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23/01/2017

Review Committee
East Lothian Council,
John Muir House
Brewery Park
Haddington
East Lothian
EH41 3HA

Subject: 20 Burnside Haddington.

Please find enclosed an application to have a planning application looked at by the review committee.

Please acknowledge receipt of this request.

Yours faithfully


George Young

RECEIVED

25 JAN 2017

HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	<i>MR & MRS</i>	Ref No.	<i>16/00730/1</i>
Forename	<i>ALISAIR L NATALIE</i>	Forename	
Surname	<i>RIGGS</i>	Surname	
Company Name	<i>/</i>	Company Name	
Building No./Name	<i>20</i>	Building No./Name	
Address Line 1	<i>BURN SIDE</i>	Address Line 1	
Address Line 2		Address Line 2	
Town/City	<i>WADDINGTON</i>	Town/City	
Postcode	<i>EH41 4ES</i>	Postcode	
Telephone	<i>[REDACTED]</i>	Telephone	
Mobile	<i>/</i>	Mobile	
Fax	<i>/</i>	Fax	
Email	<i>[REDACTED]</i>	Email	

3. Address or Location of Proposed Development (please include postcode)

*20 BURN SIDE
WADDINGTON
EAST LOTHIAN
EH41 4ES*

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NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

4. Describe the Proposed Works

Please describe accurately the work proposed:

PROPOSED DEMOLITION OF EXISTING GARAGE AND EXTENSION TO MAKE WAY FOR NEW TWO STOREY EXTENSION.

Have the works already been started or completed Yes No

If yes, please state date of completion, or if not completed, the start date:

Date started: Date completed:

If yes, please explain why work has already taken place in advance of making this application.

[Handwritten mark]

5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting Telephone call Letter Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes No

Please provide a description of the advice you were given and who you received the advice from:

Name: Date: Ref No.:

[Handwritten mark]

16 / 00730 / 14

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6. Trees

Are there any trees on or adjacent to the application site? Yes No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes No

If yes, please show in your drawings the position of any existing, altered or new access and explain 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 changes to public paths, public rights of way or affecting any public rights of access? Yes No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

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

3 SPACES

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 reduced number of spaces)

3 SPACES (NO CHANGE)

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, etc.)

8. Planning Service Employee/Elected Member Interest

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes No

If you have answered yes please provide details:

[Handwritten mark]

16 / 00730 / No

DECLARATION

I, the applicant / ~~agent~~ certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/~~agent~~ hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes No N/A

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.

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App No. 16/00730/P

**EAST LoTHIAN COUNCIL
DECISION NOTICE**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
TOWN AND COUNTRY PLANNING
(DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATIONS 2008**

**Mr And Mrs Alistair And Natalie Biggs
20 Burnside
Haddington
East Lothian
EH41 4ES**

APPLICANT: Mr And Mrs Alistair And Natalie Biggs

With reference to your application registered on 28th September 2016 for planning permission under the above mentioned Acts and Regulations for the following development, viz:-

**Extension to house
at
20 Burnside
Haddington
East Lothian
EH41 4ES**

East Lothian Council as the Planning Authority in exercise of their powers under the above-mentioned Acts and Regulations hereby **REFUSE PLANNING PERMISSION** for the said development.

The reasons for the Council's refusal of planning permission are:-

- 1 By virtue of its hipped roof form and lack of integration with the mono-pitched roof slope of the existing property, the proposed extension would be a prominent, imposing and obtrusive physical feature on the side elevation of the property. It would not be in keeping with the simple mono-pitched roof form of the property, and would be markedly at odds with the architectural design and layout of the built form of the row of similarly distinctively styled houses within this part of Burnside, the streetscape and the area as a whole, contrary to Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan) and Policy DP6 of the adopted East Lothian Local Plan 2008.

The report on this application is attached to this Decision Notice and its terms shall be deemed to be incorporated in full in this Decision Notice.

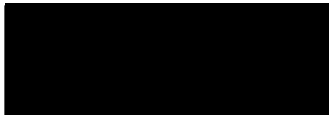
Details of the following are given in the application report:

- the terms on which the Planning Authority based this decision;
- details of any variations made to the application in terms of Section 32A of the Town and Country Planning (Scotland) Act 1997.

The plans to which this decision relate are as follows:

<u>Drawing No.</u>	<u>Revision No.</u>	<u>Date Received</u>
DWG01	-	12.09.2016
UD16/011/EXIST/001	A	28.09.2016
UD16/011/PLAN/002	A	16.11.2016
UD16/011/PLAN/006	-	28.11.2016

30th November 2016



Iain McFarlane
Service Manager - Planning

NOTES

If the applicant is aggrieved by the decision to refuse permission for the proposed development, 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 from the date of this notice. The notice of review should be addressed to the Clerk to the Local Review Body, Committee Team, Communications and Democratic Services, John Muir House, Haddington, East Lothian EH41 3HA.

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 the 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 in accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

OFFICER REPORT

29th November 2016

App No. **16/00730/P**

Application registered on **28th September 2016**

Target Date **27th November 2016**

Proposal	Extension to house	SDELL CDEL	Y/N Y/N
Location	20 Burnside Haddington East Lothian EH41 4ES	Bad Neighbour Development	Y/N

APPLICANT: **Mr And Mrs Alistair And Natalie Biggs**

Is this application to be approved as a departure from structure/local plan? Y/N

**20 Burnside
Haddington
East Lothian
EH41 4ES**

DECISION TYPE:

Application Refused

PLANNING ASSESSMENT

The property to which the application relates is a two storey semi detached property and its garden located within a predominately residential area as defined by Policy ENV1 of the adopted East Lothian Local Plan 2008. The property is not listed and is not located within a conservation area.

The property is bounded to the north by the adjoining residential property and garden ground of 22 Burnside, to the east and south by the adjoining residential property and garden ground of 18 Burnside, and to the southwest by the public road and footpath of Burnside.

Planning permission is sought for the addition of a two storey 'L' shaped extension, formed in two components that would wrap around the south east side and south west front elevations of the property.

The main component would be 2 storeys high and would extend some 2.5 metres out from the full length of the side (south east) elevation of the property as well as projecting some 2.5 metres beyond the rear building line of the property into the rear garden, absorbing the existing garage component. It would have a white uPVC framed window within both its north east and north west elevations at first floor level in addition to a window and door within the north east

architectural form of the property and of the other houses within this part of Burnside. It would not be in keeping with the mono-pitched roof form of the property, of the row of mono-pitched roof houses to which it forms a part of, the streetscape or of the area as a whole. It would not be well integrated into its surroundings because it would be seen to seriously disrupt the distinctive mono-pitched roofed built form of the property to the detriment of the character and appearance of the row of similarly distinctively styled mono-pitched roofed houses, the streetscape, and of the area.

Consequently the proposed extension is contrary to Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policy DP6 of the adopted East Lothian Local Plan 2008.

On matters of privacy and amenity, the glazed openings to be formed in the south west elevation of the extension would face on to the public road and footpath of Burnside, and thus they would not allow for harmful overlooking of any neighbouring residential properties.

Glazed openings to be formed in the north east and north west elevations of the proposed extension at ground floor level, as well as the window to be formed in the northeast elevation wall of the proposed extension at first floor level would face over the rear garden and/or onto the high boundary treatment surrounding the rear garden of the property. Thus they would not allow for harmful overlooking of any neighbouring residential properties.

The glazed opening to be formed within the northwest elevation wall of the proposed extension at first floor level would face onto the private rear garden ground of the neighbouring property of 22 Burnside to the north. Such overlooking would be harmful to the privacy and amenity of that neighbouring property. In order to alleviate this harmful overlooking, a condition could be imposed to obscurely glaze the window to be formed within the north west elevation wall of the extension at first floor level. Subject to the above condition being imposed, the glazed opening would not allow for harmful overlooking of the neighbouring property of 22 Burnside to the north.

There is no proposal to form windows or other glazed openings within the large south east elevation wall or roof slope elevation of the proposed 2 storey extension component or within the south east and North West elevations of the single storey extension component. Glazed openings could be formed in these elevations at a later date with permitted development rights and thus without the need for planning permission.

If formed in the large south east facing elevation or roof slope elevation of the proposed 2 storey extension component any glazed openings would face onto the private rear garden ground belonging to the neighbouring property of 18 Burnside to the south, leading to harmful overlooking of the rear garden ground of that neighbouring property. In the circumstances, and to ensure that the private rear garden ground of 18 Burnside is not harmfully overlooked, a condition could be imposed on a grant of planning permission to remove permitted development rights for the formation of glazed openings within the south east elevation of the 2 storey extension component at ground and first floor level and within the south east roof slope elevation. Subject to the above condition being imposed there would be no opportunity for any new glazed openings to lead to harmful overlooking of the neighbouring property of 18 Burnside to the south.

and north west elevations at ground floor level respectively. Its south east elevation would not contain any openings. It would have dual hipped roof, with the lower hipped section to the rear of the property.

The secondary component would take the form of a single storey extension on the front (south west) elevation of the property that would absorb the existing garage and entrance vestibule components. It would have a White uPVC framed door with glazed side panel as well as timber framed double garage doors formed within its south west elevation. Its south east and north west elevations would not contain any openings. It would have a mono pitched roof.

The extension would be constructed of facing brick with a partial roughcast render finish to match the existing property. All roof slope elevations would be clad with concrete roof tiles to match the existing property.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved South East Scotland Strategic Development Plan (SESplan) and the adopted East Lothian Local Plan 2008.

Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policy DP6 (Extensions and Alterations to Existing Buildings) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the application.

There is no public objection to the application.

Policy DP6 of the adopted East Lothian Local Plan 2008 states, amongst other things, that an extension to a property must be of a size, form, proportion and scale appropriate to the existing property and it must be subservient to and in keeping with the existing property. It must also be capable of being well integrated into its surroundings.

The applicant's property is one a number of distinctively styled 2 storey, mono-pitched roofed houses on the lower north east side of Burnside. Their mono-pitched roofs are clad in tiles and their external walls are mostly facing brick with their front and rear elevations finished in roughcast render. Their mono-pitched roof slopes are an inherent and distinctive characteristic of their built form and design.

There have been a number of extensions added to the properties within Burnside. Many of these have been designed in a manner such that the mono-pitched roofs of them are integrated with the mono-pitched roof slopes of the property to which they were added to.

The proposed extension would be visible in public views of it from the public road and footpath to the west and to a lesser extent from the public footpath to the north that links Clerkington Road and Burnside. As it would be seen from those public places, the proposed extension, due to its dual hip roofed form and lack of integration with the mono-pitched roof slope of the existing property, would be architecturally different from the property. By virtue of its hipped roofed form, the proposed extension would be a prominent, imposing and obtrusive physical feature on the side elevation of the property. It would harmfully alter and disrupt the simple

If formed in the south east or north west elevations of the single storey extension component any glazed openings would face onto the land belonging to neighbouring properties of 22 Burnside, which already is overlooked from the public road of Burnside or onto the blank garage elevation wall belonging to 18 Burnside, and would therefore not lead to any harmful overlooking.

Owing to its size, form and positioning the proposed extension would not give rise to a harmful loss of sunlight or daylight received by neighbouring residential properties.

The Council's Road Services raises no objection to the proposals, being satisfied that sufficient parking is available to serve the house as it is proposed to be extended.

Whilst on these considerations of privacy and amenity the proposed extension does not conflict with Policy DP6 of the adopted East Lothian Local Plan 2008, this does not outweigh the above conclusion that in its design and form the proposed extension is contrary to Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) and Policy DP6 of the adopted East Lothian Local Plan 2008.

REASON FOR REFUSAL:

- 1 By virtue of its hipped roof form and lack of integration with the mono-pitched roof slope of the existing property, the proposed extension would be a prominent, imposing and obtrusive physical feature on the side elevation of the property. It would not be in keeping with the simple mono-pitched roof form of the property, and would be markedly at odds with the architectural design and layout of the built form of the row of similarly distinctively styled houses within this part of Burnside, the streetscape and the area as a whole, contrary to Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan) and Policy DP6 of the adopted East Lothian Local Plan 2008.

LETTERS FROM

29th November 2016