

**Certificate of Lawfulness (proposed) 12/03720/CLP
at
12 Victor Park Terrace
Edinburgh
EH12 8BB**

**Development Management Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 12/03720/CLP, submitted by Kenneth Baillie. The application is for: **Removal of existing double glazed windows from the front and rear elevations and their replacement with white upvc, 'A' rated double glazed windows.**

It is recommended that this application be **Minded to Grant** by Committee.

2 The Site and the Proposal

Site description

The application site comprises a two storey terraced house within a wholly residential area. The property is neither listed nor within a conservation area.

Site History

There is no relevant planning history for this site.

Pre-Application Process

There is no pre-application process history.

Description Of The Proposal

The application is for a determination under Section 151 of the Town and Country Planning (Scotland) Act 1997, as to whether the proposed replacement of all windows on both elevations of the house is lawful.

The proposed white upvc windows are to be installed within the existing openings.

3. Officer's Assessment and Recommendation

Determining Issues

On the facts of the case and the planning law applicable to the site, is the specified use, operational development or failure to comply with a condition, lawful?

ASSESSMENT

To address these determining issues, the Committee needs to consider whether:

- the proposals are permitted development under Class 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended), and are therefore lawful.

The proposed alterations do not extend more than one metre from the outer surface of any external wall, do not form a balcony and are not on the roof.

The property is a terraced house which is not within a conservation area and is not listed.

The proposals are permitted development and therefore lawful.

The applicant is a Council employee involved in the planning process.

It is recommended that the Committee request that a Certificate of Lawfulness be issued.

REASON FOR DECISION

The proposals are lawful.

David R. Leslie

Acting Head of Planning & Building Standards

Contact/tel	Michael Paton on 0131 529 3902
Ward affected	A06 - Corstorphine/Murrayfield
Local Plan	Edinburgh City Local Plan
Statutory Development Plan Provision	Urban Area
Date registered	17 October 2012
Drawing numbers/ Scheme	01 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing at [Planning and Building Standards online services](#)

If you require further information about this application you should contact the following Principal Planner, Helen Martin, helen.martin@edinburgh.gov.uk, 0131 529 3517

Appendix A



Application Type Certificate of Lawfulness (proposed)
Application Address: 12 Victor Park Terrace
Edinburgh
EH12 8BB

Proposal: Removal of existing double glazed windows from the front and rear elevations and their replacement with white upvc, 'A' rated double glazed windows.

Reference No: 12/03720/CLP

Consultations, Representations and Planning Policy

Consultations

No consultations undertaken.

Representations

No representations have been received.

Representations, if any, are available to view in the document list at [Planning & Building Standards online services](#).

Planning Policy

The application is for a certificate of lawfulness. There are no relevant development plan policies or non-statutory guidelines.

Appendix B



Application Type Certificate of Lawfulness (proposed)
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Edinburgh
EH12 8BB

Proposal: Removal of existing double glazed windows from the front and rear elevations and their replacement with white upvc, 'A' rated double glazed windows.

Reference No: 12/03720/CLP

Conditions/Reasons associated with the Recommendation

It is recommended that this application be Minded to Grant by Committee, subject to any conditions, reasons and informatives stated below.

1. None.

End

