal includes the creation of private gardens to the front and rear, separated by 1.8 to 2m fencing from the neighbouring property.

Edinburgh Design Guidance outlines that private garden space of a minimum depth of 9 metres should be provided.

The creation of a front and rear garden for the proposed dwelling would result in an entire loss and availability of garden space for current and future occupiers(s) of no.39. This would unacceptably compromise the amenity and residential environment of these residents. The proposal is therefore contrary to LDP policy Des 5.

On the rear elevation, the ground floor windows face the proposed boundary fence which would screen outlook of neighbour's gardens or windows. At first floor, the window serving the bedroom would be approximately 6.5m from the boundary and afford outlook of the south east section of the neighbour's garden. This garden is presently overlooked by the first floor rear windows of no.39, whilst the orientation of this bedroom window would primarily face the occupiers own garden. No new privacy issues would therefore occur as a result or unacceptable impact on privacy.

On the front elevation, windows would be approximately 14m from the side garden of the facing property on Hutchison Loan. This distance would prevent any significant overlooking of this space or material loss of privacy for these occupiers.

Overshadowing as a result of the development would fall on the applicant's own garden and side gable of the adjacent property. No overshadowing would occur on neighbour's private gardens.

The proposal will not result in a loss of daylight to the windows of all neighbouring properties.

#### d) Creation of a Satisfactory Residential Environment

LDP policy Des 5 also states that planning permission will be granted for developments where it is demonstrated that future occupants will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

LDP policy Hou 3 states that planning permission will be granted for development which makes an adequate provision for greenspace to meet needs of future residents.

The Edinburgh Design Guidance (EDG) outlines that new build three bedroom residential properties should have a minimum floor area of 81 square metres. The property exceeds this minimum standard.

All habitable rooms would achieve acceptable levels of outlook and daylight by virtue of the windows and dormers on the principal elevation and rear elevation.

Privacy would be achieved for future occupiers by the orientation of all rearward windows and boundary fence bordering the rear garden. The front garden would occupy a visible location where privacy is somewhat compromised by the proximity to the street. This arrangement is typical of the surrounding residential environment and would not result in any unacceptable impact on privacy for future occupiers.

The site accommodates approximately 125 sqm of usable greenspace. The private garden mainly achieves a length of 9m in line with EDG and an adequate provision of amenity space is achieved for future occupiers of the proposed property.

The proposal will result in the creation of a satisfactory residential environment for future occupants of the proposal site.

#### e) Parking Provision

LDP policy Tra 2 states that car parking provision should comply with and not exceed the levels set out in Council guidance.

LDP policy Tra 3 states cycle parking and storage provision should comply with the standards set out in Council guidance.

The site is identified within the Edinburgh Design Guidance Parking Standards as being within the Zone 2. The EDG identifies that residential properties within this area should have a maximum car parking provision of 1 space per dwelling. There is no minimum parking provision. The proposal includes provision for one parking space in total and complies with LDP Tra 2.

The EDG standards state that residential properties within Zone 2 should have a minimum cycle parking provision of 2 spaces per 3 bedrooms.

No specific cycle storage is shown in the plans, though this could reasonably be achieved within the curtilage of the existing property. Transport has not raised any objection to this as the proposal includes a private garden.

#### f) Flooding

LDP policy Env 21 states planning permission will not be granted for development that would increase risk of flooding and is compliant with relevant criteria (a -c).

No information has been submitted in regard to flood mitigation measures. These have not been requested by the Planning Authority as the proposal is unacceptable in principle.

#### g) Issues Raised by Objectors

##### **Material Considerations - Objection**

- Proposed house type, layout and coverage of garden space will adversely affect the character and appearance of the surrounding area - addressed in section 3.3 (a).
- Site too small for a house - addressed through sections 3.3 (b) to (d).
- Proposal will have an adverse impact on privacy through overlooking of neighbour's garden and extension - addressed in section 3.3 (c).
- Impact on parking on street - addressed in section 3.3(e).

##### **Non-Material Considerations - Objections**

- Removal of boundary hedge - This matter is not material planning considerations therefore cannot be considered as part of the merits of the planning application.
- Potential disruption from building works, associated machinery and vehicles - These matters are not material planning considerations therefore cannot be considered as part of the merits of the planning application.

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

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The proposal is contrary to LDP policy Hou 1 as it is not a suitable site in the urban area for a new house.
2. The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the position of the building on this side garden has an unacceptable impact on the spatial character and density of the area.
3. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form, position and spacing of the building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.
4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 as an insufficient amount of garden space will be provided for the amenity of 39 Hutchison

Medway, which will unacceptably compromise the living conditions for occupiers of this existing property on the application site.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **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**

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### **6.1 Pre-Application Process**

There is no pre-application process history.

### **6.2 Publicity summary of representations and Community Council comments**

Two representations have been received.

## **Background reading / external references**

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

## **Statutory Development**

**Plan Provision** Edinburgh Local Development Plan - Urban Area

**Date registered** 14 September 2020

**Drawing numbers/Scheme** 01, 02, 03, 04, 05, 06, 07,  
Scheme 1

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

Contact: Lewis McWilliam, Planning Officer  
E-mail:lewis.mcwilliam@edinburgh.gov.uk

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

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

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

### **Relevant Non-Statutory Guidelines**

**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.

# Appendix 1

## Consultations

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Transport:

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Any off-street parking space should comply with the Council's Guidance for Householders dated 2018(see [http://www.edinburgh.gov.uk/info/20069/local\\_plans\\_and\\_guidelines/63/planning\\_guidelines](http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines) including:
  - a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
  - b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth) at a maximum of 3m wide (4.8m including transitions);
  - c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
  - d. Any gate or doors must open inwards onto the property;
  - e. Any hard-standing outside should be porous;
  - f. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>
  - g. Electric vehicle charging infrastructure should be considered for this development;

Note:

- o The proposed level of car parking provision is considered acceptable;
- o No requirement for cycle parking as proposals include a private garden;

Environmental Protection:

Environmental Protection has no objection to this application subject to the attached conditions.

Condition

i) Prior to the commencement of construction works on site:

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

#### Informative

1. To support the City of Edinburgh Council's Carbon Neutral Targets, zero and low carbon technology is recommended as the energy source, rather than a gas boiler which contributes to global warming.
2. It is recommended that an electric vehicle charging point is installed.

#### Assessment

The application site is located within the garden of 39 Hutchison Medway, Edinburgh. It is in a residential area and the site is surrounded on all sides by residential accommodation. The neighbouring accommodation varies between two storey, four in a block flats, or a three storey tenement style buildings with surrounding gardens. Directly to the east, approximately 50m away is the busy thoroughfare, Slateford Road, which runs approximately in a north - south direction. On the other side of the road is a rail line and to the north-east approximately 200m away is located the Slateford Rail Yard.

There are no concerns regarding the suitability of the site for residential accommodation in terms of noise, odour and air quality. However, approximately half the garden appears to have been used over the years as a yard for storage of materials, including a partially dismantled vehicle. Therefore, as there is the possibility of ground contamination, a condition has been recommended.

A Climate Emergency has been declared by the Scottish Government and they have amended the Climate Change Bill to set a 2045 target for net zero emissions. The City of Edinburgh Council has set an even more ambitious target for the city to become carbon neutral by 2030. Therefore, new developments provide a great opportunity to include zero carbon or low carbon technology for the energy source(s). An informative is recommended.

Similarly, an informative has been recommended that an electric vehicle charging point is installed.

Environmental Protection has no objection to this application subject to the attached conditions.

Should you wish to discuss the above please contact me on 0131 469 5357.

END

## NOTES

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

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

# Comments for Planning Application 20/03877/FUL

## Application Summary

Application Number: 20/03877/FUL

Address: 39 Hutchison Medway Edinburgh EH14 1QQ

Proposal: Proposed 1 1/2 storey 3 bedroom house.

Case Officer: Lewis McWilliam

## Customer Details

Name: Miss Sharon Wright

Address: 37 Hutchison Medway, Edinburgh EH14 1QQ

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I have concerns over the above application.

The plans do not show the extension built to rear by 37 Hutchison Medway (lower flat of 39).

In terms of privacy the fully glazed doors on the south-west side of our extension at 37 Hutchison Medway are within nine meters of the boundary. However, a 8ft high hedge also delineates this boundary and at present no privacy concerns arise, the proposal is to remove the 8ft high privacy hedge and erect a much lower 1.8m fence which raises my concerns over privacy as the house would overlook directly into our back garden and the rear facing windows would look into our extension.

As this is a boundary hedge therefore no discussions with us on the removal of this as this would be a joint decision.

The house also takes up more than one third of the garden area of 39 Hutchison Medway thereby maintaining the spatial pattern of the surrounding area is not possible. The proposal will adversely affect the character and appearance of the properties in the surrounding area as the proposed layout is not in keeping with those surrounding properties, there are no other "houses" in the Hutchison area.

An additional application has since been submitted for the above property 20/03817/FUL, adding 2 further bedrooms to the existing dwelling, which previously had a garage and off street parking spaces within the garden area. the applications for both properties raise my concerns over already limited parking within a small residential street.

I have tried to discuss the applications with the applicant Mr Tannahill to come to an agreement between us but he has advised that he has not submitted any applications and can't discuss with me, I therefore object this proposal.

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Case Officer: Lewis McWilliam

## Customer Details

Name: Not Available

Address: Not Available

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Proposal: Proposed 1 1/2 storey 3 bedroom house.

Case Officer: Lewis McWilliam

## Customer Details

Name: Miss A. Boccato

Address: 20 Hutchison Medway Edinburgh

## Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I think the site is too small for a house, our street is already busy enough, too many cars. The new house would take away green space and the building of the house itself, plus the restoration of the existing flat would bring only chaos in this already narrow and quiet street, with trucks, machinery, and cranes. The street will be closed at some point and so the path to go in slateford td.

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Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: [planning.support@edinburgh.gov.uk](mailto: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 100303643-001

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 1 1/2 storey 3 Bedroom House

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:	Capital Draughting Consultants Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Keith	Building Name:	
Last Name: *	Henderson	Building Number:	40
Telephone Number: *		Address 1 (Street): *	Dinmont Drive
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH16 5RR
Email Address: *			

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr		You must enter a Building Name or Number, or both: *
Other Title:		Building Name:	
First Name: *	John	Building Number:	39
Last Name: *	Tannahill	Address 1 (Street): *	Hutchison Medway
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH16 5RR
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:

39 HUTCHISON MEDWAY

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH14 1QQ

Please identify/describe the location of the site or sites

Northing

671250

Easting

322431

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

224.00

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)

Domestic Side Garden to No 39 Hutchison

## 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)

Yes their is area marked for waste and garden recycling bins

## 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? \*

1

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

## Certificate Required

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

Certificate A

# Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) 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.

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

Signed: Keith Henderson

On behalf of: Mr John Tannahill

Date: 11/09/2020

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. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A |

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

Supporting Statement

## 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 Keith Henderson

Declaration Date: 11/09/2020

## Payment Details

C  
F

Created: 11/09/2020 13:44

To: Lewis McWilliam, Planning: Householders & Enforcement: West Team  
From: Barry Inglis, Environmental Protection

Date: 28/10/2020

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
20/03877/FUL | Proposed 1 1/2 storey 3 bedroom house, 39 Hutchison Medway  
Edinburgh.

**Environmental Protection has no objection to this application subject to the attached conditions.**

#### Condition

i) Prior to the commencement of construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

#### Informative

1. To support the City of Edinburgh Council's Carbon Neutral Targets, zero and low carbon technology is recommended as the energy source, rather than a gas boiler which contributes to global warming.
2. It is recommended that an electric vehicle charging point is installed.

#### Assessment

The application site is located within the garden of 39 Hutchison Medway, Edinburgh. It is in a residential area and the site is surrounded on all sides by residential accommodation. The neighbouring accommodation varies between two storey, four in a block flats, or a three storey tenement style buildings with surrounding gardens. Directly to the east, approximately 50m away is the busy thoroughfare, Slateford Road, which runs approximately in a north – south direction. On the other side of the road is a rail line and to the north-east approximately 200m away is located the Slateford Rail Yard.

There are no concerns regarding the suitability of the site for residential accommodation in terms of noise, odour and air quality. However, approximately half the garden appears to have been used over the years as a yard for storage of materials, including a partially dismantled vehicle. Therefore, as there is the possibility of ground contamination, a condition has been recommended.

A Climate Emergency has been declared by the Scottish Government and they have amended the Climate Change Bill to set a 2045 target for net zero emissions. The City of Edinburgh Council has set an even more ambitious target for the city to become carbon neutral by 2030. Therefore, new developments provide a great opportunity to include zero carbon or low carbon technology for the energy source(s). An informative is recommended.

Similarly, an informative has been recommended that an electric vehicle charging point is installed.

Environmental Protection has no objection to this application subject to the attached conditions.

Should you wish to discuss the above please contact me on 0131 469 5357.

Dear Mr Graham,

**THE CITY OF EDINBURGH PLANNING LOCAL REVIEW BODY  
REQUEST FOR REVIEW – 62 FORD’S ROAD, EDINBURGH  
APPLICATION NO 17/02500/FUL**

I refer to your request for a review of the refusal of planning permission for the proposed erection of a 2 storey dwelling within private grounds at 62 Ford’s Road, Edinburgh which was dealt with by the Chief Planning Officer under delegated powers.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 4 October 2017.

**Decision**

To not uphold the decision by the Chief Planning Officer and to grant planning permission for the proposed erection of a 2 storey dwelling within private grounds at 62 Ford’s Road, Edinburgh subject to the following informatives:

**Informatives**

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a ‘Notice of Initiation of Development’ has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a Notice of Completion of Development must be given in writing to the Council.

**Assessment**

The LRB had been provided with copies of the notice of review submitted by you including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Chief Planning Officer.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plan used to determine the application was numbered 01-05, scheme 1. Full details of the application can be found under application number 17/02500/FUL on the Council’s Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

**Committee Services, Strategy and Insight, Chief Executive**

Waverley Court, Business Centre 2.1, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 200 2000

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan:
  - Des 1 (Design Quality and Context)
  - Des 4 (Development Design – Impact on Setting)
  - Des 5 (Development Design – Amenity)
  - Hou 1 (Housing Development)
- 2) Non-Statutory Guidelines on ‘Edinburgh Design Guidance’.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

### **Conclusion**

The LRB, having taken all the above matters into consideration did not agree with the assessment in the case officer’s report, and was of the opinion that the proposed house design fitted in with other buildings in the area and was not detrimental to the spatial pattern of the area. It acknowledged that this was an unusual site at the end of the block and its impact would be limited. In addition, the LRB was not convinced that there would be sufficient negative impacts on neighbouring daylighting and sunlighting to justify refusal of the application. There were no material planning reasons for coming to a different conclusion. It therefore did not uphold the decision of the Chief Planning Officer and granted planning permission.

### **Contact**

Please contact me on 0131 529 4107 or email [rachel.gentleman@edinburgh.gov.uk](mailto:rachel.gentleman@edinburgh.gov.uk) if you have any queries about this letter.

Yours sincerely

Rachel Gentleman  
for Clerk to the Review Body

### **Notes:**

- 1 If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within six weeks of the date of the decision.

- 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 the 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 in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

## Proposal Details

Proposal Name	100335849
Proposal Description	PROPOSED 1 ½ STOREY 3-BEDROOM HOUSE
Address	39 HUTCHISON MEDWAY, EDINBURGH, EH14 1QQ
Local Authority	City of Edinburgh Council
Application Online Reference	100335849-001

## Application Status

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

## Attachment Details

Notice of Review	System	A4
Document 01 - Decision Notice 20_03877_FUL-DECISION_NOTICE-4762461	Attached	A4
Document 02 - Report of Handling 20_03877_FUL-HANDLING_REPORT-4762460	Attached	A4
Document 03 - 20_03877_FUL-SUPPORTING_STATEMENT-4695616	Attached	A4
Document 04 - 20_03877_FUL-ENVIRONMENTAL_PROTECTION-4748976	Attached	A4
Document 05 - 20_03877_FUL-TRANSPORT-4721749	Attached	A4
Document 06 Street View Images for Context	Attached	A4
Document 07 Appeal Decision Fords Road - 17_02500_FUL-LRB_DECISION_NOTICE-3751563	Attached	A4
Document 08 - 3 Eltringham Grove - 19_03249_FUL-DECISION_NOTICE-4683517	Attached	A4
Document 09 - Allan Park Crescent Case - 20_02743_FUL-DM_SUB_COMMITTEE_25_11_2020-4774428	Attached	A4
20_03877_FUL-APPLICATION_PDF-4696470	Attached	A4
20_03877_FUL-07-PROPOSED_ELEVATIONS-4695614	Attached	A1
20_03877_FUL-06-PROPOSED_FIRST_FLOOR_PLAN-4695612	Attached	A1
20_03877_FUL-05-PROPOSED_GROUND_FLOOR_PLAN-4695611	Attached	A1

20_03877_FUL-04-PROPOSED_SITE_PLAN-4695610	Attached	A1
20_03877_FUL-03-PROPOSED_ELEVATIONS-4695613	Attached	A1
20_03877_FUL-02-EX_SITE_PLAN-4695609	Attached	A1
Local Review Body request appeal Cover Letter 301120	Attached	A4
Grounds for Review Statement With Appendix 1_to_9 included 301120	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

Sorrell Associates  
FAO: Jim Sorrell  
The Green House  
41 St Bernard's Crescent  
Edinburgh  
EH4 1NR

**Date:** 25 August 2020

**Our Ref:** LRB7.4/SS

Dear Mr Sorrell,

**THE CITY OF EDINBURGH PLANNING LOCAL REVIEW BODY  
REQUEST FOR REVIEW – APPLICATION NO 19/03249/FUL  
REQUEST FOR REVIEW –3 ELTRINGHAM GROVE, EDINBURGH  
TOWN AND PLANNING (SCOTLAND) ACT 1997 AS AMENDED BY THE PLANNING  
ETC (SCOTLAND) ACT 2006**

I refer to your request for a review submitted on behalf of Ms Chelsie Black for refusal of planning permission for demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking at 3 Eltringham Grove, Edinburgh, which was dealt with by the Chief Planning Officer under delegated powers.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 19 August 2020.

**Decision**

To not uphold the decision by the Chief Planning Officer and to grant planning permission subject to:

**The following condition and informatives:**

**Condition**

Notwithstanding the submitted site layout details, a further site layout plan reducing the car parking to one space per dwelling shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

**Reason:**

In order to ensure that the level of off-street parking complies with policy.

**Informatives**

- (a) The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
- (b) No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date

on which the development is to commence. Failure to do so constitutes a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.

- (c) As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a Notice of Completion of Development must be given in writing to the Council.
- (d) Prior to the commencement of works on site the applicant must agree a recycling and waste management strategy with the Waste Management team - [waste@edinburgh.gov.uk](mailto:waste@edinburgh.gov.uk)

## Assessment

At the meeting on 19 August 2020, the LRB had been provided with copies of the notice of review submitted by you including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were numbered 01 - 14, being the drawings shown under the application reference number 19/03249/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.
  - Edinburgh Local Development Plan Policy Des 1 (Design Quality and Context)
  - Edinburgh Local Development Plan Policy Des 5 (Development Design – Amenity)
  - Edinburgh Local Development Plan Policy Hou 3 (Private Green Space in Housing Development)
  - Edinburgh Local Development Plan Policy Hou 4 (Housing Density)
  - Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)
  - Edinburgh Local Development Plan Policy Tra 3 (Private Cycle Parking)
  - Edinburgh Local Development Plan Policy Env 21 (Flood Protection)
  - Edinburgh Local Development Plan Policy Policy Hou 1 (Housing Development)
- 2) Relevant Non-Statutory Guidelines.
  - 'Edinburgh Design Guidance'

- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

## **Conclusion**

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Considering the reasons for refusal, the applicant had agreed to reduce parking to one space per dwelling.
- That in the immediate and surrounding area, there had been significant new development already, therefore the proposed development would be in keeping with the character of the area and was not contrary to Policy Des 1 (Design Quality and Context).
- The proposed development was unlike the other dwellings in the area and would impact on green space. According to development policies, there were no reasons to overturn the officer's recommendations. Additionally, there would be issues with bin collection.
- Green space was not an issue. The surrounding area had changed already with a large development on the south side. Therefore, the policies which has been previously applied were no longer applicable. The application should be approved, subject to the reduction in parking to one space per house.
- Whether this was contrary to Policy Des 1 as this was area where there had been significant change. It was difficult to apply this to what was not a uniform area.
- Whether this was contrary to Policy Hou 4 (Housing Density). The density in this area was difficult to establish given the existing level of redevelopment.
- That it would be necessary to condition waste management strategy, if the officer's recommendations were overturned.
- This was a mixed site with a number of different types of houses in this area and the proposed development would be a good use of the site.

Having taken all the above matters into consideration, the LRB determined that the proposal was not contrary to the following LDP policies:

1. Des 1 and the Edinburgh Design Guidance as it would not have an adverse impact on the character and appearance of the surrounding area.
2. Hou 4 as the density of development on the site would not damage the character of the surrounding area.

3. Hou 1 as the principle of housing on this site was already established and the proposals are compatible with the relevant policies of the LDP.

It therefore overturned the decision of the Chief Planning Officer and granted planning permission.

### **Contact**

Please contact Blair Ritchie on 0131 529 4085 or e-mail [blair.ritchie@edinburgh.gov.uk](mailto:blair.ritchie@edinburgh.gov.uk) if you have any queries about this letter.

Yours sincerely

Blair Ritchie

for the Clerk to the Review Body

### **Notes:**

- 1 If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within six weeks of the date of the decision.
- 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 the 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 in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# MEMORANDUM

PLACE

To: Lewis McWilliam

Our Ref: T/TP/DC/42534/CB

Your Ref: 20/03877/FUL

Date: 2<sup>nd</sup> October 2020

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
PLANNING APPLICATION No: 20/03877/FUL  
FOR: PROPOSED 1 1/2 STOREY 3 BEDROOM HOUSE.  
AT: 39 HUTCHISON MEDWAY, EDINBURGH, EH14 1QQ**

## ROADS AUTHORITY ISSUES

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Any off-street parking space should comply with the Council's Guidance for Householders dated 2018(see [http://www.edinburgh.gov.uk/info/20069/local\\_plans\\_and\\_guidelines/63/planning\\_guidelines](http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines) including:
  - a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
  - b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth) at a maximum of 3m wide (4.8m including transitions);
  - c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
  - d. Any gate or doors must open inwards onto the property;
  - e. Any hard-standing outside should be porous;
  - f. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>
  - g. Electric vehicle charging infrastructure should be considered for this development;

Note:

- The proposed level of car parking provision is considered acceptable;
- No requirement for cycle parking as proposals include a private garden;

**Cameron Baillie**

**Tel: 2-3562**

# Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/02743/FUL  
at Land 16 Metres North East Of, 2 Allan Park Crescent,  
Edinburgh.  
New 3 bedroom dwelling house (as amended).**

**Item number**

**Report number**

**Wards**

B09 - Fountainbridge/Craiglockhart

## Summary

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The proposal replaces a set of garages which do not contribute positively to the area. The proposal is acceptable in its scale, form and design and will not have a detrimental impact on neighbouring amenity. The proposal complies with relevant policies in the Local Development Plan. The proposal infringes guidance in relation to its position on the site, garden depth and the design of dormer windows. However, these infringements will not result in adverse harm and are acceptable. There are no material considerations that would outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LDES01, LDES04, LDES05, LHOU01, LHOU03, LHOU04, LEN21, LTRA02, LTRA03, NSG, NSGD02,

# Report

## **Application for Planning Permission 20/02743/FUL at Land 16 Metres North East Of, 2 Allan Park Crescent, Edinburgh. New 3 bedroom dwelling house (as amended).**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The application site is a group of four garages located on the east side of Allan Park Crescent.

The surrounding area is residential in character, largely consisting of bungalows.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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#### **3.1 Description of the Proposal**

The proposal is for the demolition of the existing garages which are to be replaced by a one and a half storey, three bedroom residential unit with an internal floor area of approximately 104 square metres. The proposal includes a rear curtilage with a depth of five metres and an area of approximately 60.4 square metres.

External walls are to be finished in wet dash. The proposal includes two velux windows to the north elevation and one velux window to the south.

#### Previous Scheme

The scheme has been amended to reduce the length of the building by approximately 1.1 metres and moving the proposed dwelling approximately 300mm north-west. A proposed driveway has been removed from the scheme. The revised scheme introduces a hipped roof to the principal elevation and a new slate-cheeked dormer window, with a slate roof.

### 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, the Committee needs to consider whether:

- a) the principle of a new house in this location is acceptable;
- b) the proposal is acceptable in its scale, form and design;
- c) a satisfactory residential environment can be achieved for the amenity of future occupiers;
- d) the proposal will impact on neighbouring amenity;
- e) any other planning matter have been addressed and
- f) any matters raised in representations have been addressed.

#### a) Principle

Policy Hou1 (Housing Development) of the adopted Edinburgh Local Development Plan (LDP) states that priority will be given to the delivery of the housing land supply and relevant infrastructure on suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable as long as the proposals are compatible with other policies in the plan.

#### b) Scale, Form and Design

Policy Des 4 (Development Design - Impact on Setting) states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- i) height and form
- ii) scale and proportions, including the spaces between buildings
- iii) position of buildings and other features on the site
- iv) materials and detailing

The site is part of an established residential area, defined by a strong rhythm of long plots with houses fronting onto the street with generous private rear gardens. There is a clear articulation of private and public spaces. This is a settled townscape with a strong urban grain. The area is defined by mid 50's bungalows with hipped roofs which follow a well-defined building line. A notable exception to this is the bend on which the application site sits. Here, No. 2 Allan Park Crescent is set at an angle to the road which breaches the building line. This, when combined with the curve of the road and distance between properties, makes the building line less clear. No. 2 is also the only property in the immediate area with a gabled roof. Several properties have garages and although there is some variation in the overall finishing of properties, there is a consistency in elevations finished in roughcast/render with decorative stonework around windows and edges being the defining style. Most properties in the area were constructed in the mid-50s whilst the garages which occupy the application site, as well as property numbers 6, 8 and 10, were added in the early 60s.

The existing garages located on site do not contribute positively to the existing streetscape. The proposed 1.5 storey dwelling with slate roof and dormer window is of a scale and design generally in line with other properties on the street. The roof will be hipped at the principal elevation with a dormer window. To the rear, the roof will be gabled. The gable wall will not be noticeable from the street and overall, the new building will look similar to others on the street. The proposed dormer window would take up more than one third of the roof plane; however, this is characteristic of the area. The design of the dormer ensures that the window will be set below the roof ridge and will maintain a visible expanse on all sides of the roof. An infringement of guidance in these circumstances is acceptable.

The proposed dwelling will be positioned closer to the pavement than other properties in the area. However, given the location of the development site on a curve, the building line in this part of the area is not as strong as elsewhere. The neighbouring property to the south already breaches the building line and the distance between the application site and the neighbouring property to the north ensures that the position of the new house will not be disruptive to the rhythm of the street.

Overall, the design, scale, positioning, height and detailing are appropriate for the area. The proposal complies with Local Development Plan policy Hou 4.

### c) Residential Environment

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that future occupiers of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

LDP Policy Hou 3 (Private Green Space in Housing Development) requires developments to provide adequate provision for green space to meet the needs of future residents.

*Edinburgh Design Guidance* sets out minimum internal floor space standards for residential development.

In this instance, the proposed 1.5 storey, three bedroom house has an internal floorspace well in excess of the minimum 91 square metres recommended in guidance.

The arrangement of the proposed living spaces and windows will ensure that future occupiers will have sufficient levels of daylight.

To ensure amenity space is sufficient for the use and enjoyment by occupiers and to ensure that there is scope for dwellings to be developed over time to suit the changing needs of occupiers, Edinburgh Design Guidance recommends a minimum depth of 9 metres for residential gardens. The area surrounding the application site is relatively low density with detached and semi-detached properties located on large plots with generous rear gardens. Garden depths in the area typically reach around 11 metres. Property no. 6, which neighbours the site to the north has a smaller rear garden in comparison to other properties, with an area of 49 square metres and a depth of 5.7 metres, though this is supplemented by space to the side and front of the house. No. 8 also has a garden with a limited depth of 6.5 metres. In this case the space to the rear garden of the application site would reach a depth of approximately 5 metres and cover a total area of approximately 60 square metres. The result would be usable garden space in line with the immediate neighbouring properties. In these circumstances an infringement of guidance is considered acceptable.

The proposal complies with Local Development Plan policy Hou 3 and Des 5 and would result in a satisfactory residential environment for future occupiers.

#### d) Neighbouring Amenity

Policy Des 5 (Development Design - Amenity) states permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected.

The proposed development complies with the 45-degree daylight criterion outlined in guidance. Some objectors have raised concern that the new position of the proposed building will result in a loss of daylight to neighbouring properties. Guidance on the protection of daylight to existing buildings outlined in Edinburgh Design Guidance states that daylight to gables and side windows is generally not protected. In this instance the neighbours to the north have no windows on the south elevation which would be affected and the windows of the neighbouring property to the south (no. 2 Allan Park Crescent) are angled away from the proposed new dwelling. The proposal complies with guidance in this regard.

Given the height of the proposal and the orientation of neighbouring properties in relation to the site, the proposal would not result in overshadowing to the garden spaces of the neighbours at no. 2 Allan Park Crescent or at no. 17 Allan Park Road. The proposal will result in approximately 15.05 square metres of overshadowing to the garden space of no. 6 Allan Park Crescent. However, it is acknowledged that the existing garages on the application site already overshadow this affected space to a degree. The increase in overshadowing would be relatively small and given the size of the garden space to the side of the property (approximately 138 square metres) this represents an acceptable minor infringement of policy which would not form grounds for refusal of this application.

In terms of privacy, a 1.8 metre fence to the north and east boundaries ensure that the new ground floor windows will not have a direct view into neighbouring windows or neighbouring gardens. The sill of velux windows on the north and south elevations of the proposal will be set 1.7 metres from ground level. Drawing 07A shows that these windows will not offer direct views to neighbouring properties. The proposal also includes a window to the rear at attic level, looking east toward no.17 Allan Park Road. However, this window will serve a stairwell and not a room. As the window will serve circulation space rather than a habitable room, it will not breach the privacy of the neighbours to the east of the site.

The proposal will not result in a loss of neighbouring amenity and is acceptable in this regard. The proposal complies with LDP policy Des 5.

#### e) Other Planning Matters

##### Road Safety and Parking

The proposal does not include provision for off-street parking. However, the application site is not located within a controlled parking zone, with vehicles able to park on the street. No cycle parking is indicated in the submitted plans. However, bikes could reasonably be stored in the rear garden or within the house itself.

The proposal complies with Tra 2 and a minor infringement of Tra 3 is acceptable in these circumstances.

##### Flooding

LDP Policy Env 21 (Flood Protection) states that planning permission will not be granted for development that would increase flood risk or be at risk of flooding itself.

The Planning Committee on 30 March 2017 approved the implementation of a certificate procedure in relation to assessing potential flood impacts as a result of new development proposals during the application process.

Accordingly, a Surface Water Management plan is required to assess the impact of the proposal on surface water on the site. This has not been provided. Before development on site can begin, this must be provided to the Planning Authority. This has been made a condition of this consent.

#### f) Public Comments

##### **Material Considerations**

- Removal of proposed driveway from the scheme is unacceptable/negative impact of the proposal on parking and road safety; this is addressed in section 3.3(e).
- Proposal built forward of established building line; this is addressed in section 3.3(b).
- Proposal will result in a loss of daylight to neighbouring properties; this is addressed in section 3.3(d).

## Conclusion

The proposal replaces a set of garages which do not contribute positively to the area. The proposal is acceptable in its scale, form and design and will not have a detrimental impact on neighbouring amenity. The proposal complies with relevant policies in the Local Development Plan. The proposal infringes guidance in relation to its position on the site, garden depth and the design of dormer windows. However, these infringements will not result in adverse harm and are acceptable.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions: -**

1. Prior to the commencement of development, a Surface Water Management Plan shall be submitted for the further approval of the Planning Authority and thereafter implemented prior to the occupation of the development.

#### **Reasons: -**

1. To ensure the proposal does not increase flood risk and surface water is managed correctly.

#### **Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

The original application was advertised on 9 July 2020. The application received six comments, five in support and one taking a neutral stance.

The revised scheme was subsequently amended and advertised on 8 September 2020. The revised scheme received eight objection comments.

These representations are summarised and addressed in the Assessment section of the main report.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development****Plan Provision**

Edinburgh Local Development Plan

**Date registered**

7 July 2020

**Drawing numbers/Scheme**

01A, 02A, 03C, 04A, 05C, 06A, 07A, 08,

Scheme 4

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Christopher Sillick, Planning Officer

E-mail: christopher.sillick@edinburgh.gov.uk

**Links - Policies**

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**Relevant Policies:****Relevant policies of the Local Development Plan.**

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

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

### **Relevant Non-Statutory Guidelines**

**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.

# Appendix 1

**Application for Planning Permission 20/02743/FUL  
at Land 16 Metres North East Of, 2 Allan Park Crescent,  
Edinburgh.  
New 3 bedroom dwelling house (as amended).**

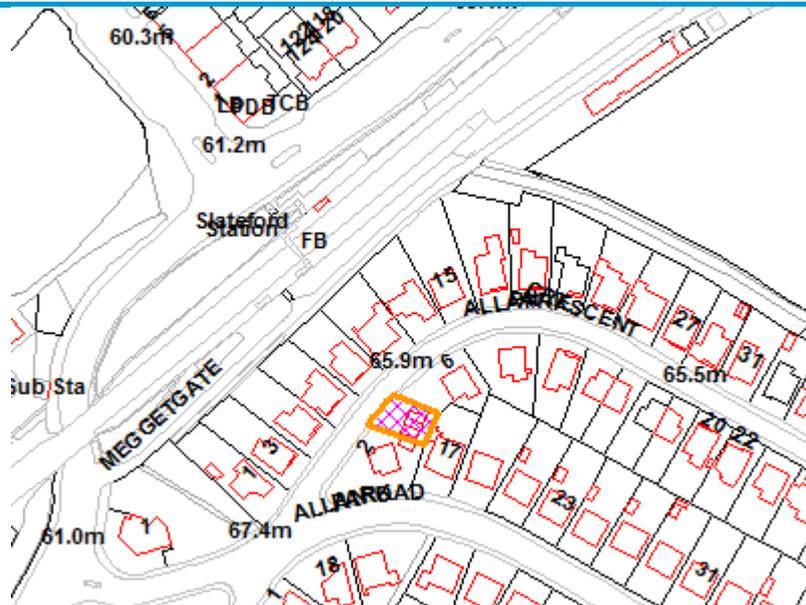
## Consultations

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No consultations undertaken.

## Location Plan

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**END**

**MS C BLACK**

**GROUNDS FOR REVIEW OF A PLANNING DECISION**

**39 HUTCHISON MEDWAY  
EDINBURGH EH14 1QQ**

**PROPOSED 1 ½ STOREY 3-BEDROOM HOUSE**

**(PLANNING REF: 20/03877/FUL)**

**Online E-planning ref: 100335849-001**

**November 2020**  
**Our Ref: 2020\_60**

**W: [www.grayplanning.co.uk](http://www.grayplanning.co.uk)**

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## Appendices

The following documents are referred to in this Grounds for Review Statement.

All such documents have been electronically uploaded to the ePlanning.Scot online portal.

**Document 01** – Decision Notice Application Ref: 20/03877/FUL dated 10.11.20

**Document 02** – Report of Handling of Planning Application 20/03877/FUL

**Document 03** – Supporting Statement submitted with planning application 20/03877/FUL

**Document 04** – Consultation response from CEC Environmental Protection

**Document 05** – Consultation response from CEC Transportation

**Document 06** – Street View Images Hutchison Medway from North, South and West of Site

**Document 07** – Precedent case – 62 Ford’s Road (Garden Ground)

**Document 08** – Precedent case – 3 Eltringham Grove (Garden Ground)

**Document 09** – Precedent Case Allan Park Crescent (Garden Ground)

Full Planning application drawings and sections, application form, landowner certification all as submitted for planning approval are re submitted as required.

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## 1 INTRODUCTION

### THE PROPOSED DEVELOPMENT AND REASONS FOR REFUSAL

1.1 These are Grounds for Review of a decision to erect a single dwelling house (3-bedroom) over 1 ½ stories with garden ground and parking, at 39 Hutchison Parkway, Edinburgh EH14 1QQ.

1.2 The Review request is submitted under Section 43A of the Town and Country Planning (Scotland) Act 1997 (as amended 2006). The Notice of Review has been lodged within the prescribed three-month period from the refusal of planning permission dated 10<sup>th</sup> November 2020 (**Document 01**).

1.3 By Delegated Powers, the Chief Planning Officer (PLACE) of The City of Edinburgh Council decided to refuse the application, as recommended by a Planning Officer in the Report of Handling (**Document 02**). The four reasons for refusal are per the Decision Notice (**Document 01**), which state:

1. *The proposal is contrary to LDP policy Hou 1 as it is not a suitable site in the urban area for a new house.*
2. *The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the position of the building on this side garden has an unacceptable impact on the spatial character and density of the area.*
3. *The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form, position and spacing of the building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.*
4. *The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 as an insufficient amount of garden space will be provided for the amenity of 39 Hutchison Medway, which will unacceptably compromise the living conditions for occupiers of this existing property on the application site*

### PROPOSED PROCEDURE TO BE FOLLOWED IN DECIDING THE REVIEW

1.4 We recommend one procedure - a site visit (accompanied) should be the procedure followed by the Local Review Body in deciding the case.

1.5 With respect to the four reasons for refusal, visual inspection of the appeal site is necessary to confirm that the appeal site is a suitable location for a house as it is in a residential area. It will be evident the residential area is characterised by front and rear gardens, uniform building lines, quiet streets (i.e. no main traffic routes where higher visibility may be found) and of a layout which would not give rise to overlooking or other amenity issues in the surroundings.

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- 1.6 The appeal also highlights several other new house developments approved by the Planning Authority for identical or similar in form new builds within the same residential area which can be viewed upon a site visit (as several are so new that online view by Google StreetView or similar is not up to date in this context). **Appeal Documents 07 to 09** illustrate these case examples for the Review Body to compare. These cases are at 62 Ford's Road, 3 Eltringham Grove and land adjacent to 2 Allan Park Crescent respectively. All three cases show that single house or small scale house development in garden ground in this immediate vicinity of the appeal site has shown to be effective and not harm the local streetscapes, residential amenity and importantly make best use of the land to help improve the general amenity of the surrounding area. The appeal site is comparable in character and form to all three positive planning cases and will be examined later in this Statement.

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## 2 THE APPEAL SITE AND PROPOSALS

- 2.1 Full details of the planning application site, detailed site layout, technical land use considerations are contained in the planning application. A Planning Statement was also submitted (**Appeal Document 03**) which details the proposal and comments on its acceptability in terms of relevant development planning policy. These matters will not be repeated in this Statement, however where considered relevant to address Reasons for Refusal, points will be re-emphasised.
- 2.2 The proposal is to seek permission for erection of a single dwelling house to be formed over 1½ stories and provide 3-bedrooms. The development will also provide front and rear amenity garden space and a driveway with parking for one vehicle. The plot would be enclosed by a 2m and a 1.8m high timber fence along with the existing hedge and other shrub planting.
- 2.3 Currently the site area of 295 sq m lies vacant, underutilised and houses a dilapidated shed along with storage for an old vehicle and dog kennels. It is generally enclosed with wood hoardings and screened by mature hedging on its west and east boundaries. It is not of a high amenity value nor is the visual effect of any great benefit, within this predominately residential area.
- 2.4 The development is located in a residential street with the surroundings characterised by two storey semi-detached terraced dwellings with the street tree-lined and all properties enclosed by front and rear gardens. Their arrangement is generally linear frontages producing a pattern of street scape that is regular and formally arranged on the linear frontage with no buildings positioned out of such a pattern.
- 2.5 As will be evident from a site inspection, the appeal site is rare in terms of the prevailing pattern of buildings (dwellings with ancillary structures like sheds or lock up garages). There are no other 'end of block' or corner spaces like the appeal site which are over grown, vacant and bear no relationship to the private gardens or association with the residential properties around. In effect the appeal site is divorced and cut off from functioning for any part of the streetscape and it offers no positive amenity benefit because it is enclosed and the structures within it are dilapidated and of little streetscape interest to its surroundings. There are some corner sites in the streets around the Hutchison estate which have no buildings on them, where the space remaining is low cut, maintained and visibly integrated into their surrounding areas. That is not the visual impression the appeal site currently gives but it could be enhanced considerably with the new house and its amenity space created.
- 2.6 Details of the form and design of the new dwelling is found in the drawings which were submitted by Capital Draughting Consultant architects, as follows:
- Location Plan and Existing Site Plan
  - Proposed Site Plan CDC/20/146/01
  - Proposed Front and Rear Elevations CDC/20/146/04
  - Proposed Side Elevations CDC/20/146/05
  - Proposed Ground and First Floor Plans CDC/20/146/02 and CDC/20/146/03

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2.7 The submitted Planning Statement (**appeal Document 03**) explains the proposals summarised as follows:

- Principle of housing on the site is acceptable, subject to compliance with relevant local development planning policies, including those concerning design, residential amenity and parking.
- For design particularly, the new house should be in keeping with the surrounding area. Various parts of the Edinburgh Design Guide require key design principles such as adhering to existing form and building block patterns, set backs, daylight and shadowing and provision of sufficient private garden ground amenity to existing and new dwelling occupants. These matters are detailed further in the Planning Statement.
- For car parking, the written guidance available confirms that one parking space complies with planning policy along with a need to provide cycle parking in the scheme (being for a domestic property, the cycle provision can be indoors). A proposed 2.5m wide driveway is formed within the scheme to remove one on-street parking. The driveway would be accessed via a new drop kerb arrangement to the public highway.

2.8 The submitted Planning Statement (**Appeal document 03**) also described more detail about the streetscape and surrounding buildings and context. It refers to *“the street character is generally a mix of 2 and 3 storey dwelling houses from the post-war era”*, and *“On the opposite side of the Hutchison Medway street lie 3-storey of similar form and pattern with enclosed front gardens, parking on street. There are no garages.”*

2.9 Importantly for future place making, and retaining built form, should the appeal be successful, the Planning Statement refers to the major benefit of the proposal, stating *“The proposal is an opportunity however to remove the unsightly shed and vacant space, to help improve the visual amenity of the residential area. There are no other similar sites (gap, garage lock up) in the vicinity”*.

### 3 GROUNDS FOR REVIEW

3.1 Section 1 outlined the Planning Authority's four reasons for refusal. Based on the evidence presented in this appeal, the appellant contends all these reasons can be set aside, and planning permission should be granted for the proposed development. This is subject to the imposition of relevant, enforceable planning conditions.

3.2 It is also relevant for the purposes of focusing the main issues for this appeal, **that there is agreement with the Planning Authority on the following points:**

- The site lies in the urban area, predominately residential and therefore the principle of residential development at this location is supported. The appeal proposal meets LDP Policy Hou 1.
- No overshadowing would occur on neighbour's private gardens. Furthermore we agree the proposal will not result in a loss of daylight to the windows of all neighbouring Properties. As a result of the new development, thus it meets in part the requirements of LDP Policy Hou 5.
- The proposed 3-bedroom house acceptably exceeds the minimum floor space requirement (of 81 sq m) cited in the Edinburgh Design Guide. As the property exceeds this minimum standard, we agree with the Planning Authority that occupant amenity will not be detrimentally affected.
- We agree with the Planning Authority, that all habitable rooms would achieve acceptable levels of outlook and daylight by virtue of the windows and dormers on the principal elevation and rear elevation, thus meeting terms of Policy Hou 5.
- Similarly, on matters of privacy for future occupiers, this meets the policy requirements. For garden space the Report of Handling (appeal Document 02) concurs and supports the appellants amenity space plans. Therefore, there is general positive agreement that the development provides the satisfactory residential environment for future occupants of the appeal site.

3.3 The points of agreement provide a measure of balance which should be applied to the Review Body's assessment of this case. As all planning applications must be assessed on their own merits, it is clear from the list above that the general amenity and suitability of the living accommodation (internal and external) and the levels of occupier and neighbour privacy will be achieved throughout. Thus, the function and purpose of a home that is well-considered in terms of quality of living and function as demonstrated above, is agreed by the Planning Authority to be acceptable. It is the appellant's contention therefore that a new house will provide a new resident with the acceptable levels of residential benefit and amenity in a desirable location. It is unlikely any house buyer will overlook such a functional benefit in favour of a building which the Reasons for Refusal claim to be out of character because of its form and shape compared with the set pattern of houses in the Hutchison Medway streetscape. In other words, we would ask the Review Body to consider with greater balance the positive aspects of this proposal from a house buyers' perspective as much as a place making and land use regulation aspect. The type of house and its form is in demand and is likely to be quickly occupied thus the status of the vacant and underkept ground as existing promises to offer new life and vibrancy to the streetscape. This brings its own positive benefits which have not been highlighted in the Officer Report of Handling.

---

3.4 Turning to the Reasons for Refusal, this section will argue the following Grounds:

1. The proposal is not contrary to LDP policy Hou 1 as it is a suitable site in the urban area for a new house. It is available and has already shown to provide an adequate level of residential amenity which the appellant and planning authority agree upon.
2. The proposal is not contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the position of the building on this side garden does not significantly alter the spatial pattern – and the form of the building is such that it provides variety and interest to a regular build pattern of a previous era.
3. The proposal is not contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form, position and spacing of the building is a marketable and sought after type of house that will be very attractive to purchasers. It will not have an unacceptable impact on the established character of the townscape and there are examples of similar forms of new development in the surrounding neighbourhood which is evident from a site inspection and see Appeal Documents 05 to 07 case studies.
4. The proposal is not contrary to Edinburgh Local Development Plan Policy Des 5. The paragraphs 3.2 and 3.3 explain how there is mutual agreement with the Planning Authority on all but one of the criteria found within Policy Des 5. Put another way, the appeal proposal does provide a satisfactory residential environment for future occupants of the appeal site on all relevant factors except for the sufficiency of garden space to be provided. The arguments to follow explain that garden space is not generally a top or priority aspect of new homes for buyers seeking new place to live and the proposal still provides garden space just not to the guideline standards set out in the Council's Design advice.

3.5 Each of these points is expanded in the paragraphs below, with evidence presented and justification given to support the appellants case that planning permission should be granted. Not only do the proposals meet the provisions of the Development Plan, but there are also material considerations which are relevant, add weight to and support the appellants' case.

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## **1 – SUITABLE SITE IN AN URBAN AREA FOR A NEW HOUSE**

- 3.6 The planning authority's reason for refusal is it fails to meet Policy Hou 1 of the LDP. As this policy is over-arching and requires compliance with other (for example design policies) then it is argued that the principle of developing the land for residential use within this residential area, within the Edinburgh urban area and settlement boundary is not contested. Therefore the proposal does comply with Policy Hou 1 as an acceptable land use in this location.
- 3.7 The appellants have shown here, (and in the officer Report of Handling there is terms of agreement) several matters relating to residential amenity for occupants of existing and the future new house will not be compromised. Whilst it is accepted that the physical design (i.e. form, see Policy Hou 4 and para 3.14) may not fully comply with the full extent of the policy criteria the conditions that pertain to an acceptable living environment have been met and the proposal does provide a satisfactory residential environment for future occupants of the appeal site (as argued below for Policy Des 5 in para 3.16). This part is not contested by the planning authority. Therefore the principle and the broad merits of the proposal as a housing development should be supported in this appeal.

## **2 – POSITION OF THE BUILDING ON THIS SIDE GARDEN DOES NOT SIGNIFICANTLY ALTER THE SPATIAL PATTERN**

- 3.8 The planning authority's reason for refusal is it fails to meet Policy Hou 4 and Policy Des 4 of the LDP on matters of spatial pattern. LDP policy Hou 4 states, amongst other criteria, that council will seek an appropriate density of development on each site having regard to its characteristics and those of the surrounding area. LDP Policy Des 4 is concerned with impacts on setting in terms of height and form, scale and proportions and position of buildings relating to one another.
- 3.9 The proposal is for one house. As will be explained under reason for refusal 3 below (para 3.13), the type of house chosen is considered by the appellant to meet marketing demand for housing in the vicinity and there would be no risk this house would be vacant or unoccupied. The design response for a single dwelling which has a lower density than its neighbouring existing dwellings reflects modern marketing needs.
- 3.10 With regard to Policy Des 4, the Report of Handling dwells more on matters of if the location is of a high quality and setting. Whilst there is evidence of a favourable setting in a pleasant residential area, the specific site is not considered to offer any aspect of quality and may on the contrary be of fragmented or of poor quality, given that the existing situation is a vacant piece of ground with dilapidated shed. The appellant considers the development proposals would help repair the urban fabric at this specific location and establish a form of development and generate coherence and distinctiveness within the wider residential setting. A wider perspective must be applied in our view, rather than examine the one house positioned in the site.
- 3.11 The position of the building on the garden side does not significantly alter the spatial pattern. It does introduce a different form and scale of building, however when viewed in the context of the surrounding 2-storey terrace blocks all regularly spaced and frontages positioned in line,

with front gardens and hedges defining boundaries, the new house would largely be subservient to the established pattern as that will remain the dominant pattern and uniformity in the streetscape. The appellant does not consider any greater weight need be attached to the implication that the new house would detract or damage the street scape and pattern of building layout – it is unlikely that the general public or passers by would be offended or harmed by the appearance or presence of the new building given that it would be part of a pattern already dominated by larger buildings and uniform pattern. If the new house were positioned within a ‘gap’ rather than on the end of the gable or end of row of terrace as is the case, then we would tend to agree with the planning officer’s view that the new house would be out of keeping and upset the rhythm and pattern of building form. However as it is to be sited on the end of a terrace and in an already open space with collection of ancillary buildings, then there is limited impact on the streetscape in terms of the spatial pattern. **Appeal Document 06** is Google Street View image of the site taken from three different perspectives and adds context to the argument set out above.

### **3 - DEVELOPMENT DESIGN - IMPACT ON SETTING, AS THE HEIGHT, FORM, POSITION AND SPACING OF THE BUILDING IS A MARKETABLE AND SOUGHT AFTER TYPE OF HOUSE THAT WILL BE VERY ATTRACTIVE TO PURCHASERS**

3.12 The planning authority considers the proposal fails to meet the requirement of Policy Des 4. As has been explained under reason for refusal 3, the appellant disagrees with the officer’s narrow perspective of assessing the site within the open end plot as proposed. Rather the appellant would encourage the Review Body, when visiting on site inspection, to view the single house proposal on two further perspectives within the streetscape:

- There is a uniform pattern of 2-storey blocks of terraces, mature tree lined street, hedge lined front garden enclosures.
- However this location is the end of a terrace block and is not a gap.
- From a wider perspective say, 100m along the Medway looking back to the site, the visual pattern and perspective is drawn to the uniform row of buildings and uniform pattern created. The addition, on the end of a row such as described, will not be a feature immediately apparent or drawn to when seen in this perspective.

3.13 In response to the planning officer’s opinion that the single dwelling of 1 ½ storey is not in keeping with the pattern of 2-storey, then the above argument is also relevant. The additional point is the market today is in demand for the house type proposed and is less determined on the aesthetic appearance of how it fits on the streetscape, especially given the points listed above that the new building would be inconspicuous when viewed in the wider streetscape perspective.

### **4- PROVIDES A SATISFACTORY RESIDENTIAL ENVIRONMENT FOR FUTURE OCCUPANTS OF THE APPEAL SITE (POLICY DES 5)**

3.14 The planning authority states that it does not consider the proposal meets Policy Des 5. However in the Officer Report of Handling, the several criteria involved in assessing Policy Des 5 balance favourably. Only one criteria of the Policy falls short. As explained below.

3.15 The policy criteria covers a) amenity of neighbours, b) adaptability, c) active frontage security, d) distinct spaces between public and private, e) storage for bins and cycles, f).

- 3.16 The subtext of the Policy Des 5 in the LDP states “*buildings must meet the needs of users and occupiers, with consideration given to impacts on neighbouring properties to ensure no unreasonable noise impact or loss of daylight, sunlight or privacy. Buildings should be designed to be flexible in use and interact closely with the street, providing continuity of urban frontage and natural surveillance....*”
- 3.17 In the Officer Report of Handling about amenity of neighbouring residents, the report confirms the proposed garden space is acceptable in terms of the dimensions and form / position relative to neighbours thus compliant with the Edinburgh Design Guidance. The report goes on to claim “*The creation of a front and rear garden for the proposed dwelling would result in an entire loss and availability of garden space for current and future occupiers(s) of no.39*”. The appellant owns No. 39 and can alter the boundary of the properties to ensure that there is a more equal share of garden space balanced between the two properties (existing and new).
- 3.18 With regard to windows and spacings, the officer confirms that all required dimensions and distances comply, thus no new privacy issues would therefore occur as a result or unacceptable impact on privacy.
- 3.19 On the front elevation, windows would be approximately 14m from the side garden of the facing property on Hutchison Loan. This distance would prevent any significant overlooking of this space or material loss of privacy for these occupiers. Again this complies with Policy Des 5.
- 3.20 Overshadowing as a result of the development would fall on the applicant's own garden and side gable of the adjacent property. No overshadowing would occur on neighbour's private gardens so this aspect also meets Policy Des 5.
- 3.21 The further test of Policy Des 5 asks if the development will offer acceptable levels of amenity for future occupants in relation to noise, daylight, sunlight, privacy or immediate outlook. The property exceeds the minimum standard for dwelling floor space thus provides a favourable internal living space. Privacy would be achieved for future occupiers by the orientation of all rearward windows and boundary fence bordering the rear garden. The site accommodates approximately 125 sqm of usable greenspace. The private garden mainly achieves a length of 9m in line with EDG and an adequate provision of amenity space is achieved for future occupiers of the proposed property. The proposal will result in the creation of a satisfactory residential environment for future occupants of the proposal site.
- 3.22 There is no minimum parking provision. The proposal includes provision for one parking space in total and complies with LDP Policy Tra 2.

### **PRECEDENT CASES IN THE SURROUNDING AREA**

- 3.23 Within a short walk of the appeal site, the appellants wish to highlight precedents of similar new houses in similar locations and positions as the appeal proposal. These precedents highlight a degree of inconsistency of assessment, analysis and decision making on similar planning applications. The sites and commentary is found in the table overleaf and supported by illustrations in **Appeal Documents 07 to 09** as follows:

Comparable Case	Location	Comments
<p>17/02500/FUL (refused) but granted approval following appeal. 2017</p> <p><b>Appeal Document 07</b></p>	<p>62 Ford's Road, Edinburgh</p> <p>Proposed Erection of 2 Storey Dwelling within Private Grounds.</p>	<p>2 Storey Dwelling within garden ground.</p> <p>The Local Review Body allowed the appeal and granted permission, on the same planning policy references Policy Des 1, Des 4, Des 5, Hou 1.</p> <p>The LRB stated in approving this case:</p> <p><i>"was of the opinion that the proposed house design fitted in with other buildings in the area and was not detrimental to the spatial pattern of the area. It acknowledged that this was an unusual site at the end of the block and its impact would be limited. In addition, the LRB was not convinced that there would be sufficient negative impacts on neighbouring daylighting and sunlighting to justify refusal of the application."</i></p>
<p>19/03249/FUL (refused) but granted approval following appeal March 2020</p> <p><b>Appeal Document 08</b></p>	<p>3 Eltringham Grove</p> <p>Demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking.</p>	<p>Replacement of garage with 2 dwellings.</p> <p>The Local Review Body allowed the appeal and granted permission, on the same planning policy references Policy Des 1, Des 4, Des 5, Hou 1 including Policy Hou 4 (density)</p> <p>The LRB stated in approving this case:</p> <p><i>"Considering the reasons for refusal, the applicant had agreed to reduce parking to one space per dwelling."</i></p> <ul style="list-style-type: none"> <li>• <i>That in the immediate and surrounding area, there had been significant new development already, therefore the proposed development would be in keeping with the character of the area and was not contrary to Policy Des 1(Design Quality and Context).</i></li> <li>• <i>The proposed development was unlike the other dwellings in the area and would impact on green space. According to development policies, there were no reasons to overturn the officer's recommendations. Additionally, there would be issues with bin collection.</i></li> <li>• <i>Green space was not an issue. The surrounding area had changed already with a large development on the south side. Therefore, the policies which has been previously applied were no longer applicable. The application should be approved, subject to the reduction in parking to one space per house.</i></li> <li>• <i>Whether this was contrary to Policy Des 1 as this was area where there had been significant change. It was difficult to apply this to what was not a uniform area.</i></li> <li>• <i>Whether this was contrary to Policy Hou 4 (Housing Density). The density in this area was difficult to establish given the existing level of redevelopment.</i></li> <li>• <i>That it would be necessary to condition waste</i></li> </ul>

		<p><i>management strategy, if the officer's recommendations were overturned</i></p> <ul style="list-style-type: none"> <li>• <i>This was a mixed site with a number of different types of houses in this area and the proposed development would be a good use of the site.</i></li> </ul>
<p>20/02743/FUL (recommended for approval Planning Committee 25.11.20)</p> <p><b>Appeal Document 09</b></p>	<p>Land 16 Metres North East Of, 2 Allan Park Crescent</p> <p>3 Bedroom House (approved)</p>	<p>The planning officer supports one dwelling in the garden ground of an existing dwelling on a residential street, in a gap site.</p> <p>The circumstances in this case are identical in terms of positioning, form of dwelling, residential amenity and overall context for a single dwelling development in the city.</p>

- 3.24 In the case of 62 Ford's Road the similarities are identical. In 2017, in the same adopted Local Development Plan, the planning authority refused the 2-storey dwelling for a location on the end of a block, in a residential area and cited the same reasons for refusal as this current appeal case. The Local Review Body (LRB), in allowing the appeal, considered the proposal instead did meet with the relevant policies (Des 1, Des 4, Des 5 and Hou 1) and cited the key characteristics of the "unusual site" on the end of a block – which matches the same position and location as the appeal site. The LRB also considered the new building would not raise negative impacts on neighbouring daylighting and sunlighting.
- 3.25 In the case of 3 Eltringham Grove, the reasons for refusal were identical to the appeal site, including the concern of the planning officer about density (Policy Hou 4). The Local Review Body over turned the refusal and granted permission because they did not feel Policy Des 1 was applicable because of the variety of other redevelopments and building in the area. The LRB also noted the applicant provision of a single off street parking space – which the same applicant for this appeal is proposing to do in the current case. The LRB also considered the Eltringham case, within a walking distance of the appeal case, was in a streetscape that was "not uniform" and the "proposed development would be a good use of the site".
- 3.26 For the 2 Allan Park Crescent case, the planning officer was able to support the case, and the design, form and location of the house in a similar fashion as the appeal site in terms of scale, form and location.
- 3.27 These precedent cases all within a few hundred metres of each other in the Saughton / Gorgie /Slateford area all show similar characteristics and similar design and response to small scale housing development in the urban area. Whilst no case is the same entirely, these cases all show under similar circumstances how the same planning policies have been used for assessment and in the Eltringham Grove case, how the Local Review Body found favour for the best use of land, and that no area is uniform that it cannot be changed by new development which fits and is compatible with the surrounding area, which the appeal case is.

## 4 CONCLUSIONS

4.1 This Grounds for Review statement sets out the appellants case, that the 4 reasons for refusal can be set aside, and planning permission should be granted. This is because:

- The principle of residential use within this residential area, and within the city urban boundary supports the development subject to detailed design matters.
- The proposal does not create an unacceptable stall in the uniform pattern of existing building heights and forms especially when viewed in the perspective of a street scape and not in close-up on a site by site characteristic, which in reality people do not consciously view in isolation, they tend to pass through, or scan across a streetscape. Thus the position, scale and form of the new house would not be out of keeping and this is further supported by the end of terrace block position of the plot, and the fact the plot would be considerably tidied up and return to a more vital role in the streetscape than it presently is.
- The proposed form of dwelling as a 1 ½ storey dwelling is in market demand and the appellant has no hesitation that this product will be keenly sought and will be a suitable addition to the housing market in this desirable location.
- The Officer's Report of Handling does not offer suitable balance when considering the merits of the proposal from a wider streetscape perspective. Were the site located in a 'gap' in a uniform building frontage or pattern of similar blocks, which it is not, then the appellant may more closely agree with the officer's view. This is the end of a block and on a site that is currently contributing little residential amenity to the wider streetscape.
- The Officer's Report of Handling is more favourably pitched to the Reason for Refusal concerning compliance with LDP Policy Des 5 and the appellant therefore considers the balance applying weight to all criteria is too strictly applied. The Officer has explained the merits of the amenity aspects of the proposal in terms of garden space meeting Design Guidelines, the internal floorspace exceeds the minimum living requirements, the window positions do not risk over looking or loss of privacy to neighbours and the sunlight matters are not at risk. The appellant can provide the necessary amenities such as bin store, cycle store all within the development.
- There is no objection to the parking proposal, with one off street parking space accommodated.
- This appeal statement has illustrated other precedents of similar small scale housing proposals in the immediate surrounding area, which the Planning Authority has approved either following appeal or at officer level - and these sites can be inspected when undertaking a site inspection of the appeal site. **Appeal Documents 07 to 09** illustrate these locations and the sites. The consistency of approach is a trend the appeal case is looking for the Local Review Body to take into consideration when assessing this appeal.

4.2 It is respectfully requested therefore that the Local Review Body reconsider the proposals and find favour with the arguments set out in this Review and grant planning permission.

Capital Draughting Consultants Ltd.  
FAO: Keith Henderson  
40 Dinmont Drive  
Edinburgh  
EH16 5RR

Ms C Black  
39 Hutchison Medway  
Edinburgh  
EH14 1QQ

**Decision date: 10 November 2020**

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

Proposed 1 1/2 storey 3 bedroom house.  
At 39 Hutchison Medway Edinburgh EH14 1QQ

**Application No:** 20/03877/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 14 September 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:-**

**Reasons:-**

1. The proposal is contrary to LDP policy Hou 1 as it is not a suitable site in the urban area for a new house.
2. The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the position of the building on this side garden has an unacceptable impact on the spatial character and density of the area.
3. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form, position and spacing of the building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.

4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 as an insufficient amount of garden space will be provided for the amenity of 39 Hutchison Medway, which will unacceptably compromise the living conditions for occupiers of this existing property on the application site.

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

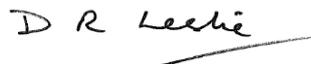
Drawings 01, 02, 03, 04, 05, 06, 07, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal does not comply with policies Hou 1, Hou 4, Des 4 and Des 5 of the adopted Edinburgh Local Development Plan. The proposed site is not a suitable location for the erection of a dwelling house, the proposal would have a negative impact on the character and appearance of the area and the proposal would unacceptably compromise the amenity of neighbours. There are no material considerations upon which to justify granting planning permission.

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 Lewis McWilliam directly at [lewis.mcwilliam@edinburgh.gov.uk](mailto:lewis.mcwilliam@edinburgh.gov.uk).



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

## NOTES

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

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

# Report of Handling

## Application for Planning Permission 20/03877/FUL At 39 Hutchison Medway, Edinburgh, EH14 1QQ Proposed 1 1/2 storey 3 bedroom house.

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	20/03877/FUL
<b>Wards</b>	B09 - Fountainbridge/Craiglockhart

### Summary

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The proposal does not comply with policies Hou 1, Hou 4, Des 4 and Des 5 of the adopted Edinburgh Local Development Plan. The proposed site is not a suitable location for the erection of a dwelling house, the proposal would have a negative impact on the character and appearance of the area and the proposal would unacceptably compromise the amenity of neighbours. There are no material considerations upon which to justify granting planning permission.

### Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LDES04, LDES05, LHOU01, LHOU03, LHOU04, LTRA02, LTRA03, NSG, NSGD02,
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# Report of handling

## Recommendations

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

## Background

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### 2.1 Site description

The proposal relates to an area of land on the east side of Hutchison Medway in a residential area.

### 2.2 Site History

The site has the following planning history:

28 October 2020 - Planning permission granted for a rear dormer and rooflights to 39 Hutchison Medway - (Ref:20/03817/FUL)

## Main report

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### 3.1 Description Of The Proposal

The application proposes the following works;

-Proposed 1 1/2 storey 3 bedroom house

### 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 proposal is acceptable in principle;
- b) Scale, form, design and neighbourhood character
- c) The proposal will result in the creation of a satisfactory residential environment;
- d) The proposal will have a detrimental impact on the amenity of neighbouring residents;
- e) The proposal raises any issues in respect of parking provision,
- f) The proposal will have an unacceptable impact on flooding,
- g) Any issues raised by objectors have been addressed

a) Principle of the Proposal

LDP Policy Hou 1 states that housing development will be supported on suitable sites in the urban area provided that proposals are compatible with other policies in the plan.

The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable subject to the proposal being compatible with other policies in the plan. These are assessed below:

b) Scale, form, design and neighbourhood character

LDP policy Des 4 states development will be granted that has a positive impact on its surroundings including the character of the wider townscape having regard to height and form; scale and proportions, including space between buildings; position of buildings and other features on site; materials and detailing.

Where the built environment is of high quality and has a settled townscape character, new development proposals will be expected to have similar characteristics to surrounding buildings and urban grain.

LDP policy Hou 4 states, amongst other criteria, that council will seek an appropriate density of development on each site having regard to its characteristics and those of the surrounding area.

There is a regular pattern to development in the area. Primarily corner ground has not been developed on, and space is retained between properties including driveways and side gardens evident. Any development in these spaces are mainly ancillary structures and extensions, of modest scales. There is an open character to the townscape created as a result of this visible spacing retained between properties.

The proposal site is located at the southern end of the street beside a two-storey 'four in a block' property. The scale, form, design and position of this property is consistent with those along Hutchison Medway and is similar to properties on Hutchison Loan and Gardens in the immediate area. There is a uniform appearance to this side of the street and the immediate context of the side.

The proposed bungalow is of lesser scale, contrasting form and position to the surrounding built environment. There are no bungalows evident in the immediate area. The proposed design, including front dormers and a gable roof are at odds with the established character of property types evident. The proposal is an incongruous addition in this immediate context that fails to respect the uniform character and rhythm of the street.

The location of the building on this side garden and its proximity to the adjacent property is disruptive and harmful to the established spatial character of the area. A dwelling on this side garden is not in keeping with the density of development characteristic of the area. It is not appropriate as it adversely impacts on the open character of the townscape.

The proposal is contrary to LDP policy Des 4 - Development Design - Impact on Setting and LDP policy Hou 4 - Housing Density.

#### c) Amenity of Neighbouring Residents

LDP policy Des 5 also states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring residents is not adversely affected.

The proposal site is an area of land consisting of garden space and unearthened areas where a shed and materials were previously positioned.

The new housing unit and curtilage would occupy this land. As detailed in the supporting statement, the proposal includes the creation of private gardens to the front and rear, separated by 1.8 to 2m fencing from the neighbouring property.

Edinburgh Design Guidance outlines that private garden space of a minimum depth of 9 metres should be provided.

The creation of a front and rear garden for the proposed dwelling would result in an entire loss and availability of garden space for current and future occupiers(s) of no.39. This would unacceptably compromise the amenity and residential environment of these residents. The proposal is therefore contrary to LDP policy Des 5.

On the rear elevation, the ground floor windows face the proposed boundary fence which would screen outlook of neighbour's gardens or windows. At first floor, the window serving the bedroom would be approximately 6.5m from the boundary and afford outlook of the south east section of the neighbour's garden. This garden is presently overlooked by the first floor rear windows of no.39, whilst the orientation of this bedroom window would primarily face the occupiers own garden. No new privacy issues would therefore occur as a result or unacceptable impact on privacy.

On the front elevation, windows would be approximately 14m from the side garden of the facing property on Hutchison Loan. This distance would prevent any significant overlooking of this space or material loss of privacy for these occupiers.

Overshadowing as a result of the development would fall on the applicant's own garden and side gable of the adjacent property. No overshadowing would occur on neighbour's private gardens.

The proposal will not result in a loss of daylight to the windows of all neighbouring properties.

#### d) Creation of a Satisfactory Residential Environment

LDP policy Des 5 also states that planning permission will be granted for developments where it is demonstrated that future occupants will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

LDP policy Hou 3 states that planning permission will be granted for development which makes an adequate provision for greenspace to meet needs of future residents.

The Edinburgh Design Guidance (EDG) outlines that new build three bedroom residential properties should have a minimum floor area of 81 square metres. The property exceeds this minimum standard.

All habitable rooms would achieve acceptable levels of outlook and daylight by virtue of the windows and dormers on the principal elevation and rear elevation.

Privacy would be achieved for future occupiers by the orientation of all rearward windows and boundary fence bordering the rear garden. The front garden would occupy a visible location where privacy is somewhat compromised by the proximity to the street. This arrangement is typical of the surrounding residential environment and would not result in any unacceptable impact on privacy for future occupiers.

The site accommodates approximately 125 sqm of usable greenspace. The private garden mainly achieves a length of 9m in line with EDG and an adequate provision of amenity space is achieved for future occupiers of the proposed property.

The proposal will result in the creation of a satisfactory residential environment for future occupants of the proposal site.

#### e) Parking Provision

LDP policy Tra 2 states that car parking provision should comply with and not exceed the levels set out in Council guidance.

LDP policy Tra 3 states cycle parking and storage provision should comply with the standards set out in Council guidance.

The site is identified within the Edinburgh Design Guidance Parking Standards as being within the Zone 2. The EDG identifies that residential properties within this area should have a maximum car parking provision of 1 space per dwelling. There is no minimum parking provision. The proposal includes provision for one parking space in total and complies with LDP Tra 2.

The EDG standards state that residential properties within Zone 2 should have a minimum cycle parking provision of 2 spaces per 3 bedrooms.

No specific cycle storage is shown in the plans, though this could reasonably be achieved within the curtilage of the existing property. Transport has not raised any objection to this as the proposal includes a private garden.

#### f) Flooding

LDP policy Env 21 states planning permission will not be granted for development that would increase risk of flooding and is compliant with relevant criteria (a -c).

No information has been submitted in regard to flood mitigation measures. These have not been requested by the Planning Authority as the proposal is unacceptable in principle.

#### g) Issues Raised by Objectors

##### **Material Considerations - Objection**

- Proposed house type, layout and coverage of garden space will adversely affect the character and appearance of the surrounding area - addressed in section 3.3 (a).
- Site too small for a house - addressed through sections 3.3 (b) to (d).
- Proposal will have an adverse impact on privacy through overlooking of neighbour's garden and extension - addressed in section 3.3 (c).
- Impact on parking on street - addressed in section 3.3(e).

##### **Non-Material Considerations - Objections**

- Removal of boundary hedge - This matter is not material planning considerations therefore cannot be considered as part of the merits of the planning application.
- Potential disruption from building works, associated machinery and vehicles - These matters are not material planning considerations therefore cannot be considered as part of the merits of the planning application.

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

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The proposal is contrary to LDP policy Hou 1 as it is not a suitable site in the urban area for a new house.
2. The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the position of the building on this side garden has an unacceptable impact on the spatial character and density of the area.
3. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form, position and spacing of the building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.
4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 as an insufficient amount of garden space will be provided for the amenity of 39 Hutchison

Medway, which will unacceptably compromise the living conditions for occupiers of this existing property on the application site.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **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**

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### **6.1 Pre-Application Process**

There is no pre-application process history.

### **6.2 Publicity summary of representations and Community Council comments**

Two representations have been received.

## **Background reading / external references**

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

## **Statutory Development**

**Plan Provision** Edinburgh Local Development Plan - Urban Area

**Date registered** 14 September 2020

**Drawing numbers/Scheme** 01, 02, 03, 04, 05, 06, 07,  
Scheme 1

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

Contact: Lewis McWilliam, Planning Officer  
E-mail: lewis.mcwilliam@edinburgh.gov.uk

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

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

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

### **Relevant Non-Statutory Guidelines**

**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.

# Appendix 1

## Consultations

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Transport:

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Any off-street parking space should comply with the Council's Guidance for Householders dated 2018(see [http://www.edinburgh.gov.uk/info/20069/local\\_plans\\_and\\_guidelines/63/planning\\_guidelines](http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines) including:
  - a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
  - b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth) at a maximum of 3m wide (4.8m including transitions);
  - c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
  - d. Any gate or doors must open inwards onto the property;
  - e. Any hard-standing outside should be porous;
  - f. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>
  - g. Electric vehicle charging infrastructure should be considered for this development;

Note:

- o The proposed level of car parking provision is considered acceptable;
- o No requirement for cycle parking as proposals include a private garden;

Environmental Protection:

Environmental Protection has no objection to this application subject to the attached conditions.

Condition

i) Prior to the commencement of construction works on site:

- a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

#### Informative

1. To support the City of Edinburgh Council's Carbon Neutral Targets, zero and low carbon technology is recommended as the energy source, rather than a gas boiler which contributes to global warming.
2. It is recommended that an electric vehicle charging point is installed.

#### Assessment

The application site is located within the garden of 39 Hutchison Medway, Edinburgh. It is in a residential area and the site is surrounded on all sides by residential accommodation. The neighbouring accommodation varies between two storey, four in a block flats, or a three storey tenement style buildings with surrounding gardens. Directly to the east, approximately 50m away is the busy thoroughfare, Slateford Road, which runs approximately in a north - south direction. On the other side of the road is a rail line and to the north-east approximately 200m away is located the Slateford Rail Yard.

There are no concerns regarding the suitability of the site for residential accommodation in terms of noise, odour and air quality. However, approximately half the garden appears to have been used over the years as a yard for storage of materials, including a partially dismantled vehicle. Therefore, as there is the possibility of ground contamination, a condition has been recommended.

A Climate Emergency has been declared by the Scottish Government and they have amended the Climate Change Bill to set a 2045 target for net zero emissions. The City of Edinburgh Council has set an even more ambitious target for the city to become carbon neutral by 2030. Therefore, new developments provide a great opportunity to include zero carbon or low carbon technology for the energy source(s). An informative is recommended.

Similarly, an informative has been recommended that an electric vehicle charging point is installed.

Environmental Protection has no objection to this application subject to the attached conditions.

Should you wish to discuss the above please contact me on 0131 469 5357.

END

2020-60

9<sup>th</sup> September 2020

## **PLANNING STATEMENT**

**APPLICANT: JOHN TANNAHILL**

**ERECTION OF A NEW HOUSE ADJACENT TO 39 HUTCHISON MEDWAY, SLATEFORD, EDINBURGH.**

**LAND 15M WEST OF 39 HUTCHISON MEDWAY, EDINBURGH EH14 1QQ**

### **Introduction**

This Planning Statement has been prepared on behalf of the applicants to support the planning application for the above proposed development. It follows advice and guidance as provided in the adopted Local Development Plan and supplementary guidance (The Edinburgh Design Guidance, January 2020) for development of this nature.

This Planning Statement provides our professional assessment of the proposal against the relevant development planning policy considerations, guidance and other material considerations.

### **The Proposed Development**

It is proposed to erect a one-and-a-half storey detached dwelling of circa 143.25 sq m gross floor space over both floors. It would comprise 3 bedrooms with open plan kitchen/dining/lounge on ground floor and bedrooms on the upper floor. There would be parking for one vehicle within the curtilage of the property. The development would be laid to private garden at front and rear, along with a 2m high boundary fence on its west and a 1.8m high boundary fence on its south and east boundaries.

Currently the site area of 295 sq m lies vacant, underutilised and houses a dilapidated shed along with storage for an old vehicle and dog kennels. It is generally enclosed with wood hoardings and screened by mature hedging on its west and east boundaries. It is not of a high amenity value nor is the visual effect of any great benefit, within this predominately residential area.

### **Key Issues Considered relevant to determination of the planning application**

Whilst no formal Pre-Application advice was obtained from City of Edinburgh Council, the applicant has, via the planning consultant identified the following broad issues relevant to the determination in land use planning terms:

- Principle of housing on the site is acceptable, subject to compliance with relevant local development planning policies, including those concerning design, residential amenity and parking.
- For design particularly, the new house should be in keeping with the surrounding area. Various parts of the Edinburgh Design Guide requires key design principles such as adhering to existing

building block patterns, set backs, daylight and shadowing and provision of sufficient private garden ground amenity to existing and new dwelling occupants. These matters are discussed later in this Statement.

- For car parking, the written guidance available confirms that one parking space complies with planning policy along with a need to provide cycle parking in the scheme (being for a domestic property, the cycle provision can be indoors). A proposed 2.5m wide driveway is formed within the scheme to remove one on-street parking. The driveway would be accessed via a new drop kerb arrangement to the public highway.

## **Surrounding Context**

Hutchison Medway and its surrounding streets is a predominately residential area. From a site visit and examination of visual sources online, the street character is generally a mix of 2 and 3 storey dwelling houses from the post-war era. On the proposed development side of the street 2-storey row of dwellings, interspersed by single specimen mature trees and gardens set to hedge boundary enclosures on the frontage, with parking on the street side. On the opposite side of the Hutchison Medway street lie 3-storey of similar form and pattern with enclosed front gardens, parking on street. There are no garages.

With a regular laid-out form of the Medway and surrounding streets to the above character and pattern, there appears to have been limited divergence from this pattern over the years. The proposal is an opportunity however to remove the unsightly shed and vacant space, to help improve the visual amenity of the residential area. There are no other similar sites (gap, garage lock up) in the vicinity.

The pattern of alterations and improvements to surrounding properties comprises rear extensions and minor alterations to doors and windows, including extension to the rear of No. 37 Hutchison Medway in 2017.

## **Planning History**

There is no previous planning history for the application site. However there have been previous proposals for other vacant sites nearby, at Hutchison Terrace and Hutchison Place for much larger more complex residential dwelling proposals. These were subsequently withdrawn, for example at 11 Hutchison Terrace (2 x 2 Bed Flats in garden ground), and at west of 2 Hutchison Place (block of 6 flats over three storeys) in 2017 and 2018 respectively.

## **Development Plan Policy**

The adopted City of Edinburgh Local Development Plan (LDP) is primary, along side supplementary guidance (The Edinburgh Design Guidance January 2020) which adds more detail (and can draw more weight in the decision-making process). The relevant policies, as outlined in the Key Issues section of this Statement as previously noted includes:

1. Principle - The site is located within the Urban Area as shown on the Local Development Plan (LDP) map. Therefore, residential development is supported in principle. Nevertheless, the site must be assessed against all relevant policies within the LDP including policy Hou1 Housing Development. This states the principle of housing can be acceptable subject to compliance with other policies of the LDP.
2. Detailed Considerations - As an urban development, the LDP requires proposals to also satisfy LDP policies Des 1, Des 4, Des 5, Des 6, Env 12, Hou 3, Hou 4, Tra 2 and Tra 3.
3. Design - LDP policies include policy Des 1 (Design Quality and Context) which states that new development should contribute towards a sense of place and design should draw from positive aspects of the surrounding area. LDP Policy Des 4 (Development Design- Impact on Setting) states that planning permission will be granted for development where it is demonstrated that it will have a positive impact upon its surroundings. Also, policy Hou 4 (Housing Density) which states the Council will seek an appropriate density of development on the site having regard to
  - its characteristics and those of the surrounding area;
  - the need to create an attractive residential environment and safeguard living conditions within the development ;
  - the accessibility of the site includes access to public transport; and
  - the need to encourage and support the provision of local facilities necessary to high quality urban living.
4. Living Environment - Policy Hou 3 states that planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents. Policy Des 5 states it should be demonstrated that the design of a proposal will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses. Des 5 further states future occupiers should have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook
5. Residential Amenity - LDP policy Des 5 states that planning permission will be granted for development where it is demonstrated that: a) the amenity of neighbouring developments is not adversely affected.
6. Accessibility – LDP Policy Tra2 and Tra 3 require specific provision for parking and cycling to be included in proposed residential developments.

As stated above, supplementary planning guidance adds more detail to the policy areas, found in the Edinburgh Design Guidance. The Key design issues are:

- Design, integration and quantity of parking
- Materials and detailing
- Daylight, Sunlight, Privacy and Outlook
- Private Open Space

### **Planning Policy Discussion**

Based on the proposals and our assessment against the development plan, it can be principally accepted that a new one-and-a-half storey house is supported at this location, given the site lies in the urban area and is surrounded by residential properties.

The scale of development, for a single house is also considered acceptable for the setting and its surroundings. The positive environmental quality benefits of the development is a strong argument to support the proposal, as it will significantly improve residential amenity and help to create an improved residential streetscape, adding to local amenity and desirability. It will remove a dilapidated shed, and under utilised vacant ground which is presently boarded.

In terms of layout design principles, the applicant has examined the design options available for the site. Some of the key design matters incorporated into the layout include:

- Formation of one additional dwelling to the streetscape, increases the density of this low density residential area, but such an increased density would not have an adverse impact on neighbouring amenity or valuable natural heritage features (thus compliant with Policy Hou4 on matters of density)
- Incorporates existing landscape features – whilst the site is predominately regular shaped and defined by the existing mature hedging, with no mature or protected trees, the new development will retain the regular shape by formation of 1.8m and 2.0m boundary fencing with landscaping. The quality of the existing hedging is low, and of limited amenity or visual interest (thus compliant with Policy Des3 (development design) and Des7 (layout design))
- Height and form of building – the proposed 1 and a half storey building matches the general height and form of buildings surrounding. The new building will not exceed, or overbear the existing dwelling heights and forms. Policy Des4a is complied with as the height is matched in such a villa area.
- The scale and proportion of the new building matches the scale of existing buildings including the general size and form, windows and doors and other features. Policy Des4b is complied with as the massing of the new dwelling is appropriate to the nearby block at No.37-39 and being located end of terrace, the shorter height is an appropriate tail off to the streetscape that will not over bear or dominate the streetscape. Policy Des4b Development Design is complied with.
- The position of the new dwelling on the site, is lined-up and matches the frontage and form of the existing row of dwellings on the streetscape. The design uses the positioning of existing buildings to create an interesting and attractive streetscape, as outlined above the new dwelling will occupy a 'tail end' to the terrace and so will not over bear or outsize its neighbours. As will be discussed below, the position of the building is taken carefully with a full understanding of the topography and environmental constraints of adjacent spaces and the site, taking into account orientation and exposure e.g. allowing sufficient private garden space, and avoid over looking and loss of daylight on neighbouring properties. The proposed dwelling complies with Policy Des4c development design as the proposed building as shown in block plan submitted is roughly the same size in plan as its neighbours and is positioned so that its frontage is the same distance from the road as its immediate neighbours.

Turning to design integration and quantity of parking, these are additional key design requirements of the Local Development Plan, and the supplementary guidance in The Edinburgh Design Guide. As follows:

The policy and design guidance requires welcoming, attractive and sustainable places. It states proposals for parking within new developments should be design-led and reflect the positive characteristics of the place. Car parking within new developments should not visually dominate the

streetscene. The proposed development aims to remove parking from the busy streetscape (unrestricted parking) and as there is space available, allocate one off-street parking space within the curtilage. This will not visually dominate the streetscene, as it will be set to the side (this is identified in the Edinburgh Design Guide as acceptable in high amenity areas, page 54). Instead it will remove a car from the public space and provide better visual tie in with the tail end of the street at this location. This design approach complies with LDP Policy Tra 2 Private Car Parking.

The proposed one parking space complies with LDP policy. As the property is for a private residence, then cycle parking can be readily integrated into private garden (e.g. shed) or stored within the property itself. These aspects comply with standards in the Edinburgh Design Guidance and Policy Tra 3 private cycle parking.

The proposed new 2.5m access and driveway to the scheme with defined hard and soft landscaping to the driveway will help create a *“defensible private space and helps create high quality public realm, while minimising the visual impact of car parking”* in line with the Edinburgh Design Guide on alternative options for car parking (page 55). The proposed car park does not compromise or result in the expense of private open space to the front garden or to the rear garden. See garden comments below.

With regard to materials and detailing, in line with LDP Policy Des 4d, the proposed finishes and use of materials is described as follows:

- The use of slate roofing, lead flashings and valley gutters is designed to match and harmonise the materials with the surrounding existing finishes to roofs
- For the exterior walls and finish, the rendering will match existing and will be finished to high standards of insulation and match.

With regard to daylight, sunlight, privacy and outlook, LDP Policy 5 Development Design along with the Edinburgh Design Guide requires new building to be spaced far enough apart to provide to existing and new occupants of the area privacy, outlook, daylight and sunlight. Achieving reasonable amenity needs to be balanced against the factors outlined above – about making a sense of place (spaces, massing, character and function of a place). The following considers that the planning application can achieve this balance for the reasons as follows:

To achieve reasonable level of amenity to new occupants of the dwelling, the windows and doors are scaled and positioned in appropriate locations to maximise natural daylight penetration through out the year.

Protecting daylight to existing buildings, for example to the immediate property at No. 37-39, the proposed new dwelling will not extend beyond the frontage nor extend to the rear to the extent that neighbouring properties will have reduced levels of sunlight or daylight.

For the proposed main back garden, the new development will provide sufficient levels of sunlight and daylight, as the ‘narrow length’ of the plot has been deliberately laid out to provide longer north facing space to the rear to allow for longer projection angles of sunlight throughout the year even during winter and autumn. Similarly the existing gardens and spaces will not be adversely affected by the new development as the positioning of the new building as described above allows adequate space for natural light to penetrate.

With regard to privacy and outlook, the pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances. The new dwelling proposed window positions are set out so that direct views between dwellings are avoided. Thus the new development does not block out the immediate outlook of any of the existing dwellings.

### **Private garden space**

LDP Policy Des 5d (Development Design) and technical guidance in the Edinburgh Design Guide require new dwellings to provide the required amenity as well as visual interest.

The proposed different levels of garden fence heights (at 1.8m and 2.0m) allows visual interest and will enable interaction between neighbours.

We note Edinburgh Design Guidance recommends a minimum depth of 9 metres for residential gardens. The proposed rear depth is around 11m. Nevertheless this is guidance, the assessment for this case should consider on balance the positive environmental benefits of the reuse of the site, where the constraints about site size, shape and boundary cannot be amended to fully comply with the guidelines, so working with the constraints to create a new 3-bed dwelling is considered a positive approach to delivery.

The front and rear garden spaces have the required capacity to receive sunlight as outlined earlier.

The proposed garden space to the rear particularly allows future adaption if necessary – for example future alterations to the new dwelling, or alterations to meet domestic or functional requirements.

The private front garden space provides a smaller private area than to the rear, however this is in keeping with the Edinburgh Design Guidance as the front garden can also provide an intermediate space between the public realm and the privacy of dwellings so it provides some amenity . The rear garden is expected to provide the greater balance of open space amenity.

The rear garden space can be achieved such that it provides a garden of a similar size to neighbouring gardens which will help preserve the character of the area.

### **Summary**

The proposal will result in a satisfactory residential environment as it would remove unsightly shed and vacant space, and provide a new home which is compatible with its surrounding use and form.

The proposed use would not result in any loss of amenity. The amenity of neighbours is not adversely affected. It is unlikely that the proposal will have a negative impact on daylight to neighbouring windows, given the distances achieved from the proposed development. No part of the new dwelling would overlook the gardens of no. 37 Hutchison Medway.

There would be no overshadowing effects. These are likely to be achieved with replacement of the shed and vacant space with a new house, adding a net visual improvement to the streetscape and making environmental improvements.

The access arrangements are acceptable in terms of road safety and public transport accessibility. The proposal includes off-road parking for one car. The principle of off-street parking is acceptable. Cycle parking to comply with standards in the Edinburgh Design Guidance can be provided within the new house or a garden shed.

With regard to the wider principles of design and layout, it has been demonstrated that the new dwelling can be suitably scaled and positioned so that it would not be out of keeping with the character of the area in terms of height and mass. The new dwelling would be positioned such that it formed a continued frontage to the existing dwellings, and that the front and rear garden arrangements would not be compromised by the choice of position of the new dwelling. The positioning defines the amenity mitigation for surrounding neighbours, and we have shown that no overlooking, loss of daylight and sunlight or privacy will be created by the new development.

The proposals comply with the relevant policies of the adopted Edinburgh Local Development Plan, alongside the relevant design guidance in the Edinburgh Design Guidance.

We therefore respectfully request the planning application be supported given that it meets on balance the relevant development planning policies. The end result will be removal of unsightly shed and vacant space with wider streetscape visual improvements in this residential area as a result. The use is compatible with the surroundings and the design is acceptable in relation to fitting with the nearest neighbouring properties.

Prepared By



**Neil Gray**

MA (Hons), MSc, Dip TP, MRTPI  
Director GRAY PLANNING & DEVELOPMENT Ltd

E: [neil@grayplanning.co.uk](mailto:neil@grayplanning.co.uk)  
M: 07514 278 498

To: Lewis McWilliam, Planning: Householders & Enforcement: West Team  
From: Barry Inglis, Environmental Protection

Date: 28/10/2020

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
20/03877/FUL | Proposed 1 1/2 storey 3 bedroom house, 39 Hutchison Medway  
Edinburgh.

**Environmental Protection has no objection to this application subject to the attached conditions.**

#### Condition

i) Prior to the commencement of construction works on site:

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

#### Informative

1. To support the City of Edinburgh Council's Carbon Neutral Targets, zero and low carbon technology is recommended as the energy source, rather than a gas boiler which contributes to global warming.
2. It is recommended that an electric vehicle charging point is installed.

#### Assessment

The application site is located within the garden of 39 Hutchison Medway, Edinburgh. It is in a residential area and the site is surrounded on all sides by residential accommodation. The neighbouring accommodation varies between two storey, four in a block flats, or a three storey tenement style buildings with surrounding gardens. Directly to the east, approximately 50m away is the busy thoroughfare, Slateford Road, which runs approximately in a north – south direction. On the other side of the road is a rail line and to the north-east approximately 200m away is located the Slateford Rail Yard.

There are no concerns regarding the suitability of the site for residential accommodation in terms of noise, odour and air quality. However, approximately half the garden appears to have been used over the years as a yard for storage of materials, including a partially dismantled vehicle. Therefore, as there is the possibility of ground contamination, a condition has been recommended.

A Climate Emergency has been declared by the Scottish Government and they have amended the Climate Change Bill to set a 2045 target for net zero emissions. The City of Edinburgh Council has set an even more ambitious target for the city to become carbon neutral by 2030. Therefore, new developments provide a great opportunity to include zero carbon or low carbon technology for the energy source(s). An informative is recommended.

Similarly, an informative has been recommended that an electric vehicle charging point is installed.

Environmental Protection has no objection to this application subject to the attached conditions.

Should you wish to discuss the above please contact me on 0131 469 5357.

# MEMORANDUM

PLACE

To: Lewis McWilliam

Our Ref: T/TP/DC/42534/CB

Your Ref: 20/03877/FUL

Date: 2<sup>nd</sup> October 2020

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997  
PLANNING APPLICATION No: 20/03877/FUL  
FOR: PROPOSED 1 1/2 STOREY 3 BEDROOM HOUSE.  
AT: 39 HUTCHISON MEDWAY, EDINBURGH, EH14 1QQ**

## ROADS AUTHORITY ISSUES

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Any off-street parking space should comply with the Council's Guidance for Householders dated 2018(see [http://www.edinburgh.gov.uk/info/20069/local\\_plans\\_and\\_guidelines/63/planning\\_guidelines](http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines) including:
  - a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
  - b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth) at a maximum of 3m wide (4.8m including transitions);
  - c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
  - d. Any gate or doors must open inwards onto the property;
  - e. Any hard-standing outside should be porous;
  - f. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>
  - g. Electric vehicle charging infrastructure should be considered for this development;

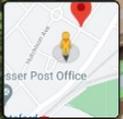
Note:

- The proposed level of car parking provision is considered acceptable;
- No requirement for cycle parking as proposals include a private garden;

**Cameron Baillie**  
Tel: 2-3562

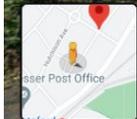


33 Hutchison Medway  
Edinburgh, Scotland  
Google  
Street View

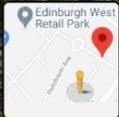


Google

23 Hutchison Loan  
Edinburgh, Scotland  
Google  
Street View



37 Hutchison Medway  
Edinburgh, Scotland  
Google  
Street View



Google

Dear Mr Graham,

**THE CITY OF EDINBURGH PLANNING LOCAL REVIEW BODY  
REQUEST FOR REVIEW – 62 FORD’S ROAD, EDINBURGH  
APPLICATION NO 17/02500/FUL**

I refer to your request for a review of the refusal of planning permission for the proposed erection of a 2 storey dwelling within private grounds at 62 Ford’s Road, Edinburgh which was dealt with by the Chief Planning Officer under delegated powers.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 4 October 2017.

**Decision**

To not uphold the decision by the Chief Planning Officer and to grant planning permission for the proposed erection of a 2 storey dwelling within private grounds at 62 Ford’s Road, Edinburgh subject to the following informatives:

**Informatives**

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a ‘Notice of Initiation of Development’ has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a Notice of Completion of Development must be given in writing to the Council.

**Assessment**

The LRB had been provided with copies of the notice of review submitted by you including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Chief Planning Officer.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plan used to determine the application was numbered 01-05, scheme 1. Full details of the application can be found under application number 17/02500/FUL on the Council’s Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

**Committee Services, Strategy and Insight, Chief Executive**

Waverley Court, Business Centre 2.1, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 200 2000

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan:
  - Des 1 (Design Quality and Context)
  - Des 4 (Development Design – Impact on Setting)
  - Des 5 (Development Design – Amenity)
  - Hou 1 (Housing Development)
- 2) Non-Statutory Guidelines on ‘Edinburgh Design Guidance’.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

### **Conclusion**

The LRB, having taken all the above matters into consideration did not agree with the assessment in the case officer’s report, and was of the opinion that the proposed house design fitted in with other buildings in the area and was not detrimental to the spatial pattern of the area. It acknowledged that this was an unusual site at the end of the block and its impact would be limited. In addition, the LRB was not convinced that there would be sufficient negative impacts on neighbouring daylighting and sunlighting to justify refusal of the application. There were no material planning reasons for coming to a different conclusion. It therefore did not uphold the decision of the Chief Planning Officer and granted planning permission.

### **Contact**

Please contact me on 0131 529 4107 or email [rachel.gentleman@edinburgh.gov.uk](mailto:rachel.gentleman@edinburgh.gov.uk) if you have any queries about this letter.

Yours sincerely

Rachel Gentleman  
for Clerk to the Review Body

### **Notes:**

- 1 If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within six weeks of the date of the decision.

- 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 the 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 in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Sorrell Associates  
FAO: Jim Sorrell  
The Green House  
41 St Bernard's Crescent  
Edinburgh  
EH4 1NR

**Date:** 25 August 2020

**Our Ref:** LRB7.4/SS

Dear Mr Sorrell,

**THE CITY OF EDINBURGH PLANNING LOCAL REVIEW BODY  
REQUEST FOR REVIEW – APPLICATION NO 19/03249/FUL  
REQUEST FOR REVIEW –3 ELTRINGHAM GROVE, EDINBURGH  
TOWN AND PLANNING (SCOTLAND) ACT 1997 AS AMENDED BY THE PLANNING  
ETC (SCOTLAND) ACT 2006**

I refer to your request for a review submitted on behalf of Ms Chelsie Black for refusal of planning permission for demolition of an existing detached bungalow and garage and construction of two new detached dwellings with new driveway to the rear and associated parking at 3 Eltringham Grove, Edinburgh, which was dealt with by the Chief Planning Officer under delegated powers.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 19 August 2020.

**Decision**

To not uphold the decision by the Chief Planning Officer and to grant planning permission subject to:

**The following condition and informatives:**

**Condition**

Notwithstanding the submitted site layout details, a further site layout plan reducing the car parking to one space per dwelling shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

**Reason:**

In order to ensure that the level of off-street parking complies with policy.

**Informatives**

- (a) The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
- (b) No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date

on which the development is to commence. Failure to do so constitutes a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.

- (c) As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a Notice of Completion of Development must be given in writing to the Council.
- (d) Prior to the commencement of works on site the applicant must agree a recycling and waste management strategy with the Waste Management team - [waste@edinburgh.gov.uk](mailto:waste@edinburgh.gov.uk)

## Assessment

At the meeting on 19 August 2020, the LRB had been provided with copies of the notice of review submitted by you including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were numbered 01 - 14, being the drawings shown under the application reference number 19/03249/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.
  - Edinburgh Local Development Plan Policy Des 1 (Design Quality and Context)
  - Edinburgh Local Development Plan Policy Des 5 (Development Design – Amenity)
  - Edinburgh Local Development Plan Policy Hou 3 (Private Green Space in Housing Development)
  - Edinburgh Local Development Plan Policy Hou 4 (Housing Density)
  - Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)
  - Edinburgh Local Development Plan Policy Tra 3 (Private Cycle Parking)
  - Edinburgh Local Development Plan Policy Env 21 (Flood Protection)
  - Edinburgh Local Development Plan Policy Policy Hou 1 (Housing Development)
- 2) Relevant Non-Statutory Guidelines.
  - 'Edinburgh Design Guidance'

- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

## **Conclusion**

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Considering the reasons for refusal, the applicant had agreed to reduce parking to one space per dwelling.
- That in the immediate and surrounding area, there had been significant new development already, therefore the proposed development would be in keeping with the character of the area and was not contrary to Policy Des 1 (Design Quality and Context).
- The proposed development was unlike the other dwellings in the area and would impact on green space. According to development policies, there were no reasons to overturn the officer's recommendations. Additionally, there would be issues with bin collection.
- Green space was not an issue. The surrounding area had changed already with a large development on the south side. Therefore, the policies which has been previously applied were no longer applicable. The application should be approved, subject to the reduction in parking to one space per house.
- Whether this was contrary to Policy Des 1 as this was area where there had been significant change. It was difficult to apply this to what was not a uniform area.
- Whether this was contrary to Policy Hou 4 (Housing Density). The density in this area was difficult to establish given the existing level of redevelopment.
- That it would be necessary to condition waste management strategy, if the officer's recommendations were overturned.
- This was a mixed site with a number of different types of houses in this area and the proposed development would be a good use of the site.

Having taken all the above matters into consideration, the LRB determined that the proposal was not contrary to the following LDP policies:

1. Des 1 and the Edinburgh Design Guidance as it would not have an adverse impact on the character and appearance of the surrounding area.
2. Hou 4 as the density of development on the site would not damage the character of the surrounding area.

3. Hou 1 as the principle of housing on this site was already established and the proposals are compatible with the relevant policies of the LDP.

It therefore overturned the decision of the Chief Planning Officer and granted planning permission.

### **Contact**

Please contact Blair Ritchie on 0131 529 4085 or e-mail [blair.ritchie@edinburgh.gov.uk](mailto:blair.ritchie@edinburgh.gov.uk) if you have any queries about this letter.

Yours sincerely

Blair Ritchie

for the Clerk to the Review Body

### **Notes:**

- 1 If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within six weeks of the date of the decision.
- 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 the 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 in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Development Management Sub Committee

Wednesday 25 November 2020

**Application for Planning Permission 20/02743/FUL  
at Land 16 Metres North East Of, 2 Allan Park Crescent,  
Edinburgh.  
New 3 bedroom dwelling house (as amended).**

**Item number**

**Report number**

**Wards**

B09 - Fountainbridge/Craiglockhart

## Summary

---

The proposal replaces a set of garages which do not contribute positively to the area. The proposal is acceptable in its scale, form and design and will not have a detrimental impact on neighbouring amenity. The proposal complies with relevant policies in the Local Development Plan. The proposal infringes guidance in relation to its position on the site, garden depth and the design of dormer windows. However, these infringements will not result in adverse harm and are acceptable. There are no material considerations that would outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LDES01, LDES04, LDES05, LHOU01, LHOU03, LHOU04, LEN21, LTRA02, LTRA03, NSG, NSGD02,

# Report

## **Application for Planning Permission 20/02743/FUL at Land 16 Metres North East Of, 2 Allan Park Crescent, Edinburgh. New 3 bedroom dwelling house (as amended).**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The application site is a group of four garages located on the east side of Allan Park Crescent.

The surrounding area is residential in character, largely consisting of bungalows.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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#### **3.1 Description of the Proposal**

The proposal is for the demolition of the existing garages which are to be replaced by a one and a half storey, three bedroom residential unit with an internal floor area of approximately 104 square metres. The proposal includes a rear curtilage with a depth of five metres and an area of approximately 60.4 square metres.

External walls are to be finished in wet dash. The proposal includes two velux windows to the north elevation and one velux window to the south.

#### Previous Scheme

The scheme has been amended to reduce the length of the building by approximately 1.1 metres and moving the proposed dwelling approximately 300mm north-west. A proposed driveway has been removed from the scheme. The revised scheme introduces a hipped roof to the principal elevation and a new slate-cheeked dormer window, with a slate roof.

### 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, the Committee needs to consider whether:

- a) the principle of a new house in this location is acceptable;
- b) the proposal is acceptable in its scale, form and design;
- c) a satisfactory residential environment can be achieved for the amenity of future occupiers;
- d) the proposal will impact on neighbouring amenity;
- e) any other planning matter have been addressed and
- f) any matters raised in representations have been addressed.

#### a) Principle

Policy Hou1 (Housing Development) of the adopted Edinburgh Local Development Plan (LDP) states that priority will be given to the delivery of the housing land supply and relevant infrastructure on suitable sites in the urban area, provided proposals are compatible with other policies in the plan.

The application site is defined as being part of the urban area in the adopted LDP. The principle of housing development at the site is therefore acceptable as long as the proposals are compatible with other policies in the plan.

#### b) Scale, Form and Design

Policy Des 4 (Development Design - Impact on Setting) states that planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- i) height and form
- ii) scale and proportions, including the spaces between buildings
- iii) position of buildings and other features on the site
- iv) materials and detailing

The site is part of an established residential area, defined by a strong rhythm of long plots with houses fronting onto the street with generous private rear gardens. There is a clear articulation of private and public spaces. This is a settled townscape with a strong urban grain. The area is defined by mid 50's bungalows with hipped roofs which follow a well-defined building line. A notable exception to this is the bend on which the application site sits. Here, No. 2 Allan Park Crescent is set at an angle to the road which breaches the building line. This, when combined with the curve of the road and distance between properties, makes the building line less clear. No. 2 is also the only property in the immediate area with a gabled roof. Several properties have garages and although there is some variation in the overall finishing of properties, there is a consistency in elevations finished in roughcast/render with decorative stonework around windows and edges being the defining style. Most properties in the area were constructed in the mid-50s whilst the garages which occupy the application site, as well as property numbers 6, 8 and 10, were added in the early 60s.

The existing garages located on site do not contribute positively to the existing streetscape. The proposed 1.5 storey dwelling with slate roof and dormer window is of a scale and design generally in line with other properties on the street. The roof will be hipped at the principal elevation with a dormer window. To the rear, the roof will be gabled. The gable wall will not be noticeable from the street and overall, the new building will look similar to others on the street. The proposed dormer window would take up more than one third of the roof plane; however, this is characteristic of the area. The design of the dormer ensures that the window will be set below the roof ridge and will maintain a visible expanse on all sides of the roof. An infringement of guidance in these circumstances is acceptable.

The proposed dwelling will be positioned closer to the pavement than other properties in the area. However, given the location of the development site on a curve, the building line in this part of the area is not as strong as elsewhere. The neighbouring property to the south already breaches the building line and the distance between the application site and the neighbouring property to the north ensures that the position of the new house will not be disruptive to the rhythm of the street.

Overall, the design, scale, positioning, height and detailing are appropriate for the area. The proposal complies with Local Development Plan policy Hou 4.

### c) Residential Environment

LDP Policy Des 5 (Development Design - Amenity) requires development proposals to demonstrate that future occupiers of a development will have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

LDP Policy Hou 3 (Private Green Space in Housing Development) requires developments to provide adequate provision for green space to meet the needs of future residents.

*Edinburgh Design Guidance* sets out minimum internal floor space standards for residential development.

In this instance, the proposed 1.5 storey, three bedroom house has an internal floorspace well in excess of the minimum 91 square metres recommended in guidance.

The arrangement of the proposed living spaces and windows will ensure that future occupiers will have sufficient levels of daylight.

To ensure amenity space is sufficient for the use and enjoyment by occupiers and to ensure that there is scope for dwellings to be developed over time to suit the changing needs of occupiers, Edinburgh Design Guidance recommends a minimum depth of 9 metres for residential gardens. The area surrounding the application site is relatively low density with detached and semi-detached properties located on large plots with generous rear gardens. Garden depths in the area typically reach around 11 metres. Property no. 6, which neighbours the site to the north has a smaller rear garden in comparison to other properties, with an area of 49 square metres and a depth of 5.7 metres, though this is supplemented by space to the side and front of the house. No. 8 also has a garden with a limited depth of 6.5 metres. In this case the space to the rear garden of the application site would reach a depth of approximately 5 metres and cover a total area of approximately 60 square metres. The result would be usable garden space in line with the immediate neighbouring properties. In these circumstances an infringement of guidance is considered acceptable.

The proposal complies with Local Development Plan policy Hou 3 and Des 5 and would result in a satisfactory residential environment for future occupiers.

#### d) Neighbouring Amenity

Policy Des 5 (Development Design - Amenity) states permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected.

The proposed development complies with the 45-degree daylight criterion outlined in guidance. Some objectors have raised concern that the new position of the proposed building will result in a loss of daylight to neighbouring properties. Guidance on the protection of daylight to existing buildings outlined in Edinburgh Design Guidance states that daylight to gables and side windows is generally not protected. In this instance the neighbours to the north have no windows on the south elevation which would be affected and the windows of the neighbouring property to the south (no. 2 Allan Park Crescent) are angled away from the proposed new dwelling. The proposal complies with guidance in this regard.

Given the height of the proposal and the orientation of neighbouring properties in relation to the site, the proposal would not result in overshadowing to the garden spaces of the neighbours at no. 2 Allan Park Crescent or at no. 17 Allan Park Road. The proposal will result in approximately 15.05 square metres of overshadowing to the garden space of no. 6 Allan Park Crescent. However, it is acknowledged that the existing garages on the application site already overshadow this affected space to a degree. The increase in overshadowing would be relatively small and given the size of the garden space to the side of the property (approximately 138 square metres) this represents an acceptable minor infringement of policy which would not form grounds for refusal of this application.

In terms of privacy, a 1.8 metre fence to the north and east boundaries ensure that the new ground floor windows will not have a direct view into neighbouring windows or neighbouring gardens. The sill of velux windows on the north and south elevations of the proposal will be set 1.7 metres from ground level. Drawing 07A shows that these windows will not offer direct views to neighbouring properties. The proposal also includes a window to the rear at attic level, looking east toward no.17 Allan Park Road. However, this window will serve a stairwell and not a room. As the window will serve circulation space rather than a habitable room, it will not breach the privacy of the neighbours to the east of the site.

The proposal will not result in a loss of neighbouring amenity and is acceptable in this regard. The proposal complies with LDP policy Des 5.

#### e) Other Planning Matters

##### Road Safety and Parking

The proposal does not include provision for off-street parking. However, the application site is not located within a controlled parking zone, with vehicles able to park on the street. No cycle parking is indicated in the submitted plans. However, bikes could reasonably be stored in the rear garden or within the house itself.

The proposal complies with Tra 2 and a minor infringement of Tra 3 is acceptable in these circumstances.

##### Flooding

LDP Policy Env 21 (Flood Protection) states that planning permission will not be granted for development that would increase flood risk or be at risk of flooding itself.

The Planning Committee on 30 March 2017 approved the implementation of a certificate procedure in relation to assessing potential flood impacts as a result of new development proposals during the application process.

Accordingly, a Surface Water Management plan is required to assess the impact of the proposal on surface water on the site. This has not been provided. Before development on site can begin, this must be provided to the Planning Authority. This has been made a condition of this consent.

#### f) Public Comments

##### **Material Considerations**

- Removal of proposed driveway from the scheme is unacceptable/negative impact of the proposal on parking and road safety; this is addressed in section 3.3(e).
- Proposal built forward of established building line; this is addressed in section 3.3(b).
- Proposal will result in a loss of daylight to neighbouring properties; this is addressed in section 3.3(d).

## Conclusion

The proposal replaces a set of garages which do not contribute positively to the area. The proposal is acceptable in its scale, form and design and will not have a detrimental impact on neighbouring amenity. The proposal complies with relevant policies in the Local Development Plan. The proposal infringes guidance in relation to its position on the site, garden depth and the design of dormer windows. However, these infringements will not result in adverse harm and are acceptable.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions: -**

1. Prior to the commencement of development, a Surface Water Management Plan shall be submitted for the further approval of the Planning Authority and thereafter implemented prior to the occupation of the development.

#### **Reasons: -**

1. To ensure the proposal does not increase flood risk and surface water is managed correctly.

#### **Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

The original application was advertised on 9 July 2020. The application received six comments, five in support and one taking a neutral stance.

The revised scheme was subsequently amended and advertised on 8 September 2020. The revised scheme received eight objection comments.

These representations are summarised and addressed in the Assessment section of the main report.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development****Plan Provision**

Edinburgh Local Development Plan

**Date registered**

7 July 2020

**Drawing numbers/Scheme**

01A, 02A, 03C, 04A, 05C, 06A, 07A, 08,

Scheme 4

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Christopher Sillick, Planning Officer

E-mail: christopher.sillick@edinburgh.gov.uk

**Links - Policies**

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**Relevant Policies:****Relevant policies of the Local Development Plan.**

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

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

### **Relevant Non-Statutory Guidelines**

**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.

# Appendix 1

**Application for Planning Permission 20/02743/FUL  
at Land 16 Metres North East Of, 2 Allan Park Crescent,  
Edinburgh.  
New 3 bedroom dwelling house (as amended).**

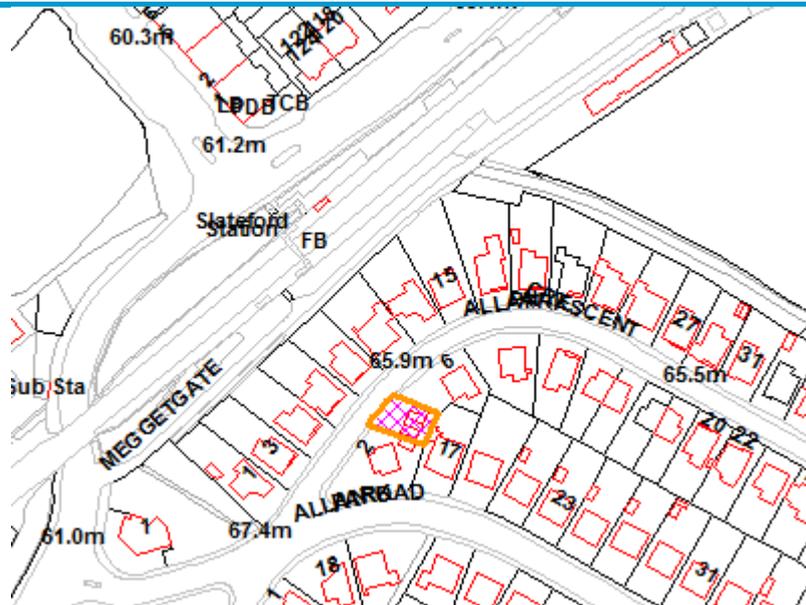
## Consultations

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No consultations undertaken.

## Location Plan

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**END**

2020-60

30<sup>th</sup> November 2020

The City of Edinburgh Council  
Local Review Body  
Business Centre  
G.2 Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8BG

Emailed to : [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Dear Sir/Madam

**PLANNING APPEAL TO LOCAL REVIEW BODY – ONLINE REFERENCE 100335849-001**

**PLANNING APPLICATION REFERENCE: 20/03877/FUL**  
**39 HUTCHISON MEDWAY EDINBURGH EH14 1QQ**  
**PROPOSED 1 ½ STOREY 3-BEDROOM HOUSE**

We are instructed by Ms C Black to request that City of Edinburgh Local Review Body reviews the decision by the planning authority to refuse planning permission for the above proposed development. The Review has been electronically submitted with reference 100335849-001.

The Review Documents comprise the following:

- Completed Notice of Review forms
- Grounds for Review Statement including Appeal Documents 01 to 09 (appended to Statement)
- List of Documents intended to be relied upon in the Review within Content page of Statement
- Original planning application drawings and supporting Planning Statement

Should you require any further information to assist in determining the Review, please contact me in the first instance..

We trust the information enclosed is sufficient to register and proceed. If you require any further assistance, please contact me.

[REDACTED]

[REDACTED]

**Gray**  
MA (Hons), MSc, Dip TP, MRTPI  
Director  
GRAY PLANNING & DEVELOPMENT Ltd

E: [neil@grayplanning.co.uk](mailto:neil@grayplanning.co.uk)  
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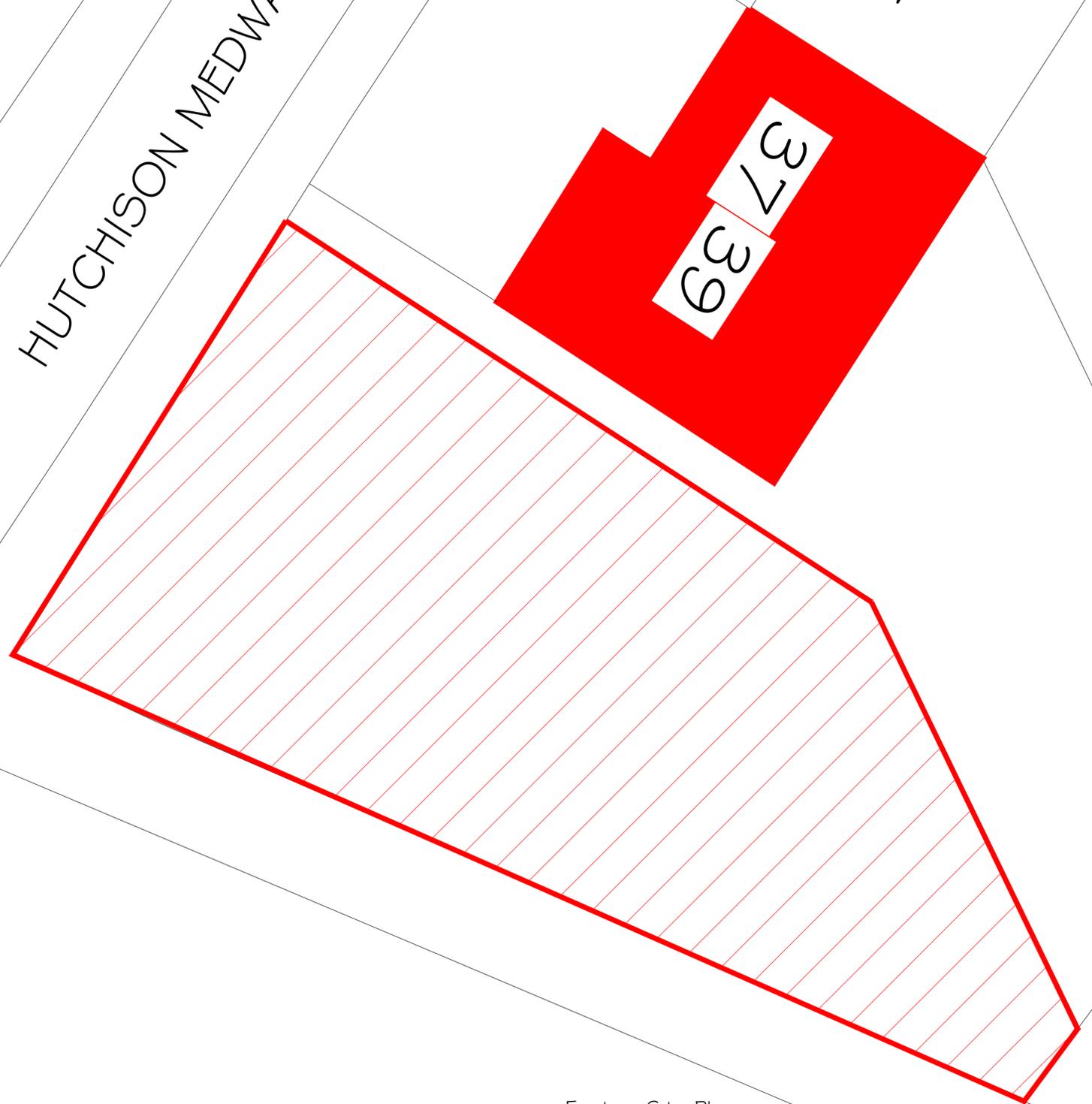
AYE House, Admiralty Park, Rosyth, Dunfermline KY11 2YW  
Personal | Professional | Proactive | Commercial | Results



HUTCHISON MEDWAY

3335

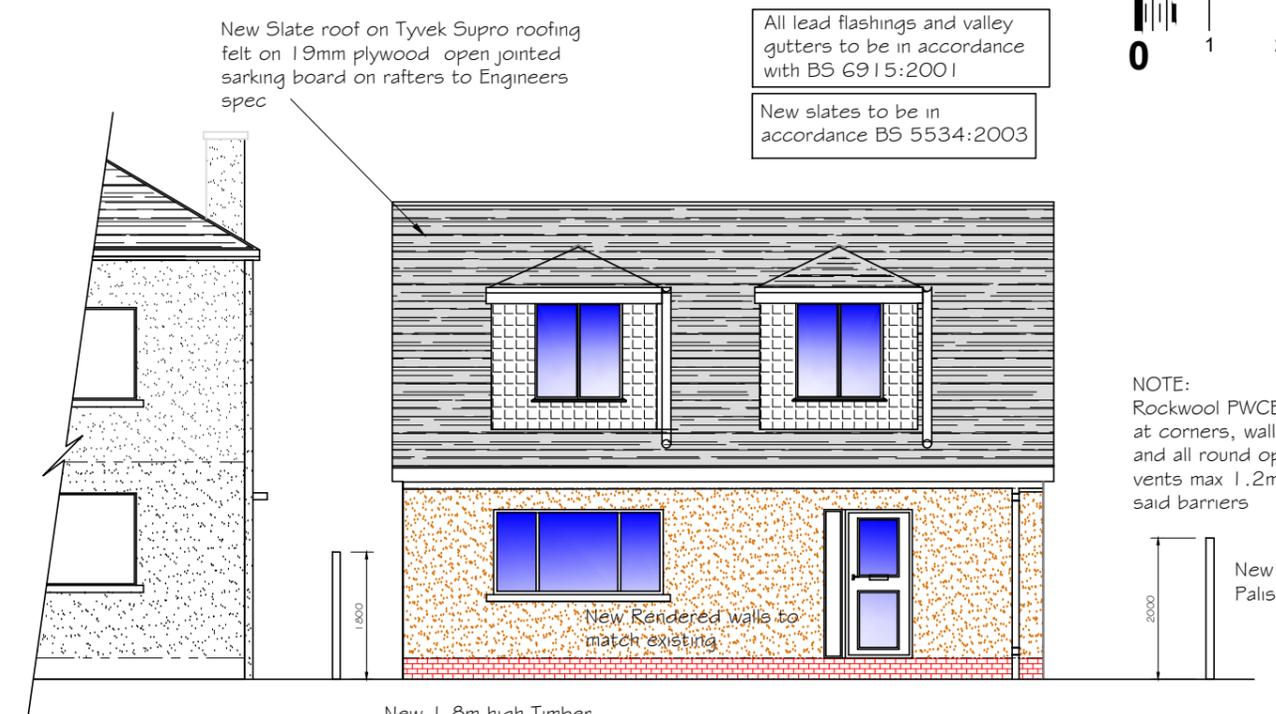
3739



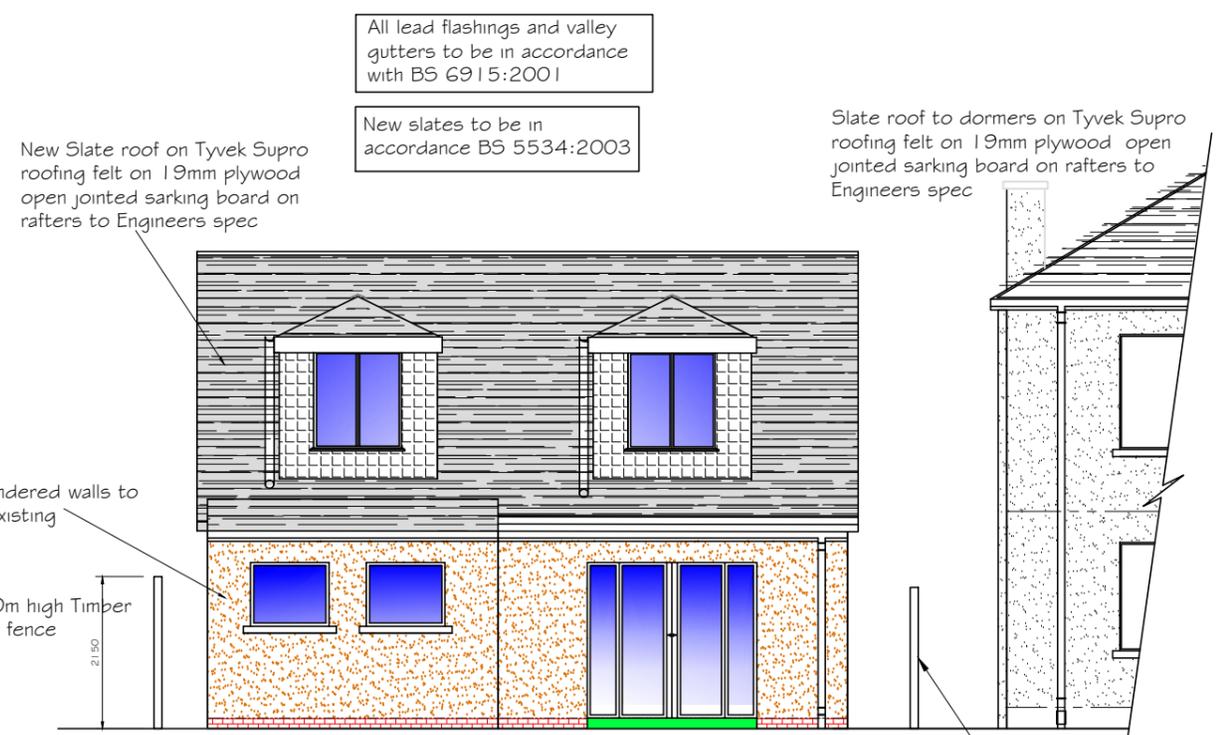
Existing Site Plan  
Scale 1:100

Rev	Description	Date
<b>Capital Draughting Consultant's Ltd</b> 40 Dinmont Drive Edinburgh EH16 5RR <small>Email: cdc.ltd@sky.com Tel: 0131 666 1804            Mob: 07834156071</small>		
Status <b>Planning</b>		
Project Title Proposed New 3 Bedroom 1 1/2 Story house at side of 39 Hutchison Medway Edinburgh		
Client <b>Mr K. Black</b>		
Drawing Title <b>Existing Site Plan</b>		
Date	Sep '20	Scale As Shown
Drawing Number <b>CDC/20/146/00</b>		Rev.

0 1 2 3 4 5m 10m 1:100@a3



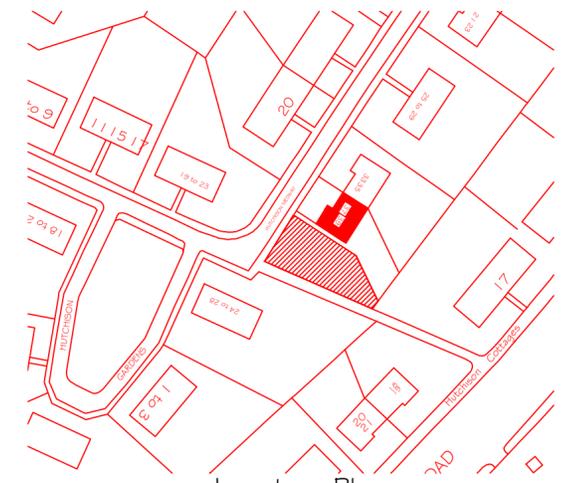
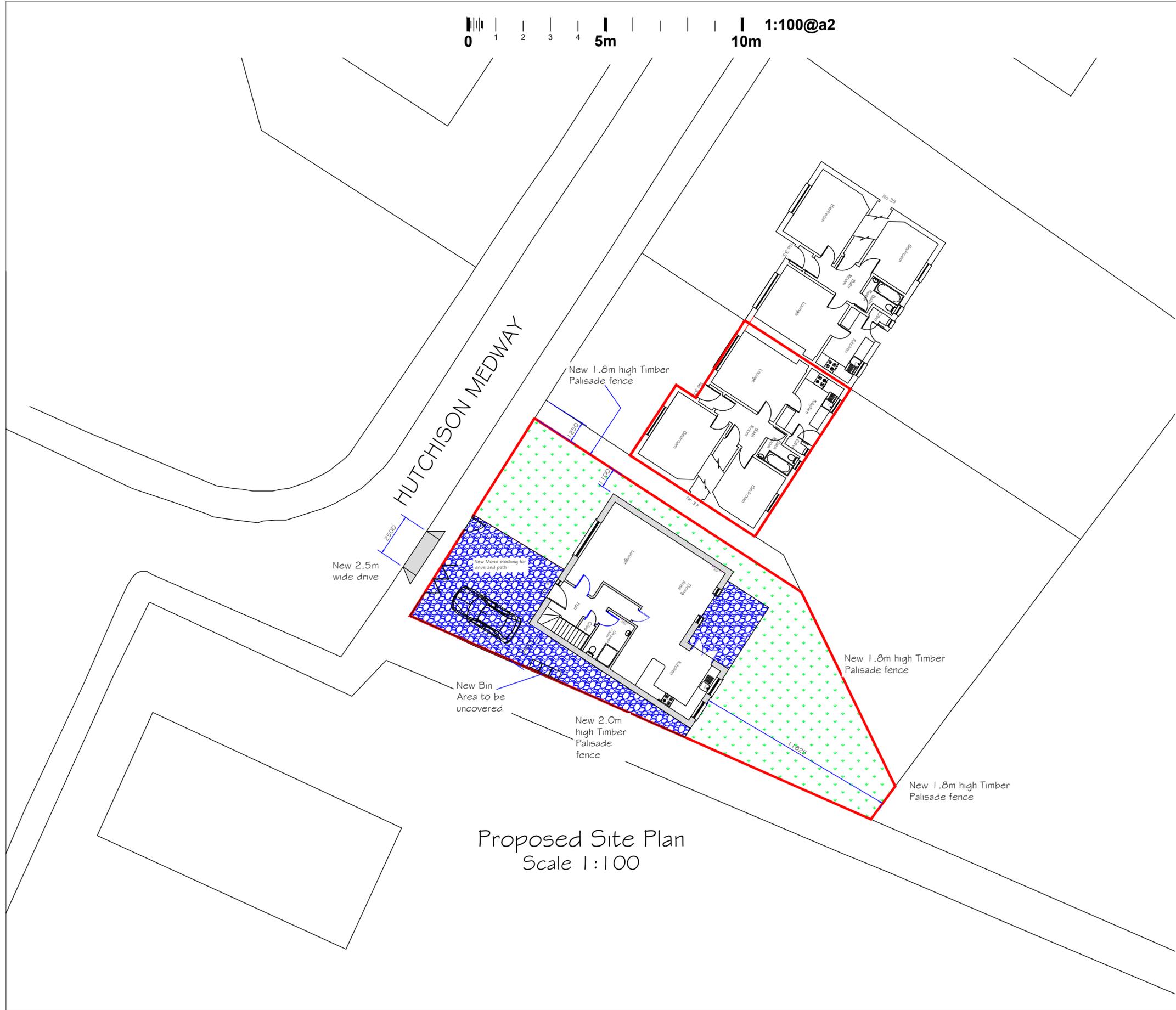
Proposed Front Elevation  
Scale 1:100



Proposed Rear Elevation  
Scale 1:100

Rev	Description	Date
<b>Capital Draughting Consultant's Ltd</b> 40 Dinmont Drive Edinburgh EH16 5RR Email: cdc.ltd@sky.com Tel: 0131 666 1804 Mob: 07834156071		
<b>Status</b> Planning		
<b>Project Title</b> Proposed New 3 Bedroom 1 1/2 Story house at side of 39 Hutchison Medway Edinburgh		
<b>Client</b> Mr K. Black		
<b>Drawing Title</b> Proposed Elevations Sheet 1 of 2		
<b>Date</b> Sep '20		<b>Scale</b> As Shown
<b>Drawn</b>		
<b>Drawing Number</b> CDC/20/146/04		<b>Rev.</b>

0 1 2 3 4 5m 10m 1:100@a2



Location Plan  
Scale 1:1250

Rev	Description	Date
<b>Capital Drafting Consultant's Ltd</b> 40 Dinmont Drive Edinburgh EH16 5RR Email: cdc.ltd@sky.com Tel: 0131 666 1804 Mob: 07834156071		
<b>Status</b> Planning		
<b>Project Title</b> Proposed New 3 Bedroom 1 1/2 Story house at side of 39 Hutchison Medway Edinburgh		
<b>Client</b> Mr K. Black		
<b>Drawing Title</b> Proposed Site Plan		
<b>Date</b> Sep '20		<b>Scale</b> As Shown
<b>Drawn</b>		
<b>Drawing Number</b> CDC/20/146/01		<b>Rev.</b>

All doors to be min 826mm wide with clear opening of 775mm from edge of door to doorstep

The minimum performance of, space heating and hot water systems, heating appliances and controls is set out in the Domestic Building Services Compliance Guide for Scotland <http://www.scotland.gov.uk/Topics/Built-Environment/Building/Building-standards/techbooks/techhandbooks/dbscgs>.

New Worcester boiler Combi boiler and room sealed appliance. With a Sedbuk rating of A+ efficiency to be positioned and mounted with noncombustible material min 25mm thk fixed to back of boiler with a fan flue vented thro wall with mesh cover. In addition to the functional standards, Gas-fired appliance installations must also comply with the Gas Safety (Installation and Use) Regulations 1998. Gas-fired installations are to be installed by a competent person. The Gas Safety (Installations and Use) Regulations 1998 regulates gas installations while the Gas Appliance (Safety) Regulations 1995 address the product safety of appliances.

For Combi-Boiler Installations the following BS are to be adhered to BS 6891 Gas Installation. BS 5546 Installation of hot water supplies for domestic purposes.

Flue to be min 25mm from any combustible material flue pipe to comply with BS. 5440-1-2000  
Combustion & Cooling Air to comply with BS. 5440-2-2000

Boiler control to be fitted interlock and Automatic bypass valve, Time control Time switch with 7 day for space heating

All new windows are tilt and turn and to be fire escape of a min 850mm high x 450mm wide and to be cleanable from inside and all to be fitted with ventilation of Living Rooms & Bedrooms 12000mm<sup>2</sup> Kitchens & Bathrooms 10000mm<sup>2</sup>. U-Value of window glazing to be 1.6

All new doors and windows to be designed to resist forced entry and to be tested and certified such as PAS 24 :2007 for doorsets and for windows BS 7950 :1997 Glazing should be designed to resist human impact as set out in BS 6262: Part 4: 2005, where all, or part, of a pane is:  
• within 800mm of floor level or  
• part of a door leaf or  
• within 300mm of a door leaf and within 1.5m of floor level.

All glazing to comply with BS6262 : part 4 : 2005  
Note  
All vegetable matter and any debris to be removed from site within area of proposed extension

All Insulation for pipes and ducts should be carried out in accordance with the guidance contained within BRE Report:- Ref 626 Thermal Insulation avoiding risks and to BS 5422: 2009

**Window/door specification:**

New door and side glazing panels to comply with BS 6262: Pt.4: 2005.  
All glazing below 800mm high to be toughened safety glass.  
All new windows to be 28mm double glazed pvc-u fitted with with double glazed units of Low Emissivity Pilkington 'E' glass, argon filled with a 20mm air gap within the sealed unit.  
Manufacturer of windows and doors to provide certification that 'U' value does not exceed 1.4 W/m<sup>2</sup> K.  
All new windows and doors to be fitted with trickle vents (12000mm<sup>2</sup> min).

Fixed lighting Lighting efficacy  
Internal light fittings (75%) 45 lamp lumens per circuit-watt  
External lighting – automatic presence and daylight control Lamp capacity < 100 lamp-watts per light fitting External lighting – manual switching and automatic daylight control 45 lumens per circuit-watt

Water efficient fittings should be provided to all WCs and WHBs within a dwelling. Dual flush WC cisterns should have an average flush volume of not more than 4.5 litres. Single flush WC cisterns should have a flush volume of not more than 4.5 litres. Taps serving wash or hand rinse basins should have a flow rate of not more than 6 litres per minute.

Mains operated CO<sub>2</sub> ( Carbon Dioxide ) monitoring equipment should be provided in the apartment expected to be the main or principal bedroom in a dwelling where infiltrating air rates are less than 1.5m<sup>3</sup>/hr/m<sup>2</sup> @ 50 Pa. This should raise occupant awareness of CO<sub>2</sub> levels (and therefore other pollutants) present in their homes and of the need for them to take proactive measures to increase the ventilation. Guidance on the operation of the monitoring equipment, including options for improving ventilation when indicated as necessary by the monitor should be provided to the occupant.

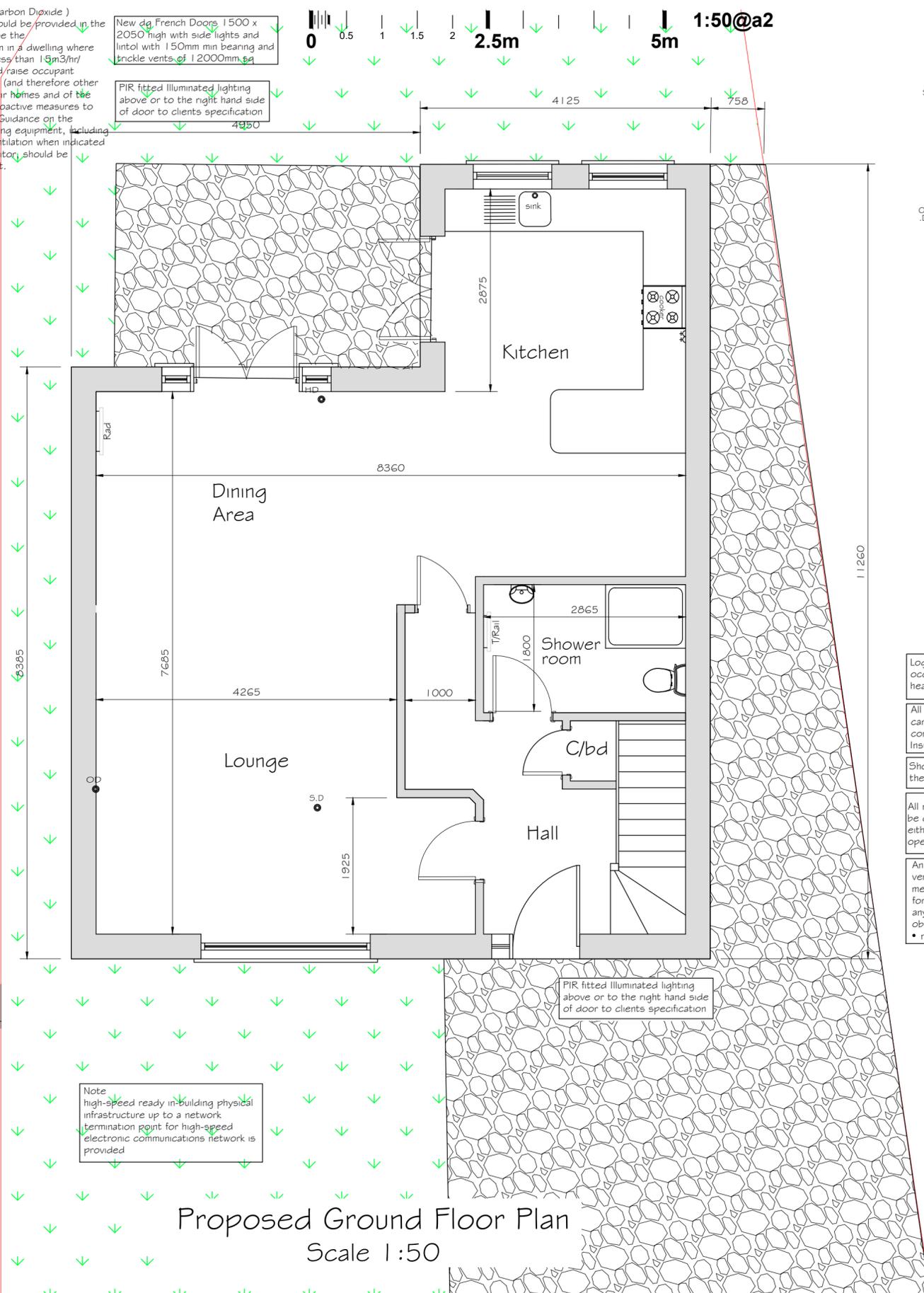
New 4 French Doors 1500 x 2050 high with side lights and lintol with 150mm min bearing and trickle vents of 12000mm<sup>2</sup>

PIR fitted illuminated lighting above or to the right hand side of door to clients specification

On completion of works a sustainability label is to be affixed to the building in a readily accessible location ie on back of door

Bedroom 1 Floor Area = 11.97sq. m  
Ventilation req'd = 0.4m  
Actual is = 1.65m  
Daylight Required is 0.8m  
Actual daylight is = 1.55m

Note  
high-speed ready in-building physical infrastructure up to a network termination point for high-speed electronic communications network is provided



Proposed Ground Floor Plan  
Scale 1:50

- Denotes Carbon Monoxide Detector. 1.0-3.0m away from appliance compliant with BS EN 50291-1:2010 & Scottish building standards section 3.20.20.
- Denotes new ceiling mounted smoke detector alarm to be mains connected and have battery back up, to be not more than 3.0m from any bedroom door, to comply with BS5839-pt 6:2004 & to be on a separate circuit, detector to be at least 300mm from a wall or light fitting. All smoke detectors are to be interconnected.
- Heat alarms conforming to BS 5446: Part 2: 2003
- All Optical smoke alarms should conform to BS EN 14604: 2005

Note  
All Bedroom in windows 1st floor are Tilt & Turn and are fire escapable

lounge Floor Area = 11.92sq. m  
Ventilation req'd = 0.39m  
Actual is = 1.7m  
Daylight Required is 0.8m  
Actual daylight is = 1.7m

22mm T&G chipboard on Timber joists at 450 ctrs with 150mm Celotex Insulation with 38x50 flooring edge dwangs and full depth dwangs at dwarf wall

PIR fitted illuminated lighting above or to the right hand side of door to clients specification

All glazing to comply with BS6262 : part 4 : 2005

Note  
All vegetable matter and any debris to be removed from site within area of proposed extension

Note :- All new DPC's and DPM's to be lapped

Log Book requires to be provided for use of the occupier on the operation and maintenance of the heating and hot water service system.

All Insulation for pipes and ducts should be carried out in accordance with the guidance contained within BRE Report:- Ref 626 Thermal Insulation avoiding risks and to BS 5422: 2009

Showers to be fitted with a thermostatic mixing valve

All new windows and velux's are to be cleanable from inside, with either pole or electronic operation to open velux

An openable window, rooflight or other ventilator, that provides natural ventilation to meet Standard 3.14, should have controls for opening, positioned at least 350mm from any internal corner, projecting wall or similar obstruction and at a height of:  
• not more than 1.2m above floor level,

Carbon monoxide detectors (Kidde 4MCO Carbon monoxide alarms, main powered) should comply with BS EN 50291-1:2010 and be powered by a battery designed to operate for the working life of the detector. The detector should incorporate a warning device to alert the users when its working life is due to expire. Hard wired mains operated carbon monoxide detectors complying with BS EN 50291-1:2010 (Type A) with fixed wiring (not plug in types) may be used as an alternative, provided they are fitted with a sensor failure warning device. Carbon dioxide detector head should not be sited if ceiling mounted, within 300mm of any wall, if wall mounted, within 150mm of the ceiling or a junction with another wall, where it can be obstructed (for example by curtains, blinds or furniture), next to a door or window, or next to an air vent or similar ventilation opening.

- General Notes
1. electrical :-
    - denotes light switch
    - denotes light point
    - denotes 13amp P.P. circuit
  2. external walls :- External Wall Construction to be render as existing 100mm Thermalite Block, 50mm Cavity, 9mm OSB Sheathing on 145x45 Timber Studs at 600mm crs with 120 Celotex Insulation Between Studs and 25mm thk to inner leaf of stud with vapour barrier to internal Surface with 12.5mm thk p/board and Skim-Coat Plaster Finish to Achieve a Thermal Value of 0.17 W/M<sup>2</sup>.K
  3. roofs :- to give 0.11 'U' value (as noted) walls :- to give 0.17 'U' value (as noted) Floors :- to give 0.15 'U' value (as noted)
  3. All drainage to be to part 3.6, 3.7 & 3.12 of the current technical handbook and to BS EN 12056-2: 2000, to be installed in accordance with manufacturer's recommended instructions

The electrical installation should be designed, constructed, installed and tested in accordance with the recommendations of BS7671:2008. New electrics to be connected to existing supply. White uPVC switch covers & sockets. Outlets and controls of electrical fixtures and systems should be positioned at least 350 mm from any internal corner, projecting wall or similar obstruction and, unless the need for a higher location can be demonstrated, not more than 1.2 m above floor level. This would include fixtures such as sockets, switches. Within this height range:  
• light switches should be positioned at a height of between 900 mm and 1.1 m above floor level;  
• standard switched or unswitched socket outlets and outlets for other services such as telephone or television should be positioned at least 400 mm above floor level. 75% of all new artificial lighting should be low energy type. Electrical installation to be designed, constructed, installed and tested in accordance with the recommendations of BS 7671:2008, As amended and submitted only by a person or company having membership to S.E.L.E.C.T or similar electrical schemes recognised by the Scottish Building Standards Agency to comply with safety 4.5. Electrical fixtures and fittings to be positioned as per the Scottish Building Standards section 4.8.5.

Rev	Description	Date
<b>Capital Draughting Consultant's Ltd</b> 40 Dinmont Drive Edinburgh EH16 5RR		
Email: cdc.ltd@sky.com Tel: 0131 666 1804 Mob: 07834156071		
<b>Planning</b>		
Project Title Proposed New 3 Bedroom 1 1/2 Story house at side of 39 Hutchison Medway Edinburgh		
Client Mr K. Black		
Drawing Title Proposed Ground Floor Plan		
Date Sep '20	Scale As Shown	
Drawn		
Drawing Number CDC/20/146/02	Rev.	



**FLAT ROOF CONSTRUCTION - (warm construction)**  
 Single ply membrane bonded to 18mm thick plywood on 170mm thick Celotex insulation (2 Layers) on vapour barrier on 200 x 50 joists at 400crs 12.5thk plasterboard ceiling fixed to u/side of roof joists with skim coat plaster finish to give a minimum half hour fire resistance Roof to achieve a 'U' value of 0.13W/m²K

Bedroom 2 Floor Area = 6.32sq. m  
 Ventilation req'd = 0.22m  
 Actual is = 1.65m  
 Daylight Required is 0.210m  
 Actual daylight is = 1.55m

Note  
 All Bedroom in windows 1st floor are Tilt & Turn and are fire escapable

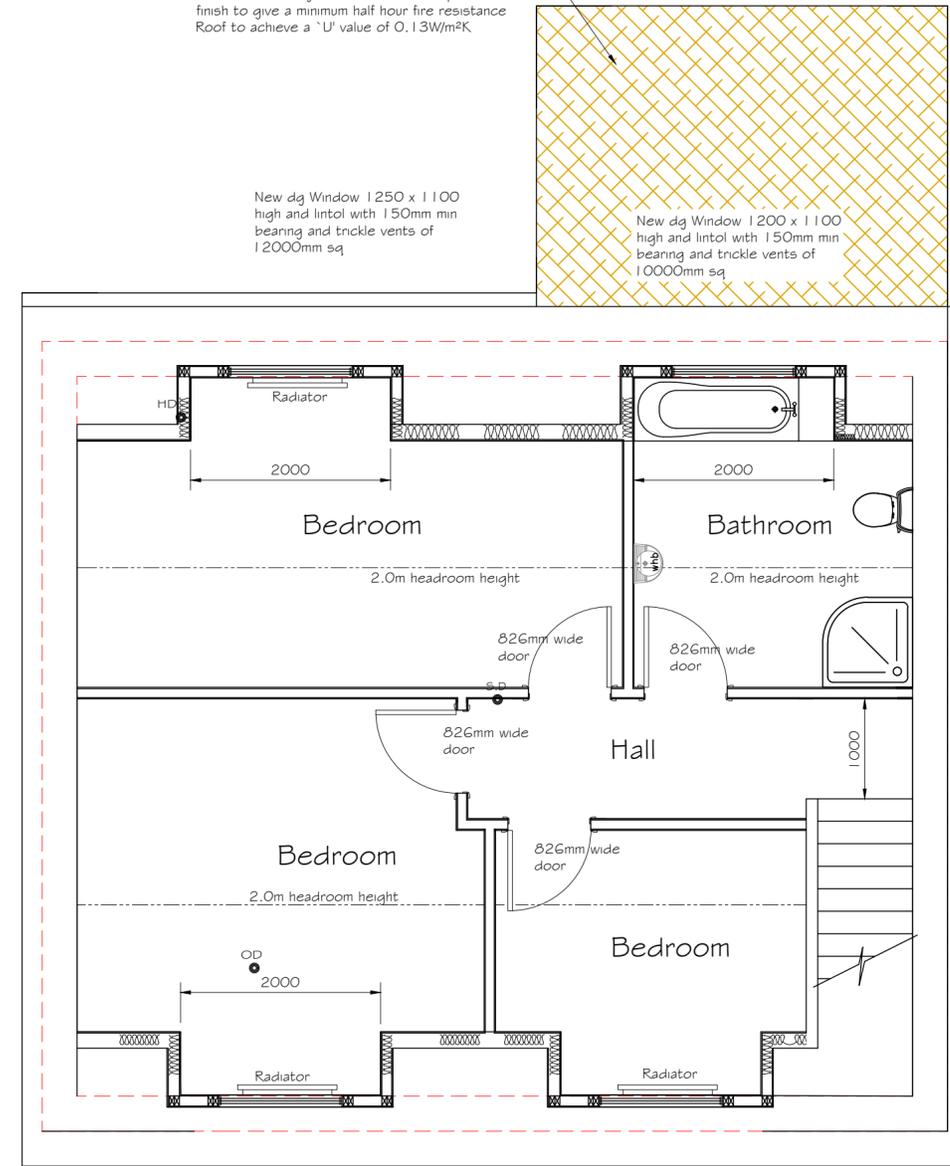
**STAIR SPEC.:**  
 SITE CHECK ALL DIMENSIONS PRIOR TO MANUFACTURE:  
 950 wide o/a STAIR (900min. between wall & balustrade):  
 Timber stair to comply with British Standard BS 585 PART 1 : 1989. 230x38thk stringers - (check on site);  
 Treads 22thk; Risers 15thk  
 Treads to be equal, with 225 going and 13 equal risers @ 197.85  
 Tapered treads to have min 50mm, goings @ centreline of tapered treads to be not less than 225mm  
 N.B. Max. pitch not to exceed 42°.  
 Handrail, far side, to be 44x69 (groove 26x5), and set at 900 high and fitted to wall of stairwell

Designated space for drying of washing. Minimum area of 1.0m³, to comply to Scottish building standards section 3:11.

Handrail, far side, to be 44x69 (groove 26x5), and set at 900 high and fitted to wall of stairwell

All hot water pipes including discharge to be To prevent scalding, the temperature of hot water, at point of delivery to a bath or bidet, should not exceed 48° C. Where both hot and cold water are supplied achieved by use of a thermostatic mixing valve (TMV) or fitting complying with BS EN 1111 : 1999 or BS EN 1287 : 1999.  
 Every dwelling should have some form of fixed heating system, or alternative that is capable of maintaining a temperature of 21°C in at least 1 apartment and 18°C elsewhere, when the outside temperature is minus 10C.

Water efficient fittings should be provided to all WCs and WHBs within a dwelling. Dual flush WC cisterns should have an average flush volume of not more than 4.5 litres. Single flush WC cisterns should have a flush volume of not more than 4.5 litres.  
 Taps serving wash or hand rinse basins should have a flow rate of not more than 6 litres per minute.



New dg Window 1350 x 1000 high and lintol with 150mm min beaming and trickle vents of 10000mm sq

Bedroom 3 Floor Area = 9.48sq. m  
 Ventilation req'd = 0.63m  
 Actual is = 1.25m  
 Daylight Required is 0.315m  
 Actual daylight is = 1.30m

New blow off valve to be thro wall and returned to wall at bottom with protective cage around it

All glazing to comply with BS6262 : part 4 : 2005

All new glazing to have a u-value of not exceeding 1.4W/m²K

All new doors and windows to be designed to resist forced entry and to be tested and certified such as PAS 24 :2007 for doorsets and for windows BS 7950 :1997

Wall mounted Xpelair fan to be capable of 15/sec 3ach per hr. to duct thro' wall with proprietary sleeve system and fitted with Isolator switch

All new windows are to be cleanable from inside

All Bedrooms to have min 10000mm trickle ventilation

Bedroom 4 Floor Area = 9.43sq. m  
 Ventilation req'd = 0.63m  
 Actual is = 1.32m  
 Daylight Required is 0.315m  
 Actual daylight is = 1.3m

**FLAT ROOF CONSTRUCTION - (warm construction)**  
 Single ply membrane bonded to 18mm thick plywood on 170mm thick Celotex insulation (2 Layers) on vapour barrier on 18mm plywood on 200 x 50 joists at 400crs 12.5thk plasterboard ceiling fixed to u/side of roof joists with skim coat plaster finish to give a minimum half hour fire resistance Roof to achieve a 'U' value of 0.13W/m²K

General Building Standards Notes (Applies to all drawings):

All new structural timber to be preservative treated in accordance with the British Wood Preserving and Damp Proofing Association Commodity. Existing timbers to be cleaned and inspected and treated against rot and insect attack before commencement of work.

No solvent based paints to be used.

Dimensions to be checked on site before work commences and any discrepancies reported to the Architect.

All standard safety precautions as issued by the Health and Safety Executive to be observed during construction.

Consideration should be given to notifying neighbours of proposed construction works and access prior to commencement of the works. All temporary works/hoardings, etc shall comply with Regulation 13 & 14 (General Section of Domestic Handbook) relative to scaffolding, notices, protective works and cleaning footpaths/access.

All new construction should comply with limiting air infiltration and thermal bridging as Regulation 6.2.4 and 6.2.4 of the Domestic Handbook. Sealing dry-lining junctions between floor, wall, ceiling and all service penetrations and VCL around openings. Draughtproof all openings and refer to Accredited Construction Details (ACD) (Scotland) 2010 and BRE 262 'Thermal Insulation Avoiding Risks' 2002.

All work shall be carried out in accordance with the Building (Scotland) Regulations 2004 and the technical standards handbook 2015 as defined within the Building (Scotland) Act 2003.

An operable window or rooflight, that provides natural ventilation to meet standard 3.1.4, should have controls for opening, positioned at least 350 mm from any internal corner, projecting wall or similar obstruction and at a height of:  
 • not more than 1.7m above floor level, where access to controls is unobstructed; or  
 • not more than 1.5m above floor level, where access to controls is limited by a fixed obstruction of not more than 900 mm high which projects not more than 600 mm in front of the position of the controls, such as a kitchen base unit. Where obstruction is greater, a remote means of opening, in an unobstructed location, should be provided; or  
 • not more than 1.2m above floor level, in an unobstructed location, within an enhanced apartment (see clause 3.1.1.2) or within accessible sanitary accommodation (see clause 3.1.2.3) not provided with mechanical ventilation.

New heating system to comply with Technical Standards 3.17-3.22, 6.3, 6.7 and 6.8, SEDBUK rating, inspection & commissioning & provision of written information and BS 5422:2009 to maintain a minimum temperature of 21 degrees C in apartments and 18 degrees C elsewhere where outside temp -1 deg. C. All existing/proposed pipes shall be insulated against heat loss in accordance with the guidelines for environmental thickness given in BS 5422: 2009.

All new radiators/heaters to be fitted with thermostats.

Denotes Carbon Monoxide Detector. 1.0-3.0m away from appliance compliant with BS EN 50291-1 : 2010 & Scottish building standards section 3.20.20.

Denotes new ceiling mounted smoke detector alarm to be mains connected and have battery back up, to be not more than 3.0m from any bedroom door, to comply with BS5839-pt 6:2004 & to be on a separate circuit, detector to be at least 300mm from a wall or light fitting. All smoke detectors are to be interconnected.

Heat alarms conforming to BS 5446: Part 2: 2003

All Optical smoke alarms should conform to BS EN 14604: 2005

General Notes  
 1. electrical :-  
 • denotes light switch  
 • denotes light point  
 • denotes 13amp P.P. circuit  
 All electrical works to be in accordance with part 4.5 of the current technical handbook. BS7671 :2008 and current I.E.E. Regulations

2. external walls :- External Wall Construction to be render as existing 100mm Thermalite Block, 50mm Cavity, 9mm OSB Sheathing on 145x45 Timber Studs at 600mm crs with 120 Celotex Insulation Between Studs and 25mm thk to inner leaf of stud with vapour barrier to internal Surface with 12.5mm thk p/board and Skim-Coat Plaster Finish to Achieve a Thermal Value of 0.17 W/M2.K

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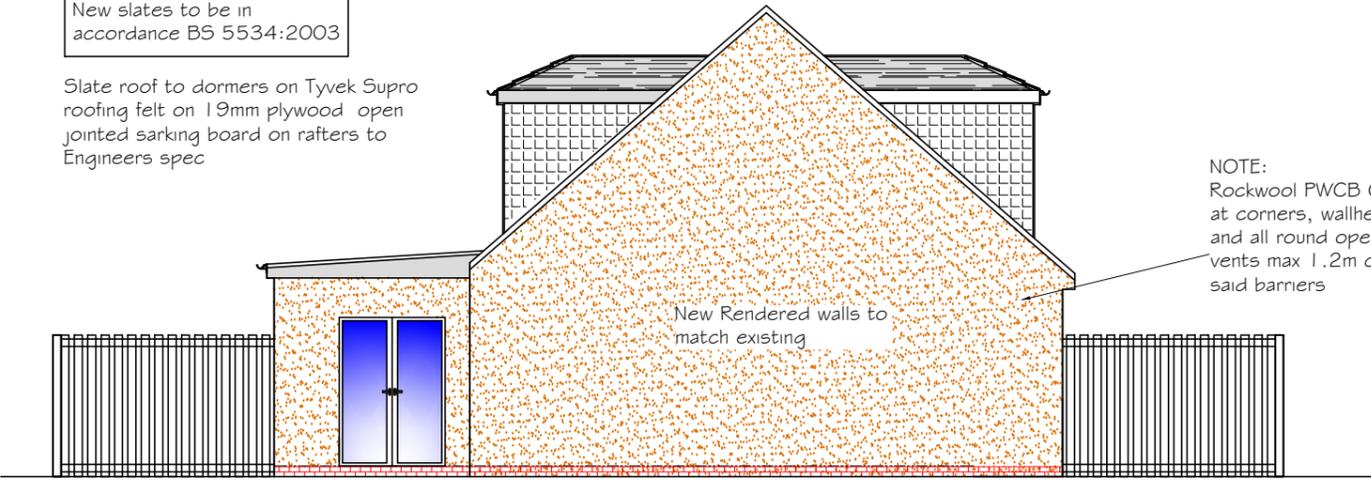
Rev	Description	Date
<b>Capital Draughting Consultant's Ltd</b> 40 Dinmont Drive Edinburgh EH16 5RR Email: cdc.ltd@sky.com Tel: 0131 666 1804 Mob: 07834756071		
<b>Status</b> Planning		
<b>Project Title</b> Proposed New 3 Bedroom 1 1/2 Story house at side of 39 Hutchison Medway Edinburgh		
<b>Client</b> Mr K. Black		
<b>Drawing Title</b> Proposed First Floor Plan		
<b>Date</b> Sep '20	<b>Scale</b> As Shown	
<b>Drawn</b>		
<b>Drawing Number</b> CDC/20/146/03		<b>Rev.</b>

## Proposed First Floor Plan Scale 1:50

All lead flashings and valley gutters to be in accordance with BS 6915:2001

New slates to be in accordance BS 5534:2003

Slate roof to dormers on Tyvek Supro roofing felt on 19mm plywood open jointed sarking board on rafters to Engineers spec



NOTE:  
Rockwool PWCB Cavity barriers /dpc at corners, wallheads, ceiling level and all round openings, and perpend vents max 1.2m c/c above and below said barriers

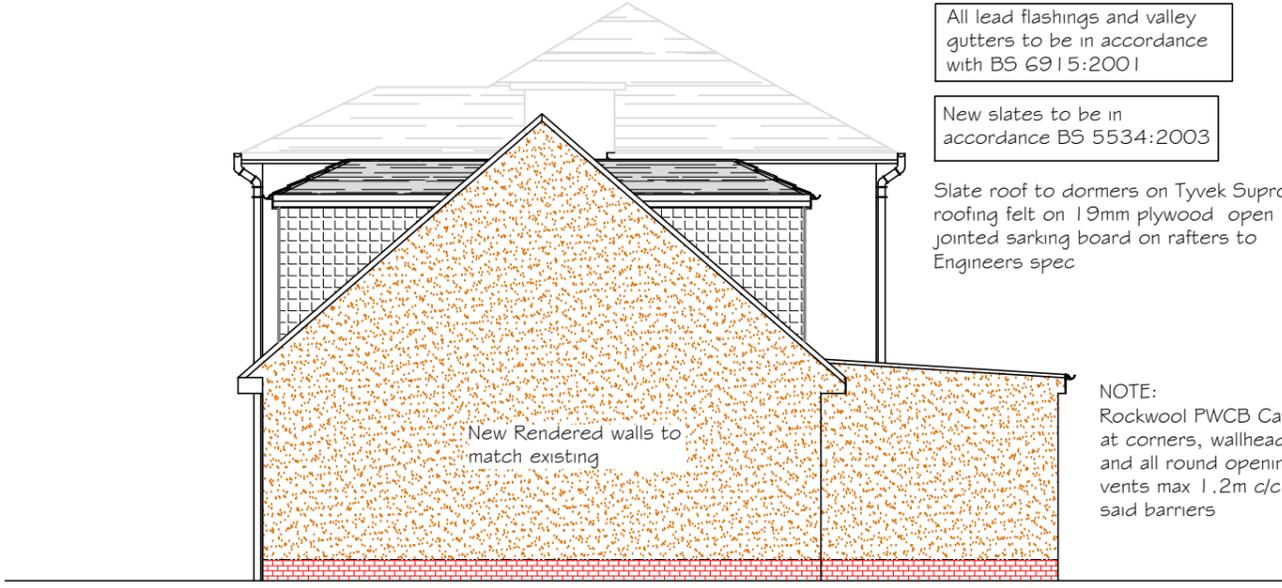
New Rendered walls to match existing

Proposed Gable Elevation  
Scale 1:100

All lead flashings and valley gutters to be in accordance with BS 6915:2001

New slates to be in accordance BS 5534:2003

Slate roof to dormers on Tyvek Supro roofing felt on 19mm plywood open jointed sarking board on rafters to Engineers spec



NOTE:  
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New Rendered walls to match existing

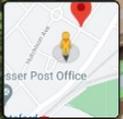
Proposed Gable Elevation  
Scale 1:100

Rev	Description	Date
<b>Capital Draughting Consultant's Ltd</b> 40 Dinmont Drive Edinburgh EH16 5RR Email: cdc.ltd@sky.com Tel. 0131 666 1804 Mob. 07834156071		
<b>Status</b> Planning		
<b>Project Title</b> Proposed New 3 Bedroom 1 1/2 Story house at side of 39 Hutchison Medway Edinburgh		
<b>Client</b> Mr K. Black		
<b>Drawing Title</b> Proposed Elevations Sheet 2 of 2		
<b>Date</b>	Sep '20	<b>Scale</b> As Shown
<b>Drawn</b>		
<b>Drawing Number</b> CDC/20/146/05		<b>Rev.</b>





33 Hutchison Medway  
Edinburgh, Scotland  
Google  
Street View



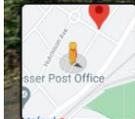
Google

Hutchison Medway

23 Hutchison Loan  
Edinburgh, Scotland

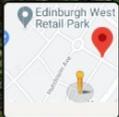
Google

Street View



Google

37 Hutchison Medway  
Edinburgh, Scotland  
Google  
Street View



Google