

Whitelaw Associates.
FAO: Tom Whitelaw
Kitleybrig
Kitleyknowe
Carlops
EH26 9NJ

Mr M Arshad And Mrs R Rifi.
94 Lasswade Road
Edinburgh
EH16 6SU

Decision date: 29 December 2021

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

Remove entire existing roof, form rear extension and new attic accommodation over new and existing form single storey side extensions.
At 94 Lasswade Road Edinburgh EH16 6SU

Application No: 21/05409/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 15 October 2021, 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 for the erection of an extension to the dwelling is not in accordance with the Edinburgh Local Development Plan with respect to policy Des 12 and non-statutory Guidance for Householders. Furthermore, the proposal does not comply with the Paragraph 29 of SPP - sustainable development principles - notably in relation to good design and avoiding over development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

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

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

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

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 Rachel Webster directly at rachel.webster@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at www.eplanning.scot 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
94 Lasswade Road, Edinburgh, EH16 6SU**

Proposal: Remove entire existing roof, form rear extension and new attic accommodation over new and existing form single storey side extensions.

**Item – Local Delegated Decision
Application Number – 21/05409/FUL
Ward – B16 - Liberton/Gilmerton**

Recommendation

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

Summary

The proposal for the erection of an extension to the dwelling is not in accordance with the Edinburgh Local Development Plan with respect to policy Des 12 and non-statutory Guidance for Householders. Furthermore, the proposal does not comply with the Paragraph 29 of SPP - sustainable development principles - notably in relation to good design and avoiding over development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality. There are no other material considerations which indicate that the proposal should be granted. Therefore, the recommendation is to refuse planning permission.

SECTION A – Application Background

Site Description

Detached bungalow located on the west side of Lasswade Road.

Description of the Proposals

The application proposes significant remodelling of the existing house, with the removal of the existing roof form, erection of side and rear extensions and formation of new gable ended roof shape with two front dormers.

Proposed materials are natural slate pitched roof with single ply membrane to flat sections, and rendered walls.

Relevant Site History

10/01267/FUL

Form dormer windows to front and rear of house.

Granted

28 June 2010

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 29 December 2021

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 1

Section B - Assessment

Determining Issues

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

Do the proposals comply with the development plan?

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

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

Assessment

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

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

a) Scale, form, design and neighbourhood character

Non-statutory Guidance for Householders states "*Bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance.*"

The original house, excluding the existing rear porch has a footprint of 99.5 sqm. The proposals will result in a development with a footprint of 220 sqm. The proposals will also involve the formation of a completely new roof structure, which although maintains a hipped side, will be significantly wider than the existing roof structure (existing flat ridge 2.8m wide, proposed 8.2m wide). As a result the proposed alterations cannot be described as subservient in appearance and will significantly increase the visual mass and bulk of the property in the streetscene.

Guidance for Householders also states; "*Rear extensions to bungalows should be in keeping with the existing property roof design and its ridge line should be below the ridge of the existing property. The hipped roof character of the host building should be respected. Gable end extensions will generally not be allowed unless this fits in with the character of the area, and is of a high quality innovative design.*"

The application proposes the formation of a gable ended extension, and is not an exemplar of innovative design. The applicant has provided details of other gable end extensions granted in the city. However, each case is assessed on its own merits. In this instance no justification has been made for the requirements for this roof form. The property sits in a generous plot and additional living accommodation can be formed at ground floor level.

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

b) Neighbouring amenity

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

The proposed new roof form will have a steeper pitch than the existing roof form to the sides. As a result proposed rooflights on the side elevations will allow for new direct views over neighbouring rear garden ground resulting from the depth of the proposed extension which extends beyond the rear main building line of neighbouring houses.

Guidance for Householders states; "*Rooflights in new extensions that are within 9 metres of the boundary may be acceptable so long as they do not have an adverse impact on the existing privacy of neighbouring properties. Any adverse impacts on privacy may be mitigated if the rooflight(s) is set at a high level above floor level (usually above 1.8 metres)*".

As the proposed rooflights will allow direct views to neighbouring properties they fail to meet guidance in terms of privacy.

In addition, the proposed new balcony to the rear will allow for useable outdoor space at high level, and overlooking neighbouring gardens. The applicant has suggested the inclusion of a screen to the sides of the proposed balcony. However this would not be sufficient to mitigate the loss of amenity to neighbours from the proposed works.

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

c) Equalities and human rights

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

d) Public comments

One neutral comment was received raising concerns about a loss of privacy and sunlight to neighbouring gardens. Comment was made to note that the proposal would require the removal of existing trees.

e) Other considerations

SPP Sustainable Development

Scottish Planning Policy presumption in favour of sustainable development is a significant material consideration due to the development plan being over 5 years old.

Scottish Planning Policy (SPP) is a significant material consideration due to the LDP being over 5 years old. Paragraph 28 of SPP gives a presumption in favour of development which contributes to sustainable development. Paragraph 29 outlines the thirteen principles which should guide the assessment of sustainable development.

The proposal fails to accord with Paragraph 29 of SPP notably in relation to good design and avoiding over development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

Emerging Policy Context

NPF 4 - Draft National Planning Framework 4 is being consulted on at present. As such, it has not yet been adopted. Therefore, little weight can be attached to it as a material consideration in the determination of this application.

City Plan 2030 - While the proposed City Plan is the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal for the erection of an extension to the dwelling is not in accordance with the Edinburgh Local Development Plan with respect to policy Des 12 and non-statutory Guidance for Householders. Furthermore, the proposal does not comply with the Paragraph 29 of SPP - sustainable development principles - notably in relation to good design and avoiding over development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 15 October 2021

Drawing Numbers/Scheme

01-05

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer
E-mail: rachel.webster@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

Comments for Planning Application 21/05409/FUL

Application Summary

Application Number: 21/05409/FUL

Address: 94 Lasswade Road Edinburgh EH16 6SU

Proposal: Remove entire existing roof, form rear extension and new attic accommodation over new and existing form single storey side extensions.

Case Officer: Householder Team

Customer Details

Name: Mrs Alison Crawshaw

Address: 92 Lasswade Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I am concerned regarding my privacy and lack of sunlight in my garden. There are trees involved, but I have no objection to these being removed, in fact would encourage this.

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 100538201-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Whitelaw Planning and Energy		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Nicolas	Building Name:	
Last Name: *	Whitelaw	Building Number:	8
Telephone Number: *	07846 836275	Address 1 (Street): *	Queen Margaret Drive
Extension Number:		Address 2:	South Queensferry
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	City of Edinburgh
		Postcode: *	EH30 9JF
Email Address: *	nwplanningenergy@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="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="M Arshad"/>	Building Number:	<input type="text" value="94"/>
Last Name: *	<input type="text" value="Mrs R Rifi"/>	Address 1 (Street): *	<input type="text" value="Lasswade Road"/>
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="EH16 6SU"/>
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="94 LASSWADE ROAD"/>
Address 2:	<input type="text" value="HYVOTS BANK"/>
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="EH16 6SU"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="669068"/>	Easting	<input type="text" value="327790"/>
----------	-------------------------------------	---------	-------------------------------------

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)

Remove entire existing roof, form rear extension and new attic accommodation over new and existing form single storey side extensions.

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.

See supporting documents section for statement and appendix's.

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)

Planning appeal statement to local review body Appendix 1 - showing similar precedents Appendix 2 - showing photograph of approved dormer which overlooks neighbouring gardens.

Application Details

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

21/05409/FUL

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

14/10/2021

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

29/12/2021

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 Nicolas Whitelaw

Declaration Date: 22/02/2022

Request to the Local Review Body at the City of Edinburgh Council (within the terms of (The Town and Country Planning (Appeals) (Scotland) Regulations 2013))

In respect to the refusal to grant planning permission to *remove entire existing roof, form rear extension and new attic accommodation over new and existing form single storey side extension*, 94 Lasswade Road, Edinburgh.

Planning Reference: 21/05409/FUL

Address: 94 Lasswade Road, Edinburgh, EH16 6SU

Summary of Appeal

The planning application was refused on the basis of the following:

1. The proposal for the erection of an extension to the dwelling is not in accordance with the Edinburgh Local Development Plan with respect to policy Des 12 and non- statutory Guidance for Householders. Furthermore, the proposal does not comply with the Paragraph 29 of SPP - sustainable development principles - notably in relation to good design and avoiding over development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.

We formally object to the reasons given above in refusing planning permission on the basis that:

1. The design complies with all planning and design guidance and technical criteria;
2. The majority of the proposed development including the new gable is at the rear of property and obscured from Lasswade Road;
3. There are examples of recent similar precedents of extending and alternating bungalows with rear gables throughout the city of Edinburgh.
4. The windows are to allow light into rooms rather than promote outward views, and avoid directly overlooking neighbours openings.
5. Lack of complete privacy and overlooking neighbouring properties are inevitable in suburban locations - the neighbours considered the proposed development as being acceptable in terms of their amenity.

Site context

There are a variety of different housing types and densities along Lasswade Road from Victorian and Edwardian town house villas to 1940s bungalows, of which 94 Lasswade Road is one. Across the street is the former Mount Alvernia Convent and RC Church which has now been converted to residential use, along with new housing and flatted buildings within the grounds. Immediately adjacent to the west part of the property is the 1950's council flats and houses located along Gracemount Avenue.

Planning History

Planning permission was granted in 2010 to form Dormer windows to front and rear of house (10/01267/FUL). These changes have since been enacted.

Planning Policy

Scottish Planning Policy

The following aspects of SPP are considered relevant when assessing the proposed development.

Part of paragraph 29 was quoted by the planning officer as a reason for refusal: *avoiding over-development, protecting the amenity of new and existing development and considering the implications of development for water, air and soil quality.*

We completely refute the implication that the proposed development constitutes over-development or would negatively impact upon the amenity of existing development. In addition, we believe that the proposed development is an example of good design in terms of proportions, materials, aesthetics and practical living.

However, the same paragraph 29 states *making efficient use of existing capacities of land, buildings and infrastructure including supporting town centre and regeneration priorities.*

Paragraph 44 of the SPP goes on to state the following in relation to Adaptable qualities of place - *This is development that can accommodate future changes of use because there is a mix of building densities, tenures and typologies where diverse but compatible uses can be integrated. It takes into account how people use places differently, for example depending on age, gender and degree of personal mobility and providing versatile greenspace.*

Edinburgh City Plan 2020

The following policy of this Local Development Plan was used to justify refusal of planning permission:

Policy Des 12 - Alterations and Extensions

Planning permission will be granted for alterations and extensions to existing buildings which:

- a) in their design and form, choice of materials and positioning are compatible with the character of the existing building*
- b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties*
- c) will not be detrimental to neighbourhood amenity and character*

Edinburgh City Plan 2030

This emerging and although not yet adopted policy document is nevertheless still a material consideration. Policy Des 12 of the current LDP will eventually be superseded by

Env 5 - alterations, extensions and domestic outbuildings.

Planning permission will be granted for alterations, extensions and domestic outbuildings which:

- a. in their design and form, choice of materials and positioning are compatible with the character of the existing building*
- b. will not result in an unreasonable loss of privacy or natural light to neighbouring properties*
- c. will not be detrimental to neighbourhood amenity and character*
- d. For extensions and outbuildings, it is additionally required that proposals:*
- e. retain and provide green/blue infrastructure including trees, biodiverse vegetation and habitat*
- f. sustainably handle rainfall, by incorporating measures such as rain gardens and green/blue roofs to off-set development on permeable ground.*

Edinburgh Guidance for Householders - November 2021

This guidance document states

Bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance.

Extensions must not imbalance the principal elevation of the property.

Rear extensions to bungalows should be in keeping with the existing property roof design and its ridge line should be below the ridge of the existing property. The hipped roof character of the host building should be respected. Gable end extensions will generally not be allowed unless this fits in with the character of the area, and is of a high quality innovative design.

Partially hipped side extensions to bungalows are not generally supported.

We believe that proposed development adheres to the criteria contained within the above policy as the character of the original bungalow would still be retained especially from the principal elevation. Essentially the proposal is to deepen the property whilst maintaining the original width, and appearance of a hipped roof from the principal elevation. This gives the impression that the extension is subservient to the original property in appearance. The gable end is located at the rear of the building and not the side elevations, and mirrors the gable end of the property at number 98. This gable end would be largely obscured to residents living along Gracemount Avenue by virtue of the existing mature conifer hedge at the western end of number 94 garden.

Precedents

The agent and designer of the proposed development has gained planning permission for similar proposals across the city of Edinburgh in recent years. Whilst each application is

assessed on its own individual merits we believe that these examples are a valid comparison, and highlight the inconsistency of refusing this application.

Examples of these comparable applications with gable ends which have gained planning approval include:

18/10385/FUL - Alterations and extension to existing house - material variation of approved scheme 16/03117/FUL. 20 Kekewich Avenue

20/02439/FUL - Form new side and rear single storey extensions to existing house and form new roof over. 82 Wakefield Avenue

20/05678/FUL - Alter and extend existing detached house. 97 Glasgow Road

21/00978/FUL - Form new rear extension to existing house. 39 Drum Brae North

Appendix 1 shows the above application sites and their immediate surroundings, which give an indication of nearby features such as gable end properties. Although some of these examples are up to four years old we do not believe that the policies and guidance have altered significantly within this timeframe.

Summary

We hope to have demonstrated that the proposed development does not have an unacceptable impact on the local setting or density of buildings in context of its amenity, but in fact actually complies with and gives effect to all the relevant various policies and technical guidance.

In the report of the handling the planning officer states *The application proposes the formation of a gable ended extension, and is not an exemplar of innovative design.* We would argue that the design does not need to be 'innovative' but should reflect the local context - there is a rear gable at 98 Lasswade Road. The current original building is hardly indicative of innovative design itself. This gable extension is not on a prominent elevation and would only be visible from the western elevation. In the report of handling for the aforementioned application 21/00978/FUL the planning officer stated "... gable to rear. However, this will be visible from public view points". We feel that this principle also applies in this instance.

As previously stated there is a variety of housing along Lasswade Road with single storey, two storey properties and room in roof properties such as some of the bungalows. Of the bungalow properties there are no identical designs or layouts and therefore is considerable variation, although viewed from the prominent western elevation along Lasswade they all share a hipped roof design. The proposed new roof would retain this feature on the elevation with Lasswade Road. There is an example of a rear gable end roof two doors down at 98 Lasswade Road. There are variations in terms of roof pitch angles throughout the surrounding area.

The eastern roof pitch would still maintain a 45 degree pitch whilst there would be an increased pitch to 60 degrees on the north and south pitches.

There is an already existing velux roof light on the northern elevation, the addition of two new velux windows on this aspect would have little impact on the privacy of number 92 as the windows would directly face the southern side wall of number 92, which only has one window on the first floor near the front of the dwelling.

The five velux windows on the southern elevation would not directly overlook number 96, and all windows are intended to allow light to flow into the property rather than invite outward views.

Three of the side elevation windows would be for wetrooms and therefore incorporate obscured glass.

High fences and established vegetation on both the north and south perimeters help maintain the neighbouring residents privacy to a degree. In any scenario where there are detached properties with first floors and gardens full privacy is almost impossible to achieve. For example, the current rear dormer of number 94 will have some outlook over both the gardens of the neighbouring gardens, although less so with properties on Gracemount Avenue by virtue of the established conifer hedge.

It is almost impossible to achieve complete privacy and avoid overlooking neighbouring properties and gardens for dwellings located with enclosed residential areas - I have attached a photograph in appendix 2 taken from the rear door of my property which shows a recently completed large dormer window as part of attic conversion (21/03010/FUL) which now allows the occupants of number 40 Station Road, South Queensferry to see considerably much more of their neighbouring properties and gardens. The planning officer considered that this was acceptable. Similar developments can be carried out under permitted development.

The question is therefore what is considered acceptable - in this instance the neighbours considered that the proposed redevelopment would not have an acceptable impact to their amenity in terms of privacy and overlooking. Whereas the planning officer disagreed. There is no indication that a site visit took place.

The proposed balcony would inevitably lead to some parts of neighbouring gardens being overlooked, but no more so than the current rear dormer. There will always be elements of being overlooked by neighbouring properties in the context of enclosed gardens in urban and suburban areas. In order to minimise this, the applicants designer proposed to include some additional balcony screening to reduce overlooking neighbouring properties, but this was dismissed by the planning officer - the applicant would accept balcony screening as part of any planning condition.

In essence, the proposal is to upgrade and remodel the property, which is in need of renovation so it can provide for and address the needs of a growing family.

There have been no objections to the proposed development from any parties including residents of adjacent properties, and the proposal complies with all relevant policy, guidance and technical criteria.

Request to Local Review Body:

We ask that the Local Review Body consider the above arguments in light of the current situation, and review the planning application to remove entire existing roof, form rear extension and new attic accommodation over new and existing form single storey side extension, 94 Lasswade Road, Edinburgh.

within the terms of The Town and Country Planning (Appeals) (Scotland) Regulations 2013.

Nicolas Whitelaw MRTPI

Agent acting on behalf of Mr M Arshad and Mrs R Rifi

21st February 2022

94 Lasswade Road 21/05409/FUL



Gable end



20 Kekewich Avenue- 18/10385/FUL



Gable

39 Drum Brae North 21/00978/FUL



97 Glasgow Road 20/05678/FUL



82 Wakefield Avenue 20/02439/FUL

Gable

Rear dormer at 40 Station Road taken from 8 Queen Margaret Drive.

