

## The City of Edinburgh Planning Local Review Body (Panel 3)

10.00 am, Wednesday 25 January 2017

Present: Councillors Heslop (Convener), Bagshaw, Child, Keil and Lunn

### 1. Convener

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Councillor Heslop was appointed as Convener.

### 2. Planning Local Review Body Procedure

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#### Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted.)

### 3. Request for Review – 37 Argyle Crescent, Edinburgh EH15 2QE

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Details were provided of a request for a review to create a car parking space to the front of the lower villa within the front garden ground at 37 Argyle Crescent, Edinburgh, EH15 2QE Application No16/03379/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 25 January 2017.

#### Assessment

At the meeting, the Planning Local Review Body had been provided with copies of the notice of review submitted by Format Design Ltd on behalf of Mrs G Moodie, including a request that the review proceed on the basis of an assessment of the review documents only.

The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Head of Planning and Transport.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development 01 – 03, Scheme 1 on the City of Edinburgh Council's Planning Portal.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh City Local Plan:

Policy Des 3 (Development Design)

Policy Env 6 (Conservation Areas Development)

- 2) Non-Statutory Guidelines on 'Guidance for Businesses' and 'Listed Buildings and Conservation Areas'.
- 3) The Portobello Conservation Area Character Appraisal
- 4) The procedure used to determine the application.
- 5) The reasons for refusal and the arguments put forward in the request for a review.

### **Conclusion**

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration agreed with the assessment of the case officer's report, and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Head of Planning and Transport, it therefore upheld the decision of the Head of Planning and Transport.

### **Decision**

To **UPHOLD** the decision by the Head of Planning and Transport and to **REFUSE** planning permission to create a car parking space to the front of the lower villa within the front garden ground at 37 Argyle Crescent, Edinburgh. Application No. 16/03379/FUL.

### **Reasons for Refusal:**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of conservation Areas – Development, as it would adversely affect the character and appearance of the area and the extended railings will not offset the loss of a section of the original boundary wall in this location.
2. The proposal is contrary to Edinburgh City Local Plan Policy Des 3 in respect of Development Design, as the hardsurfacing in the front garden will have a negative impact on the appearance of the dwelling and streetscene.

(References – Decision Notice, Report of Handling, Notice of Review, submitted.)

## **4. Request for Review – 25 George Square, Edinburgh EH8 9LD**

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Details were provided of a request for a review of the refusal of planning permission, submitted by Heath Architect and Stone Consultants on behalf of Mr and Mrs Vickers for the revised design of garden stair alterations to garden building at 25 George Square, Edinburgh, EH15 2QE Application No16/03527/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 25 January 2017.

## **Assessment**

At the meeting, the Planning Local Review Body had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents and a site inspection.

The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Head of Planning and Transport.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development 1 - 5, Scheme 1 on the City of Edinburgh Council's Planning Portal.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh City Local Plan:
  - Policy Env 4 (Listed Buildings – Alterations and Extensions)
  - Policy Env 6 (Conservation Areas Development)
- 2) Non-Statutory Guidelines on 'Listed Buildings and Conservation Areas'.
- 3) The South Side Conservation Area Character Appraisal
- 4) The procedure used to determine the application.
- 5) The reasons for refusal and the arguments put forward in the request for a review.

## **Conclusion**

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration agreed with the assessment of the case officer's report, and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Head of Planning and Transport, it therefore upheld the decision of the Head of Planning and Transport.

## **Decision**

To **UPHOLD** the decision by the Head of Planning and Transport and to **REFUSE** planning permission for the revised design of garden stair alterations to garden building, at 25 George Square, Edinburgh. Application No.16/03527/FUL.

## **Reasons for refusal**

- 1) The proposal is contrary to Edinburgh City Local Plan Policy Env 4 in respect of Listed Buildings – Alterations and Extensions, as the proposed stair is not justified and will diminish the interest of the listed building.

- 2) The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas – Development, as neither preserves nor enhances the special character and appearance of the conservation area.
- 3) The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as where acceptable, access stairs should be in keeping with the character of the building.

Reference – Decision Notice and Report of Handling and Notice of Review, submitted)

## **5. Request for Review – 77b George Street, Edinburgh EH2 3ES**

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Details were provided of a request for a review of the refusal of planning permission, submitted by format Design on behalf of Café Andaluz, to install a balustrade to existing terrace and form door from restaurant onto terrace at 77b George Street, Edinburgh, Application No.16/03053/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 25 January 2017.

### **Assessment**

At the meeting, the Planning Local Review Body had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents and a site inspection.

The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Head of Planning and Transport.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development 01, Scheme 1 on the City of Edinburgh Council's Planning Portal.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh City Local Plan:
  - Policy Env 4 (Listed Buildings – Alterations and Extensions)
  - Policy Env 6 (Conservation Areas Development)
- 2) Non-Statutory Guidelines on 'Listed Buildings and Conservation Areas'.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

### **Conclusion**

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration agreed with the assessment of the case officer's report, and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Head of Planning and Transport, it therefore upheld the decision of the Head of Planning and Transport.

### **Vote 1**

To continue consideration of the item for a site visit.

#### Voting

For	-	2 votes
Against	-	3 votes

#### Decision

To not continue consideration of the item for a site visit.

### **Vote 2**

#### Motion

To uphold the decision by the Head of Planning and Transport to refuse planning permission to install balustrade to existing terrace and form door from restaurant onto terrace.

- Moved by Councillor Child, seconded by Councillor Keil.

#### Amendment

To not uphold the decision by the Head of Planning and Transport and to grant planning permission.

- Moved by Councillor Heslop, seconded by Councillor Lunn

#### Voting

For the motion	-	3 votes
For the amendment	-	2 votes

### **Decision**

To **UPHOLD** the decision by the Head of Planning and Transport and to **REFUSE** planning permission to install a balustrade to existing terrace and form door from restaurant onto terrace at 77b George Street, Edinburgh. Application No.16/04041/FUL.

### **Reasons for refusal**

The proposal is contrary to Edinburgh City Local Plan Policy Env 4 (Listed Buildings – alterations and Extensions) and Env 6 (Conservation Areas – Development), as the proposed door on the gable end and the formation of the balustrade will introduce an

incongruous feature to this building, detrimental to the character of the listed building and the character and appearance of the New Town Conservation Area.

(Reference – Decision Notice, Report of Handling and Notice of Review, submitted.)

## **6. Request for Review – 6 Queen’s Avenue, Edinburgh EH4 2DF**

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Details were provided of a request for a review of the refusal of planning permission, submitted by Aiden Ruthven to install rooflights and dormer on rear elevation at 6 Queen’s Avenue, Edinburgh Application No16/04536/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 25 January 2017.

### **Assessment**

At the meeting the Planning Local Review Body had been provided with copies of the notice of review submitted by Aiden Ruthven, including a request that the review proceed on the basis of an assessment of the review documents only.

The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Head of Planning and Transport.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development 01,02, Scheme 1 on the City of Edinburgh Council’s Planning Portal.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh City Local Plan:  
Policy Des 12 (Alterations and Extensions)
- 2) Non-Statutory Guidelines on ‘Guidance for Householders’.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

### **Conclusion**

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration agreed with the assessment of the case officer’s report, and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Head of Planning and Transport, it therefore upheld the decision of the Head of Planning and Transport.

## Decision

To **UPHOLD** the decision by the Head of Planning and Transport and to **REFUSE** planning permission to install rooflights and dormer on rear elevation at 6 Queen's Avenue, Edinburgh. Application No.16/04536/FUL.

## Reasons for refusal

The proposed dormer would be a bulky and incongruous addition to the roofscape which would be detrimental to the character of the building and of the neighbourhood. For this reason, the proposal fails to comply with DES 12 of the Local Development Plan.

(Reference – Decision Notice and Report of Handling, Notice of Review , submitted)

## **7. Request for Review – 1 – 3 Rutland Street, Edinburgh EH1 2AN**

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Details were provided of a request for a review of the refusal of planning permission, submitted by Brodies LLP on behalf of Signature Pub Group for temporary planning permission for parasols at 1 – 3 Rutland Street, Edinburgh Application No.16/03193/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 25 January 2017.

## Assessment

The Planning Local Review Body considered the request for review on 25 January 2017 and had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents and a site inspection.

The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Head of Planning and Transport.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development 01,02, Scheme 1 on the City of Edinburgh Council's Planning Portal.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh City Local Plan:
  - Policy Des 1 (Design, Quality and Context)
  - Policy Des 3 (Development Design)
  - Policy Des 5 (External Spaces)
  - Policy Env 1 (World Heritage Site)
  - Policy Env 6 (Conservation Areas Development)
  - Policy Ca 1 (Central Area)

Policy Ret 6 (Entertainment and Leisure Developments)

- 2) Non-Statutory Guidelines on 'Edinburgh Street Design Guidance' and 'Listed Buildings and Conservation Areas Guidance'.
- 3) The New Town Conservation Area Character Appraisal
- 4) The procedure used to determine the application.
- 5) The reasons for refusal and the arguments put forward in the request for a review.

### **Conclusion**

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration agreed with the assessment of the case officer's report, and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Head of Planning and Transport, it therefore upheld the decision of the Head of Planning and Transport.

### **Motion**

To uphold the decision by the Head of Planning and Transport to refuse temporary planning permission for parasols at 1-3 Rutland Street.

- Moved by Councillor Child, seconded by Councillor Bagshaw.

### **Amendment**

To not uphold the decision by the Head of Planning and Transport, and to grant planning permission.

- Moved by Councillor Lunn seconded by Councillor Heslop.

### **Voting**

For the Motion - 3 votes

For the Amendment - 2 votes

### **Decision**

To **UPHOLD** the decision by the Head of Planning and Transport to **REFUSE** temporary planning permission for parasols at 1 – 3 Rutland Street, Edinburgh. Application No.16/03193/FUL.

### **Reasons for refusal**

- 1) The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas – Development, as the parasols will not make a positive contribution to the conservation area by visually cluttering an open area of public realm which is an integral part of the area.

- 2) The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the parasols will cause unnecessary clutter on the pavement contrary to the de-cluttering advice given in the guidance.
- 3) The proposal is contrary to Edinburgh City Local Plan Policy Des 3 in respect of Development Design, as the size and form of the parasols adversely affects the townscape and views despite not being key viewpoint.
- 4) The proposal is contrary to Edinburgh City Local Plan Policy Des 1 in respect of Design Quality and Context, as the parasols will obstruct views

(Reference – Decision Notice, Report of Handling and Notice of Review, submitted.)

## **8. Request for Review – 4C Wardie Crescent, Edinburgh EH5 1AG**

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Details were provided of a request for review for the refusal of planning permission submitted by Les McCaskey on behalf of Mr Cameron Watson for a proposed roof conversion and extension to side / rear of property and garage at 4c Wardie Crescent, Edinburgh, Application No.16/03172/FUL.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 25 January 2017.

### **Assessment**

The Planning Local Review Body considered the request for review on 25 January 2017 and had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents and a site inspection.

The LRB had also been provided with copies of the decision notice and the report of handling submitted by the Head of Planning and Transport.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development 01-07, Scheme 1 on the City of Edinburgh Council's Planning Portal.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their further deliberations on the matter considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh City Local Plan:  
Policy Des 11 (Alterations and Extensions)
- 2) Non-Statutory Guidelines on 'Guidance for Householders'.
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

### **Conclusion**

The LRB carefully considered all the arguments put before it in respect of the proposed planning application.

The LRB, having taken all the above matters into consideration agreed with the assessment of the case officer's report, and was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Head of Planning and Transport, it therefore upheld the decision of the Head of Planning and Transport.

### **Decision**

To **UPHOLD** the decision by the Head of Planning and Transport and to **REFUSE** planning permission for a proposed roof conversion and extension to side / rear of property and garage at 4c Wardie Crescent, Edinburgh. Application No.16/03172/FUL.

### **Reasons for refusal**

The form and design of the proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious.

(Reference – Decision Notice, Report of Handling and Notice of Review, submitted)