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Decision date: 27 July 2022

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

Proposed two-storey extension.
At 14 Elliot Place Edinburgh EH14 1DR

Application No: 22/01971/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 22 April 2022, 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 is not of an acceptable scale, form or design and is detrimental to the character of the neighbourhood.
2. The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

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 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.

Report of Handling

**Application for Planning Permission 22/01971/FUL
At 14 Elliot Place, Edinburgh, EH14 1DR
Proposed two-storey extension.**

Item	Local Delegated Decision
Application number	22/01971/FUL
Wards	B09 - Fountainbridge/Craiglockhart

Summary

Links

[Policies and guidance for this application](#) ,

Report of handling

Recommendations

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

Background

2.1 Site description

2.2 Site History

Main report

3.1 Description Of The Proposal

Site Description

The application site is a two-storey detached property, located on the corner plot of Elliot Place and Craiglockhart.

Description Of The Proposal

The application proposes to construct a two-storey extension.

3.2 Determining Issues

3.3 Assessment

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

a) The proposals comply with the development plan?

The Development Plan comprises the Strategic and Local Development Plans. The relevant Edinburgh Local Development Plan 2016 (LDP) policies to be considered are:

- LDP Design policies Des 12.

The non-statutory Householder Guidance is a material consideration that is relevant when considering policy Des 12.

Scale, form, design and neighbourhood character

The proposed two-storey extension comes forward of the property towards Craiglockhart Road and as a result would impact the existing building line.

It should be noted that many of these buildings are predominantly bungalow style properties, on a smaller scale. In comparison, the applicant's building is a two-storey corner plot property with a generous space between the development and the street due to their larger plot. The proposal would bring the property closer to the street and would interrupt the set-back character of the properties, and would introduce a visually incongruous and obtrusive addition to the immediate streetscape.

Whilst it is acknowledged that one property on Craiglockhart Road has a small garage fronting the property, it is considered that the existing garage is of a significantly smaller scale and mass than the proposed two-storey extension.

A revision was discussed with the architect to amend the design however this was not progressed by the applicant.

In conclusion, the proposed two storey side extension would result in an overly prominent incursion into and loss of part of this corner plot, with the resultant adverse impact upon the appearance and spatial character of this part of Craiglockhart Road streetscape.

Neighbouring Amenity

With respect to privacy, overshadowing and loss of daylight or sunlight, the proposals have been assessed against requirements set out in the non-statutory 'Guidance for Householders'. The proposals would not result in any unreasonable loss to neighbouring amenity.

Conclusion in relation to the Development Plan

The proposals are not compatible with both the existing building and neighbourhood character. Therefore, the proposals does not comply LDP policy Des 12 and the overall objectives of the Development Plan.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

SPP - Sustainable development

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 complies with Paragraph 29 of SPP.

Emerging policy context

The Draft National Planning Framework 4 has been consulted on but has not yet been adopted. As such, little weight can be attached to it as a material consideration in the determination of this application.

While City Plan 2030 represents 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.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

No comments have been received.

Conclusion in relation to identified material considerations

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not of an acceptable scale, form or design and is detrimental to the character of the neighbourhood.
2. The proposed works to the dwelling are not in accordance with the Development Plan. The works are not compatible with the existing dwelling and surrounding neighbourhood character. There are no material considerations which indicate that the proposal should be granted. Therefore, the proposal is not acceptable.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

Background reading / external references

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

Statutory Development

Plan Provision

This report will consider the proposed development under Sections 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- the Scottish Planning Policy presumption in favour of sustainable development, which is a significant material consideration due to the development plan being over 5 years old;
- equalities and human rights;
- public representations; and
- any other identified material considerations.

Date registered

22 April 2022

Drawing numbers/Scheme

01-05,

Scheme 1

David Givan
Chief Planning Officer
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The City of Edinburgh Council

Contact: Weronika Myslowiecka, Planning Officer
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Links - Policies

Appendix 1

Consultations

END