

Item No 5.3 (b)

**THE CITY OF EDINBURGH COUNCIL PLANNING LOCAL REVIEW BODY
6/8/14**

Notice of Review

42D Milton Street

PI
-2 JUL 2014

NOTICE OF REVIEW

Under Section 43A(8) Of the Town and Country Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://epianning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	ROLAND	Forename	CHRISTOPHER
Surname	JONES	Surname	THOMSON
Company Name		Company Name	CHRISTOPHER THOMSON DESIGN
Building No./Name	42D	Building No./Name	CROOKHILL FARM HOUSE
Address Line 1	MILTON STREET	Address Line 1	INVERMUR
Address Line 2		Address Line 2	
Town/City	EDINBURGH	Town/City	DUNBAR
Postcode	EH8 8HP	Postcode	EH42 1PT
Telephone		Telephone	
Mobile		Mobile	
Fax		Fax	
Email		Email	
3. Application Details			
Planning authority	CITY OF EDINBURGH COUNCIL		
Planning authority's application reference number	14/00564/FUL		
Site address	42D MILTON STREET, EDINBURGH EH8 8HP		
Description of proposed development	FORK EXTENSION TO REAR - AS ON DRAWINGS		

Date of application Date of decision (if any)

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

4. Nature of Application

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

5. Reasons for seeking review

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

6. 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.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

7. Site inspection

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

N/A

8. Statement

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. **Note:** 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.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

SEE ATTACHED APPEAL

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

THE AS EXISTING AND PROPOSED DRAWINGS
THE APPEAL

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

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 from that earlier consent.

DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:  Name: Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act

Christopher Thomson D.A.(Edin.)
ARCHITECTURE + DESIGN

Appeal re. Refusal of Planning Application No 14/00564/FUL

Reasons for Appeal

A brief history of the 2 Planning Applications lodged

Late in 2013 I applied for Pre-Application advice and was encouraged by City of Edinburgh Planning to lodge an application for the proposed extension as shown on the accompanying drawings.

I was informed by Mr Rihards Sibols (Case Officer) at a meeting at Waverly Court that the application was being written up for refusal. Mr Sibols then asked me to make adjustments to the width and height of the Extension and asked me to re-submit the scheme again stating that adding these adjustments the application would be approved. I then adjusted the drawings and prepared and lodged a 2nd application as directed by Mr Sibols.

Mr Sibols then left the Planning department and the newly appointed Case Officer was Rebecca Marwood. Ms Marwood then contacted me and asked me to adjust the drawings showing the removal of the glazing at Elevation C C. I then adjusted the drawings as directed and sent them back to Ms Marwood. I was also informed that my proposals had to be put in front of the Scottish Government for their consultation which was done and I was informed by Planning that there was no objection raised from the Scottish Government.

At the time I was in contact with Ms Marwood regarding adjusting the drawings I was in no way led to believe that the Application would be refused in fact the very reason I was being asked to make the adjustments to the drawings as listed above led me to believe the application must be approved. I was therefore devastated to receive the refusal letter after all this time, expense and interaction with Edinburgh Planning.

Appeal

I firmly believe this decision should be reversed for the following reasons:

- 1 The proposed extension was to be constructed in high quality finish ie. NorDan high quality powdered finish timber windows and panels with slate roof to match existing.
- 2 The existing block nos 42 A-D is completely out of character with surroundings tenements.
- 3 The proposed extension was to be contemporary in style which would if anything enhance the somewhat faded style of the existing block and I understand other owners of 42b & C would also be interested in forming similar extensions.

cont.

Crowhill, Innerwick, Dunbar, East Lothian EH42 1QT



**Christopher Thomson D.A.(Edin.)
ARCHITECTURE + DESIGN**

cont.

4 At no time during my correspondence with Edinburgh Planning was I told that my proposals were contrary to Policy Des 11 of the Edinburgh City Local Plan and non statutory 'Guidance for Householders' which was the given reason for the refusal.

5 The proposed extension would look onto parkland and the Scottish Government have raised no objection to the proposals.

6 Mr Jones requires the extra space for his family.

In conclusion

Throughout the whole Planning process from Pre-Application submission to the final adjusted drawings lodged I have been encouraged to continue and at no time informed that the proposals were contrary to Policy Des 11, the reason given for refusal.

In addition there seemed to be no objection to the proposals from the Scottish Government or the owners of the direct neighbouring properties

I therefore fail to understand why if the application was to be refused did the City of Edinburgh Council Planning Department put us through all this time, expense and considerable disruption for my client. We are in the middle of a conversion of the property which has been empty for 8 years and have had to put all works on hold until a decision on this issue is reached.

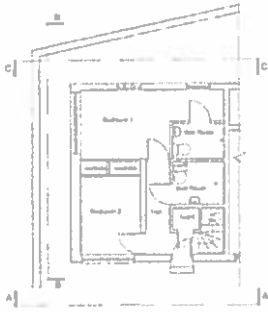
I look forward to hearing from you in due course and thank you for processing this appeal.

signed...

date.....

26/06/2014

Crowhill, Innerwick, Dunbar, East Lothian EH42 1QT



Ground floor plan of existing
scale 1:100



1st floor plan of existing
scale 1:100



Location plan
scale 1:1250



Front elevation A-A of existing
scale 1:100



Side elevation B-B of existing
scale 1:100



Rear elevation C-C of existing
scale 1:100

PLANNING		Drawing No 001	
Client	Mr. James Jones	Project	Proposed new house, 12 Old Street, London, W1R 0AB
Site	As indicated	Job No.	Aut 01
Drawing No.	001	Revision	
Christopher Thomas (S.A. 26361) ARCHITECTURE & DESIGN			
Drawing File Name	C:\P\001.dwg	Scale	As indicated
Client Reference	12 Old Street, W1R 0AB	Plot Number	12 Old Street, W1R 0AB
Plot Number	12 Old Street, W1R 0AB	Site	12 Old Street, W1R 0AB
Date	12/01/08	Sheet	01



Proposed elevation A-A
Scale 1:100



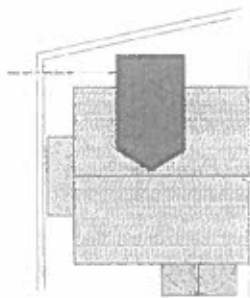
Proposed elevation B-B
Scale 1:100



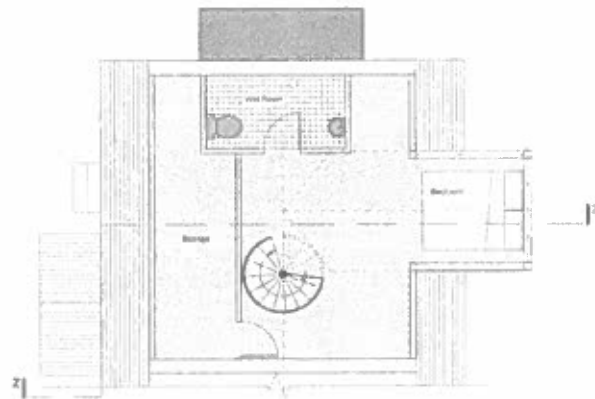
Proposed elevation elevation C-C
Scale 1:100



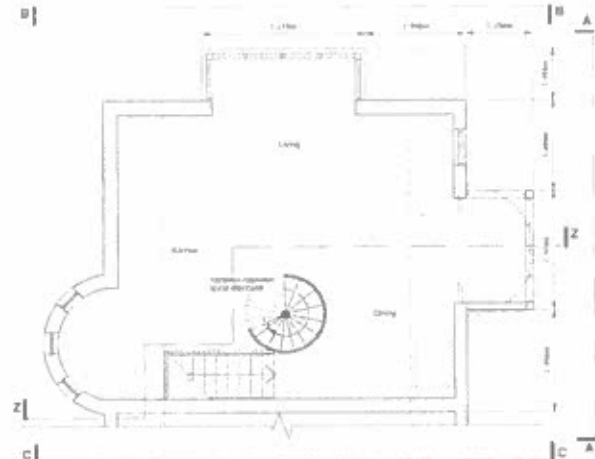
Section 2-2
Scale 1:100



Proposed roof plan
Scale 1:100



Proposed 2nd floor plan
Scale 1:100



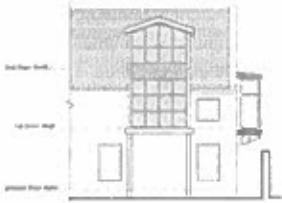
Proposed 1st floor plan
Scale 1:100



Site plan
Scale 1:500

PLANNING NOTES
 1. See drawings for details of materials and finishes.
 2. See drawings for details of structural work.
 3. See drawings for details of landscaping and drainage.

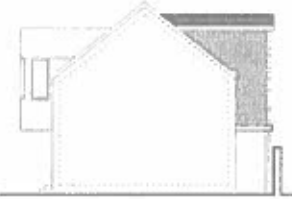
PLANNING		Drawing No. 002 A	
Client:	Mr. Robert Jones	Project:	123 Main Street, London, SW1A 1AA
Architect:	Christopher Thomas Ltd. (P.L.C.)	Date:	15/11/2024
Scale:	1:100	Author:	J.M.S.
ARCHITECTURE - DESIGN			
Project Name:	123 Main Street	Project No.:	002 A
Client Name:	Mr. Robert Jones	Project Manager:	J.M.S.
Project Address:	123 Main Street, London, SW1A 1AA	Project Status:	Design Stage
Project Date:	15/11/2024	Project Contact:	J.M.S.



Proposed elevation A & B
scale 1:100



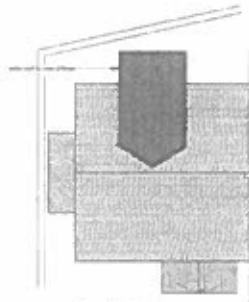
Proposed side elevation F & G
scale 1:100



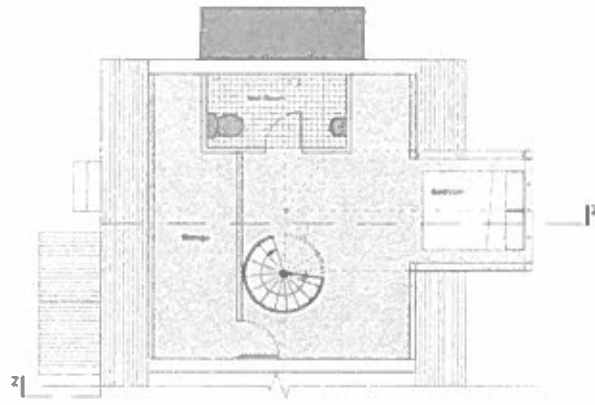
Proposed rear elevation elevation C & C'
scale 1:100



Section Z-Z
scale 1:100



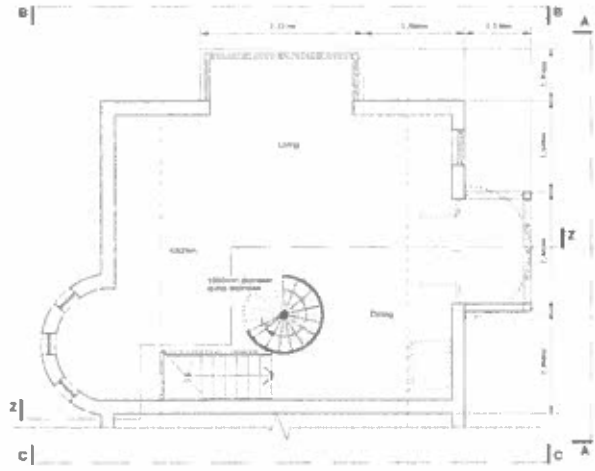
Proposed roof plan
scale 1:100



Proposed 2nd floor plan
scale 1:50



Site plan
scale 1:500



Proposed 1st floor plan
scale 1:50

PLANNING NOTES

- Notes:
1. All work to be done under planning permission.
 2. All work to be done in accordance with the conditions of the planning permission.
 3. All work to be done in accordance with the conditions of the planning permission.
 4. All work to be done in accordance with the conditions of the planning permission.

PLANNING		Drawing No: 002 A	
Client:	Mr. Peter Jones	Date:	10/10/10
Project:	Proposed extension to 123 Main Street, London	Scale:	1:50
Architect:	CHRISTOPHER THOMSON & ASSOCIATES	Author:	CT
Project No:	002 A	Checker:	CT
Client Reference:	002 A	Drawn:	CT
Project Name:	Proposed extension to 123 Main Street, London	Scale:	1:50
Client Name:	Mr. Peter Jones	Date:	10/10/10

