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Mr Gourley
28 Lanark Road West
Currie
EH14 5JY

Decision date: 4 August 2022

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

Side extension to form new bedrooms /en-suites, front entrance extension plus new and replacement roof dormers and roof lights.
At 28 Lanark Road West Currie EH14 5JY

Application No: 22/02038/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 14 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:-

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

Drawings 01-07, 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 Annmaree Marwick directly at annmaree.marwick@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
28 Lanark Road West, Currie, EH14 5JY**

Proposal: Side extension to form new bedrooms /en-suites, front entrance extension plus new and replacement roof dormers and roof lights.

**Item – Local Delegated Decision
Application Number – 22/02038/FUL
Ward – B02 - Pentland Hills**

Recommendation

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

Summary

SECTION A – Application Background

Site Description

The proposal relates to a detached one and a half storey dwellinghouse with a hipped roof. The property has an existing single storey extension on the rear elevation. The application site is located on the northern side of Lanark Road West and the surrounding area is largely residential.

Description Of The Proposal

The proposal seeks to convert the upper floor to create additional living space whilst creating a gable roof form. The proposal includes a box dormer to the rear which wraps round to form a two storey extension on the side elevation. An additional small two storey extension is proposed to the middle of the front elevation .

Previous Application

The previous application was refused (21/03239/FUL) and included a two storey side extension, front extension and dormer including a balcony. The refusal was upheld at the Local Review Body.

Relevant Site History

No relevant site history.

Other Relevant Site History

Consultation Engagement

No consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 4 May 2022

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 3

Section B - Assessment

Determining Issues

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.

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.

LDP Policy Des 12 seeks to ensure that alterations and extensions are compatible in design, form, and positioning with the character of the existing building and that of the surrounding neighbourhood character. In addition, the non-statutory Guidance for

Householders confirms that extensions should not overwhelm or dominate the original form or appearance of the house or detract from the character of the area.

The street on which the site is located on is predominantly occupied by one and a half storey dwellings with hipped roofs and an established building line. Moving to the east of the site the building form starts to vary and the prevailing character becomes diluted.

Nonetheless, this dwelling is of the same built form of the properties to the east and therefore any development should be in keeping with the established character. The proposal seeks to introduce an extension to the front which would alter the principal elevation and in turn have a detrimental impact on the well established building line on the street, albeit this is smaller than the previous scheme. This is contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders.

The non-statutory Guidance for Householders states that the pitch and form of an extension roof should match that of the existing roof. The proposal seeks to extend the upper floor with the addition of a box dormer to the rear which would wrap around to the side extension and as such would change the roof form. The immediately surrounding properties on the street all have hipped roofs. When viewed as a whole the three elements of the proposal would significantly alter the appearance of the house and it would have an adverse impact on the character of the surrounding area. The proposal is therefore contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders.

The applicant was drawn to the aforementioned concerns but was unwilling to alter the proposed scheme.

Overall, the proposed scale, form and design is not in-keeping with the characteristics of the surrounding area. The proposed development would disrupt the prevailing roof form and established building line in the surrounding area by virtue of its scale, form and design resulting in an incongruous addition to the traditional property.

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

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

d) Public comments

Three objections were received and the content of which is summarised below:

- the frontage is not in-keeping with the surrounding properties - addressed in section a) above;
- proposed roof form not in-keeping with area - addressed in section a) above.

- disruption during construction - this is a non-material consideration
- an existing garden room on site should be included - each application is determined as submitted

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.

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 extension is contrary to Edinburgh Local Development Plan Policy Des 12 on extensions and alterations as its scale, form and position would appear incongruous in this context and adversely impact on the character and appearance of the existing building and neighbourhood character.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposed extension is contrary to Edinburgh Local Development Plan Policy Des 12 on extensions and alterations as its scale, form and position would appear incongruous in this context and adversely impact on the character and appearance of the existing building and neighbourhood character.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 14 April 2022

Drawing Numbers/Scheme

01-07

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Annmaree Marwick, Planning officer
E-mail: annmaree.marwick@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

Comments for Planning Application 22/02038/FUL

Application Summary

Application Number: 22/02038/FUL

Address: 28 Lanark Road West Currie EH14 5JY

Proposal: Side extension to form new bedrooms /en-suites, front entrance extension plus new and replacement roof dormers and roof lights.

Case Officer: Householder Team

Customer Details

Name: Mr Archie Clark

Address: 33 Lanark Road West Currie Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Dear Sir

The Town and Country Planning (Scotland) Acts

22/02038/FUL - Side extension to form new bedrooms/en-suites, front entrance extension plus new and replacement roof dormers and roof lights at 28 Lanark Road West, Currie EH14 5JY.

I wish to object to the above application, which is similar to 21/03239/FUL that was refused in July 2021. The grounds for my objection are as below.

- 1) The plans are difficult to interpret - particularly the front and end elevations. Perspective sketches supplemented by cross sections would help explain what is intended.
- 2) Amenity - the majority of the houses on the north side of Lanark Road West in this area have sloping tiled roofs to the north, south, east and west. The application proposes to replace the characteristic tiled gable pitches with powder coated vertical gables of unspecified colour. That would be an inappropriate change to the character of the street.
- 3) The oddly unbalanced two-storey portal frame in glass and powder coated panels around and above the front entrance is not characteristic of the other houses in this street. These materials may be acceptable for use on the rear of the dwelling but not for the front. In any case, this pretentious 'grand archway' incorporating the front door looks contrived, with a west-facing window, made the more so as there appears to be a slab roof over the lounge bay window. It is difficult to understand the reason for selecting alien materials that would only be visible from the upper deck of a passing bus above the tall boundary wall and hedge. Taking the houses in the vicinity as a group, it would change the character of this part of the street, which would be

unwelcome.

4) The purpose of the "terrace" with its full height glazing is unclear. A conventional sash window with a cill similar to those at the rear would be more in keeping with the character of the house and allow the front roof tiling to continue through to the window above the porch.

For the above reasons, I request that this application be refused.

I should be grateful if you would advise me of any further drawings submitted for this property before the application is considered.

In compliance with data protection legislation, please do not place this letter on the portal till the application has been decided.

Comments for Planning Application 22/02038/FUL

Application Summary

Application Number: 22/02038/FUL

Address: 28 Lanark Road West Currie EH14 5JY

Proposal: Side extension to form new bedrooms /en-suites, front entrance extension plus new and replacement roof dormers and roof lights.

Case Officer: Householder Team

Customer Details

Name: Mrs Eleanor Trotter

Address: 30 Lanark Road West Currie

Comment Details

Commenter Type: Member of Public

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: There does not appear to be a significant difference from previously submitted plans 21/03239/FUL which were rejected last year.

New proposals would still be totally out of character of the area.

This house is located in a stretch of approximately 40 bungalows, either semi or detached, from Muirwood Road to Bryce Road (apart from single block of four houses at Muirwood Road end). All are visibly traditional from Lanark Road West and the proposed structure would absolutely change this.

Comments for Planning Application 22/02038/FUL

Application Summary

Application Number: 22/02038/FUL

Address: 28 Lanark Road West Currie EH14 5JY

Proposal: Side extension to form new bedrooms /en-suites, front entrance extension plus new and replacement roof dormers and roof lights.

Case Officer: Householder Team

Customer Details

Name: Mr James Webber

Address: 56 Thomson Drive Currie Midlothian

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The scale of this plan is disproportionate to the current dwelling and will massively increase the footprint of the dwelling

There is also NO inclusion of the "Garden Room" which this applicant erected without planning permission on a like for like basis - which upon investigation by CEC Planning enforcement was deemed to require planning. Officers advised me, via the local cllr, that any future application made by the householder would have to INCLUDE the garden room.

Their previous application was rejected due to the scale and design and this is a resubmission. I would have hoped to see the imposing garden room (which is more akin to a small dwelling) be included on this application. The plans are equally imposing in size and are not in keeping with ANY of the other neighbouring properties

Further, previous construction and extension has been carried out by the householder themselves. This has meant the disruption to the neighbours was prolonged and always at weekends. There was no recognition by the individual householder of the requirement to only work during certain times at the weekend.

The sheer scale of this development could mean, if carried out by the householder alone as has been the case historically, extremely prolonged disruption and working outside permissible times leading to stress and anxiety due to the antisocial behaviour