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Edinburgh
EH15 1HB

Mr And Mrs Craig Douglas.
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EH22 3DA

Decision date: 10 March 2021

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

Erection of dwelling house and replace existing access door to front.
At 20 Regent Street Edinburgh

Application No: 20/05719/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 18 December 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 3 as an inadequate provision of garden space will be provided for future occupiers of the application site.
3. The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the scale, form and position of the building will have an unacceptable impact on the spatial character and density of the area.
4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form and position of the

building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.

5. The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 - Amenity as an unacceptable level of outlook will be provided for future occupiers of the application site and insufficient information has been submitted to demonstrate adequate levels of daylight and sunlight will be achieved.

6. The proposal is contrary to Edinburgh Local Development Plan Policy Env 6 - Conservation Area - Development, as the height, form and position of the building will be an incongruous addition in its surroundings that will have a detrimental impact on the spatial character of the conservation area and the immediate garden settings. The proposal will therefore fail to preserve or enhance the character 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 01-17, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is contrary to the Edinburgh Local Development Plan in respect to design, conservation area and amenity policies.

The height, form and position of the building will be an incongruous addition that will have a detrimental impact on the spatial character of the conservation area and townscape. As such, it will fail to preserve or enhance the character or appearance of Portobello Conservation Area and does not comply with the Planning (Listed Building and Conservation Areas) Scotland Act 1997.

An inadequate provision of greenspace will be provided and an unacceptable level of outlook is proposed for future occupiers. Insufficient information has been submitted to demonstrate that adequate levels of daylight and sunlight will be achieved.

The site is not a suitable location for the proposed house.

There are no material planning considerations which outweigh this conclusion.

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.

D R Leech

Chief Planning Officer

PLACE

The City of Edinburgh Council

NOTES

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

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

Report of Handling

Application for Planning Permission 20/05719/FUL At 20 Regent Street, Edinburgh, Erection of dwelling house and replace existing access door to front.

Item	Local Delegated Decision
Application number	20/05719/FUL
Wards	B17 - Portobello/Craigmillar

Summary

The proposal is contrary to the Edinburgh Local Development Plan in respect to design, conservation area and amenity policies.

The height, form and position of the building will be an incongruous addition that will have a detrimental impact on the spatial character of the conservation area and townscape. As such, it will fail to preserve or enhance the character or appearance of Portobello Conservation Area and does not comply with the Planning (Listed Building and Conservation Areas) Scotland Act 1997.

An inadequate provision of greenspace will be provided and an unacceptable level of outlook is proposed for future occupiers. Insufficient information has been submitted to demonstrate that adequate levels of daylight and sunlight will be achieved.

The site is not a suitable location for the proposed house.

There are no material planning considerations which outweigh this conclusion.

Links

Policies and guidance for this application

LDPP, LDES01, LDES03, LDES04, LDES05, LEN03, LEN04, LEN06, LEN12, LEN21, LTRA02, LTRA03, LTRA04, HES, HESSET, HESDOR, NSG, NSGD02, NSLBCA, OTH, CRPPOR,

Report of handling

Recommendations

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

Background

2.1 Site description

The proposal site comprises a vacant plot of approximately 85 sqm consisting of grassland, shrubbery and foliage. It is enclosed by stone boundary walls of varying height and is accessed via a vennel that connects onto Regent Street.

The plot borders the rear of residential properties where historical outbuildings have been demolished and garden spaces extended. To the rear (north-west) lies a line of mews court garages on Bath Street Lane viewed as a large stone wall from the rear of Regent Street.

On the street frontage, there is a terrace of Georgian cottages (22-32 Regent Street) and a terrace of two-storey Victorian houses (8-18 Regent Street) which are Category C listed. The proposal site is not included in the listing description. This property is located within the Portobello Conservation Area.

This application site is located within the Portobello Conservation Area.

2.2 Site History

The site has the following planning history:

5 December 1980 - Planning permission was refused for the erection of a bungalow on the site due to lack of vehicular access and amenity space. A subsequent appeal was dismissed on 27 November 1981. The reporter held that there was inadequate access and parking provision, insufficient garden space and a substandard level of amenity (privacy and daylighting). (80/1119/FUL)

24 August 2006 - Planning permission was refused for erection of a two bedroom two storey detached dwelling house. A subsequent appeal was dismissed on 21 May 2007 (P/PPA/230/906) on the grounds of potential pressure on car parking. (06/01449/FUL)

The following was detailed as part of the above application in regard to past use of the site : there is evidence on site of the existence of former structures and the landowner claims these were demolished in about 1978 and the land used for storage of building materials. Two structures (probably part of a line of backland servants' quarters for the street front houses) are recorded on 19th century maps but the site appears to be vacant in a 1940s aerial photograph. The neighbouring line of 19th century outbuildings has since been demolished and the land incorporated into the adjoining gardens. At the

time of the 1981 appeal, the site was noted as being used for the casual storage of a few building materials. The valuation roll records the site as comprising vacant ground in 1990 (zero valuation). The site is currently vacant and overgrown.

25 April 2006 - Conservation area consent not required for erection of a two-bedroom two storey detached dwelling house - (06/01449/CON)

10 November 2020 - Planning application for erection of dwelling house withdrawn - (20/0413/FUL)

Main report

3.1 Description Of The Proposal

The application proposes the following works;

-Erection of dwelling house and replacement existing access door to front

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposal is acceptable in principle;
- b) The proposal will harm the character and setting of the listed building
- c) The proposal will preserve or enhance the special character or appearance of the conservation area.
- d) The proposal is of an acceptable scale, form and design
- e) The amenity is acceptable

- f) The proposal raises transport issues
- g) The proposal will have an unacceptable impact on flooding,
- h) 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) Character and Setting of Listed Building

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

LDP policy Env 3 (Listed Building -Setting) states development within the curtilage or a setting of a listed building will be permitted if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

LDP policy Env 4 (Listed Building - Extensions and Alterations) states proposals to alter or extend a listed building will be permitted where justified, result in no unnecessary damage or diminution of its interest and are in keeping with other parts of the building.

Historic Environment Scotland's (HES) guidance note Managing Change in the Historic Environment: Setting, sets out the principles that apply to development affecting the setting of historic assets or places. HES Managing Change in the Historic Environment Scotland: Doorways is also relevant to this assessment.

The site lies adjacent to the curtilage of a Category C Listed Victorian Terrace on Regent Street. Historic outbuildings to the rear on neighbouring plots have largely been demolished and these spaces have now been subsumed into the gardens of the listed properties which border the line of garages on Bath Street Lane to the north-west.

The proposed dwelling would be positioned on a back-land plot to the rear of the terrace. The proposal would be positioned beyond its subsidiary elevation, where the space retained to this existing built form would not interfere with oblique views of the listed building or disrupt formal approaches. In this regard, the proposal will not be detrimental to the architectural character, appearance or setting of the listed building.

The dwelling would be accessed via an entrance on Regent Street and includes replacing an existing non-original door. The door proposed is of an appropriate design, scale and form therefore would not result in a diminish the historical interest of the listed building.

The proposal will not be detrimental to the architectural character, appearance or historic interest of the listed building, or its setting.

In reference to the Planning (Listed Building and Conservation Areas) (Scotland Act) 1997 the proposal will not be detrimental to the architectural character, appearance or setting of the listed building. It therefore accords with the LDP policies Env 3, Env 4, relevant HES Managing Change in the Historic Environment Guidance and the non-statutory guidance.

c) Impact on Conservation Area

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.

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant character appraisal.

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high-quality architecture, and the predominant use of traditional building materials.

The non-statutory guidance on Listed Buildings and Conservation Areas states the aim of development should be to preserve the spatial and structural patterns of the historic fabric and architectural features that make it significant.

The proposed dwelling is of a height, scale and position that will appear incongruous in the context of the surrounding garden settings. The building is in excess of the height of the stone boundary walls. Whilst in part screened by existing trees its height and scale, it would be visible from the surrounding environment. The open landscaped gardens of adjacent properties form an attractive setting to this part of the conservation area. The presence of a building at this scale and position, will appear entirely incongruous and visually interfere with this surrounding landscape.

In terms of the spatial character, this part of the conservation area has evolved over time through historic changes to the built form. In present form, there is an established spatial pattern to residential development on Regent Street. A high dense form of development on the street frontage through terraced properties with gardens of similar scale and form plotted in a continuous manner to the rear. The proposed building by virtue of its incongruous scale and location on this back-land plot is not in keeping with the current spatial pattern of the conservation area and will detract from the open garden settings.

The proposal fails to preserve or enhance the character of the conservation area and is therefore contrary to LDP policy Env 6 (Conservation Area - Development) and in this regard, fails to meet the requirements of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

d) Scale, form and design

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

LDP Policy Des 4 (Development Design - Impact on Setting) requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.

LDP Policy Hou 4 (Housing Density) states that the density of a development on a site will be dependent on its characteristics and those of the surrounding area.

As detailed above, the prevalent character of the townscape is of terraced properties with spacious rear gardens.

The exception to this arrangement are historic dwellings to the south-west end of Regent Street (no.9) which are atypical examples in the context of the surrounding area. The height and scale of the proposed building is out of proportion with its surroundings. It is inappropriate in this location as it will appear an incongruous and isolated addition from the surrounding gardens, at odds with the spatial character of the wider townscape.

The location of the building is disruptive and harmful to the established spatial character of the area. A dwelling in this location is not in keeping with the density of development characteristic of the area.

The building is of a contemporary appearance that utilises modern high-quality materials. Terraced properties on Regent Street have been extended to the rear with a range in materials evident. Use of a material pallet proposed is acceptable in principle, however the overall design in terms of scale and form, is inappropriate in this location as detailed above.

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

e) Amenity

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

requires new development to offer suitable level of amenity to future residents having regard to these aspects.

Edinburgh Design Guidance states it is important that buildings are spaced far enough apart that reasonable levels of privacy, outlook daylight and sunlight can be achieved.

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.

The Edinburgh Design Guidance requires a minimum internal floor area of 66 square metres for properties with two bedrooms.

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

Future Occupiers

Edinburgh Design Guidance states it is important that buildings are spaced far enough apart that reasonable levels of privacy, outlook daylight and sunlight can be achieved. Further, that people value the ability to look outside, whether to gardens, streets or more long-distance views.

The primary source of outlook is via ground floor windows on the south-west and first floor windows to the north-west. The proximity of these openings to the facing boundary walls, 3.5 to 4m and just over 1.5m respectively, will fail to provide an acceptable level of outlook for future occupiers. All other openings are either high-level or opaque, therefore will not discernibly enhance outlook from within the building.

In terms of daylight, no information has been submitted to demonstrate compliance with Edinburgh Design Guidance. There is concern regarding the levels of daylight to all habitable rooms as the large glazed openings would lie in close proximity to the facing boundary walls and trees. High-level windows proposed would enhance daylight, however further information in line with EDG criteria would be required in order to assess this in full.

The proposal does not achieve a garden of 9m in length. The amenity space provided; the courtyard and external deck, are of a limited scale that is not in keeping with the layout of gardens in the area. These spaces will be enclosed by the existing built forms, trees and proposed dwelling which would reduce supply of sunlight to these spaces. The scale, layout and position of these spaces does not enable an adequate supply of green space for future residents.

In regard to privacy, adequate levels would be achieved for future occupiers as all windows face either the boundary walls whilst high level windows will not afford direct outlook to neighbour's gardens or windows.

In regard to the internal layout, the proposal meets the required space standards of 66 sqm for a two-bedroom dwelling.

The proposal would not result in a satisfactory living environment for future occupants. An unacceptable level of outlook, and inadequate level of greenspace is provided for future residents. The proposal is therefore contrary to LDP policy Des 5 (Amenity) and Hou 3 (Private Greenspace).

Neighbours

In regard to daylight, the south east of the building would be approximately 9m and 13m from the rear of flatted properties 16-18 Regent Street. Whilst no daylight information has been submitted in accordance with EDG criteria, the proposal appears to comply with this criteria and therefore would not result in an unreasonable impact on daylight to neighbouring properties.

In regard to sunlight, sun path diagrams have been submitted. These do not account for each hour of shade on the 21st March in accordance with EDG criteria. Should the proposal have been acceptable on all other aspects this information would have been required to fully assess sunlight implications to all neighbouring gardens.

To the south-west and north-east, it is not anticipated that the proposal would lead to any significant additional shade cast on these gardens given the position of the building and height of trees and foliage to these sides. To the south-east, the proposal appears to fail the 45 degree criteria and is likely to lead to some additional level of overshadowing of this neighbour's rear garden.

As detailed above, adequate privacy levels would be achieved as the proposed large glazed openings face onto the boundary walls. All high-level openings would not afford downward views of neighbour's gardens or windows. The proposed decking is positioned at the rear of the site, given its limited width and enclosed location, it would afford only limited visibility of neighbour's gardens which would be further screened by existing boundary walls and foliage. No unreasonable impact on privacy from overlooking will occur as a result.

f) Parking Provision

LDP Policies Tra 2 - Tra 4 sets out the requirements for private car and cycle parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance.

The site is identified within the Edinburgh Design Guidance Parking Standards as being within 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 does not include any car parking provision and therefore complies with policy Tra 2.

The EDG identifies residential properties within Zone 2 should have a minimum cycle parking provision of 2 spaces per 2 bedrooms. Long stay parking in residential development should be focused on location, security and weather protection. Two spaces have been provided in covered external storage that is of an appropriate design. The proposal complies with policy Tra 3 and Tra 4.

The proposal complies with policies Tra 2, Tra 3, Tra 4 and the Edinburgh Design Guidance.

g) Other Matters

Trees

LDP policy Env 12 states planning permission will not be granted for development that would likely have a damaging impact on trees worthy of protection.

Trees are positioned in proximity to the site's boundary. No tree survey in accordance with EDG criteria has been submitted as part of the proposal and this has not been requested as the proposal is unacceptable in principle.

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.

Waste

A refuse facility is proposed to the south boundary of the site with the existing vennel access linking to Regent Street. Specific details of the collection point and overall waste strategy are not controlled under planning legislation. Should planning permission have been granted, an informative would have been included for this arrangement to be agreed with the City Council's Waste Department.

Flue

The proposal includes a stove flue. There is separate Environmental Protection legislation under the Clean Air Act 1993 to limit fumes from such appliances. Should permission have been granted an informative would have been included in regard to this.

h) Issues Raised by Objectors

Material Considerations - Objection

- - Impact on neighbour's amenity (privacy, sunlight, daylight and outlook)
- -Design not in keeping with Conservation Area
- -Overdevelopment of site
- -Impact on setting of listed building
- -Amenity provision is limited in scale / layout and will have minimal sunlight
- - Does not comply with space standards

- -Impact on trees and shrubs
- -Impact on parking
- -Refuse facility and access arrangements
- -Potential fumes from stove / flue

The above matters have been addressed in section 3.3 of the report.

- -Publication of planning application and availability of plans:

The records indicate that the neighbouring garages at the rear were not notified as part of the application. Council records show that this premises is not postally addressable therefore no notification was sent in line with The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The application was advertised due to it being within a conservation area and therefore there was no further requirement to advertise on neighbouring land where notification letters could not be carried out. All plans appear publicly viewable on the City Council's planning portal.

Non-Material Considerations - Objections

- Limited evidence of back land developments / existing examples date from Victorian / Georgian period: Each planning application is assessed on its own merits having regard to relevant policy and guidance.
- Potential disruption from construction works; associated machinery, vehicles and noise - These matters cannot materially be assessed as part of this planning application.
- Structural issues - This matter cannot materially be assessed as part of this planning application.
- Fire Risk - This matter cannot materially be assessed as part of this 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 3 as an inadequate provision of garden space will be provided for future occupiers of the application site.

3. The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the scale, form and position of the building will have an unacceptable impact on the spatial character and density of the area.
4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form and position of the building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.
5. The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 - Amenity as an unacceptable level of outlook will be provided for future occupiers of the application site and insufficient information has been submitted to demonstrate adequate levels of daylight and sunlight will be achieved.
6. The proposal is contrary to Edinburgh Local Development Plan Policy Env 6 - Conservation Area - Development, as the height, form and position of the building will be an incongruous addition in its surroundings that will have a detrimental impact on the spatial character of the conservation area and the immediate garden settings. The proposal will therefore fail to preserve or enhance the character of the conservation area.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

Pre-application discussions took place on this application.

6.2 Publicity summary of representations and Community Council comments

44 representations have been received (43 objections and 1 supporting comment).

Background reading / external references

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

Statutory Development

Plan Provision	Policies - Edinburgh Local Development Plan - Urban Area
Date registered	18 December 2020
Drawing numbers/Scheme	01-17, 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

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 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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 Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

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

LDP Policy Env 12 (Trees) sets out tree protection requirements for 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.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Setting sets out Government guidance on the principles that apply to developments affecting the setting of historic assets or places.

Managing Change in the Historic Environment: Doorways: Government guide sets out the principles that apply to altering the doorways of historic buildings.

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.

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

Other Relevant policy guidance

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials

Appendix 1

Consultations

No consultations undertaken.

END

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Alex Somerville

Address: 1B Bath Street Lane Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I own numbers 4 and 5 Bath Street Lane and worry for the structural integrity of my building with the work going to be carried out. I also have doubts about what the stove will be burning and the fumes it will be releasing. There is no access from Bath Street Lane but I feel the lane would see an increase of work vehicles.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Miss Maud Start

Address: 21a1 Regent Street Portobello

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having taken a look at the renewed plans to build a dwelling house behind 20 Regent Street, there are a number of concerns which remain.

I am increasingly concerned with it being a overdevelopment of an already highly developed site. We are crushed in like sardines here, and building anew will further cramp the area with cars, bins and construction vehicles. It will soon be illegal for cars to mount pavements when parking, which will have a huge impact on Regent Street even without the added stress of construction vehicles and further residents.

I see that the statement refers to neighbouring trees giving shelter to the house, to protect neighbours privacy. I would object to this, it is now winter and I can see the trees have no leaves from our upstairs frontage, offering no protection whatsoever.

Thank you

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr gordon dewar

Address: 14 regent street edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We are against the proposed building as we don't want our rear bedroom overlooked
The trees in our garden will at some point be cut back/down so will no longer act as a screen
We don't think building materials, machinery & tooling will be able to access proposed site through the vennell

Regent Street is narrow and additional parking would be an issue

The constant noise from construction in such a confined space would be a problem

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Josephine Doorley-Petersson

Address: Regent Street Portobello Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. This is a Conservation part of Portobello and this proposed build is . not in compliance with the local plan or the Conservation area guidelines.

2. There is an increased fire risk due to restricted access through vennel.

3.. Where will bins be stored?

4. There has been no engagement with neighbours whatsoever.

5. The trees in neighbouring gardens are deciduous and therefore only provide privacy/protection for 5-6 months of the year. In addition they are in a neighbouring garden and the applicant has no control over them.

6.This is an overdevelopment on a very small site with minimal outdoor space.

7. Neighbouring garden will be overlooked and overshadowed, hence the proposal will have a detrimental effect on the appearance and setting of neighbouring listed buildings.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Lars Petersson

Address: 42 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment:1. This is a Conservation part of Portobello and this proposed build is . not in compliance with the local plan or the Conservation area guidelines.

2. There is an increased fire risk due to restricted access through vennel.

3.. Where will bins be stored?

4. There has been no engagement with neighbours whatsoever.

5. The trees in neighbouring gardens are deciduous and therefore only provide privacy/protection for 5-6 months of the year. In addition they are in a neighbouring garden and the applicant has no control over them.

6.This is an overdevelopment on a very small site with minimal outdoor space.

7. Neighbouring garden will be overlooked and overshadowed, hence the proposal will have a detrimental effect on the appearance and setting of neighbouring listed buildings.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Francis Bickmore

Address: 10 regent st Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I've reviewed the revised proposal and whilst not against new development on Regent St, I'm concerned this will overly dominate the space.

The current shrubs that screen the development are not on the site, and could be cut down at any point. The garden size seems to small in proportion to the size of plot.

There seems a risk of lack of access and fire access. It would seem that consultation with close neighbours was not adequately completed.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Gemma Ross

Address: 24/1 Windsor Place Portobello Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I strongly object to permission being granted for this property. Despite the changes being made to the design of the property it is going to overlook other private residences. This is an infringement on privacy as well as blocking out light over the neighbouring gardens/properties.

The design is still not in-keeping with the beautiful listed buildings of the surrounding area.

Portobello has had too many new properties built in recent years without the amenities to support the extra residents. The last thing the area needs is more residents.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Charles Steel

Address: Dam House Fala Dam

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:- Fire risk with small venal

- obstruction of view of proposed structure is not within their land/control and could easily be removed
- back lane development- no others like this and open doors to split garden/overdevelopment of area
- overlooking and visible from rear of neighbouring houses
- obtrusive to direct neighbours privacy and garden
- completely overcrowded street that is already hazardous

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Jennifer Steel

Address: The dam house Fala Dam

Comment Details

Commenter Type: Other

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Firstly, in a quickly becoming over developed area we should be holding on to our green space - for the surrounding neighbours the only green space they have in their back gardens. This will be an eyesore and overlooked by many houses. In a conservation area this type of development should not be allowed as it affects so many houses views and garden space - a lot of these houses also being listed. It is not in keeping and it is not sympathetic to its surroundings. Surely this poses a fire risk to the surrounding listed buildings and homes as the access proposed is so restricted?

This type of development is not seen in portobello and I think paves the way for overdevelopment of an already busy area. There are many split gardens in portobello and if even a third of them were to be sold/bought/developed in this way then there would be serious overcrowding on many levels. It is also still not an example of backland development accessed through a vennel - there have been no examples of this given in the application.

The shrubs and trees in a garden that is not owned by the proposed property should not be considered as a screen to disguise the proposed building - they would not have control over whether these need to be cut back or minimised for other reasons.

The development will be dark and will be completely surrounded by walls and with minimal sunlight - I can hardly see it as a worthwhile development and sympathetic to its surroundings whether it be for the current owner or future owners.

Again parking issues are ongoing in an increasingly busy area - more houses on this already busy street would add to this.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Jane Thomas

Address: 2G East Road North Berwick

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:As a former occupant of 24 Regent Street I am very familiar with the built environment context of this application. My objection is because:

The project is drastically over scaled.

It would impact very negatively on the amenity of the surrounding properties aesthetically and in terms of privacy.

The access is not sufficient.

The surrounding conservation area has been sensitively treated in the main, this application is inconsistent with that approach.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Thomas F Smith

Address: 28 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Despite the changes from the application of 2020 what the proposal is still overdevelopment of a very small site and that there still isn't a great deal of outside space.

Neighbouring gardens will still be overlooked and overshadowed and that the proposal will have a detrimental effect on the appearance and setting of neighbouring listed buildings. The access to the site is still very restricted and the new house will be dependent for its light and outlook over land it does not own.

A new dwelling will inevitably lead to increased congestion on Regent Street due to increased traffic and, importantly, greater pressure on already scarce parking spaces. Pedestrian traffic on the pavements of Regent Street which is already hampered on bin days will be further blocked by the need for refuse collection from a new dwelling.

The construction traffic (operatives, removal of waste and delivery of materials etc.) for the proposal will present a significant problem given that access to the site will almost certainly be via the vennel running off Regent Street.

See page 3 - the screening offered by trees and shrubs could be removed at any time and are not under the control of the developer and as such are not relevant to this application.

See page 4 - the size of the garden does not take into account of the needs or wishes of future occupiers and as such are not relevant to this application.

See page 8 - no evidence is given for assertions regarding recent developments on local backlands. Existing backland buildings date from Victorian/ Georgian times as such are not relevant to this application.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Margaret Smith

Address: 28 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Despite the changes from the application of 2020 what the proposal is still overdevelopment of a very small site and that there still isn't a great deal of outside space.

Neighbouring gardens will still be overlooked and overshadowed and that the proposal will have a detrimental effect on the appearance and setting of neighbouring listed buildings. The access to the site is still very restricted and the new house will be dependent for its light and outlook over land it does not own.

A new dwelling will inevitably lead to increased congestion on Regent Street due to increased traffic and, importantly, greater pressure on already scarce parking spaces. Pedestrian traffic on the pavements of Regent Street which is already hampered on bin days will be further blocked by the need for refuse collection from a new dwelling.

The construction traffic (operatives, removal of waste and delivery of materials etc.) for the proposal will present a significant problem given that access to the site will almost certainly be via the vennel running off Regent Street.

See page 3 - the screening offered by trees and shrubs could be removed at any time and are not under the control of the developer and as such are not relevant to this application.

See page 4 - the size of the garden does not take into account of the needs or wishes of future occupiers and as such are not relevant to this application.

See page 8 - no evidence is given for assertions regarding recent developments on local backlands. Existing backland buildings date from Victorian/ Georgian times as such are not relevant to this application.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Victoria Watson

Address: 19 Regent Street 19 regent street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having read the plans I feel that the following comments are not valid - on page 3 it is said the the mature trees and shrubbery at the bottom of 12 - 14 and 22 onwards will provide cover for the new build from the upper floors. This is null and void as the plants do not belong to the new build and can be cut away at any time and also for half of the year almost provide no cover at all due to having no leaves.

On page 4, the statement is made that the applicants do not want a big garden as their present garden is too large for them at their time of life. Surely the house must bear in mind future occupiers and have the suitable amount of outside space for the type of development that is proposed should permission be granted.

On page 8, the statement is made that in this part of the Portobello Conservation Area there are a few backland sites with single houses on them each with no vehicular access. No evidence has been lodged in any of the documents on the planning portal to prove that this claim is true and that this proposal is similar to other back lane developments. It is true that several houses and flats at the top of Regent Street are accessed through pends between other houses fronting the street but these are almost all original Georgian and Victorian houses / flats built when Regent Street was first laid out and are not modern developments.

It seems like an opportunistic overdevelopment of a small site that will definitely provide a detrimental outlook for

appearance of neighbouring listed building. Also the access is very restricted and could cause continued problems not just for the build but continuously. It is also dependent on neighbouring light and outlook on land it does not own.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Keith McCormac

Address: 1E Bath Street Lane Portobello Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am unable to view any of the 23 planning documents as they require adobe flash player 11 which since 12/1/2021 no longer works as it is out of support by Adobe. It is difficult to understand why these documents have been prepared in a tool whose end of life was clearly published by Adobe a long time ago.

I request that these documents are made available in a useable format so I am able to review and comment appropriately. Please advise when this has been done or alternatively send them out on paper to my address. I expect the consultation period to be extended once the documents have been published in an acceptable format.

In the interim and in the absence of any useable documentation and as a resident of Bath Street Lane I am generally concerned about the material inconvenience, noise, disruption and damage to the lane incurred during any proposed construction activity as I believe the only viable way to construct this property is with access to this lane.

Thanks, Keith McCormac

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Dr Alice Thompson

Address: 22 Regent Street Portobello Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Access is only going to be through the existing single vennel to no 20. It is very narrow and will be dangerous in terms of access in the case of a fire. In the 2006 report to the development management sub-committee - the planning committee - the case officer stated on page 5 that the narrow passageway was unacceptable as access as it was, 'inadequate for day-to-day servicing purposes.'

1948 when a building was last there is not 'recent history' as regards a building on that site I would think 1948 would be regarded more as 'historical'.

The sun path analysis in this application is simpler than in the previous application.

"The sun path analysis seems to be accurate as far as I can tell and the lower proposal helps. However, what they have done is cast a shadow from the existing thicket of what I think is ivy on to No.22's garden. Therefore the effect of the new house is hardly noticeable. The ivy could be cut down at any time - the proposal, if built, is permanent. So they've been a little economical with the truth about the effect of the mid-afternoon shadowing."

I have recently been in contact with a gardener about the cutting down of the ivy as he recommends this strongly as it is damaging the wall. I have been awaiting funds to do exactly this.

Being 'economical with the truth' has also arisen regarding the trees which the applicant says will screen the new development, trees which are not under his control as they are in neighbours' gardens.

This seems to be a consistent thread in this application as the 'planning and design statement'

states that the applicant, " has asked each of the neighbours for their comments on the proposals at the pre-application stage," yet he has not done so.

Similarly, the 'planning and design statement' states on page 8 that, " the analysis of the backland developments having been undertaken has been lodged with the application for consideration." No such analysis has been lodged as part of the documents regarding this application. This document was lodged with the previous application that was subsequently withdrawn. This document was entitled, 'backland developments' and listed 10 so called examples of backland development which set precedents for this development. However, 8 out of 10 of the examples given were Victorian or Georgian houses / flats which were part of the original street layout. It is very odd that this document is now no longer lodged as part of the application, instead merely referred to. I do not think that this document is missing by error, more a deliberate omission or yet another example of being 'economical with the truth' as it had been proved to be false.

He withdrew previous application a few months ago after 40 objections were made and none in support. It is still overdevelopment of a very small site and that there still isn't a great deal of outside space. Also, that neighbouring gardens will still be overlooked and overshadowed and that the proposal will have a detrimental effect on the appearance and setting of neighbouring listed buildings. The access to the site is still very restricted and the new house will be dependent for its light and outlook over land it does not own.

Having looked again at the 'Planning and Design Statement', 3 main points need to be stressed. These are used as reasons this application should be granted whereas they are in actuality reasons which you need to give as to why this application should be refused.

1. On page 3, the statement is made that the bottoms of the rear gardens of nos. 12 - 14 and 22 onwards have a number of mature self- sown trees and shrubs that screen any potential views towards the application site from the upper floor windows of numbers 16 - 18 and 22. This claim that the new house will be masked by trees and shrubs in neighbouring gardens is not a valid reason to grant the application as the applicant does not own these trees and shrubs as they are in neighbouring gardens and are therefore not under his control. They could be cut down by the owners at any time.

2. On page 4, the statement is made that the applicants do not want a big garden as their present garden is too large for them at their time of life. This argument about the personal circumstances of the applicants is irrelevant. The amount of outside space has to be suitable for the type of development that is proposed and will have to be suitable for future occupiers of the house should permission be granted.

3. On page 8, the statement is made that in this part of the Portobello Conservation Area there is a proliferation of backland sites with single houses on them each with no vehicular access. No

evidence has been lodged in any of the documents lodged on the planning portal to prove that this claim is true and that this proposal is similar to other back lane developments. It is true that several houses and flats at the top of Regent Street are accessed through paths between other houses fronting the street but these are almost all original Georgian and Victorian houses / flats built when Regent Street was first laid out and are not modern developments.

There are also issues with parking on 22 Regent Street that this application will make even worse. There will be a problem with services using this narrow way. I also have a serious lung condition that will be badly affected by the building of this house.

Alice Thompson

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Alan Thompson

Address: 3 clifford rd N Berwick

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: On page 3, the statement is made that the bottoms of the rear gardens of nos. 12 - 14 and 22 onwards have a number of mature self-sown trees and shrubs that screen any potential views towards the application site from the upper floor windows of numbers 16 - 18 and 22. This claim that the new house will be masked by trees and shrubs in neighbouring gardens is not a valid reason to grant the application as the applicant does not own these trees and shrubs as they are in neighbouring gardens and are therefore not under his control. They could be cut down by the owners at any time.

On page 4, the statement is made that the applicants do not want a big garden as their present garden is too large for them at their time of life. This argument about the personal circumstances of the applicants is irrelevant. The amount of outside space has to be suitable for the type of development that is proposed and will have to be suitable for future occupiers of the house should permission be granted.

On page 8, the statement is made that in this part of the Portobello Conservation Area there is a proliferation of backland sites with single houses on them each with no vehicular access. No evidence has been lodged in any of the documents lodged on the planning portal to prove that this claim is true and that this proposal is similar to other back lane developments. It is true that several houses and flats at the top of Regent Street are accessed through pends between other houses fronting the street but these are almost all original Georgian and Victorian houses / flats built when Regent Street was first laid out and are not modern developments.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Yolanda Pupo-Thompson

Address: 3 Clifford Road North Berwick

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: On page 3, the statement is made that the bottoms of the rear gardens of nos. 12 - 14 and 22 onwards have a number of mature self-sown trees and shrubs that screen any potential views towards the application site from the upper floor windows of numbers 16 - 18 and 22. This claim that the new house will be masked by trees and shrubs in neighbouring gardens is not a valid reason to grant the application as the applicant does not own these trees and shrubs as they are in neighbouring gardens and are therefore not under his control. They could be cut down by the owners at any time.

On page 4, the statement is made that the applicants do not want a big garden as their present garden is too large for them at their time of life. This argument about the personal circumstances of the applicants is irrelevant. The amount of outside space has to be suitable for the type of development that is proposed and will have to be suitable for future occupiers of the house should permission be granted.

On page 8, the statement is made that in this part of the Portobello Conservation Area there is a proliferation of backland sites with single houses on them each with no vehicular access. No evidence has been lodged in any of the documents lodged on the planning portal to prove that this claim is true and that this proposal is similar to other back lane developments. It is true that several houses and flats at the top of Regent Street are accessed through pends between other houses fronting the street but these are almost all original Georgian and Victorian houses / flats built when Regent Street was first laid out and are not modern developments.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Richard Lee

Address: 32 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application on the following grounds

1. The trees and shrubbery at the bottom of 12 - 14 and 22 onwards will only provide cover for the new build from the upper floors when in leaf, and could be cut down since they do not belong to no. 20, resulting in no cover.
2. Backland houses with no vehicular access do exist in the area but are nearly all original houses built when Portobello was being established; I object to any new ones being built in this Conservation Area.
3. The restricted access to the site will cause problems during building and afterwards.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Anne Lee

Address: 32 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to this application on the following grounds

1. The trees and shrubbery at the bottom of 12 - 14 and 22 onwards will only provide cover for the new build from the upper floors when in leaf, and could be cut down since they do not belong to no. 20, resulting in no cover.
2. Backland houses with no vehicular access do exist in the area but are nearly all original houses built when Portobello was being established; I object to any new ones being built in this Conservation Area.
3. The restricted access to the site will cause problems during building and afterwards.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Thomas Noon

Address: 2/3 Bath Street Lane Portobello Edinburgh

Comment Details

Commenter Type: Neighbour-Commercial

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: My name is Thomas Noon and I am a partner in Amrosan Developments, who own the former Blacksmiths Shop at 2/3 Bath Street Lane, and which lies immediately adjacent to the rear of this proposed development.

Whilst I do not object to this proposal in principle - and in fact welcome it as a good re-use of a former house - I am concerned that the rear of the proposed building is to be constructed immediately against the rear of our Blacksmith Shop wall, therefore making any maintenance and repairs to the stonework, gutters and roof very difficult - if not impossible.

If the plan is redesigned to allow for a reasonable gap between the two buildings - and available for inspection and agreement prior to being granted permission - then I would have no objections.

Additionally, given the proposal is going to use other people's properties as a part of it's construction then it would have been respectful had the applicants contacted myself and explained their proposals - discussion is better than confrontation.

Thomas Noon

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Charlotte Jack

Address: 30 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Having read the plans I feel that the following comments are not valid - on page 3 it is said the the mature trees and shrubbery at the bottom of 12 - 14 and 22 onwards will provide cover for the new build from the upper floors. This is null and void as the plants do not belong to the new build and can be cut away at any time and also for half of the year almost provide no cover at all due to having no leaves.

On page 4, the statement is made that the applicants do not want a big garden as their present garden is too large for them at their time of life. Surely the house must bear in mind future occupiers and have the suitable amount of outside space for the type of development that is proposed should permission be granted.

On page 8, the statement is made that in this part of the Portobello Conservation Area there are a few backland sites with single houses on them each with no vehicular access. No evidence has been lodged in any of the documents on the planning portal to prove that this claim is true and that this proposal is similar to other back lane developments. It is true that several houses and flats at the top of Regent Street are accessed through pends between other houses fronting the street but these are almost all original Georgian and Victorian houses / flats built when Regent Street was first laid out and are not modern developments.

It seems like an opportunistic overdevelopment of a small site that will definitely provide a detrimental outlook for appearance of neighbouring listed buildings. Also the access is very restricted and could cause continued problems not just for the build but continuously. It is also dependent on neighbouring light and outlook on land it does not own.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr MICHAEL O'DONNELL

Address: 1F1, 8C Bath Street, Edinburgh EH15 1EY

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:MY LOCK UP IS IMMEDIATLEY ADJACENT TO THE PROPOSED ERECTION OFF THE PLANNED DWELLING HOUSE IN BATH ST LANE....ALTHOUGH I RESIDE IN BATH STREET.I WAS NOT NOTIFIED AT ALL.. OTHER THAN A NOTIFIED NEIGHBOUR MAKING ME AWARE OFF ON THURSDAY 21/01/21

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Isaac Lloyd

Address: 22 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: After reading the planning and design statement as well as the architectural drawings as well as discussing the issue I have come away with the following points.

On page 3, the statement is made that the bottoms of the rear gardens of nos. 12 - 14 and 22 onwards have a number of mature self-sown trees and shrubs that screen any potential views towards the application site from the upper floor windows of numbers 16 - 18 and 22. This claim that the new house will be masked by trees and shrubs in neighbouring gardens is not a valid reason to grant the application as the applicant does not own these trees and shrubs as they are in neighbouring gardens and are therefore not under his control. They could be cut down by the owners at any time.

On page 4, the statement is made that the applicants do not want a big garden as their present garden is too large for them at their time of life. This argument about the personal circumstances of the applicants is irrelevant. The amount of outside space has to be suitable for the type of development that is proposed and will have to be suitable for future occupiers of the house should permission be granted.

On page 8, the statement is made that in this part of the Portobello Conservation Area there is a proliferation of backland sites with single houses on them each with no vehicular access. No evidence has been lodged in any of the documents lodged on the planning portal to prove that this claim is true and that this proposal is similar to other back lane developments. It is true that several houses and flats at the top of Regent Street are accessed through pends between other houses fronting the street but these are almost all original Georgian and Victorian houses/flats built when Regent Street was first laid out and are not modern developments.

Furthermore, as an inhabitant in 22 Regent street and an Asthma sufferer, the Stove flue could directly impact my condition due to its close proximity to our garden.

Also, the access is very restricted and could cause continued problems not just for the build but

continuously as the only access to through a vennel with a shared wall to my study. It is also dependent on neighbouring light and outlook on land it does not own.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Dr Suzanne Trill

Address: 11 Regent Street Portobello EDINBURGH

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I was very surprised to see this application, having only recently written to object to the previous application (that was withdrawn after 40 objections were noted).

While the plans have been revised, they do little to reassure me, or many of my neighbours, that the central concerns have been addressed. I note that the revised written report states that the 2006 application was refused solely on the basis of car parking and addresses this by asserting that 'attitudes to cars, particularly in Portobello have changed significantly' (p. 5) since that time. Attitudes may have changed but the excessive demand for parking places on this street is so well known that taxi drivers usually drop me off at the high street to avoid congestion. Arranging deliveries is a nightmare, and while the current occupants clearly intend to use bikes and local public transport there is no guarantee this will continue to be the case (if, for example, the proposed dwelling is sold). Thus, the main reason for rejection in 2006 still stands.

In addition, on p. 3, the report claims that the new dwelling will be masked by trees and shrubs in neighbouring gardens; however, precisely because this vegetation is in other people's properties, the applicant can in no way guarantee this will remain the case, as such decisions are not within his control.

In several places, the applicants' intentions are used to diffuse concerns expressed by close neighbours in the previous application (for example, size of garden). With respect, while the applicants may uphold these intentions, there is no guarantee that any future owner would do the same. We are also reassured that the applicants have discussed their plans with close neighbours, all of whom object to the plan.

Finally, the application also claims that there have been 'many different permissions for bespoke

single houses in the lanes and vennels' in Portobello granted since 2006. No evidence is provided for this, and even if it were, it has little relevance to the specifics of Regent Street. It is true that there are several houses and flats at the top of the street that are accessed through paths between other houses facing the street but these are almost all original Georgian and Victorian buildings not modern developments.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Andrew Bradley

Address: 11 REGENT STREET Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The applicant notes that Regent Street is part of a conservation area and states that the dwelling will add positively to this. I cannot agree. The area comprises entirely of Victorian & Georgian houses and a property of this type by its very nature cannot make a positive contribution to the a conservation site. The applicant further states that this development is no different from other properties in the vicinity accessed by vennels. It is true that on the street there are a few but these are all period properties dating to the time when the street was first planned.

The applicant states that car-parking is no longer an issue as attitudes have changed and, in any event, they will solely use public transport. A quick glance at Regent Street will tell you that attitudes certainly have not changed as parking and deliveries on the street cause daily problems. If anything, the problem continues to worsen. The applicant may state that they have no desire to use private transport but that view may change and the cannot vouch for any future occupants of the development.

The claim that the view of the property will be masked by trees and shrubs is true but the fact is that the applicant has no control over those plants as they are not on the applicant's property and should they need to be cut down or cut back for whatever reason, there will be a direct line of sight into other dwellings. To my mind, the applicant cannot use this as a valid reason for consent.

Finally, the claim that there is only a need for a small garden means that the property will be unsuitable for this type of development and not inkeeping with the properties around it.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Graham Currie

Address: 3 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I didn't object to the original application but feel compelled to this time. The applicant claims that consultation was carried out with the neighbours but this is untrue and a very disappointing claim.

The house is poorly designed in terms of internal layout and does not appear to comply with building regulations space standards, particularly in terms of activity spaces around the kitchen and bathrooms. The result is a property with poor amenity for occupants. There is no access for fire fighting services should there be an emergency.

The application would appear to be in contradiction to the local plan and conservation area guidelines in terms of back garden development and the impact on the setting of immediately adjacent listed buildings.

The sun path analysis appears to be incorrect.

Parking on the street is already massively over subscribed and this proposal will exacerbate that problem further.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Miss Lorraine O'Sullivan

Address: 58 regent Street Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Whilst appropriate development is important for our area, but this proposal seems out of keeping with the conservation area status of Portobello. It appears to be squeezed in a site inappropriately, with potential to block light and change the outlook for surrounding owners. I would prefer that the proposal is rethought.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Dr Alice Thompson

Address: 22 Regent Street Portobello Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Below are additions to my previous comments (lodged a few days ago)

My previous comment about daylight needs to be expanded. It is not just that the new house will cast a shadow on neighbouring gardens but the house itself will probably not meet daylighting standards. Looking at the design guidance, I believe that there is no evidence that daylighting to the rooms or to the garden space will comply with the design guidance on page 87 of the Council's relevant design guidance. as the site is so small, the house will be built right up against two of the neighbours' stone walls and the other two stone walls are high and will affect the amount of daylight entering the new house and garden.

I would also like to add to my comments about parking. The Reporter who turned down the appeal did so solely on the grounds of the parking issues that Regent Street faces. The applicant may not have a car but future owners of the house might and visitors to the house will have cars. There is no change to the parking problems in Regent Street as there is still parking down both sides and it is still congested. This situation will be made a lot worse when the Scottish Government ban on pavement parking comes into force.

In conclusion (an in addition to my previous submitted comments) I don't think that the new house will meet daylighting standards and that the proposal will add to the serious parking problems that Regent Street still faces.

Dr Alice Thompson

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Rosanne Peploe

Address: 41 Regent Street Portobello Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am objecting to this application on the grounds that the plot of land is too small for the construction of a dwelling house. The property would overlook and dominate existing neighbouring properties. The notion that this 'backland' is there to be built on due to some sort of precedence is simply not true or acceptable. We need to use our conservation status to protect our conservation area.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Deborah Mackay

Address: 206 Portobello High Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I have looked at the proposed plans and I disagree with the following comments:-

On Page 3 it states that the mature trees and shrubbery at the bottom of 12-14 and 22 onwards will provide cover for the new build from upper floors. This is not pertinent as those plants and trees do not belong to the proposed new build and they would have no control over them being trimmed back or removed. Also, I live perpendicular to the proposed site and look directly down across the gardens of numbers 2-22, and for a large part of the year, the trees do not provide any cover due to lack of leaves.

I note on Page 4, the statement is made that the applicants do not want a big garden for themselves, however that doesn't take into account the needs of any future residents of the property. Future occupiers would need to be guaranteed a suitable amount of outside space for the proposed development, which the current plans don't incorporate. The development will be dependent for its light and outlook over land it doesn't own.

The proposed build is within the Conservation Area, and no sites are currently identified for significant housing or other development, so this would have a detrimental effect on the Conservation Area.

This plan is overdevelopment of a very small site, with very restricted access.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Frances Charlton

Address: 38 Regent Street Portobello

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Regarding proposed development at 20 Regent St and recent changes to plan;

Despite changes to the size and mass of the proposed house this new proposal remains an overdevelopment of a tiny site with minimal outdoor space around it.

The access, through a vennel, is extremely restricted.

Is this not a fire risk on an already congested street?

Where would rubbish bins be stored for example?

The development would rely on light and outlook from land it does not own.

The mature trees and overgrown shrubs mentioned which would supposedly prevent overlook are on someone else's land.

There has not been any transparent consultation with the immediate neighbours, as stated.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Rowan Calloway

Address: 7C Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Regent Street is already very cramped with not enough parking. Looking at these plans the house is very close to other houses and the access looks very difficult. It is also not private and the shrubbery will not provide the cover stated. Other houses on Regent Street have these issues with access but the buildings were built over 100 years ago. There are difficulties at the top of the street with privacy and access so building a new house with these issues seems very unfair on both occupants and neighbours.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Dr Hamish Thompson

Address: 55/5 Spottiswoode Road Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I don't really appreciate the strategy of withdrawing an application shortly before any formal review and then re-submitting the application thus requiring a second review - spot changes and then re-assess when no major changes in the application meet the main objections. Is this really in the spirit of the process, or is it merely in the hope that objectors will not take the time here? Anyway,

On page 3, the statement is made that the bottoms of the rear gardens of nos. 12 - 14 and 22 onwards have a number of mature self-sown trees and shrubs that screen any potential views towards the application site from the upper floor windows of numbers 16 - 18 and 22. This claim that the new house will be masked by trees and shrubs in neighbouring gardens is not a valid reason to grant the application as the applicant does not own these trees and shrubs as they are in neighbouring gardens and are therefore not under his control. They could be cut down by the owners at any time.

On page 4, the statement is made that the applicants do not want a big garden as their present garden is too large for them at their time of life. This argument about the personal circumstances of the applicants is irrelevant. The amount of outside space has to be suitable for the type of development that is proposed and will have to be suitable for future occupiers of the house should permission be granted.

On page 8, the statement is made that in this part of the Portobello Conservation Area there is a proliferation of backland sites with single houses on them each with no vehicular access. No evidence has been lodged in any of the documents lodged on the planning portal to prove that this

claim is true and that this proposal is similar to other back lane developments. It is true that several houses and flats at the top of Regent Street are accessed through pends between other houses fronting the street but these are almost all original Georgian and Victorian houses / flats built when Regent Street was first laid out and are not modern developments.

How are emergency vehicles to easily this site, as a modern development, were something like a fire to occur, putting potential occupants and all neighbouring residences at risk?

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Caroline Gibson

Address: 21b Regent Street Portobello

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to the proposed erection of a dwelling at 20 Regent Street for the following reasons.

1. As a neighbouring resident I feel that it would be over development of a very small site on an already congested narrow street.
2. Parking on Regent Street is constantly under a great deal of pressure and another dwelling without its own parking would only add to the problems.
3. Development of this site would set a precedent for other back lying "Garden " sites without separate vehicular access to be developed.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Victoria Watson

Address: 19 Regent Street 19 regent street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1) This proposal is overdevelopment of a very small site and there is only provision for a small amount of outside space.

2) The new house will overlook and overshadow Neighbouring gardens detrimentally.

3) lthe new house will be dependent for its light and outlook over land it does not own and the claim that the new house will be masked by trees and shrubs from neighbouring properties is a) incorrect - particularly in the winter months and b) irrelevant as these plants are not under the new house's control.

4) it is unlikely that the new house will meet daylighting standard. The site is so small, the house will be built right up against two of the neighbours' stone walls and the other two stone walls are high and will affect the amount of daylight entering the new house and garden.

5) The proposal will have a detrimental effect on appearance and setting of neighbouring listed buildings. In addition, there is no evidence to support the statement that there is a proliferation of back land sites without vehicular access. There are houses and flats at the top of Regent Street accessed through pends but these are almost all original Georgian and Victorian properties built when Regent Street was first laid out.

6) The access to the site is very restricted through the existing and very narrow single fennel. This is inadequate for day to day use and may present a fire risk.

7) the proposal will add to the serious parking problems that Regent Street still faces. There is no change to the parking problems in Regent Street since the applicants original proposal as there is

still parking down both sides and it is still very congested. This situation will be made a lot worse when the Scottish Government ban on pavement parking comes into force.

And for those for whom it is relevant 8) The applicant claims to have "asked each of the neighbours for their comments on the proposals at the pre-application stage" - we have had no contact from the applicant.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Kholyn R. Jonathan

Address: 21A/3 Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The proposal will contribute to the existing parking problems that Regent Street is currently facing. There has been no changes to the parking problems in Regent Street since the applicants' original proposal as cars are still being park on both sides of the street and presently it is still very congested. This situation is expected to become much worse when the Scottish Government ban on pavement parking comes into force.

Also on the point that the applicants claims to have "asked each of the neighbours for their comments on the proposals at the pre-application stage", I would like to stress that I had not been contacted by the applicants and had not made any comments in support of their application.

Thank you.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Miss Caitlin McGill

Address: 12a regent street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1) This proposal is overdevelopment of a very small site and there is only provision for a small amount of outside space.

2) The new house will overlook and overshadow Neighbouring gardens detrimentally.

3) lthe new house will be dependent for its light and outlook over land it does not own and the claim that the new house will be masked by trees and shrubs from neighbouring properties is a) incorrect - particularly in the winter months and b) irrelevant as these plants are not under the new house's control.

4) it is unlikely that the new house will meet daylighting standard. The site is so small, the house will be built right up against two of the neighbours' stone walls and the other two stone walls are high and will affect the amount of daylight entering the new house and garden.

5) The proposal will have a detrimental effect on appearance and setting of neighbouring listed buildings. In addition, there is no evidence to support the statement that there is a proliferation of back land sites without vehicular access. There are houses and flats at the top of Regent Street accessed through pends but these are almost all original Georgian and Victorian properties built when Regent Street was first laid out.

6) The access to the site is very restricted through the existing and very narrow single fennel. This is inadequate for day to day use and may present a fire risk.

7) the proposal will add to the serious parking problems that Regent Street still faces. There is no change to the parking problems in Regent Street since the applicants original proposal as there is

still parking down both sides and it is still very congested. This situation will be made a lot worse when the Scottish Government ban on pavement parking comes into force.

8) The applicant claims to have "asked each of the neighbours for their comments on the proposals at the pre-application stage" - we have had no contact from the applicant.

I am overall concerned with the lack of communication with the local community and hope this project does not go ahead.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Christina Purcell

Address: 7/1 Regent Street Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:- the applicant never asked for the neighbours comments

- it will add to the streets parking problems

- the new house will overlook and overshadow the neighbours gardens and this will have a detrimental effect.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Stu Lee

Address: 6/3 Regent street Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: This proposal feels like an over development of an already busy residential area, with very little outside space.

The property would overlook neighbouring gardens, compromising privacy.

Daylight would be a problem, due its planned location, the site is small and built up against neighbouring brick walls.

Trees and shrubs from neighbouring properties should not be considered as potential shading. As these may not be permanent and are bare during winter months.

Access to site is an issue, in an already problematic street. The only access is through a small vennel.

Parking on regent street is already challenging, this will only add to existing congestion.

We feel this would compromise an all ready busy part of portobello.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Dan Hackney

Address: 47 Regent St Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: This looks like overdevelopment to me, a lot squashed in with not much external space.

It has poor access particularly in the event of a fire..

There is no provision for parking so will simply add to local problems on that score.

It doesn't fit the supposed conservation area and instead affects detrimentally the neighbouring properties.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Org Portobello Amenity Society

Address: 4A Elcho Terrace, Edinburgh EH15 2EF

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Portobello Amenity Society objects to this application on several grounds.

Firstly, the society feels that this application represents overdevelopment of a very small site. The house will have hardly any outside space. The current lockdown has highlighted the contribution made by gardens to the well-being of residents in both mental and physical health. A new house of this size should have greater outside space. On page 4 of the 'Planning and Design Statement', the comment is made that the applicants do not want a big garden as their present garden is too large for them at their time of life. In the society's view, this argument about the personal circumstances of the applicants is irrelevant as the amount of outside space has to be suitable for the type of development that is proposed and will have to be suitable for future occupiers of the house should permission be granted.

The society also objects to this proposal with regard to the amount of sunlight the new property will receive and the casting of shadows and restriction of sunlight to the neighbouring garden to the north-east.

Evidence should be sought that the ground floor living room will receive sufficient skylight in accordance with the Edinburgh Design Guidance. The overhanging first floor to the south-west restricts the amount of daylight that reaches in to the living area.

Similarly, with the new proposed garden, it should be shown that half the area of the garden should be capable of receiving potential sunlight as opposed to daylight for more than two hours during the spring equinox. An assessment using hour by hour shadow plans for each hour of 21 March should be presented to show that this element of good design for the well-being of the occupants is met.

Specific evidence should be provided that shows there will be no reasonable reduction in sunlight to the neighbouring north-east garden caused by the overshadowing of the new house. Again, this should be for the spring equinox.

In the 'Planning and Design Statement,' on page 8, the statement is made that in this part of the Portobello Conservation Area there is a proliferation of backland sites with single houses on them each with no vehicular access. No evidence however has been given in any of the documents lodged on the planning portal for this application to prove that this claim is true and that this proposal is similar to other back lane developments. It is true that several houses and flats at the top of Regent Street are accessed through pends between other houses fronting the street but these are almost all original Georgian and Victorian houses / flats built when Regent Street was first laid out and are not modern developments. The majority were built as upper flats, entered from the street through a pend with outside stone stairs to the rear leading up to first floor level. These are original listed houses not examples of 'back land' developments and do not create precedents for this proposal.

The society is concerned that neighbours will be overlooked. While the view of neighbouring gardens will be restricted from the first-floor balcony, we believe that this will still be an infringement of their privacy. On page 3 of the applicant's 'Planning and Design Statement', the statement is made that the bottoms of the rear gardens of nos. 12 - 14 and 22 onwards have a number of mature self-sown trees and shrubs that screen any potential views towards the application site from the upper floor windows of numbers 16 - 18 and 22. This claim that the new house will be masked by trees and shrubs in neighbouring gardens is not valid as the applicant does not own these trees and shrubs as they are in neighbouring gardens and are therefore not under his control and could be cut down by the owners at any time. We are also concerned that the proposed new house will have a detrimental effect on the setting of neighbouring listed buildings.

The new house will be dependent for its light and outlook over land which belongs to neighbours. The privacy of the bedrooms on the upper floor can't be guaranteed as the applicant has no control over the future development of the garages in Bath Street Lane.

The access to the property through a narrow single pend under the houses fronting Regent Street also causes the society concern. This is not ideal in terms of servicing the new house and would, in our view, create difficulties should the emergency services need to access the property in the event of a fire.

The formation of another dwelling unit will put pressure on parking in Regent Street. The lack of a car parking space will cause increased nuisance to existing neighbours, more so when the parking ban on pavements is introduced. Regent Street already suffers from congestion and despite the applicant stating that they will not use a car, approval is for the site and not the individual.

In conclusion, the society feels that this proposal represents overdevelopment of the site and that the open space provided would be grossly inadequate. Neither are we convinced that the house and garden will receive sufficient daylight or sunlight. We believe that the house would be out of keeping with the pattern of development in the street and would be detrimental to the appearance and setting of neighbouring listed buildings. It would impose on the private garden setting of these neighbouring listed buildings, would affect the amenity and privacy of neighbours and would create loss of sunlight in their back gardens. The current restricted access to the site is also unacceptable while the proposal would also add to the considerable parking problems that Regent Street currently faces. For all of these reasons, Portobello Amenity Society asks that this application be refused.

Yours sincerely, John M. Stewart, Chair, Portobello Amenity Society.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Antonia Lee-Bapty

Address: 24 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this planning application.

I am directly impacted by this proposed development. I live at 24 Regent Street and would both be able to see and be seen by this proposed development from numerous and elevated vantage points within my property.

The basis of my objection is summarised below:

- 1) This proposal is overdevelopment of a very small site which is essentially an 'island' with only provision for a small amount of outside space and poor, limited access.
- 2) The new house would overlook my garden and have line of sight of 5 of my windows and consequently three of my bedrooms; with one bedroom at an elevated position in relation to the proposal.
- 3) It will also potentially overshadow my garden, the submitted Sun Path Analysis does not extrapolate to my property.
- 4) I object to the claim that the new property will be masked by trees and shrubs from neighbouring properties. When I look out of my window(s) I can see the site and the walls which the proposed property will be built against and extend upon. Additionally, this claim by the applicant is irrelevant; the proposed developers have no control over the trees or plants in neighbouring properties. I would also appreciate a Sun Path Analysis completed with the trees and plants removed and inclusion of my property within it to give a clear understanding of the full impact the proposed development will have on neighbouring sunlight.

5) The proposed house would be dependent for its light and outlook over land it does not own, including mine.

6) It is unlikely that the new house will meet daylighting standard. The site is very small, the house will be built right up against two of the neighbours' stone walls and the other two stone walls are high and will affect the amount of daylight entering the new house and garden.

7) The proposal will have a detrimental effect on appearance and setting of neighbouring listed buildings. In addition, there is no evidence to support the statement that there is a proliferation of back land sites without vehicular access. There are houses and flats at the top of Regent Street accessed through pends but these are almost all original Georgian and Victorian properties built when Regent Street was first laid out.

8) The access to the site is very restricted through the existing and very narrow single fennel. This is inadequate for day to day use and may present a fire risk.

9) The proposal will add to the serious parking problems that Regent Street still faces. There is no change to the parking problems in Regent Street since the applicants original proposal in 2006 under refused application 06/01449/FUL. There is still parking down both sides and it is still very congested. This situation will be made a lot worse when the Scottish Government ban on pavement parking comes into force.

10) The applicant claims to have "asked each of the neighbours for their comments on the proposals at the pre-application stage" - we have had no contact from the applicant.

It is noted that the drawings submitted with the application are dated June/July 2020 and the developer claims that the development was updated to address concerns in relation to the withdrawn application 20/04136/FUL in November 2020.

The developer claims that the height of the development has been reduced by 1100mm. However, examining drawings 2028/07A (application 20/05719/FUL) and 2028/07 (application 20/04136/FUL) it is evident that the height has only been reduced on the East wall of the property and the West wall remains at the same height; evidenced by the standard dummy added to the drawings.

In summary, I challenge the developers claim, in relation to Policy Des 5 Development Design Para. 1(a), that and I quote 'The proposal will not adversely impact upon the amenity enjoyed by surrounding residential neighbours at present.'. My objections above clearly demonstrate that the proposed development does not meet this fundamental design requirement.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Larry Whelan

Address: 16 Regent Street Portobello Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:Objections To Proposed Erection Of New Build Two Storey Detached House Within Garden ; 20 Regent Street, Portobello, Edinburgh EH15 2AX ; Ref. 20/05719/FUL.

I refer to the above application and, in common with many neighbours, now write to formally register our objections to the above proposals, on the strongest possible terms, as detailed below. In summary, please include the undernoted points as an integral part of your assessment and determination.

We note that this is the latest of 6 applications made by the same Applicant, Mr Craig Douglas, to build a new two storey detached modern house, on the very same garden area site, within the space of relatively few years. Namely 1980, 1981 (Appeal), 2006, 2007 (Appeal) CEC Committee report published 17 August 2006 Ref: 06/01449/FUL- Committee Report - 419872 refers; all of which were clearly refused on substantial and multiple grounds, by Edinburgh City Council. In addition m the applicant lodged and withdrew a further application in October 2020, only 3 months ago. This was withdrawn by the Applicant following the submission of over 40 objections from various householders and organisations (Reference 20/04136/FUL).

Accordingly, we would refer you to these records and reports held on file by the Council, since these very same records, in totality, detail the historical grounds of refusal then, and, it is submitted now, that these grounds of refusal continue to apply and, indeed, many of these various issues of concern have become further compounded, in light of the passage of time.

Fundamentally, the claimed ownership of this piece of garden land, by the Applicant, is under question and currently the subject of further investigation.

In contrast to the claims of the Applicant, the origin of this small parcel of land is, without doubt, garden land, and always has been garden land. It has never been Development Land nor a Development Site.

It has never been a Brownfield Site, as repeatedly claimed by the Applicant in his submission, nor has it ever been a Builders Yard, by any true definition. The storage of a couple of old wheelbarrow and a few bags of sand does not constitute a Builders Yard.

This piece of garden land has been allowed to become, and remain, overgrown for many many years, until only a few months ago, presumably in anticipation of receiving a visit/inspection by the Council, for this latest planning application.

Similarly, the singular narrow enclosed pedestrian access only Vennel to this small plot of garden land has never been locked, by the Applicant, until a few months ago, in view of his current application.

This proposal is refused, including the withholding of permission for the Applicant to encroach on our garden land and property, as the result will substantially alter, for the worst, in a hugely negative and detrimental way, and detract from the Victorian and Georgian character, design and origins of the established domestic dwellings, in accordance with the Listed Buildings status and Conservation Area status.

If Council approval is granted to the Applicant, to make such substantive and material alterations and associated changes, such works will potentially interfere and compromise the structure and integrity of the residential adjoining buildings and gardens, particularly at numbers 14, 16, 18 and 22 Regent Street, respectively. It will also have a bearing on other residential neighbouring properties.

16 Regent Street has 2 bedrooms directly above, the enclosed pedestrian access only Vennel for numbers 16 and 18, as well as the enclosed pedestrian only access Vennel of number 20 Regent Street.

Similarly, the main lounge and bedroom of 18 Regent Street is, again, directly above the two enclosed Vennels. This presents potential problems in relation to loss of privacy and noise disturbance, if approved.

The Applicant has absolutely no ownership, control nor access rights to the enclosed shared Vennel (erected as an integral part of the the Victorian Villa circa 1870), which is is owned and used only by numbers 16 and 18 Regent Street. It is our clear position that it is reasonable of us to refuse the Applicant permission to use it both during construction and thereafter as an integral part of normal dwelling activities.

The noise, upheaval and disruption, if granted, during construction would be intrusive and unacceptable. There is absolutely no vehicular access whatsoever to the garden land site in question.

The existence, style, materials proposed, design, cramped proportions and scale of this new build proposal would be an eyesore; is not integrated; would cause detriment to both the outlook and privacy; nor would it be in keeping with the spacial character, presently enjoyed by the surrounding residential properties and adjoining private gardens.

To effectively shoehorn this new build structure into a postage stamp piece of garden land is entirely inappropriate, disproportionate and unacceptable, as well as a breach of Building, Planning, Environmental and Amenity regulations, governed by the City of Edinburgh Council. This remains the position notwithstanding the Applicants minor adjustments made to the proposals since his earlier planning applications lodged.

Lack of private and on-street car parking provision. This proposal will exacerbate, yet further, the current inadequate provision for parking at 20 Regent Street, will cause yet further congestion at the site and throughout Regent Street, given the current established scarcity of car parking, here, and throughout the surrounding streets, within the Portobello area, generally.

Directly outside the two Vennels at 14, 16, 18, 20 and 22 Regent Street, there are two long-standing on-street formal Disabled Parking Bays used, deservedly, by disabled residents and the public who have mobility difficulties. If approved, this proposal would substantially detract and be contrary to the North East Edinburgh Local Plan, Policies and Guidelines on CEO Parking Standards. It will also be noted this application, if approved, will compromise the plans to prohibit the excessive parking on both pavements of Regent Street which itself is a longstanding problem causing yet further congestion and danger to pedestrians including children and elderly.

The Applicant submits there are other properties situated within the back garden areas, to the rear of front street residential houses, within the Portobello area. This, however, is strongly refuted. The very few properties situated close to back garden areas, cited by the Applicant, in seeking to justify his proposal, are all inappropriate comparisons, in several ways. These are all built in excess of 50 years ago and, in any case, have substantially better access facilities from the main street.

In the Planning and Design Statement, on page 8, it is asserted by the Applicant that this part of the Portobello Conservation Area there is a proliferation of backland sites with single houses on them each with no vehicular access. Fundamentally, however, no evidence has been given in any of the documents lodged on the CEC planning portal to prove that this claim is true, and that this proposal is similar to other back lane developments. It is the case that a few houses and flats at the top of Regent Street are accessed through pends between other houses fronting the street but these are almost all original Georgian and Victorian houses / flats built when Regent Street was first laid out and not modern developments. These are original listed houses not examples of 'back

land' developments and do not create precedents for this proposal.

If this proposal is allowed, it would set an inappropriate precedent, within Regent Street, specifically, and the Portobello area, in general.

In addition, this proposal would potentially compromise and restrict any future improvement and development, in the immediate area if, for example, the commercial garages in Bath Street Lane, or other adjacent nearby residences were to be altered or improved. Primarily because the Applicant does not have any control or ownership over any future proposals.

The Applicant's proposals, if approved, will cause substantial detriment by way of privacy, outlook, overshadowing, restrictions on natural daylight and restrictions on sunlight, causing visual intrusion to surrounding private residential properties and, concomitant to this, the surrounding and adjoining private gardens. It is also submitted that the drawings cited, do not accurately meet the planning and building regulations, in terms of compliance with the correct dimensions to to be stated and used, across various criteria, of the Planning and Building regulations.

Planning and Design Statement, page 3 refers. The applicant claims the new house will be masked by trees and shrubs in neighbouring gardens. This claim is not a valid reason to grant the application as the applicant does not own these trees and shrubs, as they are in neighbouring gardens and therefore not under the Applicants ownership or control and could be cut down by the residential owners at any time. We are also concerned that the proposed new house will have a detrimental effect on the setting of neighbouring listed buildings.

The new house will be dependent for its light and outlook over land which belongs to neighbours. The privacy of the bedrooms on the upper floor cannot be guaranteed as the applicant has no control over the future development of the garages in Bath Street Lane.

Neighbours will also be overlooked and overshadowed and will have loss of privacy. While it is suggested the view of neighbouring gardens will be restricted from the first-floor balcony, we believe that this will still be an infringement on their privacy.

The sun path analysis is inaccurate, misrepresentative and untrue. The ivy thicket which belongs to 22 Regent Street has been incorrectly used to calculate sunlight analysis and claims that this growth will obscure or hide the proposed new house. In addition, the Applicant has no control or ownership of the ivy thicket and it could be cut down by the neighbouring owners at any time.

The Applicants assertion within the Planning and Design Statement claims that "each of the neighbours have been asked for their comments on these proposals at the pre-application stage,". This, however, is completely untrue and requires to be evidenced by the Applicant.

Similarly, the Planning and Design Statement states on page 8 that, " the analysis of the backland

developments having been undertaken has been lodged with the application for consideration." However, no such analysis or evidence has, in fact, been lodged as part of the documents regarding this application. We do recall this document was lodged with the previous application, only a few months ago, and was subsequently withdrawn by the Applicant. This document was entitled, 'backland developments' and listed 10 so called examples of backland developments, seeking to demonstrate these as precedents for this development. However, virtually all of these examples cited were, in fact, Victorian or Georgian houses / flats which were part of the original street layout. This was clearly conveyed to the council as part of the grounds of objection lodged the last time, and would have been accessed by the Applicant. The absence of such a paper, to substantiate the claims, on this particular occasion (instead of merely referring to it) would appear to have been omitted deliberately, since it has proven to be false and so undermines the Applicants case.

The Applicant makes a number of additional statements that are materially false and misleading in his application. The garden land has never been used for commercial purposes.

There has never been a building of any significance on this garden land. The only building ever present on this land was a lightweight lean-to outhouse/garden hut which has long since gone. The Applicants reference to 1948 being the "recent past" should not be considered recent past, it is more historical.

The Applicant seeks to justify the low carbon footprint of the proposed development, however, there can be no lower carbon footprint than the current use as garden ground as was its original purpose.

Planning and Design Statement page 4 refers. The applicant asserts that they do not want a big garden as their present garden (at Eskbank, Midlothian) is too large for them at their time of life. However this argument about the personal circumstances of the applicants is entirely irrelevant as the amount of outside space has to be suitable for the type of development that is proposed and will have to be suitable for future occupiers of the house, should permission be granted.

There is inadequate storage, access and/or egress for the provision of general day-to-day services, for example, refuse collection etc to allow this proposal to be approved.

There is clearly inadequate access and/or egress for the provision of other services, for example, emergency fire services and other similar emergency services, in terms of potential risk to allow this proposal to be approved.

We object to the Applicant's intentions to reduce, alter and potentially compromise various long-standing and well established boundary walls both at the front and rear garden areas of 12, 14, 16, 18, 20 and 22 Regent Street. These boundary walls have never been adjusted in height since originally built but have been repaired and maintained by 16 Regent Street, and other residential

home owners, as and when repairs have been required over the years.

As Regent Street comprises of period properties, in terms of Victorian villas (immediate examples at numbers 12,14,16 and 18 residences) and Georgian cottages (immediate examples at numbers 22, 24, 26, 28, 30 32 etc), this proposal would substantially detract and be contrary to the North East Edinburgh Local Plan, Policies and Guidelines on Housing in Garden Grounds, as it is not in keeping with the established spacial character of the locality, is not integrated into it's surroundings, is an unsuitable site for residential development and would set an unsatisfactory precedent.

This proposal would substantially detract and and be contrary to the North East Edinburgh Local Plan, Policies and Guidelines for Listed Buildings and Conservation Areas, as these clearly relate to both the Regent Street buildings, in particular, and the wider environment of Portobello Conservation Area.

This proposal, if approved, will detract from the amount of green and garden areas, for the enjoyment of wildlife, plant life and birdlife as a consequence of loss of well established garden land.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

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 has examined the latest proposals for this new development at 20 Regent Street. The proposed dwelling lies in the setting of a C-listed terrace of houses in the Portobello conservation area which are characterised by their modest scale, traditional features and open backland gardens. 20 Regent's Street is especially distinguished by its doric doorcase and double vernal entrance to the north. We object to this application as follows:

1) The footprint of the new building represents a serious overcrowding of the restricted site and fails to respond to the open character of the surrounding backland plots. Overdevelopment of back gardens is identified as a key threat to the area in the Portobello Conservation Area Character Appraisal (CACA) (City of Edinburgh Council, 2001, p.19) It severely limits natural light on the site, intensified by the lack of external entrance to its own courtyard, blocks light to adjacent properties and challenges the privacy of the surrounding residents (City of Edinburgh Council, Edinburgh Design Guidance, Jan 2020, p.84-5). We note the claim in the application that similar schemes have been approved, for which no evidence is submitted. The similar schemes we are aware of are for replacement dwellings on mews, rather than new insertions in the limited garden areas between mews and main-road properties.

2) The standard of design does not meet what is expected for development in the curtilage of a listed building or in a conservation area (City of Edinburgh Council, Listed Buildings and Conservation Areas, Feb 2019, p.22). The volume of the design is not scaled to suit the surrounding character and forms a visual intrusion to neighbouring plots. Material and colour palettes also fail to respond to the special character of the listed building and the essential character of the Conservation Area. Guidance on good development practice can be found in the Portobello CACA (p.24) The design relies upon shielding from vegetation in other ownership,

which cannot be guaranteed to continue to exist for any significant period of time.

We object to these elements of the proposals, as they do not respect the special interest of this property. This conflicts with local and national guidance on the historic environment and in particular the points above contravene Policies Des 3 & 4: Development Design, and Policies Env 3: Listed Buildings - Setting & 6 Conservation Areas - Development in the Local Development Plan.

This is a plot which has never had this density or height of development upon it, and is not suitable for this kind of project, as evidenced by the long history of rejected and withdrawn proposals.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Stephen Hawkins

Address: 12 West Brighton Crescent Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I wish to object to this proposal on very much the same grounds that I objected to the application last year. The proposal is to cram in a two storey house on a very small site that will have no garden space and the rooms will be very dingy, the living room being overshadowed by the upper floor.

The building will overshadow neighbouring gardens and there will be a loss of privacy to neighbouring properties from the balconies of the proposed house.

The assertion that this is a backland development similar to other new houses is erroneous as other recently permitted properties have generally been in the mews type streets and with their own access for parking. Regent Street is particularly congested for parking of cars and the approval of another dwelling will contribute to this. Whilst the intention of the developer is not to have a vehicle this cannot be made an enforceable condition for successors.

Comments for Planning Application 20/05719/FUL

Application Summary

Application Number: 20/05719/FUL

Address: 20 Regent Street Edinburgh

Proposal: Erection of dwelling house.

Case Officer: Lewis McWilliam

Customer Details

Name: Mrs Linda Mehdi

Address: 18 Regent Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: Dear City of Edinburgh Council,

05.02.2021

Re: Application number 20/05719/FUL; Location: 20 Regent Street Edinburgh; Application

Proposal: Erection of a dwelling house; Applicant: Mr & Mrs Craig Douglas

I am writing to you regarding the above application proposal. I am the homeowner at 18 Regent Street, EH15 2AX, my property is directly adjacent to the land the applicant proposes erecting a dwelling house upon. I strongly oppose each and every aspect of this application proposal. I would also like to note that the applicant appears to dishonestly misrepresent the status of my property, having described it as a "first floor flat" within their application proposal. 18 Regent Street is not, and never has been, a "first floor flat". It is a substantive, long-standing, historical period property dwelling in its own right that in no shape or form fits the legal definition of a "flat". To describe it as such, is to mislead the panel about the nature of the existing dwellings occupying the land which includes and borders the proposed site. This application proposal is now the sixth attempt to inappropriately erect a dwelling house on this land, with all previous applications and appeals (1980, 1981 [appeal], 2006, 2007 [appeal]) having been rejected by the council (and a recent application was withdrawn by the applicant). The reasons given for these rejections have not changed in any way, indeed, one could argue that the location is now even more unsuitable for the erection of a dwelling house. Previous pertinent issues noted remain present, including, for example, inadequate access for servicing and other provisions, such as access for the emergency services, the impact upon the amenities of surrounding neighbours, lack of adequate parking and significant congestion in the area, and the contravening nature of the proposal in relation to the

area's historical importance as land which has Portobello Conservation Area status.

The proposed plans include knocking down the wall which separates the two vennels of 18 and 20 Regent Street to create a singular, ramped and gated entry point. The vennel in question at number 18 was built in 1870 and is the main street door (and indeed, the only door) through which I access my home. There is no other way to gain access to my property and garden from the street other than via this door and vennel. In a letter dated 29 August 2020 (ref: 2028/02) posted through my letterbox by Mr Douglas, he outlines his proposed intention to gain "access to the rear by knocking the two narrow vennels into one large one". I am very strongly opposed to this proposal and as the owner of the vennel in question adjacent to 20 Regent Street, I do not give my permission for any merging of the two vennels, any change to the boundary walls, or the removal of the central low dividing wall outside numbers 18 and 20 Regent Street to take place. Allowing the applicant to merge the vennels would create a significant security risk to my home and property, as well as my personal safety and that of my and my neighbour's pets, due to the loss of privacy and complete control over access to my property and land that allowing this proposal would inevitably entail. The plans detailed also outline the proposed erection of a curved wall at the end of the vennel at 18 Regent Street that encroaches upon and reduces the garden area owned by 16 and 18 Regent Street. This proposal is entirely unacceptable on all of these grounds.

There are also further grounds for objection regarding this particular aspect of the proposal. The proposed gathering of so many bins in such a cramped enclosed space if the vennels were to be merged is a further environmental health risk and is likely to attract vermin and create a strong, unpleasant odour at the street entrance to my home and will prevent my being able to sit outside my street-facing front door. The vennel wall which the applicant wishes to demolish, is an integral structural component of numbers 16 and 18 Regent Street above which the bedroom of 16 Regent Street is located; to demolish this would affect the structural integrity of the building, posing a safety risk to the homeowners of these properties, as well as create unacceptable levels of noise and disturbance.

The proposed plans, including the erection of a dwelling house and changes to the appearance of the street-facing front are out of keeping with the existing and longstanding front exterior of the building (a Category C listed building) and surrounding properties, as well as the area in general, which is subject to Conservation Area Status. No other buildings in proximity are constructed from the materials described and the proposed dwelling house and the changes to the front of the property would be an eyesore in the area. The plans would also entail the unacceptable loss of our private mailbox.

The backland examples provided by the applicant are in no way comparable to the type or layout of existing property which borders the proposed site (the examples mostly appear to be flats), nor were any of these examples constructed in recent history, for example, in the last 30 years. To allow the construction of a residential dwelling in such cramped quarters and proximity to existing, longstanding, historical and listed residential property would disregard the Conservation Status of

the area and set a dangerous precedent for overdevelopment and loss of the character and history of the area, as well as causing further congestion in an area already recognised by the council to have significant congestion problems, especially in regards to on-street parking. The land contained within 20 Regent Street is garden land. Garden land which has been left derelict, overgrown and with unfettered access from the main road (due to no lock ever having been present on the door of 20 Regent Street) for the last 30 years until very recently, when in the weeks leading up to the submission of this planning proposal, the applicant cleared away some of the overgrowth and fitted a lock to the door. At no point in recorded history is there any proof that this land was ever used as a "builder's storage yard" as stated in the application, as was made clear in the committee report published in 2006 (ref: 06/01/449FUL). Furthermore, contrary to the applicant's claims, there has not been any building erected on this land in the "recent past".

The noise of any construction work, especially down a narrow single alleyway like this, as well as noise that would arise from people living in such a dwelling, would cause unavoidable and significant noise pollution which would be extremely detrimental to the quality of life and mental wellbeing of the existing homeowners at 16, 18 and 22 Regent Street. The level of this noise pollution would likely breach acceptable noise standards in residential areas as detailed by the council's environmental health department. Bedrooms (owned by 16 and 18 Regent Street, respectively) are located at each end of the vennel. In addition, non-essential construction work and the increased footfall that would result is entirely inappropriate at this point in time, i.e. during a global pandemic, and would place ourselves and our neighbours at risk of contracting covid-19.

This proposal also affects the beautiful and bountiful apple tree owned and enjoyed by numbers 16 and 18 Regent Street, located in their shared garden. 20 Regent Street intends to remove this tree; I do not consent to this and as the tree is not located on their land, there are no grounds to compel the removal of the tree. The proposal of this tree being replaced by others is unacceptable to myself and my neighbour who own the tree and it is further unacceptable to us that you propose that we reduce the size of our available garden space and impact our daylight and sunlight by moving and adding trees in our property. Trees within Conservation Areas are covered by the Town and Country Planning (Scotland) Act 1997 as amended by the Planning (etc) Act 2006. This Act applies to the uprooting, felling or lopping of a tree having a diameter exceeding 75mm at a point 1.5m above ground level/ Tree as wildlife habitat. This Act therefore applies to the tree in question. In addition, I note that the stove flue is located at the absolute possible closest point to 16 and 18 Regent Street's shared garden and this will impact on us and surrounding neighbours, potentially creating unacceptable levels of smell and smoke.

The erection of a dwelling house would lead to an unacceptable and significant loss of sunlight and daylight due to its height and location and would also represent a significant invasion of I and my neighbours' privacy. Again, contrary to the applicant's claims, the trees and shrubbery in the area do not "screen any potential views towards the application site" from the upper floor of our property; indeed, we have an entirely unobstructed view of the site, everything there is perfectly visible to us, and likewise, the proposed building would therefore also have an unobstructed view

into our property and garden. The building is entirely out-of-proportion for such a small area of land and is entirely inappropriate for the location due to this loss of privacy and the detrimental impact it would have upon the Portobello Conservation Area. It also does not appear to meet planning regulations. I strongly urge the Committee to take all these concerns into full consideration when considering the proposed application.

Yours sincerely,
Mrs Linda Mehdi
18 Regent Street,
Edinburgh,
EH15 2AX

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100311686-005

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:	Suzanne McIntosh Planning Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Suzanne	Building Name:	
Last Name: *	McIntosh	Building Number:	45C
Telephone Number: *	07792230979	Address 1 (Street): *	Bath Street
Extension Number:		Address 2:	Portobello
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH15 1HB
Email Address: *	smcintoshplan@gmail.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="Other"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text" value="Mr and Mrs"/>	Building Name:	<input type="text" value="Craig Douglas"/>
First Name: *	<input type="text" value="Craig"/>	Building Number:	<input type="text" value="7"/>
Last Name: *	<input type="text" value="Douglas"/>	Address 1 (Street): *	<input type="text" value="Newbattle Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="Eskbank"/>
Telephone Number: *	<input type="text" value="REDACTED"/>	Town/City: *	<input type="text" value="Dalkeith"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH22 3DA"/>
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="20 REGENT STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673884"/>	Easting	<input type="text" value="330625"/>
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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)

Notice of Review against the Refusal of Planning Permission reference number 20/05719/FUL for the Erection of Dwellinghouse and replace existing access door to front at 20 Regent Street, Portobello, Edinburgh

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.

Grounds of Review document lodged

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)

A separate list is provided of all APP productions

Application Details

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

20/05719/FUL

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

18/12/2020

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

10/03/2021

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)

A site visit is essential to allow the LRB to fairly examine the review de-novo. The conditions of the site and relationship to its surroundings cannot be judged from purely visual information. The LRB are invited to make a visit to the site, the gate will be left open for them and no other persons will be present. A socially distanced visit is possible on this site. No-one is required to go into a building.

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)

I will arrange for the door entrance into the site to be unlocked for the LRB if you tell me when they would like to visit the site

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 Suzanne McIntosh

Declaration Date: 03/06/2021

Proposal Details

Proposal Name	100311686
Proposal Description	Erection of a Dwellinghouse on land at 20 Regent Street, Portobello, Edinburgh
Address	20 REGENT STREET, EDINBURGH,
Local Authority	City of Edinburgh Council
Application Online Reference	100311686-005

Application Status

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

Attachment Details

Notice of Review	System	A4
Grounds for Review	Attached	A4
Shadow 1	Attached	A4
Shadow 2	Attached	A4
shadow 3	Attached	A4
application form	Attached	A4
Decision Notice	Attached	A4
report of handling	Attached	A4
location	Attached	A4
aerial	Attached	A3
existing sections	Attached	A3
proposed site plan	Attached	A3
proposed ground floor	Attached	A3
Proposed First Floor	Attached	A3
Proposed Roof Plan	Attached	A3
Proposed South East Elevation	Attached	A3
Proposed South West Elevation	Attached	A3
Proposed South West Elevation2	Attached	A3
Proposed South East elevation 2	Attached	A3
Proposed NE Elevation	Attached	A3
Proposed Street Elevations	Attached	A3
Proposed Courtyard Internals	Attached	A3
Proposed Section AA	Attached	A3
Proposed Section BB	Attached	A3

Proposed Section CC	Attached	A3
aerial views	Attached	A3
Sun Path Analysis	Attached	A3
Supplementary Info	Attached	A3
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-005.xml	Attached	A0

GROUNDS FOR REVIEW

Refusal of Planning Permission for the Erection of a Dwellinghouse
20/05719/FUL

Mr and Mrs Douglas

Land at 20 Regent Street

Portobello Edinburgh

June 2021

Suzanne McIntosh Planning Limited

SUMMARY OF THE GROUNDS FOR REVIEW

In respect of the appellant's case the Local Review Body is asked to consider the following points drawn out from the case papers/full suite of documents, including the Planning and Design Statement, that make up this review.

- The LRB are required to consider all matters on balance and the case de-novo; they must not be 'led' by the Planning Advisor in this regard.
- The Planning Act requires the LRB to have regard to the development plan in their considerations, it does not say that the proposal *must* be in accordance with it as has been put to them by the Planning Advisor at previous LRB meetings.
- The site is not a garden, it is a former commercial storage yard that was occupied by a number of buildings.
- The site is not visible from any public paths, roads, or other public land outwith its boundaries. It is entirely hidden from view and you could not know it existed unless you lived next door.
- The site does not contribute positively to the spatial character of the conservation area, at present, it is hidden from public view by surrounding two storey buildings and walls.
- The applicant has owned the land for many years and is very regularly asked by the most vociferous objectors to this application if they can purchase it from him.
- The motivations for objections are questionable - especially given that people appear to have been roped in from far and wide to object and the people who regularly object to all and any applications in Portobello have been enlisted to gather further objections through their experienced objecting networks.
- The LRB is asked to discount those representations and look at this proposal on its own merits and focus only on the material planning considerations.
- The applicant has attempted to engage with adjoining landowners by circulating offers to meet before lodging any applications, show them the drawings and work with them to come to a realistic working relationship. All offers were rejected.
- The reasons for refusal are rebutted in turn in the full document that follows this introduction. In summary, the applicant has provided every piece of analysis, information, data, photographs etc that is normally required for this type of application.
- If the LRB requires further information then they will be happy to provide it. They are also happy to provide access to the site if the LRB wishes to visit the site.
- **Reason for Refusal 1:** The Planning Officer accepts that the proposal is not an issue in principle being located within the urban area, yet he has determined it is not suitable for a new house. Insufficient reason has been given by him in this regard in reaching his decision. The applicant shows in the full suite of documents that the proposal complies with Hou1 and can be supported by the LRB.
- **Reason for Refusal 2:** Adequate, private amenity space is provided around the building for the applicant's needs. The applicant demonstrates that the quality and privacy of the space matters more to them than having an average garden, m2 of lawn – they have that in a family sized house at present and don't need the space, maintenance any longer. Those size of houses and gardens should be freed up for families. Their family are now grown up and space in a garden to kick a ball about is no longer on their wish list. The proposal meets the Policy Hou3 and should be supported by the LRB.

- **Reason for Refusal 3:** The Planning Officer's report lacks rigour in respect of the conservation area and design impacts of the proposal and relies on a generalist idea that it has an unacceptable impact on the spatial character and density of the area. He does not analyse the spatial character nor say exactly why he believes the proposal is in conflict with it. The applicant demonstrates that the proposal does comply with Hou4 and is appropriate in scale, form and positioning. The LRB must discount his weak framing of this reason as the proposal complies with Hou4.
- **Reason for Refusal 4:** this reason focuses again on the impact on the character of the townscape and repeats much of the essence of Reason 3 as though to pad it out. He alleges that the proposal is in conflict with Des4 – impact on setting. The applicant demonstrates that the proposal is entirely appropriate in this hidden setting and will not be visible from any public land outwith the site. The LRB will see this for themselves if they visit the site and/or look at all the visual information provided.
- **Reason for Refusal 5:** The Planning Officer/s opinion is that he considers that the proposal has an unacceptable outlook for the future occupiers in conflict with Des5. He doesn't substantiate this further or think about range and choice of accommodation in an urban area. The applicant would strongly dispute his assertions, the applicant has designed a house he wants to live in with his wife. They are not wishing to be overlooked, with good levels of light, not wishing to create shadow issues etc. The house is very private and has a good standard of amenity; the LRB must accept this and discount this reason for refusal.
- **Reason for Refusal 6:** This reason repeats reasons 1, 3 and 4 in relation to the impact of the proposal in terms of height, form and position etc on the spatial character of the conservation area and ENV6. The applicant strongly contends this as stated previously. The site at present fails to preserve or enhance the character of the conservation area. The proposal will present a number of conservation gains and enhance the site and its setting.
- The number of reasons for refusal may appear daunting to the LRB however normally the Planning Officer's decision would group together policies under the issues the Planners have – in this case they have separated them out. The reasons for refusal often repeat the same issue therefore seeking to appear much more in content.
- The LRB is requested to examine the case de novo as required by the regulations, afford the appellant as much of a say as the Planning Advisor in the matter and rebuttal on all points put to them by the Planning Advisor, visit the site and consider all of the relevant issues and overturn this decision and allow the application, subject to conditions.
- The LRB are implored not to disadvantage the appellants through their method of consideration and give them a fair and impartial hearing in this appeal, as required by law.

1. Introduction

1.1 Planning permission for the erection of a dwellinghouse at the land at 20 Regent Street, Portobello, Edinburgh was refused under delegated powers on 10th March 2021.

1.2 The application was refused for the following 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 3 as an inadequate provision of garden space will be provided for future occupiers of the application site.

3. The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the scale, form and position of the building will have an unacceptable impact on the spatial character and density of the area.

4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form and position of the building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.

5. The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 - Amenity as an unacceptable level of outlook will be provided for future occupiers of the application site and insufficient information has been submitted to demonstrate adequate levels of daylight and sunlight will be achieved.

6. The proposal is contrary to Edinburgh Local Development Plan Policy Env 6 - Conservation Area - Development, as the height, form and position of the building will be an incongruous addition in its surroundings that will have a detrimental impact on the spatial character of the conservation area and the immediate garden settings. The proposal will therefore fail to preserve or enhance the character of the conservation area.

1.3 The review is supported by a comprehensive suite of documents demonstrating the attention to the following: site analysis, constraints, design methodology, impacts analysis, locations of similarly located proposals, photographs, evolution of the place/historic maps analysis resulting in the evolution of the proposed scheme, sunlight/ daylight analysis etc.

2. Location and Site Description

2.1 The appeal site forms a small, secluded plot of land situated between the rear of the properties at 12-22 Regent Street and the rear of the workshop buildings at Bath Street Lane, Portobello.

2.2 The site measures 12m by 7.3m; 87.6m² in area. The site is located within one of the most dense parts of the Portobello Conservation Area.

2.3 The address of the application site is 20 Regent Street. It has historically always had its own address and has been occupied by buildings and been used as a builder's yard. The most recent evidence of the buildings on the site that the applicant has located dates from 1978.

2.3 Access to the site is through a dedicated door on the far right hand side of the front elevation of 16 to 18 Regent Street. The door leads into a vannel which is for use by pedestrians only to gain access to the site. The path through the vannel measures 1.2m in width. This has always been the way the site has been accessed historically. There has never been a vehicle access to the land, despite it operating for many years as a commercial use.

2.4 The site is fully enclosed physically and visually by the high stone walls to the north, east and south. These form the boundary walls to the gardens of the neighbouring properties at 12-14, 16-18 and 22 Regent Street. The walls range from 1.8m to 3.5m in height. The western boundary of the site is formed by the rear elevation of the workshops and garages in Bath Street Lane to the west, on this elevation. The stone wall on this side is up to 4m in height.

2.5 There is no immediate overlooking of the site from neighbouring properties. The bottoms of the rear gardens to numbers 12 to 14 and 22 onwards Regent Street have a number of mature self-sown trees and overgrown shrubs that screen any potential views towards the application site from the upper floor windows of 16-18 and 22. There are no rear elevation or roof window openings from the Bath Street Lane workshops and storage buildings; their rear elevation is essentially a high, solid stone wall.

2.6 The site is so located and contained that it is hidden in the conservation area. You cannot view it from any public land, paths or roads. Unless you know that the door serving the vannel access belongs to a different address, you do not know that this site exists.

2.7 Number 16 - 18 Regent Street is split into 2 flats, covering the upper and lower floors of the building. The rear elevation has a number of upper floor windows; however, views into the site are obscured by the boundary vegetation along number 16 to 18's rear garden wall. In addition, there is a distance of between 12m and 13.4m from those upper floor windows to the application site boundary. The windows of 16, 18 and 22 look onto their own gardens and the vegetation along their rear boundaries plus the rear stone wall of the Bath Street Lane workshops. The outlook from the ground floor windows is contained by the stone rear boundary wall that also forms the eastern boundary of the application site.

2.7 The character of this part of the conservation area exhibits dense, tight streets, lines of houses and flats situated parallel to the road, buildings of various heights; streets sloping down towards the north, on street parking, backland plots accessed by vennels and lanes; vistas terminated to the north by Straiton Place tenements and to the south by Portobello High Street. Many of the rear elevations, plots and gardens are not visible from public view and do not therefore contribute to the spatial character of the conservation area apart from when viewed from the air by drone or plane.

3. Proposal

3.1 The proposal is a contemporary, single dwellinghouse for use as the home of the applicants. The design of the house has evolved as a result of the site's physical constraints, level of visual enclosure, the form of the previous buildings on site, the vannel access into the site and the need to create a fully accessible, sustainable home without the burden a large garden to maintain brings. The applicants have designed it to fit with their age and stage in life and will downsize, freeing up a large family home to move from their to a property that fits their needs. This ought to be a material consideration in the local development plan policies – but is sadly not mentioned. In a city like Edinburgh, particularly in places like Portobello where the housing market is so buoyant and prices so high finding a vacant family house with a large garden is exceedingly difficult.

3.2 The accommodation would be over two floors. The ground floor would provide open plan lounge, study, kitchen, dining and shower room. The upper floor 2 bedrooms and bathroom. An external area would be provided at the upper level between the house and the western boundary to the rear of 4 - 6 Bath Street Lane; a private patio would provide the garden accessed from the lounge/ study. The footprint of the proposed house will be 46.6m²; the internal floorspace will comprise 39.7m² at ground floor and 32.7m² at first floor level. Giving a total floorspace of 72.4 m². This is well above the minimum required in the Edinburgh Design Guidance.

3.3 The elevations would be a smooth light grey render with zinc and oak rain screen cladding to the upper floor. Windows and doors would be aluminium, in a dark grey colour. The flat and 10 degree mono pitched main roof will be covered in sedum. Photovoltaic/ solar panels would be provided at roof level. The roof height has been kept to a minimum to the south east to allow adequate headroom at the top of the stair. Given the form, height and mass of the proposed house it would be clearly subservient in scale to the surrounding buildings. The darker upper level finishes will assist the house in blending into its setting.

3.4 The focus of the house is on design quality – both architecturally in this conservation area setting and in terms of low carbon footprint/sustainability. From the re-use of a brownfield site to the low carbon footprint of the build and the projected energy usage of the lifespan of the building as a house to live in this proposal exhibits good sustainability practice and principles.

3.5 The applicant, who runs his own architectural design practice, has designed this house for himself and his wife to live in, their family having grown up and left their family home. They are drawn to Portobello as a sustainable urban village type community. They can live in Regent Street in close proximity to so many bus routes, good local services and everything you could need within a short walking distance. The attraction of an easy to maintain home with a small functional garden appeals to them given the house and garden they current live in is too large for this stage of their lives.

3.6 The existing vannel wall and ceiling finishes would be made good and a new 'Georgian' solid core door and matching architraves fitted. A secure entry phone system is proposed to access the vannel from the street. A screened bin area and secure covered bicycle storage is proposed.

3.7 It has also been important to the applicant to engage with the neighbours to the plot and he has asked each of them for the comments on the proposals at the pre-application stage.

4. Background

4.1 A planning application for a single house on this plot was refused in August 2006. The Council's reasons for refusal covered 4 issues, summarised as: spatial character, precedent, lack of parking and issues with that proposal over light and privacy.

4.2 The refusal went to appeal and the Reporter determining the case considered all of the issues. His decision looked at the character of the area, the long-term future of the surroundings and the servicing of the proposed house. He stated that the spatial high density development was part of the general character of the area and the proposal was an imaginative and respectful use of the land. He found no conflict in design terms or principle with the conservation area or setting of surrounding listed buildings, density, form or spatial character. Similarly, he did not find in favour of the council in terms of the light and privacy issues nor the issue of precedent. Regarding the servicing of the site, he was concerned about pressure on parking spaces in the area. The appeal was refused on the basis of the single issue of parking. To now see such a heavy focus in the reason for refusal that the Reporter had no issue with is a retrograde step. Nothing has materially changed in planning to account for such a rigid view from the Planning Officer.

4.3 The current proposal builds on that decision, significantly reduces the footprint and is significantly set back from the boundaries of the site and brings the design up to date. It also displays the changes in attitude and practice towards car ownership versus sustainable living and these issues must be taken into account as material in the decision making process. Attitudes to cars, particularly in Portobello have changed significantly since 2006.

4.4 Of particular interest in Portobello since the original decision is also the granting of many different permissions for bespoke single houses in the lanes and vennels in the conservation area, some by the Local Review Body. These have helped achieve the status of a contemporary conservation area with a high quality of new architecture within it. The current proposal will add to that in a positive way.

5. Planning Policies and Guidance

5.1 Section 25 of the Town and Country Planning Scotland Act 1997 (as amended) sets out the status of the development plan and reinforces its primacy by requiring determinations under the planning acts to be in accordance with that plan. Section 37 of the same Act states that in determining applications for planning permission the Planning Authority must have regard to the provisions of the development plan so far as material to the appeal; and to any other material considerations. In this case, the development plan comprises the Strategic Development Plan known as Sesplan which was adopted June 2013 and Edinburgh Local Development Plan adopted in 2016.

5.2 The decision on this planning application will therefore be made in the light of the policies relevant to the proposal set out in the Sesplan and the Edinburgh Local Development Plan but will also require examination of the other relevant material considerations.

5.3 Other material considerations relevant to this proposal include for example the representations either in support or objecting to the application, the statutory consultees responses, any supplementary planning guidance, the national planning policy framework and guidance and indeed any relevant, recent case law. Of particular relevance is the Scottish Planning Policy known as the SPP.

5.4 In weighing up the balance of issues overall it is important to note that the policies with the greatest weight tend to be those in the adopted development plan however each decision is made on its own merits and made after carefully weighing up and assessing the balance of the proposal.

5.5 Since the last proposal and the decision on the appeal to the DPEA some 13 years ago, there have been a number of changes in planning policy and focus, guidance and legislation since that decision. Planning policy and guidance has moved on significantly from the position in 2006. Today's policies on the whole place much greater weight on the quality of the architecture and contribution to spatial character; sustainability issues, the re-use of brownfield sites, carbon neutral and car free developments.

5.6 The primacy of the development plan remains and as part of that we must also consider the status of the strategic development plan, the council's approach to housing land, the shortage of housing land in Portobello and the balance tilted in favour of granting this permission given it is located within an urban area, the principle is acceptable and where demand for housing plots is high yet supply low while the principle of development is acceptable and can be accommodated in terms of the spatial character with minimal impact on the grain, form, historic fabric and function of the area in which it sits. All of this while the strategic development plan remains considerable out of date.

SPP in para 33 states that:

'Where relevant policies in a development plan are out-of-date or the plan does not contain policies relevant to the proposal, then the presumption in

favour of development that contributes to sustainable development will be a significant material consideration. Decision-makers should also take into account any adverse impacts which would significantly and demonstrably outweigh the benefits when assessed against the wider policies in this SPP. The same principle should be applied where a development plan is more than five years old.'

5.7 An important consideration in this case is that we have a development plan made up of a 7 year old strategic development plan and a 4 year old local development plan. Given the aged nature of both plans we must think carefully about the relevance of their policies today and how they sit with the SPP. Looking at this case it is indeed a starting point that the out of date development plan means that the principle that the balance is indeed tilted in favour of granting this permission.

5.8 Taking that into account we will set out below how the proposal relates to each of the relevant local development plan policies, this being the most up to date plan.

Policy Des1 Design Quality and Context states that:

'Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place..... Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.'

5.9 In the context of policy Des1 the proposal has been designed to create a contemporary building that uses quality materials and sits comfortably within its space. The building does not intend to compete or replicate its surroundings. The building will be very much of its time and create a high quality piece of architecture in a secluded setting. The site itself has previously been in commercial use and clearly housed a building in the past. The new building will contribute positively to the sense of place in this location.

5.10 In order to assist the assessment of the impact of the proposal on the spatial character the applicant has modelled the site in 3 dimensions so that it can be readily understood by anyone looking at the proposal. The architecture proposed is respectful to the general rules of density, massing, enclosure, containment and materials found in this part of the Portobello Conservation Area. The proposal seeks to enhance the character through clearing the otherwise derelict site and improving its general appearance as well as utilising it as a contemporary, comfortable home.

5.11 The proposal does not require excavation of the land to any material degree. Access for the purpose of construction could potentially be taken from the workshops at Bath Street Lane. Every step is being taken to minimise any impact on surrounding residential neighbours. SIPs panels, formed off site, are proposed for the walls and roof construction.

5.12 With regard to the principle of the house in this location. The LDP does not prohibit a new house in this location. The site is within the built up area of Portobello and as such is not in conflict with the plan. The land has no current use and has been unkempt and overgrown for a long time. A use needs to be found for the site. A single house is the most compatible use with the surrounding area. A commercial use of the land could well introduce negative impacts on the surround levels of amenity.

5.13 The applicant has produced a wealth of information in support of the proposal – elevations, sections, modelling, views, photographs etc in order to assist the analysis and interpretation of the proposal. The proposal complies with policy Des1. The Planning Officer does not dispute this in the reasons for refusal. If they had an issue with the design they would have cited conflict with Des1 in a Reasons for Refusal; as it stands they did not.

5.14 Also relevant is Policy Des3 Development Design which states that:

'Planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have

been identified, incorporated and enhanced through its design.....Its aim is to ensure that development proposals are informed by a detailed analysis and understanding of the site....'

5.15 Again the Planning Officer did not cite this highly relevant policy in a reason for refusal. The proposal complies with this policy: the site is secluded, its main characteristics are its level of enclosure by virtue of the surrounding high stone walls. These are the features that are worthy of retention. There is no notable vegetation within the site, worthy of retention. The design solution creates a high quality piece of bespoke architecture tailored to the site and the principles of sustainability. The height, massing, form, roof shape, materials and colours have all been chosen to enable the new building to fit comfortably physically and visually into the site. The proposal complies with Policy Des3.

5.16 The Planning Officer does conclude that the proposal is in conflict with Policy Des4 Development Design in Reason for Refusal 4. The policy 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:

(a)height and form

(b)scale and proportions, including the spaces between buildings

(c)position of buildings and other features on the site; and

(d)materials and detailing'

5.17 An analysis of the townscape surrounding the site in this part of the Portobello Conservation Area reveals a high density of housing, a proliferation of backland sites with single houses on them each with no vehicular access, two and three storey buildings, some houses without gardens, a mix of houses and flats and congested streets. The analysis of the backland developments having been undertaken has been lodged with the application and appeal for consideration.

5.18 The Planning Officer states in Reason for Refusal 4 that the proposal is contrary to Des4 *'as the height, form and position of the building is an incongruous feature in its surroundings that will have an unacceptable impact on the established character of the townscape'*. The applicant implores the LRB to look at the level of urban design, townscape, conservation area analysis that has been provided to demonstrate that this is not the case. It would appear that the Planning Officer only has an issue with (a) in this policy as this is singled out.

5.19 In addition, the LRB will be aware that there are many single, bespoke houses in this conservation area that have been the subject of national architecture awards and commendations. In 2019 Portobello gained a great neighbourhood of the year award from the Academy of Urbanism. The use of innovative contemporary domestic architecture was singled out as a positive aspect of the place in the award and the unique identity and character it exemplifies as a place. Many of the contemporary homes referred to have been planning

struggles, consents gained after either significant community push to see it happen or granted on appeal at LRB or by the Reporter.

5.20 We are now a number of years on from the appeal on this site and many of the lanes and vennels having contemporary homes within them. This site is one such opportunity to provide a contemporary architectural solution that complements its surroundings. The proposal will not add to or dictate a precedent. Each application is considered on its own merits.

5.21 In relation to the criteria in this policy the height and form of the building have been carefully considered. The supporting documents, drawings and 3D model illustrate the fit of the mass, height and form into the site; and the limited and mitigated impacts of the proposal through the design solution. They also illustrate the scale and proportion of the proposal fitting well into the site and complementing the features around it. The relationship to the existing houses has been carefully considered in designing and laying out this proposal. No overlooking between the new house and the gardens or windows of the existing neighbouring houses will occur. The materials and detailing and streamlined, contemporary and quality finishes fitting for this conservation area location. The proposal complies with policy Des 4.

5.22 Policy Des 5 Development Design is cited in reason for Refusal 5 but only in relation to amenity (a). That policy in entirety advises that:

'Planning permission will be granted for development where it is demonstrated that:

1. *a) the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to daylight, sunlight, privacy or immediate outlook*
2. *b) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses*
3. *c) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas*
4. *d) a clear distinction is made between public and private spaces, with the latter*
5. *e) refuse and recycling facilities, cycle storage, low and zero carbon technology, telecommunications equipment, plant and services have been sensitively integrated into the design.'*

5.23 The proposal will not adversely impact upon the amenity enjoyed by surrounding residential neighbours at present. The accompanying information setting out the analysis of daylight and sunlight impacts, privacy distances and positions of windows, rooflights etc all demonstrate a clear fit into the site without adversely impacting upon neighbours. This house will enjoy its own private, useable amenity space, sufficient as the applicant seeks for their lifestyle. Provision will be made in the new house for recycling/ sorting of waste and safe/ secure bike storage. The proposal complies with Policy Des5. For the assistance of the LRB the applicant has provided a number of additional stills showing the analysis in respect of sunlight and daylight impacts. The proposal complies with the council's own guidance on each of these and should therefore be supported.

5.24 Policy Des 6 Sustainable Buildings states that:

'Planning permission will only be granted for new development where it has been demonstrated that a number of criteria have been satisfied.'

5.25 This proposal displays a number of key sustainability credentials in terms of its design, build and lifetime energy generation/ usage. Firstly the site is the reuse of a brownfield site, materials are being sourced as locally as possible and all materials will be recyclable – timber, and zinc, the carbon footprint of the build will be as low as possible, a local builder will build the house, the overall standard of energy performance of the house will be excellent and the lifetime performance will be self-generating in terms of its energy requirements.

5.26 Policy Env 6 Conservation Areas is cited in Reason for Refusal 6; the policy advises that:

'Development within a conservation area or affecting its setting will be permitted which:

a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal

b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area and

c) demonstrates high standards of design and utilises materials appropriate to the historic environment.'

5.27 The Planning Officer in the reason for refusal 6 states *that the height, form and position of the building will be an incongruous addition.....etc.* However, the application site isn't visible from any public routes or streets. Any visibility or glimpses of the site are from surrounding buildings to the east of the site. The secluded nature of the site combined with the elevational treatment, form, mass and height of the proposal result in a positive fit into the vacant site. At present the surrounding houses view glimpses through the trees and vegetation in their gardens to the tall brick rear wall of the Bath Street Lane workshops. The proposal will have a positive impact on this outlook given it is appropriate in height, scale, mass and colour.

5.28 The design of the proposal is clearly contemporary but follows the rules of composition dictated by the heights and forms of the buildings closest to it. The proposal will contribute positively to the character and appearance of the conservation area and as such complies with Policy Env6. The level of amenity that will be enjoyed by the applicants in the house is excellent – in particular the light enjoyed the house will be significant given the level of windows on the south elevation and the roof that will flood the house with natural light. The proposal does enhance and preserve the character of the conservation area; the LRB is asked to set this reason aside.

5.29 Not mentioned in the report of handling yet appear in Reasons 1,2 and 3 are the Housing policies in the LDP. Hou1 is a policy that applies to larger housing developments and is not appropriate in this case. It states that its emphasis is on the established housing land supply. This site is a former commercial site, that had buildings on it and is located within the built up area. The Planning Officer in the report of handling states on page 5 that with regard to the

principle of the proposal that the principle of a housing development at the site is acceptable. The application is for a single, small house not a housing development per se. the LRB is asked to discount this Reason for Refusal number 1 as the policy reference to Hou1 is not relevant to this scale of proposal or windfall site.

5.30 Policy Hou 3, as referred to in Reason for Refusal 2, states that:

Planning permission will be granted for development which makes adequate provision for green space to meet the needs of future residents.

It does not specify exactly what is to be provided for a proposal like this, to say it does is misleading. This reason for refusal is misleading. The appropriate place to identify issues in relation to spatial character is not here but in relation to other policies identified above. The LRB is asked to discount this policy and reason for refusal as irrelevant to the proposal. A suitably private, well lit area of amenity space is to be provided. Many houses and flats in Portobello do not have private gardens. The area is well served by large, open public spaces. Within a very short (under 5 or 10 mins at most walk) from the site we have the Beach, Promenade, Community Garden, Figgate Park, Rosefield Park, West Brighton Park, Quarry Park etc.

5.31 Policy Hou 4 seeks that density is considered in housing applications and as such states the following:

The Council will seek an appropriate density of development on each site having regard to:

- a) its characteristics and those of the surrounding area*
- b) the need to create an attractive residential environment and safeguard living conditions within the development*
- c) the accessibility of the site includes access to public transport*
- d) the need to encourage and support the provision of local facilities necessary to high quality urban living.*

5.32 Again, this policy is designed to apply to housing developments and not single house applications. This is a single house application on a brownfield site, within the built up area. Reason for Refusal 3 refers to this policy in the context of the scale, form and position of the building being unacceptable in its impact on the spatial character of the area. However, this is not what the policy states. This is blatantly bending the policy wording to suit an end.

5.33 The Hou4 policy is not relevant to the proposal and the LRB is required to discount it. The scale, form and position of a proposal as the Planning Officer states is not its 'density' which is what the policy talks about. Density is the proportion of building to open area. The density of the proposal is no greater than that which existed historically on the site. That is the relevant consideration. The proposal is comfortable in terms of its density. Its scale ie comparison to other buildings around it which is not the same as density is also acceptable. It is of a smaller scale than the surrounding buildings in order that it does not dominate them.

6. Conclusion

6.1 The applicant has worked hard to address the comments and issues with the last proposal that were expressed by those around the site, the neighbours and the Planning Officer.

6.2 We withdrew the last application, finding that there was a strength of objection to it and dislike for the proposal, particularly from the immediate neighbours that we felt we would like to address.

6.3 We noted that there were also objections lodged from those who had no specific interest in the site but who had concerns over the impact on the conservation area. This proposal addresses these too.

6.4 In summary, the new proposal is considerably smaller than the previous one, the building eaves height has been reduced by 1100mm and is now set back a minimum of 1150mm from the boundary (dimensions shown on the plans), which should make it less imposing for neighbours and a much more comfortable fit in the site.

6.5 The resultant garden ground has consequently been increased so that we achieve the following private usable space:

Courtyard (garden) – 26.6m²

Courtyard (circulation) – 29.4m²

First Floor Deck – 9.8m²

External Store – 1.4m²

Total = 67.2m²

6.6 If that figure is divided by the garden depth noted by the Planning Officer (9m) it gives a resultant equivalent width of 7.5m. The areas noted don't include the vennel or front access path.

6.7 The private usable garden areas have been split into individual uses to create interest and afford extra privacy; plus they meet the requirements of the applicant for manageable spaces.

6.8 With respect to neighbours overlooking of the building – the closest neighbours are numbers 16 and 18 Regent Street and the distance varies between 12.1m and 13.4m from their rear facing windows to the proposal.

6.9 The facades facing the neighbouring domestic properties have been adjusted to introduce new materials (oak rainscreen cladding and windows) in place of all zinc at first floor level to 'soften' the appearance of the proposal. It is also now proposed to fit a new 'Georgian style' door to the existing vennel access. The overall architecture proposed with the reduction in mass, height and change in roof shape will hopefully provide a proposal that people around the site feel much more comfortable with and can support.

6.10 Taking the current, relevant planning policies into account, the significantly re-designed proposal, the focus on sustainability and a low carbon footprint the proposal now provides a much more acceptable design solution for this vacant site.

6.11 Any impacts the proposal will generate will be negligible and do not in our view warrant its refusal either singly or cumulatively when each of the material considerations area examined in detail. As such it is hoped that it can supported by the Local Review Body.

Suzanne C McIntosh MRTPI Hon FRIAS

Suzanne McIntosh Planning Limited.
45C Bath Street
Edinburgh
EH15 1HB

Mr And Mrs Craig Douglas.
7 Newbattle Road
Eskbank
Dalkeith
EH22 3DA

Decision date: 10 March 2021

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

Erection of dwelling house and replace existing access door to front.
At 20 Regent Street Edinburgh

Application No: 20/05719/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 18 December 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 3 as an inadequate provision of garden space will be provided for future occupiers of the application site.
3. The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the scale, form and position of the building will have an unacceptable impact on the spatial character and density of the area.
4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form and position of the

building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.

5. The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 - Amenity as an unacceptable level of outlook will be provided for future occupiers of the application site and insufficient information has been submitted to demonstrate adequate levels of daylight and sunlight will be achieved.

6. The proposal is contrary to Edinburgh Local Development Plan Policy Env 6 - Conservation Area - Development, as the height, form and position of the building will be an incongruous addition in its surroundings that will have a detrimental impact on the spatial character of the conservation area and the immediate garden settings. The proposal will therefore fail to preserve or enhance the character 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 01-17, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is contrary to the Edinburgh Local Development Plan in respect to design, conservation area and amenity policies.

The height, form and position of the building will be an incongruous addition that will have a detrimental impact on the spatial character of the conservation area and townscape. As such, it will fail to preserve or enhance the character or appearance of Portobello Conservation Area and does not comply with the Planning (Listed Building and Conservation Areas) Scotland Act 1997.

An inadequate provision of greenspace will be provided and an unacceptable level of outlook is proposed for future occupiers. Insufficient information has been submitted to demonstrate that adequate levels of daylight and sunlight will be achieved.

The site is not a suitable location for the proposed house.

There are no material planning considerations which outweigh this conclusion.

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.

D R Leech

Chief Planning Officer

PLACE

The City of Edinburgh Council

NOTES

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

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

Report of Handling

Application for Planning Permission 20/05719/FUL At 20 Regent Street, Edinburgh, Erection of dwelling house and replace existing access door to front.

Item	Local Delegated Decision
Application number	20/05719/FUL
Wards	B17 - Portobello/Craigmillar

Summary

The proposal is contrary to the Edinburgh Local Development Plan in respect to design, conservation area and amenity policies.

The height, form and position of the building will be an incongruous addition that will have a detrimental impact on the spatial character of the conservation area and townscape. As such, it will fail to preserve or enhance the character or appearance of Portobello Conservation Area and does not comply with the Planning (Listed Building and Conservation Areas) Scotland Act 1997.

An inadequate provision of greenspace will be provided and an unacceptable level of outlook is proposed for future occupiers. Insufficient information has been submitted to demonstrate that adequate levels of daylight and sunlight will be achieved.

The site is not a suitable location for the proposed house.

There are no material planning considerations which outweigh this conclusion.

Links

Policies and guidance for this application

LDPP, LDES01, LDES03, LDES04, LDES05, LEN03, LEN04, LEN06, LEN12, LEN21, LTRA02, LTRA03, LTRA04, HES, HESSET, HESDOR, NSG, NSGD02, NSLBCA, OTH, CRPPOR,

Report of handling

Recommendations

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

Background

2.1 Site description

The proposal site comprises a vacant plot of approximately 85 sqm consisting of grassland, shrubbery and foliage. It is enclosed by stone boundary walls of varying height and is accessed via a vennel that connects onto Regent Street.

The plot borders the rear of residential properties where historical outbuildings have been demolished and garden spaces extended. To the rear (north-west) lies a line of mews court garages on Bath Street Lane viewed as a large stone wall from the rear of Regent Street.

On the street frontage, there is a terrace of Georgian cottages (22-32 Regent Street) and a terrace of two-storey Victorian houses (8-18 Regent Street) which are Category C listed. The proposal site is not included in the listing description. This property is located within the Portobello Conservation Area.

This application site is located within the Portobello Conservation Area.

2.2 Site History

The site has the following planning history:

5 December 1980 - Planning permission was refused for the erection of a bungalow on the site due to lack of vehicular access and amenity space. A subsequent appeal was dismissed on 27 November 1981. The reporter held that there was inadequate access and parking provision, insufficient garden space and a substandard level of amenity (privacy and daylighting). (80/1119/FUL)

24 August 2006 - Planning permission was refused for erection of a two bedroom two storey detached dwelling house. A subsequent appeal was dismissed on 21 May 2007 (P/PPA/230/906) on the grounds of potential pressure on car parking. (06/01449/FUL)

The following was detailed as part of the above application in regard to past use of the site : there is evidence on site of the existence of former structures and the landowner claims these were demolished in about 1978 and the land used for storage of building materials. Two structures (probably part of a line of backland servants' quarters for the street front houses) are recorded on 19th century maps but the site appears to be vacant in a 1940s aerial photograph. The neighbouring line of 19th century outbuildings has since been demolished and the land incorporated into the adjoining gardens. At the

time of the 1981 appeal, the site was noted as being used for the casual storage of a few building materials. The valuation roll records the site as comprising vacant ground in 1990 (zero valuation). The site is currently vacant and overgrown.

25 April 2006 - Conservation area consent not required for erection of a two-bedroom two storey detached dwelling house - (06/01449/CON)

10 November 2020 - Planning application for erection of dwelling house withdrawn - (20/0413/FUL)

Main report

3.1 Description Of The Proposal

The application proposes the following works;

-Erection of dwelling house and replacement existing access door to front

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) The proposal is acceptable in principle;
- b) The proposal will harm the character and setting of the listed building
- c) The proposal will preserve or enhance the special character or appearance of the conservation area.
- d) The proposal is of an acceptable scale, form and design
- e) The amenity is acceptable

- f) The proposal raises transport issues
- g) The proposal will have an unacceptable impact on flooding,
- h) 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) Character and Setting of Listed Building

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

LDP policy Env 3 (Listed Building -Setting) states development within the curtilage or a setting of a listed building will be permitted if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

LDP policy Env 4 (Listed Building - Extensions and Alterations) states proposals to alter or extend a listed building will be permitted where justified, result in no unnecessary damage or diminution of its interest and are in keeping with other parts of the building.

Historic Environment Scotland's (HES) guidance note Managing Change in the Historic Environment: Setting, sets out the principles that apply to development affecting the setting of historic assets or places. HES Managing Change in the Historic Environment Scotland: Doorways is also relevant to this assessment.

The site lies adjacent to the curtilage of a Category C Listed Victorian Terrace on Regent Street. Historic outbuildings to the rear on neighbouring plots have largely been demolished and these spaces have now been subsumed into the gardens of the listed properties which border the line of garages on Bath Street Lane to the north-west.

The proposed dwelling would be positioned on a back-land plot to the rear of the terrace. The proposal would be positioned beyond its subsidiary elevation, where the space retained to this existing built form would not interfere with oblique views of the listed building or disrupt formal approaches. In this regard, the proposal will not be detrimental to the architectural character, appearance or setting of the listed building.

The dwelling would be accessed via an entrance on Regent Street and includes replacing an existing non-original door. The door proposed is of an appropriate design, scale and form therefore would not result in a diminish the historical interest of the listed building.

The proposal will not be detrimental to the architectural character, appearance or historic interest of the listed building, or its setting.

In reference to the Planning (Listed Building and Conservation Areas) (Scotland Act) 1997 the proposal will not be detrimental to the architectural character, appearance or setting of the listed building. It therefore accords with the LDP policies Env 3, Env 4, relevant HES Managing Change in the Historic Environment Guidance and the non-statutory guidance.

c) Impact on Conservation Area

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.

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant character appraisal.

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high-quality architecture, and the predominant use of traditional building materials.

The non-statutory guidance on Listed Buildings and Conservation Areas states the aim of development should be to preserve the spatial and structural patterns of the historic fabric and architectural features that make it significant.

The proposed dwelling is of a height, scale and position that will appear incongruous in the context of the surrounding garden settings. The building is in excess of the height of the stone boundary walls. Whilst in part screened by existing trees its height and scale, it would be visible from the surrounding environment. The open landscaped gardens of adjacent properties form an attractive setting to this part of the conservation area. The presence of a building at this scale and position, will appear entirely incongruous and visually interfere with this surrounding landscape.

In terms of the spatial character, this part of the conservation area has evolved over time through historic changes to the built form. In present form, there is an established spatial pattern to residential development on Regent Street. A high dense form of development on the street frontage through terraced properties with gardens of similar scale and form plotted in a continuous manner to the rear. The proposed building by virtue of its incongruous scale and location on this back-land plot is not in keeping with the current spatial pattern of the conservation area and will detract from the open garden settings.

The proposal fails to preserve or enhance the character of the conservation area and is therefore contrary to LDP policy Env 6 (Conservation Area - Development) and in this regard, fails to meet the requirements of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

d) Scale, form and design

LDP Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

LDP Policy Des 4 (Development Design - Impact on Setting) requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regard to its height and form, scale and proportions, including the spaces between the buildings, position of the buildings and other features on the site; and the materials and detailing.

LDP Policy Hou 4 (Housing Density) states that the density of a development on a site will be dependent on its characteristics and those of the surrounding area.

As detailed above, the prevalent character of the townscape is of terraced properties with spacious rear gardens.

The exception to this arrangement are historic dwellings to the south-west end of Regent Street (no.9) which are atypical examples in the context of the surrounding area. The height and scale of the proposed building is out of proportion with its surroundings. It is inappropriate in this location as it will appear an incongruous and isolated addition from the surrounding gardens, at odds with the spatial character of the wider townscape.

The location of the building is disruptive and harmful to the established spatial character of the area. A dwelling in this location is not in keeping with the density of development characteristic of the area.

The building is of a contemporary appearance that utilises modern high-quality materials. Terraced properties on Regent Street have been extended to the rear with a range in materials evident. Use of a material pallet proposed is acceptable in principle, however the overall design in terms of scale and form, is inappropriate in this location as detailed above.

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

e) Amenity

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

requires new development to offer suitable level of amenity to future residents having regard to these aspects.

Edinburgh Design Guidance states it is important that buildings are spaced far enough apart that reasonable levels of privacy, outlook daylight and sunlight can be achieved.

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.

The Edinburgh Design Guidance requires a minimum internal floor area of 66 square metres for properties with two bedrooms.

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

Future Occupiers

Edinburgh Design Guidance states it is important that buildings are spaced far enough apart that reasonable levels of privacy, outlook daylight and sunlight can be achieved. Further, that people value the ability to look outside, whether to gardens, streets or more long-distance views.

The primary source of outlook is via ground floor windows on the south-west and first floor windows to the north-west. The proximity of these openings to the facing boundary walls, 3.5 to 4m and just over 1.5m respectively, will fail to provide an acceptable level of outlook for future occupiers. All other openings are either high-level or opaque, therefore will not discernibly enhance outlook from within the building.

In terms of daylight, no information has been submitted to demonstrate compliance with Edinburgh Design Guidance. There is concern regarding the levels of daylight to all habitable rooms as the large glazed openings would lie in close proximity to the facing boundary walls and trees. High-level windows proposed would enhance daylight, however further information in line with EDG criteria would be required in order to assess this in full.

The proposal does not achieve a garden of 9m in length. The amenity space provided; the courtyard and external deck, are of a limited scale that is not in keeping with the layout of gardens in the area. These spaces will be enclosed by the existing built forms, trees and proposed dwelling which would reduce supply of sunlight to these spaces. The scale, layout and position of these spaces does not enable an adequate supply of green space for future residents.

In regard to privacy, adequate levels would be achieved for future occupiers as all windows face either the boundary walls whilst high level windows will not afford direct outlook to neighbour's gardens or windows.

In regard to the internal layout, the proposal meets the required space standards of 66 sqm for a two-bedroom dwelling.

The proposal would not result in a satisfactory living environment for future occupants. An unacceptable level of outlook, and inadequate level of greenspace is provided for future residents. The proposal is therefore contrary to LDP policy Des 5 (Amenity) and Hou 3 (Private Greenspace).

Neighbours

In regard to daylight, the south east of the building would be approximately 9m and 13m from the rear of flatted properties 16-18 Regent Street. Whilst no daylight information has been submitted in accordance with EDG criteria, the proposal appears to comply with this criteria and therefore would not result in an unreasonable impact on daylight to neighbouring properties.

In regard to sunlight, sun path diagrams have been submitted. These do not account for each hour of shade on the 21st March in accordance with EDG criteria. Should the proposal have been acceptable on all other aspects this information would have been required to fully assess sunlight implications to all neighbouring gardens.

To the south-west and north-east, it is not anticipated that the proposal would lead to any significant additional shade cast on these gardens given the position of the building and height of trees and foliage to these sides. To the south-east, the proposal appears to fail the 45 degree criteria and is likely to lead to some additional level of overshadowing of this neighbour's rear garden.

As detailed above, adequate privacy levels would be achieved as the proposed large glazed openings face onto the boundary walls. All high-level openings would not afford downward views of neighbour's gardens or windows. The proposed decking is positioned at the rear of the site, given its limited width and enclosed location, it would afford only limited visibility of neighbour's gardens which would be further screened by existing boundary walls and foliage. No unreasonable impact on privacy from overlooking will occur as a result.

f) Parking Provision

LDP Policies Tra 2 - Tra 4 sets out the requirements for private car and cycle parking. The Council's Parking Standards are set out in the Edinburgh Design Guidance.

The site is identified within the Edinburgh Design Guidance Parking Standards as being within 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 does not include any car parking provision and therefore complies with policy Tra 2.

The EDG identifies residential properties within Zone 2 should have a minimum cycle parking provision of 2 spaces per 2 bedrooms. Long stay parking in residential development should be focused on location, security and weather protection. Two spaces have been provided in covered external storage that is of an appropriate design. The proposal complies with policy Tra 3 and Tra 4.

The proposal complies with policies Tra 2, Tra 3, Tra 4 and the Edinburgh Design Guidance.

g) Other Matters

Trees

LDP policy Env 12 states planning permission will not be granted for development that would likely have a damaging impact on trees worthy of protection.

Trees are positioned in proximity to the site's boundary. No tree survey in accordance with EDG criteria has been submitted as part of the proposal and this has not been requested as the proposal is unacceptable in principle.

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.

Waste

A refuse facility is proposed to the south boundary of the site with the existing vennel access linking to Regent Street. Specific details of the collection point and overall waste strategy are not controlled under planning legislation. Should planning permission have been granted, an informative would have been included for this arrangement to be agreed with the City Council's Waste Department.

Flue

The proposal includes a stove flue. There is separate Environmental Protection legislation under the Clean Air Act 1993 to limit fumes from such appliances. Should permission have been granted an informative would have been included in regard to this.

h) Issues Raised by Objectors

Material Considerations - Objection

- - Impact on neighbour's amenity (privacy, sunlight, daylight and outlook)
- -Design not in keeping with Conservation Area
- -Overdevelopment of site
- -Impact on setting of listed building
- -Amenity provision is limited in scale / layout and will have minimal sunlight
- - Does not comply with space standards

- -Impact on trees and shrubs
- -Impact on parking
- -Refuse facility and access arrangements
- -Potential fumes from stove / flue

The above matters have been addressed in section 3.3 of the report.

- -Publication of planning application and availability of plans:

The records indicate that the neighbouring garages at the rear were not notified as part of the application. Council records show that this premises is not postally addressable therefore no notification was sent in line with The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013. The application was advertised due to it being within a conservation area and therefore there was no further requirement to advertise on neighbouring land where notification letters could not be carried out. All plans appear publicly viewable on the City Council's planning portal.

Non-Material Considerations - Objections

- Limited evidence of back land developments / existing examples date from Victorian / Georgian period: Each planning application is assessed on its own merits having regard to relevant policy and guidance.
- Potential disruption from construction works; associated machinery, vehicles and noise - These matters cannot materially be assessed as part of this planning application.
- Structural issues - This matter cannot materially be assessed as part of this planning application.
- Fire Risk - This matter cannot materially be assessed as part of this 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 3 as an inadequate provision of garden space will be provided for future occupiers of the application site.

3. The proposal is contrary to Edinburgh Local Development Plan Policy Hou 4 - Housing Density, as the scale, form and position of the building will have an unacceptable impact on the spatial character and density of the area.
4. The proposal is contrary to Edinburgh Local Development Plan Policy Des 4 - Development Design - Impact on Setting, as the height, form and position of the building is an incongruous addition in its surroundings that will have an unacceptable impact on the established character of the townscape.
5. The proposal is contrary to Edinburgh Local Development Plan Policy Des 5 - Amenity as an unacceptable level of outlook will be provided for future occupiers of the application site and insufficient information has been submitted to demonstrate adequate levels of daylight and sunlight will be achieved.
6. The proposal is contrary to Edinburgh Local Development Plan Policy Env 6 - Conservation Area - Development, as the height, form and position of the building will be an incongruous addition in its surroundings that will have a detrimental impact on the spatial character of the conservation area and the immediate garden settings. The proposal will therefore fail to preserve or enhance the character of the conservation area.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

Pre-application discussions took place on this application.

6.2 Publicity summary of representations and Community Council comments

44 representations have been received (43 objections and 1 supporting comment).

Background reading / external references

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

Statutory Development

Plan Provision	Policies - Edinburgh Local Development Plan - Urban Area
Date registered	18 December 2020
Drawing numbers/Scheme	01-17, 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

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 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

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 Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

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

LDP Policy Env 12 (Trees) sets out tree protection requirements for 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.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Setting sets out Government guidance on the principles that apply to developments affecting the setting of historic assets or places.

Managing Change in the Historic Environment: Doorways: Government guide sets out the principles that apply to altering the doorways of historic buildings.

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.

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

Other Relevant policy guidance

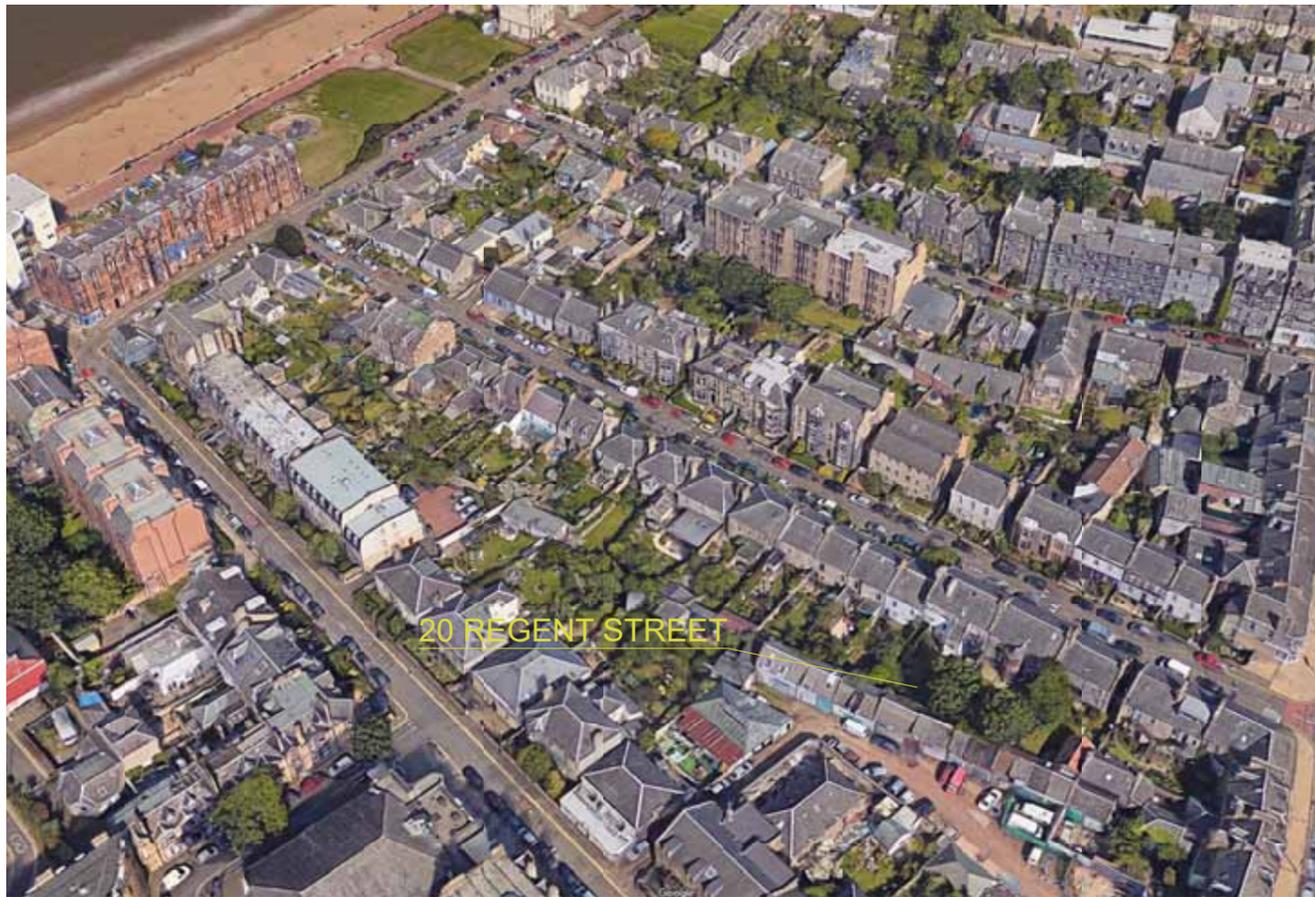
The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials

Appendix 1

Consultations

No consultations undertaken.

END



AERIAL VIEW 1 - LOOKING EAST



AERIAL VIEW 3 - LOOKING SOUTH



A3 AERIAL VIEW 2 - LOOKING WEST

A. DRAWING RENUMBERED. CD 08/12/2020.

REVISIONS:

AERIAL IMAGES OF STREETScape

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

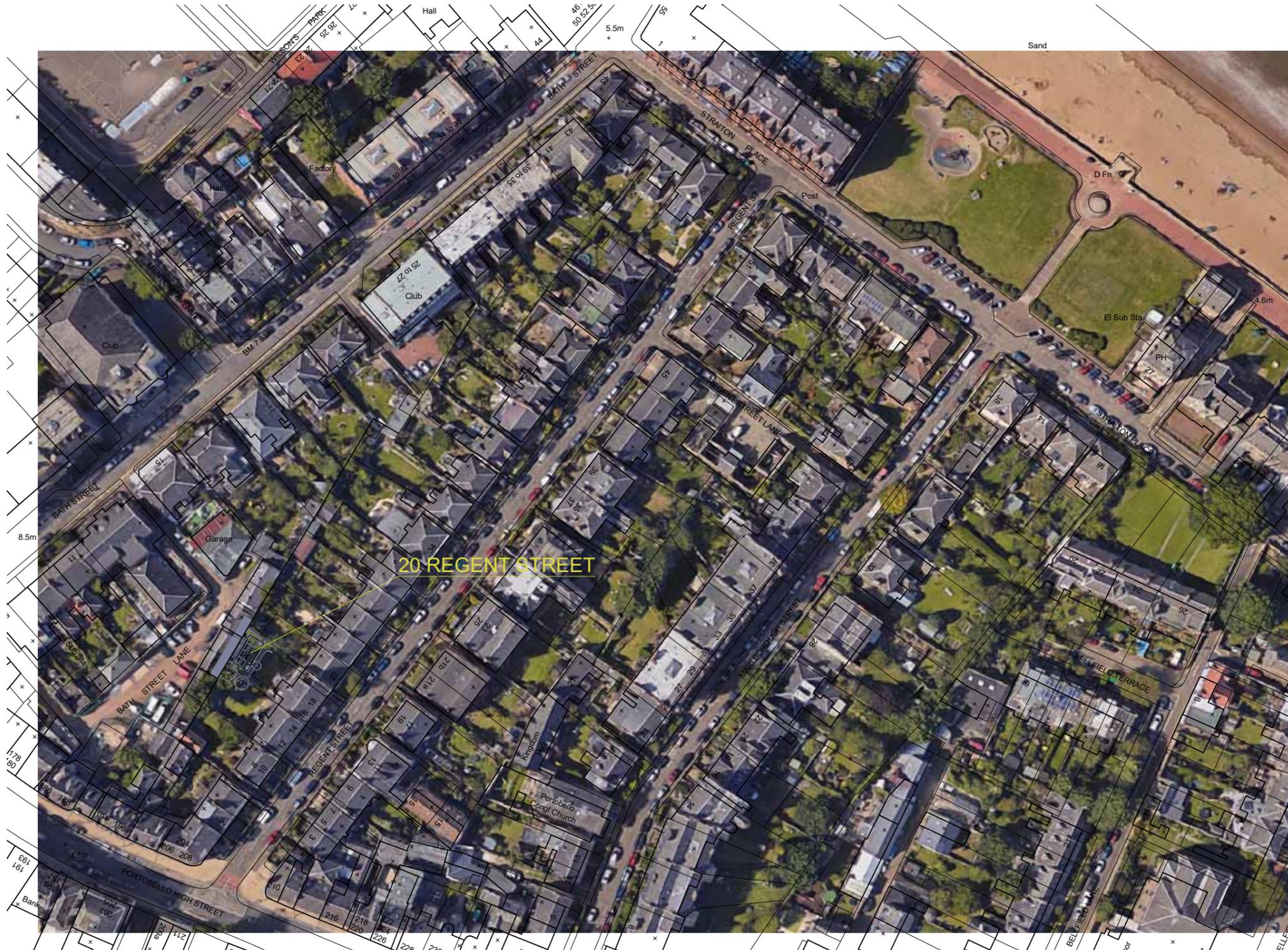
FOR Mr. and Mrs. DOUGLAS

DATE: AUG 2020

SCALE: NTS

DRWN:CD

DRG. No:2028/16A



OS MAP/AERIAL OVERLAY 1:1250

REVISIONS:

OS MAP/AERIAL OVERLAY SHOWING STREETScape

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: AUG 2020

SCALE: 1:1250

DRWN:CD

DRG. No:2028/17

A3

DO NOT SCALE THIS DRAWING - IF IN DOUBT PLEASE ASK. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO WORKS COMMENCING.

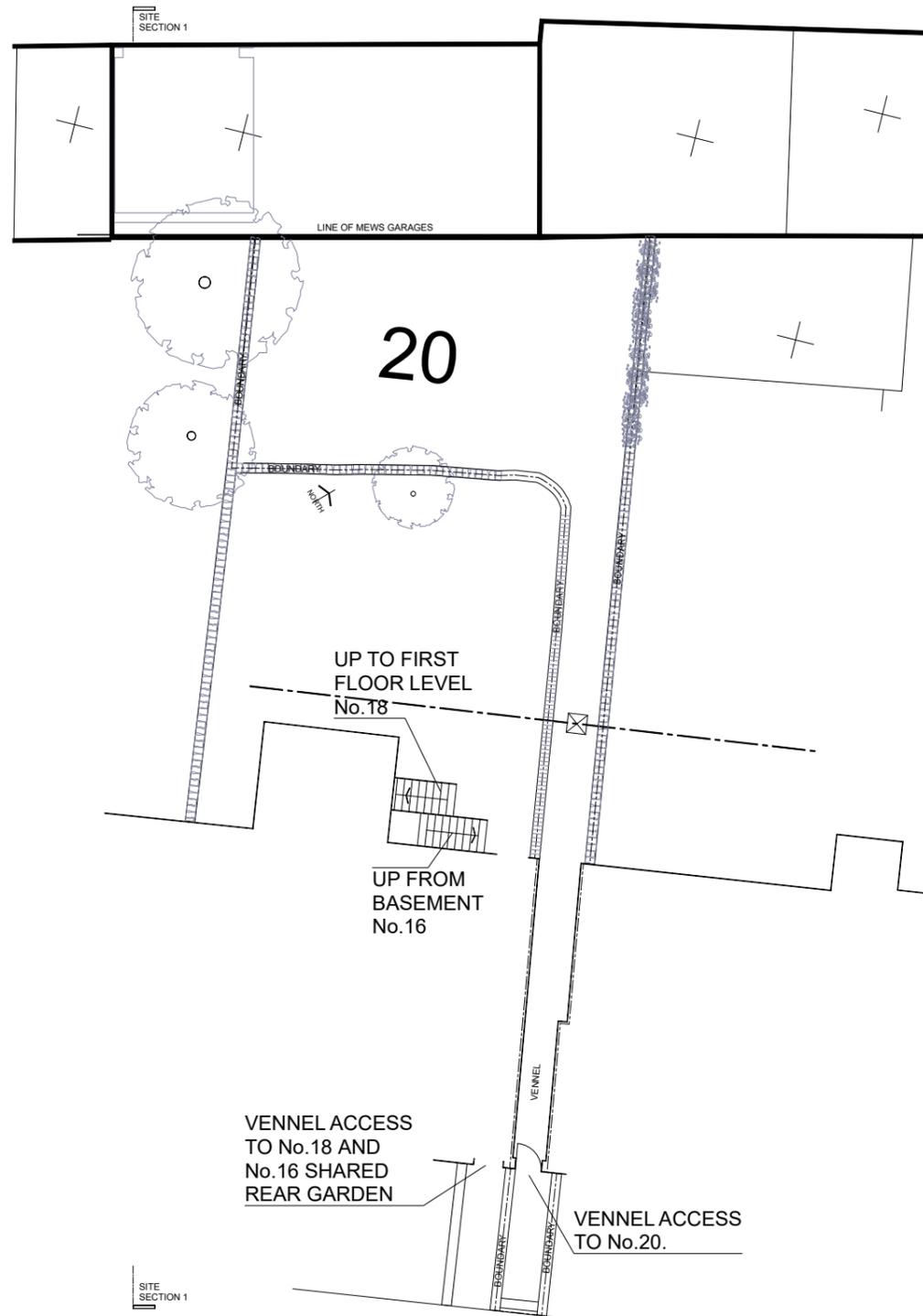
esbank design studio ltd
 7 Newbattle Road, Eskbank, Midlothian. EH22 3DA.
 web: www.esbankdesignstudio.co.uk email: craig@esbankstudio.net
 0131 6633308
 07708 479656

SCALE 1000mm 1000mm
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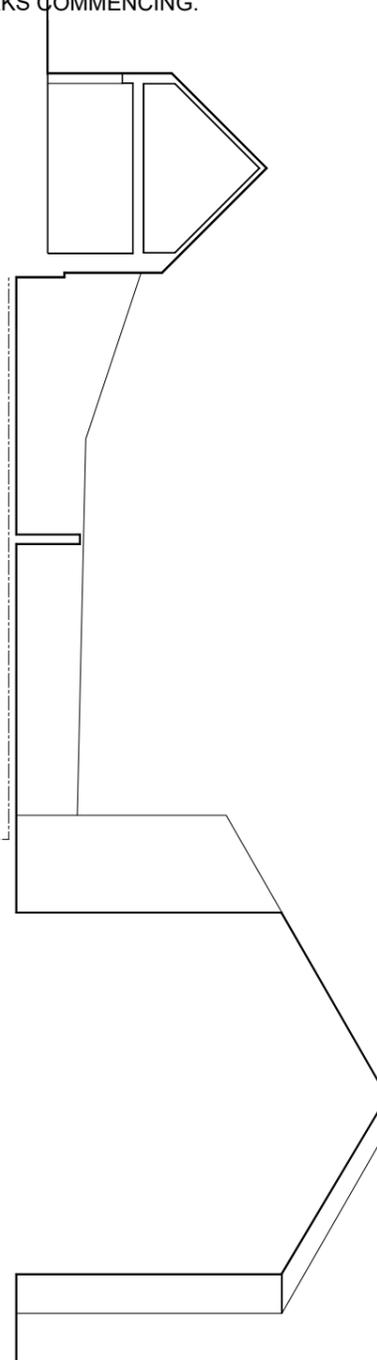


LOCATION PLAN 1:1250

REVISIONS:
 EXISTING SECTION, SITE AND LOCATION PLAN.
PROPOSED DWELLING HOUSE.
 20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.
 FOR Mr. and Mrs. DOUGLAS
 DATE: JUN 2020 | SCALE: 1:200, 1:1250 | DRWN:CD | DRG. No:2028/01A



EXISTING SITE SECTION 1 1:200



EXISTING SITE SECTION 1 1:200



EXISTING STREET ELEVATION 1:200



STREET VIEW

A3

DO NOT SCALE THIS DRAWING - IF IN DOUBT PLEASE ASK. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO WORKS COMMENCING.

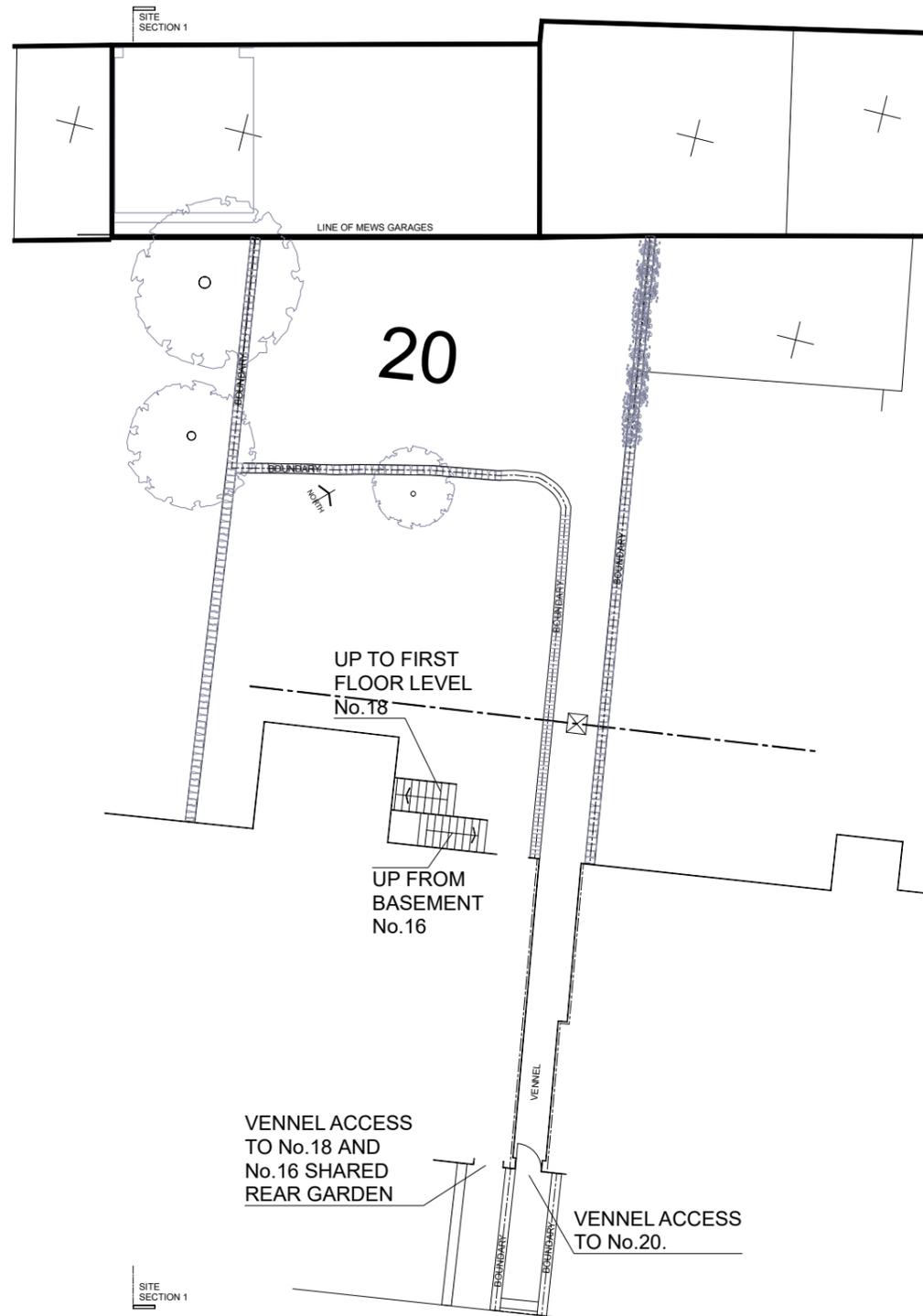
esbank design studio ltd
 7 Newbattle Road, Eskbank, Midlothian. EH22 3DA.
 web: www.esbankdesignstudio.co.uk email: craig@esbankstudio.net
 0131 6633308
 07708 479656

SCALE 1000mm 1000mm
 BAR @1/100 @1/50
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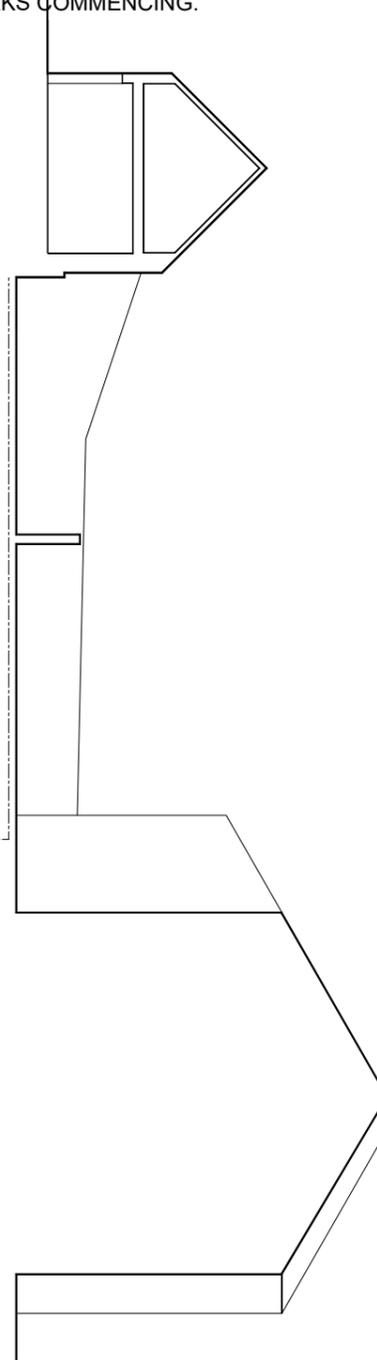


LOCATION PLAN 1:1250

REVISIONS:
 EXISTING SECTION, SITE AND LOCATION PLAN.
 PROPOSED DWELLING HOUSE.
 20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.
 FOR Mr. and Mrs. DOUGLAS
 DATE: JUN 2020 | SCALE: 1:200, 1:1250 | DRWN:CD | DRG. No:2028/01A



EXISTING SITE SECTION 1 1:200



VENNEL ACCESS TO No.20.



EXISTING STREET ELEVATION 1:200



STREET VIEW

A3



PROPOSED COURTYARD VIEW



PROPOSED COURTYARD VIEW



A3 PROPOSED INTERNAL VIEW



PROPOSED VIEW TOWARDS ENTRANCE



PROPOSED COURTYARD CIRCULATION VIEW

A. PROPOSALS DOWNSCALED (DRAWING CONTENT CHANGED).
 CD 08/12/2020.
 REVISIONS:

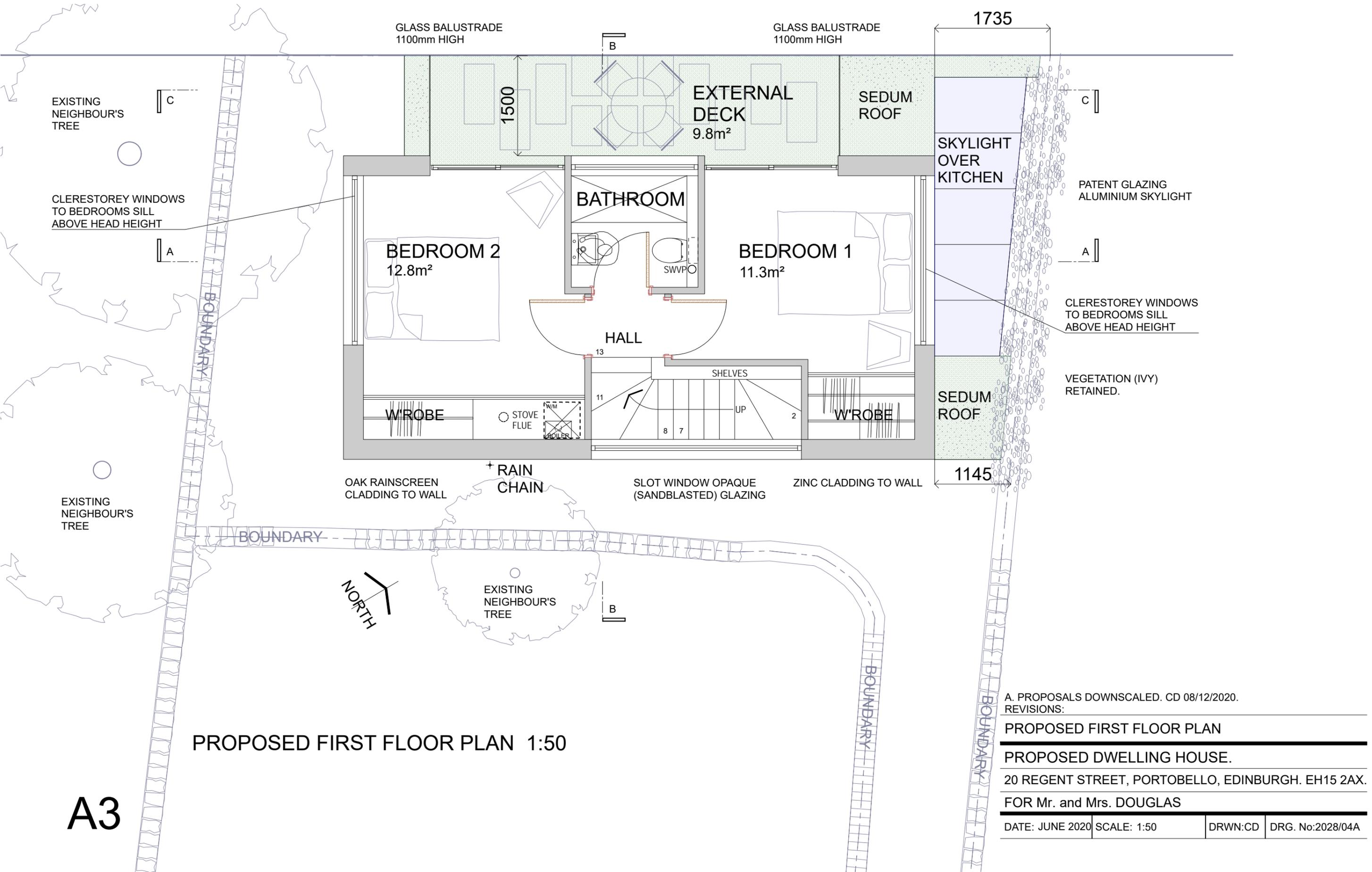
PROPOSED COURTYARD AND INTERNAL VIEWS

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: JULY 2020	SCALE: 1:50 1:100	DRWN:CD	DRG. No:2028/14A
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PROPOSED FIRST FLOOR PLAN 1:50

A3

A. PROPOSALS DOWNSCALED. CD 08/12/2020.

REVISIONS:

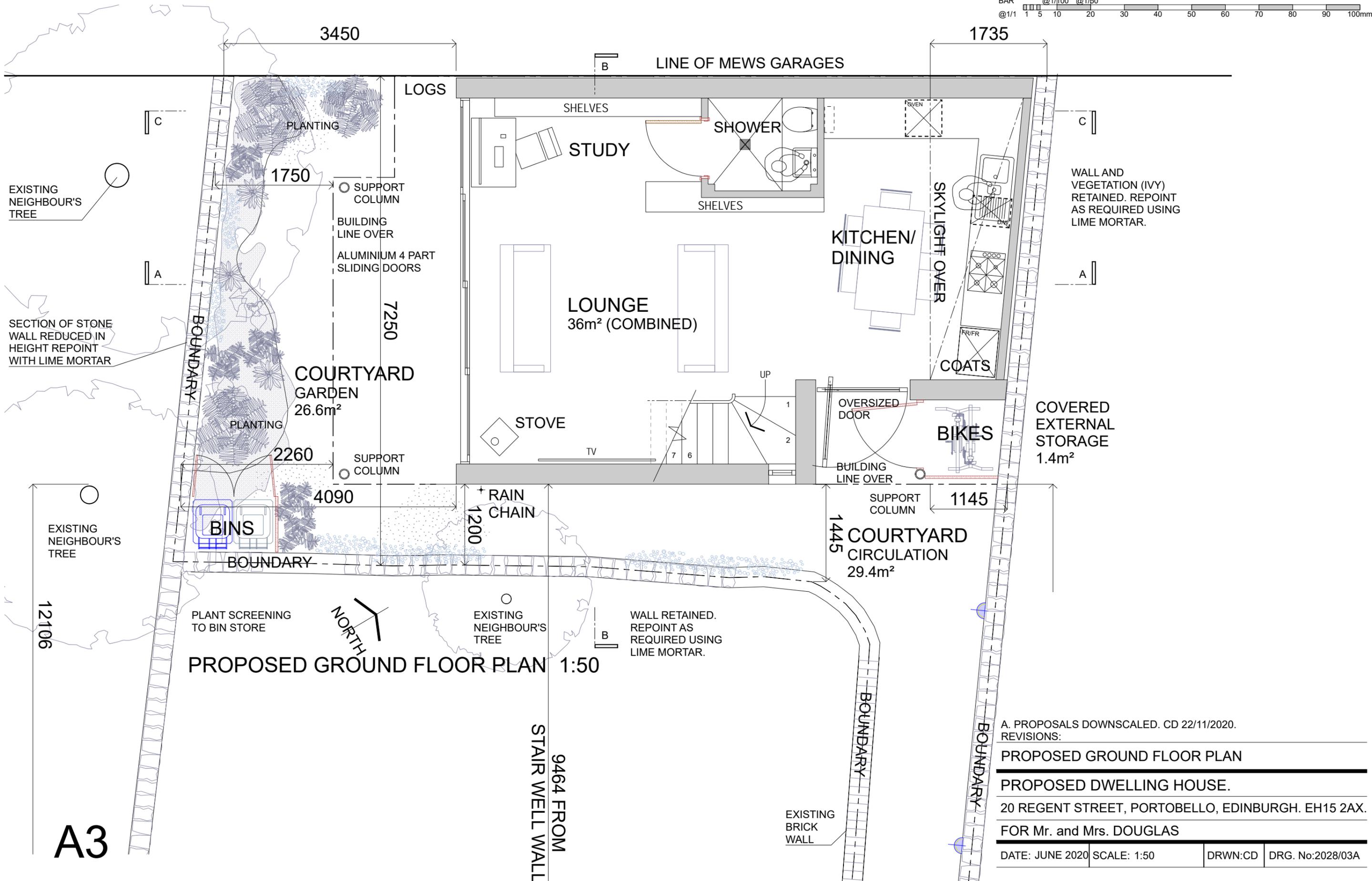
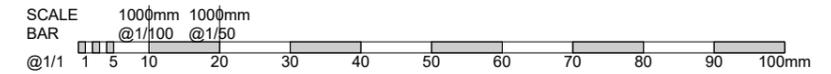
PROPOSED FIRST FLOOR PLAN

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: JUNE 2020	SCALE: 1:50	DRWN:CD	DRG. No:2028/04A
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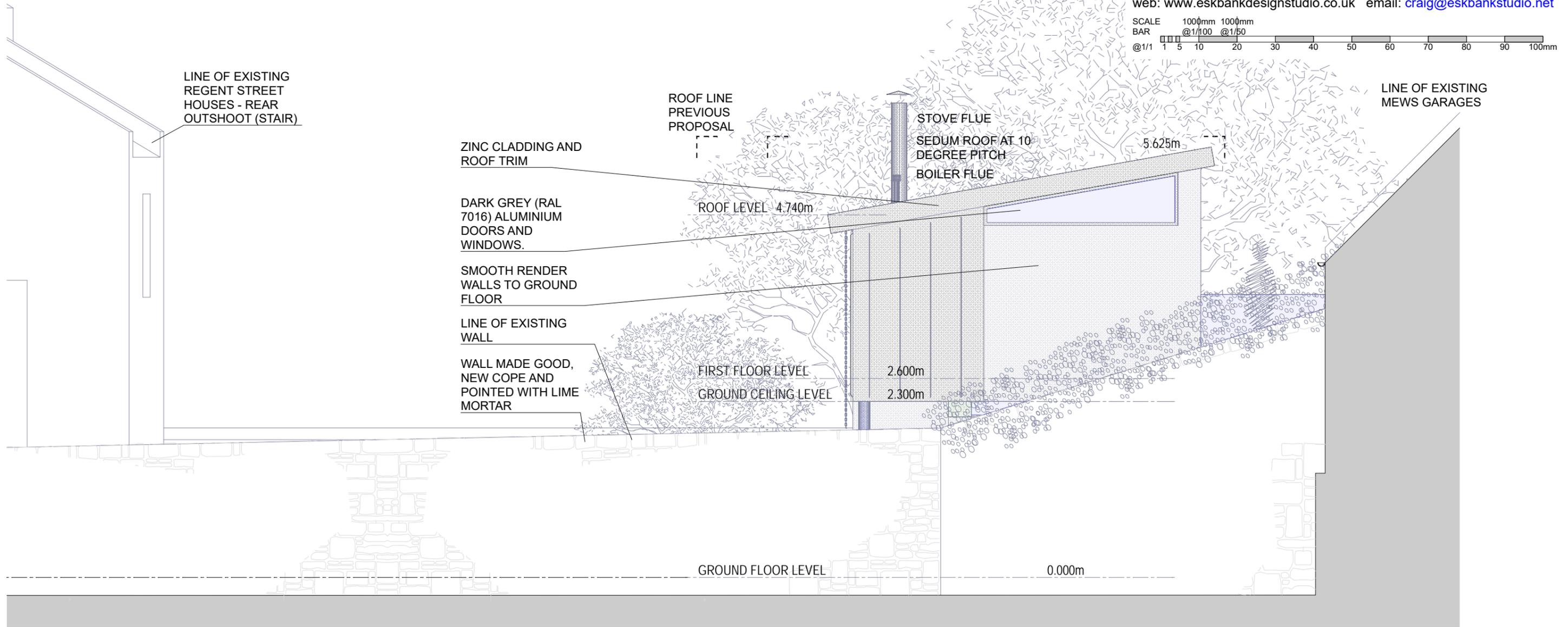
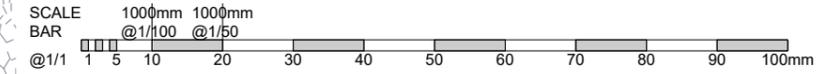


PROPOSED GROUND FLOOR PLAN 1:50

A. PROPOSALS DOWNSCALED. CD 22/11/2020.
 REVISIONS:

PROPOSED GROUND FLOOR PLAN			
PROPOSED DWELLING HOUSE.			
20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.			
FOR Mr. and Mrs. DOUGLAS			
DATE: JUNE 2020	SCALE: 1:50	DRWN:CD	DRG. No:2028/03A

A3



PROPOSED NORTH EAST ELEVATION 1:50



A. PROPOSALS DOWNSCALED. CD 08/12/2020.
REVISIONS:

PROPOSED NORTH EAST ELEVATION

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: JULY 2020	SCALE: 1:50	DRWN:CD	DRG. No:2028/10A
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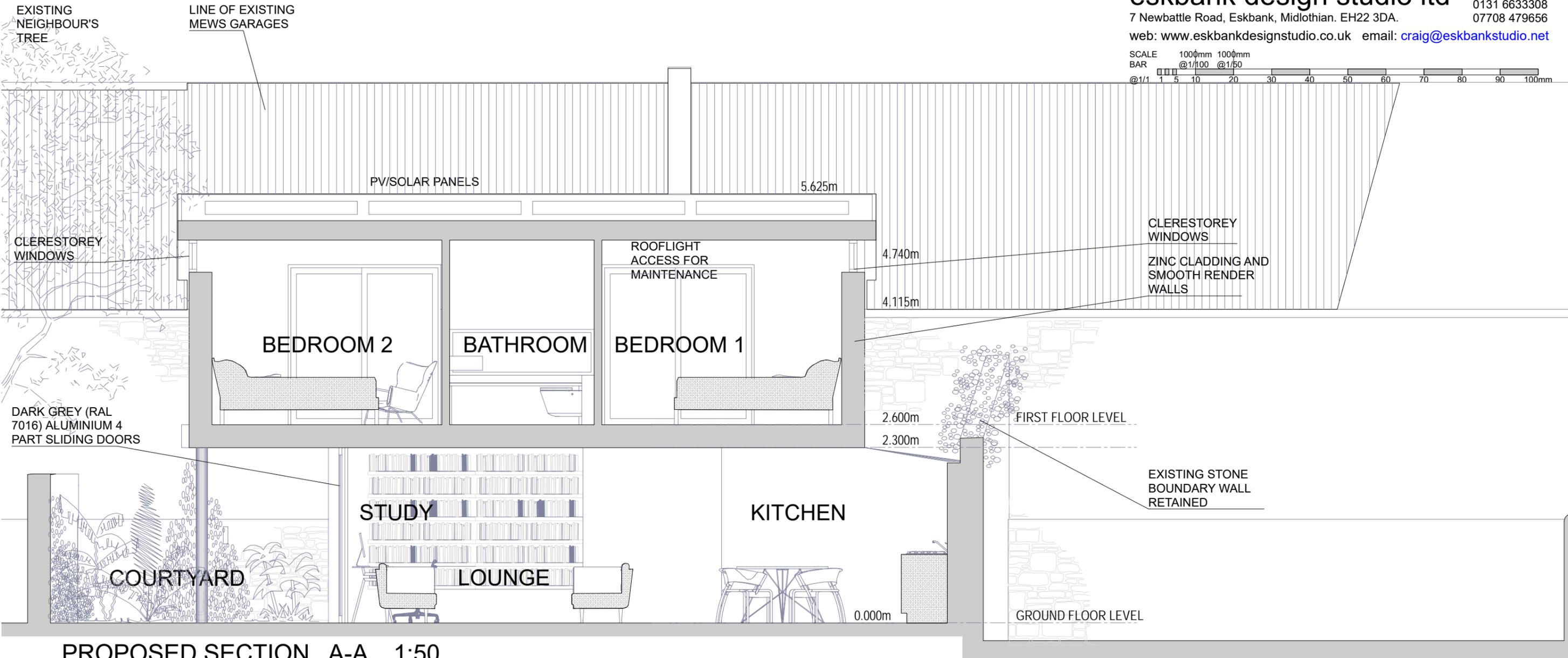
07708 479656

web: www.esbankdesignstudio.co.uk email: craig@esbankstudio.net

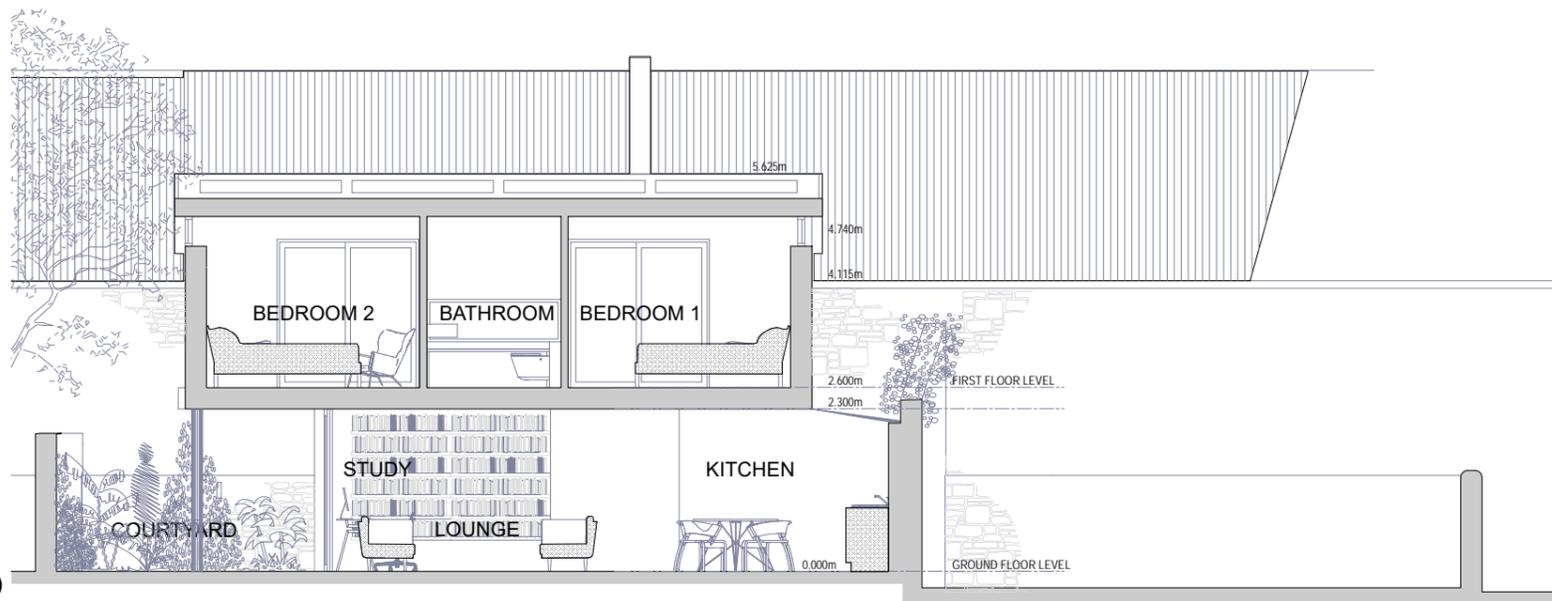
SCALE 100@mm 100@mm

BAR @1/100 @1/50

@1/1 1 5 10 20 30 40 50 60 70 80 90 100mm



PROPOSED SECTION A-A 1:50



A3 PROPOSED SECTION A-A 1:100

A. PROPOSALS DOWNSCALED. CD 08/12/2020.

REVISIONS:

PROPOSED SECTION A-A

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

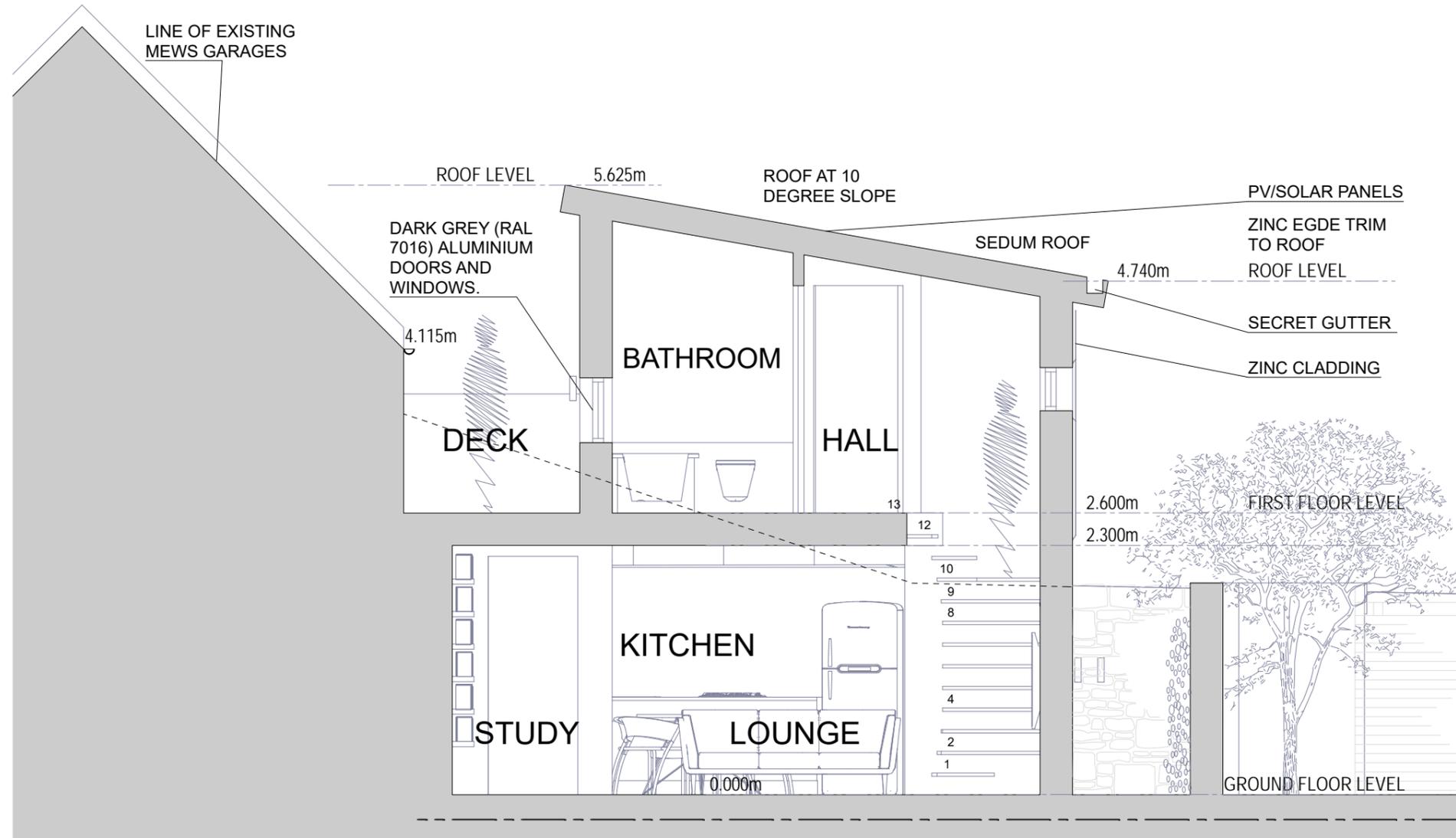
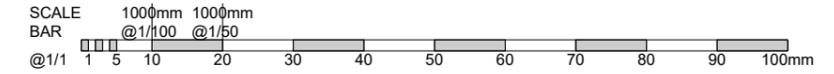
FOR Mr. and Mrs. DOUGLAS

DATE: JULY 2020

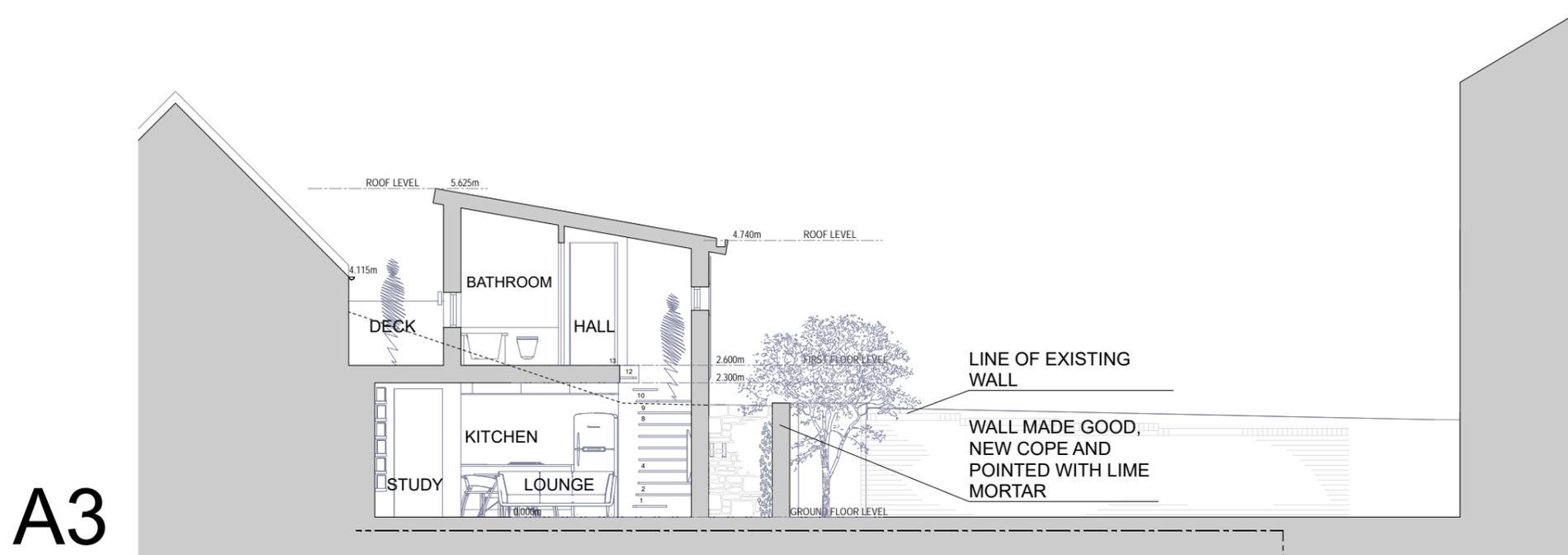
SCALE: 1:50

DRWN:CD

DRG. No:2028/12A



PROPOSED SECTION B-B 1:50



A3

PROPOSED SECTION B-B 1:100

A. PROPOSALS DOWNSCALED. CD 08/12/2020.
 REVISIONS:

PROPOSED SECTION B-B

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: JULY 2020	SCALE: 1:50	DRWN:CD	DRG. No:2028/13A
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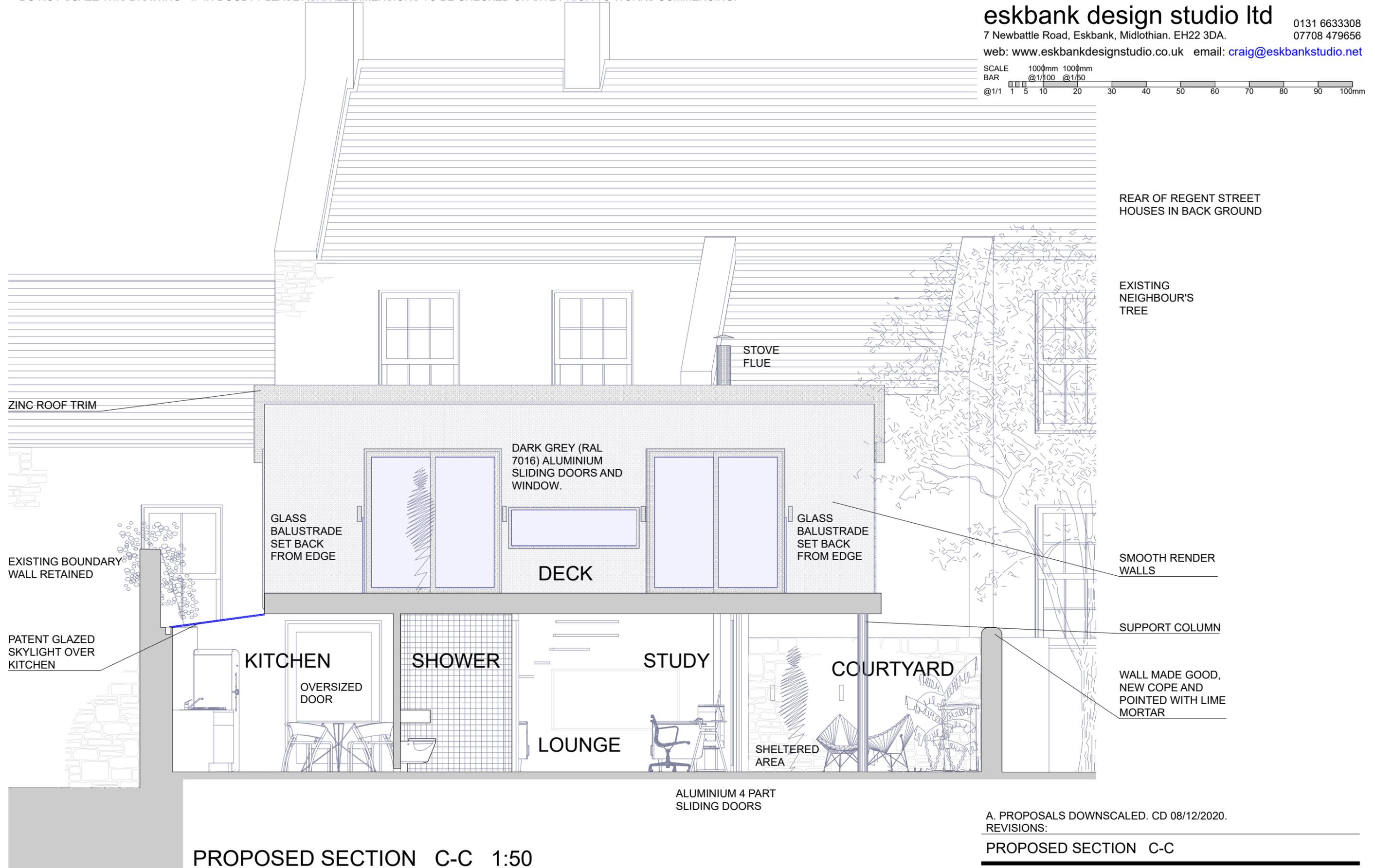
07708 479656

web: www.esbankdesignstudio.co.uk email: craig@esbankstudio.net

SCALE 1000mm 1000mm

BAR @1/100 @1/50

@1/1 1 5 10 20 30 40 50 60 70 80 90 100mm



PROPOSED SECTION C-C 1:50

A. PROPOSALS DOWNSCALED. CD 08/12/2020.
REVISIONS:

PROPOSED SECTION C-C

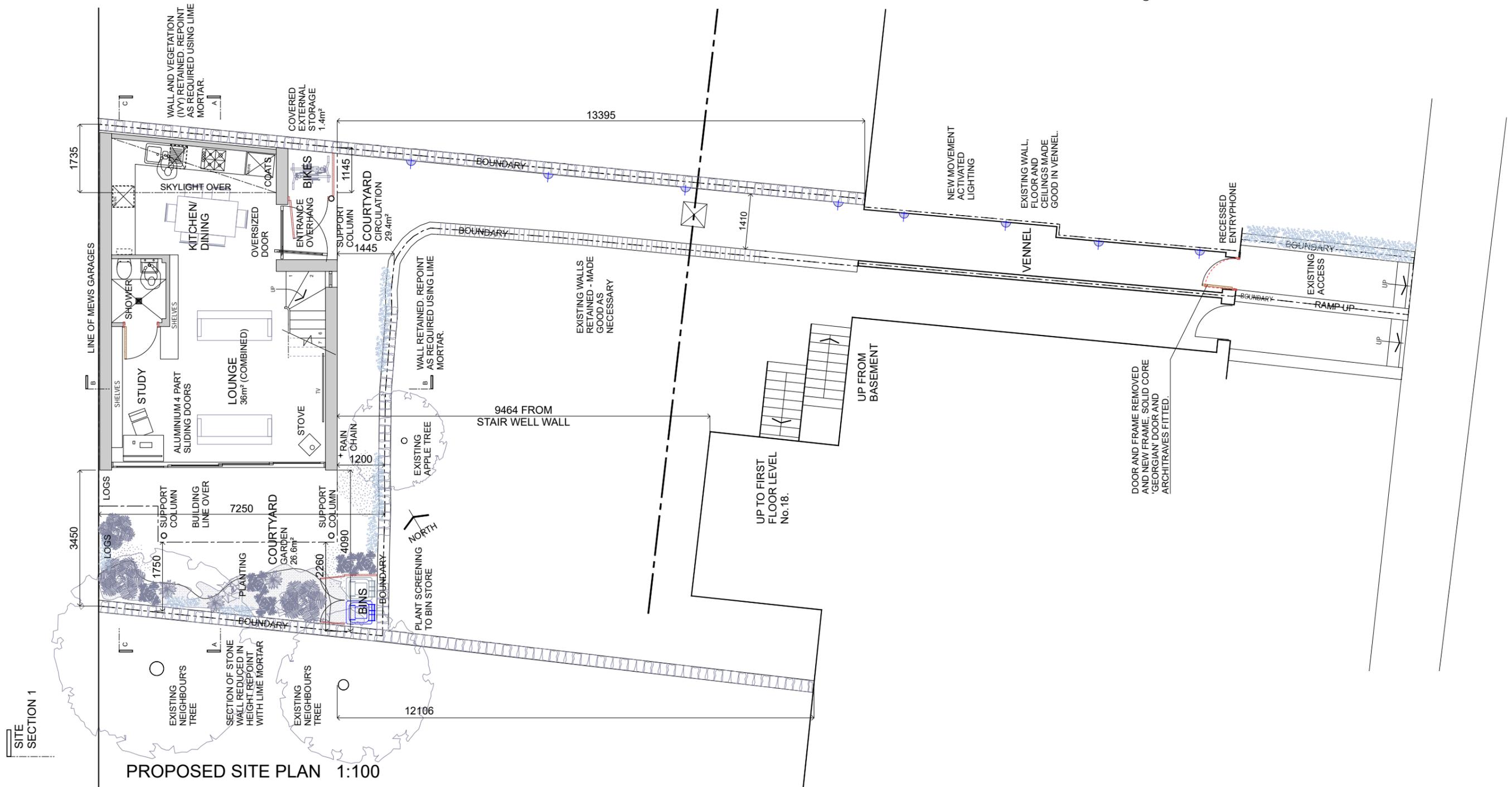
PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: JULY 2020	SCALE: 1:50	DRWN:CD	DRG. No:2028/11A
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A3



A. PROPOSALS DOWNSCALED. CD 08/12/2020.
 REVISIONS:

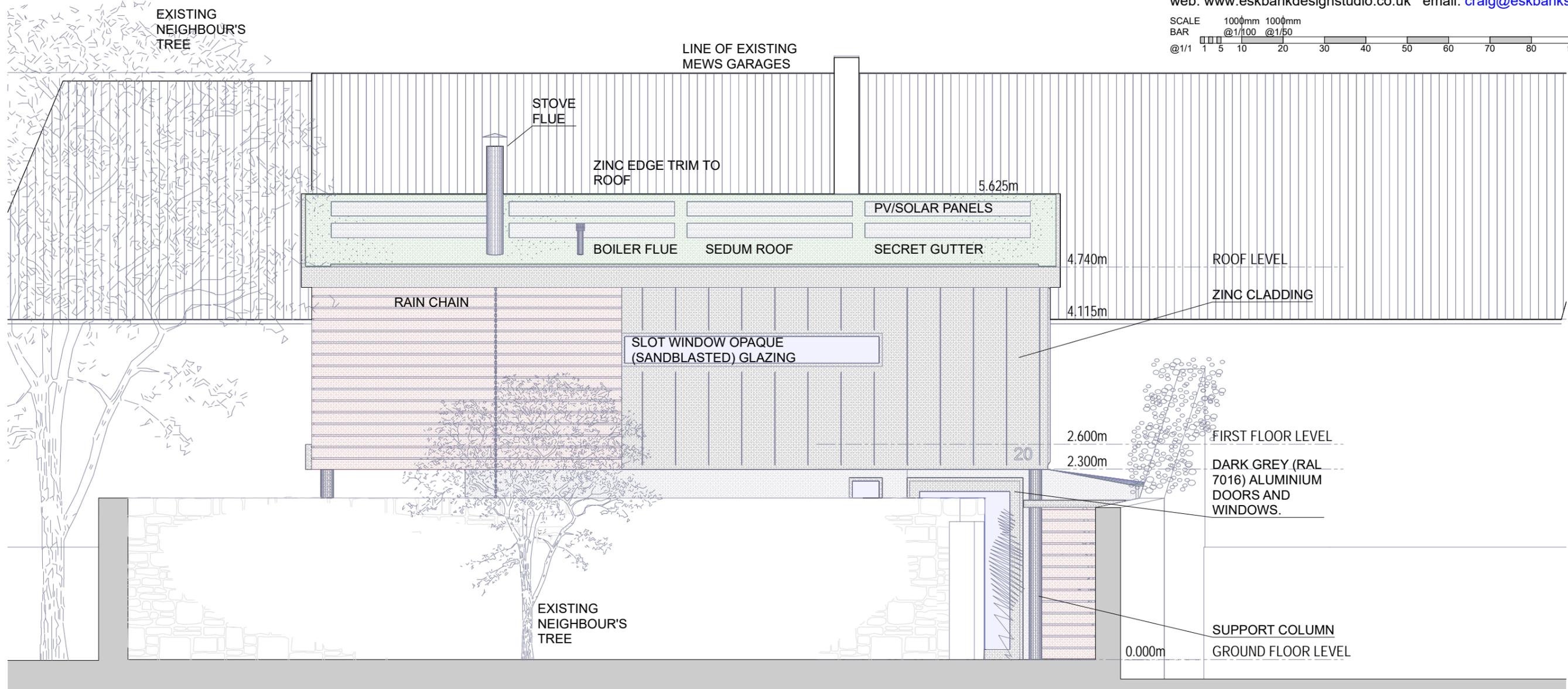
PROPOSED SITE PLAN.

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: JUN 2020	SCALE: 1:100	DRWN:CD	DRG. No:2028/02A
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PROPOSED SOUTH EAST ELEVATION 1 1:50



A3

A. PROPOSALS DOWNSCALED. CD 08/12/2020.

REVISIONS:

PROPOSED SOUTH EAST ELEVATION 1

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

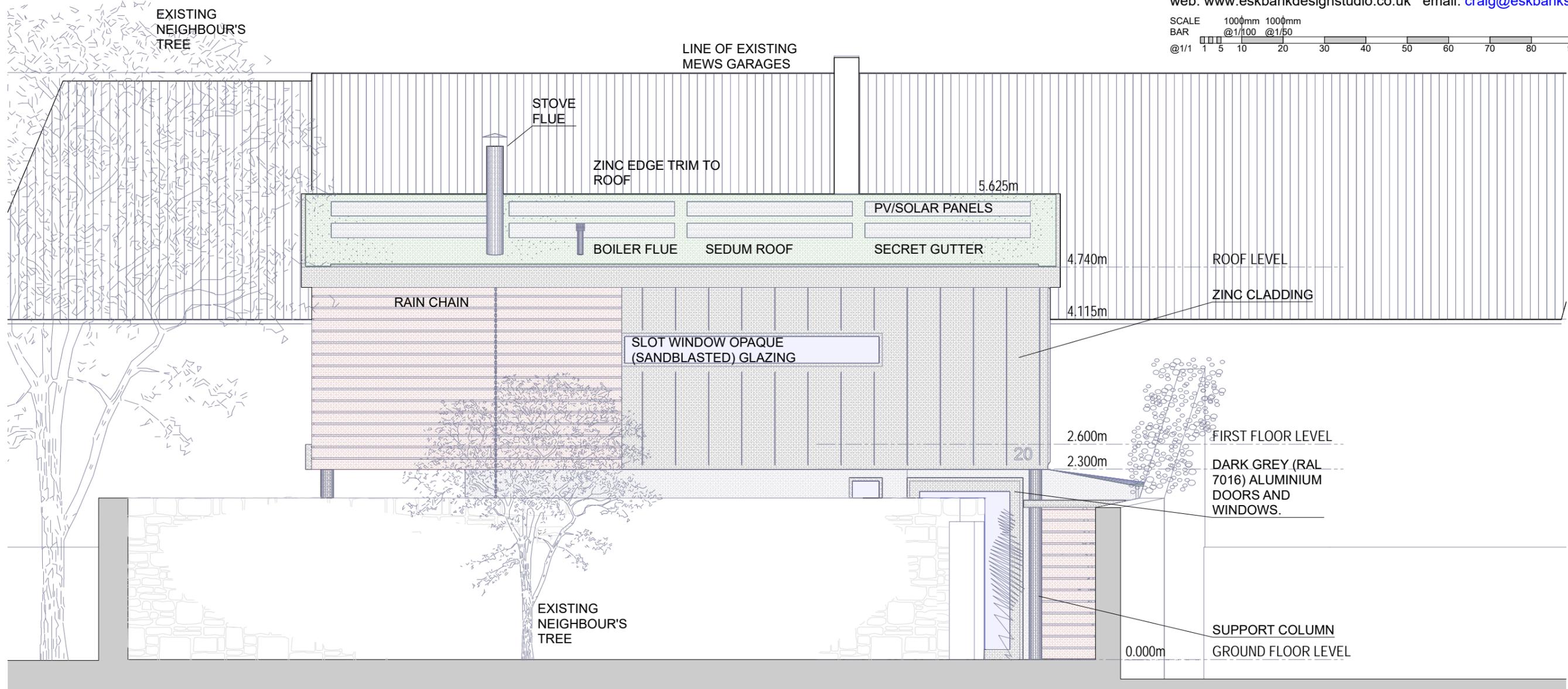
FOR Mr. and Mrs. DOUGLAS

DATE: JULY 2020

SCALE: 1:50

DRWN:CD

DRG. No:2028/09A



PROPOSED SOUTH EAST ELEVATION 1 1:50



A3

A. PROPOSALS DOWNSCALED. CD 08/12/2020.
REVISIONS:

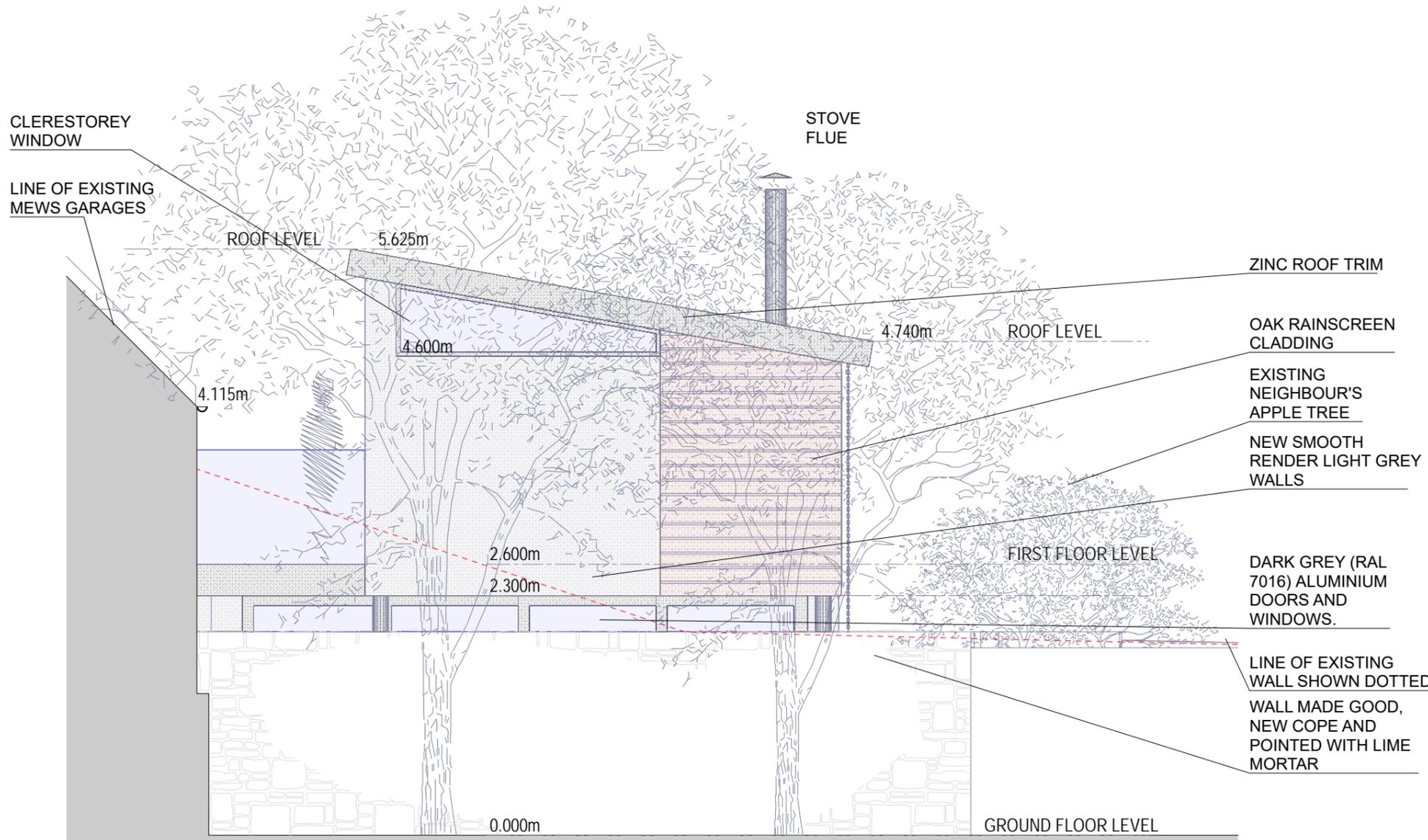
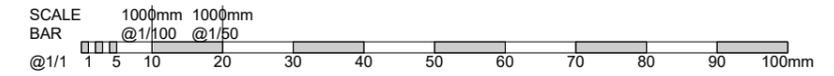
PROPOSED SOUTH EAST ELEVATION 1

PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: JULY 2020	SCALE: 1:50	DRWN:CD	DRG. No:2028/09A
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PROPOSED SOUTH WEST ELEVATION 1 1:50



PROPOSED SOUTH WEST VIEW



PROPOSED AERIAL VIEW



A3 PROPOSED SOUTH WEST ELEVATION 1/PROPOSED SECTION 1-1 1:200

A. PROPOSALS DOWNSCALED. CD 08/12/2020.
 REVISIONS:

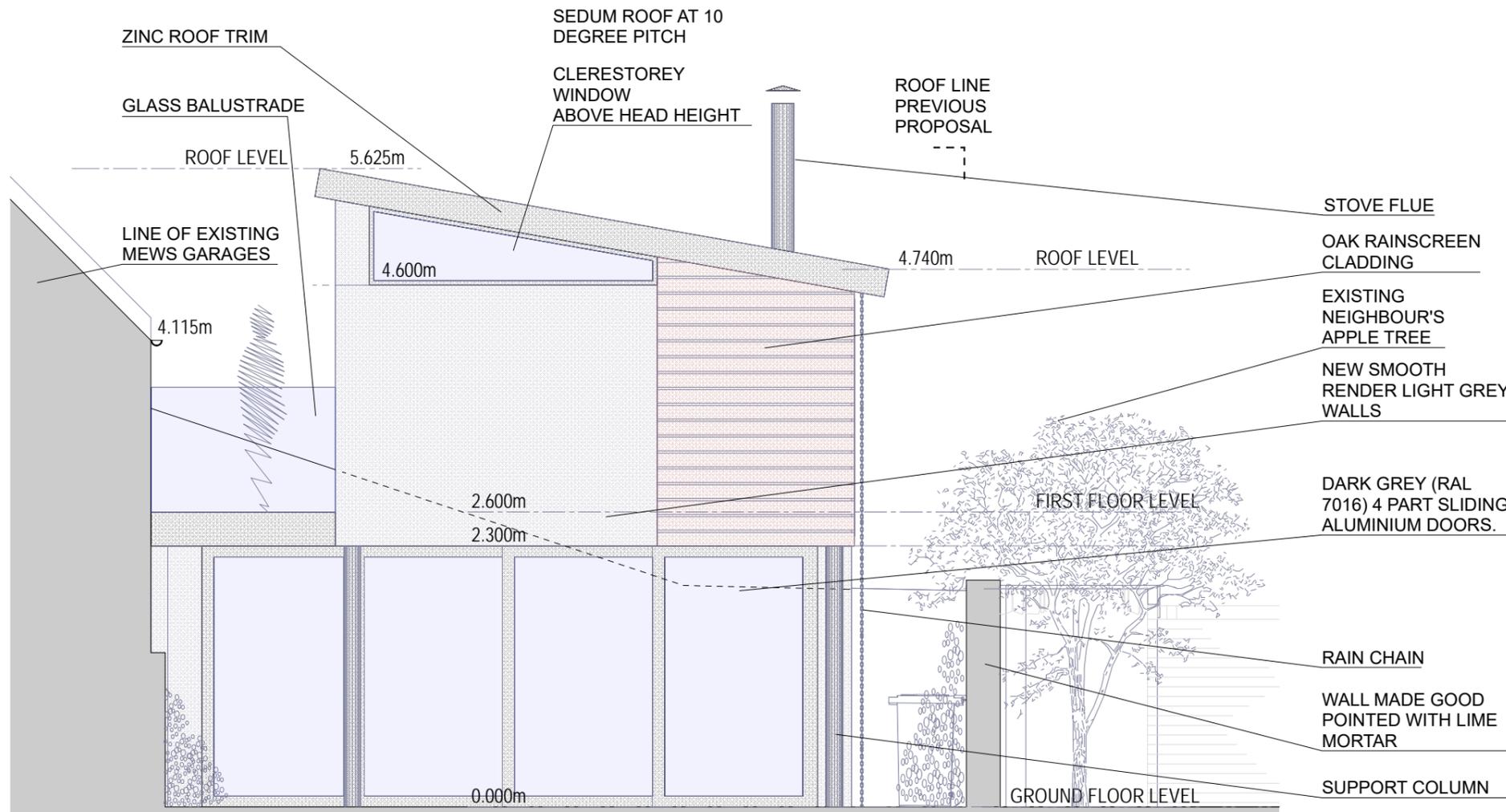
PROPOSED SOUTH WEST ELEVATION 1/SECTION 1-1

PROPOSED DWELLING HOUSE.

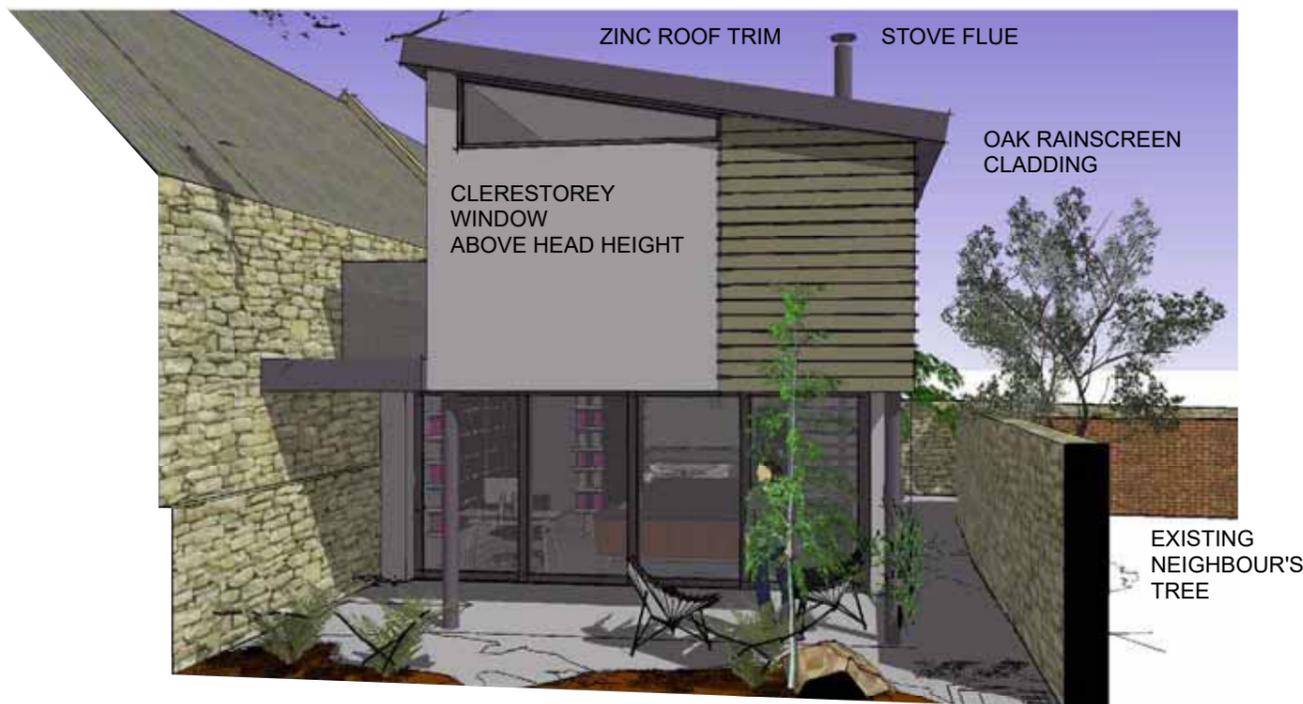
20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: JUNE 2020	SCALE: 1:50 1:200	DRWN:CD	DRG. No:2028/07A
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PROPOSED SOUTH WEST ELEVATION 2 1:50



A. PROPOSALS DOWNSCALED (RENUMBERED FROM 08). CD 22/11/2020.
 REVISIONS:

PROPOSED SOUTH WEST ELEVATION 2
PROPOSED DWELLING HOUSE.
 20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.
 FOR Mr. and Mrs. DOUGLAS

DATE: JUNE 2020	SCALE: 1:50	DRWN:CD	DRG. No:2028/06A
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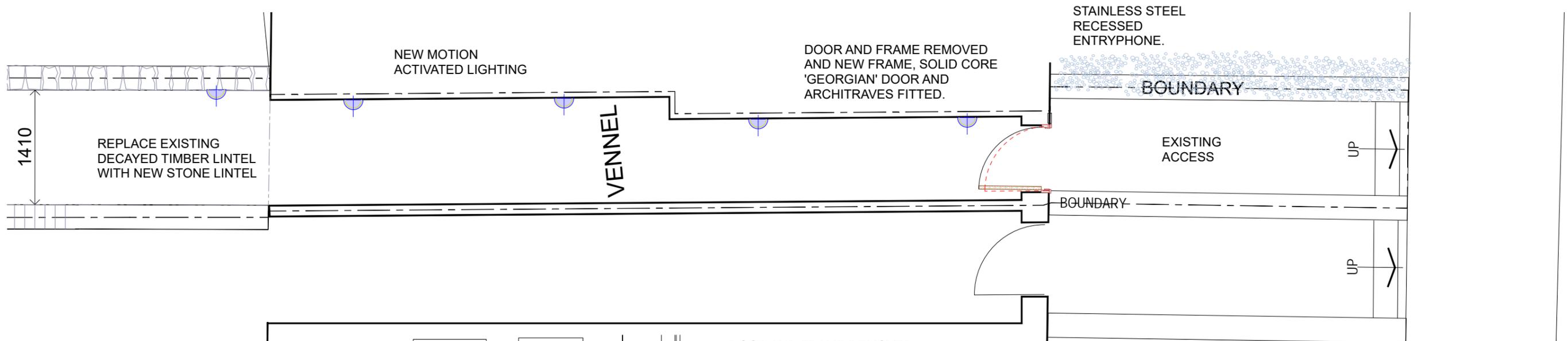
DO NOT SCALE THIS DRAWING - IF IN DOUBT PLEASE ASK. ALL DIMENSIONS TO BE CHECKED ON SITE PRIOR TO WORKS COMMENCING.

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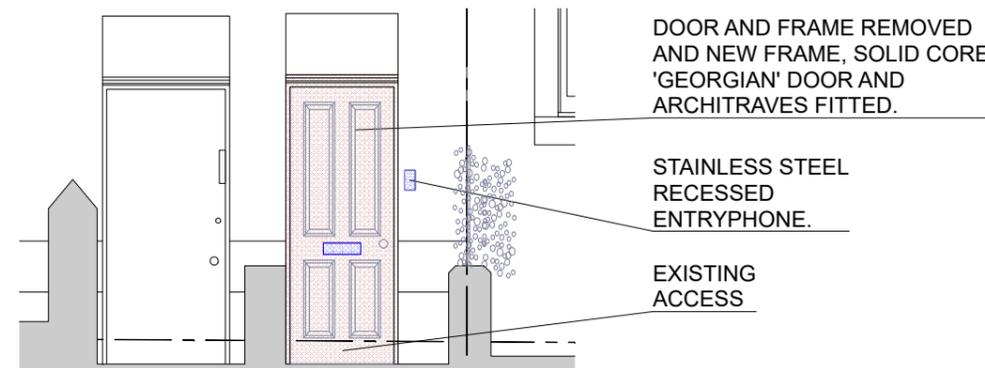
SCALE 1000mm 1000mm
 BAR @1/100 @1/50
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PROPOSED STREET ELEVATION 1:100



PROPOSED PLAN - VENNEL 1:50



PROPOSED ELEVATION - VENNEL 1:50

A. REVISED TREATMENT AT ACCESS DOOR. CD 22/11/2020.
 REVISIONS:

PROPOSED STREET ELEVATIONS

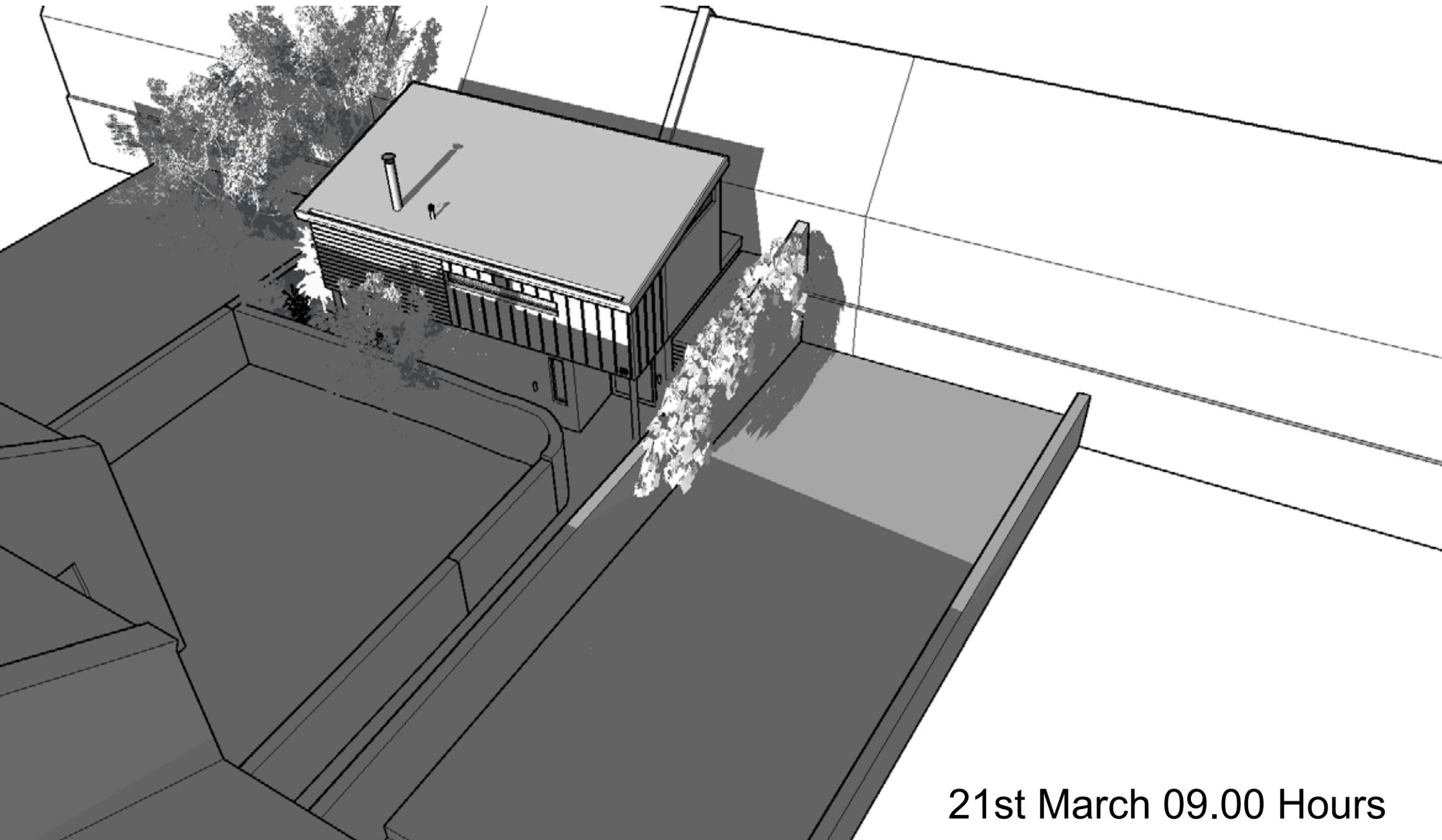
PROPOSED DWELLING HOUSE.

20 REGENT STREET, PORTOBELLO, EDINBURGH. EH15 2AX.

FOR Mr. and Mrs. DOUGLAS

DATE: JULY 2020	SCALE: 1:50 1:25	DRWN:CD	DRG. No:2028/15A
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A3



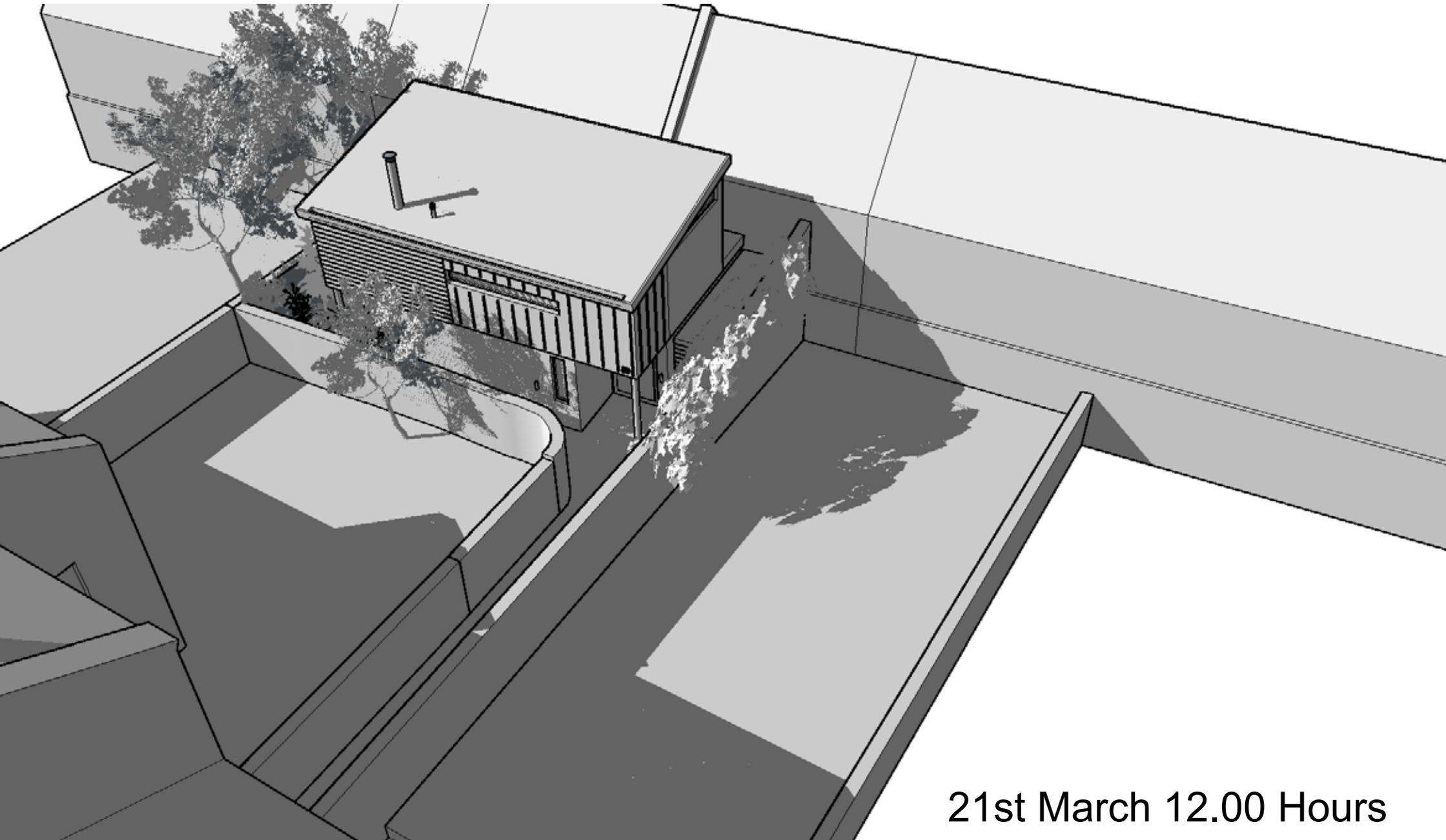
21st March 09.00 Hours



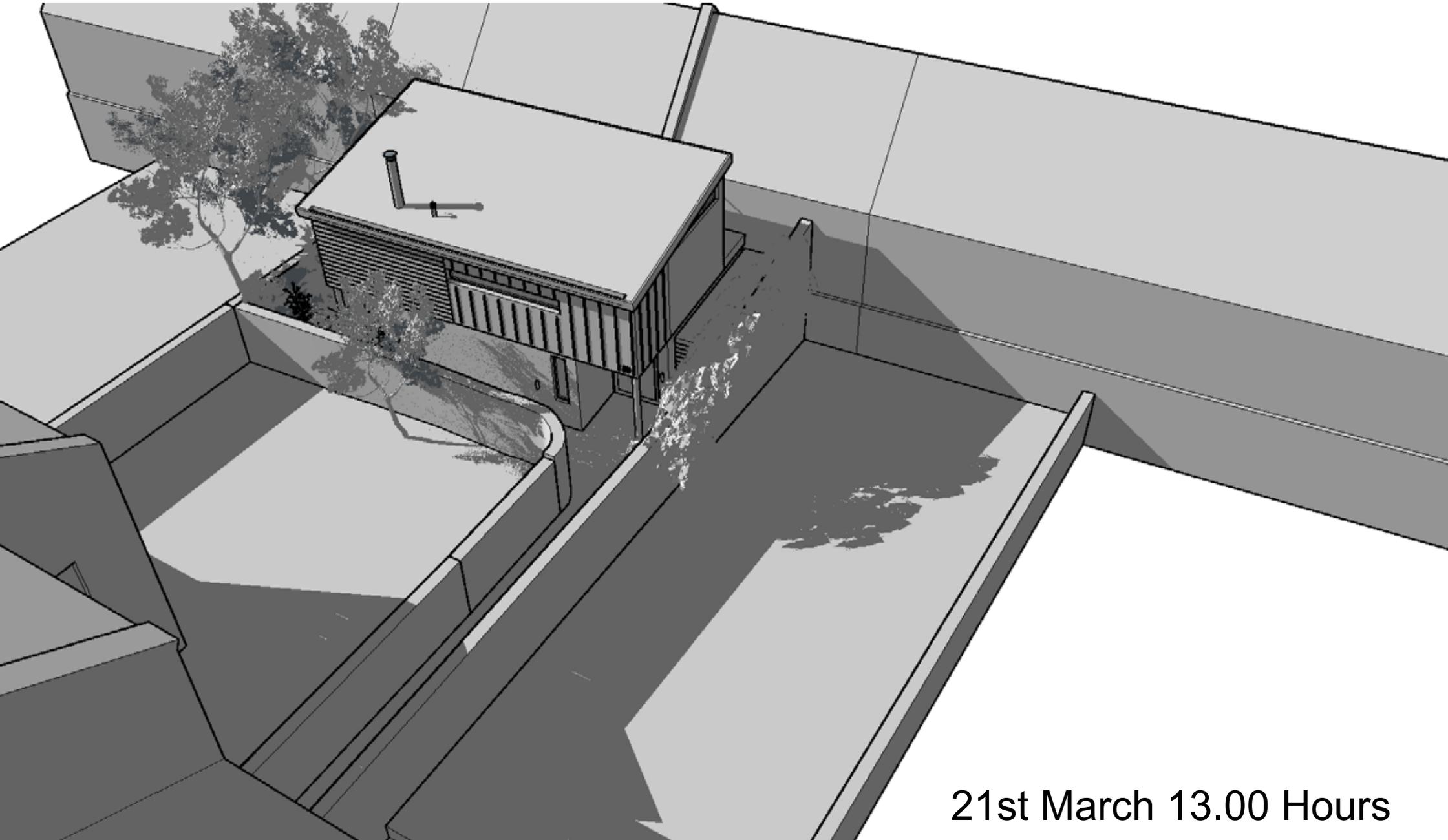
21st March 10.00 Hours



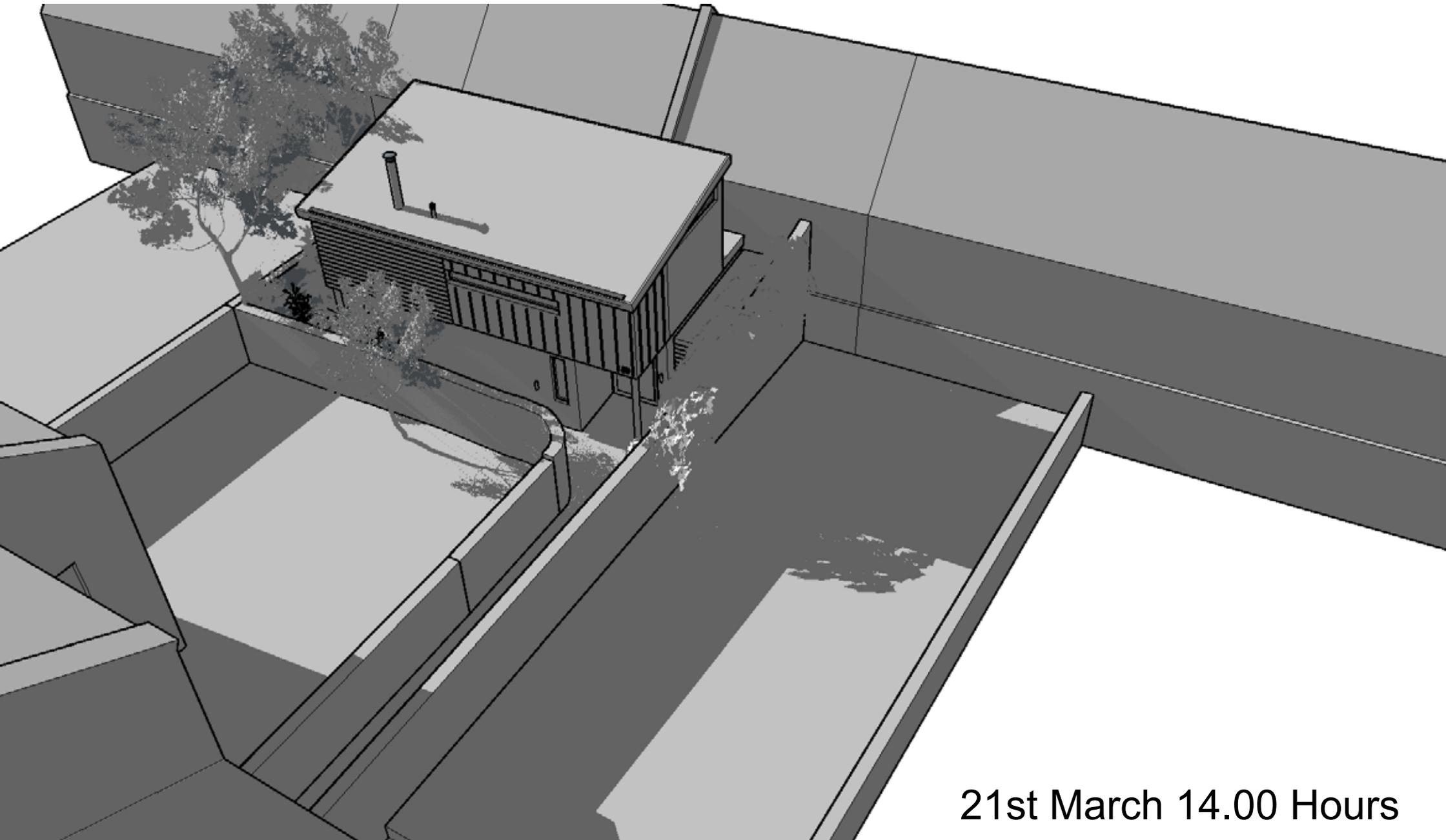
21st March 11.00 Hours



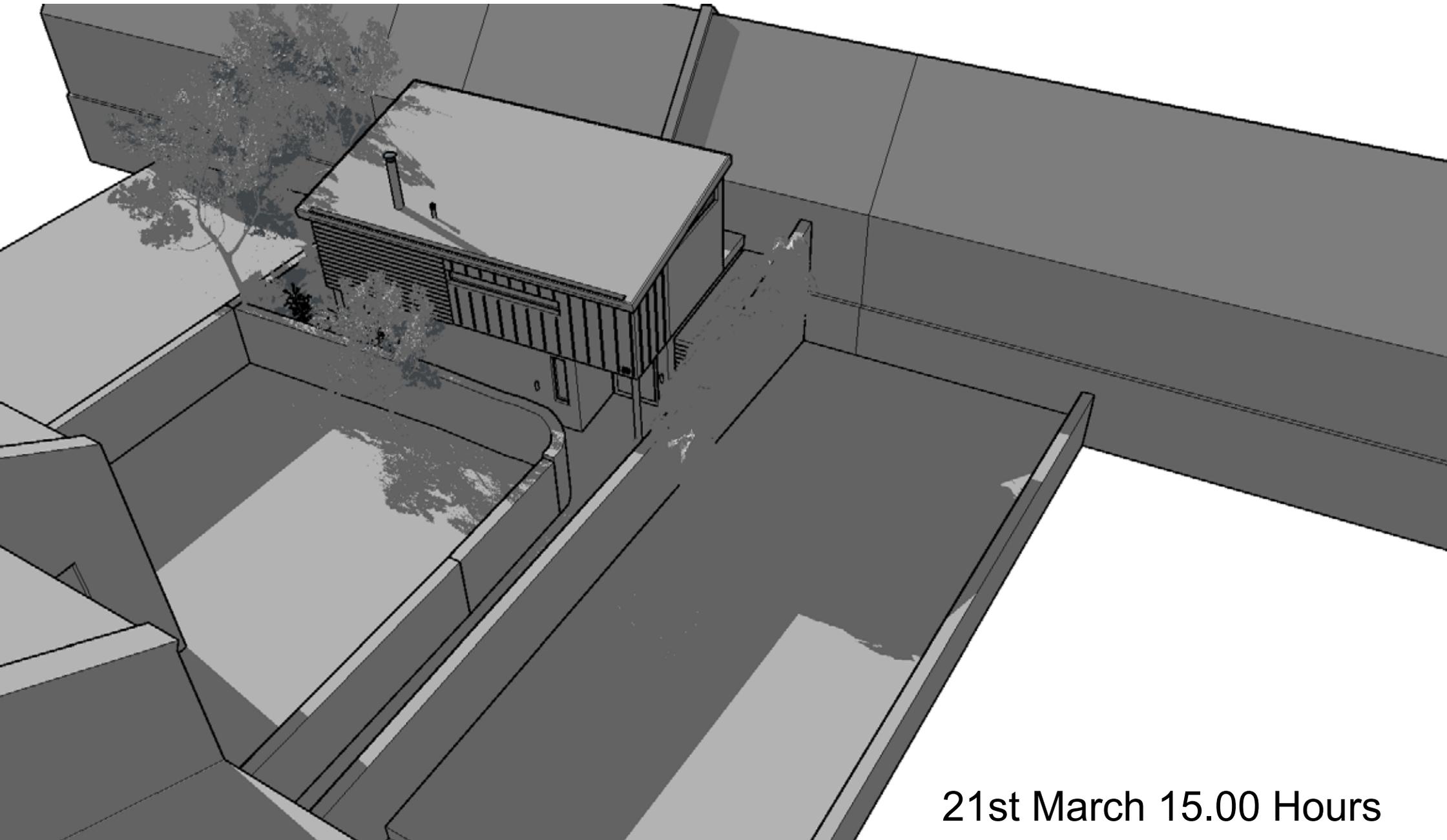
21st March 12.00 Hours



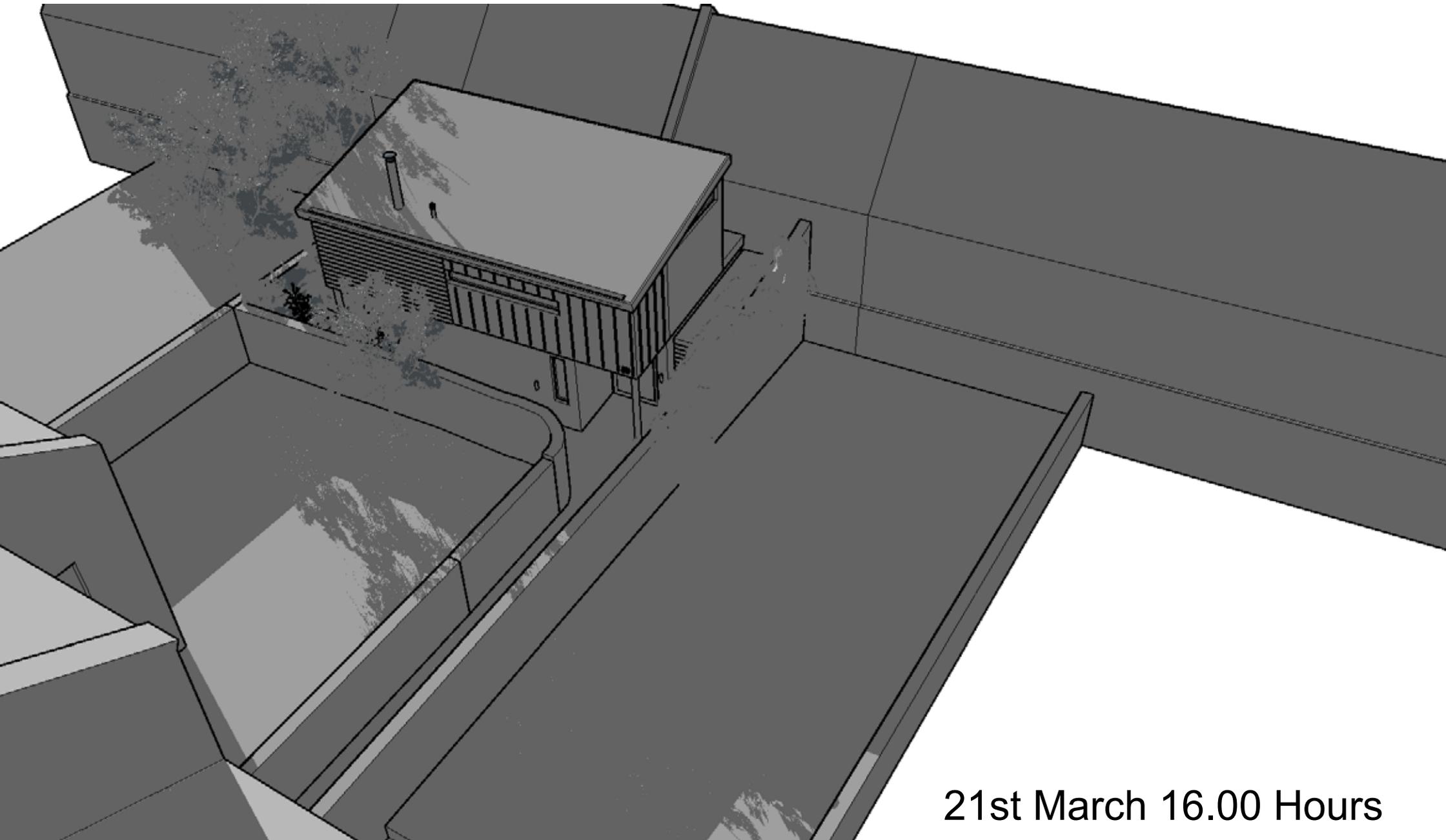
21st March 13.00 Hours



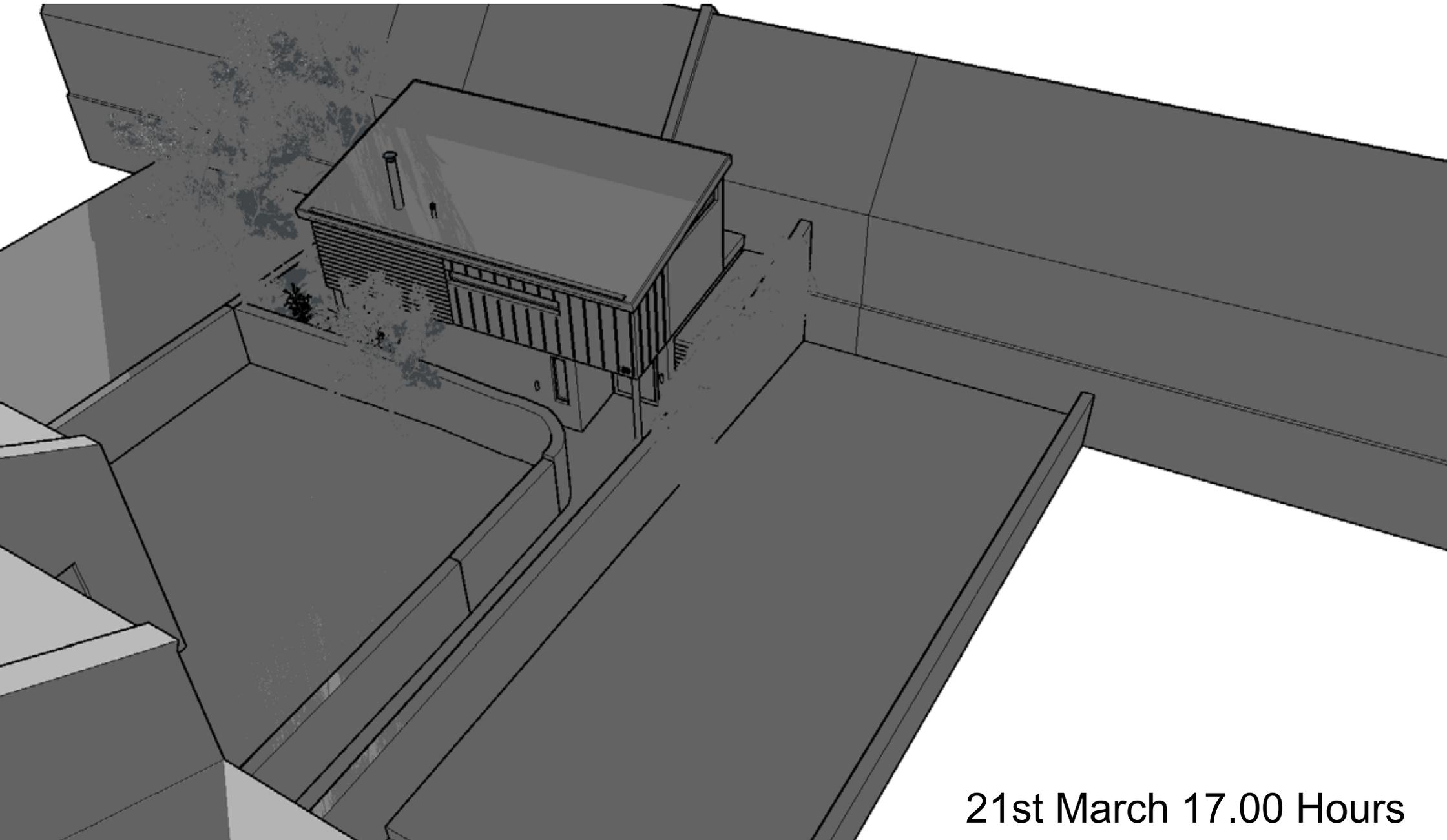
21st March 14.00 Hours



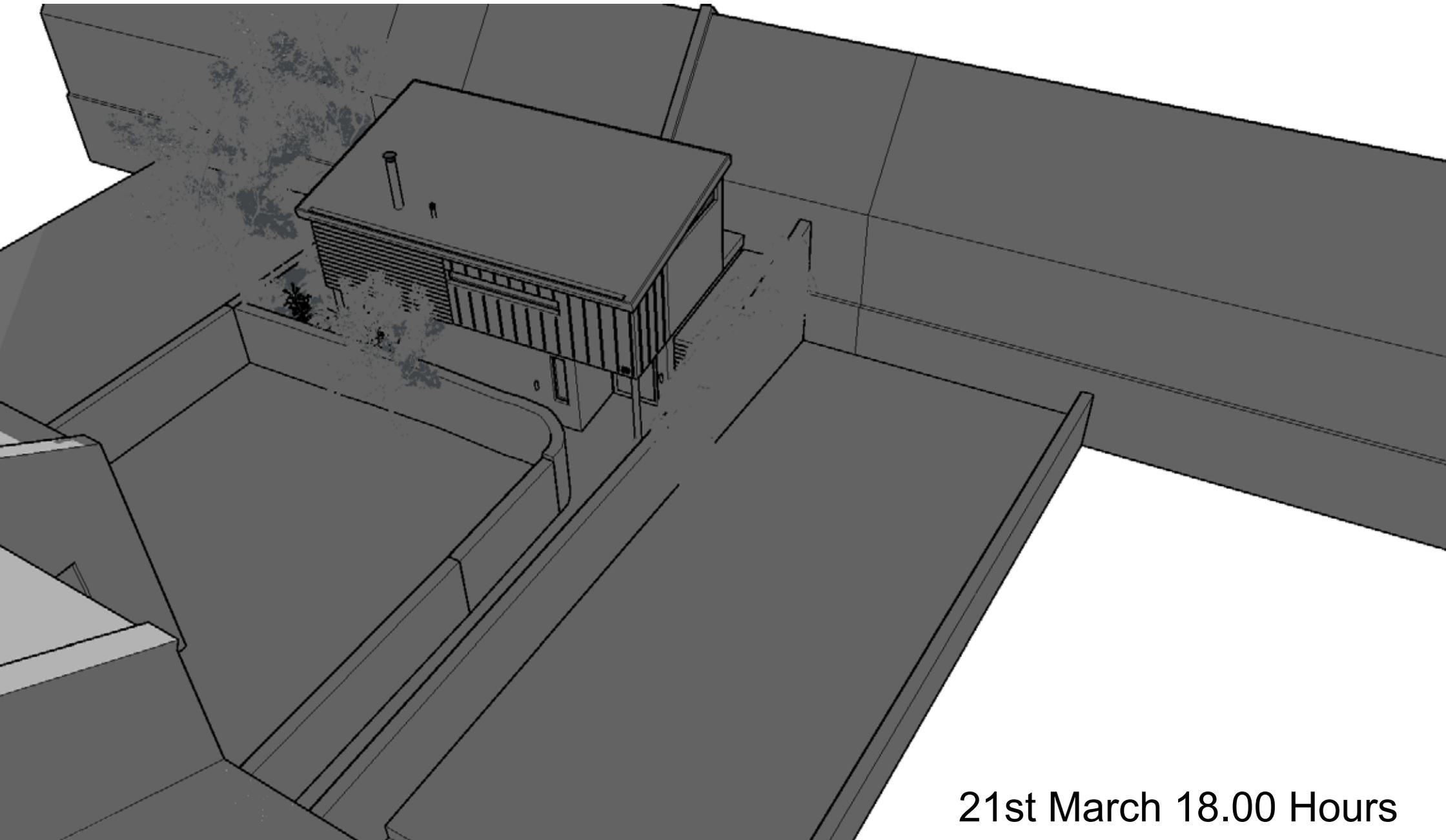
21st March 15.00 Hours



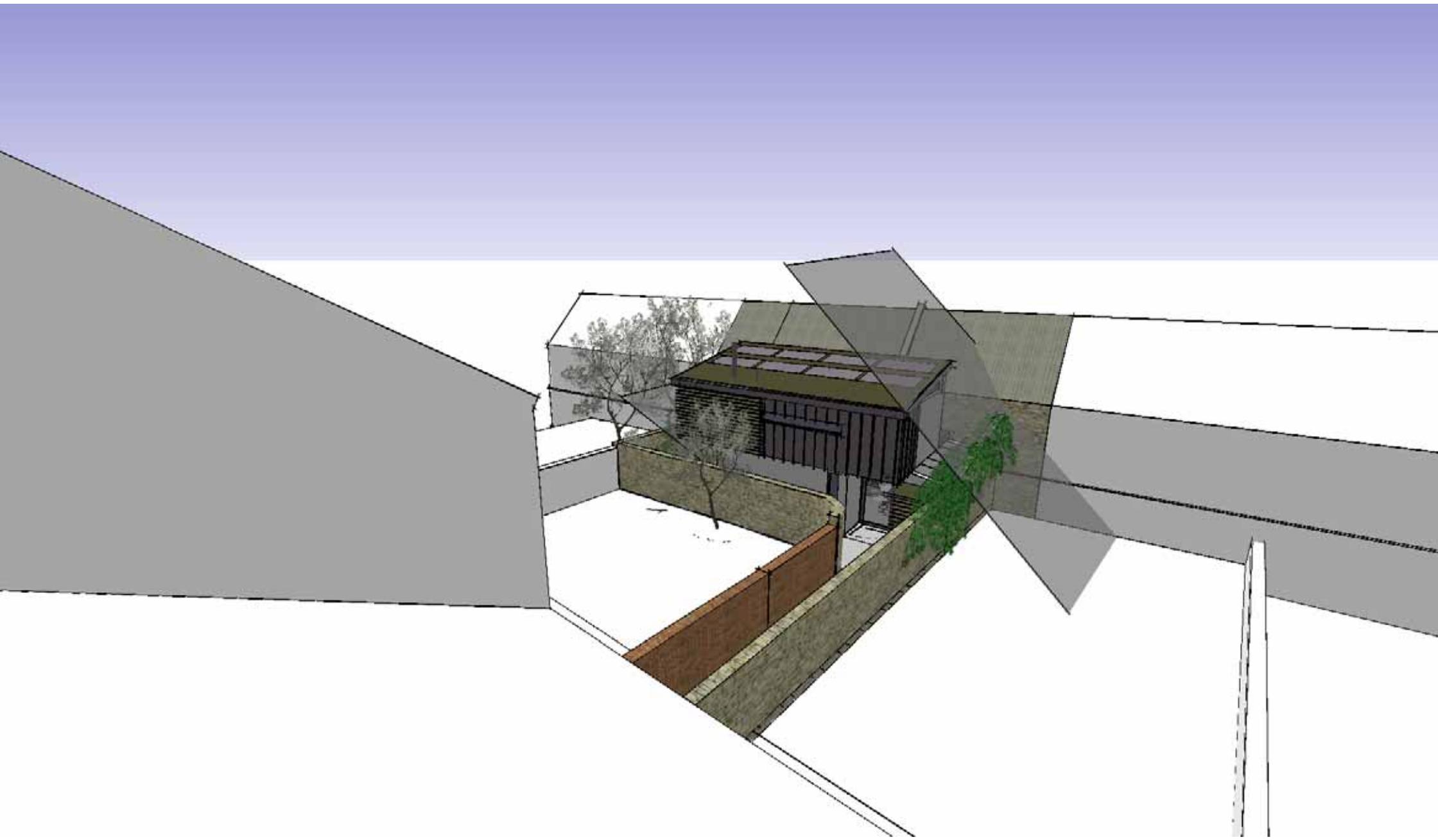
21st March 16.00 Hours



21st March 17.00 Hours



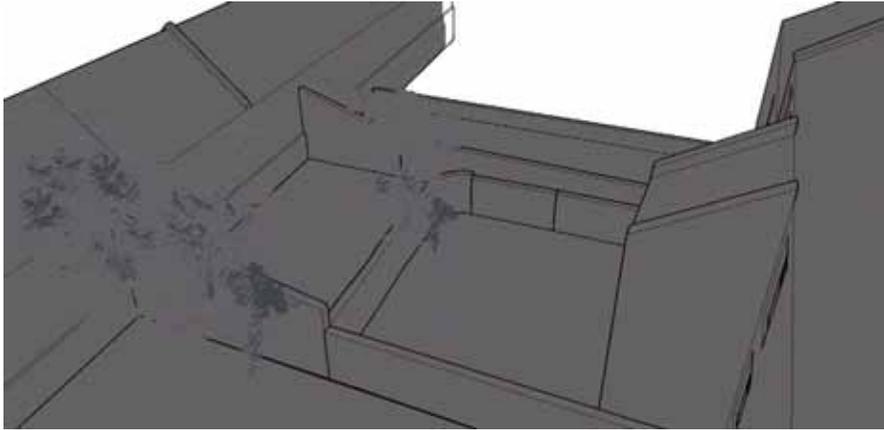
21st March 18.00 Hours



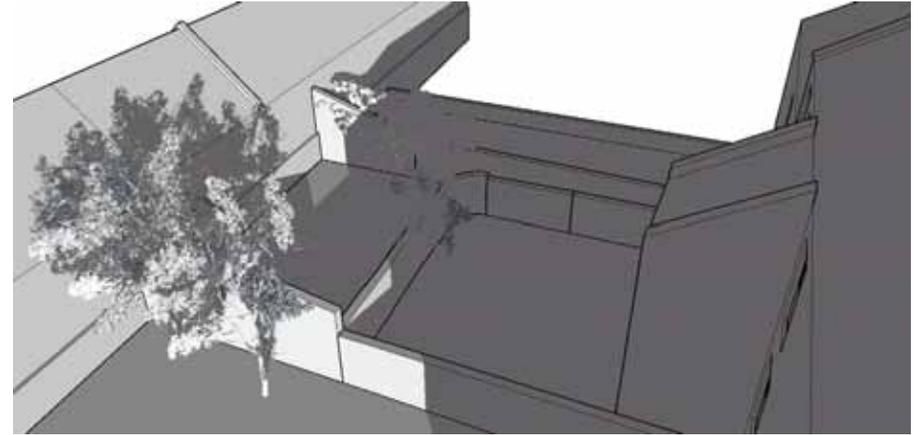


PROPOSED DWELLING HOUSE – 20 REGENT STREET, PORTOBELLO, EDINBURGH. EH 15 2AX.

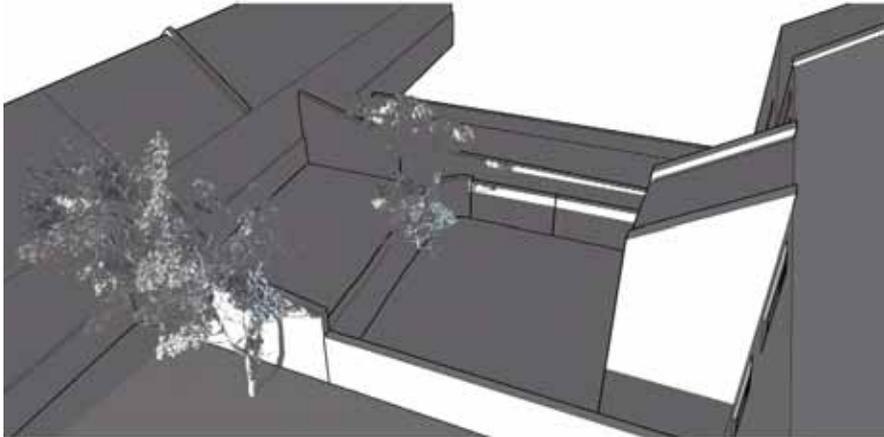
SUN PATH ANALYSIS. The images below show the shadows cast by the existing buildings and the proposed house (21/03, 21/06 and 21/12).



09.00 hrs

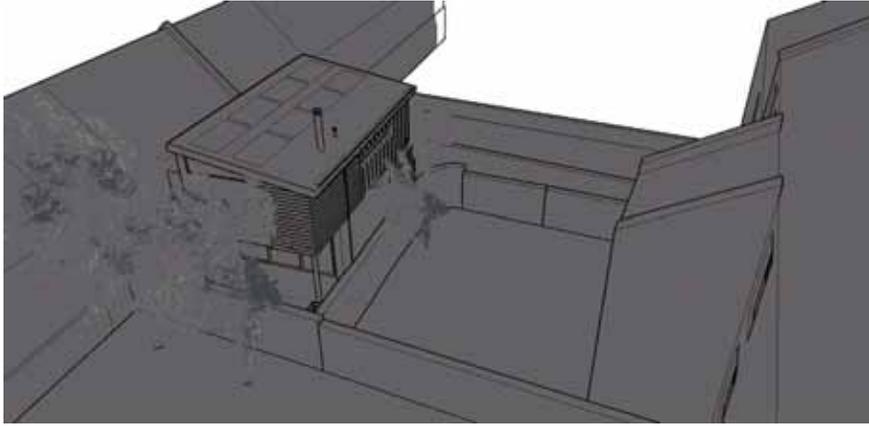


12.00 hrs

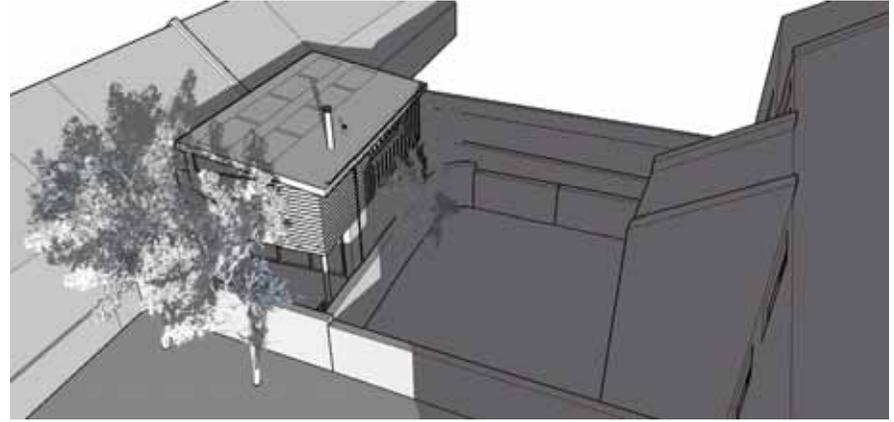


15.00 hrs

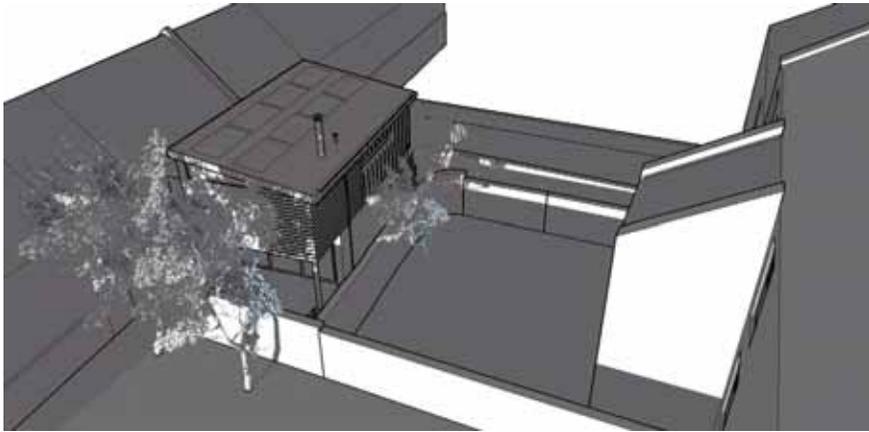
Shadows 21st December (Winter Equinox) Existing
eskbank design studio ltd



09.00 hrs



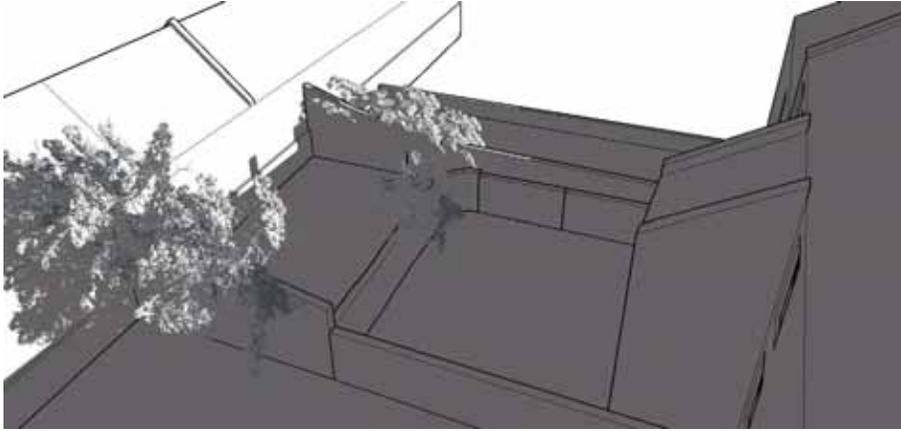
12.00 hrs



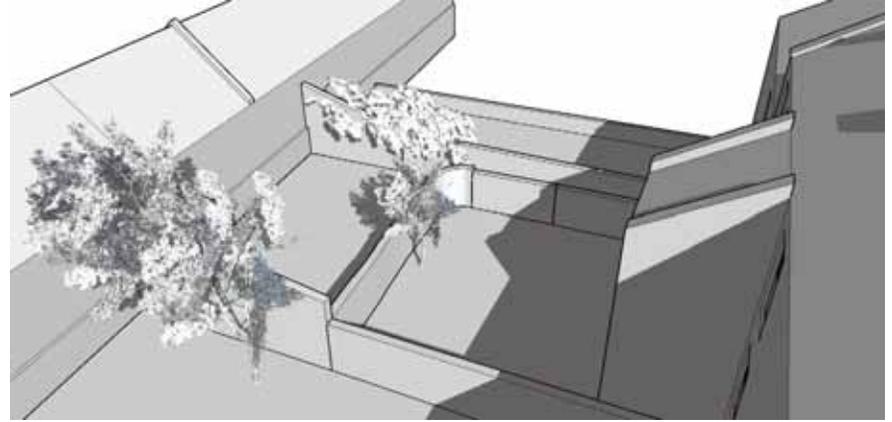
15.00 hrs

Shadows 21st December (Winter Equinox) with Proposed House

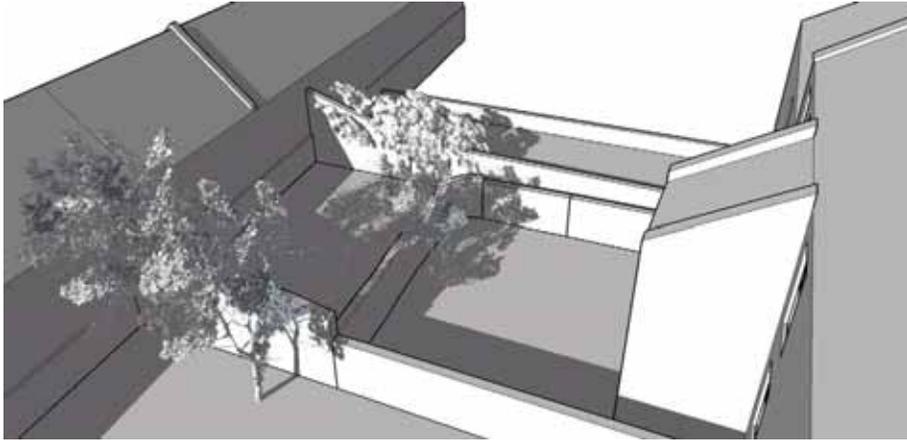
eskbank design studio ltd



09.00 hrs

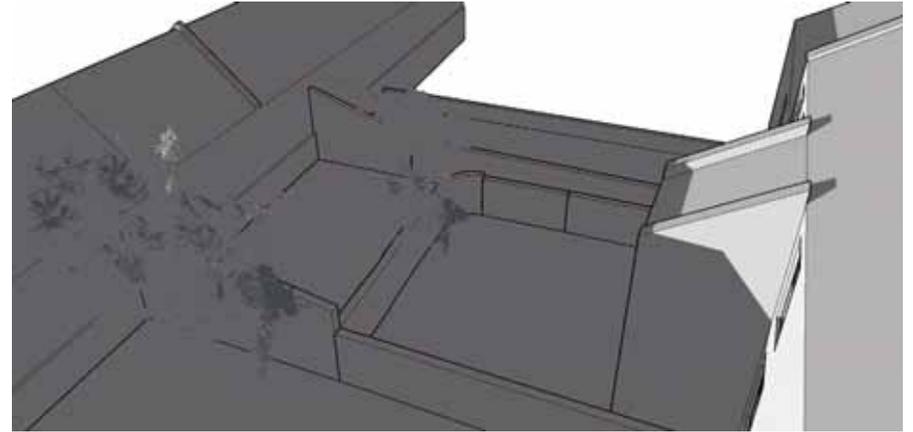


12.00 hrs



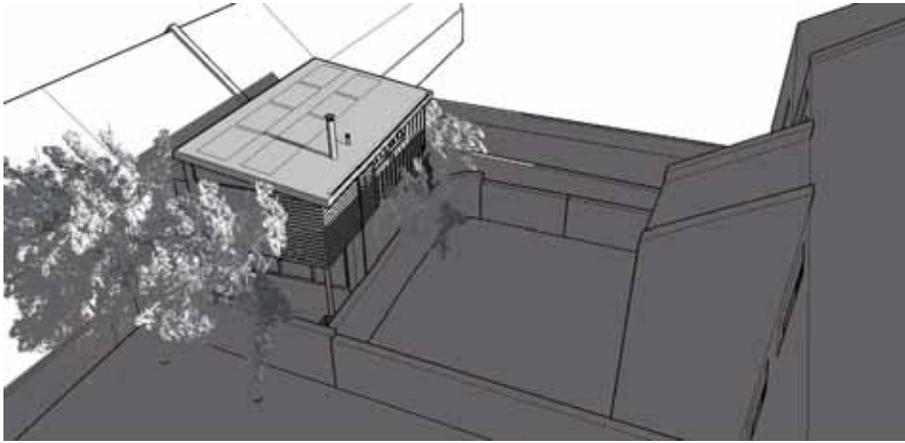
15.00 hrs

Shadows 21st March (Spring Equinox) Existing

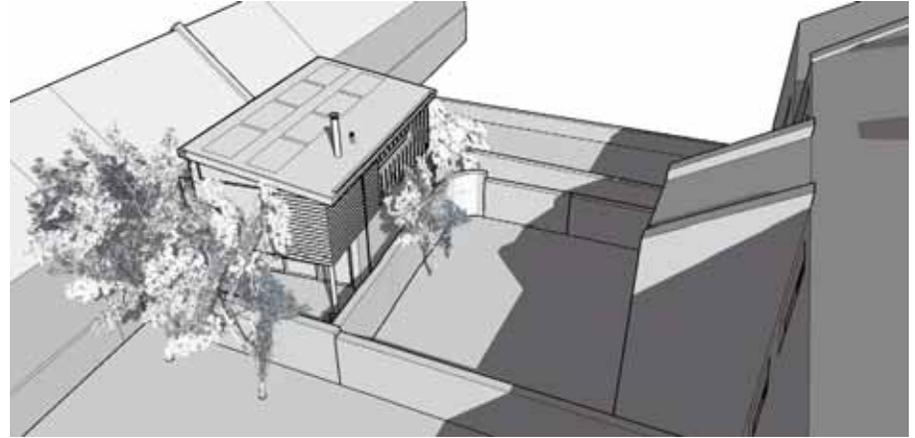


18.00 hrs

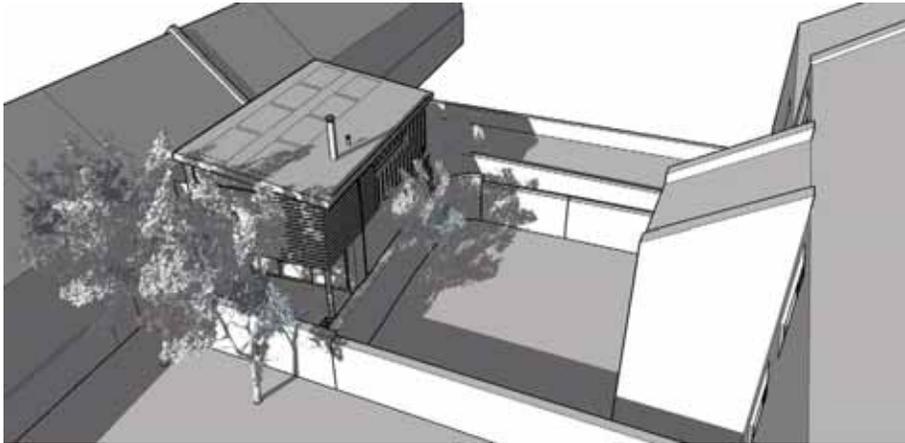
eskbank design studio ltd



09.00 hrs

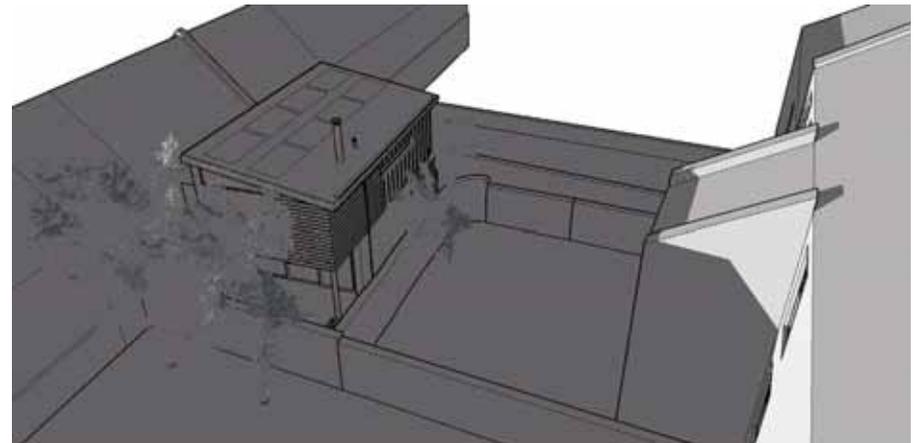


12.00 hrs



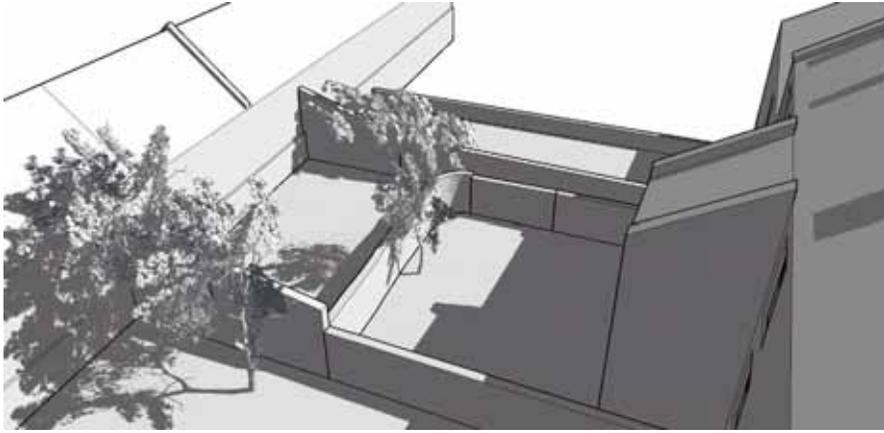
15.00 hrs

Shadows 21st March (Spring Equinox) with Proposed House

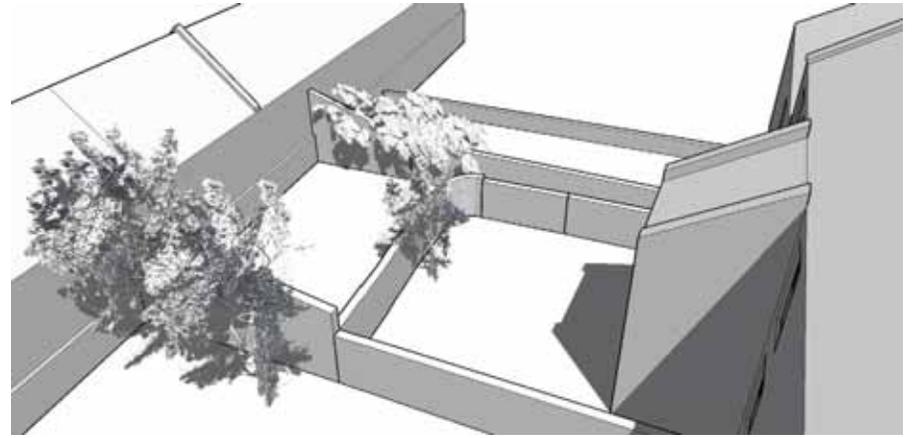


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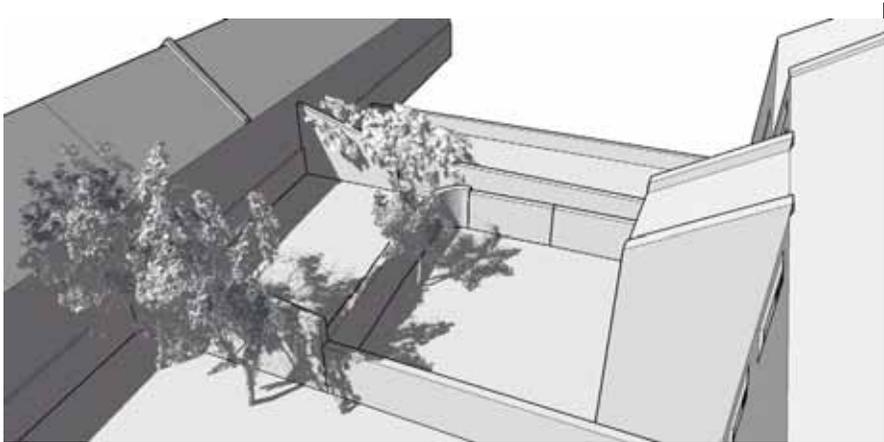
eskbank design studio ltd



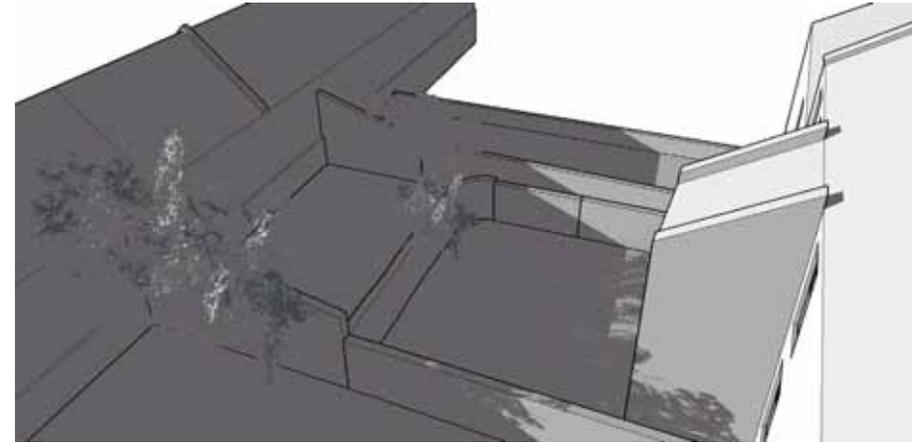
09.00 hrs



12.00 hrs



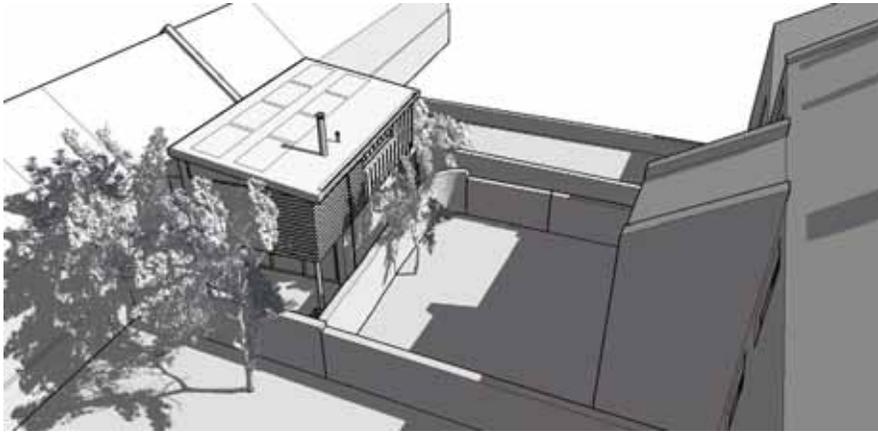
15.00 hrs



18.00 hrs

Shadows 21st June (Summer Equinox) Existing

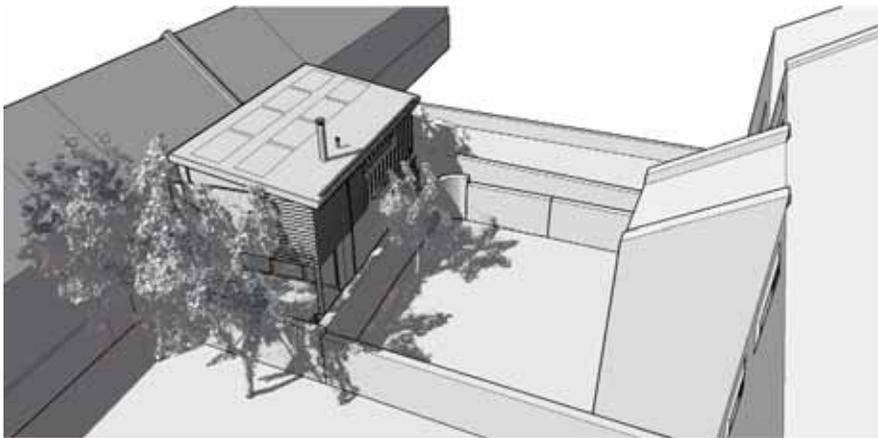
eskbank design studio ltd



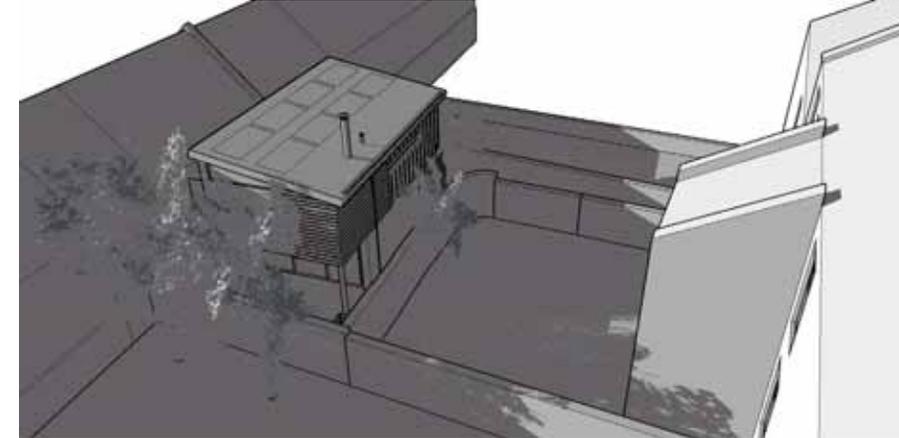
09.00 hrs



12.00 hrs



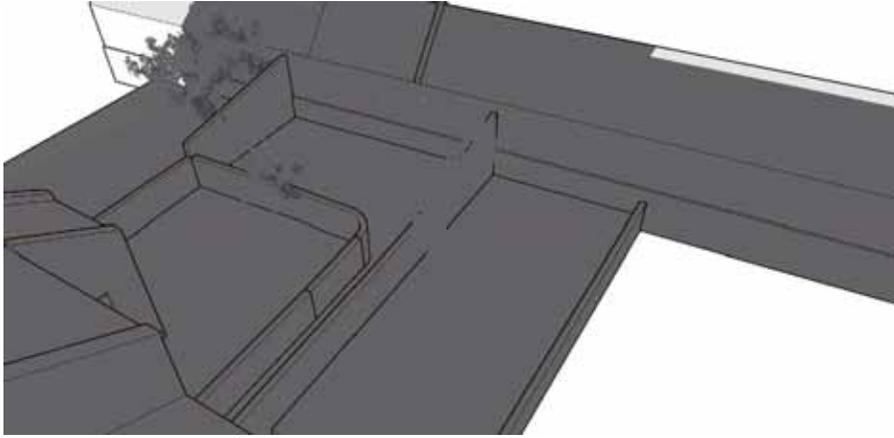
15.00 hrs



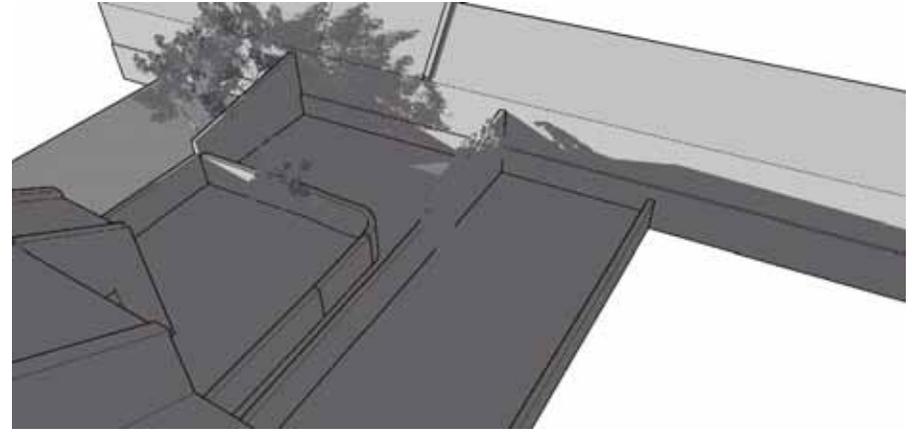
18.00 hrs

Shadows 21st June (Summer Equinox) with Proposed House

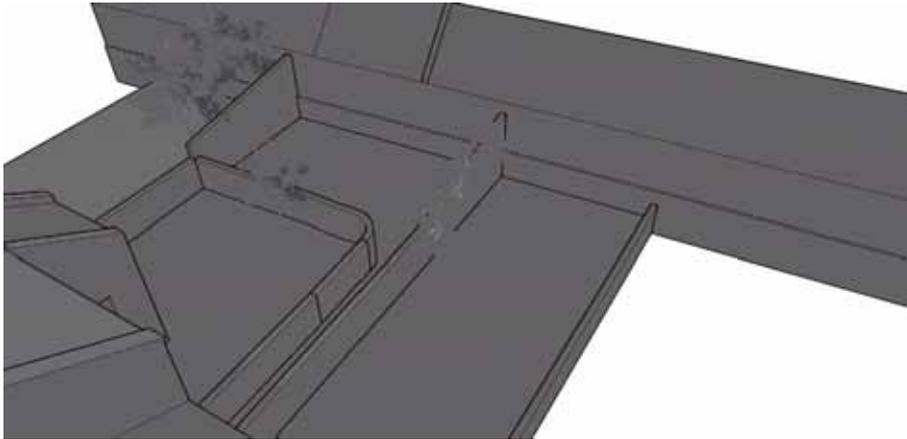
eskbank design studio ltd



09.00 hrs



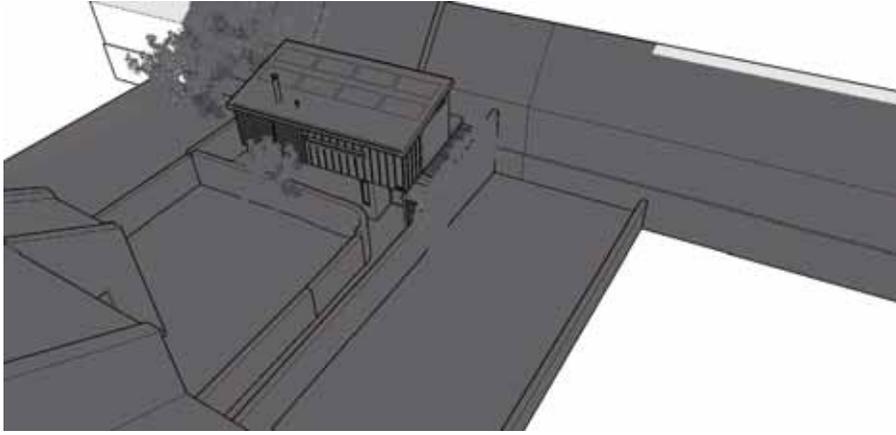
12.00 hrs



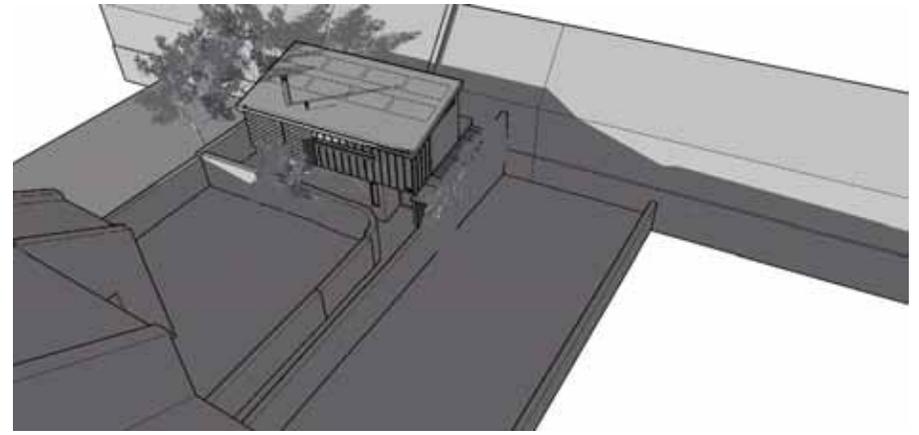
15.00 hrs

Shadows 21st December (Winter Equinox) Existing

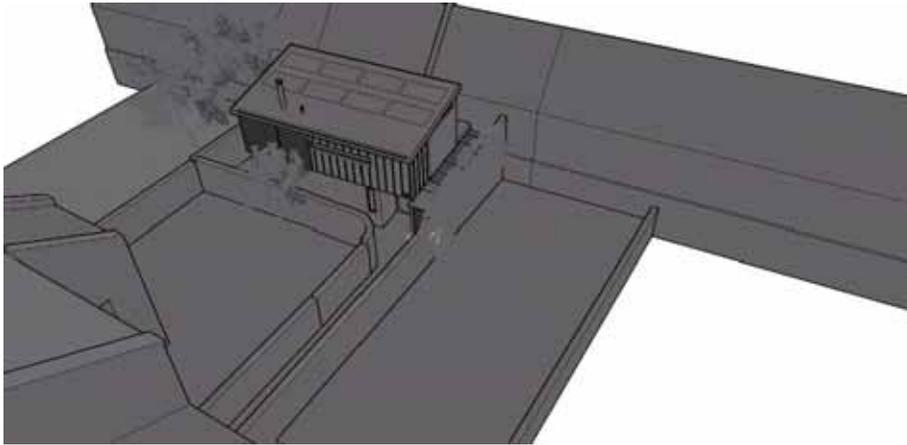
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09.00 hrs



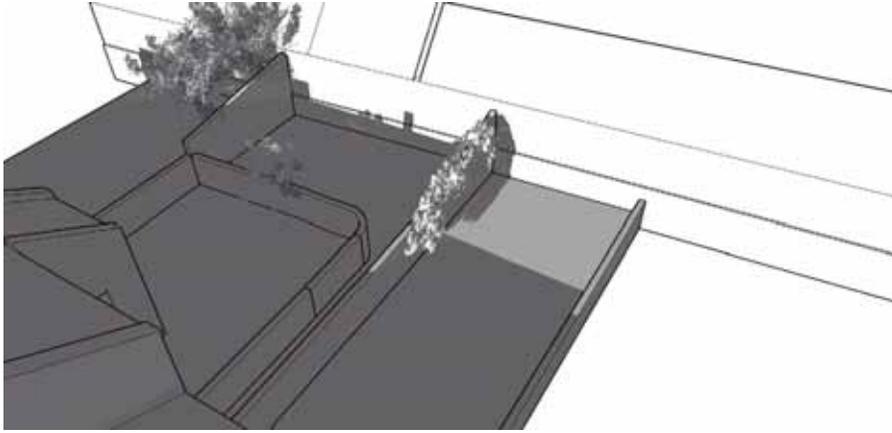
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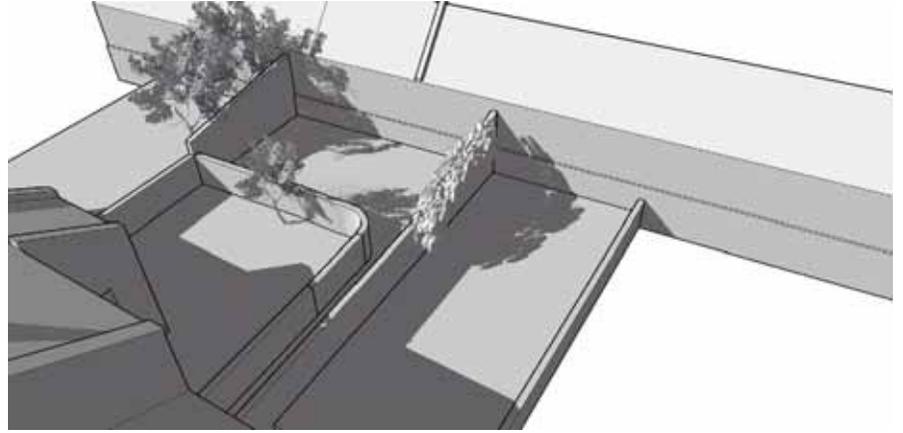
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Shadows 21st December (Winter Equinox) with Proposed House

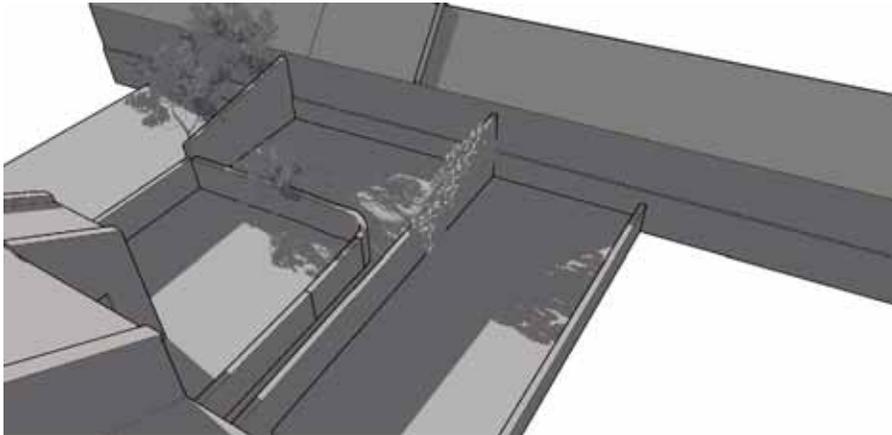
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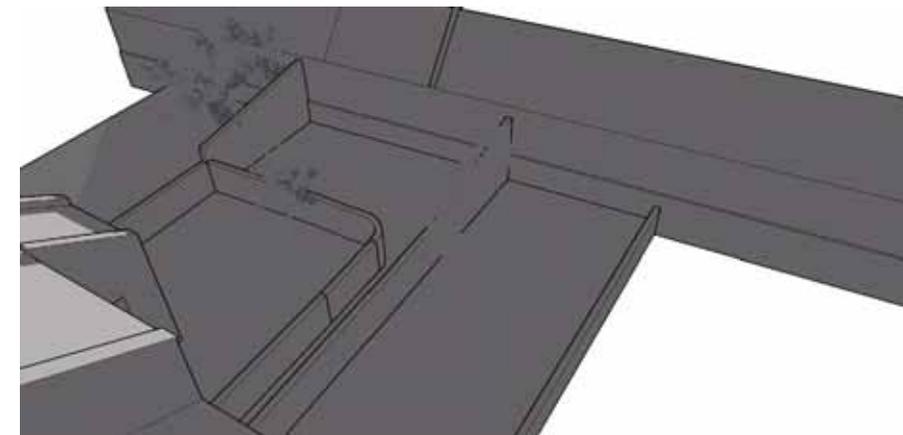
09.00 hrs



12.00 hrs



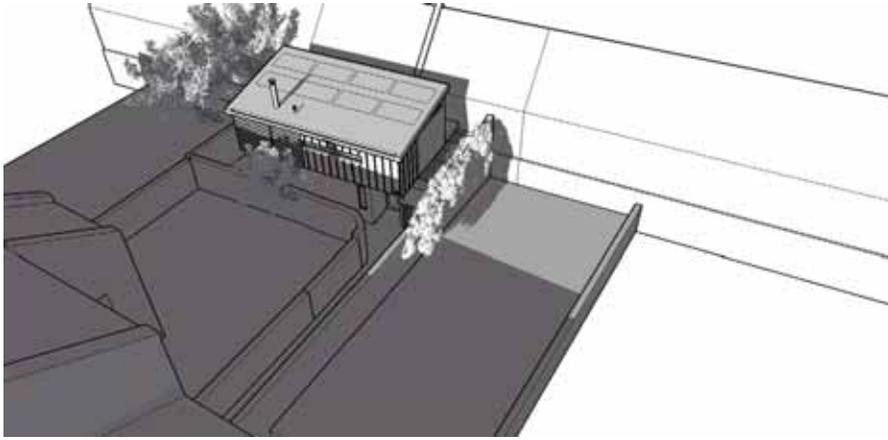
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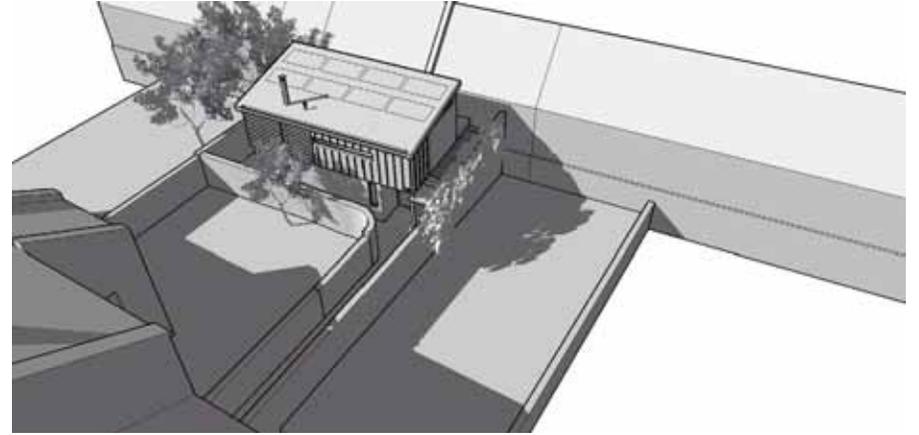
18.00 hrs

Shadows 21st March (Spring Equinox) Existing

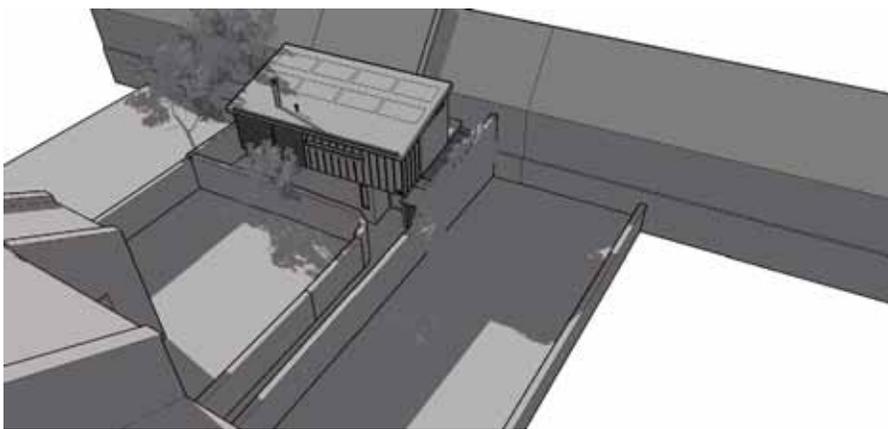
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09.00 hrs

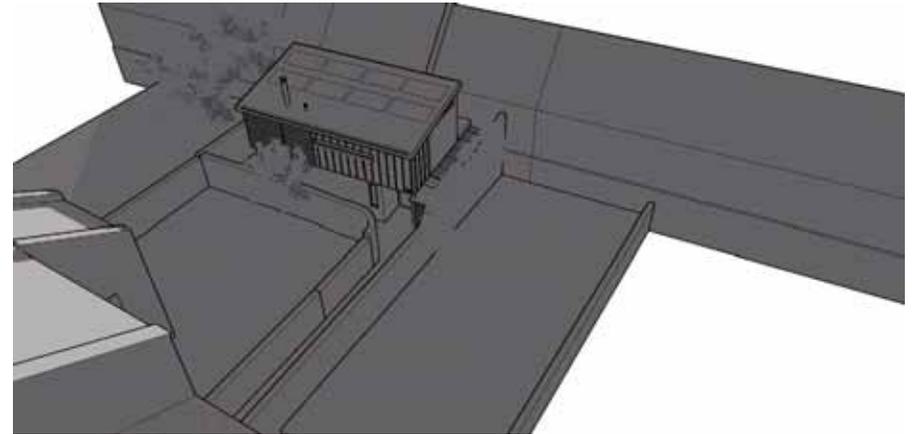


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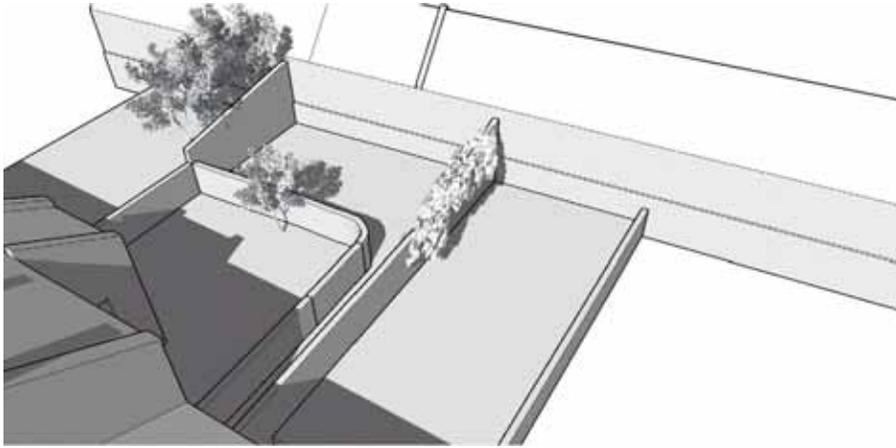
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Shadows 21st March (Spring Equinox) with Proposed House

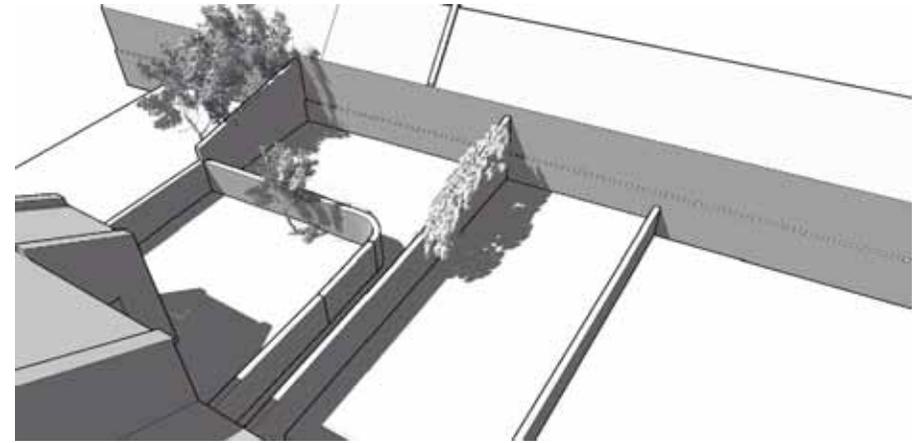


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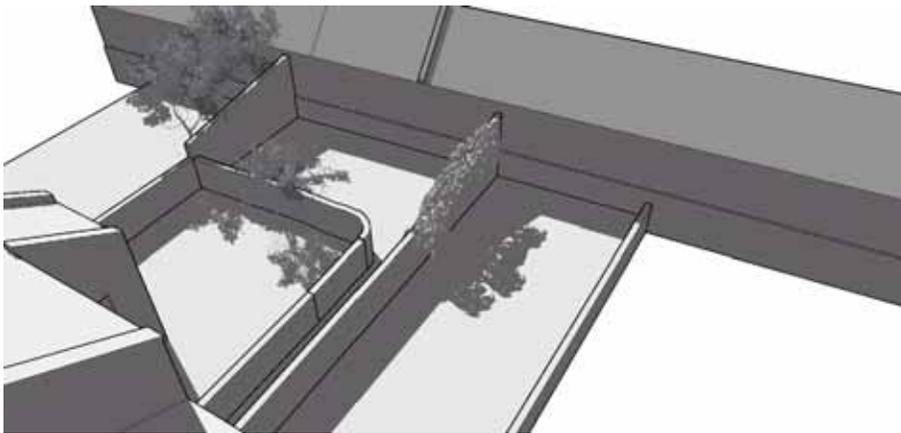
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09.00 hrs

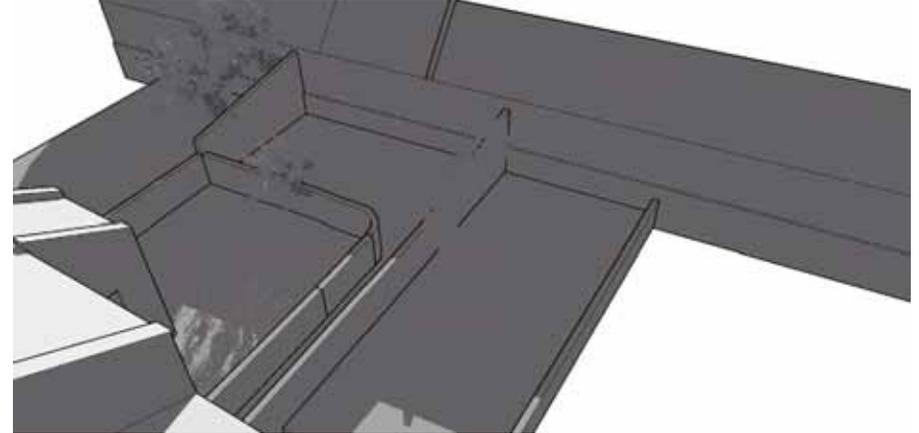


12.00 hrs



15.00 hrs

Shadows 21st June (Summer Equinox) Existing



18.00 hrs

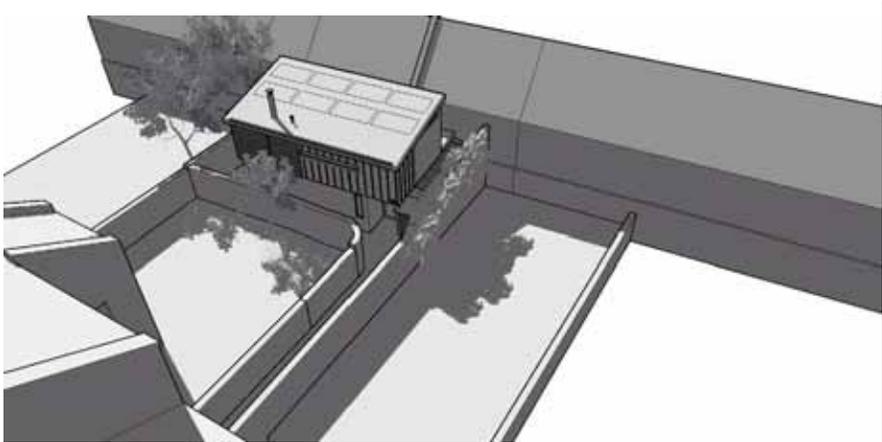
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09.00 hrs

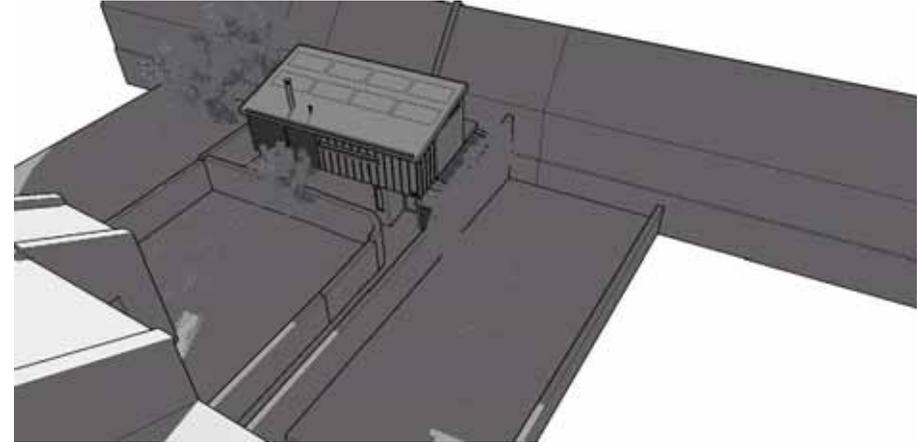


12.00 hrs



15.00 hrs

Shadows 21st June (Summer Equinox) with Proposed House



18.00 hrs

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Existing Foliage at 22 Regent Street Boundary Wall

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Supplementary Information

PROPOSED DWELLING HOUSE – 20 REGENT STREET, PORTOBLLO, EDINBURGH. EH15 2AX.

Site Photographs



View looking south west towards rear of Bath Street Lane workshops/garages



View looking north east towards 22 Regent Street boundary wall

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View looking north west towards rear of Bath Street Lane workshops/garages



View looking south east towards access vannel and rear of 16/18 Regent Street.

Historic Ordnance Survey Maps



OS Map 1853.



OS Map 1934.



OS Map 1947.



OS Map 1963.



OS Map 1968.



Zinc Cladding



Sedum Roof



Oak Rainscreen Cladding

Materials

It is proposed to use a light grey smooth 'Sto' silicon based render to the ground floor and some first floor walls, zinc cladding and oak rain screening to part of the first floor walls. Sedum roofs with recessed photovoltaic and solar panels will soften building in it's location. The use of these materials is to create a design of variety, interest and texture.

It is proposed that the windows and doors are anthracite RAL 7016 manufactured from high quality thermally efficient aluminium. The glazing units will be double glazed.

The homes are designed for the 21st Century with modern open plan light filled interiors that has a private courtyard and first floor external area off the bedrooms.

It is proposed to retain the existing stone walls (lowering the south boundary wall) the walls would be repointed/repared using lime mortar and stone from the site.

It is proposed to use SIPs panels for the construction (walls and roof) to minimise construction time and on site operations.

Sustainability

The house frames, at first floor level are light-weight timber construction with high level of insulation in walls, floors and roofs.

The proposed modern design houses are intended to be low carbon, highly insulated. The heating system will be a combination of solar panels and efficient wood burning stove. Photo-voltaic panels are included for supplementing the electricity requirements. Where possible materials proposed for the new construction of the building would be from sustainable sources and recyclable (natural materials). The main living area and garden are south facing making use of natural sunlight (polished concrete floors/thermal mass).

Proposed Vennel Works

It is proposed to fit a 'Georgian' style door, frame, architraves and ironmongery to the existing Regent Street opening along with a secure entry system. It is also proposed to make good the existing ceiling and wall finishes.

EDINBURGH

THE CITY OF EDINBURGH COUNCIL

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@edinburgh.gov.uk

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100311686-003

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)

Erection of a Dwellinghouse

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

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:	Suzanne McIntosh Planning Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Suzanne	Building Name:	
Last Name: *	McIntosh	Building Number:	45C
Telephone Number: *	07792230979	Address 1 (Street): *	Bath Street
Extension Number:		Address 2:	Portobello
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH15 1HB
Email Address: *	smcintoshplan@gmail.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr and Mrs	Building Name:	
First Name: *	Craig	Building Number:	7
Last Name: *	Douglas	Address 1 (Street): *	Newbattle Road
Company/Organisation		Address 2:	Eskbank
Telephone Number: *		Town/City: *	Dalkeith
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	EH22 3DA
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:

20 REGENT STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

Please identify/describe the location of the site or sites

Northing

673884

Easting

330625

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Pre-Application Discussion Details Cont.

In what format was the feedback given? *

Meeting Telephone Letter Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) * (max 500 characters)

Previous application 20/04136/FUL

Title:

Mr

Other title:

First Name:

Lewis

Last Name:

McWilliam

Correspondence Reference Number:

Date (dd/mm/yyyy):

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

Site Area

Please state the site area:

87.60

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)

Most recent use - a site unused having been formerly used as a builders storage yard

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?

0

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)? *

0

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?? * (e.g. SUDS arrangements) *

Yes No

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)

Detailed on the drawings

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: Suzanne McIntosh

On behalf of: Mr and Mrs Craig Douglas

Date: 17/12/2020

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. *

Yes N/A

A Design Statement or Design and Access Statement. *

Yes N/A

A Flood Risk Assessment. *

Yes N/A

A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). *

Yes N/A

Drainage/SUDS layout. *

Yes N/A

A Transport Assessment or Travel Plan

Yes N/A

Contaminated Land Assessment. *

Yes N/A

Habitat Survey. *

Yes N/A

A Processing Agreement. *

Yes N/A

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

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: Mrs Suzanne McIntosh

Declaration Date: 28/09/2020