

John Hynd.  
89 Cortmalaw Crest  
Robroyston  
Glasgow  
G33 1TD

Mr & Mrs Jewsbury.  
134 Brunton Gardens  
Edinburgh  
EH7 5ET

**Decision date: 8 December 2020**

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

To replace the existing timber windows with pvc double glazed windows.  
At 2F3 134 Brunton Gardens Edinburgh EH7 5ET

**Application No:** 20/04652/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 27 October 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 proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the proposed windows do not match the originals in terms of appearance, materials and opening method.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposals will be detrimental to the character and appearance of the conservation area.

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

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

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

The proposed development is of an inappropriate material and would have an adverse impact on the character and appearance of the existing building and would fail to preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to Edinburgh Local Development Plan Policy Env 6 and the non-statutory Guidance for Listed Buildings and Conservation Areas.

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

Should you have a specific enquiry regarding this decision please contact Weronika Myslowiecka directly at [veronika.myslowiecka@edinburgh.gov.uk](mailto:veronika.myslowiecka@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**  
**2F3 134 Brunton Gardens, Edinburgh, EH7 5ET**

**Proposal: To replace the existing timber windows with pvc double glazed windows.**

**Item – Local Delegated Decision**  
**Application Number – 20/04652/FUL**  
**Ward – B12 - Leith Walk**

## **Recommendation**

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

## **Summary**

The proposed development is of an inappropriate material and would have an adverse impact on the character and appearance of the existing building and would fail to preserve or enhance the character and appearance of the conservation area. The proposal is therefore contrary to Edinburgh Local Development Plan Policy Env 6 and the non-statutory Guidance for Listed Buildings and Conservation Areas.

## **SECTION A – Application Background**

### **Site Description**

The application site is a four-storey tenement property, located on Brunton Gardens.

The application site is located within the New Town Conservation Area.

### **Description Of The Proposal**

The application proposes to replace timber windows for uPVC.

### **Relevant Site History**

No relevant site history.

### **Consultation Engagement**

No Consultations.

## Publicity and Public Engagement

**Date of Neighbour Notification:** 8 December 2020

**Date of Advertisement:** 6 November 2020

**Date of Site Notice:** 3 November 2020

**Number of Contributors:** 2

## 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

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

The Edinburgh Local Development Plan Policy Env 6 highlights the importance of preserving the character and appearance of the conservation area and the materials used are appropriate to the historic environment. The proposed replacement of the existing timber framed sash and case windows with uPVC windows would not utilise

materials appropriate to the historic environment. There are only few examples on Brunton Gardens Street with uPVC windows. However, the majority of neighbouring flats in the surrounding area retain timber framed windows and subsequently uPVC windows are not an established feature. The proposal, therefore, introduces a non-traditional and uncharacteristic material to the street and conservation area which, on the whole, is characterised by timber framed windows.

The proposal would also be contrary to the Council's non-statutory guidance for Listed Buildings and Conservation Areas, which states that replacement windows must match original proportions and materials. It emphasises that uPVC windows will not be acceptable in conservation areas. The proposed uPVC windows are not appropriate and will detract from the appearance of the building and the character and appearance of the conservation area.

The proposal would be an unsympathetic alteration and would not preserve the character and appearance of the conservation area.

The proposals does not comply with Local Development Plan Policy Env 6 and the non-statutory Guidance for Listed Buildings and Conservation Areas.

#### 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.

#### c) Equalities and human rights

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

#### d) Public comments

The application has attracted two letters objecting the proposal.

- UPVC is not acceptable in the conservation Area.
- The proposal does not comply with the Policies.

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

The recommendation is subject to the following;

### **Reasons**

1. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the proposed windows do not match the originals in terms of appearance, materials and opening method..

2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposals will be detrimental to the character and appearance of the conservation area.

### **Background Reading/External References**

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

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

**Date Registered: 27 October 2020**

### **Drawing Numbers/Scheme**

01-05

Scheme 1

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

Contact: Weronika Myslowiecka, Planning Officer  
E-mail: [veronika.myslowiecka@edinburgh.gov.uk](mailto:veronika.myslowiecka@edinburgh.gov.uk)

Appendix 1

**Consultations**

No consultations undertaken.

# Comments for Planning Application 20/04652/FUL

## Application Summary

Application Number: 20/04652/FUL

Address: 2F3 134 Brunton Gardens Edinburgh EH7 5ET

Proposal: To replace the existing timber windows with pvc double glazed windows.

Case Officer: Weronika Myslowiecka

## Customer Details

Name: CC Amy Woodgate

Address: 214/3 Easter Road Midlothian Edinburgh

## Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Leith Central Community Council wish to object to this application on the grounds that it does not conform to the guidance set out by the City of Edinburgh Council for a building in a Conservation Area.

The property lies within the New Town Conservation Area and the guidance given is as follows:

"Replacement windows and doors on all elevations of unlisted properties of a traditional design within conservation areas must match the original proportions, appearance, materials, and opening method. Appropriate timber sealed unit double glazing will normally be considered acceptable. Rooflights on unlisted properties of a traditional design should be of a 'conservation style', i.e. with a central vertical glazing bar with flush flashings preferably top hung. Alternative materials such as uPVC will not be acceptable."

"A departure from these guidelines must be fully justified."

February 2019

Given the guidance from CEC, residents putting in replacement windows should be encouraged to use wooden frames to replicate the original material and style.

# Comments for Planning Application 20/04652/FUL

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Address: 2F3 134 Brunton Gardens Edinburgh EH7 5ET

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Case Officer: Weronika Myslowiecka

## Customer Details

Name: Not Available

Address: Not Available

## Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

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Given the guidance from CEC , residents putting in replacement windows should be encouraged to use wooden frames to replicate the original material and style.

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Application Number: 20/04652/FUL

Address: 2F3 134 Brunton Gardens Edinburgh EH7 5ET

Proposal: To replace the existing timber windows with pvc double glazed windows.

Case Officer: Weronika Myslowiecka

## 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 Forth and Borders cases panel has examined the application and wishes to OBJECT for the following reasons:

1. The use of uPVC is unsuited to historical buildings, and is contrary to Edinburgh's Listed Building and Conservation Guidance (Feb 2019, p25).
2. Most of the front-facing windows in Brunton Gardens retain their original wood sash-and-case form. There appear to have been no planning applications for uPVC windows anywhere on this terrace, hence the few existing non-wooden windows either pre-date the conservation area or have been installed without permission. They are therefore not precedents for uPVC use on a historic terrace of tenements in a conservation area.

We therefore object to uPVC installation on a largely unaltered, impressive terrace with a particularly public outlook over a park.

# Comments for Planning Application 20/04652/FUL

## Application Summary

Application Number: 20/04652/FUL

Address: 2F3 134 Brunton Gardens Edinburgh EH7 5ET

Proposal: To replace the existing timber windows with pvc double glazed windows.

Case Officer: Weronika Myslowiecka

## Customer Details

Name: Not Available

Address: Not Available

## Comment Details

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We therefore object to uPVC installation on a largely unaltered, impressive terrace with a particularly public outlook over a park.

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 100347004-001

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.

## 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

## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mrs"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Roseanne"/>	Building Number:	<input type="text" value="134"/>
Last Name: *	<input type="text" value="Jewsbury"/>	Address 1 (Street): *	<input type="text" value="2f3 Brunton Gardens"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Montgomery Street"/>
Telephone Number: *	<input type="text" value="0 [REDACTED]"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH7 5ET"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="[REDACTED]"/>		

## Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

2F3

Address 2:

134 BRUNTON GARDENS

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH7 5ET

Please identify/describe the location of the site or sites

Northing

674605

Easting

326746

## 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)

To replace the existing timber windows with pvc double glazed windows.

## 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.

The reason for the refusal was that there were few near properties with non-timber windows, however there are several direct properties that have UPVC both on the front and rear. Also, a previous application (12/00956/FUL) was granted for UPVC windows to replace timber within 500ft of this property, where it was deemed that they "would not be visually intrusive to this principal elevation of the building," therefore setting a precedent.

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)

PDF showing neighbouring properties with non-timber windows. Other planning permission in the area that was approved for UPVC windows. Decision notice for refused UPVC windows at property. Location plan of property. Existing windows drawing. Proposed windows drawing. Previous application form. Previous handing report.

## Application Details

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

20/04652/FUL

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

27/10/2020

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

08/12/2020

## Review Procedure

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

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

Yes  No

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

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

Yes  No

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

Yes  No

## Checklist – Application for Notice of Review

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

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

Yes  No

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

Yes  No

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

Yes  No  N/A

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

Yes  No

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

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

Yes  No

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

## Declare – Notice of Review

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

Declaration Name: Mrs Roseanne Jewsbury

Declaration Date: 04/02/2021

CR Smith Ltd.  
27 Gardeners Street  
Dunfermline  
Fife  
KY12 0RN

Mr And Mrs Peter Thurlow.  
2F3 98 Montgomery Street  
Edinburgh  
EH7 5HE

6 June 2012

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS  
2008**

Replacement of 7 windows.  
At 2F3 98 Montgomery Street Edinburgh EH7 5HE

**Application No:** 12/00956/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 22 March 2012, 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 **Granted** 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;

**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.

Please see the guidance notes in the decision pack for further information, including how to appeal or review your decision. The decision pack forms part of your decision.

Drawings 01, represent the determined scheme. Full details of the application can be found on the Planning and Building Standards Portal

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

The proposals do not comply with the development plan and non-statutory guidelines, however in this instance the use of PVCu frames would not be visually intrusive to this principal elevation of the building.

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 Mandy Thorburn directly on 0131 529 3668.



John Bury  
Head of Planning & Building Standards

## 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 review should be addressed to the City of Edinburgh Planning Local Review Body, G2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG.

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.

**Replacement of 7 windows.**

at

**2F3 98 Montgomery Street  
Edinburgh  
EH7 5HE**

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## **REPORT OF HANDLING - Local Delegated Decision Report**

### **Purpose of report**

This is a **Local Delegated Decision**, under the Council's scheme of delegation, detailing the considerations and determination of the application.

### **Main report**

#### **1 SITE DESCRIPTION AND HISTORY**

The application forms part of a four storey stone built tenement.

The property is not listed but is situated within the New Town Conservation Area.

#### **2 Pre-application process**

There is no pre-application process history.

#### **3 PLANNING POLICY AND GUIDANCE**

The proposal lies within the Urban Area of the Edinburgh City Local Plan.

#### Relevant Policies:

#### **Relevant policies of the Edinburgh City Local Plan.**

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Policy Env 6 (Conservation Areas Development ) sets out criteria for assessing development in conservation areas.

## **Relevant Non-Statutory Guidelines**

**The New Town Conservation Area Character Appraisal** states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

**Non-statutory guidelines** on 'REPLACEMENT WINDOWS AND DOORS' supplement local plan conservation and design policies, providing additional guidance on window and door alterations.

### **4 CONSULTATIONS**

None.

### **5 REPRESENTATIONS**

None were received.

### **6 OFFICER'S OBSERVATIONS**

The proposal is for replacement of seven timber sash windows with new PVCu sash and case windows to the front elevation of the property.

### **DETERMINING ISSUES**

The determining issues are:

- 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, the following needs to be considered:

- (a) whether the proposal will adversely affect the character of the existing property or the surrounding area
- (b) whether the proposal will adversely affect the character and appearance of the New Town Conservation Area.
- (c) whether neighbouring amenity will be adversely affected.

(a) The application site comprises a four storey tenement building. The application relates to a third floor flat. The existing windows have timber frames and open in a sash and case method. The replacement of these with PVCu framed sash and case

windows would not be detrimental to the character of this property and surrounding area, as there is an abundance of PVCu framed windows within close proximity to the application site.

(b) The proposal is located within the New Town Conservation Area which has recently been subject to an article 4 direction in order to obtain greater control over development. The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Replacement of these windows would not have an adverse impact on the character and appearance of the conversation area.

(c) There will be no loss of amenity to the occupiers of the neighbouring property.

Approval is recommended.

## **7 Reason for decision**

The proposals do not comply with the development plan and non-statutory guidelines, however in this instance the use of PVCu frames would not be visually intrusive to this principal elevation of the building.

**8 Date of Site Visit:** 24.05.2012

## **9 Recommendation**

It is recommended that this application be Granted.

## **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.

John Bury	
Head of Planning & Building Standards	
Contact/Tel	Mandy Thorburn on 0131 529 3668
Ward Affected	Leith Walk
Local Plan	
File	
Date Registered	22 March 2012
Overall Expiry Date	20.04.2012
Drawing Nos & Scheme	01

## Decision making Process: Core Questions

<b>Application Number:</b> 12/00956/FUL	<b>Address:</b> 2F3 98 Montgomery Street Edinburgh EH7 5HE			
<b>Questions</b>	<b>Answers</b>			
<b>Section 1:</b> <b>TO BE COMPLETED BY PRINCIPAL PLANNER PRIOR TO ALLOCATION TO DETERMINE ANTICIPATED METHOD OF DETERMINATION.</b>	<b>Yes</b>	<b>No</b>	<b>Answer</b>	<b>Initials</b>
Is the application controversial or of significant public interest, or is it likely to have a significant impact on the environment?	Refer to Committee	Go to next question	NO	PJH
Has the application been submitted by, or on behalf of, an Elected Member of the authority, or by an officer involved in the statutory planning process, or by a partner/close friend/relative of either?	Refer to Committee	Go to next question	NO	PJH
Is the application for local development where the Council is the owner or has a financial interest?	Refer to Committee	Go to next question	NO	PJH
If not a local development and submitted by, or on behalf of, the Council, is the application for <b>more</b> than routine minor works?	Refer to Committee	Go to next question	NO	PJH
Does the application involve the removal or amendment of conditions previously applied by Committee?	Refer to Committee	Go to next question	NO	PJH
Is the application for Hazardous Substance Consent?	Refer to Committee	Go to next question	NO	PJH
<b>Section 2</b> <b>• TO BE COMPLETED BY THE CASE OFFICER ON RECEIPT OF THE APPLICATION</b>	<b>Yes</b>	<b>No</b>	<b>Answer</b>	<b>Initials</b>
Has the application been assessed as PNR, NDV or PD or has it been withdrawn?	Fast Track Decision	Go to next question	NO	MWT
Is the application for a non-material variation?	Fast Track Decision	Go to next question	NO	MWT
<b>Section 3</b> <b>• TO BE COMPLETED BY THE CASE OFFICER ONCE PERIOD FOR COMMENTS EXPIRES</b>	<b>Yes</b>	<b>No</b>		
Has the application been requested for referral to the Committee by an elected member and is the referral justified?	Refer to Committee	Go to next question	NO	MWT
If recommendation is for APPROVAL: Has the application attracted more than 6 material objections?	Refer to Committee	Go to next question	NO	MWT
If recommendation is for APPROVAL: Are there outstanding objections from consultees?	Refer to Committee	Go to next question	NO	MWT
If recommendation is for REFUSAL: Has the application attracted more than 6 material letters of support?	Refer to Committee	Go to next question	NO	MWT
Has the application been assessed as suitable for delegation?	Refer to sections 4 and 5	Refer to Committee	YES	MWT
<b>Section 4</b> <b>• TO BE COMPLETED BY THE CASE OFFICER PRIOR TO WRITING REPORT</b>	<b>Yes</b>	<b>No</b>	<b>Answer</b>	<b>Initials</b>
Is the proposal in accordance with policies within the statutory development plan (Structure Plan and Local Plan)?	Go to next question	Refer to Committee unless	YES	MWT

		recommending refusal		
Is the proposal in accordance with non-statutory Council adopted policy, or an infringement of policy would be so minor that refusal or amendment would be unjustified?	Go to next question	Refer to Committee unless recommending refusal	f E	MWT
Does the application require a Section 75 legal agreement with sums over £250,000?	Refer to Committee	Go to next question	NO	MWT
<b>Section 5</b> • TO BE COMPLETED BY THE CASE OFFICER TO DETERMINE DELEGATION ROUTE	<b>Yes</b>	<b>No</b>	Answer	Initial
Is the application a <u>local</u> development recommended for APPROVAL and has the application attracted <b>no</b> representations, <b>no</b> objections from consultees <b>AND</b> the proposal is in accordance with policies within the statutory development plan and non-stat guidelines?	Local fast track decision	Go to next question	NO	MWT
Is the application a <u>non-local</u> development recommended for APPROVAL and has the application attracted <b>no</b> representations, <b>no</b> objections from consultees <b>AND</b> the proposal is in accordance with policies within the statutory development plan and non-stat guidelines?	Delegated fast track decision	Go to next question	NO	MWT
Is the application a <u>local</u> development suitable for delegation but not fast track decision	Local delegated decision	Go to next question	NO	MWT
Is the application a <u>non-local</u> development suitable for delegation but not fast track decision	Delegated decision	END	NO	MWT
<b>Section 6</b> • CERTIFICATION				
Case Officer signature..... [redacted] ..... Date. 17 May 12				
1 <sup>st</sup> chartered planner signature..... [redacted] ..... Date. 29/5/12 (NB If fast track, only one signature required at principal level or above)				
2 <sup>nd</sup> chartered planner signature..... [redacted] ..... Date. 29/5/12				

## Proposal Details

Proposal Name	100347004
Proposal Description	Appeal to decision on application 20/04652/FUL for changing timber to uPVC windows on second floor storey flat in conservation area.
Address	2F3, 134 BRUNTON GARDENS, EDINBURGH, EH7
Local Authority	City of Edinburgh Council
Application Online Reference	100347004-001

## Application Status

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

## Attachment Details

Notice of Review	System	A4
Application of property near with approval for UPVC windows	Attached	A4
Neighbouring properties with non-timber windows	Attached	A4
Decision notice of proposed windows	Attached	A4
Location plan of property	Attached	A4
Existing windows drawing	Attached	A4
Proposed windows drawing	Attached	A4
Previous application form	Attached	A4
Handling report	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

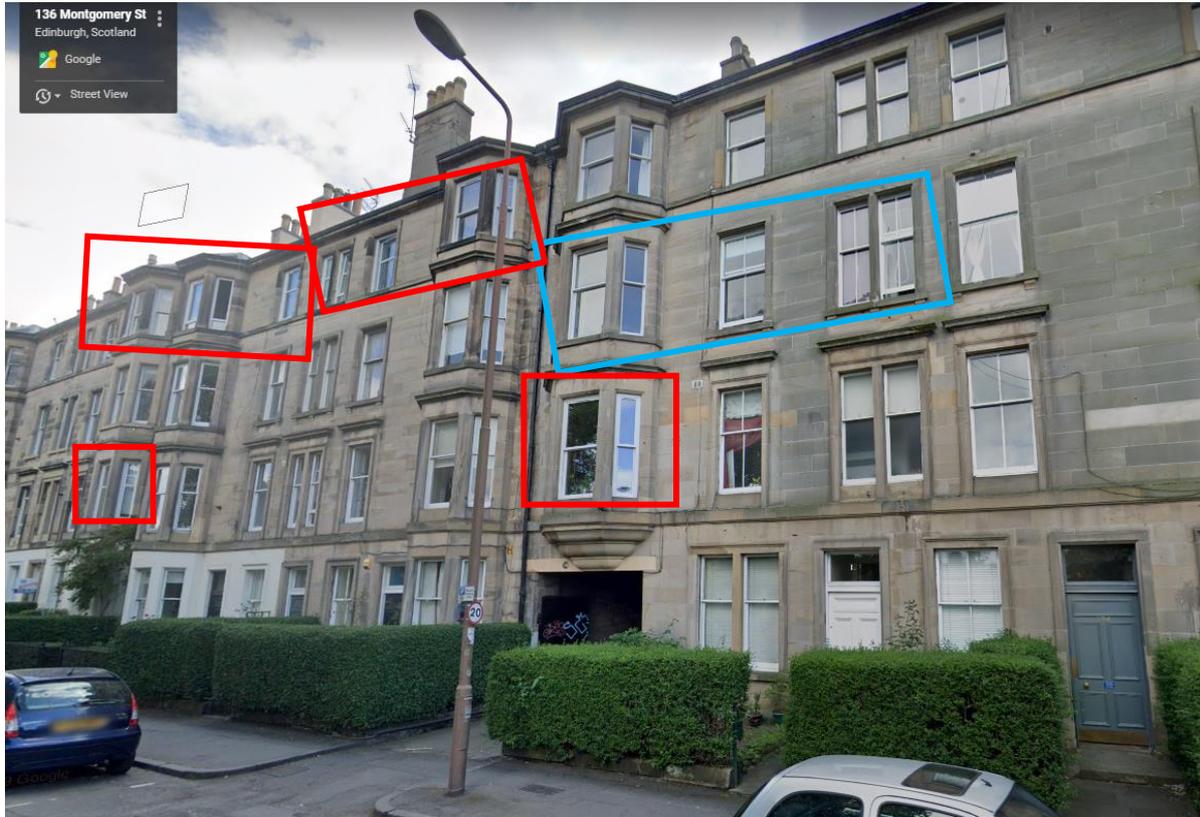
Blue box: proposed UPVC windows

Red box: current non-timber windows

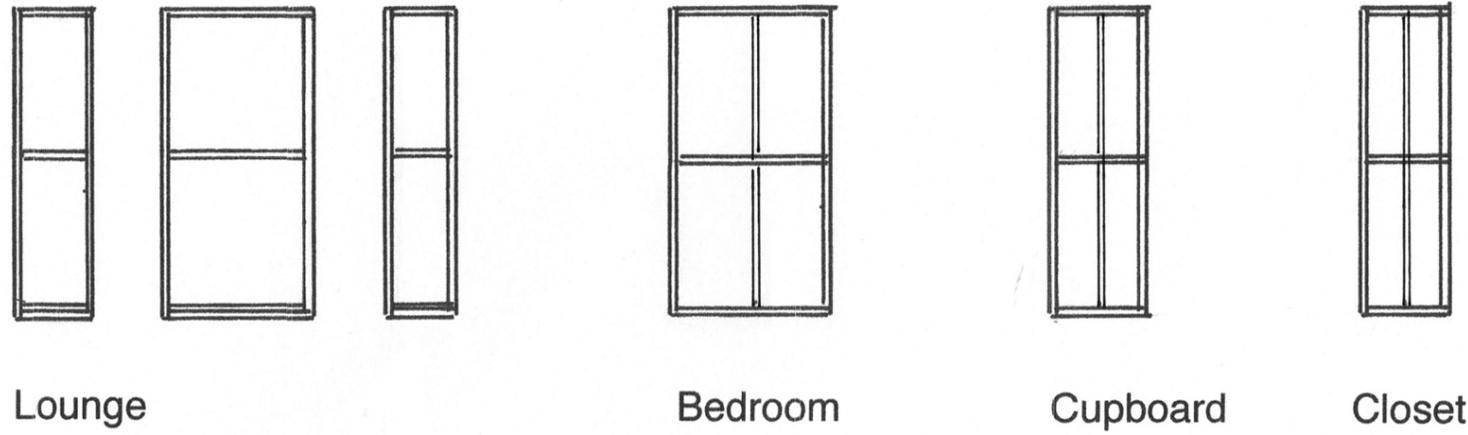
Rear of building



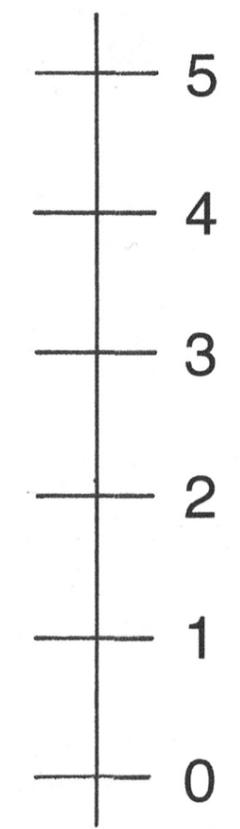
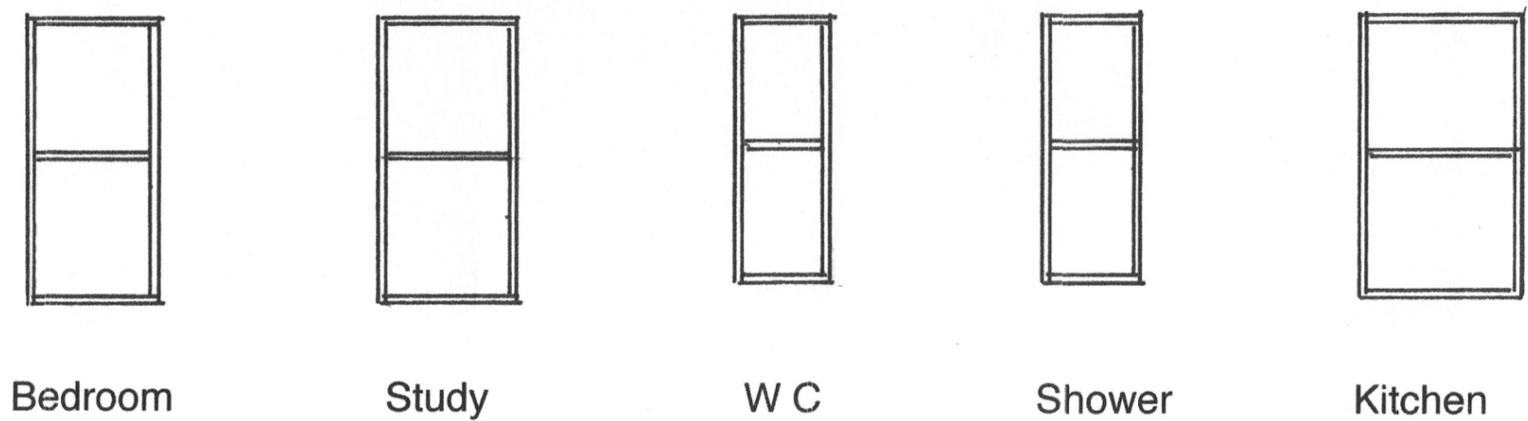
Front of building – 2 views



### Front Elevation Windows As Existing



### Rear Elevation Windows As Existing





LAND REGISTER  
OF SCOTLAND

Officer's ID / Date

2550  
7/1/2004

TITLE NUMBER

**MID54367**



ORDNANCE SURVEY  
NATIONAL GRID REFERENCE

Scale

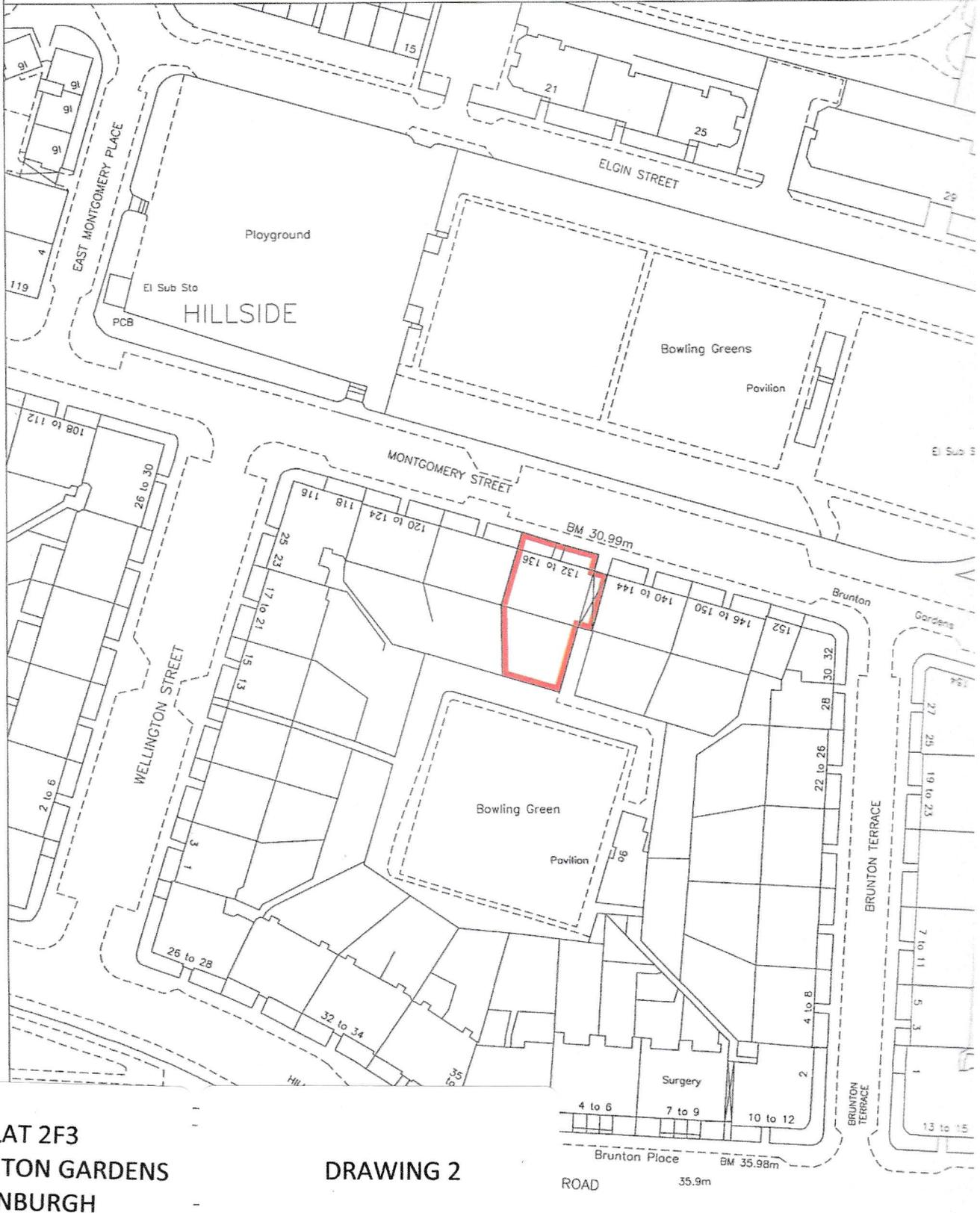
1/1250

Survey Scale

1/1250

NT2674SE NT2674NE

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FLAT 2F3  
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EDINBURGH  
EH7 5ET

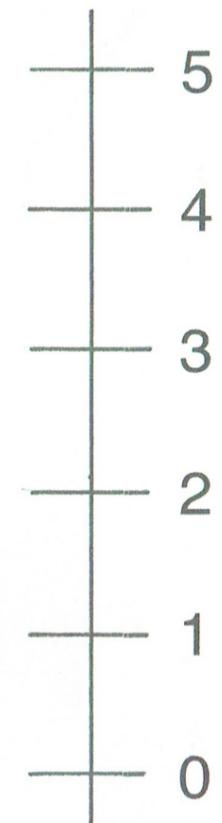
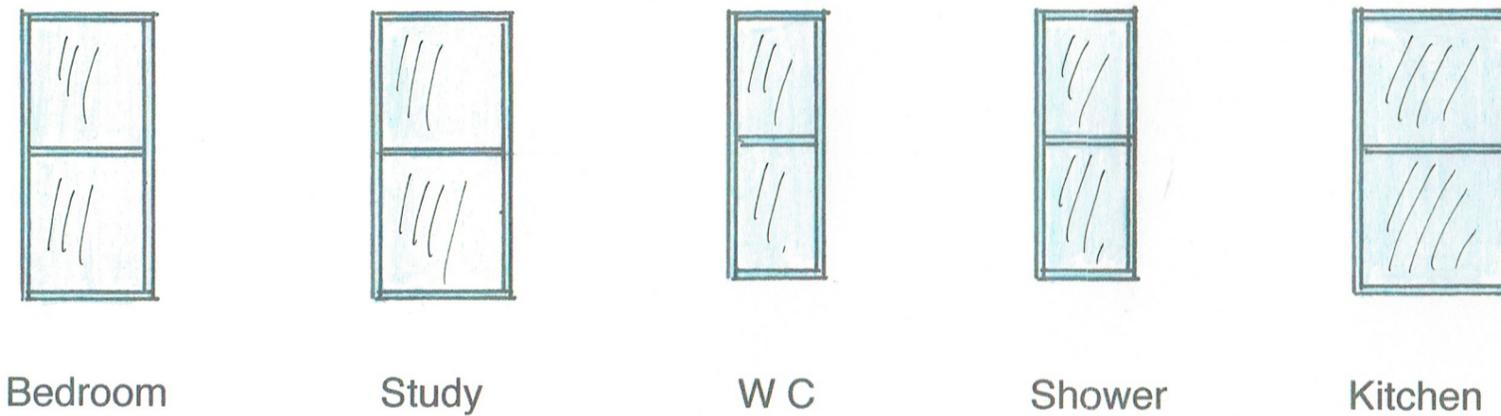
DRAWING 2  
SCALE 1 : 1250

## Front Elevation Windows As Proposed



THE NEW WINDOWS WILL BE  
WHITE DOUBLE GLAZED UNITS  
THEY WILL BE IDENTICAL IN  
APPEARANCE AND DIMENSIONS  
AS THE ORIGINAL WINDOWS

## Rear Elevation Windows As Proposed



DRAWING 5

SCALE 1 : 50

FLAT 2F3  
134 BRUNTON GARDENS  
EDINBURGH  
EH7 5ET