

## The City of Edinburgh Planning Local Review Body (Panel 1)

10.00am, Wednesday 15 December 2021

**Present:** Councillors Dixon (substituting for Councillor Gordon), Mitchell, Mowat, and Staniforth.

### 1. Appointment of Convener

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Councillor Mitchell was appointed as Convener.

### 2. Minutes

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To approve the minute of the Local Review Body (LRB Panel 1) of 13 October 2021 as a correct record.

### 3. Planning Local Review Body Procedure

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#### Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted)

### 4. Request for Review – 2 (3F3) Barony Street, Edinburgh

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Details were submitted of a request for a review of proposals for attic conversion and new dormer window to the rear and new velux roof light at 2 (3F3) Barony Street, Edinburgh. Application no. 20/05120/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 15 December 2021.

#### Assessment

At the meeting on 15 December 2021, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were 1-3, 4A, Scheme 1 being the drawings shown under the application reference number 20/05120/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.  
Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)  
Edinburgh Local Development Plan Policy Env 1 (World Heritage Sites)  
Edinburgh Local Development Plan Policy Env 3 (Listed Buildings - Setting)  
Edinburgh Local Development Plan Policy Env 4 (Listed Buildings - Alterations and Extensions)  
Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
- 2) Relevant Non-Statutory Guidelines.  
Guidance for Householders  
The New Town Conservation Area Character Appraisal  
Listed Buildings and Conservation Areas  
Edinburgh Design Guidance  
Historic Environment Scotland's Guidance on Managing Change – Roofs
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

## **Conclusion**

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- The response from Historic Environment Scotland was of a substantial nature and was quite unusual for this type of development as it was very detailed, considering the size and scale of the development.
- This was a Category A building and Historic Environment Scotland was a statutory consultee.
- The reference to listing was an interesting part of the appellant's submission, therefore, should this be given more weight than the original listings?
- The building was listed in its entirety with the highest grade of listing. The fact that the low gradient of the roof was not specified, did not affect it being part of listing.

- The photographs clearly indicated that the officer's recommendations were reasonable. Although there might be similar dormers further afield, the properties in the immediate area did not have dormers of this type and the proposals would be detrimental to the character of the conservation area.
- Although there was some sympathy to some developments of this type, in this context, this was a prominent building and was located in a conservation area. Although the proposal was not overly incongruous, it was necessary to agree with the officer's recommendations.
- Members were familiar with residents who wanted to improve their properties. Generally, this might be appropriate, but considering the letter from Historic Environment Scotland, it was difficult to overturn the recommendations. Dormers in this area tended to be located on the front of the property and overturning the recommendations would raise numerous issues.
- The robust guidance from Historic Environment Scotland could not be ignored. It was necessary to maintain consistency in decision making, the proposals would be detrimental to the conservation area and there was insufficient evidence to overturn the recommendations.
- The officer's recommendations should be overturned because the comments from Historic Scotland did not necessarily constitute an objection. There were, in fact, dormers in fairly close proximity of a similar type. It was not the case that this would be detrimental to the character of the building or the conservation area and it could be argued that the policies, which were cited in refusing the proposals, were quite subjective.

Having taken all the above matters into consideration and although there was some sympathy for the proposals, the LRB was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Chief Planning Officer.

### **Decision**

To uphold the decision by the Chief Planning Officer to refuse planning permission.

### **Reasons for Refusal:**

The alterations failed to preserve the character and appearance of both the conservation area and listed building, contrary to policies Env4 and Env6.

(Reference – Notice of Review, Report of Handling and Supporting documents, submitted)

## **5. Request for Review – 14 Columba Road, Edinburgh**

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Details were submitted of a request for a review of proposed pitched roof side and front dormers (material variation from previous consent), alterations to existing property at 14 Columba Road, Edinburgh. Application No. 21/02694/FUL.

## **Assessment**

At the meeting on 15 December 2021, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were 01-06, Scheme 1 being the drawings shown under the application reference number 21/02694/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.  
Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)
- 2) Relevant Non-Statutory Guidelines.  
Guidance for Householders
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

## **Conclusion**

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Clarification was required to determine if the members were deciding if the flat roofed dormers or the pitched roof dormers were preferred, or if the window aspect was also being considered.
- It was confirmed that the front dormers were the same as the previous consent. The applicant wished to change the flat roof dormers to pitched roof dormers.
- Whether the four letters of comment were from neighbouring properties as it appeared that only two were from direct neighbours.
- It was confirmed that the appellant had indicated that there were four letters of support from neighbouring properties.
- There was no problem with this application as it was this not a listed building, was not located in a conservation area and did not adversely affect the character of the building or the area.

- From the inside of the house, there was very little difference from the existing structure. The Panel had dealt with dormers at previous meetings and there were existing dormers of an incongruous nature in the City. In this case, it was understood why the officers preferred flat roof dormers, however, the proposed pitched roof dormers represented only a subtle difference from the present structure.
- The proposals were not significantly worse than the present structure, it would have only a minor impact on the area and the Panel should overturn the officer's recommendations.
- There was sympathy for the applicant. There were no visible problems, the changes to the roofline seemed to work well, this was not detrimental to the character of the area or was in any way offensive.
- Some of the examples cited by the appellant in support of their application, were of an interesting nature and the proposals were not in breach of Edinburgh LDP Policy Des 12.

Having taken all the above matters into consideration, the LRB determined that the proposed side dormer in scale, form and position respected the established form of the existing bungalow property and was not harmful to its character and appearance. It would not be an incompatible and incongruous addition on the street scene, nor detrimental to the existing neighbourhood character. The proposal was therefore not contrary to Edinburgh Local Development Plan policy Des 12 (Alterations and Extensions).

It therefore overturned the decision of the Chief Planning Officer and granted planning permission.

**Decision:**

To not uphold the decision by the Chief Planning Officer to grant planning permission.

**Reason**

The proposed side dormer in scale, form and position respected the established form of the existing bungalow property and was not harmful to its character and appearance. It would not be an incompatible and incongruous addition on the street scene, nor detrimental to the existing neighbourhood character. The proposal was therefore not contrary to Edinburgh Local Development Plan policy Des 12 (Alterations and Extensions).

**Informatives**

- (a) The development hereby permitted should be commenced no later than the expiration of three years from the date of this consent.
- (b) No development should take place on the site until a 'Notice of Initiation of Development' had been submitted to the Council stating the intended date on which the development was to commence. Failure to do so

constituted a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.

- (c) As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a Notice of Completion of Development must be given in writing to the Council.

(References – Decision Notice, Report of Handling, Notice of Review and supporting documents, submitted).