



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 100400943-003

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.

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: McLaren, Murdoch & Hamilton

Ref. Number: You must enter a Building Name or Number, or both: *

First Name: * Ross Building Name:

Last Name: * Aitken Building Number: 229

Telephone Number: * 01315395000 Address 1 (Street): * Balgreen Road

Extension Number: Address 2:

Mobile Number: Town/City: * Edinburgh

Fax Number: Country: * United Kingdom

Postcode: * EH11 2RZ

Email Address: * ross.aitken@mm-h.co.uk

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 & Mrs"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Colin"/>	Building Number:	<input type="text" value="10"/>
Last Name: *	<input type="text" value="Robertson"/>	Address 1 (Street): *	<input type="text" value="Belmont Drive"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="Eh12 6JN"/>
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="10 BELMONT DRIVE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH12 6JN"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673295"/>	Easting	<input type="text" value="321604"/>
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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)

New garage with office above to be erected in the grounds of 10 Belmont Drive

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.

Please refer to the Statement of Appeal submitted with this application.

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)

2401C_PA_01 Statement of Appeal, 2401C_PA_02 Email Correspondence, 21_02367_FUL Householder_Application, 2401C_PL_01 Location Plan, 2401C_PL_02 Existing Site Plan, 2401C_PL_03 Proposed Site Plan, 2401C_PL_04 Proposed Garage, 2401C_PL_05 Context Elevations, 10 Belmont Drive Edinburgh - tree report, 07-11-04_01 Topographical Survey Showing Existing Trees

Application Details

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

21/02367/FUL

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

29/04/2021

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

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

Checklist – Application for Notice of Review

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

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

☒ Yes ☐ No

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

☒ Yes ☐ No

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

☒ Yes ☐ No ☐ N/A

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

☒ Yes ☐ No

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

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

☒ Yes ☐ No

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

Declare – Notice of Review

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

Declaration Name: Mr Ross Aitken

Declaration Date: 25/08/2021



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

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Thank you for completing this application form:

ONLINE REFERENCE 100400943-001

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

Description of Proposal

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

New garage with office above to be erected in the grounds of 10 Belmont Drive

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:	McLaren, Murdoch & Hamilton		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Ross	Building Name:	
Last Name: *	Aitken	Building Number:	229
Telephone Number: *	01315395000	Address 1 (Street): *	Balgreen Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH11 2RZ
Email Address: *	ross.aitken@mm-h.co.uk		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Mr & Mrs	Building Name:	
First Name: *	Colin	Building Number:	10
Last Name: *	Robertson	Address 1 (Street): *	Belmont Drive
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	EH12 6JN
Fax Number:			
Email Address: *			

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

10 BELMONT DRIVE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH12 6JN

Please identify/describe the location of the site or sites

Northing

673295

Easting

321604

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Trees

Are there any trees on or adjacent to the application site? *

☒ Yes ☐ No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? *

☐ Yes ☒ No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? *

☐ Yes ☒ No

Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? *

☒ Yes ☐ No

Is any of the land part of an agricultural holding? *

☐ Yes ☒ No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

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

Signed: Ross Aitken

On behalf of: Mr & Mrs Colin Robertson

Date: 23/04/2021

☒ Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

Declare – For Householder Application

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

Declaration Name: Mr Ross Aitken

Declaration Date: 29/04/2021

Payment Details



Created: 29/04/2021 14:13

Subject: RE: 21/02367/FUL 10 Belmont Drive

From: Nicola Orr <Nicola.Orr@edinburgh.gov.uk>

Sent: 29 July 2021 15:48

To: Mike Towers [REDACTED]

Subject: RE: 21/02367/FUL 10 Belmont Drive

Mike,

Response below in green – we are unable to support the removal of this tree. I can either proceed to refusal or you may wish to withdraw?

1. *Tree assessments are a matter of professional opinion, and subject to a certain degree of subjectivity. The key criteria are tree quality and life expectancy, where a 'B' category tree is defined in BS 5837:2012 as "...of moderate quality and with a life expectancy of at least 20 years." Mr Rodger is content with the categories he had assigned to all three trees.*

The BS Categorises trees in accordance with one or more of 3 criteria –

- Mainly Arboricultural qualities,
- Mainly Landscape qualities and
- Mainly cultural values including conservation

The applicant's report assesses the trees using the first category but this the trees do not really impact on the landscape as individuals of Arboricultural value or interest. They primarily function as a component of a belt of trees of considerable landscape impact and importance. Using the 'Mainly Landscape qualities' criteria, 'Trees, groups or woodlands of particular visual importance' are Category A.

2. *The Category C tree should be taken down as a matter of good practice. Mr Rodger and Mr Milne agree it is in poor condition and it should be removed before it comes down possibly causing damage.*

The purpose of BS5837 as stated in the BS is to give 'recommendations and guidance on the relationship between trees and design, demolition and construction processes. It is not intended or appropriate to use as a tree survey methodology for tree and woodland management. Notwithstanding this, it is normal for trees to have to be pruned or felled at some point. There is nothing to say that should it be good Arboricultural management to fell a tree that the space can be used for development. If arboricultural management is required there

3. *The two remaining trees category B should be seen in the wider context of a significant tree belt up the west boundary of the property and further mature woodland immediately to the west on Corstorphine Hill. The immediate environs are heavily wooded and the removal of the trees will have minimal impact in the context of the wider landscape.*

The trees and belts of trees are an essential part of the character of the hill and conservation area. We either protect them or we don't. we cannot allow a proportion of trees in each property to be removed as the cumulative

4. *The arboricultural report submitted with the application concludes that the removal of these three trees 'will not be noticeable in the wider landscape and replacement planting would not be necessary or appropriate'. There is little room elsewhere on the site for replacement planting.*

As above, the LPA is not just concerned with this one site, the LDP policy objective for the whole city and can only be met by consistently applying them.

5. *Mr Milne's photo included in his email is misleading as the removal of the three limes will have minimal effect on the tree canopy line because they conceal the tree canopy beyond continuing up Corstorphine Hill.*

The principle that trees can be removed so long as there are trees behind is not sustainable. The phot shows the prominence of the trees which will be lost.

6. *We attach an extended site plan confirming the number and density of trees – some 21 trees in total -up the west boundary of the property. Woodland on Corstorphine hill adjoins to the west*

This is correct but it shown the infrastructure of trees and woodland that have been retained and protected from development. A considerable number of trees have been removed to permit development. The infrastructure that remains needs to be protected to prevent erosion of tree cover beyond what was originally considered acceptable.

Regards
Nicola

From: Mike Towers [REDACTED]
Sent: 29 July 2021 15:40
To: Nicola Orr <Nicola.Orr@edinburgh.gov.uk>
Cc: [REDACTED]
Subject: FW: 21/02367/FUL 10 Belmont Drive

Nicola,

Have you had any response from Steven Milne? The extended target date was yesterday.

Let us know please. Thanks

Mike

Michael J Towers - MA(Hons) DipArch RIBA FRIAS
Consultant

For and on behalf of
McLaren Murdoch & Hamilton Chartered Architects
Please note our new address
229 Balgreen Road Edinburgh EH11 2RZ
T: 0131 539 5000 Mobile: 0 [REDACTED]
[REDACTED]
Offices in Edinburgh and Perth (www.mm-h.co.uk)

From: Mike Towers
Sent: 21 July 2021 13:03
To: Nicola Orr <Nicola.Orr@edinburgh.gov.uk>
Cc: [REDACTED]
Subject: FW: 21/02367/FUL 10 Belmont Drive

Nicola,

Thank you for forwarding the comments below from Mr Steven Milne, Tree Officer. We have discussed this with our arboriculturist, Mr Donald Rodger, and our response is set out below:

1. Tree assessments are a matter of professional opinion, and subject to a certain degree of subjectivity. The key criteria are tree quality and life expectancy, where a 'B' category tree is defined in BS 5837:2012 as "...of moderate quality and with a life expectancy of at least 20 years." Mr Rodger is content with the categories he had assigned to all three trees.


2. The Category C tree should be taken down as a matter of good practice. Mr Rodger and Mr Milne agree it is in poor condition and it should be removed before it comes down possibly causing damage.
3. The two remaining trees category B should be seen in the wider context of a significant tree belt up the west boundary of the property and further mature woodland immediately to the west on Corstorphine Hill. The immediate environs are heavily wooded and the removal of the trees will have minimal impact in the context of the wider landscape.
4. The arboricultural report submitted with the application concludes that the removal of these three trees 'will not be noticeable in the wider landscape and replacement planting would not be necessary or appropriate'. There is little room elsewhere on the site for replacement planting.
5. Mr Milne's photo included in his email is misleading as the removal of the three limes will have minimal effect on the tree canopy line because they conceal the tree canopy beyond continuing up Corstorphine Hill.
6. We attach an extended site plan confirming the number and density of trees – some 21 trees in total -up the west boundary of the property. Woodland on Corstorphine hill adjoins to the west.

Regards

Mike

Michael J Towers - MA(Hons) DipArch RIBA FRIAS
Consultant

For and on behalf of
McLaren Murdoch & Hamilton Chartered Architects
Please note our new address
229 Balgreen Road Edinburgh EH11 2RZ
T: 0131 539 5000 Mobile: 07714 288 897
E: mike.towers@mm-h.co.uk
Offices in Edinburgh and Perth (www.mm-h.co.uk)

From: Nicola Orr <Nicola.Orr@edinburgh.gov.uk>
Sent: 12 July 2021 10:41
To: Mike Towers <mike.towers@mm-h.co.uk>


Good Morning Mike

Please see correspondence from our Tree Officer below, who will not accept the proposed removal of the trees. Please advise how you wish to proceed.

Regards
Nicola

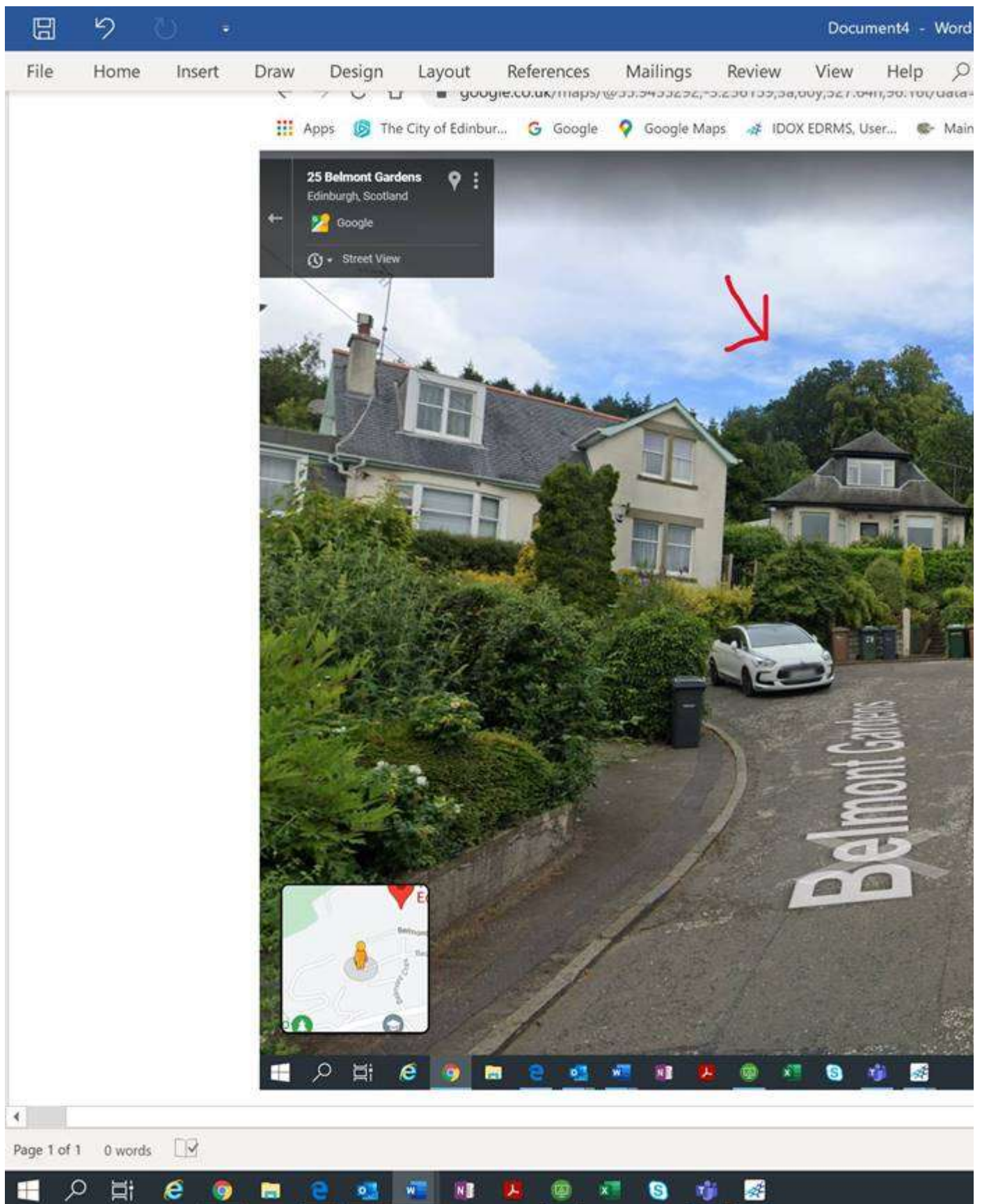
From: Steve Milne <Steven.Milne@edinburgh.gov.uk>
Sent: 07 July 2021 11:19
To: Nicola Orr <Nicola.Orr@edinburgh.gov.uk>
Subject: RE: 21/02367/FUL 10 Belmont Drive

Hi Nicola,

Really sorry for not getting back to you before this.

I have had a read of the tree report and had a look at the dev proposals.

The tree report identifies one of the 3 lime trees to be felled as being in poor condition and is given a C category. I would not disagree with this too much except to say that it is not in untypical condition and form for being part of a single group of trees where individual form is not such an issue. But there is no suggestion the tree needs to be removed for tree management reasons. Trees remaining surveyed trees are given retention category B but this does not appear to follow the BS assessment criteria "Trees, groups or woodlands of particular visual importance as Arboricultural and/or landscape features." This would assign the remaining trees category A as can be seen from streetview below. These are the sort of trees, around property boundaries which give Corstorphine hill its character and as such the removal of such trees should not be acceptable and is contrary to ENV6 and ENV12



Happy to chat further.

Steve

Steven Milne

Householders & Trees | Place Directorate | The City of Edinburgh Council | Waverley Court, Level G:2, 4 East Market Street, Edinburgh, EH8 8BG | steven.milne@edinburgh.gov.uk | www.edinburgh.gov.uk

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We are adapting our service so that we can support communities and businesses across Edinburgh through this difficult time. Our aim is to boost online public input to planning processes so that we can make and issue decisions which will help with both a swift recovery and a positive future for the city. To do this we have introduced ways for people to stay informed and comment on planning proposals despite the coronavirus lockdown.

Our office is still closed and we are working from our homes where possible. Thank you for your support and understanding during this time. You can access our services online at www.edinburgh.gov.uk/planning-building. Please follow the [Planning Edinburgh](#) blog to keep up to date with changes to our service and how we are planning for the future Edinburgh through City Plan 2030 and the City Mobility Plan.



From: Nicola Orr <Nicola.Orr@edinburgh.gov.uk>
Sent: 28 June 2021 12:57
To: Steve Milne <Steven.Milne@edinburgh.gov.uk>
Subject: RE: 21/02367/FUL 10 Belmont Drive

Hi Steve

Have you had a chance to look at this one yet? Determination date is tomorrow.
Thanks
Nicola

From: Nicola Orr
Sent: 14 June 2021 14:16
To: Steve Milne <Steven.Milne@edinburgh.gov.uk>
Subject: RE: 21/02367/FUL 10 Belmont Drive

Sorry to bother you on this Steve, but yes, still waiting on a reply please,
Thanks
Nicola

From: Steve Milne <Steven.Milne@edinburgh.gov.uk>
Sent: 14 June 2021 13:50
To: Nicola Orr <Nicola.Orr@edinburgh.gov.uk>
Subject: RE: 21/02367/FUL 10 Belmont Drive

Hi Nicola,

Sorry for delay getting back to you. Are you still waiting for a reply on this one?

S

Steven Milne
Arboricultural Officer

Householders & Trees | Place Directorate | The City of Edinburgh Council | Waverley Court, Level G:2, 4 East Market Street, Edinburgh, EH8 8BG | steven.milne@edinburgh.gov.uk | www.edinburgh.gov.uk

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From: Nicola Orr <Nicola.Orr@edinburgh.gov.uk>

Sent: 09 June 2021 16:24

To: Steve Milne <Steven.Milne@edinburgh.gov.uk>; Ellen McCalman <Ellen.McCalman@edinburgh.gov.uk>

Subject: 21/02367/FUL 10 Belmont Drive

Afternoon All 😊

Have either of you managed to have a look at the Tree Report submitted with this application? I am hoping I carried out the consultation correctly...continuous teething problems with householder applications!

Let me know

Thanks
Nicola

Nicola Orr | Planning Officer Majors West | Planning and Transport | Place | The City of Edinburgh Council | Waverley Court, Level G2, 4 East Market Street, Edinburgh, EH8 8BG | Tel 0131 529 4859 | nicola.orr@edinburgh.gov.uk | www.edinburgh.gov.uk

Have you signed up to the [Planning Blog](#)? We will be using the Planning Blog to communicate and consult on important changes and improvements to the Planning service in 2021. Please sign up to the [Planning Blog](#) to make sure you are up-to-date.

Our office is still closed and we are working from our homes using email and other online communications.



This email and files transmitted with it are confidential and are intended for the sole use of the individual or organisation to whom they are addressed.

If you have received this eMail in error please notify the sender immediately and delete it without using, copying, storing, forwarding or disclosing its contents to any other person.

The Council has endeavoured to scan this eMail message and attachments for computer viruses and will not be liable for any losses incurred by the recipient.

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The Council has endeavoured to scan this eMail message and attachments for computer viruses and will not be liable for any losses incurred by the recipient.

2401C (PA) 01

Planning Ref: 21/02367/FUL

New Garage with office above to be erected in the grounds of

10 Belmont Drive, Edinburgh, EH12 6JN

STATEMENT OF APPEAL

The planning application was submitted on 29th April 2021, registered on 30th April 2021 with a target date for determination of 29th June 2021. The application included a comprehensive Tree Survey and Report prepared by Donald Rodger, BSc(hons)For, DMS, FICFor, MRSB, CBiol, CEnv, FArborA. He is a Chartered Forester, a Chartered Biologist, and a Fellow of the Arboricultural Association.

We heard or received nothing from planning until we received an email from the planning officer, Nicola Orr, with an Extension of Time request on 28th June 2021. We queried why this extension was required as per the attached email and she advised in an email of 30th June 2021 that there had been no neighbour representations, and the only consultation outstanding was from the Tree Officer, who had not found time to look at the application, and was on holiday until 5th July. She hoped to come back to us shortly after he returned. We accepted the proposed extended date for determination of 28th July 2021.

Steven Milne the Council Tree Officer eventually responded to the planning officer on 7th July which she forwarded to us on 12th July advising that the Tree Officer would not support the application. We consulted Donald Rodger and responded on 21st July. We followed this up with a reminder on 29th July noting that the extended date for determination was 28th July.

The Planning Officer responded on the same day with Steven Milne's comments noting that he maintained his view that he would not support the application.

The emails form part of our appeal and detail the difference of views on the application between the applicant's arboriculturist and the council Tree Officer.

We contend that the Tree Officer has not formed a balanced view of the merits of the application, his assessment of the relevant Tree Categories is incorrect, and his assessment of the landscape setting based on one view from some distance is misleading.

There are no other issues raised by the planning officer that would prevent the grant of consent.



DONALD RODGER
ASSOCIATES LTD

**Tree Survey, Arboricultural Constraints
and Implication Assessment**

for

**Proposed Garage and Home Office
10 Belmont Drive
Edinburgh**

for and on behalf of

Mr and Mrs Robertson

February 2021

ARBORICULTURAL CONSULTANTS

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Director: Donald Rodger BSc(Hons)For, DMS, FICFor, FArborA, CBiol, MRSB, CEnv, RCArborA
Registered in Scotland no. 499258 VAT reg no. 790 0818 24

1 INTRODUCTION

This survey and report relates to trees growing within the vicinity of a proposed double garage with home office over at 10 Belmont Drive, Edinburgh. It was commissioned by the owners, Mr and Mrs Robertson, and has been prepared in support of the planning application. The area of survey is illustrated on the accompanying tree survey plan.

The **Tree Survey** records in detail the nature, extent and condition of the existing established tree cover within 12m of the proposed footprint of the new building, and provides interpretation and analysis on the findings. It provides a comprehensive and detailed pre-development inventory carried out in line with **British Standard 5837:2012** '*Trees in Relation to Design, Demolition and Construction - Recommendations*'.

Arboricultural Constraints are identified in terms of tree retention category and root protection area, consistent with the recommendations contained within BS 5837:2012. The **Implication Assessment** addresses the potential impact of the proposals on the tree cover and sets out recommendations regarding tree removal and retention, all consistent with the recommendations contained within BS 5837:2012.

The survey is based on a comprehensive visual inspection carried out from the ground by Donald Rodger on 15 February 2021. The weather conditions at the time were calm, overcast and dry.

Author's qualifications: Donald Rodger holds an Honours Degree in Forestry. He is a Chartered Forester, a Chartered Biologist, a Chartered Environmentalist and a Fellow and Registered Consultant of the Arboricultural Association. He has thirty years experience of arboriculture and amenity tree management at a professional level.

Limitations:

- ❑ The findings and recommendations contained within this report are valid for a period of twelve months from the date of survey (i.e. until 15 February 2022). Trees are living organisms subject to change – it is strongly recommended that they are inspected on an annual basis for reasons of safety.
- ❑ The recommendations relate to the site as it exists at present, and to the current level and pattern of usage it currently enjoys. The degree of risk and hazard may alter if the site is developed or significantly changed, and as such will require regular re-inspection and re-appraisal.
- ❑ The report relates only to those trees growing within the area of survey as shown on the accompanying plan. Trees outwith the survey area were not inspected.
- ❑ Whilst every effort has been made to detect defects within the trees inspected, no guarantee can be given as to the absolute safety or otherwise of any individual tree. Extreme climatic conditions can cause damage to even apparently healthy trees.
- ❑ Access was not available to trees within neighbouring gardens. These were surveyed remotely from the subject site and as such the findings are therefore limited.
- ❑ This report has been prepared for the sole use of Mr and Mrs Robertson and their appointed agents. Any third party referring to this report or relying on the information contained herein does so entirely at their own risk.

2 TREE SURVEY METHODOLOGY

All individual and free-standing trees within 12m of the footprint of the proposed new build with a trunk diameter greater than 75mm when measured at 1.5m are included in the survey. These are accurately plotted on the enclosed **Tree Survey Plan** and recorded in detail in the **Tree Survey Schedule** (Section 6).

The trees have been tagged with a uniquely numbered aluminium identity disc approximately 2m from ground level. A total of **5 individual trees** were surveyed, with tag numbers running sequentially from **0295 to 0299** (only the last three digits are used in this report).

The tree locations were plotted as part of a detailed topographical survey, carried out by others. These were checked on site and adopted for the purposes of this report. The actual measured canopy spread of each individual tree is indicated on the Tree Survey Plan. This provides an accurate representation of the extent and configuration of the canopy cover as it affects the site.

Information on each numbered tree is provided in the Tree Survey Schedule (Section 6). Consistent with the approach recommended in **British Standard 5837:2012**, this records pertinent details, including:

- Tree number;
- Tree species;
- Trunk diameter;
- Tree height;
- Crown spread;
- Height in metres of crown clearance above adjacent ground level;
- Age;
- Condition category, Good, Fair, Poor or Dead as per BS 5837;

- Comments and observations on the overall form, health and condition of the tree, highlighting any problems or defects;
- Life expectancy;
- Retention category, A, B, C and U, as per BS 5837;
- Recommended arboricultural works;
- Priority for action.

All trees within the survey have been ascribed a **Retention Category**. In line with the recommendations contained within BS 5837:2012, this takes account of the health, condition and future life expectancy of the tree, as well as its amenity and landscape value and suitability for retention within any proposed development. The retention category for each tree is shown in the Tree Survey Schedule and the central discs colour coded on the plan accordingly.

A – High category: trees whose retention is most desirable (green on plan).

B – Moderate category; trees where retention is desirable (blue on plan).

C – Low category; trees which could be retained (grey on plan).

U – Unsuitable for retention; trees which should be removed (red on plan).

3 SURVEY RESULTS

3.1 General Site Description

10 Belmont Drive is a large, detached villa of modern construction set within the grounds of Belmont House, in the Murrayfield area of Edinburgh. It is accessed by a private drive from the east. It enjoys an elevated position with a southerly aspect and has been constructed over several levels into the hillside. A large area of mixed woodland adjoins to the west. The property falls within the West Murrayfield Conservation Area.

A total of five individual trees were recorded which stand within 12m of the footprint of the proposed garage. Trees 295 to 298 form a close group to the west of the parking area, with tree 299 standing to the north. An area of dense laurel and holly growth and a narrow band of young trees occupies the south west corner of the garden. This is indicated on the tree survey plan. The trees in turn form the eastern edge of a large area of woodland which occupies the lower slopes of Corstorphine Hill.

The area of survey, site features and spatial distribution of the tree over is graphically illustrated on the accompanying Tree Survey Plan.

3.2 Tree Description and Assessment

The tree cover comprises four lime (*Tilia x europaea*) and a single sycamore (*Acer pseudoplatanus*), species which are common to the area. They are all of similar age and in full maturity for their species (see photos 1 to 3). The lime trees display tall trunks with suppressed crowns. There is evidence that soil levels have been raised around the base of trees 295 to 297. Tree 298, the sycamore, is heavily engulfed in ivy and this prevented full and proper inspection. Tree 295 is

in poor overall condition and has a spindly trunk and very small live crown with dieback at the tip. The remaining trees appear to be in satisfactory condition overall, although they display signs of low vigour and vitality.



Photo 1.



Photo 2.



Photo 3.

4 ARBORICULTURAL CONSTRAINTS

4.1 Tree Retention Category

A retention category (A, B, C or U), based on the grading system as set out within British Standard 5837:2012, has been ascribed to each tree. This is explained at the tree survey schedule. Categorisation is carried out without reference to any proposed development or site alterations, and is based solely on tree health, condition, safe life expectancy and amenity value.

The trees 296 to 299 have been ascribed a B (medium) retention category. They are in satisfactory health and condition, have a reasonable future life expectancy and possess landscape and amenity value. Tree 295 is in poor and declining condition and has a relatively limited life expectancy. This tree has been ascribed a C (low) retention value.

4.2 Root Protection Area

Definition of the root protection area (**RPA**) for trees is provided within British Standard 5837:2012. This is a minimum **area** which should be left undisturbed around each tree and is calculated as an area equivalent to a circle with a radius of 12 times the stem diameter. The RPA may change its shape depending on local site and tree factors, as assessed by an arboriculturalist. The RPA of the individually surveyed trees has been graphically plotted as a **grey circle** on the Tree Survey Plan.

The root protection area is strongly influenced by local site conditions and previous site history. The presence of roadways, walls and hard surfacing can restrict root development in certain directions. The root protection area, as

conventionally defined by a circle centred on the trunk, must therefore be interpreted with caution and in the light of local site features.

5 ARBORICULTURAL IMPACT ASSESSMENT

5.1 Development Proposal

It is proposed to construct a new double garage with home office over adjacent to the existing drive at the south west of the main house. Detailed proposals have been prepared by McLaren, Murdoch and Hamilton Architects and these are referred to here. The proposed footprint of the garage in relation to the tree cover is illustrated on the appended tree proposals plan which accompanies this section.

5.2 Tree Removal and Retention

It is proposed to remove trees 295 to 297 to facilitate the development. Tree 295 stands within the footprint of the garage and trees 296 and 297 are located so close that their safe retention would not be feasible. Excavations necessary to tie-in with the level of the existing driveway and for the construction of foundations would encroach close (less than 2m) to trees 296 and 297 and result in root damage and disturbance. It is pertinent to note that one of the trees (295) is in poor and declining condition and of low retention value. Trees proposed for removal are outlined in red on the tree proposals plan.

It would be feasible to retain trees 298 and 299. These are sufficiently distant from the new garage as to be unaffected. Trees proposed for retention are outlined in green on the tree proposals plan.

5.3 Tree Planting

The site is already heavily treed and supports a number of large, mature specimens which have been supplemented by significant new planting in recent years. The

property already enjoys a wooded setting, with as large block of woodland on adjoining land to the west. The removal of the three trees as proposed will not be noticeable in the wider landscape and replacement planting would not be necessary or appropriate in this case.

6 TREE SURVEY SCHEDULE

Explanation of Terms

Tag no.	-	Identification number of tree as shown on plan.
Species	-	Common name of species.
Dia	-	Trunk diameter in cm measured at 1.5m. MS = multi-stemmed.
Hgt	-	Height of tree in metres.
Crown spread	-	Radial crown spread in metres measured to the four cardinal compass points N, E, S and W.
Crown height	-	Height in m of crown clearance above ground.
Age Class	-	Age class category. Young Semi-Mature Early Mature Mature
Cond Cat	-	Condition category (Good, Fair, Poor, or Dead).
Notes	-	General comments on tree health, condition and form, highlighting any defects or areas of concern.
Life Expect	-	Life expectancy, estimated in years.
BS 5837 Cat	-	BS 5837:2012 Retention category (A, B, C or U - see explanation overleaf.
Rec Management	-	Recommended remedial action/arboricultural work.
Priority	-	Priority for action.

BS 5837:2012 Category Grading

Categories for tree quality assessment, based on guidance given in British Standard BS 5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations'.

Trees unsuitable for retention

Category and definition	Criteria – Subcategories
Category U Those in such a condition that they cannot realistically be retained as living trees in the context of the current land use for longer than 10 years	<p>Trees that have a serious, irremediable, structural defect, such that their early loss is expected due to collapse, including those that will become unviable after removal of other category U trees (e.g. where, for whatever reason, the loss of companion shelter cannot be mitigated by pruning).</p> <p>Trees that are dead or are showing signs of significant, immediate, and irreversible overall decline. Trees infected with pathogens of significance to the health and/or safety of other trees nearby, or very low quality trees suppressing adjacent trees of better quality</p> <p><i>NOTE Category U trees can have existing or potential conservation value which it might be desirable to preserve.</i></p>

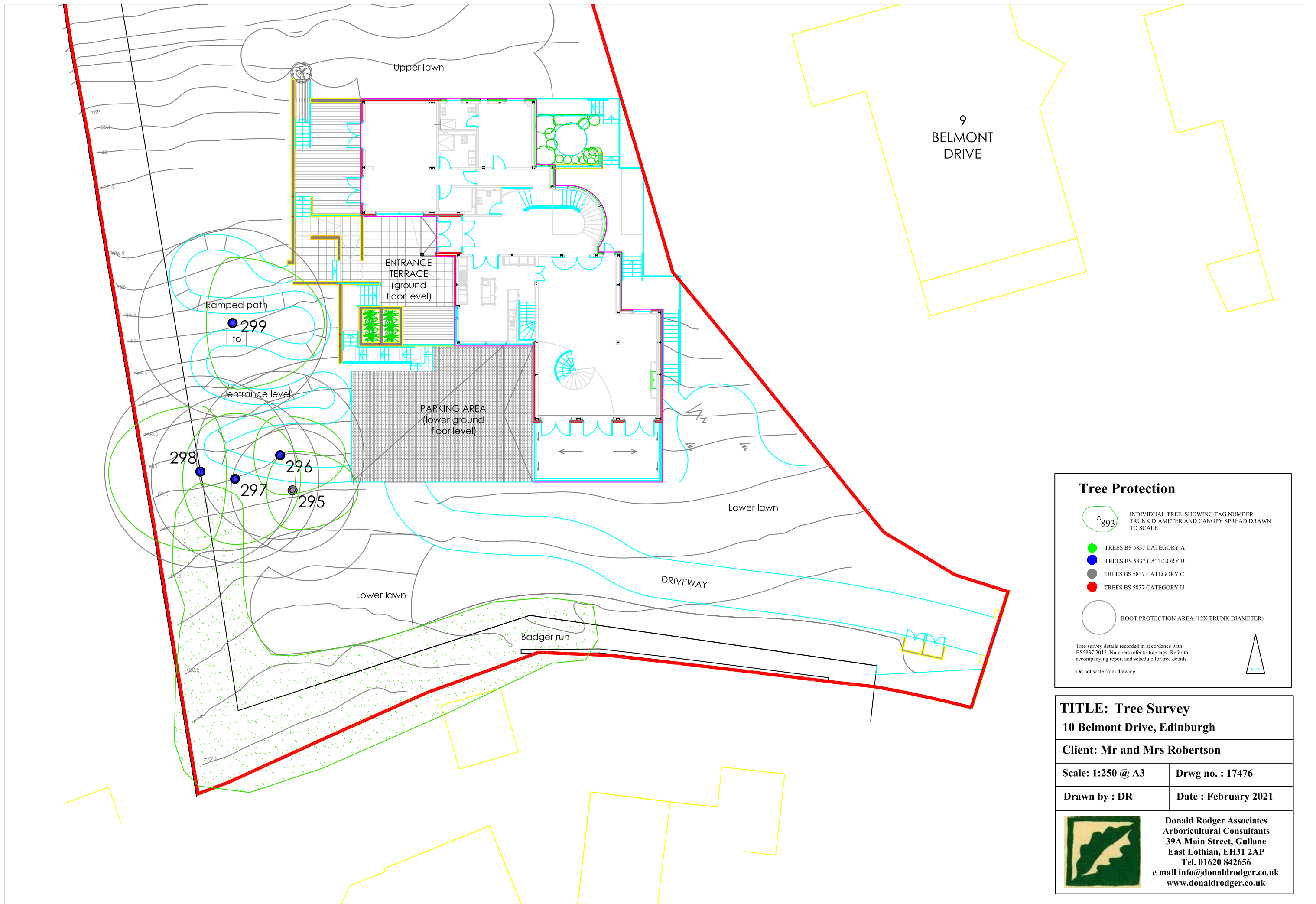
Trees to be considered for retention

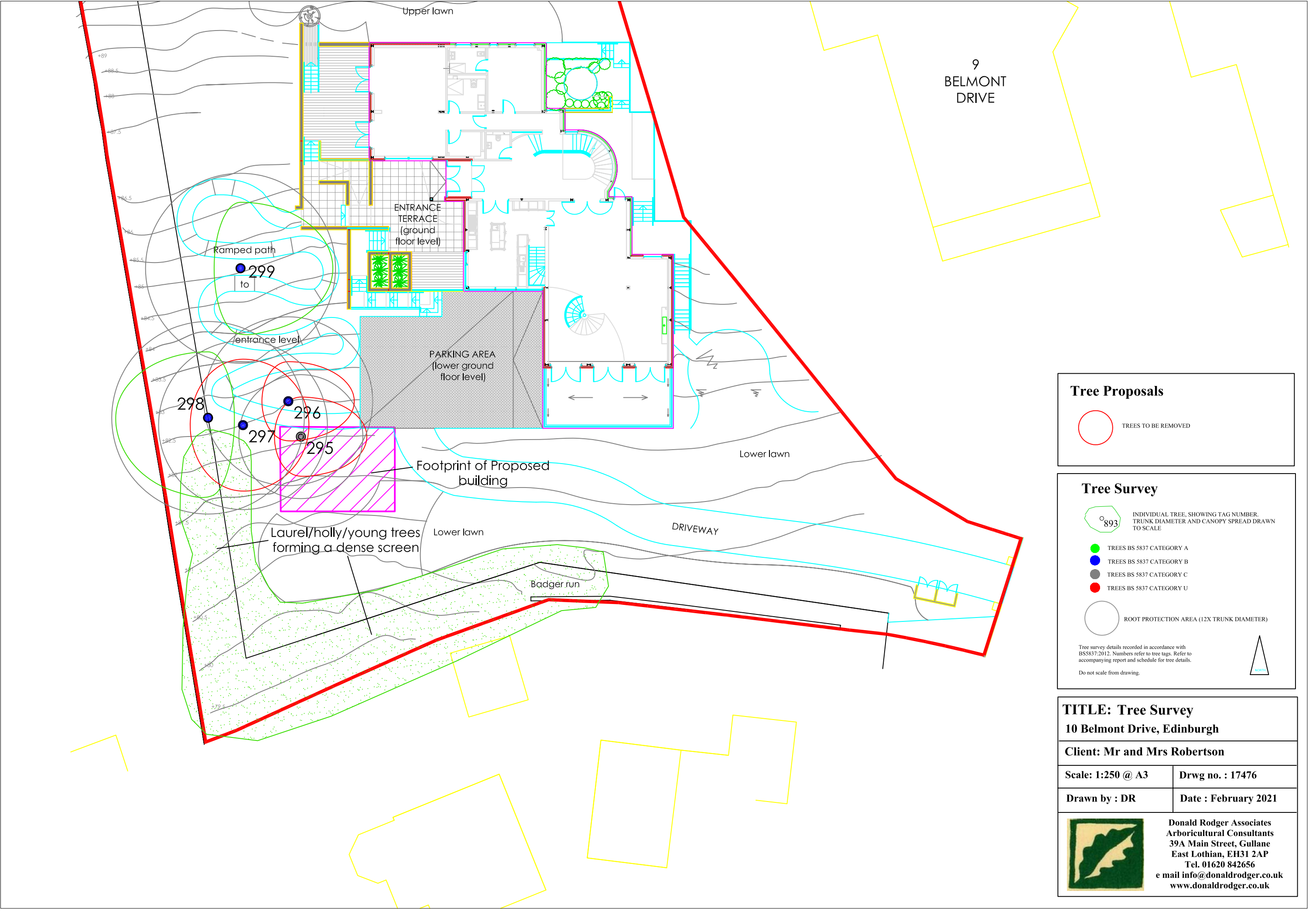
Category and definition	Criteria – Subcategories		
Category A High quality and value with an estimated life expectancy of at least 40 years.	Particularly good example of their species, especially if rare or unusual; or those that are essential components of formal or semi-formal arboricultural feature.	Trees, groups or woodlands of particular visual importance as arboricultural and/or landscape features.	Trees, groups or woodlands of significant conservation, historical, commemorative or other value.
Category B Moderate quality and value with an estimated life expectancy of at least 20 years.	Trees that might be in category A, but are downgraded because of impaired condition (e.g. presence of significant though remediable defects, including unsympathetic past management or storm damage), such that they are unlikely to be suitable for retention for beyond 40 years; or trees lacking the special quality necessary to merit the category A designation.	Trees present in numbers, usually growing as groups or woodlands, such that they attract a higher collective rating than they might as individuals; or trees occurring as collectives but situated so as to make little visual contribution to the wider locality.	Trees with material conservation or other cultural value.
Category C Low quality and value with an estimated life expectancy of at least 10 years, or young trees with a diameter <150mm.	Unremarkable trees of very limited merit or such impaired condition that they do not qualify in higher categories.	Trees present in groups or woodlands, but without this conferring on them significantly greater landscape value, and/or trees offering low landscape benefit.	Trees with no material conservation or other cultural value.

Tag no	Species	Dia	Hgt	N	E	S	W	Cr Cl	Age	Cond Cat	Notes	Life expect	BS 5837 Cat	Rec action	Priority
295	Lime	39	21	3	5	3	2	3	Mature	Poor	Soil levels raised around base of trunk. Tall, spindly trunk with small live crown. Suppressed on west face with pronounced bias to east. Upper crown exhibiting symptoms of stress and early decline. Top dead. Poor specimen with limited future potential.	10-20	C		
296	Lime	53	25	3	5	3	2	3	Mature	Fair	Soil levels raised around base of trunk. Tall, single trunk. Suppressed on west face with pronounced bias to east. Crown exhibiting symptoms of low vigour and vitality. Minor deadwood in crown. Old wound on trunk at 1m almost occluded.	20-40	B		
297	Lime	53	24	5	5	5	4	4	Mature	Fair	Soil levels raised around base of trunk. Suppressed crown development. Large limb arises at 3m and extends to north. Crown exhibiting symptoms of low vigour and vitality. Minor deadwood.	20-40	B		
298	Sycamore	61	24	5	2	6	7	5	Mature	Fair	Trunk heavily engulfed in ivy. This prevents full and proper inspection. Forks into two codominant stems at 5m. Suppressed on east face. Crown exhibiting symptoms of low vigour and vitality.	20-40	B		
299	Lime	60	25	5	7	5	2	6	Mature	Fair	Slight lean and bias to east. Forks into two codominant stems at 7m - union appears structurally sound.	20-40	B		

PLANS

Tree Survey and Proposals






9
BELMONT
DRIVE

Tree Proposals

 TREES TO BE REMOVED

Tree Survey

 INDIVIDUAL TREE, SHOWING TAG NUMBER.
TRUNK DIAMETER AND CANOPY SPREAD DRAWN
TO SCALE

-  TREES BS 5837 CATEGORY A
-  TREES BS 5837 CATEGORY B
-  TREES BS 5837 CATEGORY C
-  TREES BS 5837 CATEGORY U

 ROOT PROTECTION AREA (12X TRUNK DIAMETER)

Tree survey details recorded in accordance with
BS5837:2012. Numbers refer to tree tags. Refer to
accompanying report and schedule for tree details.
Do not scale from drawing.



TITLE: Tree Survey
10 Belmont Drive, Edinburgh

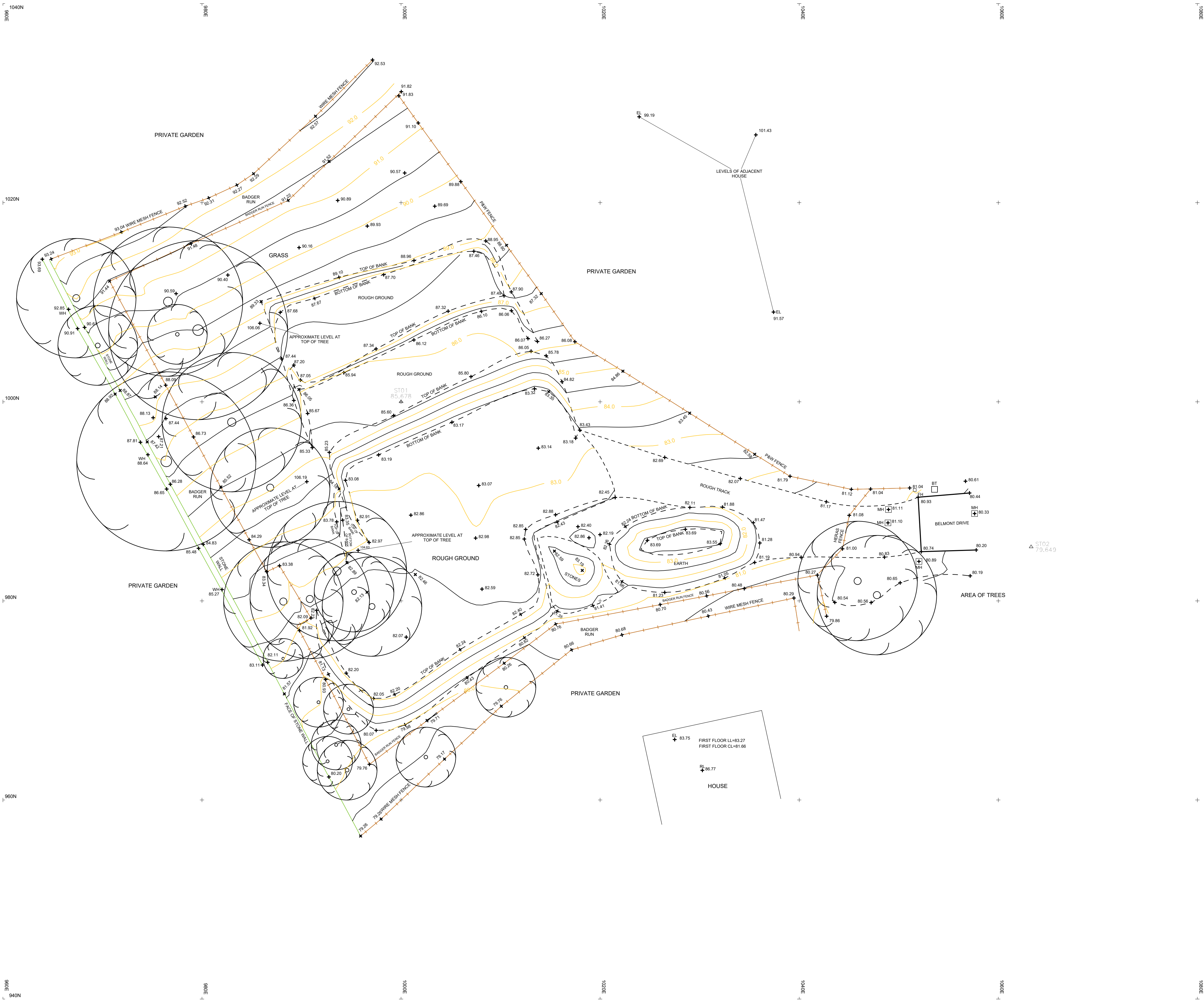
Client: Mr and Mrs Robertson

Scale: 1:250 @ A3 **Drwg no. : 17476**

Drawn by : DR **Date : February 2021**



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NOTES

i)
All survey levels are related to the
OSBM with a value of 45.38m located on
south west facing wall at the junction
of Constorphine Road and Ellersley Road
to the south east of site.

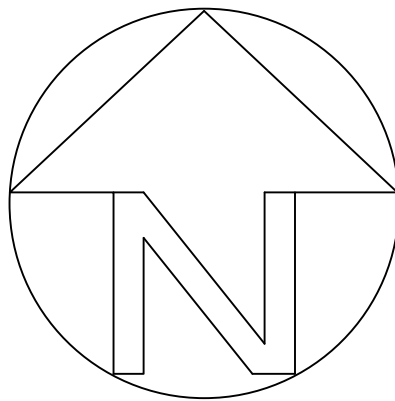
ii)
Whilst G.L. Surveys has made every effort to locate all
topographical and building features we cannot accept
responsibility for any features which may be omitted if
they are obscured from view for any fixed or temporary
reason at the time of the survey taking place.

LEGEND

- | | |
|---------------------------|----------------------|
| AV -Air Valve | MC -Mercury Cover |
| BH -Borehole | MH -Manhole |
| B -Bollard | MGR -Marker |
| BT -British Telecom Cover | MP -Mooring Post |
| C -Cover(unknown service) | MR -Mooring Ring |
| CL -Cell Level | OSBM -O.S. Benchmark |
| COL -Column | OHW -Overhead Wires |
| CT -Cable Telecom Cover | OTP -O.S. Trig Point |
| D -Drain | P -Post |
| DK -Drop Kerb | PM -Parking Meter |
| EC -Electricity Cover | PYLN -Elec. Pylon |
| EL -Eaves Level | RE -Roading Eye |
| EP -Electricity Pole | RL -Ridge Level |
| ER -Earth Rod | RS -Road Sign |
| FH -Fire Hydrant | SP -Sign Post |
| FL -Floor Level | SV -Sewer Valve |
| G -Gully | T -Toby |
| GAS -Gas Cover | TRPT -Trig Pt |
| GPO -Post Office Box | TL -Traffic Lights |
| GT -Gas Toby | TP -Telegraph Pole |
| IC -Inspection Cover | TV -Cable T.V. Cover |
| IL -Invert Level | VP -Vent Pipe |
| KL -Keep Left Bollard | WC -Water Cover |
| LB -Lighting Bollard | WL -Wall Head Level |
| LL -Lintel Level | WM -Water Level |
| LP -Lamp Post | WM -Water Meter |
| LT -Lighting Tower | WT -Water Toby |

SURVEY STATIONS

Station	Eastings	Northings	Level
ST01	1002.00	1002.00	85.678
ST02	1003.28	998.425	79.649
ST03	1186.138	1010.884	71.553
ST04	1031.556	1017.188	56.402



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CLIENT

MR STEVE JONES

JOB TITLE

WEST BELMONT
EDINBURGH

DRAWING TITLE

SITE SURVEY

DATE

NOVEMBER 2007

SURVEYED
BY

BS

EDITED
BY

BS

CHECKED
BY

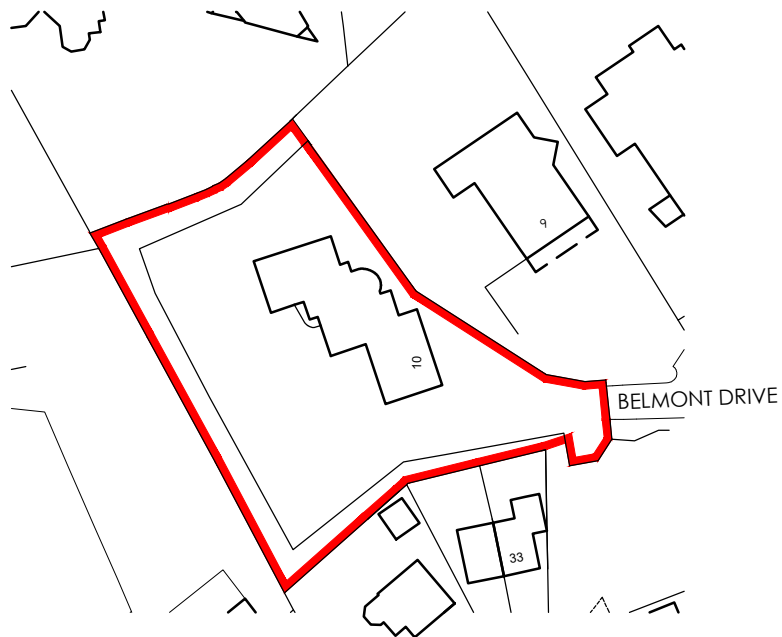
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JOB
NUMBER:

07-11-04

DRAWING
NUMBER

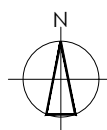
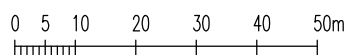
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KEY



Application site boundary



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EDINBURGH, EH12 5JQ
TEL 0131 539 5000

10 BELMONT DRIVE
GARAGE EXTENSION
EDINBURGH EH12 6JN
DEBBIE AND COLIN ROBERTSON

LOCATION PLAN
PLANNING APPLICATION

SCALE 1:1250@A4

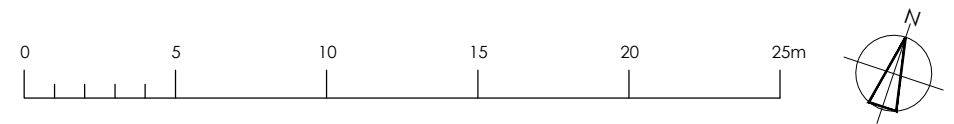
DIRECTOR MJT

DATE MAY 2019

DRAWN BY NL

DRAWING NO.

2401C(PL)01



Co-ordinated project information

NOTES/REVISIONS

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10 BELMONT DRIVE
EDINBURGH EH12 6JN
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EXISTING SITE PLAN
PLANNING APPLICATION

SCALE 1:250 @ A3	DIRECTOR MJT
DATE MAY 2019	DRAWN BY NL

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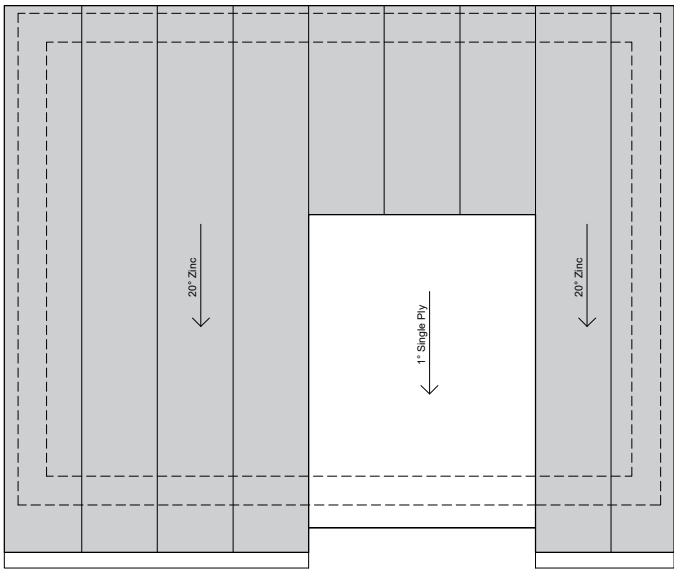
2 WEST COATES
EDINBURGH, EH12 5JQ

TELEPHONE 01738 627061

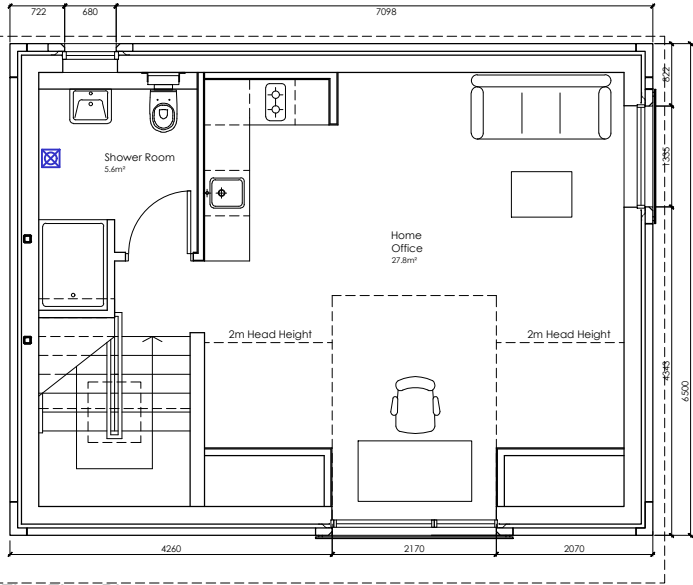
TELEPHONE 0131 539 5000

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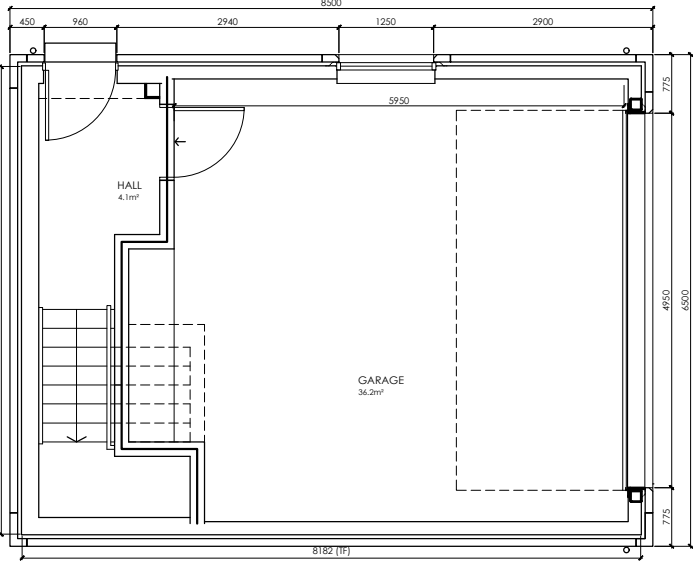




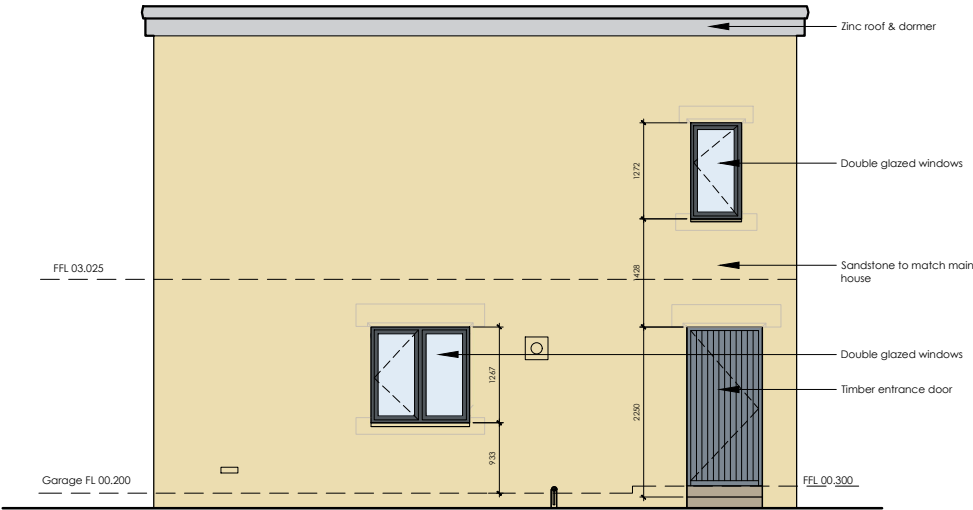
Roof Plan
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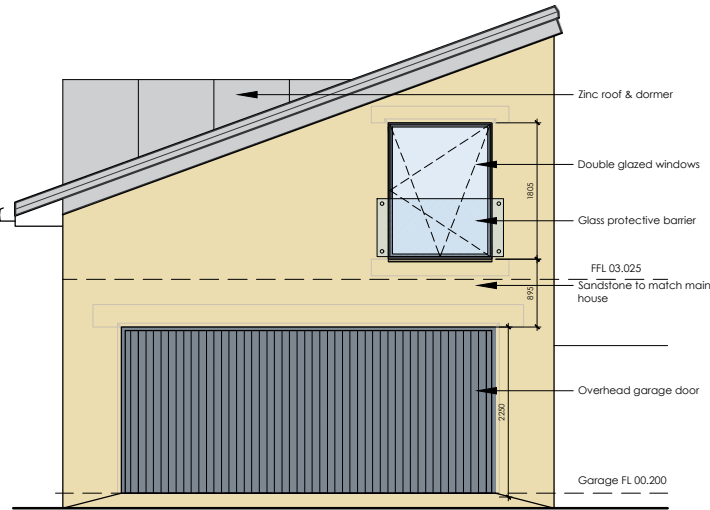
First Floor Plan
1:100



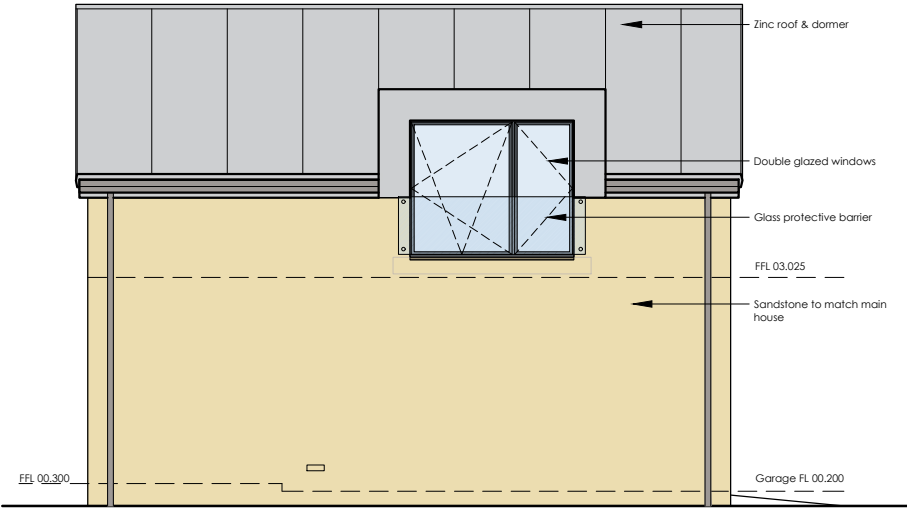
Ground Floor Plan
1:100



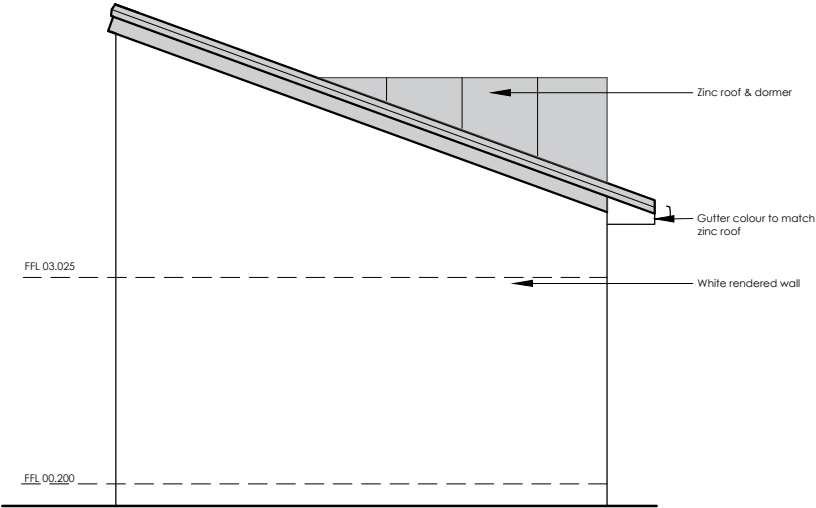
North Elevation
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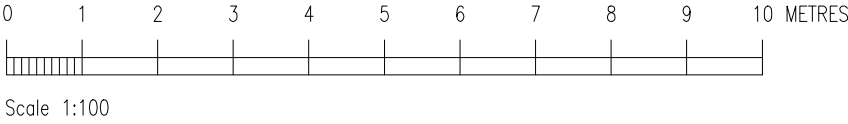
East Elevation
1:100



South Elevation
1:100



West Elevation
1:100



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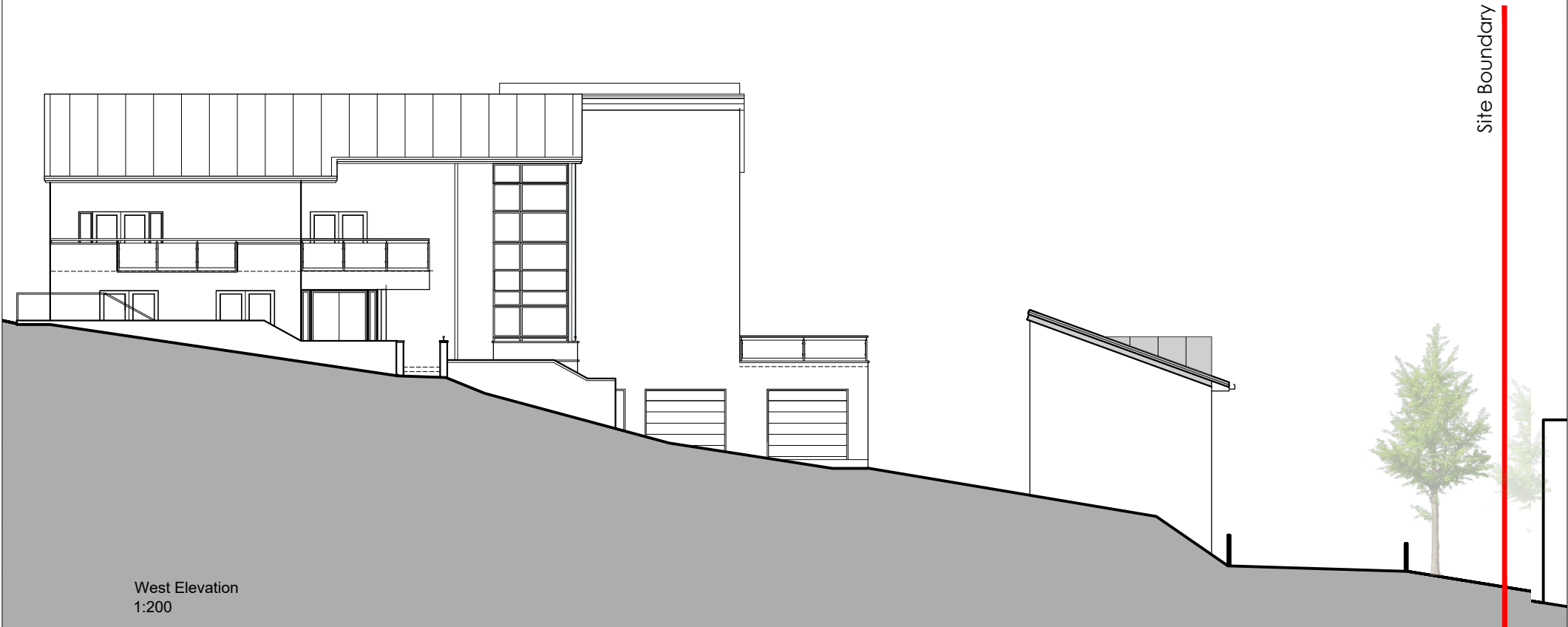
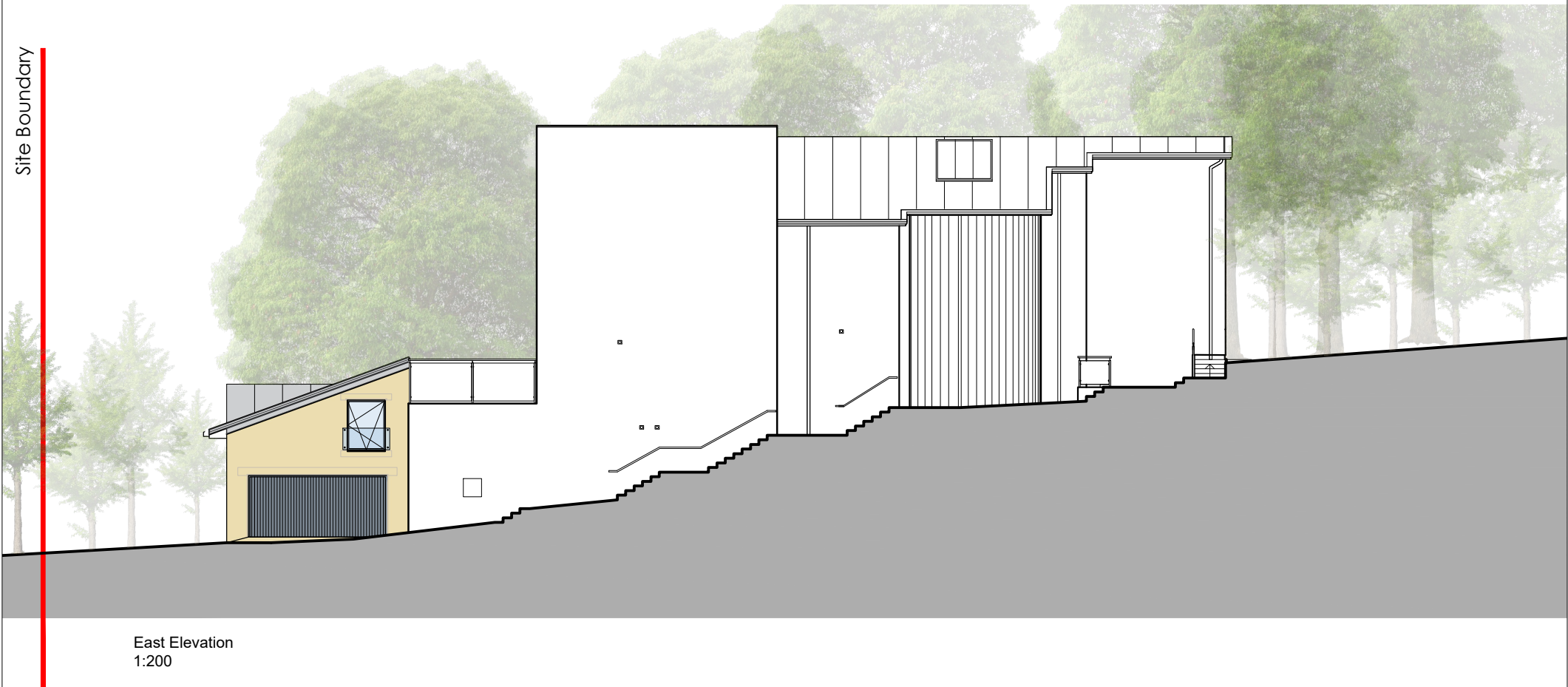
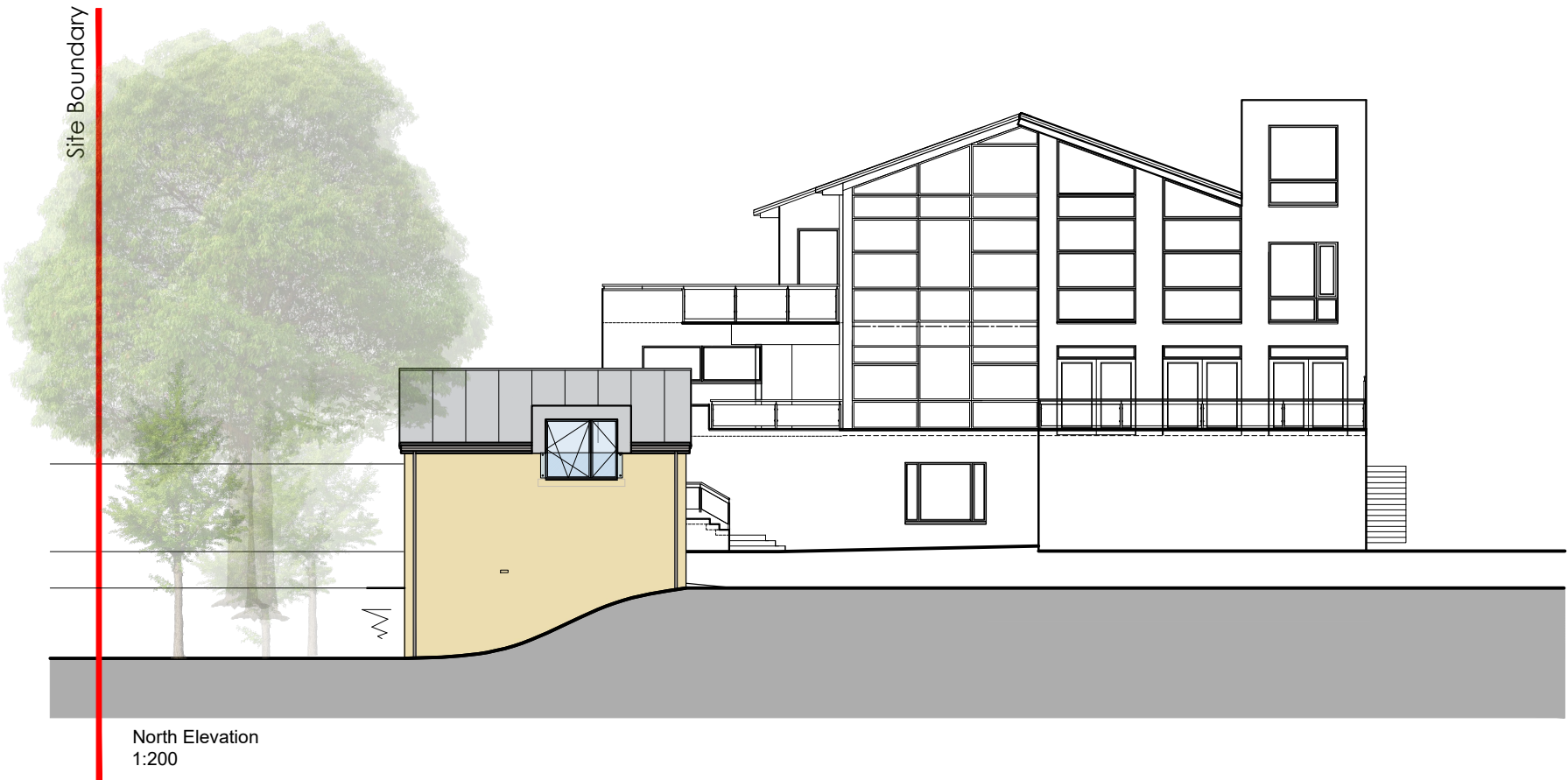
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10 BELMONT DRIVE, EH12 6JN
GARAGE EXTENSION
COLIN & DEBBIE ROBERTSON

DRAWING TITLE
PROPOSED GARAGE & HOME OFFICE
PLANS & ELEVATIONS

SCALE	1:100 @ A3	DIRECTOR	MJT
DATE	APRIL 21	DRAWN BY	RA
DRAWING NO.	2401C(PL)04		



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10 BELMONT DRIVE
GARAGE EXTENSION
COLIN & DEBBIE ROBERTSON

DRAWING TITLE
CONTEXT ELEVATIONS

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DATE	APRIL 21	DRAWN BY	RA
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