

John Gordon Associates Ltd.  
FAO: John Gordon  
3 Dean Acres  
Comrie  
Dunfermline  
KY12 9XS

Mr J Whyte.  
2F2  
86 Leamington Terrace  
Edinburgh  
EH10 4JU

**Decision date: 7 January 2021**

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

Replacement windows to front and rear.  
At 2F2 86 Leamington Terrace Edinburgh EH10 4JU

**Application No:** 20/04866/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 6 November 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 the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed replacement windows to the rear are of an inappropriate material, design and position that will fail to preserve or enhance the character of the conservation area.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions as the proposed replacement windows to the rear are of an inappropriate material, design and position that will adversely impact on the character of the existing building and neighbourhood character.

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

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

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

The proposed development is of an inappropriate material, design and position and will have an adverse impact on the character and appearance of the existing building, and, will fail to preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to the Edinburgh Local Development Plan policies Env 6, Des 12 and the relevant non-statutory guidance.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact 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**

## 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  
2F2, 86 Leamington Terrace, Edinburgh**

**Proposal: Replacement windows to front and rear.**

**Item – Local Delegated Decision  
Application Number – 20/04866/FUL  
Ward – B10 - Morningside**

## **Recommendation**

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

## **Summary**

The proposed development is of an inappropriate material, design and position and will have an adverse impact on the character and appearance of the existing building, and, will fail to preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to the Edinburgh Local Development Plan policies Env 6, Des 12 and the relevant non-statutory guidance.

## **SECTION A – Application Background**

### **Site Description**

The site is a second floor flat that forms part of a victorian tenement property located on the south west side of Leamington Terrace. The site lies in the Marchmont, Meadows and Brunstfield Conservation Area.

### **Description Of The Proposal**

The application proposes the following works;

-Replacement windows to rear of property (timber to uPVC).

Not Development

Replacement timber windows to front of property : These works do no constitute development as defined under Section 26 of the Town and Country Planning (Scotland) Act 1997. No assessment of their merits is therefore required as part of this planning application.

**Relevant Site History**

No relevant site history.

**Consultation Engagement**

No Consultations.

**Publicity and Public Engagement**

**Date of Neighbour Notification:** 13 November 2020

**Date of Advertisement:** 20 November 2020

**Date of Site Notice:** 17 November 2020

**Number of Contributors:** 1

**Section B - Assessment****Determining Issues**

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

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

Do the proposals comply with the development plan?

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

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

**Assessment**

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

- a) the proposed scale, form and design is acceptable and will not be detrimental to the conservation area;
- b) the proposal will cause an unreasonable loss to neighbouring amenity;
- c) any impacts on equalities or human rights are acceptable; and
- d) any comments raised have been addressed.

a) Scale, form, design and the conservation area

Policy Env 6 of the Edinburgh Local Development Plan states that development within the conservation area will be permitted where it preserves or enhances the special character or appearance.

Policy Des 12 of the Edinburgh City Local Plan sets out relevant design criteria for alterations and extensions. These seek to ensure that alterations and extensions are compatible with the character of the existing dwelling and that of the wider locality.

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well-proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

Specific to Bruntsfield, the architectural character of the area is dominated by Victorian tenements. The tenements vary in scale, being 3, 4 or 5 storey, each having an integrity of purpose and definition. The 5 storey tenements are concentrated along or near the main roads. The terraced housing, whilst often not having special individuality, compensate for this with rhythm and solidity - their patina creating a permanence and sobriety which belies the small variety within the built form.

The application proposes replacing 4 existing timber windows with uPVC sash windows on a second floor flat within a five-storey Victorian tenement.

As highlight in the above guidance, the proposal site and surrounds form a distinct architectural character to Brunstfield and this part of the conservation area. In this regard, there is a presumption against the loss of any features or material in this location which contribute positively to the character of the conservation area and provide continuity and uniformity within the surrounding built environment.

The alterations proposed would result in the loss of timber windows and replacement with uPVC. The non-statutory guidance states in regard to replacements of this nature that uPVC will not be acceptable and that any departure from the guidelines must be fully justified.

Whilst the presence of metal and uPVC windows on nearby properties is noted, the prevalent character is of traditional timber sash and case openings. This is further reinforced by the high-density form of development in this area in which the pattern of window design is accentuated by the uniform appearance of each storey that forms the tenement and its immediate surroundings.

Notwithstanding the existing changes in material evident, in line with Local Plan Policy Env 6, development proposals should preserve or enhance the character of the conservation area. In this context; on a property of distinct architectural character, the loss of the timber framed windows and replacement with uPVC would result in further erosion to its overall character.

Whilst the replacement windows south-west facing would not be visible from the street, this elevation fronts a significant expanse of garden space and is highly visible from the surrounding tenements. The existing design and scale of the windows still form a coherent pattern when considered in the context of the whole tenement. In this regard, this elevation still forms part of the architectural character of the building as a whole. Policy Env 6, states development should utilise 'materials appropriate to the historic

building.' The loss of timber openings and replacement with uPVC is inappropriate in the context of this historic tenement and would result in an adverse impact upon the architectural character of the building contrary to policy and relevant guidance. This would neither preserve, nor enhance the character or appearance of the conservation area.

In light of the above, the proposal would be contrary to Edinburgh Local Development policies Des 12, Env 6 and the relevant non-statutory guidance and Marchmont, Meadows and Bruntsfield Conservation Character Appraisal.

#### b) Neighbouring amenity

The proposals have been assessed against requirements set out in the non-statutory Guidance for Householders to ensure there is no unreasonable loss to neighbouring amenity with respect to privacy, overshadowing and loss of daylight or sunlight.

The proposals comply with Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders with respect to neighbouring amenity.

#### c) Equalities and human rights

This application was assessed in terms of equalities and human rights. No impact was identified.

#### d) Public comments

One objection has been received summarised as the following:

Material

-Proposal in design and material would be contrary to the non-statutory guidance - Addressed in section 3.3 a of the above report

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

The recommendation is subject to the following;

### **Conditions**

### **Reasons**

1. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed replacement windows to the rear are of an inappropriate material, design and position that will fail to preserve or enhance the character of the conservation area.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions as the proposed replacement windows to the rear are of an inappropriate material, design and position that will adversely impact on the character of the existing building and neighbourhood character.

## **Background Reading/External References**

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

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

**Date Registered: 6 November 2020**

## **Drawing Numbers/Scheme**

01, 02, 03

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](mailto:lewis.mcwilliam@edinburgh.gov.uk)

Appendix 1

**Consultations**

No consultations undertaken.

# Comments for Planning Application 20/04866/FUL

## Application Summary

Application Number: 20/04866/FUL

Address: 2F2 86 Leamington Terrace Edinburgh EH10 4JU

Proposal: Replacement windows.

Case Officer: Lewis McWilliam

## Customer Details

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

## Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The AHSS Forth & Borders Cases Panel have examined these proposals, and object to the proposed uPVC infill to the kitchen window, and the implied use of uPVC for some of the windows.

Edinburgh's guidance for windows on traditional properties in conservation areas is clear: uPVC is not an acceptable material. Most of the tenements in this block and its adjacent neighbours retain timber sash and case windows, and none of the neighbouring tenements on Leamington Terrace have planning permission for the few unfortunate replacements that exist.

Therefore all the replacement windows should continue to be of timber, and in the case of the kitchen, the present arrangement of the kitchen interior should not result in a permanent alteration to its window. None of the other properties in this block have an infilled area, so it would disturb the present unity of dimensions to the rear.

We hope to see revised proposals addressing these concerns, which will allow this proposal to proceed.

# Comments for Planning Application 20/04866/FUL

## Application Summary

Application Number: 20/04866/FUL

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Proposal: Replacement windows.

Case Officer: Lewis McWilliam

## Customer Details

Name: Not Available

Address: Not Available

## Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

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We hope to see revised proposals addressing these concerns, which will allow this proposal to proceed.

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 100327032-002

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	John Gordon Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:		Address 2:	Comrie
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="2F2"/>
First Name: *	<input type="text" value="J"/>	Building Number:	<input type="text" value="86"/>
Last Name: *	<input type="text" value="Whyte"/>	Address 1 (Street): *	<input type="text" value="Leamington Terrace"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UIK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH10 4JU"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="2F2"/>
Address 2:	<input type="text" value="86 LEAMINGTON TERRACE"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH10 4JU"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="672300"/>	Easting	<input type="text" value="324726"/>
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## Description of Proposal

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

Replacement windows to front and rear

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

SEPARATE STATEMENT ATTACHED

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

Yes  No

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

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

DECISION NOTICE; APPLICATION FORM; APPLICATION DRAWINGS; REASONS FOR REVIEW;

## Application Details

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

20/04866/FUL

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

06/11/2020

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

07/01/2021

## Review Procedure

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

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

Yes  No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

SITE VISIT MAY BE BENEFICIAL TO VIEW THE REAR OF THE PROPERTY

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

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

Yes  No

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

Yes  No

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

ACCESS TO THE REAR OF THE PROPERTY MAY NEED TO BE ARRANGED

## Checklist – Application for Notice of Review

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

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

Yes  No

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

Yes  No

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

Yes  No  N/A

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

Yes  No

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

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

Yes  No

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

## Declare – Notice of Review

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

Declaration Name: Mr John Gordon

Declaration Date: 12/01/2021



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 100327032-001

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.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Installation of replacement windows

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:	John Gordon Associates Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	John	Building Name:	
Last Name: *	Gordon	Building Number:	3
Telephone Number: *	01383850134	Address 1 (Street): *	Dean Acres
Extension Number:		Address 2:	Comrie
Mobile Number:		Town/City: *	Dunfermline
Fax Number:		Country: *	Scotland
		Postcode: *	KY12 9XS
Email Address: *	gordonassociates@sky.com		

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:	2F2
First Name: *	J	Building Number:	86
Last Name: *	Whyte	Address 1 (Street): *	Leamington Terrace
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	EH10 4JU
Fax Number:			
Email Address: *	[REDACTED]		

## Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

2F2

Address 2:

86 LEAMINGTON TERRACE

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH10 4JU

Please identify/describe the location of the site or sites

Northing

672300

Easting

324726

## Pre-Application Discussion

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

Yes  No

## 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.

## Access and Parking

Are you proposing a new or 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 proposed to make. You should also show existing footpaths and note if there will be any impact on these.

## 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: John Gordon

On behalf of: Mr J Whyte

Date: 06/11/2020

Please tick here to certify this Certificate. \*

## Checklist – Application for Householder Application

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) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr John Gordon

Declaration Date: 06/11/2020

## Payment Details



Created: 06/11/2020 11:03

John Gordon Associates Ltd.  
FAO: John Gordon  
3 Dean Acres  
Comrie  
Dunfermline  
KY12 9XS

Mr J Whyte.  
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Edinburgh  
EH10 4JU

**Decision date: 7 January 2021**

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

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**Conditions:-**

**Reasons:-**

1. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed replacement windows to the rear are of an inappropriate material, design and position that will fail to preserve or enhance the character of the conservation area.
2. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions as the proposed replacement windows to the rear are of an inappropriate material, design and position that will adversely impact on the character of the existing building and neighbourhood character.

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

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

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

The proposed development is of an inappropriate material, design and position and will have an adverse impact on the character and appearance of the existing building, and, will fail to preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to the Edinburgh Local Development Plan policies Env 6, Des 12 and the relevant non-statutory guidance.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact 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**

## 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.

**Proposal Details**

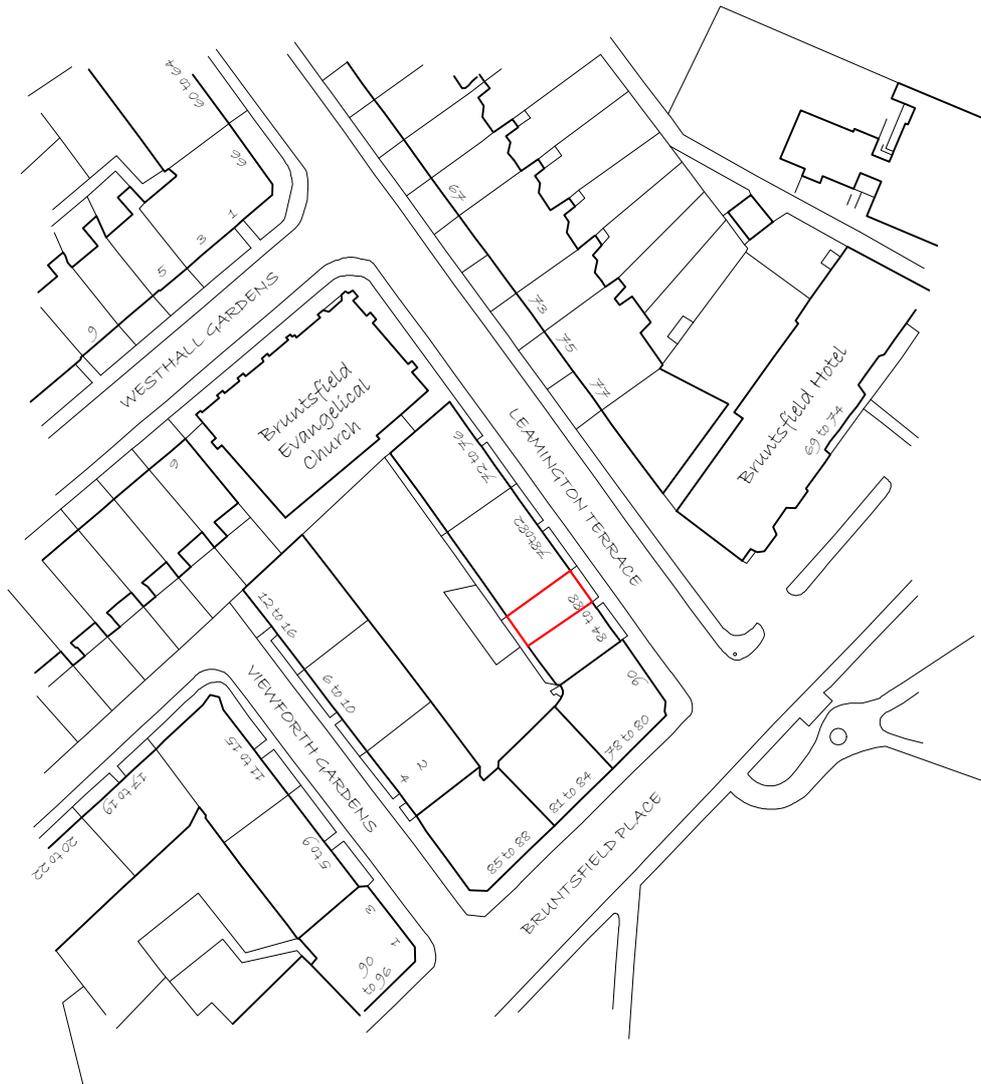
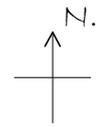
Proposal Name	100327032
Proposal Description	SRJ
Address	2F2, 86 LEAMINGTON TERRACE, EDINBURGH, EH10 4JU
Local Authority	City of Edinburgh Council
Application Online Reference	100327032-002

**Application Status**

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

**Attachment Details**

Notice of Review	System	A4
PP APPLICATION	Attached	A4
PP REFUSAL	Attached	A4
REASONS FOR REVIEW	Attached	A4
32471	Attached	A2
LP	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0



Scale Bar (m) 1:1250

Mr. J. Whyte,  
2F2, 86 Leamington Terrace,  
Edinburgh. EH10 4JU.

Location Plan

Scale: 1:1250

29/10/20

Ref: 32471/LP

**srjwindows**  
conservatories. sunrooms. windows. doors.

SRJ (Scotland) Ltd.  
Macintosh House,  
Innova Campus, Viking Way,  
Rosyth, Fife. KY11 2UU.



Front Elevation



Front Elevation

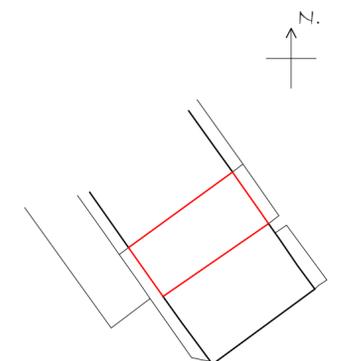


Rear Elevation

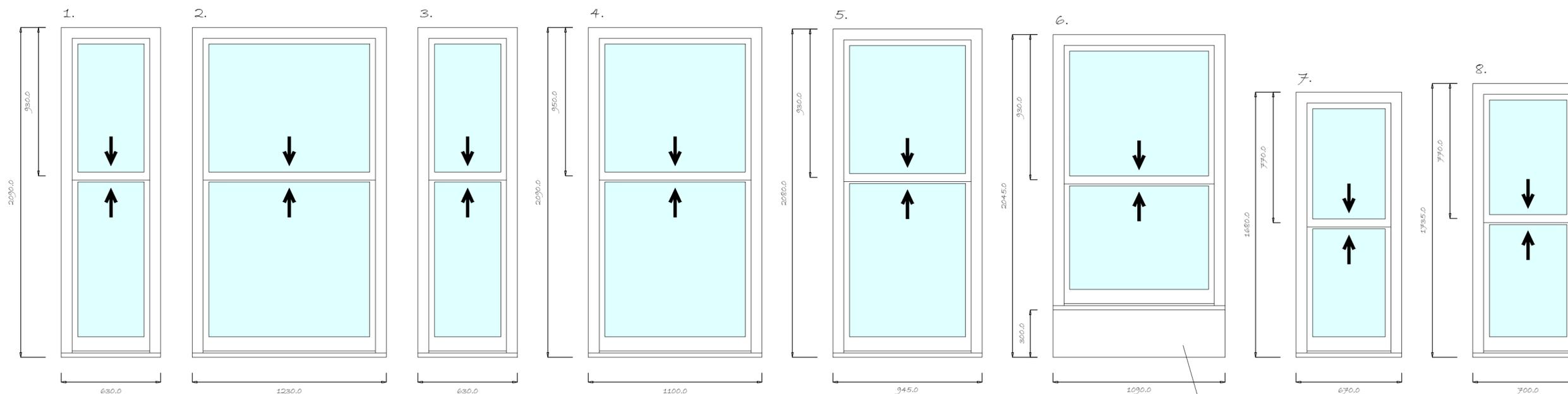


Rear Elevation

8 windows to be replaced in total.  
 Existing windows are white painted timber, sliding sash, single glazed.  
 Proposed windows 1 to 4 are white painted timber, sliding sash, double glazed, toughened sealed units.  
 Proposed windows 5 to 8 are white PVCU, sliding sash, double glazed, toughened sealed units.



Site Plan  
1:500



White PVCU infill to avoid taps in Kitchen.

Mr. J. Whyte,  
2F2, 86 Leamington Terrace,  
Edinburgh. EH10 4JU.

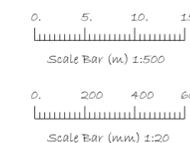
Proposed Replacement Windows

Scale: 1:20 29/10/20

Ref: 32471/1

**srjwindows**  
conservatories, sunrooms, windows, doors.

SRJ (Scotland) Ltd.  
Macintosh House,  
Innova Campus, Viking Way,  
Rosyth, Fife. KY11 2UU.



# JOHN GORDON ASSOCIATES LTD



## ARCHITECTURAL DESIGN & CONSTRUCTION MANAGEMENT

### **Reasons for Review**

Proposed Replacement Windows  
at  
2F2, 86 Leamington Terrace, Edinburgh.

The existing property is a non-listed, 5-storey flatted dwelling within the Marchmont, Meadows & Bruntsfield Conservation Area. The property frontage faces Northeast onto Leamington Terrace & towards similar buildings on the opposite side of the street. There is no front garden area. The rear of the property faces Southwest into an enclosed, open-plan, shared garden area which runs right up to the rear boundary of Bruntsfield Evangelical Church. The properties which make up Leamington Terrace are mostly of similar design and construction.



86 Leamington Terrace, Front Elevation.



*86 Leamington Terrace, Rear Elevation*



*Rear Garden.*



*View opposite 86 Leamington Terrace*

The windows currently installed the application property (Flat 2F2) are of timber construction and sliding sash opening styles. The windows are all white in colour.

Travelling up and down the length of Leamington Terrace will reveal windows of varying styles and materials from one property to the next ranging from traditional timber sliding sash, to aluminium sliding sash and all the way to the opposite end of the scale with others being PVCU casement.

The proposal seeks to replace four windows on the front elevation with traditional timber sliding sash windows, painted white to match the existing windows, and to replace four windows on the rear elevation with white PVCU sliding sash windows, including Georgian bar detailing where required, to reflect the style of the original windows.

In terms of the surrounding area, many of the original timber sliding sash windows have been retained or replaced with similar products, whilst at the rear of properties, away from the public eye, a more disjointed approach is being adopted. Many windows at the rear of the properties have been replaced with non-traditional styles, including the use of PVCU.

The applicant has counted up to nine properties where PVCU windows can be observed from the rear garden area. Whilst these windows may not have been subject to Planning applications, it can still be argued that a precedent is being set here because nothing is being done, or will be done to correct these windows, unless new applications are presented in the future which, realistically, is unlikely to happen.

To conclude it is our opinion that the proposed timber windows at the front of the property would blend seamlessly into the street scene as a whole, where the existing materials and styles are being retained. In addition, PVCU products at the rear of property are becoming commonplace and given the fact the rear garden is entirely enclosed and not visible by the public, only the individual tenants, the proposed PVCU windows, which in this case will at least maintain the sliding sash opening method, would not look out of place and should be permitted.