

# Planning Pre-Application Advice Service: Request Form

Please complete & return to [preapplicationadvice@edinburgh.gov.uk](mailto:preapplicationadvice@edinburgh.gov.uk)

This form can be used to request advice from the City of Edinburgh Council on a development proposal prior to submitting a planning application. Personal data will be held in accordance with the Data Protection Act. Please read the Customer Service Guide at [www.edinburgh.gov.uk/preapplicationadvice](http://www.edinburgh.gov.uk/preapplicationadvice) before submitting.

## 1) Contact details

Applicant		Agent (if applicable)	
Name:	<input type="text"/>	Name:	<input type="text" value="Varshini Gorjala"/>
Organisation:	<input type="text" value="Hosp Limited"/>	Organisation:	<input type="text" value="Scott Hobbs Planning"/>
Address:	<input type="text" value="PO Box 252, Suite B, St Peter Port, Sausmarez Street, St Peter Port, Guernsey, GY1 4LQ."/>	Address:	<input type="text" value="24A, Stafford Street, Edinburgh, EH3 7BD."/>
Phone:	<input type="text"/>	Phone:	<input type="text" value=""/>
Email:	<input type="text"/>	Email:	<input type="text" value=""/>

## 2) Development proposal

Please provide the address/location of the proposed development.

Site adjacent to West of the East Lodge, 100 The Wisp, Edinburgh and 545 Old Dalkeith Road, Edinburgh.

Please specify the existing land use, any existing floor areas, and known environmental constraints.

Please refer to the cover letter submitted.

Please describe the development proposal, including the site area and the type and net internal area of new space.

'Refurbishment of Edmonstone South Lodge to form dwellinghouse and erection of cottages adjacent to East Lodge'.

East Lodge Cottage 1 - 119.6sqm  
East Lodge Cottage 2 - 116.5sqm  
South Lodge - 98sqm

Please set out any information that is particularly sought from the Council.

Feedback is sought in relation to the principle of the use, scale of the development, materials, landscaping provision and flooding assessment of the site. And also in relation to South Lodge listed building and setting of East Lodge listed building.

*\* In most cases, for local developments general advice only will be provided on matters such as Drainage, Archaeology, Transport etc.*

### 3) Service

Please mark below the standard service that relates to your development proposals.

Please consult the [Customer Service Guide](#) for more information on each service. If you are unclear about which level of service applies to your development, please contact [preapplicationadvice@edinburgh.gov.uk](mailto:preapplicationadvice@edinburgh.gov.uk) to confirm.

**A** Local development (small) (1 to 11 residential units/ less than 1,000 m<sup>2</sup> class 4, 5, 6, other or mixed space)

- Desktop review by case officer and advice letter. £330

**B** Local development (medium) (12 to 49 residential units/ 1,000m<sup>2</sup> to 9,999m<sup>2</sup> class 4, 5, 6 space/ 1,000m<sup>2</sup> to 4,999m<sup>2</sup> other or mixed space)

- 1 hour inception meeting with case officer; £1500
- Accompanied site visit with case officer;
- 1 hour follow-up meeting with case officer;
- Advice letter.

*\* Additional meetings as required and agreed between case officer and applicant will be charged at £660 per hour for the Local development (medium) category. This sum reflects the cost of the meeting itself and the associated cost of preparatory and post-meeting work.*

**C** Major or national development (criteria per the [Hierarchy of Developments \(Scotland\) Regulations 2009](#) e.g. 2+ hectare site/ 50+ homes/ 10,000m<sup>2</sup> or more class 4, 5, 6 space/ 5,000m<sup>2</sup> or more other or mixed space)

- Pre-position discussion only £1320

Standard service: £12000

- 1 hour inception meeting with case officer and team manager;
- Accompanied site visit with case officer;
- A 2 hour meeting with the case officer, other relevant Council service areas and statutory external consultees (based on the case officer's judgement of which service areas and external consultees are required);
- A 2 hour follow-up meeting with the case officer and other relevant service areas;
- A 1 hour wrap-up meeting with case officer;
- Advice letter.

*\* Additional meetings for a Major/national development will be arranged between the case officer and applicant, and a bespoke charge agreed.*

### 4) Payment

How will payment be made? Online  BACS  Internal

Folio code

Who will make payment? Applicant  Agent

Does your development relate primarily to improving access for people with disabilities? Yes  No

### 5) Return

Please email this form and any accompanying documents to [preapplicationadvice@edinburgh.gov.uk](mailto:preapplicationadvice@edinburgh.gov.uk)

For documents to be included please see the [Customer Service Guide](#).



# Planning Pre-Application Advice Service Advice Letter

## Proposed Development

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Pre-application advice has been sought in relation to two sites on the Edmonstone Estate. It is proposed to renovate and extend the South Lodge for use as a dwellinghouse and erect two, 2-storey dwellinghouses to the west of the East Lodge.

## South Lodge - Key Issues and Overall Advice

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### Principle of Use

A residential use is acceptable in principle.

### Listed Building/s and Conservation Area

The lodge and its gates / walls are a Category B listed building (LB49518). They are within the Edmonstone House Special Landscape Area but no material concerns have been noted with regard to this designation at this stage.

The site was subject to the now expired 18/01544/FUL and 18/01543/LBC which both received a 'mixed decision'. The alterations proposed to the gates / walls were not approved and resistance to similar in nature works should be expected; it is noted that this does not seem to be the case at this stage.

Justification for extending the lodge will be expected but the restoration works to the building and curtilage appear to be acceptable at this stage.

### Other Historic Assets and Places

The site (including the lodge) is within an area with archaeological potential and investigation may be required.

### Climate Mitigation and Adaptation

Whilst weight will be given to the age and condition of the existing building, details of how the proposals will address the global climate and nature crises will be expected.

Surface water management information will be expected but specific studies such as a surface water management plan or flood risk assessment are unlikely to be required for proposals of this scale and nature.

A Tree Survey was provided. Tree Preservation Order 164 is relevant but no trees have been designated for removal at this stage. The Section 3.9 recommendation should be taken forward and further details will be expected in regard to Section 3.8. The removal of any trees to accommodate the proposals is likely to be resisted.

Broadly derelict buildings often have roosting bat potential and formal investigation of this will be expected.

### Design, Quality and Place

Design matters have been considered under Listed Building/s and Conservation Area.

The pre-applicants, given their involvement in the wider development of the Edmonstone Estate, will be aware of the resistance to allowing vehicular access for the 'driveway' to the site of Edmonstone House. Transport Planning, in their response to 18/01544/FUL, appear to have accepted vehicular access and parking for the South Lodge. However, the pre-applicants will be aware that physical vehicular access restrictions will be secured for the 'driveway' under the ongoing Phase 5 application (22/02742/AMC).

The red line boundary of relevant drawings should be extended to the Old Dalkeith Road as this land will be required to access site from the current road network.

The pre-applicants should demonstrate that vehicles can turn within the site so that they can leave it and access Old Dalkeith Road in first gear. This will reduce the potential for conflict with active travel users of the 'driveway'. In addition, and whilst subject to separate non-planning consent, further consideration should be given to how the site will be served in a safe manner by CEC refuse vehicles.

#### **Other Constraints**

None identified at this pre-application stage.

#### **Other Planning Consents Required**

Listed Building Consent.

#### **Developer Contributions**

None identified at this pre-application stage.

#### **Information Required to Support the Application**

- Planning Statement
- Preliminary Roost Assessment
- Surface water management information
- Sustainability Statement and S1 Form
- Tree Survey, noting the recommendations of that provided at this stage
- Waste management information

## **Land to the West of the East Lodge - Key Issues and Overall Advice**

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#### **Principle of Use**

The is located within the HSG40 LDP allocation where residential uses are acceptable in principle.

#### **Listed Building/s and Conservation Area**

The lodge adjacent is a Category B listed building (LB49519). The undeveloped site is also within the Edmonstone House Special Landscape Area. The restoration of the lodge is subject to the extant 22/02161/FUL and 22/02162/LBC.

The pre-applicants have previously sought consent for the erection of four townhouses under 22/02163/FUL which was ultimately withdrawn. The pre-applicants were advised that 22/02163/FUL was not considered to comply with LDP Policy Env 3 (listed buildings – setting).

Whilst it is noted that the two, 2-storey dwellinghouses are more 'traditional' in appearance than the townhouses of 22/02163/FUL, this change in appearance is ultimately irrelevant to whether suitable respect would be given to the setting of the East Lodge. The proposals still constitute development within the undeveloped setting of a gate lodge. The setting for such lodges, due to their positions at the entrances for 'driveways' to historic houses, are typically physically detached from nearby development and feature natural landscaping. The wider development of the Edmonstone Estate is noted but Tweedsmuir Drive separates this from the site. It is likely that the proposals would be considered to have a detrimental impact on the setting of the East Lodge and a planning application is discouraged on this basis.

#### **Climate Mitigation and Adaptation**

Details of how the proposals will address the global climate and nature crises will be expected.

The site is adjacent to land at a high risk of surface water flooding. A drainage layout drawing, as was the case for 22/02163/FUL, will be expected but the comments of CEC Flood Prevention from that withdrawn application are summarised below:

- They noted that the proposals within the drainage layout drawing appeared reasonable but that a surface water management plan would have been “useful”;
- They would have requested a surface water management plan checklist and Certificate A1 to cover the drainage layout drawing;
- They would have requested drawings showing the pre and post development surface water overland flows which should include run off from outside the site and from events which exceed the capacity of the drainage system; and
- They would have asked whether soakaway testing had been conducted which they generally require upfront to confirm that it is feasible.

Allocation wide drainage proposals are being implemented through the wider development of the Edmonstone Estate (21/06751/AMC) and the exploration of ‘connecting’ into this network would be encouraged.

#### **Design, Quality and Place.**

Design matters have been considered under Listed Building/s and Conservation Area.

A Tree Survey was provided for 22/02163/FUL and a similar study will be expected. Tree Preservation Order 164 is also relevant to this site. The pre-applicants were advised that 22/02163/FUL was not considered to comply with LDP Policy Env 12 (trees) as good arboricultural reasons were not put forward for removals. This, subject to consideration of any new Tree Survey, may still apply and if this remains the case, it is likely that the proposals would also be considered to have a detrimental impact on trees worthy of retention. A planning application, subject to consideration of any new Tree Survey, is also discouraged on this basis.

A Preliminary Ecological Appraisal Update was provided for 22/02163/FUL and a similar study will be expected; the pre-applicants will note the time limited nature of species surveys.

#### **Other Historic Assets and Places**

The site is within an area with archaeological potential and investigation may be required.

#### **Other Constraints**

None identified at this pre-application stage.

#### **Other Planning Consents Required**

None identified at this pre-application stage.

#### **Developer Contributions**

None identified at this pre-application stage.

#### **Information Required to Support the Application**

- Planning Statement
- Preliminary Ecological Appraisal Update or similar
- Surface water management information
- Sustainability Statement and S1 Form
- Tree Survey

**This advice has been provided on the basis of an analysis by the case officer and signed off by a Planning team manager.**

**Case officer:** Graham Fraser

**Team manager:** Lesley Carus

**Date:** 15<sup>th</sup> June 2023

**NB: STATUS OF PRE-APPLICATION ADVICE**

*Any advice provided under this service is given on behalf of the Council as Planning Authority, based on the information provided, and the planning policies and other site constraints relevant at the time of writing. This advice does not prejudice any subsequent decision which will be based upon all material considerations, including views of all stakeholders, including the public.*

*For the purposes of requests for information made under the Environmental Information Regulations, advice given will be treated as commercially sensitive (and its release contested) until such time as an application has been determined. This advice should be read in its totality and in conjunction with the relevant legislation and planning policies and guidance, including the Local Development Plan, Statutory Guidance, non-statutory guidance, site specific briefs etc. The Council documents can be accessed on the Council website.*

# Report of Handling

**Application for Planning Permission  
Land 28 Metres West Of East Lodge 100 The Wisp, Edinburgh,**

**Proposal: Proposed erection of 2 No. cottages with associated access, car parking and landscaping.**

**Item – Local Delegated Decision  
Application Number – 23/06598/FUL  
Ward – B17 - Portobello/Craigmillar**

## **Recommendation**

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

## **Summary**

The proposals will result in harm to the setting of the listing building and they are not in accordance with Section 59 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The proposals are not in accordance with the Development Plan and as they do not comply with National Planning Framework Policies 2, 4, 7, 9, 14, 20 and 22 and Local Development Plan Policies Des 1, Des 3, Des 4, Des 9, Env 12, Env 21 and Env 22. Compliance with other applicable policies are not deemed to outweigh the non-accordance with those identified and there are no compelling material considerations for approving the proposals.

## **SECTION A – Application Background**

### **Site Description**

Land to the west of the Edmonstone House East Lodge and Gates which are a Category B listed building (LB49519).

The site is located within the South East Wedge South: Edmonstone Local Development Plan (LDP) Housing Allocation (HSG 40), the Edmonstone Special Landscape Area (SLA) and a Local Nature Conservation Site (LNCS).

### **Description of the Proposals**

Planning permission is sought for the erection of two semi-detached dwellinghouses.

## **Supporting Information**

The following submissions were considered in the assessment of the proposals:

- Arboricultural Impact Assessment (AIA);
- Coal Mining Risk Assessment;
- Design Statement;
- Planning Statement;
- Pre and Post-development Overland Flow Paths;
- Preliminary Ecological Appraisal (PEA);
- Results of Soakage Test;
- Soakaway Calculations;
- Surface Water Management Plan;
- Sustainability Form S1; and
- Visualisations.

These submissions are available to view on the portal except for the PEA which is standard practice for documentation relating to protected species.

## **Relevant Site History**

22/02163/FUL

Land 28 Metres West Of East Lodge

100 The Wisp

Edinburgh

Erection of 4 No. townhouses, with associated access, parking, infrastructure, and landscaping.

withdrawn

29 July 2022

## **Other Relevant Site History**

21/00284/FUL

Land 447 Metres Northeast Of

545 Old Dalkeith Road

Edinburgh

Proposed residential development Section 42 Application to vary condition 8 (noise reduction measures) and delete conditions 6 (surface water drainage scheme) and 10 (landowner agreements) of planning permission in principle 14/01057/PPP.

Granted

28 October 2021

21/06751/AMC

Land 447 Metres Northeast Of

545 Old Dalkeith Road

Edinburgh



Application for the Approval of Matters Specified in Conditions 1 (b), (d) and (i)(a) - (h) of Planning Permission in Principle 21/00284/FUL, for proposed strategic landscaping, active travel routes and bunding (as amended)  
Approved

22 July 2022

22/01531/AMC

Land 447 Metres Northeast Of  
545 Old Dalkeith Road  
Edinburgh

Phase 1 and 2 of the Edmonstone Estate, Edinburgh. Approval of matters specified in conditions 1a, b, c, d, e, f, g, h, i(a to h) of planning permission in principle 21/00284/FUL for the erection of 370 residential dwellings, with associated parking, active travel routes, landscaping and other infrastructure (as amended)  
Approved

20 December 2022

### **Consultation Engagement**

The Coal Authority

The Coal Authority

CEC Waste and Cleansing Services

CEC Archaeology Service

CEC Flood Prevention

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 22 November 2023

**Date of Advertisement:** Not Applicable

**Date of Site Notice:** Not Applicable

**Number of Contributors:** 0

## **Section B - Assessment**

### **Determining Issues**

Due to the proposals relating to the setting of a listed building, this report will first consider the proposals in terms of Section 59 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997:

- Is there a strong presumption against granting planning permission due to the development harming the setting of the listed building?

- If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of The Town and Country Planning (Scotland) Act 1997:

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) and the LDP the newer policy shall prevail.

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:

- 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 harm the listed building or its setting**

The Historic Environment Policy for Scotland and the Managing Change in the Historic Environment Setting Guidance is relevant in the determination of this application.

Canmore identifies 119 gate lodges within the Council area. Although there are exceptions, they generally share similar traits but this is particularly the case when the gate lodge relates to a country house which sits, or would have sat, within a designed landscape as is the case here. Whilst it is noted that the former Edmonstone Estate is subject to ongoing residential developments emerging through the HSG40 allocation, its original country house within a designed landscape character remains evident through its gate lodges, boundary walls, 'ha-ha's' and mature trees, which includes those that line the historic avenues (now Tweedsmuir Drive).

The proposals will diminish the special interest of the Edmonstone House East Lodge and Gates in three primary ways. First, physical development within its setting would be of detriment to its character as that for a gate lodge is defined by a lack of physical development in its immediate environs. The physical development as approved under 22/01531/AMC is noted. However, the degree of separation is much more significant with buildings confined to the south of Tweedsmuir Drive and intervening mature trees have been retained. Second, the proposals require the unjustified removal of mature trees (as considered under Section b)) which are deemed to be a vital part of the gate lodges setting with these being remnants of the historic designed landscape character of the country house it once served. Third, the design of the proposals seek to 'mimic'

the appearance of the gate lodge which would erode its standalone character and foster confusion as to its historic function.

### **Conclusion in relation to the listed building and its setting**

The proposals will result in harm to the setting of the listing building and they are not in accordance with Section 59 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

#### **b) The proposals comply with the Development Plan**

The relevant Development Plan policies are:

- NPF4 Sustainable Places Policies 1, 2, 3, 4, 7, 9, 12 and 13;
- NPF4 Liveable Places Policies 14, 15, 16, 20 and 22;
- NPF4 Productive Places Policy 25;
- LDP Design Principles for New Development Policies 1, 3, 4, 5, 7 and 9;
- LDP Caring for the Environment Policies 12, 15, 21 and 22;
- LDP Housing and Community Facilities Policies 1 and 3; and
- LDP Transport Policies 2, 3 and 4.

The non-statutory Listed Buildings and Conservation Areas Guidance and the Edinburgh Design Guidance are material in the consideration of the proposals. The draft Edinburgh BioQuarter and South East Wedge Parkland Supplementary Guidance has no material relevance to these specific proposals.

No weight has been applied to LDP Policy Des 6, Env 3, Env 8, Env 9, Env 11 and Env 16 as they are incompatible with those of NPF4 which are more recent.

#### Principle of a residential use

A residential use is acceptable in principle and no affordable housing is justified by the proposals small scale. They proposals have the potential to create or maintain local construction related jobs.

The proposals comply with the relevant sections of NPF4 Policies 16 and 25 and LDP Policy Hou 1.

#### Principle of physical development, design and impact on the character and appearance of the surroundings

The proposals harm the setting of the listing building as assessed under Section a). They will be detrimental to the amenity of the surrounding area through an inappropriate design, the failure to incorporate features worthy of retention (trees) and as they will erode the strength of the green belt boundary (loss of trees). Although there is some dubiety as to whether Tree Preservation Order (reference No.1542008) applies, all trees are deemed worthy of protection and the justification put forward for removal is not deemed adequate in this case; this is particularly applicable to tree T1 as identified by the AIA as its defects are considered minor. Mature trees and avenue planting are important component of the SLA and the unjustified removal as proposed would result in an adverse impact upon its character and qualities. The layout of development for a single building raises no significant concerns considering the

prevailing character of the residential developments emerging through HSG40. CEC Archaeology Service made no objection subject to a condition.

The proposals comply with LDP Policy Des 7. The proposals do not comply with the relevant sections of NPF4 Policies 4, 7 and 14 and LDP Policies Des 1, Des 3, Des 4, Des 9 and Env 12.

#### Sustainable places and the global climate and nature crises

The proposals, due to their small scale, will have a neutral impact on the global climate and nature crises. Notwithstanding its current and temporary gravelled appearance, the site is undeveloped land that will once again contribute towards to the green infrastructure network. CEC Flood Prevention are not fully supportive and requested further clarification regarding allowance for climate change. Although these concerns could have been addressed, there is currently insufficient information to determine if the proposals would be adaptable to climate change in respect of surface water management and flood risk.

The Coal Authority object to the proposals as they consider that there to be a significant undetermined risk to development from a recorded mine entry. The PEA demonstrates that the site does not have any significant ecological potential and impact on biodiversity, including the LNCS, is not deemed to be constraint on development. CEC Waste and Cleansing made no objection.

The proposals comply with the relevant sections of NPF4 Policies 1, 3 and 12 and LDP Policy Env 15. The proposals do not comply with the relevant sections of NPF4 Policies 2, 9, 20 and 22 and LDP Policies Env 21 and Env 22.

#### Future occupier and neighbour amenity

Future occupiers will have acceptable levels of internal and external amenity and there are no neighbour amenity concerns.

The proposals comply with the relevant sections of LDP Policies Des 5 and Hou 3.

#### Transport and local living

The level and design of car parking is acceptable given the prevailing character of developments emerging through HSG40 which includes tree planting forward of the principal elevation. Cycle parking is anticipated to be in-house or in-curtilage which raises no material concerns. The site is accessible by active travel and public transport and the proposals are in line with local living principles.

The proposals comply with the relevant sections of NPF4 Policies 13 and 15 and LDP Policies Tra 2, Tra 3 and Tra 4.

### **Conclusion in relation to the Development Plan**

The proposals comply with the relevant sections of NPF4 Policies 1, 3, 12, 13, 15, 16 and 25 and LDP Policies Des 5, Des 7, Hou 1, Hou 3, Env 15, Tra 2, Tra 3 and Tra 4. The proposals do not comply with the relevant sections of NPF4 Policies 2, 4, 7, 9, 14, 20 and 22 and LDP Policies Des 1, Des 3, Des 4, Des 9, Env 12, Env 21 and Env 22.

**c) There are any compelling material considerations for approving the proposals**

The following matters have been identified as material considerations.

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations on the Proposed City Plan 2030 and its supporting documents. These documents have now been submitted for Examination in terms of Section 19 of The Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to City Plan 2030 as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to Section 149 of The Equality Act 2010 and human rights; no material adverse impacts have been identified.

Public representations

None.

**Conclusion in relation to the identified material considerations**

None of the identified matters constitute compelling material considerations for approving the proposals.

**d) Overall conclusion**

The proposals will result in harm to the setting of the listing building and they are not in accordance with Section 59 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The proposals are not in accordance with the Development Plan and as they do not comply with National Planning Framework Policies 2, 4, 7, 9, 14, 20 and 22 and Local Development Plan Policies Des 1, Des 3, Des 4, Des 9, Env 12, Env 21 and Env 22. Compliance with other applicable policies are not deemed to outweigh the non-accordance with those identified and there are no compelling material considerations for approving the proposals.

**Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

**Reason for Refusal**

1. The proposals do not accord with Section 59 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they will result in harm to the setting of a listed building.
2. The proposals do not comply with Policies 2 and 22 of National Planning Framework 4 and Policy Env 21 of the Local Development Plan as there is insufficient information to determine if they would be adaptable to climate change in respect of surface water management and flood risk.
3. The proposals do not comply with Policy 9 of National Planning Framework 4 and Policy Env 22 of the Local Development Plan as there is insufficient information to determine if the land is, or can be made, safe and suitable for the proposed new use in relation to former coal mining activity.
4. The proposals do not comply with Policies 4, 7 and 14 of National Planning Framework 4 as they are inconsistent with the six qualities of successful places by their failure to preserve the setting of the listed building and due to their significant adverse effect on one of the qualities (gate lodge) of the Edmonstone Special Landscape Area.
5. The proposals do not comply with Policies Des 1 and Des 4 of the Local Development Plan as the design is not appropriate in this context and will fail to have a positive impact on its surroundings by their failure to preserve the setting of the listed building and due to their significant adverse effect on one of the qualities (gate lodge) of the Edmonstone Special Landscape Area.
6. The proposals do not comply with Policies Des 3, Des 9 and Env 12 of the Local Development Plan as they will have a damaging impact on trees which are worthy of retention and because they have failed to incorporate landscape improvements to strengthen the green belt boundary.
7. The proposals do not comply with Policy 20 of National Planning Framework 4 as they will result in the fragmentation of the existing green infrastructure network.

## **Background Reading/External References**

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

**Further Information - [Local Development Plan](#)**

**Date Registered: 8 November 2023**

## **Drawing Numbers/Scheme**

01-08

Scheme 1

**David Givan**  
**Chief Planning Officer**  
**PLACE**  
**The City of Edinburgh Council**

Contact: Graham Fraser, Assistant Planning Officer  
E-mail: [graham.fraser@edinburgh.gov.uk](mailto:graham.fraser@edinburgh.gov.uk)

## Appendix 1

### **Consultations**

NAME: The Coal Authority  
COMMENT: Objection maintained  
DATE: 12 February 2024

NAME: The Coal Authority  
COMMENT: Objection  
DATE: 5 December 2023

NAME: CEC Waste and Cleansing Services  
COMMENT: No objection  
DATE: 24 November 2023

NAME: CEC Archaeology Service  
COMMENT: No objection subject to a condition  
DATE: 23 November 2023

NAME: CEC Flood Prevention  
COMMENT: Further information required  
DATE: 7 February 2024

The full consultation response can be viewed on the Planning & Building Standards Portal.



## Appendix 2

### **Application Certification Record**

#### **Case Officer**

I have assessed the application against the City of Edinburgh Council's Scheme of Delegation (2023) Appendix 6 – Chief Planning Officer and the Statutory Scheme of Delegation (2023) and can confirm the application is suitable to be determined under Local Delegated Decision, decision-making route.

Case Officer: Graham Fraser

Date: 4 March 2024

#### **Authorising Officer**

To be completed by an officer as authorised by the Chief Planning Officer to determined applications under delegated powers.

I can confirm that I have checked the Report of Handling and agree the recommendation by the case officer.

Authorising Officer (mRTPI): Lesley Carus

Date: 7 March 2024

Scott Hobbs Planning Ltd.  
FAO: Varshini Gorjala  
24A Stafford Street  
Edinburgh  
EH3 7BD

Policies Holding Ltd & Hosp Ltd.  
PO Box 252, Suite B, St Peter Port  
House  
Sausmarez Street  
St Peter Port  
Guernsey  
GY1 4LQ

**Decision date: 7 March 2024**

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

Proposed erection of 2 No. cottages with associated access, car parking and landscaping.

At Land 28 Metres West Of East Lodge 100 The Wisp Edinburgh

**Application No:** 23/06598/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 8 November 2023, 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;

**Reason for Refusal:-**

1. The proposals do not accord with Section 59 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they will result in harm to the setting of a listed building.
2. The proposals do not comply with Policies 2 and 22 of National Planning Framework 4 and Policy Env 21 of the Local Development Plan as there is insufficient

information to determine if they would be adaptable to climate change in respect of surface water management and flood risk.

3. The proposals do not comply with Policy 9 of National Planning Framework 4 and Policy Env 22 of the Local Development Plan as there is insufficient information to determine if the land is, or can be made, safe and suitable for the proposed new use in relation to former coal mining activity.
4. The proposals do not comply with Policies 4, 7 and 14 of National Planning Framework 4 as they are inconsistent with the six qualities of successful places by their failure to preserve the setting of the listed building and due to their significant adverse effect on one of the qualities (gate lodge) of the Edmonstone Special Landscape Area.
5. The proposals do not comply with Policies Des 1 and Des 4 of the Local Development Plan as the design is not appropriate in this context and will fail to have a positive impact on its surroundings by their failure to preserve the setting of the listed building and due to their significant adverse effect on one of the qualities (gate lodge) of the Edmonstone Special Landscape Area.
6. The proposals do not comply with Policies Des 3, Des 9 and Env 12 of the Local Development Plan as they will have a damaging impact on trees which are worthy of retention and because they have failed to incorporate landscape improvements to strengthen the green belt boundary.
7. The proposals do not comply with Policy 20 of National Planning Framework 4 as they will result in the fragmentation of the existing green infrastructure network.

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

Drawings 01-08, 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 proposals will result in harm to the setting of the listing building and they are not in accordance with Section 59 of The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

The proposals are not in accordance with the Development Plan and as they do not comply with National Planning Framework Policies 2, 4, 7, 9, 14, 20 and 22 and Local Development Plan Policies Des 1, Des 3, Des 4, Des 9, Env 12, Env 21 and Env 22. Compliance with other applicable policies are not deemed to outweigh the non-accordance with those identified and there are no compelling material considerations for approving the proposals.

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 Graham Fraser directly at [graham.fraser@edinburgh.gov.uk](mailto:graham.fraser@edinburgh.gov.uk).

A handwritten signature in dark ink, appearing to read 'G. Fraser', followed by a long horizontal flourish.

**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](http://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](mailto: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.

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: [planning.support@edinburgh.gov.uk](mailto: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 100546805-003

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.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Proposed erection of 2 no. cottages with associated access, car parking and landscaping.

Is this a temporary permission? \*  Yes  No

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*  Yes  No

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

No  Yes – Started  Yes - Completed

## 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:	Scott Hobbs Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Varshini	Building Name:	24a
Last Name: *	Gorjala	Building Number:	
Telephone Number: *		Address 1 (Street): *	Stafford Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH3 7BD
Email Address: *			

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	PO Box 252, Suite B, St Peter Port
First Name: *		Building Number:	
Last Name: *		Address 1 (Street): *	Sausmarez Street
Company/Organisation	Policies Holding Ltd & Hosp Ltd	Address 2:	
Telephone Number: *		Town/City: *	St Peter Port
Extension Number:		Country: *	Guernsey
Mobile Number:		Postcode: *	GY1 4LQ
Fax Number:			
Email Address: *			

## Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Land adjacent to the west of the East Lodge, 100 The Wisp, Edinburgh.

Northing

670034

Easting

330346

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Site Area

Please state the site area:

825.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

The application site is currently a vacant and is located within allocated housing site HSG 40.

## Access and Parking

Are you proposing a new 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 propose to make. You should also show existing footpaths and note if there will be any impact on these.



Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*  Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

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

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)? \*

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, cycles spaces).

### Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*  Yes  No

Are you proposing to connect to the public drainage network (eg. to an existing sewer)? \*

Yes – connecting to public drainage network

No – proposing to make private drainage arrangements

Not Applicable – only arrangements for water supply required

Do your proposals make provision for sustainable drainage of surface water?? \*  Yes  No  
(e.g. SUDS arrangements) \*

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

### Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*  Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*  Yes  No  Don't Know

### 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.

### Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*  Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

Waste and recycling storage and collection facilities indicated on plans.

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No

How many units do you propose in total? \*

2

Please provide full details of the number and types of units on the plans. Additional information may be provided in a supporting statement.

## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

## Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

## 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

## Certificate Required

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

Certificate A

# Land Ownership Certificate

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

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) 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.

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

Signed: Varshini Gorjala

On behalf of: Policies Holding Ltd & Hosp Ltd

Date: 27/10/2023

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

- |  |   |   |
|--|---|---|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A            |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes            | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Planning Statement, Sustainability S1 Form, Preliminary Ecological Appraisal and Arboricultural Impact Assessment.

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Ms Sheila Hobbs

Declaration Date: 01/11/2023

## Payment Details

Online payment: 6988525792736964704026;

Payment date: 01/11/2023 15:29:00

Created: 01/11/2023 15:29