

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 100645318-002

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:	hLp Architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Colin	Building Name:	
Last Name: *	Gibson	Building Number:	35
Telephone Number: *	01316699300	Address 1 (Street): *	Joppa Road
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH15 2HB
Email Address: *	hlparchitects@btconnect.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="Shaukat"/>	Building Number:	<input type="text" value="29"/>
Last Name: *	<input type="text" value="Ali"/>	Address 1 (Street): *	<input type="text" value="Windsor Street"/>
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="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH7 5LA"/>
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="1-2 WOLSELEY TERRACE"/>
Address 2:	<input type="text" value="WILLOWBRAE"/>
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="EH8 7AB"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="674124"/>	Easting	<input type="text" value="328295"/>
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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)

Change of Use of part retail unit to form dwelling at 1 - 2 Wolseley Terrace, Edinburgh, EH8 7AB

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 statement in 'Supporting Documents'

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)

Architectural drawings: 2318-001 to 005 as submitted in original application. Supporting Statement: 2318-006PL Email correspondence between agent and case officer 6/11/23

Application Details

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

23/04946/FUL

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

26/09/2023

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

15/12/2023

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 Colin Gibson

Declaration Date: 14/03/2024

SUPPORTING STATEMENT

Project:	1-2 Wolsley Terrace, Edinburgh EH8 7AB
Subject:	Supporting Statment supplementary Notice of Review lodged by hLp architecture in relation to planning application ref no. 23/04946/FUL
Date:	14.02.24
Client:	Mr Shaukat Ali
Author:	Colin Gibson (hLp architecture)
Reference no:	2318-006PL

Supporting Statement

In reading the Report of Handling issued by the Case Officer of this application the sole reason for refusal appears to be a lack of daylight provided in the Dining / Lounge at the rear of the property:

- *The property will have one rooflight above the corridor leading between the kitchen and living room, and will have one window in the bedroom immediately adjacent to the pavement and a rear glass door. No information has been provided to demonstrate that the proposal would meet the minimum level of natural daylight to achieve adequate occupier amenity. As such, the proposal fails to comply with Edinburgh Design Guidance and the objectives of LDP Policy Hou 5."*

We would note that the drawings do not show a corridor between the kitchen and the Dining / Lounge this space is open providing light into the area via the proposed rooflight and glazed side door. There is an existing constriction in the floor plan here, which if felt appropriate could be widened.

Further the minimum level of natural daylight under the Building Standards definition is 1/10th of the floor area. The Dining / Lounge area is 15.7m². The replacement rooflight has an area 1.2m² and the glazed door added a further 0.8m² of glazed area bring a total glazed area of 2m² which is greater than 1.57m² requirement.

If it was felt appropriate either by condition or further agreement, an additional rooflight could be included.

The Bedroom has a floor area of 12m² and a glazed area of 2.11m². Clearly greater than the minimum requirement.



In an email sent to us on 06/11/23 the Case Officer did raise concerns regarding daylight and potential noise issues between the shop and dwelling. We received no response to our reply. However it at least appears the noise concern is not an issue any longer as it was not raised in the Report of Handling. We would have been happy to provide further information if given the opportunity to do so. If felt appropriate a condition could be attached to an approval that sound test data be provided.

This entire appeal process could have been avoided had the Case Officer responded to our communication. As it turned out we received no further response until the application was refused on 15/12/24 – Incidentally 21 days after the determination deadline had passed.

If the Council has indeed declared a housing emergency then surely small and relatively simple conversions to provide affordable housing such as this proposal should be give some more consideration than an outright refusal.



BArch(Hons) DipArch

Colin Gibson
PARTNER

on behalf of hLp architecture

Dated 14.02.23

Re: 23/04946/FUL - 1 - 2 Wolseley Terrace

holstead lukas <hlparchitects@btconnect.com>

Mon 06/11/2023 12:51

To: Weronika Myslowiecka <Weronika.Myslowiecka@edinburgh.gov.uk>

Weronika,

Do you require us to show further compliance for sound between the shop unit and the residential unit? We can easily provide this if requested.

Your second comment is fundamentally wrong. The door to the garden is glazed and there is a velux rooflight in the roof, both providing natural light to the kitchen and lounge areas? Perhaps you have misread the drawings?

Best Regards

Greg Holstead
PARTNER

hLp Architecture

[35 Joppa Road Edinburgh EH15 2HB](#)

T:0131 66 99 300

The information contained in this email and any attached files, photographs, images, drawings, video or otherwise in any electronic format whatsoever has been transmitted in confidence and is intended for the recipient only. If you have received this email, directly or indirectly in error please accept our apologies and notify hLp immediately. Any disclosure, copying, distribution or unauthorised use of this communication is strictly prohibited and may be unlawful. We reserve the right to monitor and intercept communications for lawful business purposes and shall use it in evidence if required.

On 06/11/2023 12:27, Weronika Myslowiecka wrote:

Dear Mr Holstead,

I am currently assessing the above application and unfortunately in this occasion we would not be able to support the above application.

- There is a significant concern about the potential noise and vibration from the current shop and that would impact the amenity of the occupiers in the proposed residential property and would not be acceptable.
- The Edinburgh Design Guidance sets out standards for amenity with respect to daylight entering proposed residential premises. The proposed flat would not have any window in the living room or kitchen which is not acceptable.

With regard to the above, if you wish to withdraw the application, please do so by Friday 10th November 2023. Otherwise, the application will be refused.

Regards,

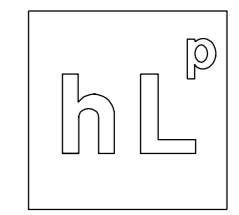
Weronika

Weronika Myslowiecka | Planning Officer | Locals – City Wide | Planning and Building Standards | Sustainable Development | PLACE Directorate | The City of Edinburgh Council | Waverley Court, G.2, 4 East Market Street, Edinburgh, EH8 8BG | weronika.myslowiecka@edinburgh.gov.uk
 You can access our services at www.edinburgh.gov.uk/planning-building and follow the [Planning Edinburgh](#) blog for updates on our service.



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NOTES

1. ~~Contractors not to scale from this drawing.~~
2. All dimensions to be taken on site prior to manufacture or ordering of any materials or components.
3. These drawings are not to be used as Construction drawings without prior agreement with hlp Architects
4. Dimensions notified on this drawing may vary due to existing site conditions. Contractor to notify the Client or Architect prior to proceeding where dimension adjustment required.

PROJECT
3/1 WOLSELEY TERRACE
EDINBURGH
EH8 7AB

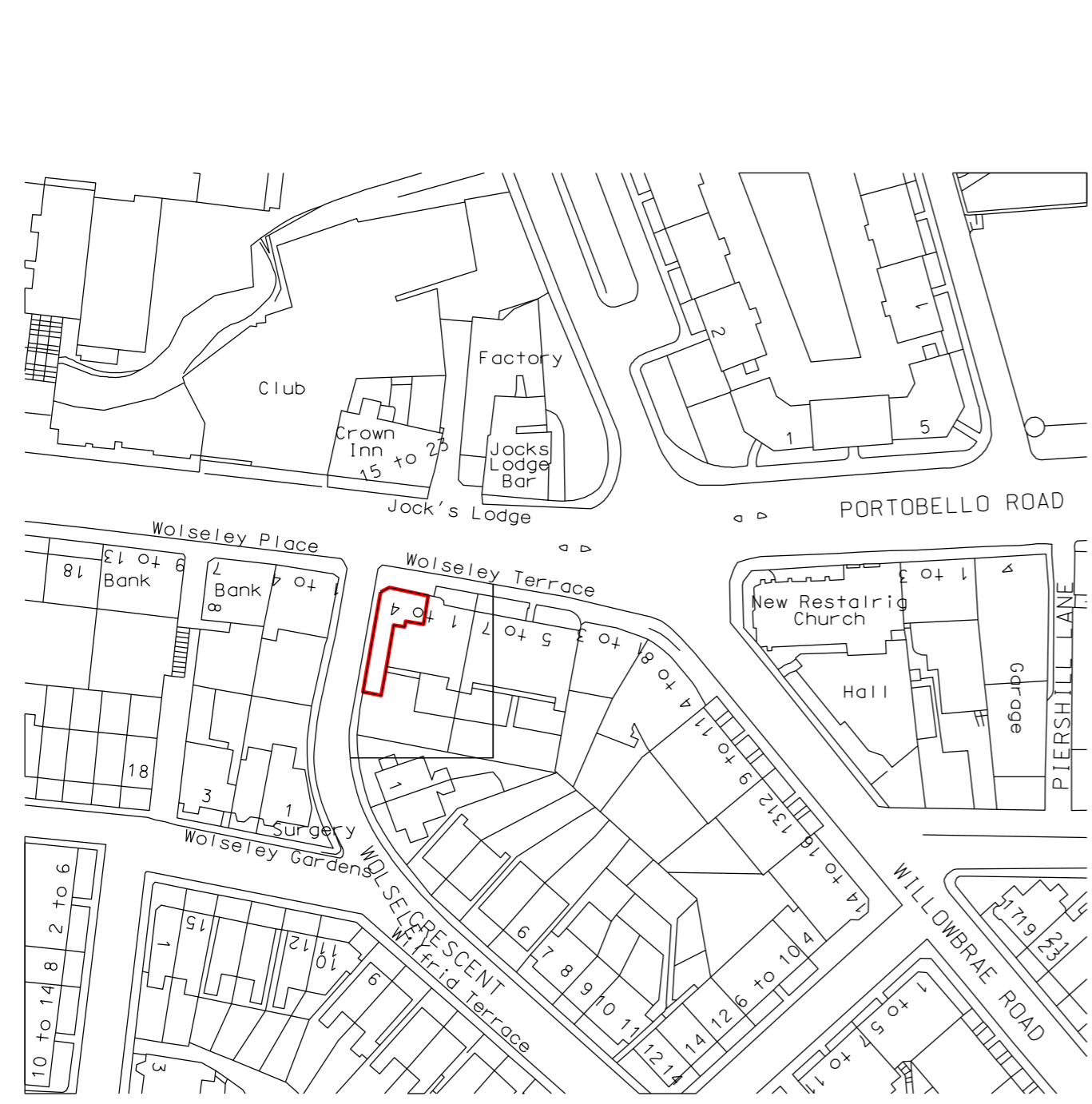
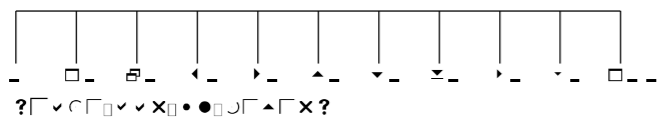
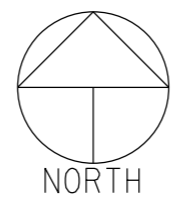
TITLE
LOCATION AND BLOCK
PLANS

Date MAY 2023

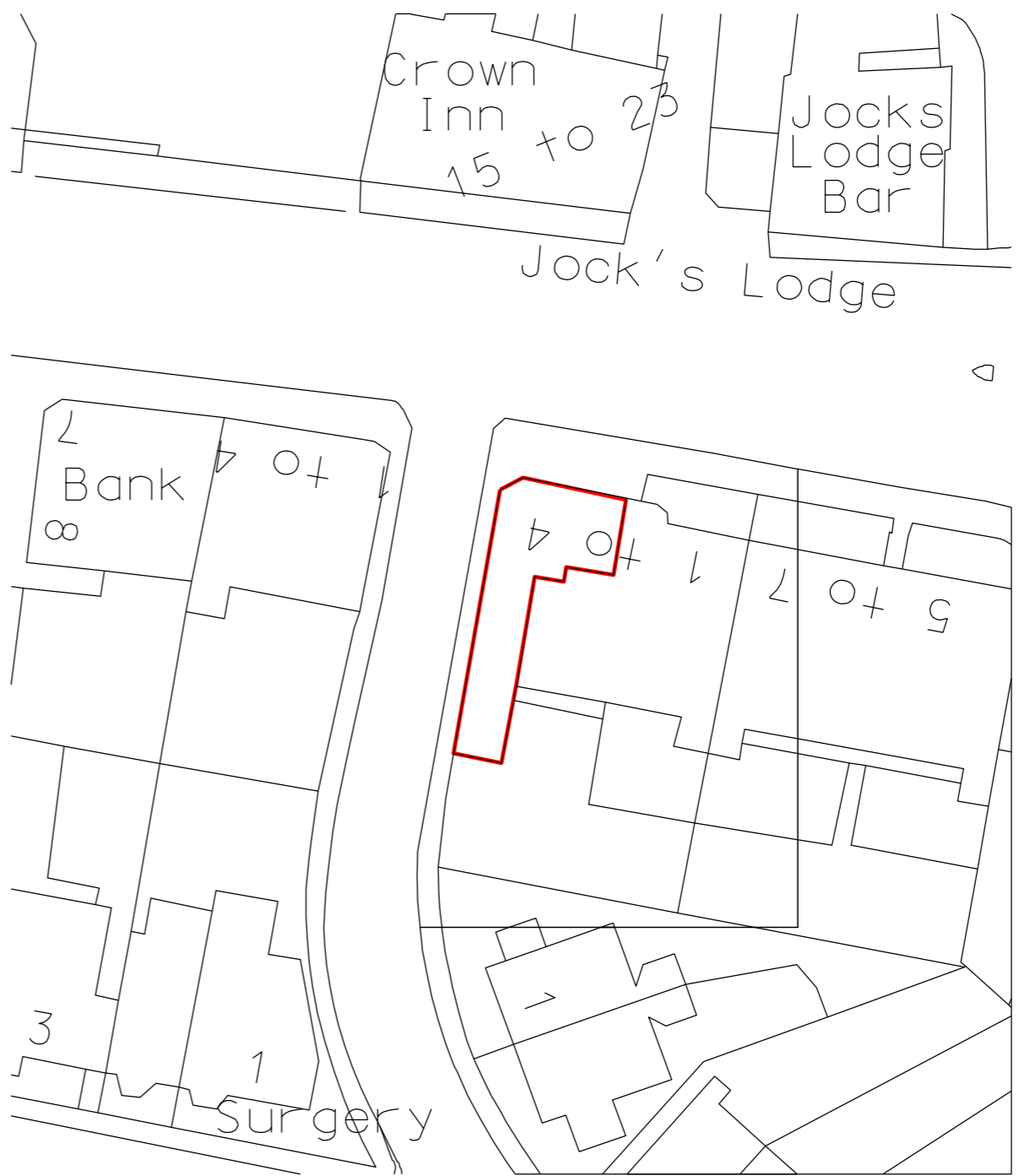
Drawn GH Checked

Scale VARIES @ A3

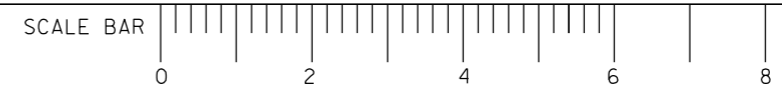
Drwg No. 2318/001



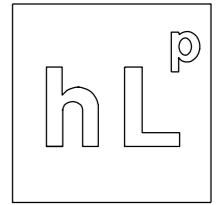
LOCATION PLAN - SCALE 1:1250



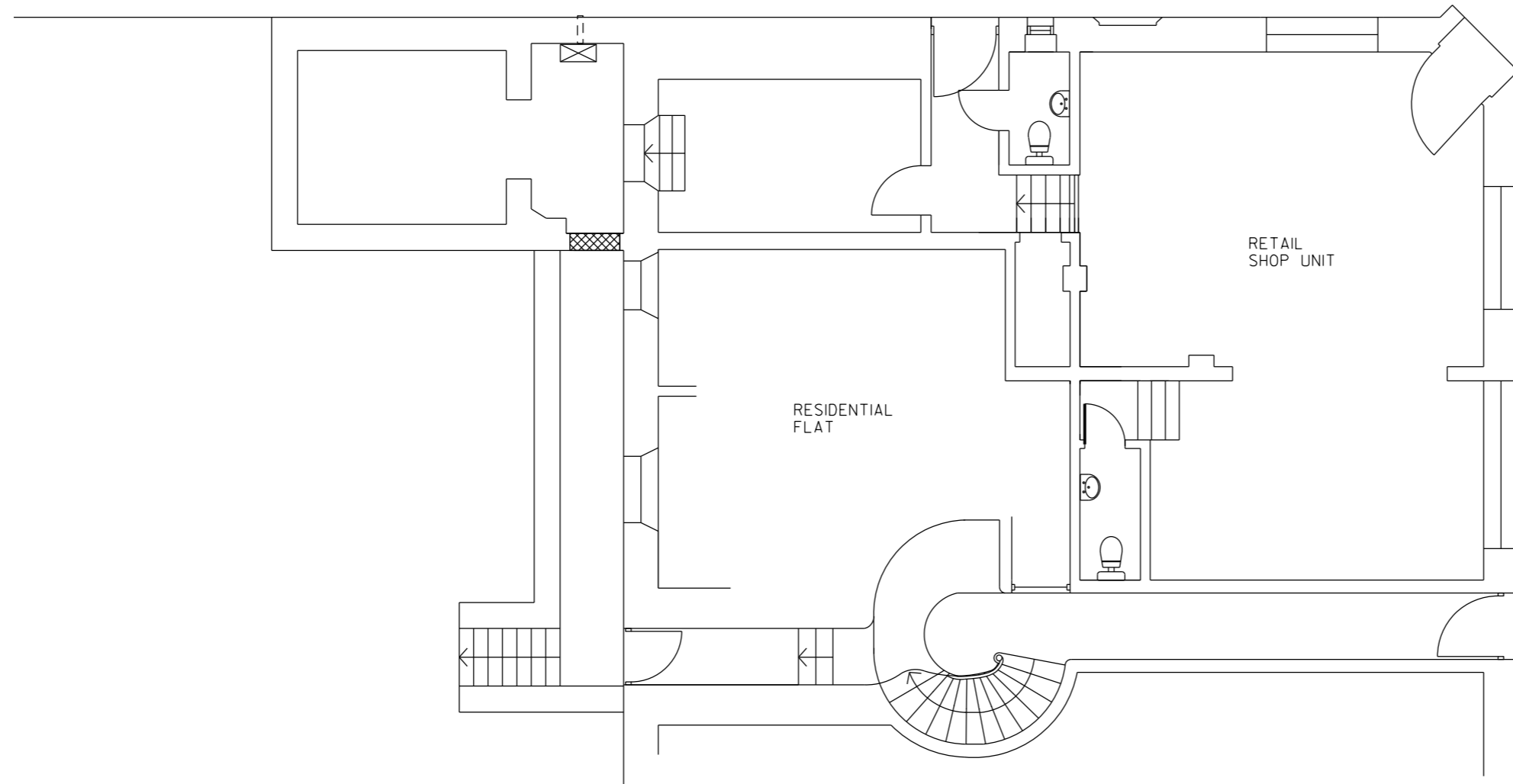
BLOCK PLAN 1:500



holstead lukas partnership
architecture



35 Joppa Road
Edinburgh, EH15 2HB
T. 0131 669 9300
E. hlparchitects@btconnect.com



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PROJECT
3/1 WOLSELEY TERRACE
EDINBURGH
EH8 7AB

TITLE
EXISTING GROUND FLOOR
PLAN

Date MAY 2023

Drawn GH Checked

Scale 1:100 @ A3

Drwg No. 2318/002

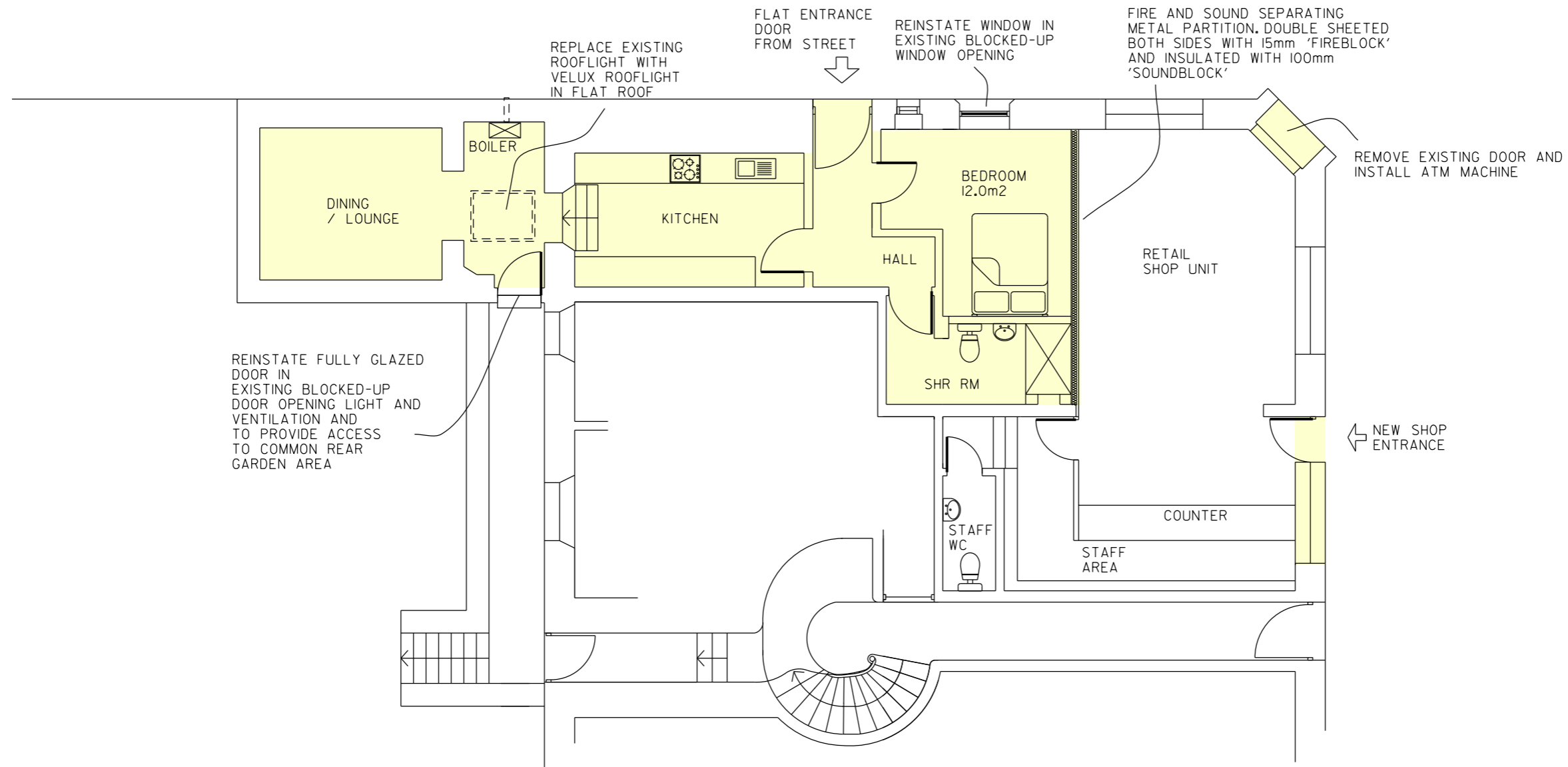


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REAR AREA OF RETAIL UNIT
SEPARATED BY CONVERSION
TO FORM NEW RESIDENTIAL FLAT
TOTAL NEW FLAT AREA = 55m²



NOTES

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PROJECT
3/1 WOLSELEY TERRACE
EDINBURGH
EH8 7AB

TITLE
PROPOSED GROUND FLOOR
PLAN

Date MAY 2023

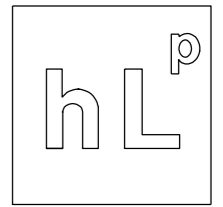
Drawn GH Checked

Scale 1:100 @ A3

Drwg No. 2318/003 B



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FIT NEW WINDOW IN
EXISTING BLOCKED-UP
DOOR OPENING

REINSTATE DOOR IN
EXISTING BLOCKED-UP
DOOR OPENING

PROPOSED STREET ELEVATION

PROPOSED GARDEN ELEVATION

NOTES

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EXISTING
BLOCKED-UP
DOOR OPENING

EXISTING STREET ELEVATION

EXISTING GARDEN ELEVATION

PROJECT

3/1 WOLSELEY TERRACE
EDINBURGH
EH8 7AB

TITLE

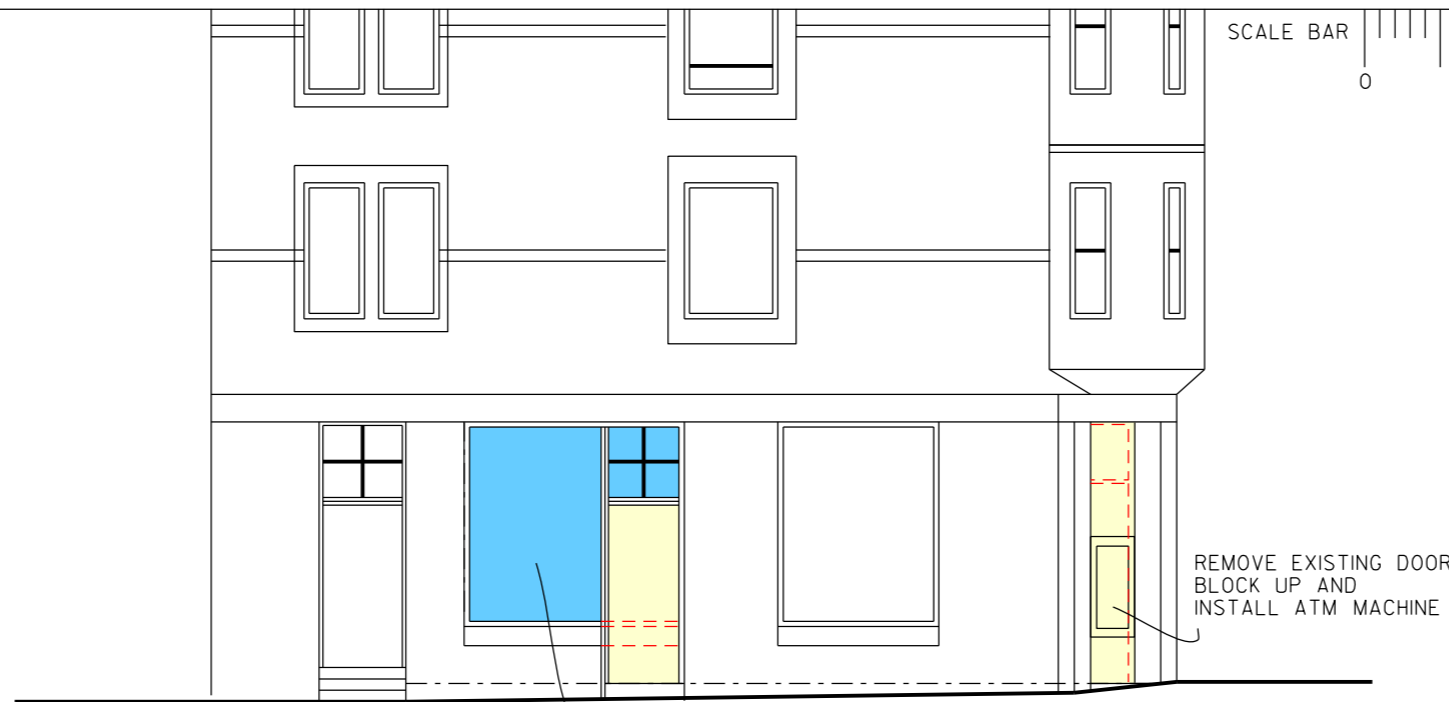
EXISTING AND PROPOSED
ELEVATIONS TO WOLSELEY
CRESCENT

Date MAY 2023

Drawn GH Checked

Scale 1:100 @ A3

Drwg No. 2318/004 A



PROPOSED ELEVATION

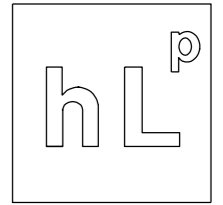
REMOVE EXISTING SHOP WINDOW AND INSTALL NEW SHOP ENTRANCE DOOR AND DOUBLE GLAZED WINDOW

REMOVE EXISTING DOOR BLOCK UP AND INSTALL ATM MACHINE



EXISTING ELEVATION

holstead lukas partnership
architecture



35 Joppa Road
Edinburgh, EH15 2HB
T. 0131 669 9300
E. hlparchitects@btconnect.com

NOTES

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PROJECT

3/1 WOLSELEY TERRACE
EDINBURGH
EH8 7AB

TITLE

EXISTING AND PROPOSED
ELEVATIONS TO WOLSELEY
TERRACE

Date MAY 2023

Drawn GH Checked

Scale 1:100 @ A3

Drwg No. 2318/005 A