

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 100543058-001

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

Applicant or Agent Details

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

Applicant Agent

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|---------------------------------------|--|---|
| Title: | <input type="text" value="Ms"/> | 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="Alison"/> | Building Number: | <input type="text" value="1"/> |
| Last Name: * | <input type="text" value="Campbell"/> | Address 1 (Street): * | <input type="text" value="Flat 2 Magdalene Drive"/> |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text"/> |
| Telephone Number: * | <input type="text" value="REDACTED"/> | Town/City: * | <input type="text" value="Edinburgh"/> |
| Extension Number: | <input type="text"/> | Country: * | <input type="text" value="United Kingdom"/> |
| Mobile Number: | <input type="text"/> | Postcode: * | <input type="text" value="EH15 3DD"/> |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | <input type="text" value="REDACTED"/> | | |

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

FLAT 2

Address 2:

1 MAGDALENE DRIVE

Address 3:

MAGDALENE

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH15 3DD

Please identify/describe the location of the site or sites

Northing

672644

Easting

330497

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)

Refusal of planning permission to convert grassed area to garden / driveway / patio area, using porous monobloc pavers. Screened area to rear to use for seating and beds for planting down each side. At Flat 2 1 Magdalene Drive Edinburgh EH15 3DD

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.

Our application was refused on the grounds that it was detrimental to the surrounding area, even though there were no complaints and 1 note of support for the works done. Parking is problematic in this area, creating an additional space is a benefit not a detriment. I am currently a blue badge holder with deteriorating health. I would also be unable to maintain or use a large garden set to grass. The patio area ensures I have an area I can use outdoors and provides space for mobility aids.

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)

1. Location Plan 2. Property depicted on OS Map, 3. Pre development drawing, 4. Post Development Drawing 5. Area before and now photo, 6. Area after photo to scale, 7. Planning application, 8. Report of handling, 9. Neighbour comment letter, 10. Transport response, 11. Decision letter, 12. Copy of blue badge photo front 13. Copy of blue badge photo rear

Application Details

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

21/05239/FUL

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

06/10/2021

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

19/01/2022

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 Alison Campbell

Declaration Date: 14/03/2022

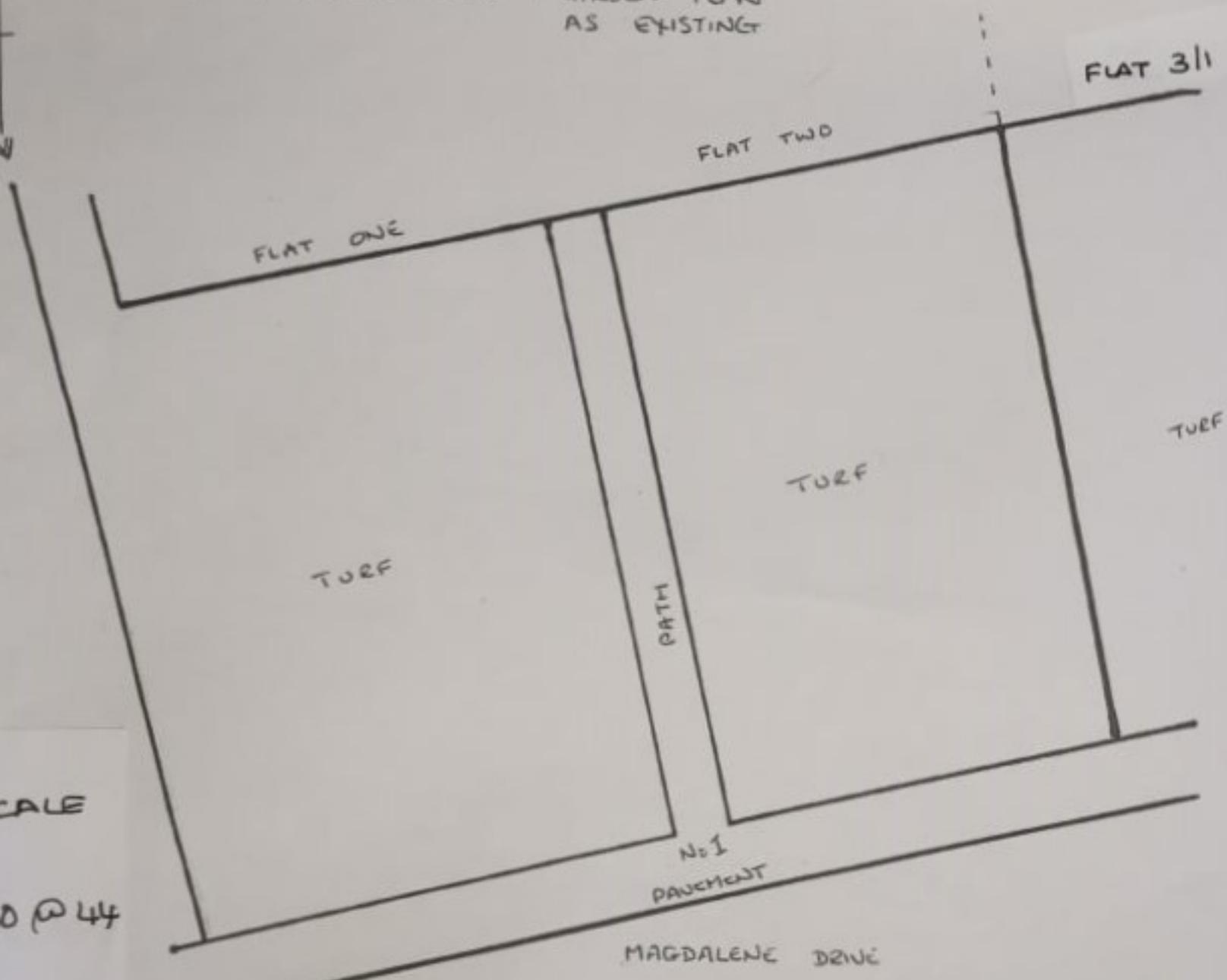
1/2, Magdalene Drive, Edinburgh, EH15 3DD



1/2, Magdalene Drive, Edinburgh, EH15 3DD



1/2 MAGDALENE DRIVE : GARDEN PLAN
AS EXISTING



SCALE

1:100 @ 44

MAGDALENE DRIVE

1/2 MAGDALENE DRWE : GARDEN PLAN
AS PROPOSED



FLAT 3/1

FLAT TWO

FLAT ONE

- Hard Standing Construction:
- Tobermore Pedestra Blocks
- 35mm concrete sand
- 150mm Type 1 Hardcore
- Permeable membrane
- Existing soil

PATIO

PATH

HARD
STANDING

SPACE
FOR
DISABLED
PARKING

No 1
PAVEMENT

NEW ACCESS

MAGDALENE DRIVE

SCALE
1:100 @ 44



Area Before



Area Now



Dimensions of Driveway/Garden/Patio



Whole area – W 8.4m L 12.2 m

A – Garden Bed Left W 1.6M L 6.75M

B – Driveway W 4.7m L 6.75

C – Garden Bed Right W 2.1m L 6.75m

D – Patio behind screen W 8.4m L 5.45m

Screen W 3.8m H 1.4m

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Thank you for completing this application form:

ONLINE REFERENCE 100464431-001

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)

To convert privately owned grassed area to garden/driveway/patio area, using porous monobloc pavers. Screened area to rear to use for seating and beds for planting down each side.

Has the work already been started and/ or completed? *

No Yes - Started Yes – Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): *

25/05/2021

Please explain why work has taken place in advance of making this application: *
(Max 500 characters)

Contractor misadvised us assuring us that planning permission was only required for a dropped kerb and that he would organise this.

Applicant or Agent Details

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

Applicant Agent

Applicant Details

Please enter Applicant details

| | | | |
|----------------------|---|--|--|
| Title: | <input type="text" value="Ms"/> | You must enter a Building Name or Number, or both: * | |
| Other Title: | <input type="text"/> | Building Name: | <input type="text" value="Flat 2"/> |
| First Name: * | <input type="text" value="Alison"/> | Building Number: | <input type="text" value="1"/> |
| Last Name: * | <input type="text" value="Campbell"/> | Address 1 (Street): * | <input type="text" value="Magdalene Drive"/> |
| Company/Organisation | <input type="text"/> | Address 2: | <input type="text"/> |
| Telephone Number: * | <input type="text" value="██████████"/> | Town/City: * | <input type="text" value="Edinburgh"/> |
| Extension Number: | <input type="text"/> | Country: * | <input type="text" value="Scotland"/> |
| Mobile Number: | <input type="text" value="██████████"/> | Postcode: * | <input type="text" value="EH15 3DD"/> |
| Fax Number: | <input type="text"/> | | |
| Email Address: * | <input type="text" value="██"/> | | |

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="FLAT 2"/> |
| Address 2: | <input type="text" value="1 MAGDALENE DRIVE"/> |
| 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="EH15 3DD"/> |

Please identify/describe the location of the site or sites

| | | | |
|----------|-------------------------------------|---------|-------------------------------------|
| Northing | <input type="text" value="672644"/> | Easting | <input type="text" value="330497"/> |
|----------|-------------------------------------|---------|-------------------------------------|

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.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site? *

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the total of existing and any new spaces or a reduced number of spaces)? *

2

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycle spaces).

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

Are you able to identify and give appropriate notice to ALL the other owners? *

Yes No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] 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;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Mr George Kelly

Address:

Flat 2, 1, Magdalene Drive, Edinburgh, Scotland, EH15 3DD

Date of Service of Notice: *

01/05/2021

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Ms Alison Campbell

On behalf of:

Date: 05/10/2021

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:

Declaration Date:

Report of Handling

**Application for Planning Permission
Flat 2, 1 Magdalene Drive, Edinburgh**

Proposal: To convert grassed area to garden / driveway / patio area, using porous monobloc pavers. Screened area to rear to use for seating and beds for planting down each side.

**Item – Local Delegated Decision
Application Number – 21/05239/FUL
Ward – B17 - Portobello/Craigmillar**

Recommendation

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

Summary

The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions and the non-statutory Guidance for Householders, as it is not compatible with the character of the existing property and will be detrimental to the neighbourhood amenity and character. There are no material considerations which outweigh this decision.

SECTION A – Application Background

Site Description

The application site is the front garden of a lower ground flat within four storey blocks of flats, located on Magdalene Drive.

Description Of The Proposal

It is a retrospective application for a driveway to the front of the garden and a patio area to the back of the garden. Areas of planting have been retained along the sides of the front garden.

Relevant Site History

No relevant site history.

Consultation Engagement

Publicity and Public Engagement

Date of Neighbour Notification: 19 January 2022

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 material consideration.

a) Scale, form, design and neighbourhood character

The proposed hard-standing area would cover approximately 85% of the front garden area with hard standing which consists of porous materials. The non-statutory "Guidance for Householders" advises that parking spaces in front gardens should be a maximum of 21 square metres or 25% of the area, whichever is the greater. This parking space together with patio takes up 85% of the garden area and exceeds this criterion resulting in an overly dominant feature in this amenity space, detracting from its green character.

In addition, the front parking space should be no wider than 3 metres and the proposal is for 4.7 which considerably exceeds this requirement. In addition, there should be only one parking space per property and the application is for two spaces. Therefore, the proposal does not meet the standards set up by the non-statutory guidance.

In terms of the neighbourhood, the flatted properties of this type have large front gardens and these are generally green space. As a result, the grassed front gardens are part of the overall character of the area and contributes to visual amenity. The loss of the green space begins to undermine this characteristic and starts to impact on the amenity of the neighbourhood.

The proposal does not 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 proposals comply with Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders.

c) Equalities and human rights

The submitted documentation states that the retrospective proposal is for creation of a driveway for two cars combined with extended patio area to the front for the owner of Flat 2 1 Magdalene Drive who is registered disabled.

The application is retrospective, and the patio and driveway have already been constructed to the front of the flatted property.

The planning application raises matters of equality as the purpose of the driveway is to meet the identified needs of a disabled individual and this is a material planning consideration.

The Local Planning Authority has a legal obligation to have due regard to persons with protected characteristics under Section 149 - Public Sector Equality Duty of the Equality Act 2010. The Council in determining the planning applications under Section 25 of the Town and Country Planning (Scotland) Act 1997, must consider whether this material consideration outweighs any potential non-compliance with the Edinburgh Local Development Plan.

In terms of equalities there are merits to the scheme for the applicant. The design of the driveway with smooth level access would provide ease of use for users with mobility difficulties. The scale of the driveway has the potential to deliver a good standard of improving external standards of movement, appropriate for the use of this individual with protected characteristics.

Under Section 149 - Public Sector Equality Duty of the Equality Act 2010, the public authority must have due regard to the need to advance equality of opportunity between persons who share a protected characteristic and persons who do not.

In this case, the delivery of an accessible driveway and patio to the front to accommodate a person's disability has the potential to advance equality of opportunity between persons who share a protected characteristic and persons who don't.

In considering whether this material consideration outweighs any potential non-compliance with the Edinburgh Local Development Plan, a number of factors have to be considered. The works impact on the wider amenity of the neighbourhood by removing the green space.

Planning permission relates to the use of the land and it would not be appropriate to apply a personal consent to the future occupancy of a private flatted property as the driveway and patio area would then have to be removed when the applicant no longer lives there.

On balance, the non-compliance with the LDP and non-statutory guidance for householders is not outweighed by the benefits to an individual with a protected characteristic. As stated above, the proposal does not comply with the Guidance for Householders in terms of the extent of the hard standing, size of the access point and loss of green space. These substantial infringements would cause significant harm to the environment, the character of neighbourhood area and sustainability.

Because it is a retrospective application there was no opportunity to amend the proposals. There would be scope to reduce the hardstanding area and to leave one parking space but given the works are complete, this was not an option for the applicant.

d) Public comments

The application has attracted one comment in support.

e) Other Material Consideration

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.

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 is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it impacts on the character of the building and is detrimental to the neighbourhood character.
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as the access width and scale of hardstanding impacts on the property and the neighbourhood amenity.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 6 October 2021

Drawing Numbers/Scheme

01-06

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Weronika Myslowiecka, Planning Officer
E-mail: veronika.myslowiecka@edinburgh.gov.uk

Appendix 1

Consultations

NAME: Transportation Planning

COMMENT: No objection.

Comments for Planning Application 21/05239/FUL

Application Summary

Application Number: 21/05239/FUL

Address: Flat 2 1 Magdalene Drive Edinburgh EH15 3DD

Proposal: To convert grassed area to garden / driveway / patio area, using porous monobloc pavers. Screened area to rear to use for seating and beds for planting down each side.

Case Officer: Householder Team

Customer Details

Name: Miss Zoe Williamson

Address: 1/3 Magdalene Drive Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I wholeheartedly approve of Ms Campbell's plans for her garden. This garden has mainly been rather unkempt for the last few years. Ms Campbell has it looking lovely. It adds to the general ambiance of the building and I have had a number of visitors commenting on how nice it looked and what an improvement Ms Campbell has made to the garden since she moved in last year. This garden has not just improved to the benefit of the owners, but, I feel, to the building residents as a whole.

MEMORANDUM

To: Planning Officer
Weronika Myslowiecka

From: Transport
Cameron Baillie

Our Ref: 21/05239/FUL

**21/05239/FUL
FLAT 2
1 MAGDALENE DRIVE
EDINBURGH
EH15 3DD**

TRANSPORT CONSULTATION RESPONSE

Summary Response

No Objections

Full Response

1. Any off-street parking space should comply with the Council's Guidance for Householders dated 2018 (see http://www.edinburgh.gov.uk/info/20069/local_plans_and_guidelines/63/planning_guidelines including:
 - a. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth) and at a maximum of 3m wide (4.7m inclusive of transitions);
 - b. Any gate or doors must open inwards onto the property;
 - c. Any hard-standing outside should be porous;
 - d. Consideration should be given to a electric vehicle charger
 - e. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits <https://www.edinburgh.gov.uk/roads-pavements/road-occupation-permits/1>

Cameron Baillie

TRANSPORT
Cameron Baillie
Transport Officer

Ms Alison Campbell.
Flat 2
1 Magdalene Drive
Edinburgh
EH15 3DD

Decision date: 19 January 2022

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

To convert grassed area to garden / driveway / patio area, using porous monobloc pavers. Screened area to rear to use for seating and beds for planting down each side. At Flat 2 1 Magdalene Drive Edinburgh EH15 3DD

Application No: 21/05239/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 6 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 is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it impacts on the character of the building and is detrimental to the neighbourhood character.
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as the access width and scale of hardstanding impacts on the property and the neighbourhood amenity.

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

Drawings 01-06, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions and the non-statutory Guidance for Householders, as it is not compatible with the character of the existing property and will be detrimental to the neighbourhood amenity and character. There are no material considerations which outweigh this decision.

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

Should you have a specific enquiry regarding this decision please contact Weronika Myslowiecka directly at weronika.myslowiecka@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.

Front - Display This Way Up

Issued by:

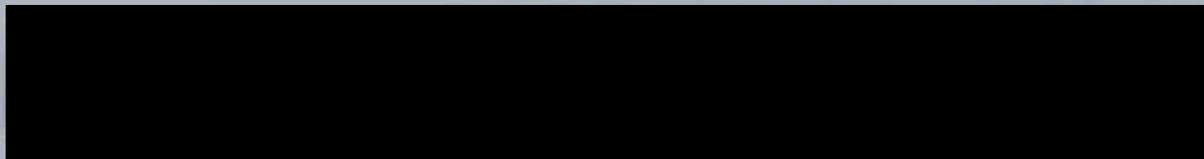
City of Edinburgh Council

Valid From: 27/05/2021

Expiry
Date:

09/04/2022

No:



**Parking Card
for Disabled People**

Carte de stationnement
Parkausweis

Contrassegno di parcheggio
Tarjeta de estacionamiento
Parkeerkaart

Κάρτα στάθμευσης

Karta parkingowa

Cartão de estacionamento

Card de parcare



UK

UK

Back



This Badge entitles the holder to the special local parking facilities.

This Badge should be displayed at the front of the vehicle. It needs to be clearly visible so that it can be checked.

This Badge remains the property of the issuing local authority. If found or not needed anymore, it should be returned to your local authority.

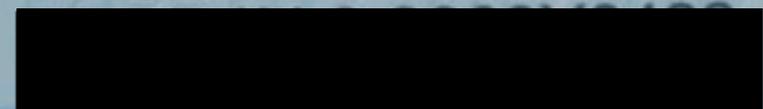
This badge can only be used by the named badge holder, or by a person who has dropped off or is collecting the Badge holder from the place where the vehicle is parked. It is a criminal offence for anyone else to use this Badge in any other circumstances.



Expiry Date:

09/04/2022

Badge No:



Name:

Alison Campbell

