
Local Review Statement: Whim Lodge, Gullane

App No. 18/01028/P : Erection of 1 House and
Associated Works

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1. **Headline matters**

- The Aulds have been residents of Whim Lodge since 1975. They are very wary of moving elsewhere at their time of life and trying to establish new support networks.
- They have planted all of the trees in the garden of Whim Lodge since that time, enhancing the ambience of Hill Road in the process.
- The Aulds are both well into retirement and deeply attached to Gullane with strong local connections formerly with NHS Physio services in East Lothian, and now with family and grandchildren nearby. They would like to remain in the town if at all possible
- The Aulds have found that there is a dearth of suitable houses for downsizers like themselves coming onto the market. Among recent consents, at the Fire Station and at Fenton Gait, there are no detached properties with less than 4 bedrooms. At Saltcoats Field, the Design Statement only makes reference to 'family dwellings and cottage apartments', again suggesting that it will not be well-served by properties for people who want something smaller, but with garden ground.
- The house in this application has been designed to allow them to have a bedroom and bathroom on one floor, with ease of access throughout, to enable them to live independently in their later years.
- The Report of Handling notes that within the Conservation Area Appraisal there is a recognition that 'few opportunities remain for infill development'. The reality is that all of the available gaps on Hill Road have already been filled up, apart from Whim Lodge, and perhaps at Belton at the western end of the street. This situation was rehearsed during the recent Local Review Body discussion of application 17/00159/PP.
- If the Council is seeking to protect the street from infill development within garden ground of established houses, that "horse has bolted". The new pattern of development on Hill Road is one of larger houses with smaller houses on infill plots within their garden ground. The stone walls on either side of the road and the mature vegetation along much of its length, enables this form of development to integrate into the settlement pattern with minimal visual impact. This is arguably a sensible use of an already built-up area.
- In the 43 years since they have lived at Whim Lodge, the Aulds have seen new houses being granted consent across the road at (from East to West): 'Wendover'; Orchard Dunes (granted under the current Local Plan in 2013); 'Inchmahome' (granted under the current Local Plan in 2008); 'Allerley'; and, 'Strathmore'. They have not objected to any of these.
- The Aulds have carefully designed their new home to sit within the garden ground of Whim Lodge in a way which does not diminish the setting and appropriate levels of space around the Lodge. The Lodge will still retain more than 1000sqm of ground which is similar to the other properties on Hill Road.

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- This Local Review has been sought on the grounds of non-determination of application 18/01028/P as previous to this, an earlier application under reference 17/00681/P was refused on the basis of visual impact on the conservation area and visual impact on the listed building. This followed exhaustive attempts to find a sensitive solution that would allow the proposed development to take place
- Key among the various plans forming part of the application is the plan referenced as ‘Proposed Context Plan’ illustrating that the proposed house would be of a scale of development that is commensurate to the norms in the vicinity (see image below). If the application was to be approved, there would be no departure from the ‘generous scale of development’ noted in the Conservation Area Appraisal as characteristic of the Gullane Hill area.
- At the time of writing this Review Request Statement there are no letters of objection or support to application reference 18/01028/P showing on the Council’s website.



To be read in conjunction with the Planning and Design Statement

Taken from the OS map of the area
Showing the context of the proposed garden plot within the layout of the existing house plots on Hill Street.

Existing houses are shown deep red



Proposed new house is shown red



WHIM LODGE
House Proposal

LOCATION

100.00 m
Scale 1:1000 @ A3
Date 20 02 2017

C567 603 A
TOD & TAYLOR ARCHITECTS
43 MANOR PLACE tel 0121 225 7968
EDINBURGH EH3 7EB fax 0121 220 0122

2. Detailed considerations

This Local Review request is submitted on grounds of non-determination. Having had two applications for a house on this plot refused by Officers in the last decade (09/00558/OUT and 17/00681/P), the applicants would like to have the opportunity of having the proposals under application 08/01028/P considered by Local Members sitting as East Lothian Council's Local Review Body.

It is considered that the submitted Planning and Design Statement forming part of the application sets out quite succinctly why the proposals are supportable. This 9 page document examines in turn the site and proposals in detail, the relevant planning policies in detail, and the recent Local Review Body decision at nearby Gateside in detail (see below).

In requesting this Local Review, there is a matter concerning the proposed landscaping for the garden of the proposed new dwelling that should be addressed as part of this Statement. On the submitted drawings the landscape plan and the tree survey indicates that 11 of the existing trees on the site will be removed and that 8 trees on the site in total will either be replanted or retained. The Council's Landscaping Officer has responded stating that they don't consider that the quantum of removed to replanted trees is acceptable, while the Case Officer has stated that she would be looking for all building materials to be either wheel-barrowed onto the site or craned onto the site in order to protect the proposed retained trees, with no building materials allowed on the site in order to protect the root systems of the retained trees. Overall, we do not consider that this is a particularly reasonable or helpful response, and does not seem to be a very practical approach to take if the proposed house was to be built. It should be stressed in this regard that **all** of the existing trees (none of which are subject to a TPO) have been planted by the applicants in the period since 1976, and a full chronological breakdown of when these were planted and the state of each of the trees is detailed in the submitted Tree Survey.

Overall, the applicants would be happy to address landscaping as set out on the submitted landscaping plans and retain/replace trees as suggested. However, it is not considered reasonable to expect the applicants to have to wheel-barrow and crane all materials onto the site. Accordingly, to avoid such a restriction, an alternative solution would be for the applicants to simply remove **all** of the trees on the site to allow the build to be completed as expeditiously as possible and for all of the removed trees to then be replaced during the first planting season following completion of the proposed house on a 1:1 basis using appropriate native species. This could be done through the use of a planning condition.

The imposition of any conditions requiring barrowing or the use of cranes in order to safeguard trees that the applicants themselves have planted in the last 40 years is considered to be unreasonable, and any such conditions would be likely to be appealed or have their removal requested through the submission of a section 42 application in due course.

3. Analysis of Local Review Body Decision

Analysis of Local Review Body Decision on Land at Gateside 18/00299/P

As already noted in section 1 of this Statement and in Section 4.0 of the submitted Planning and Design Statement, East Lothian Council's Local Review Body of 30 August 2018 upheld the Notice of Review submitted in respect of the above application for the erection of a new house on land within garden ground at Nisbet Road and Hill Road in Gullane. A copy of the final decision on this is included as part of this LRB request.

As noted within the Planning and Design Statement to application 18/01028/P, it is acknowledged that each application should be considered on its own merits. Nevertheless, the assessment of the proposals and the review undertaken of application 18/00299/P are considered to be worth reflecting upon in relation to Whim Lodge.

The discussion undertaken by the LRB in this case addressed the fact that not many of the original house plots on Hill Road and Nisbet Road retain only one house, but have been developed to provide smaller houses within the plots as well. The discussion also noted that any development on the street would inevitably result in change, and therefore what could be considered as 'disruption'. However, in the absence of any clearer rationale for why such development could not be tolerated, the diversity of different, additional houses that have already been approved to the rear of plots on both Nisbet Road and Hill Road would suggest that any such disruption can be successfully accommodated, and that this in itself now forms part of the street's character.

The LRB also noted that there were no Tree Preservation Orders in force within the garden ground, and that the trees to be removed at Gateside were not substantial or likely to be perceived as a loss to the Conservation Area. In the circumstances, it was accepted that their removal could be tolerated. It is considered that this is relevant in the context of the discussion that takes place in section 2 of this statement.

While it is accepted that all applications are to be considered on their own merits, appeal decisions are material considerations in terms of showing how policy has been applied, and in terms of showing where consistent patterns have been taken by a Planning Authority in the application of these policies. It is therefore hoped that the LRB can see the obvious parallels between the recent review decision at Gateside and the application at Whim Lodge.

4. Conclusion

The applicants at Whim Lodge have tried on repeated occasions to demonstrate that a new, smaller house could be accommodated at one end of the existing garden ground to Whim Lodge, without having any unacceptable adverse impact on either the C Listed Building or the wider Conservation area. It has already been demonstrated on numerous occasions along the length of Hill Road, that smaller, more contemporary dwellings can be accommodated within such garden ground while remaining subservient to the larger buildings that provide the original garden context. This is a position that has recently been confirmed through the approval of application reference 18/00299/P for the erection of a dwelling house in the garden ground of Gateside following a Local Review Body decision.

If the LRB was to uphold this request, it would provide an appropriate home to a local couple whose housing requirements are currently not being met by private housing developments that are currently available in the town. Accordingly, it is respectfully asked that the Local Review Body upholds this request and grants planning permission for the proposed house.

REVIEW DECISION NOTICE

Decision by East Lothian Local Review Body (the “**ELLRB**”)

Application for Review by Gordon Brown c/o Apt Planning & Development Limited, 6 High Street, East Linton against decision by an appointed officer of East Lothian Council

Site Address: Gateside, Hill Road, Gullane

Application Ref: 18/00299/P

Application Drawing: TREE REPORT

SUPPORT STATEMENT

WINDOW DETAILS

AL(0)100

AL(0)01 Rev A

AL(0)02 Rev A

AL(0)101 Rev A

Date of Review Decision Notice: 15 October 2018

Decision

The ELLRB following a split vote and the Chair using his casting vote made the decision to approve planning permission subject to conditions for the reasons given below and upholds the review.

This Notice constitutes the formal decision notice of the Local Review Body as required by the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.

1. Introduction

1.1. The above application for planning permission was considered by the ELLRB, at a meeting held on Thursday, 30 August 2018. The Review Body was constituted by Councillor N Hampshire (Chair); Councillor L Bruce, Councillor S Kempson and Councillor S Currie. All four members of the ELLRB had attended an accompanied site visit in respect of this application prior to the meeting.

1.2. The following persons were also present at the meeting of the ELLRB:-

Mr L Taylor, Planning Adviser to the LRB
Mr C Grilli, Legal Adviser/Clerk to the LRB
Fiona Stewart, Clerk.

2. **Proposal**

- 2.1. The planning application was for the erection of house and associated works.
- 2.2. The planning application was registered on 6 April 2018 and was refused under delegated powers on 25 May 2018. The Notice of Review is dated 2 July 2018.
- 2.3. The reasons for refusal are set out in full in the Decision Notice and are, in summary, that:

2.3.1 The subdivision of the large garden would result in the loss of a characteristic feature of the Gullane Hill area as described in the Gullane Conservation Area Character Statement. Such garden subdivision would undermine and therefore be harmful to the character and appearance of the Conservation Area. Furthermore in its scale, layout and density, the proposed house would not be sympathetic to its surroundings and would not respect, but would be disruptive of the characteristic layout and density of the built form of this part of Nisbet Road and of the Gullane Hill part of the Conservation Area. Consequently, it would neither preserve nor enhance but would be harmful to the character and appearance of the Conservation Area. Accordingly, the proposed development is contrary to Policy 1B of the approved South East Scotland Strategic Development Plan (SESplan), Policies ENV4 and DP7 of the adopted East Lothian Local Plan 2008, the Scottish Historic Environment Policy Statement: June 2016 and Scottish Planning Policy: June 2014.

2.3.2 If approved the proposal would set an undesirable precedent for similar types of development in the Gullane Hill part of the Gullane Conservation Area. The cumulative effect of such development would neither preserve nor enhance but would be harmful to the character and appearance of the Gullane Conservation Area.

2.3.3 It has not been demonstrated that the proposed house could be built without significant detriment to the existing trees and shrubs that are an important landscape feature of the Gullane Hill part of the Gullane Conservation Area. More of the trees both on and adjacent to the site would be impacted by the development than included for removal in the proposals and the proposed development does not conform to British Standard BS5837:2012 'Trees in relation to design, demolition and construction'.

Given the proximity of the trees on the site to the proposed house, including the large significant beech trees, and the lack of unshaded and usable garden ground proposed within the site, the trees to be retained would come under significant pressure for felling and tree work to try to create usable amenity space, improve light into the building and to address concerns over perceived safety.

Therefore the proposals were not consistent with Policies DP14 (Trees on or adjacent to Development Sites) or NH5 (Protected Trees) of the adopted East Lothian Local Plan 2008.

3. Preliminaries

3.1. The ELLRB members were provided with copies of the following:-

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|---|---|
| 1 | The drawings specified above |
| 2 | The Application for planning permission registered on 6 April 2018 |
| 3 | The Appointed Officer's Report of Handling |
| 4 | A copy of the Decision Notice dated 25 May 2018 |
| 5 | Copies of the Strategic Development Plan Policy 1B (The Spatial Strategy: Development Principles), Local Plan 2008 policies ENV1 (Residential Amenity), ENV4 (Development within Conservation Areas), DP1 (Landscape and Streetscape Character), DP2 (Design), DP7 (Infill, Backland Garden Ground Development), DP14 (Trees on or Adjacent to Development Sites), DP22 (Private Parking), NH5 (Protected Trees), T1 (Development Location and Accessibility) and T2 (General Transport Impact), and proposed Local Development Plan 2018 policies RCA1 (Residential Character and Amenity), DP1 (Landscape Character), CH2 (Development Affecting Conservation Areas), DP2 (Design), DP7 (Infill, Backland and Garden Ground Development), NH8 (Trees and Development) and T2 (General Transport Impact) |
| 6 | Notice of Review dated 2 July 2018 together with Applicant's Submission with supporting statement and associated documents. |

4. Findings and Conclusions

4.1. The ELLRB confirmed that the application for a review of the original decision permitted them to consider the application afresh and it was open to them to grant it in its entirety, grant it subject to conditions or to refuse it. They confirmed that they had access to the planning file in respect of this matter and to all the information that the Appointed Officer had available when reaching the original decision to refuse planning permission, including all drawings and copies of all representations and objections received in respect of the original application.

4.2. The Members then asked the Planning Adviser to summarise the planning policy position in respect of this matter. The Planning Adviser gave a brief presentation to Members advising that planning permission was originally sought for the erection of a detached house in the rear garden of Gateside. Access would be formed from Nisbet Road and the appearance of the house would be as shown on the accompanying plans and elevation drawings. The property of Gateside is located between Hill Road and Nisbet Road and sits within the Gullane Conservation Area. Surrounding the property are various other residential dwellings set within large garden grounds relating to the original mansion house style, with some examples of cottages of smaller scale in between. Relevant to the determination of this application is Policy 1B of the Strategic Development Plan for Edinburgh and South East Scotland, and Local Plan 2008 policies ENV1, ENV4, DP1, DP2, DP7, DP13, DP22, NH5, T1 and T2 together with all other policies listed in the table at 3.1.5 above.

In considering this application, Officers noted the planning history of the site. Two letters of objection were received during the public consultation process. In assessing the proposal, Officers concluded that the proposal would have an unacceptable impact on the character of the Gullane Conservation Area through both the subdivision of the plot, and the scale, layout and density of the proposed house which was deemed to not be sympathetic to its surroundings and be disruptive to the built form of that area. It was also

concluded that the proposal could not be built without significant impact upon existing trees, which are an important landscape feature of the conservation area. Finally, it was concluded that the proposal if granted would set an undesirable precedent for similar types of development in the Gullane Conservation Area. Planning permission was subsequently refused on the 25th May 2018

- 4.3. Councillor Bruce commented that when considering the application he could not see any reason to disagree with the officer recommendation as this development would appear to be overdevelopment on the site and therefore he was minded to refuse the appeal.
- 4.4. Councillor Currie considered whether or not the impact from the building would be detrimental to the Gullane conservation area and took into consideration that there are other properties in the area which have been further sub-divided with properties built within the larger site. This building would not be totally out of character in the area and the view on protection of the Conservation Area in this case appears to be subjective. Accordingly Councillor Currie was minded to uphold the appeal subject to conditions.
- 4.5. Cllr Kempson agreed with Councillor Bruce and was of the view that this would be overdevelopment and would be minded to refuse this application.
- 4.6. Cllr Hampshire looking at the area, in general, the additional development taken place had occurred in the rear garden and there is a mix of where these developments are located within these gardens with some in the North and others in the South. He considered that the conservation area is attractive due to the mix of architecture. The trees to be removed are not substantial or would cause a loss to the conservation area. Accordingly he was minded to support the application subject to conditions.

Accordingly, following a split decision with two members for the application and two against the Chair exercised his casting vote and the ELLRB decided that the appeal should be upheld and planning permission approved subject to the conditions set out below:

Conditions:

1. Site Setting Out Details:

No development shall take place on site unless and until final site setting out details have been submitted to and approved by the Planning Authority.

The above mentioned details shall include a final site setting-out drawing to a scale of not less than 1:200, giving:

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing; and
- c. the ridge height of the proposed buildings; shown in relation to the finished ground and floor levels on the site.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the amenity of the area.

2. External Finishes:

A detailed specification and samples, including colours, of all external finishes of the roof and walls of the house hereby approved shall be submitted to and approved by the Planning Authority prior to the use of the finishes in the development. Thereafter the external finishes used shall accord with the details so approved.

Reason:

To ensure the development is of a satisfactory appearance in the interest of the character and appearance of the area.

3. Colour of fence and Gates:

The fences and gates hereby approved shall be a painted or stained a colour or colour to be submitted to and approved by the Planning Authority. Thereafter the fences and gates shall be painted the colour(s) so approved unless otherwise agreed in writing by the Planning Authority.

Reason:

To safeguard the character and appearance of the Conservation Area.

4. Hard surfaces:

Samples of the surface finishes to be used to surface the hardstanding areas to be used as driveway, vehicle parking, footpaths and patios shall be provided for the inspection and approval of the Planning Authority prior to the use of such ground surfacings within the development, and thereafter, the ground surfacings used shall accord with the samples so approved.

Reason:

In the interests of the character and appearance of the area.

5. Obscure glazing

Prior to the occupation of the house hereby approved the 3 roof windows on the rear (north) elevation of the house shall be obscurely glazed in accordance with a detail of the obscure glazing to be submitted to and approved by the Planning Authority.

Reason:

To safeguard the residential amenity of the neighbouring residential property to the north.

5. Tree Retention

No trees or shrubs, which are to be retained on the site, shall be damaged or uprooted, felled, topped, lopped or interfered with in any manner without the previous written consent of the Planning Authority.

Reason:

In the interests of safeguarding the landscape character of the area and the character and appearance of the Conservation area.

7. Tree Protection and Construction Exclusion Zone

No development shall take place on site until temporary protective fencing in accordance with Figure 2 of British Standard 5837_2012 "Trees in relation to design, demolition and construction" has been installed, approved by the arboriculturist and confirmed in writing by the Planning Authority. The fencing shall be fixed in to the ground to withstand accidental impact from machinery, erected prior to site start and retained on site and intact through to completion of development. The position of this fencing shall be positioned outwith the Root Protection Area (RPA) as defined by BS5837:2012 for all trees retained on and adjacent to the site, and approved in writing by the Planning Authority.

All weather notices shall be erected on said fencing with words such as "Construction exclusion zone - Keep out". Within the fenced off areas creating the Construction Exclusion Zones the following prohibitions must apply:-

- _ No vehicular or plant access
- _ No raising or lowering of the existing ground level
- _ No formation of walls or related foundations
- _ No mechanical digging or scraping
- _ No storage of temporary buildings, plant, equipment, materials or soil
- _ No hand digging
- _ No lighting of fires
- _ No handling discharge or spillage of any chemical substance, including cement washings

Planning of site operations shall take sufficient account of wide loads, tall loads and plant with booms, jibs and counterweights (including drilling rigs), in order that they can operate without coming into contact with retained trees.

Details of any trenches or services in the fenced off areas shall require the prior consent of the Planning Authority and all trenches shall be dug and backfilled by hand and any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

Any surfacing within the Root Protection Area shall be carried out in strict accordance with section 7.4 of BS5837: 2012 "Trees in relation to design, demolition and construction - Recommendations".

Holes for fence posts shall be dug and backfilled by hand and repositioned as required to minimise damage to tree roots. Any tree roots encountered with a diameter of 25mm or more shall be left unsevered.

Reason:

In the interests of safeguarding the landscape character of the area and the character and appearance of the Conservation area.

8. Tree Work

All tree work shall be carried out in accordance with BS3998:2010 'Recommendations for Tree Work' and must be approved in writing by the Planning Authority before work is carried out.

No development shall take place on site until a person who has, through relevant education, training and experience, gained recognised qualifications and expertise in the field of trees in relation to construction, been employed by the developer to monitor:

- _ the installation and position of the temporary protective fencing
- _ operations relating to the surface treatments of the driveway and parking areas within the tree root protection areas
- _ tree removals
- _ fence construction within the tree root protection areas.

Reason:

To safeguard the health and vitality of the trees In the interests of safeguarding the landscape character of the area and the character and appearance of the Conservation area.

9. Construction Access

The only construction access to the site shall be taken along the line of the proposed driveway and temporary protective fencing should be erected at the edges of the proposed drive in accordance with figure 2 of BS5837: 2012 – "Trees in relation to design, demolition and construction ~ Recommendations" for the duration of construction work on site in order to minimise damage to the existing trees.

Reason:

To safeguard the trees in the interests of preserving the character and appearance of the Conservation Area.



Carlo Grilli
Legal Adviser to ELLRB

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

Notification to be sent to applicant on determination by the planning authority of an application following a review conducted under Section 43A(8)

Notice Under Regulation 21 of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008.

- 1 If the applicant is aggrieved by the decision of the planning authority to refuse permission or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may question the validity of that decision by making an application to the Court of Session. An application to the Court of Session must be made within 6 weeks of the date of the decision.

- 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 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 V of the Town and Country Planning (Scotland) Act 1997.

Whim Lodge, Gullane

Proposed sub-division of garden ground and erection of dwelling house

Whim Lodge, Gullane

Planning and Design Statement



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Introduction

My clients, the Aulds have lived at Whim Lodge in Gullane since 1975, and are now keen to downsize and move to something smaller, but to remain in the part of the town where they have made their home for the last forty years.

The Aulds have found in recent times that there is a dearth of suitable houses for downsizers like themselves coming onto the market. Among recent consents in the town, at the Fire Station and at Fenton Gait, there are no detached properties with less than 4 bedrooms. At Saltcoats Field, the Design Statement only makes reference to 'family dwellings and cottage apartments'. This suggests that this latest planned development will also not be well-served by properties for people who want something smaller, but with garden ground.

The idea of developing a sensitively designed, subservient property in the grounds of the Lodge is something that has interested my clients for some time and which they have approached the Planning Authority to discuss in recent years. The lack of appropriate alternative housing meeting the criteria they now require (to have a small garden, but with a bedroom and bathroom on one floor with ease of access throughout to enable them to live independently in their later years), means it is becoming increasingly expedient to design and build something themselves.

Background

An unsuccessful Planning Permission in Principle application was submitted in 2009 to create a house plot within the garden ground of Whim Lodge under planning application reference 09/00558/OUT. Having carefully, with the assistance of recognised conservation architects, revisited this application and arrived at a new design solution, it was disappointing when the resulting Planning Application (reference 17/00681/P) was refused in June 2018. This latest refusal has now been examined in more detail by the applicants and their design team, and this document seeks to explain why the re-submission of this application should be considered favourably by East Lothian Council's Planners.

At the time of both previous decisions, there were no technical reasons for refusal. Matters of landscape, privacy and amenity, boundary treatments, and access and parking were all assessed as being acceptable. Over the 43 years that the Aulds have lived at Whim Lodge, they have seen new houses approved by the Council and developed across the road at (from East to West): 'Wendover'; Orchard Dunes (granted under the current Local Plan in 2013); 'Inchmahome' (granted under the current Local Plan in 2008); 'Allerley'; and, 'Strathmore'. They have not objected to any of these.

It is considered that the proposed house under this application would be of a scale of development that is commensurate to the norms in the vicinity as exhibited by these houses. It would accord with all the relevant policies in the **newly Adopted Local Development Plan**, as well as with recent decision-making by the Council, which should be used as a material consideration in considering this application. In the circumstances, it is hoped that Officers and consultees can assess this latest submission and support this proposal for a well-designed and proportioned modern residence in this well-established residential area.

1.0 Whim Lodge and Hill Road

Whim Lodge is a C listed dwelling house located on the north side of Hill Road in the Gullane Hill area of Gullane. The description set out in Historic Environment Scotland's listing notes that the house dates from 'circa 1900' and is a '2 storey, symmetrical double villa'. There is no further detail given as to the identity of the architect or the exact date of construction. The current owners are also unaware of much more detail in terms of its original commission or construction, although they understand construction may have begun around 1897.

Historic mapping evidence (which has been reproduced as an appendix to this statement) shows that commencement of residential development in the Gullane Hill area did not begin in earnest until after 1900. It is interesting to note that the training of race horses on Gullane Hill was prohibited only in 1892, and this was then followed by the creation of Gullane number 2 (1898) and Gullane number 3 (1910) golf courses. Edward Lutyens designs for Greywalls at the other end of the town were implemented only after 1901. Overall therefore, Gullane can be characterised as a very late Victorian and Edwardian golfing resort.

The mapping evidence shows that in the Gullane Hill area in the period from the late 1870's until 1903, only the property at Purvesholm was completed. The 1903 and 1908 maps show quite clearly however that Hill Road has begun to be developed at its east end, with Whim Lodge/the Bents forming one of the earliest buildings. What is also noticeable from the 1908 map is the similarity in form of the buildings on both sides of Hill Road that front onto Sandy Loan. That map shows Whim Lodge/The Bents, Wester Shian/East Garth and Seaforth forming a recognisable group, with a separate group being formed by the houses further west along Hill Road comprising: St Margarets (now Largo House), Lindisfarne, The Sea House and Dilston. Rather than addressing Sandy Loan (then Sea Road) and Hill Road as the first cluster does, the properties further west turn their backs on Hill Road and look north to the Bents instead. Evidence of this comes from the orientation of the principal bay windows on these properties, which are well illustrated on the 1938 plan. Each of the main bay windows on these buildings look north like those at Purvesholm. A good view of this effect can be taken looking south from the down-slope of Marine Terrace near the public car park at the bottom of the road. We have supplied a photographic analysis of this as document reference C567/P/3.

Our analysis of the morphology of the town described above, and consequently of the orientation and purpose of the semi-detached block of which Whim Lodge forms part along with its associated garden ground, leads directly to the design response to the site from the project architects.

2.0 Design Response

2.1 Background

Tod and Taylor Architects is an Edinburgh based practice of conservation accredited chartered architects that has undertaken a wealth of work on late 19th Century and early 20th Century buildings. Their work on buildings from this period has included repairing and altering many, including Gordon Terrace, Learmonth Terrace and St Colms House in Edinburgh, Carlton House near Lamington, the Charles Rennie Mackintosh flat in Comrie, and on a larger

scale, Mount Stuart on Bute. As a practice it has also reported or advised on seminal early 20th Century properties such as Ramsay Gardens in Edinburgh.

The appointment of Tod and Taylor architects by the applicants was done in order to ensure that an appropriate design response could be formulated for this site and to make sure that the various qualifying criteria set out in policies DP7, ENV3 and ENV4 of the East Lothian Local Plan 2008 (then in force) could be adhered to. The terms of the appointment also required Tod and Taylor Architects alongside Savills to examine again the proposed house design and reasons for refusal of the application submitted in 2009, and to consider in detail a series of ways in which the ground could be sub-divided and re-developed. A series of options for how this could take place was accordingly issued to East Lothian Council in December 2015 as part of a pre-application submission.

The current submission draws on the above work, and has resulted in the design of a modest new pavilion building, designed to sit low within the garden plot and to be interpreted as a deferential architectural component when compared with the principal house.

2.2 Analysis

2.2.1 Site

The site of the proposed new house is the Western part of the garden of Whim Lodge. Whim Lodge itself is the West side of a double villa built circa 1900 on the corner of Hill Road and Sandy Loan on the north west of Gullane. The concept has been to create a new dwelling house which sits naturally in this setting without confronting the existing character of the area. This part of Gullane has been characterised by a series of large houses, mostly dating from the 1870s to 1903, interspersed with smaller cottages, service buildings and later houses. The appendix to this Statement refers.

The existing setting has been examined, and the fall of the ground and its features have been studied to enable the proposal to be designed to sit comfortably on the site among the other houses. A division for the garden has been proposed to retain sufficient ground with Whim Lodge (c.845sqm) to allow it to continue to sit naturally in its setting while affording a sufficient plot for the more modest new pavilion dwelling which will be subordinate to the original, but supportive.

2.2.2 Context

The character of Hill Road allows glimpses of 19th and 20th century houses to be caught beyond the high stone walls and mature hedges. Whim Lodge is unusual in having a low brick and harl white painted wall with an informal hedge above, and it is proposed to retain this wall, albeit forming a new gateway with gate piers and a gate that will be higher than the height of the wall but in keeping with other properties in the area.

The ground here slopes gently down from Hill Road, presenting an opportunity for the proposed new house to nestle into the landscape, minimising the impact on Hill Road.

2.2.3 Materials

The client brief called for a sustainable dwelling, and materials have been chosen to this end. Walls are to be clad externally with timber boarding, the front roof is to have a living sedum top, with other finishes including painted harl and natural stone to reflect the materials expressed elsewhere in the neighbourhood.

2.2.4 Proposal

Much thought has been given to the form of the proposed new house. Conceived as the new home of the present occupants of Whim Lodge who have lived in and developed the house and garden over a period of 45 years, the new house has been devised to meet the latest Building Standards for accessibility and designed to be a simple pavilion. This modest unassuming building will not detract from its neighbours. Indeed the owners of Whim Lodge would wish to ensure that the division of the garden is sensitive to protect the privacy of both parts. Adjustments to the setting have been proposed to ensure that the ambience of the locality will not be adversely affected.

3.0 Policy Analysis

3.1 National Policy

The SPP states among the principles for 'Valuing the Historic Environment' that:

'The planning system should enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets affected and ensure their future use. Change should be sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced'

In terms of the ways in which development management needs to operate to achieve this outcome with regard to listed buildings it states that:

'The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting (paragraph 141).'

In terms of the ways in which development management needs to operate to achieve this outcome with regard to conservation areas it also states that:

'Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance (paragraph 143).'

The effect the consolidated SPP has had on the management of listed buildings has been to insist that adjacent development is appropriate to the character and appearance of the buildings, and that the design of such new development has been informed by a clear understanding of the importance of the historic asset. Meanwhile, in terms of conservation areas the SPP reasserts that proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance.

In addition to altering the policy position in relation to development affecting conservation areas and listed buildings, the SPP also updates the approach to be taken more generally to new housing. Paragraph 110 of the document in particular states that the planning system should:

'identify a generous supply of land for each housing market area within the plan area to support the achievement of the housing land requirement across all tenures, maintaining at least a 5-year supply of effective housing land at all times; and.. enable provision of a range of attractive, well-designed, energy efficient, good quality housing' (paragraph 110)

3.2 Strategic Policy

SESplan covers the area of Edinburgh and its hinterland and offers direction to guide the development of Local Development Plans across the Lothians, the Scottish Borders and Southern Fife. Policy 1B of SESplan is considered relevant to this proposal and is titled 'the spatial strategy: development principles'. This states that:

'Local Development Plans will ensure that there are no significant adverse impacts on the integrity of international and national built or cultural heritage sites in particular World Heritage Sites, Scheduled Ancient Monuments, Listed Buildings, Royal Parks and Sites listed in the Inventory of Gardens and Designed Landscapes'.

3.3 East Lothian Local Development Plan (2018)

The newly Adopted LDP was formally adopted on 27 September 2018.

Policies DP7, ENV3 and ENV4 of the Adopted Local Plan were referenced in the determination of the planning application submitted in 2009 (09/00558/OUT). These same policies were also referenced in the refusal for application 17/00681/P. While the recent Adoption of the new Local Development Plan has meant that these policies have been updated, the reality is that the text of the new policies are largely the same as the policies they replace.

The relevant phrases from the various original policies have been copied below, with any changes in the new LDP noted adjacent. The analysis beneath examines how the proposals address these key points.

DP7, 'Infill, backland and garden ground development' (No change to policy name in adopted LDP 2018)

Whim Lodge, Gullane

Planning and Design Statement



'outwith greenbelt and the countryside and undeveloped coast, the principle of development within infill and backland locations, including the subdivision of garden ground, will be supported where:

(3) the scale, design and density of the proposed development will be sympathetic to its surroundings, overdevelopment of the site will be unacceptable and landscape and boundary features important to the character of the area must be retained where possible;

Policy DP7 in the newly Adopted LDP offers no substantive change to policy DP7 in the 2008 Local Plan and largely repeats these phrases.

To understand how well the proposed house assimilates with the scale, design and density of the surroundings it is instructive to look at Proposed House context Plan C567 603A, which shows the extent to which the proposed house would accord with the density of its surroundings if built. The scale and massing of the proposed house, and the ratio of building to garden ground that both the proposed house and Whim Lodge will enjoy under these proposals, has been carefully designed to accord with the prevailing low density character of houses and plots on both sides of the street.

For the avoidance of doubt the proposed house will be served by private garden ground in excess of 400sqm, with a house to garden ratio of approximately 1:3. Whim Lodge itself will be left with private garden ground extending to around 845sqm, allowing a garden ratio of approximately 1:6.

It is considered that the proposals as submitted accord with the relevant requirements of policy DP7.

ENV3 'Listed Buildings'. CH1 'Listed Buildings' in LDP (2018)

'(1) The external or internal alteration of a Listed Building will only be permitted where it does not harm the architectural or historic character of the building;

(3) New development that harms the setting of a Listed Building will not be permitted.'

Policy CH1 in the newly Adopted LDP offers no substantive change to policy ENV3 and largely repeats these phrases.

In terms of the architectural or historic character of the building, it is instructive in considering the terms of policy CH1 to look at the Historic Environment Scotland description of the building that notes the following as being the particular features of special interest:

"Interest of (sic) the property lies in the unusual colour of slates, attractively combined with harling and red sandstone"

With regard to the building's East and West elevations, which would be relevant in particular to this proposal given the building's western elevation overlooks the proposals site, it notes the following:

“roll-moulded, lugged architraves to door with segmental pediment with 2 grouped narrow windows to S, single to N and narrow 1st floor window above, breaking eaves in ashlar gablet (sic) head. Full-height rectangular projection, flat-roofed with 3-lights to front, at outer N bay.”

It is important to acknowledge that the proposed house has been designed specifically to be deferential in scale, form and detailing to Whim Lodge and to provide a simple foil to the late Victorian House. The proposed house will be relatively low-slung and in all respects subservient to the Lodge. In this way, it is considered that the proposed house will have a negligible impact on the architectural and historic character of Whim Lodge, the only Listed Building adjacent to the proposals site.

There is no specific mention of the building's setting in any of HES's description of Whim Lodge. The Officer's Report of Handling that supported the decision to refuse application reference 17/00681/P, states that the development of the proposed house would result in there being only *'a limited amount of undeveloped garden ground retained between the two (the proposed house and Whim Lodge)'* there would in fact be at least 16 metres between the eastern boundary of the proposed house plot and Whim Lodge.

The Report of Handling further goes on to state that the proposed house would *'unbalance the gardens of this almost symmetrically balanced pair of houses (Whim Lodge and The Bents) that comprise the Listed Building'*. The reality in fact is that there are no points along any public elevations where the 'balance' referred to can actually be visually interpreted in any meaningful way.

More generally Historic Environment Scotland's Guide 'Scotland's Listed Buildings 2016' notes that Category C Listed buildings account for 42% of the Listed Buildings in Scotland and are buildings that are:

- Of local importance
- Lesser examples of a period, style, or building type, and
- As they were originally constructed or only moderately altered.

In this general sense it therefore seems important to stress that while Whim Lodge displays a great many positive qualities and is an attractive building, it is not considered as being of International, National or Regional importance. Any proposals that could affect the building's setting, therefore need to be considered in a balanced and proportionate way that takes into account the relative importance of the building and its setting as an architectural asset. It is our contention that this has been overstated in the Officers Report and in the reasons for Refusal. Neither the architectural and historic character nor the setting of the Listed Building would be harmed such as to run contrary to policy CH1.

ENV4 'Development Within Conservation Areas'. CH2 'Development Affecting Conservation Areas' in LDP (2018)

'All new development in Conservation Areas must be located and designed to preserve or enhance their special architectural or historic character. New development should accord with the size, proportions, orientation, positioning, density, materials, and boundary treatment of nearby buildings and public and private spaces.' (ENV4).

"All development proposals within or affecting a Conservation Area or its setting must be located and designed to preserve or enhance the special architectural or historic character or appearance of the Conservation Area. Proposals for new development should accord with the size, proportions, orientation, alignment, density, materials, and boundary treatment of nearby buildings and public and private spaces.' (CH2).

The Gullane Conservation Area Character Statement which is included as part of the Adopted 2008 Local Plan is repeated with the same text (as it relates to this proposal,) in East Lothian Council's Proposed Supplementary Guidance on 'Cultural Heritage and the Built Environment' (2018). The documents note the following with reference to the character and density of the Gullane Hill area:

"Gullane Hill has a generous scale of development, with a considerable number of imposing mansions interspersed with more modest cottage and former service houses. The area is characterised by mature tree cover and extensive lengths of high stone wall and hedging.

Few opportunities remain for infill development within the Gullane Hill area. The low-density character of the area will be protected and any new development must integrate into the existing pattern of built development."

The proposal's assimilation with the low-density character of the area has already been rehearsed in discussing policy DP7 above. The pattern of development is recognised in the Character Statement as being *'imposing mansions interspersed with more modest cottage and former service houses'*. This is a pattern that the proposals have been designed to align with.

The Officer's Report of Handling that supported the decision to refuse application reference 17/00681/P, notes itself that *"...the proposed house would be a low form of development and this would not appear dominant within the streetscape"*. This reflects the fact that the proposals have been well-designed to ensure that integration can take place, and to ensure that the pattern of development punctuated by smaller cottages and service houses is followed. It is also considered that the site at Whim Lodge **is** one of the few opportunities remaining for infill development, and this is well illustrated with reference to the Location Plan and with drawing C567 603A noted above.

It is considered that the proposals as submitted meet the terms of policy CH2.

4.0 Analysis of Recent Local Review Body Decision

4.1 Analysis of Local Review Body Decision on Land at Gateside 18/00299/P

Appeal decisions are material considerations in terms of showing how policy has been applied and showing where consistent patterns have been taken by a Planning Authority in the application of these policies. In addition to the decisions taken at Orchard Dunes and Inchmahome (see above), East Lothian Council's Local Review Body of 30 August 2018 is an important consideration in the assessment of this latest application, and post-dates the refusal of application reference 17/00681/P. The LRB on this occasion upheld the Notice of Review submitted in respect of the application at Gateside for the erection of a new house on land within garden ground at nearby Nisbet Road and Hill Road in Gullane.

It is acknowledged that each application should be considered on its own merits. Nevertheless, the original reasons for refusal, and the assessment of the site and the review undertaken of the application at Gateside are worth reflecting upon in relation to Whim Lodge.

Despite a refusal having been recorded for reasons relating to: impact on the conservation area; impact on trees; and likelihood of setting an undesirable precedent, a Local Review Body needs to assess an application '*de novo*'. Therefore the discussion undertaken by the LRB in this case centred on the fact that not many of the original house plots on the street retain only one house, but have been developed to provide smaller houses within the plots as well. The discussion also noted that any development on the street would inevitably result in change and therefore what could be considered as 'disruption'. However, in the absence of any clearer rationale for why such development could not be tolerated, the diversity of different, additional houses that have already been approved to the rear of plots on both Nisbet Road and Hill Road would suggest that any such disruption can be successfully accommodated, and that this in itself now forms part of the street's character.

The LRB noted that there were no Tree Preservation Orders in force within the garden ground of the property at Gateside, but questioned whether compensatory planting could be undertaken outwith the red line application boundary. In the case of Whim Lodge, if it helps the Review Body to reach a decision, the applicant has confirmed that he would be happy to provide compensatory planting in the existing garden ground of Whim Lodge either through the use of a planning condition or through a Good Neighbour Agreement.

Conclusion

The analysis above has sought to show that the design approach taken in 2009 was inappropriate for this site but that the garden ground at Whim Lodge can nevertheless be sensitively developed without harming either the listed building adjacent or the conservation area surrounding it. It is considered that application reference 17/00681/P demonstrated how this could be successfully achieved, and incorporating some minor amendments, this application is essentially resubmitted under the current submission.

The recent Local Review Body decision at Gateside illustrates the consistent pattern of decision making that has been exhibited by East Lothian Council on Hill Road over recent years. This pattern has allowed for the development of a series of subservient houses in amongst larger mansion houses which accord with the character of the area as defined in the Gullane Conservation Area Character Statement forming part of the 2008 Local Plan and within current Proposed Supplementary Planning Guidance.

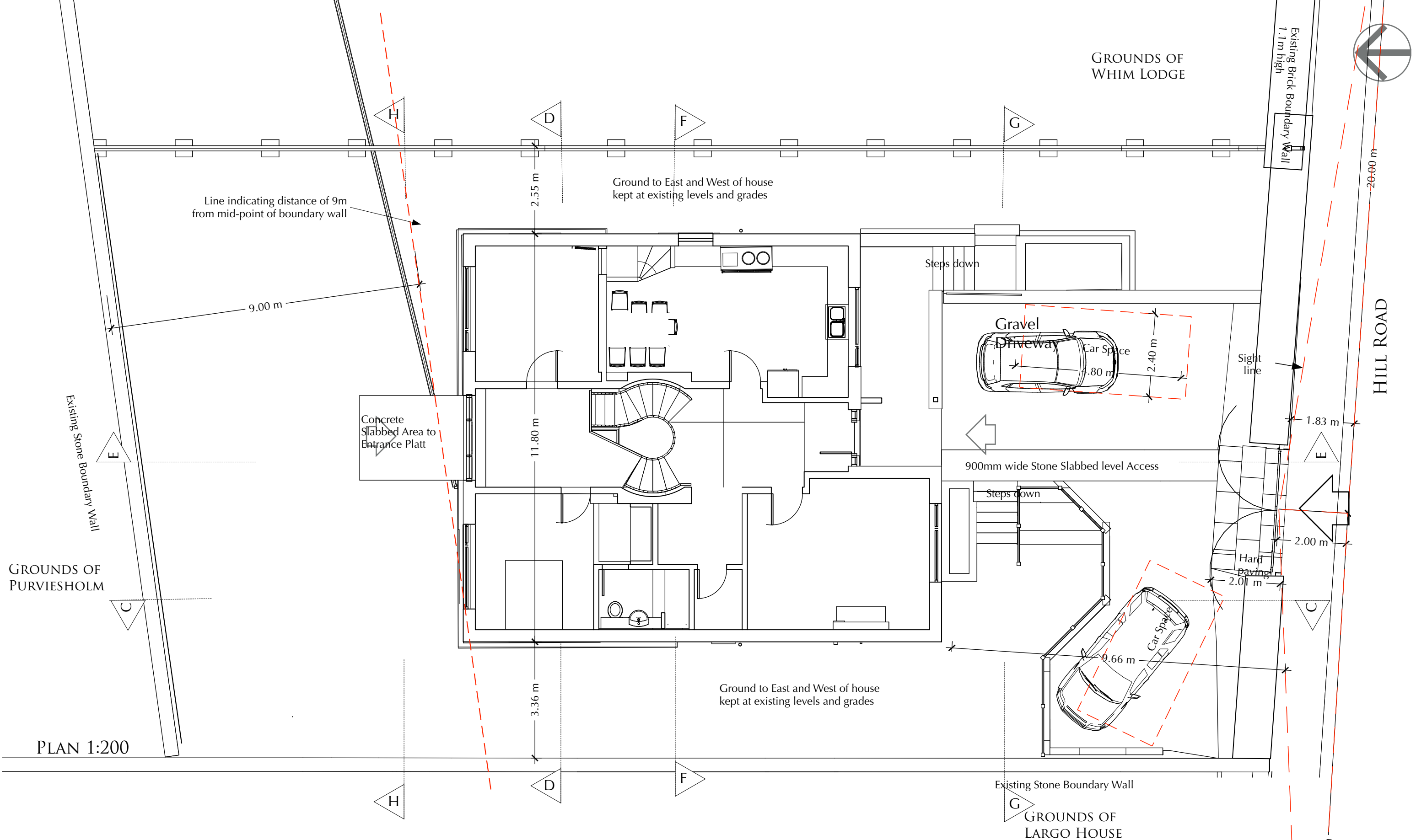
Whim Lodge, Gullane

Planning and Design Statement



My clients will be the eventual residents of the proposed new development, and as residents of the area for the last forty years it is understandably upmost in their minds to retain and enhance the unique character and appearance of this part of Gullane. They are confident that the house proposed under this application will simultaneously provide the flexible and modern living spaces that they need, without harming any of the garden setting that they have cultivated over many decades.

It is respectfully asked therefore that Officers consider this Statement and the accompanying application documents and grant planning permission.



PLAN 1:200

SITE PLAN 1:200

WHIM LODGE
House Proposal

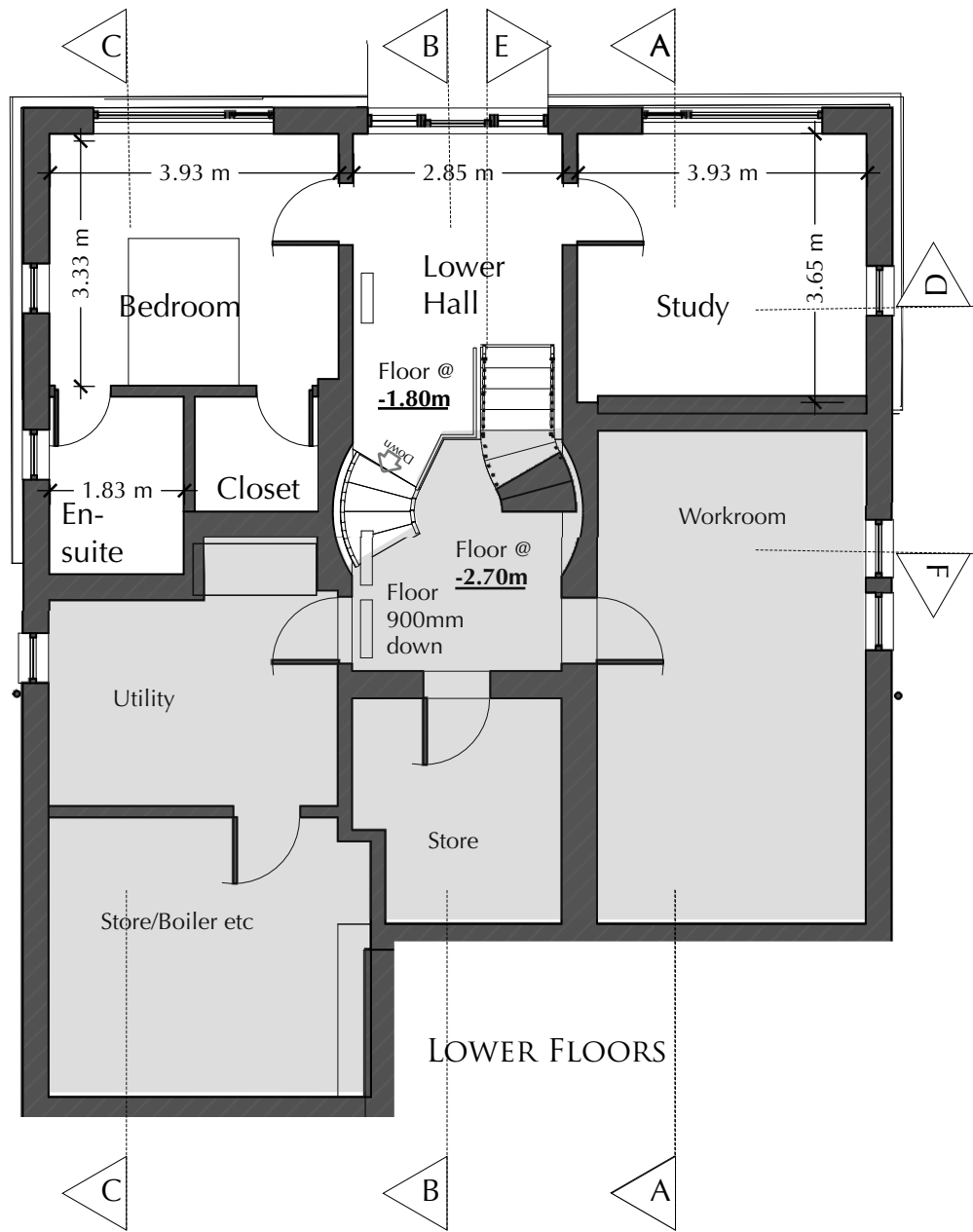
HOUSE ON SITE
DIMENSIONS TO BOUNDARIES

10 m

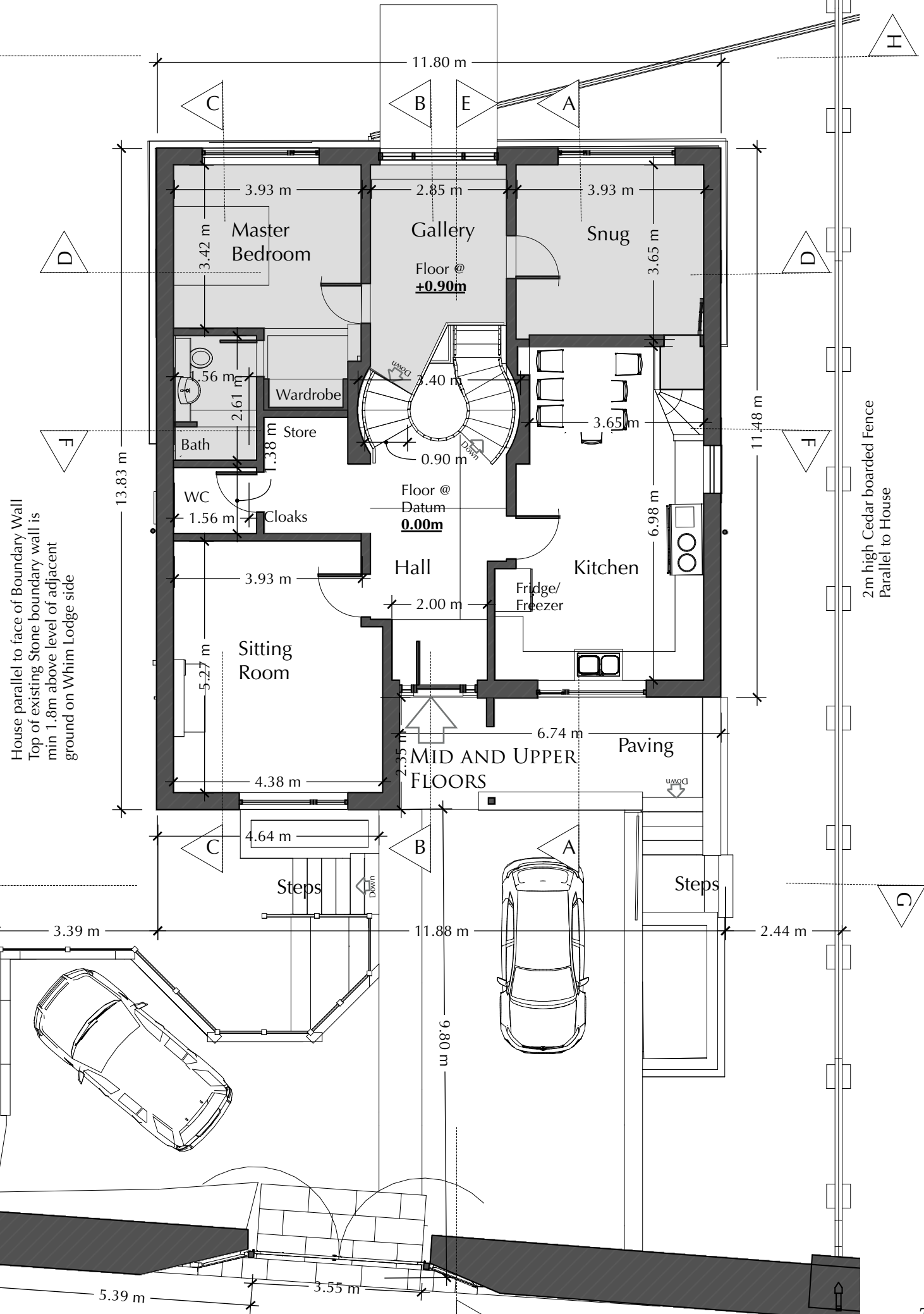
Scale 1:100 @ A3
Date 28 07 2017

C - Tweaks in response to Planner 10 2018
B - Changes to Kitchen, Hall & Sitting Room 20 09 2018
A - Scale designation corrected 26 01 2018

C567 107 C
TOD & TAYLOR ARCHITECTS
43 MANOR PLACE tel 0131 225 7988
EDINBURGH EH3 7EB fax 0131 220 0122



LOWER FLOORS



MID AND UPPER FLOORS

2m high Cedar boarded Fence Parallel to House

Whim Lodge

WHIM LODGE HOUSE PLANS
House Proposal

- F - Gates Set-back 17 12 2018
- E - Lower Floors 02 10 2018
showing correct plan
- D - Changes to Kitchen, Hall & Sitting Room 20 09 2018
- C - Section plane LF raised Wall note & Drive mods 26 10 2017
- B - Section lines added 30 08 2017
- A - Datums added 30 08 2017

C567 0 101 F
TOD & TAYLOR ARCHITECTS
 43 MANOR PLACE tel 0131 225 7988
 EDINBURGH EH3 7EB fax 0131 220 0122

Scale 1:100 @ A3
 Date 28 07 2016

A - Landscaping
B - House moved

2017



SOUTH ELEVATION



WEST ELEVATION



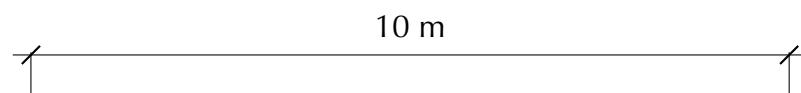
NORTH ELEVATION



EAST ELEVATION

WHIM LODGE
House Proposal

ELEVATIONS
FROM OUTSIDE SITE

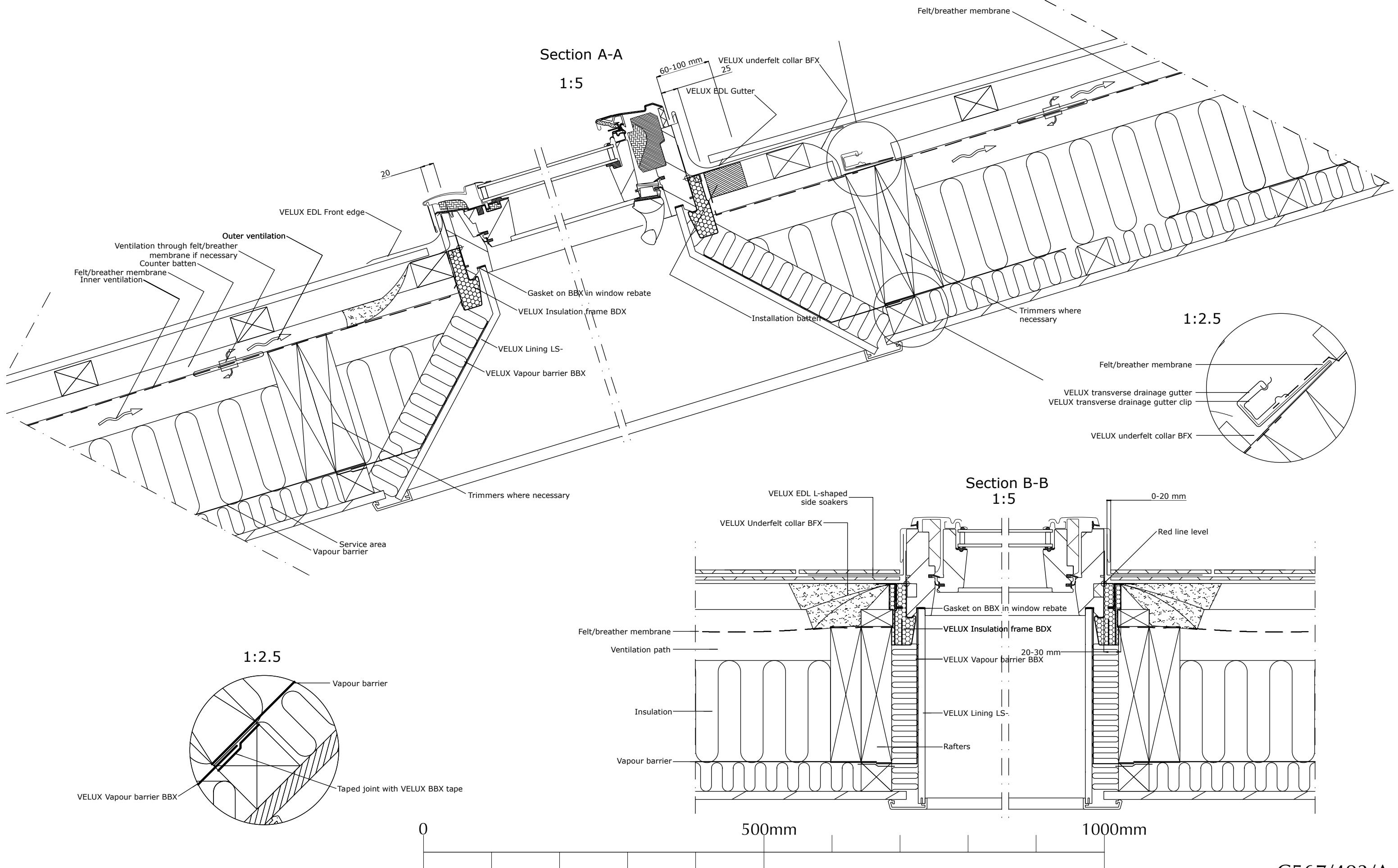


Scale 1:100 @ A3 and NTS
Date 28 07 2017

D - Gates Set-back 17 12 2018
C - Gates, East Elev 27 09 2018
B - Gates tweak 26 01 2018
A - Gates Front Door 26 10 2017

C567 103 D

TOD & TAYLOR ARCHITECTS
43 MANOR PLACE tel 0131 225 7988
EDINBURGH EH3 7EB fax 0131 220 0122



| | | |
|---|--------------------------------|---------------|
| A | Spec notes | 16 Aug 2017 |
| B | Carparking shown | 26 Oct 2017 |
| C | Notes revised | 15 Jan 2018 |
| D | Notes added | 23 April 2018 |
| E | Two car parking spaces | 10 Oct 2018 |
| F | Sight line cone adjusted | 15 Nov 2018 |
| G | Entrance gate adjusted | 30 Nov 2018 |
| H | Gate detail reference and line | 17 Dec 2018 |

SPECIFICATION NOTES

CARPARKING AREAS FORMED USING TERRAM GEOCELL 25/15 INSTALLED IN COMPLIANCE WITH BS 5837 : 2005
 50mm THICK STONE PAVING ON SIMILAR GEOCELL 25/15 INSTALLED IN COMPLIANCE WITH BS 5837 : 2005 ALL ON SANDY SITE SUB SOIL
 TO BE READ IN CONJUNCTION WITH C567/604C, C567/501A AND THE ROOT PROTECTION PLAN

FORM OPENING IN BOUNDARY WALL TO GIVE GATEWAY 3590mm AS INDICATED.
 FORM 2No. NEW BRICK PIERS OF MATCHING BRICK AS SHOWN.
 INSTALL NEW OAK GATES AS PER DRAWING C567 401A.
 PAVING TO BE STONE 1200 X 3590 NATURAL STONE APRON 2M DEEP AND 900mm WIDE STONE PATH

SIGHT LINES INDICATED IN BLUE

FOR GATE DETAIL SEE DRAWING NO C567 302/A
 GATES OPEN INWARDS ONLY

PROPOSED NEW FENCE LINE

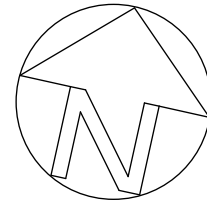
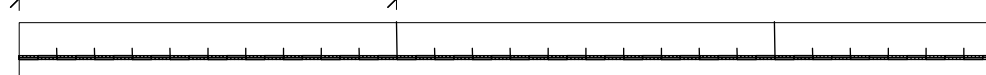
FOR FENCE JUNCTION DETAIL SEE DRAWING NO C567/402

FOR TREES SEE C567/604 E AND C567/501 C

EXISTING LOW BOUNDARY WALL TO REMAIN (1050mm - 1100mm)

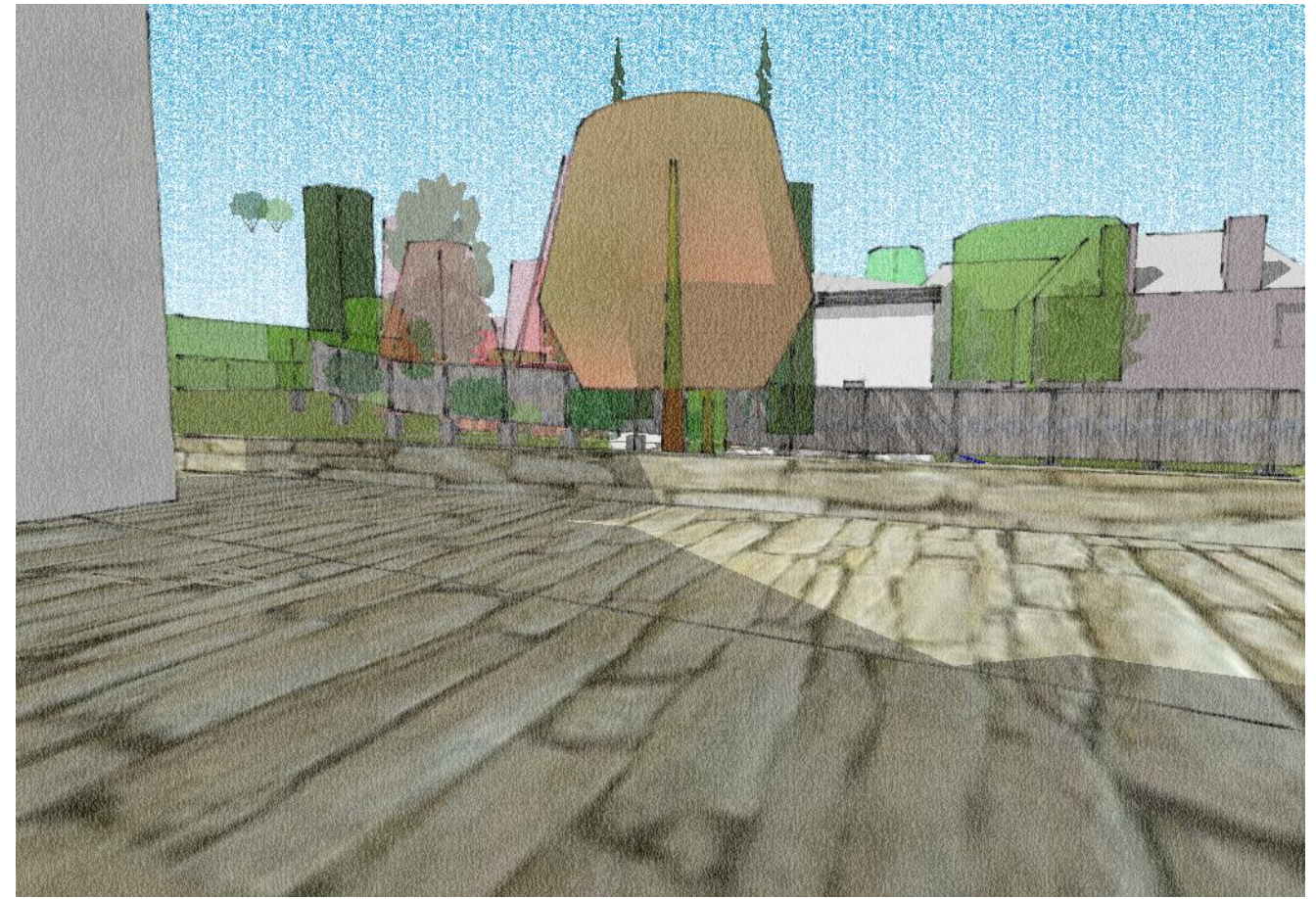
FOR FENCE JUNCTION DETAIL SEE DRAWING NO C567/402

10M

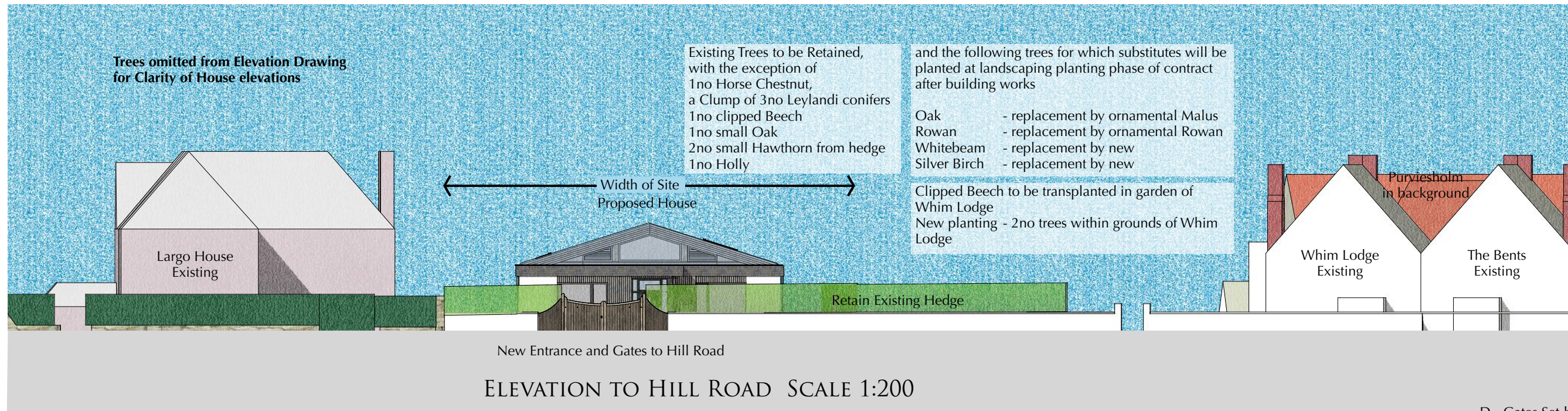




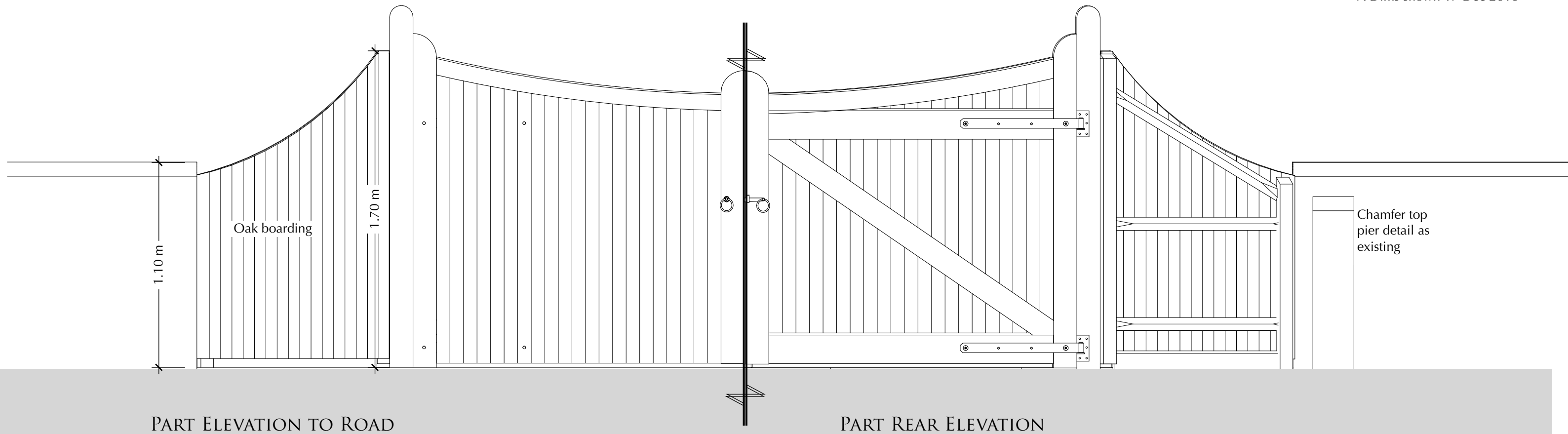
FROM STREET



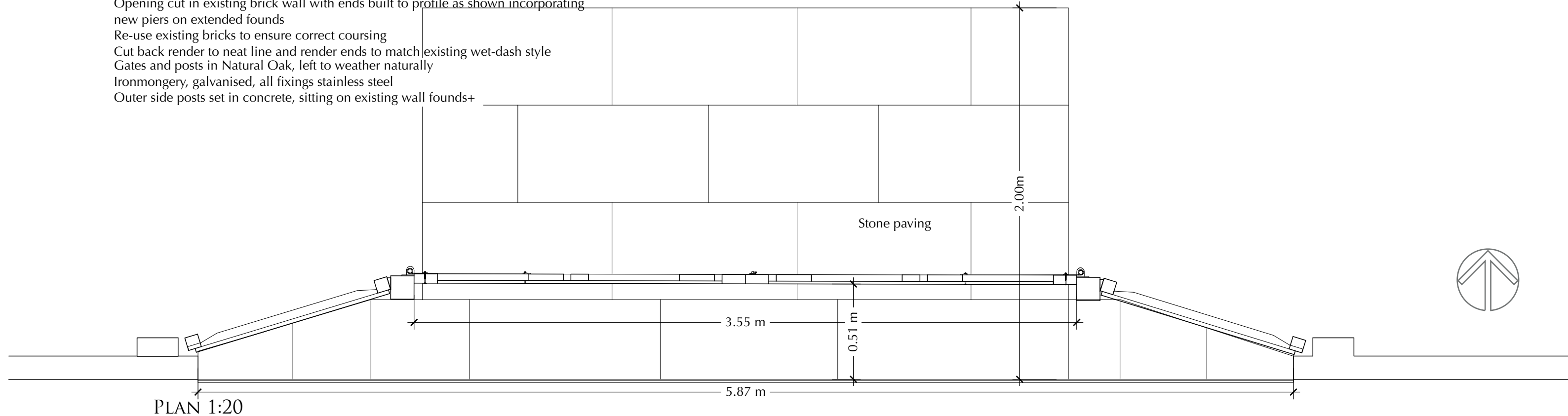
FROM WHIM LODGE



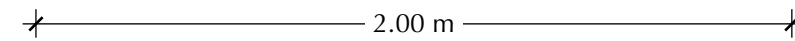
D - Gates Set-back 17 12 2018
 C - Gates 28 09 2018
 B - Expanded notes & mods 20 04 2018
 A - Gates corrected 26 01 2018



Opening cut in existing brick wall with ends built to profile as shown incorporating new piers on extended founds
 Re-use existing bricks to ensure correct coursing
 Cut back render to neat line and render ends to match existing wet-dash style
 Gates and posts in Natural Oak, left to weather naturally
 Ironmongery, galvanised, all fixings stainless steel
 Outer side posts set in concrete, sitting on existing wall founds+



PLAN 1:20



Scale 1:20 @ A3
 Date 03 12 2018

WHIM LODGE
 House Proposal

FRONT GATES
 TALL WITH SET-BACK

C567 302/A

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 EDINBURGH EH3 7EB fax 0131 220 0122



SITE PLAN 1:500



BIRD'S EYE FROM SOUTH

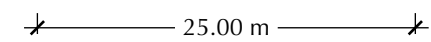


BIRD'S EYE FROM WEST

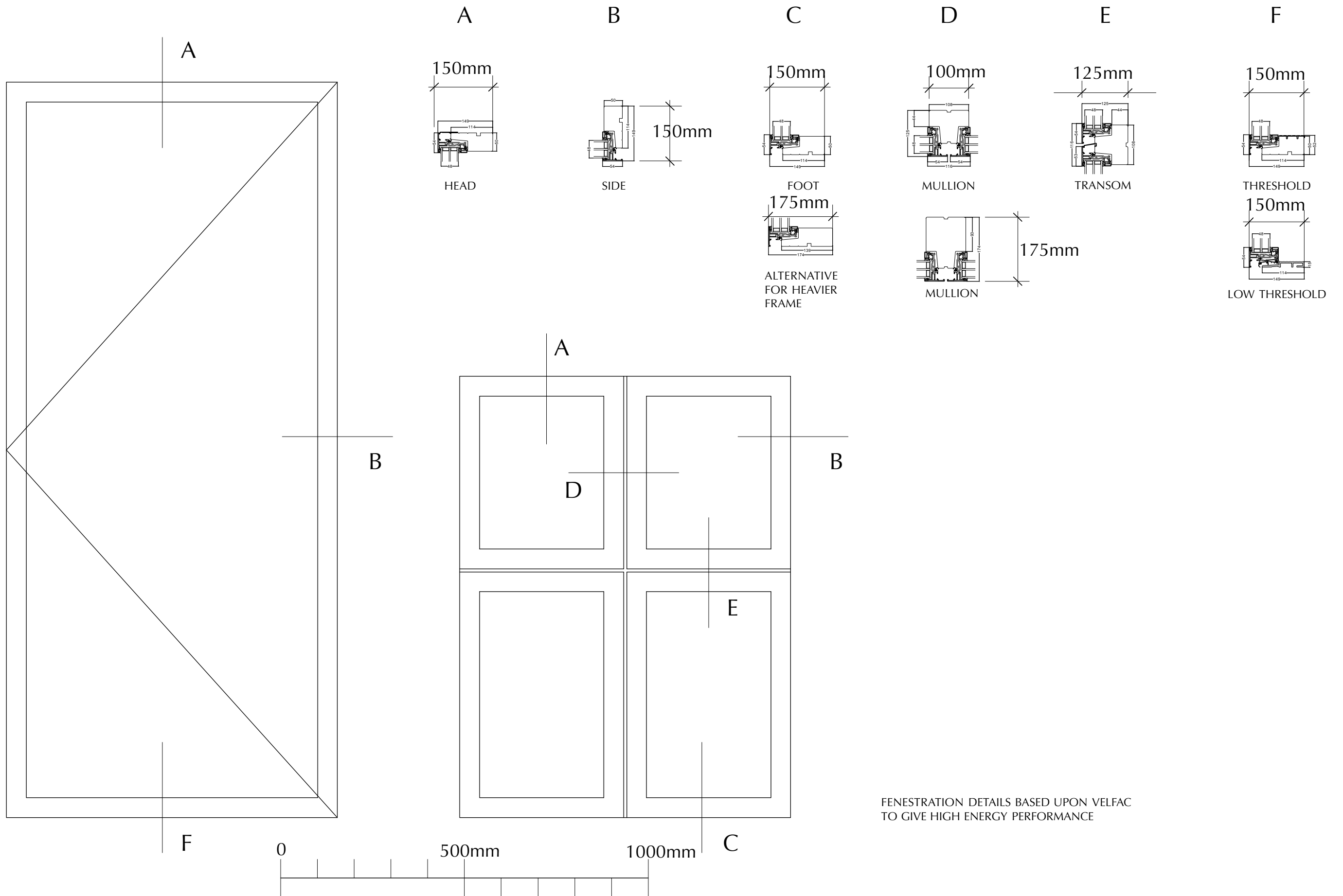


BIRD'S EYE FROM EAST

D - Gates Set-back 17 12 2018
 C - Gates 28 09 2018
 B - Trees co-ordinated with others 20 04 2018
 A - Misleading remnants removed 30 08 2017



Scale 1:500 @ A3
 Date 21 06 2016



FENESTRATION DETAILS BASED UPON VELFAC TO GIVE HIGH ENERGY PERFORMANCE

NEW HOUSE WHIM LODGE

Velfac Window Details

Date. 10 Aug 2017
 Scale. 1:10 @ A3
 Planning

C567/404/A
TOD & TAYLOR ARCHITECTS
 43 MANOR PLACE tel 0131 225 7988
 EDINBURGH EH3 7EB fax 0131 220 0122
 admin@todtaylor.co.uk



John Muir House Haddington EH41 3HA Tel: 01620 827 216 Email: planning@eastlothian.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 100138477-001

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 sub-division of garden ground and erection of dwelling house

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:

Ref. Number:

You must enter a Building Name or Number, or both: *

First Name: *

Angus

Building Name:

8

Last Name: *

Dodds

Building Number:

Address 1
(Street): *

Wemyss Place

Extension Number:

Address 2:

Town/City: *

Edinburgh

Fax Number:

Country: *

United Kingdom

Postcode: *

EH3 6DH

Email Address: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:

Other

You must enter a Building Name or Number, or both: *

Other Title:

Mr and Mrs

Building Name:

Whim Lodge

First Name: *

Robert and Jennifer

Building Number:

Last Name: *

Auld

Address 1
(Street): *

Hill Road

Company/Organisation

Address 2:

Gullane

Telephone Number: *

Town/City: *

East Lothian

Extension Number:

Country: *

Scotland

Mobile Number:

Postcode: *

EH31 2BE

Fax Number:

Email Address: *

Site Address Details

Planning Authority:

East Lothian Council

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

Address 1:

WHIM LODGE

Address 2:

HILL ROAD

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

GULLANE

Post Code:

EH31 2BE

Please identify/describe the location of the site or sites

Northing

682979

Easting

347907

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

140000.00

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)

domestic garden ground

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)

see Proposed site layout drawing submitted

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? *

1

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: Angus Dodds

On behalf of: Mr and Mrs Robert and Jennifer Auld

Date: 27/09/2018

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 type="checkbox"/> Yes <input checked="" 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)

Declare – For Application to Planning Authority

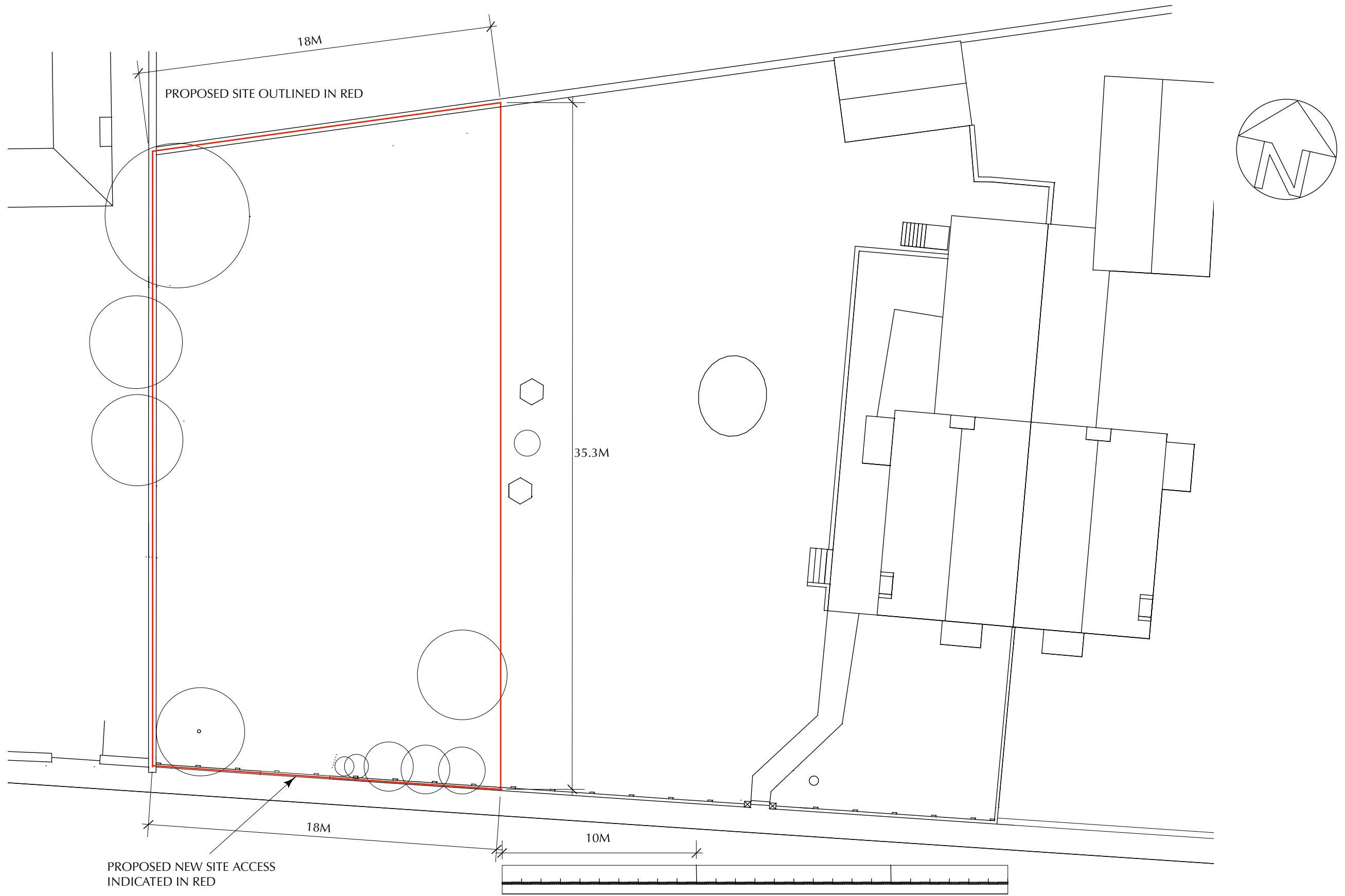
I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name:



Declaration Date:

27/09/2018

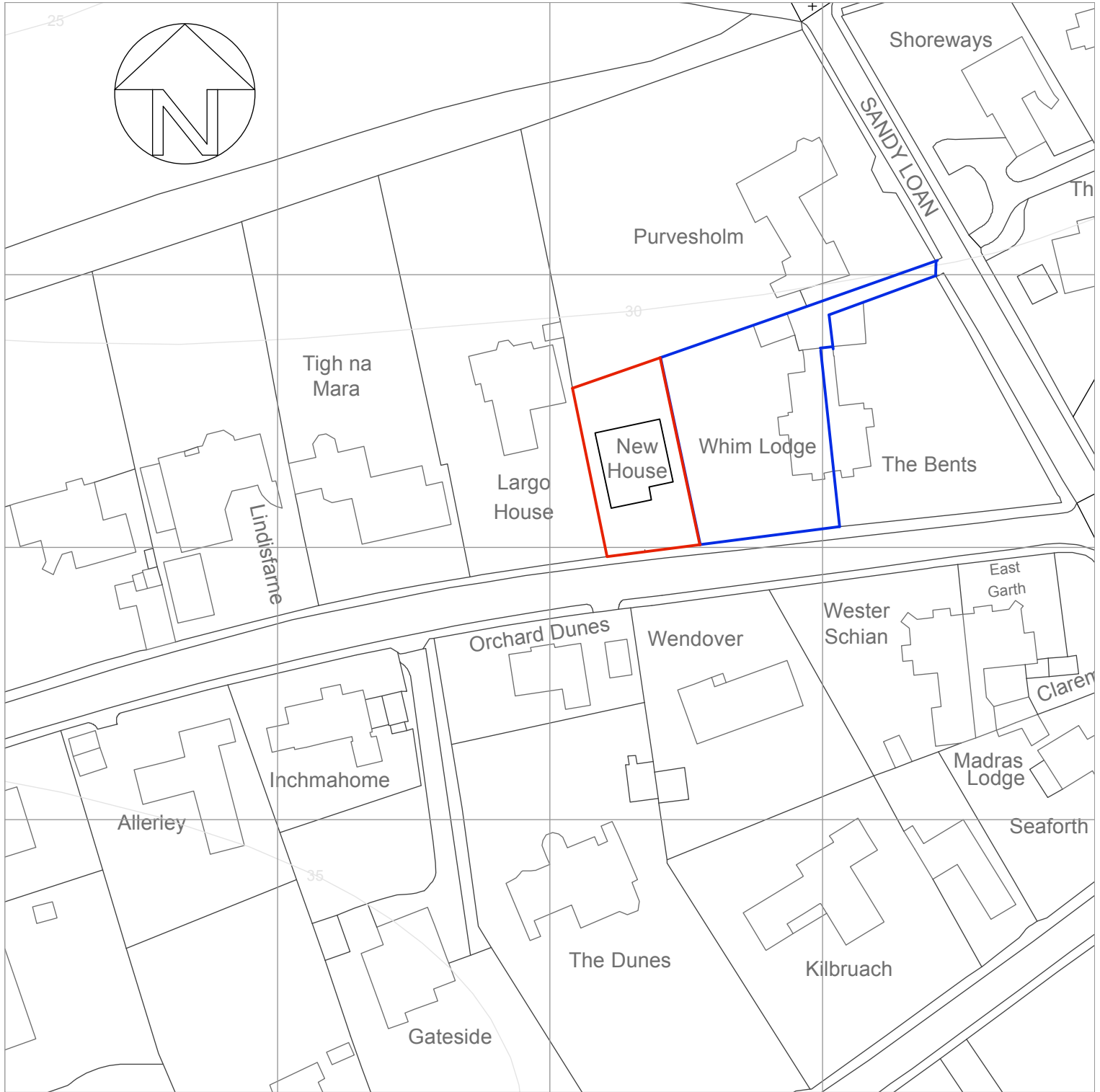


WHIM LODGE

Location Plan for Planning Application EXISTING ARRANGEMENT

Date. 4 Aug 2017
 Scale. 1:200 @ A3
 Listed

C567 607 A
TOD & TAYLOR ARCHITECTS
 43 MANOR PLACE tel 0131 225 7988
 EDINBURGH EH3 7EB fax 0131 220 0122
 admin@todtaylor.co.uk



347701

347811

347861

347911

347961



Metres

**NEW HOUSE WHIM LODGE
LOCATION PLAN**

Date. 28 July 20178
Scale. 1:1250 @ A4
Planning

C567/605
TOD & TAYLOR ARCHITECTS
43 MANOR PLACE tel 0131 225 7988
EDINBURGH EH3 7EB fax 0131 220 0122
admin@todtaylor.co.uk

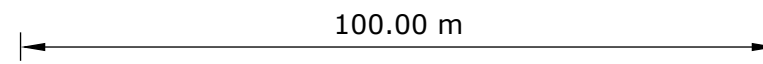


To be read in conjunction with the Planning and Design Statement

Taken from the OS map of the area
Showing the context of the proposed garden plot within the layout of the existing house plots on Hill Street.

- Existing houses are shown deep red

- Proposed new house is shown red



Scale 1:1000 @ A3
Date 20 02 2017

WHIM LODGE
House Proposal

LOCATION

C567 603 A

TOD & TAYLOR ARCHITECTS
43 MANOR PLACE tel 0131 225 7988
EDINBURGH EH3 7EB fax 0131 220 0122

MATERIALS

- Roof**
- Pitched Zinc standing seam with velux roof lights
 - Flat roof to front Sedum planted
 - Fascia, soffit, timber panelling Western Red Cedar left to weather

- Walls**
- Rendered to have white roughcast finish
 - Wall panels on North and South red Cedar as fascia

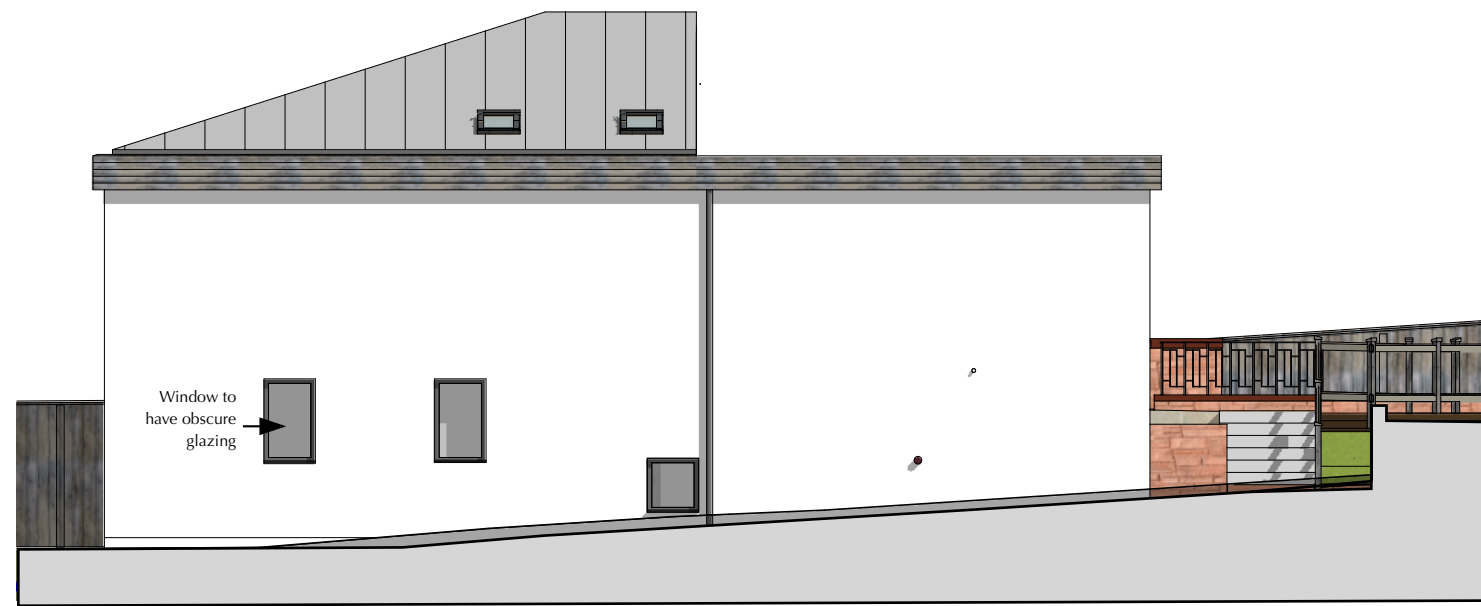
- Windows**
- Double glazed composite as Velfac
 - South elevation door and windows - timber, painted mid-gray

- New External gates - Natural Oak, left to weather
- Landscaping walls - Rubble stonework and timber sleepers
- Driveway - Well compacted gravel on hardcore
- Stone paved area in front of the house and level access

- New Boundary to Whim Lodge - Cedar vertical boarded 2M high
- Other boundaries - Existing stone walls unaltered approx 2M high
- Front boundary - Existing low brick wall rendered with new opening
- Existing hedge and shrubs to remain



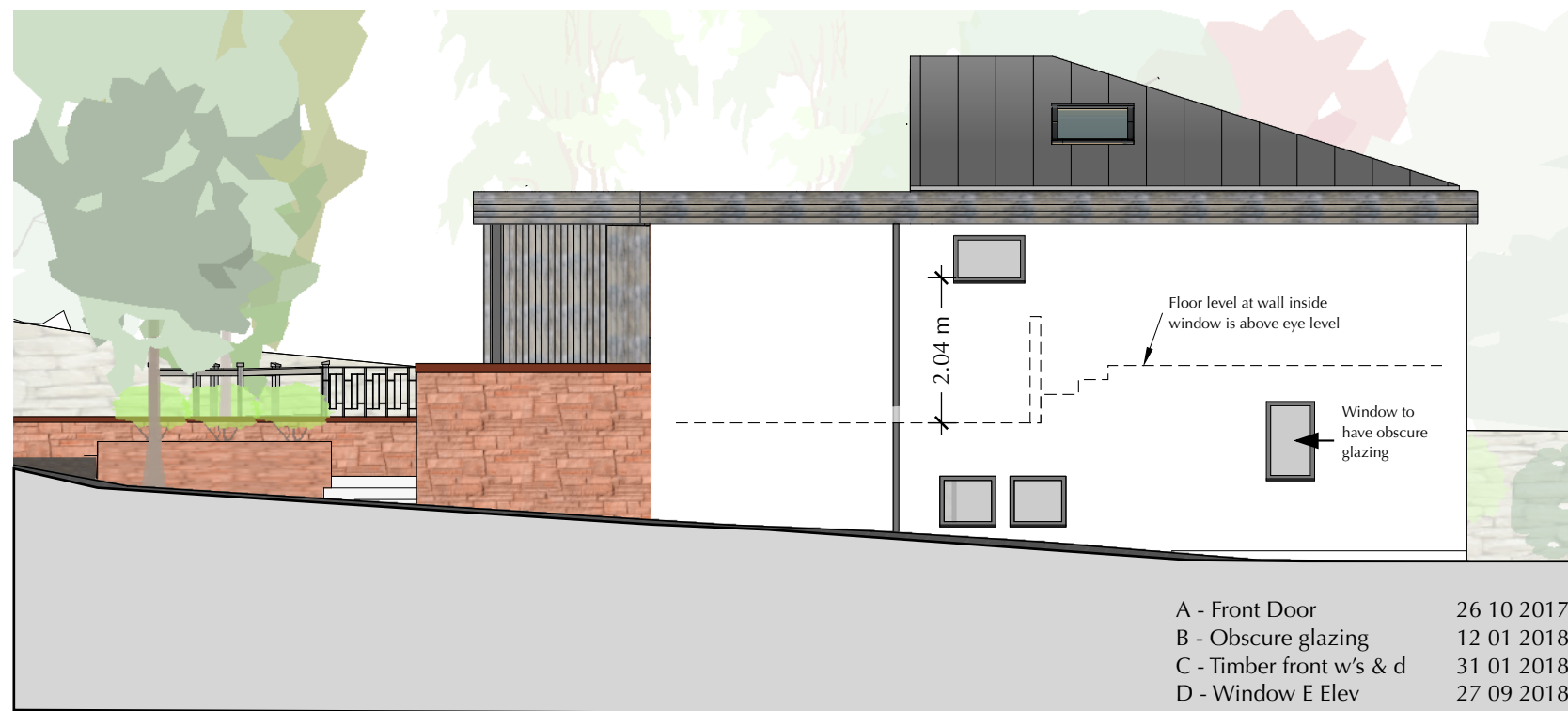
SOUTH ELEVATION



WEST ELEVATION

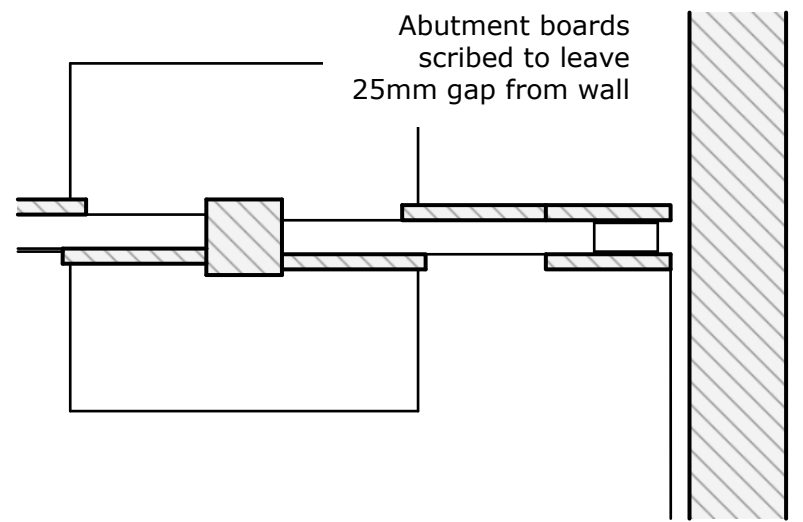
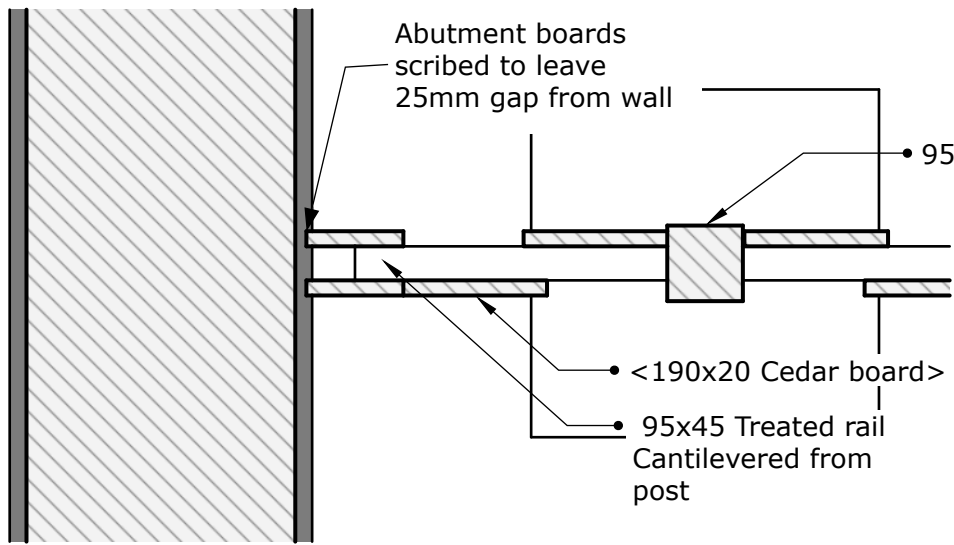
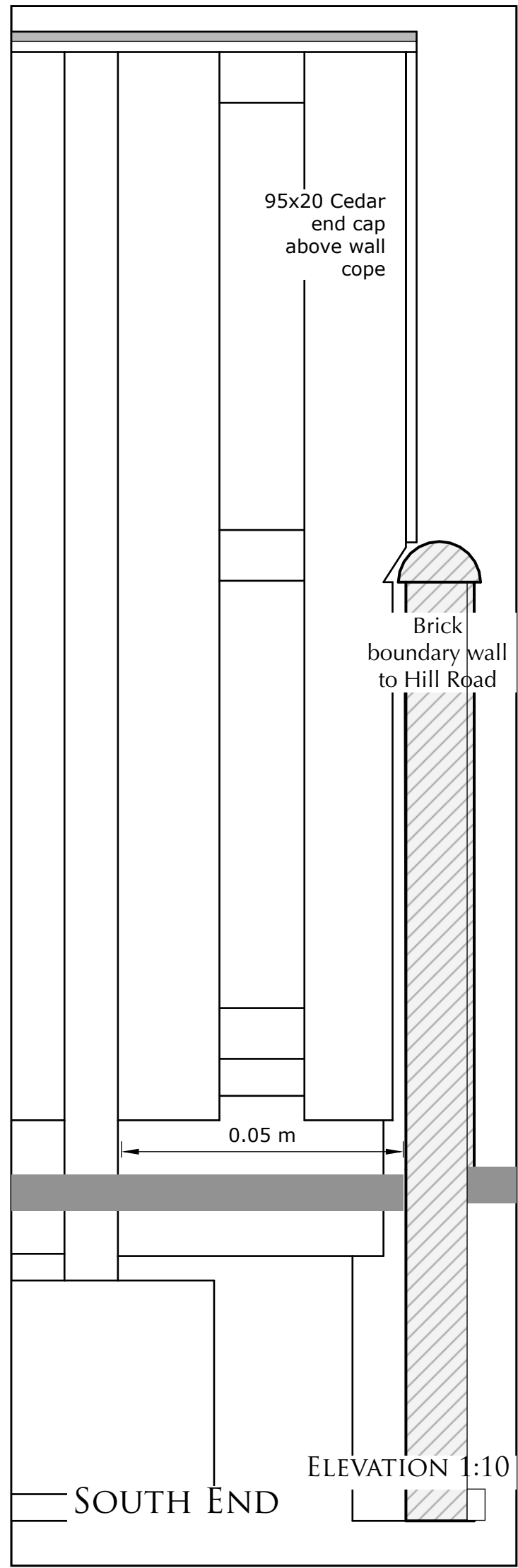
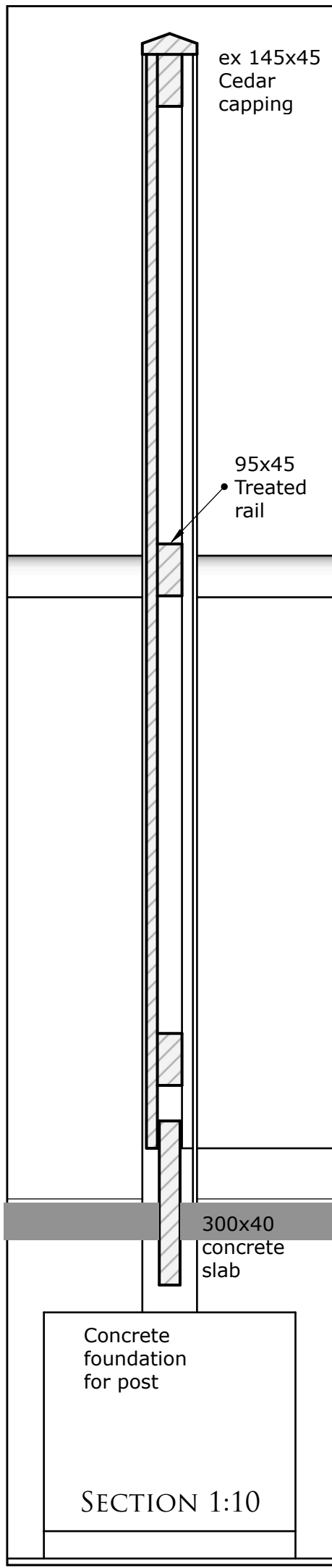
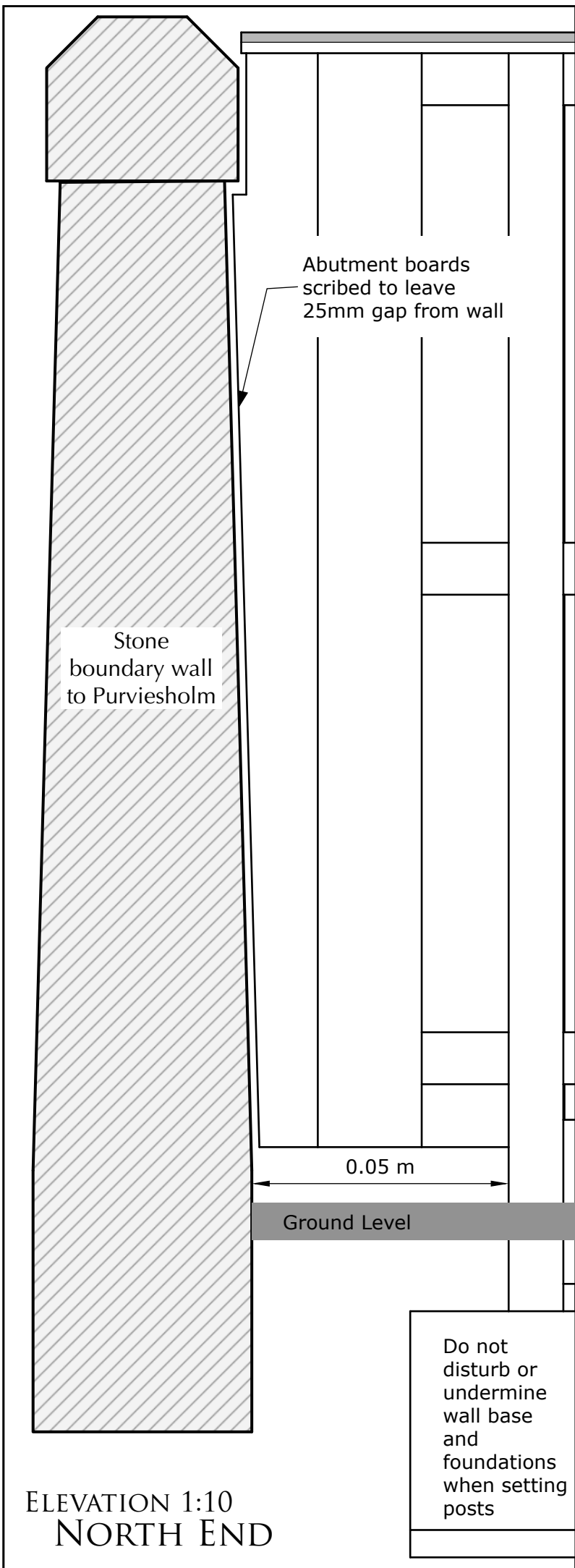


NORTH ELEVATION

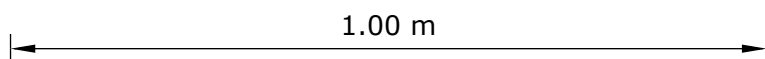


EAST ELEVATION

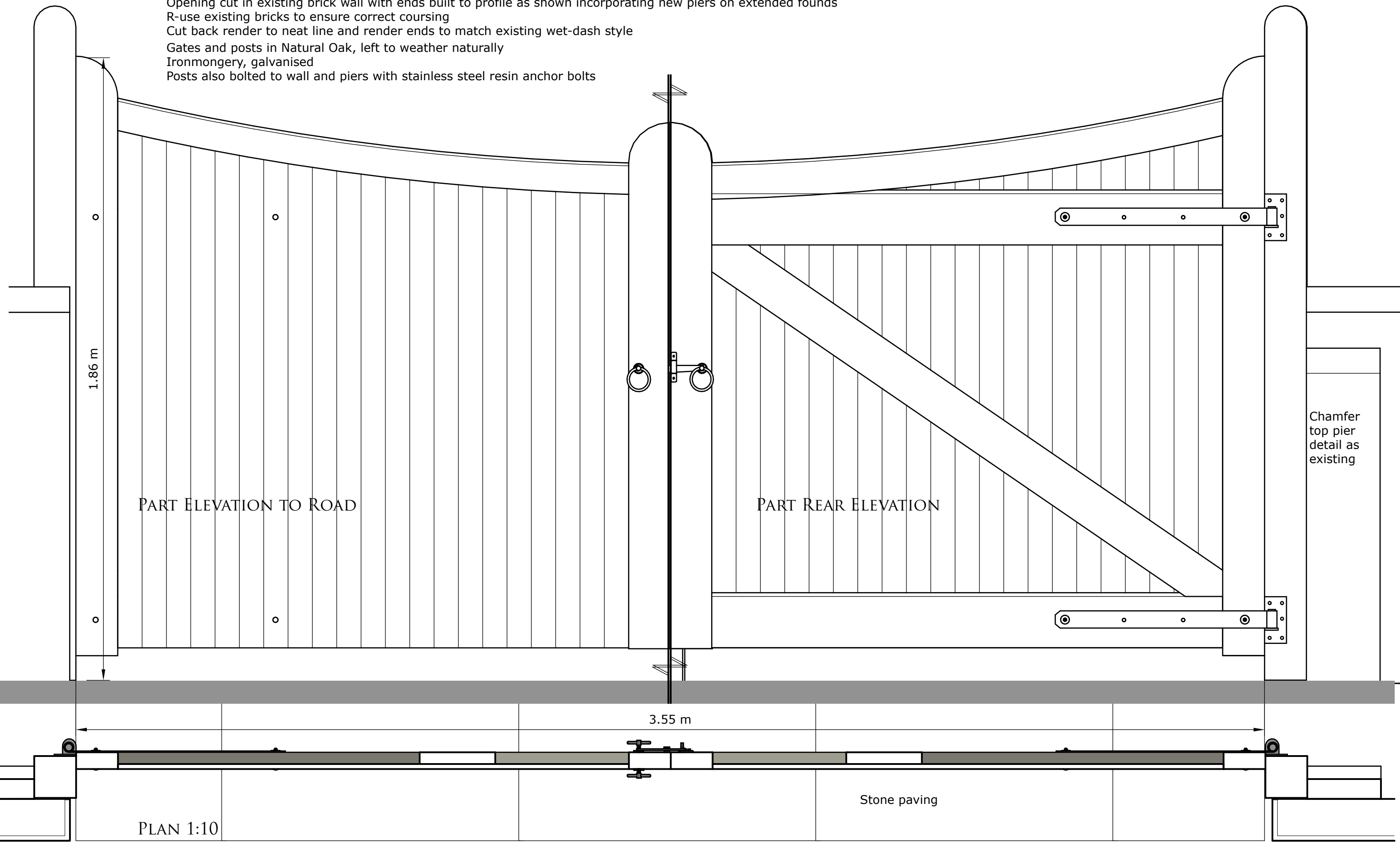
| | |
|--------------------------|------------|
| A - Front Door | 26 10 2017 |
| B - Obscure glazing | 12 01 2018 |
| C - Timber front w's & d | 31 01 2018 |
| D - Window E Elev | 27 09 2018 |



PLANS 1:10



Opening cut in existing brick wall with ends built to profile as shown incorporating new piers on extended founds
 R-use existing bricks to ensure correct coursing
 Cut back render to neat line and render ends to match existing wet-dash style
 Gates and posts in Natural Oak, left to weather naturally
 Ironmongery, galvanised
 Posts also bolted to wall and piers with stainless steel resin anchor bolts



Chamfer top pier detail as existing

PART ELEVATION TO ROAD

PART REAR ELEVATION

PLAN 1:10

Stone paving

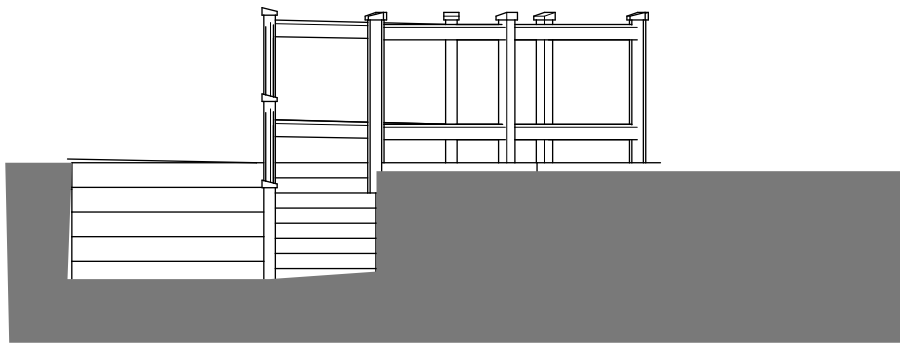
1.00 m

Scale 1:10 @ A3
 Date 20 02 2017

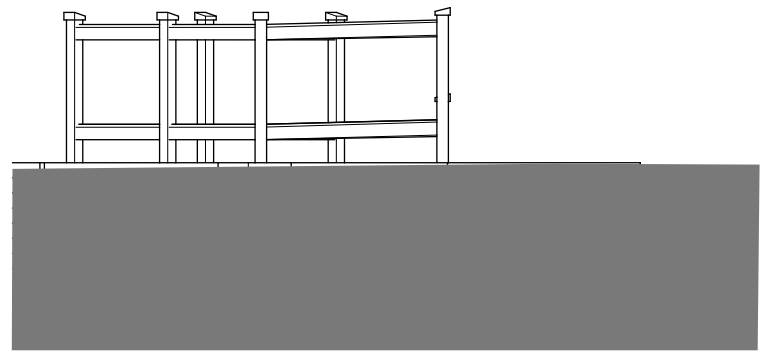
WHIM LODGE
 House Proposal

FRONT GATES

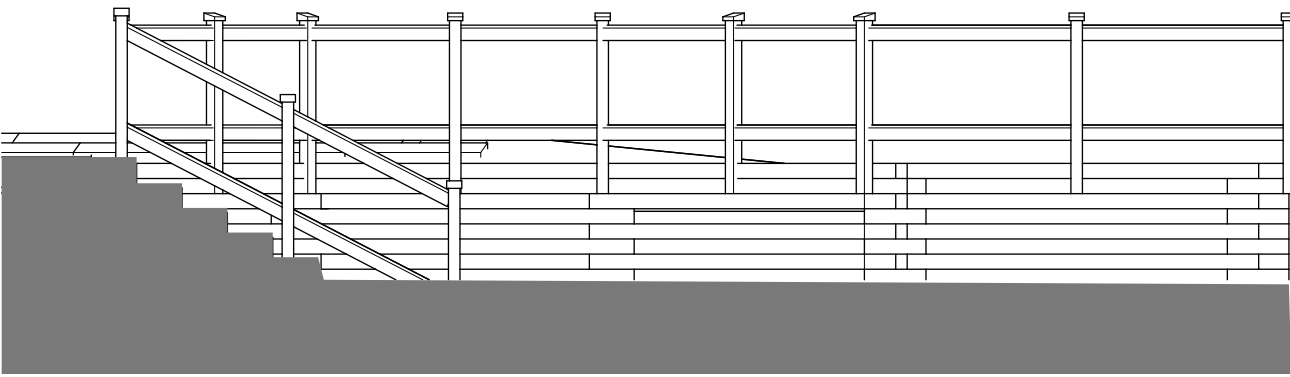
C567 401
TOD & TAYLOR ARCHITECTS
 43 MANOR PLACE tel 0131 225 7988
 EDINBURGH EH3 7EB fax 0131 220 0122



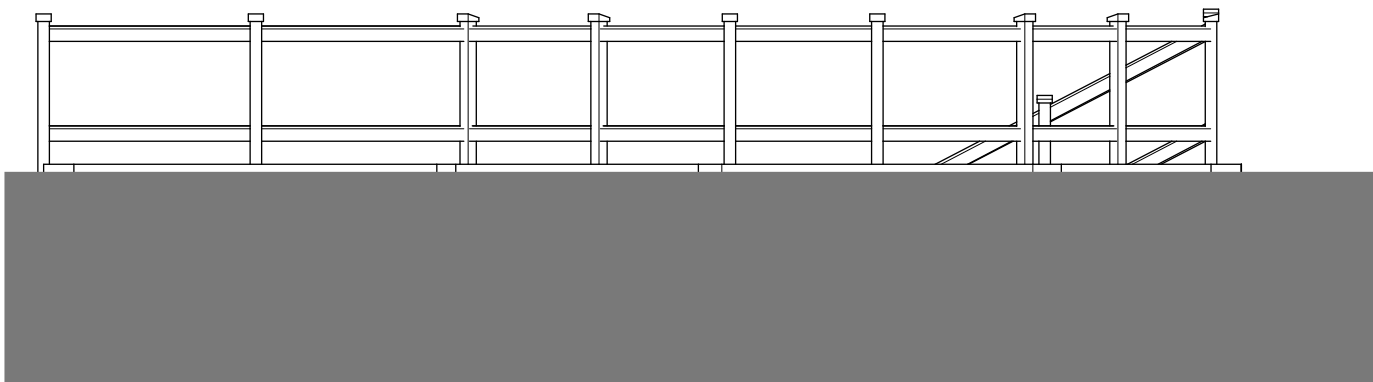
WEST ELEVATION



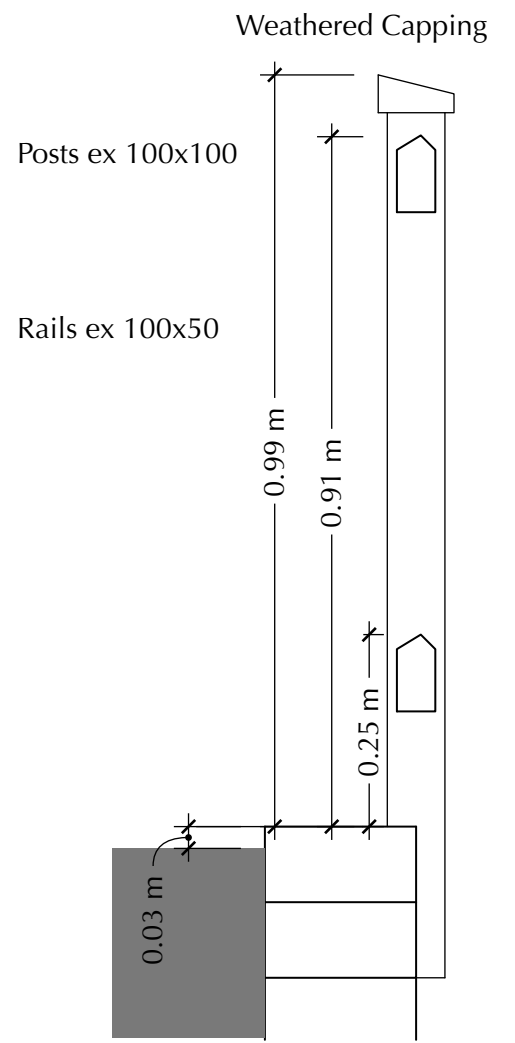
EAST ELEVATION



NORTH ELEVATION



SOUTH ELEVATION



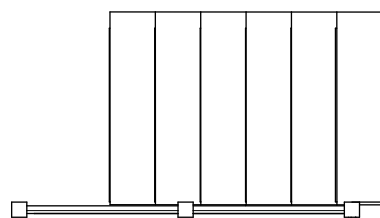
Rail and posts in Cedar, left to weather down naturally

SECTION 1:10

0.50 m

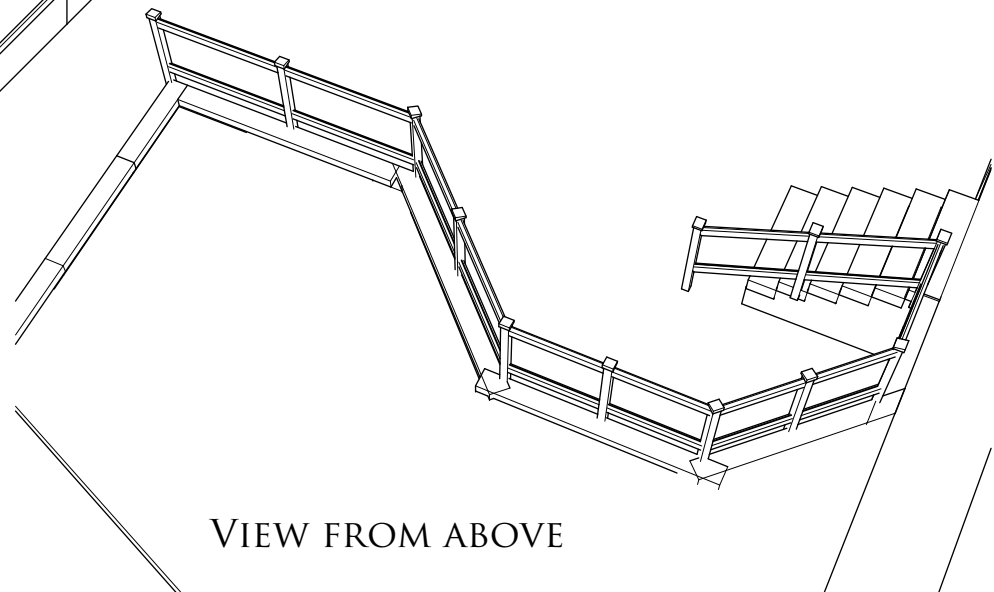


Garden level



Existing Oak Tree

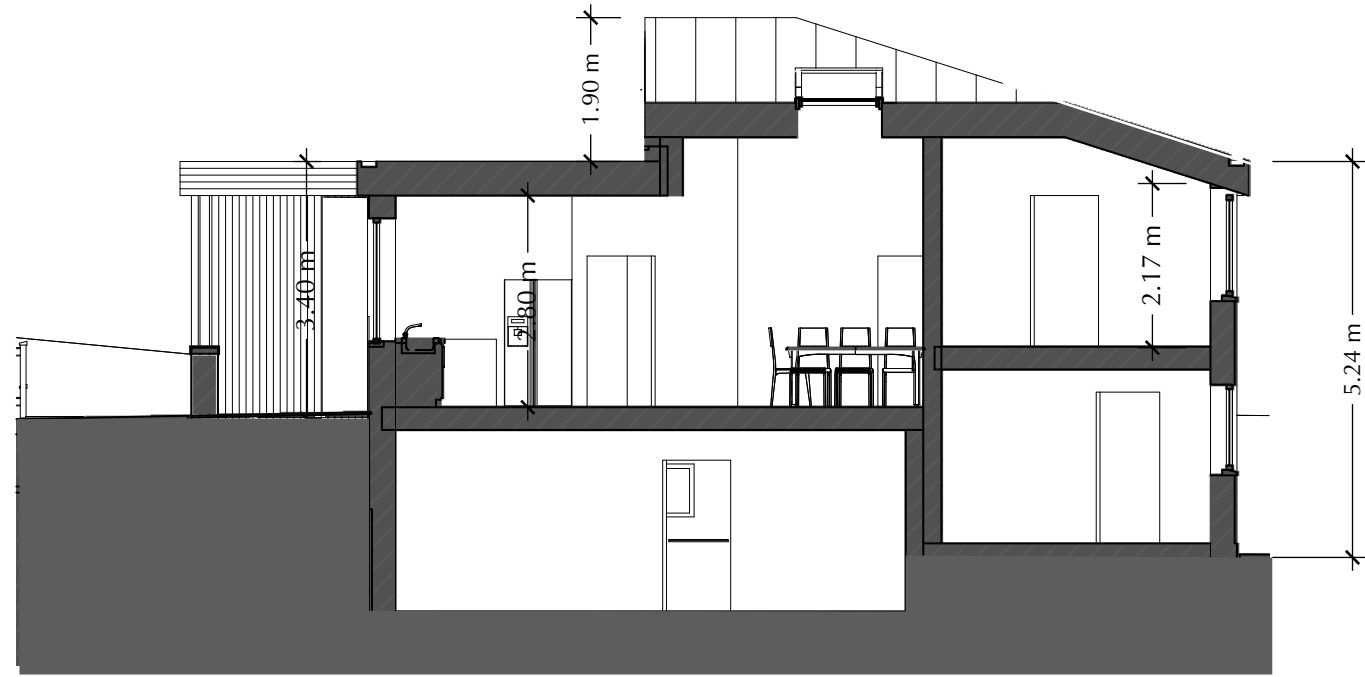
Driveway level



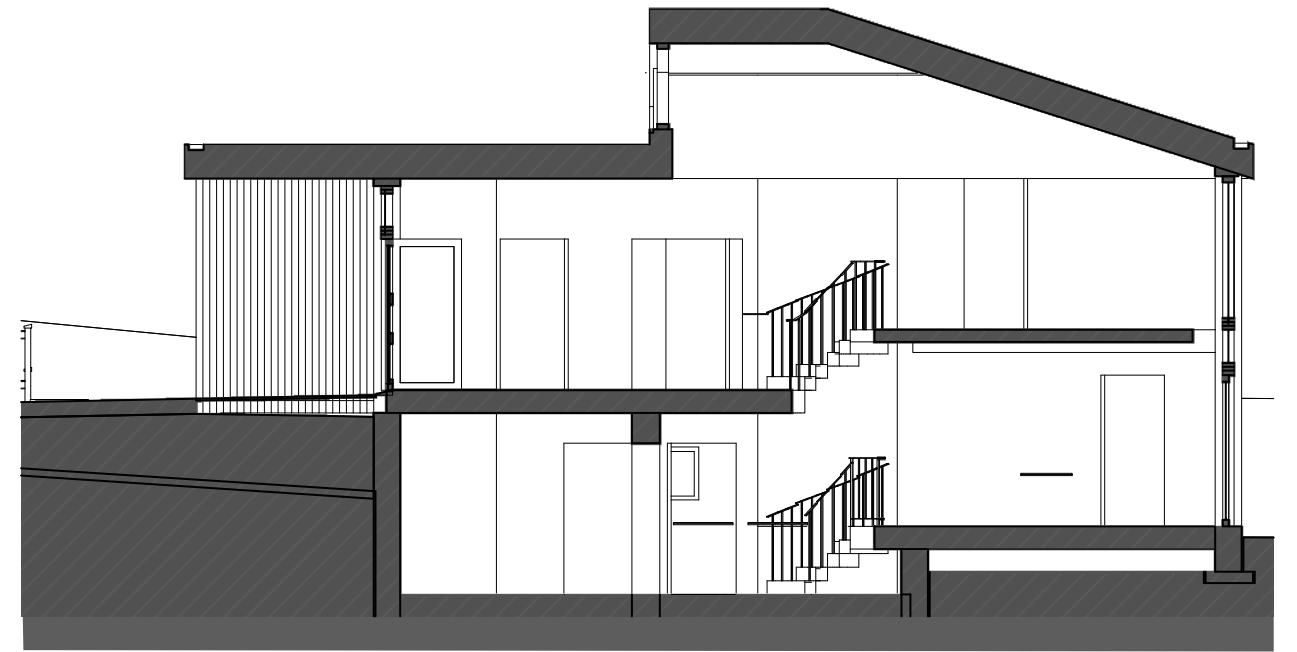
VIEW FROM ABOVE

PLAN 1:50

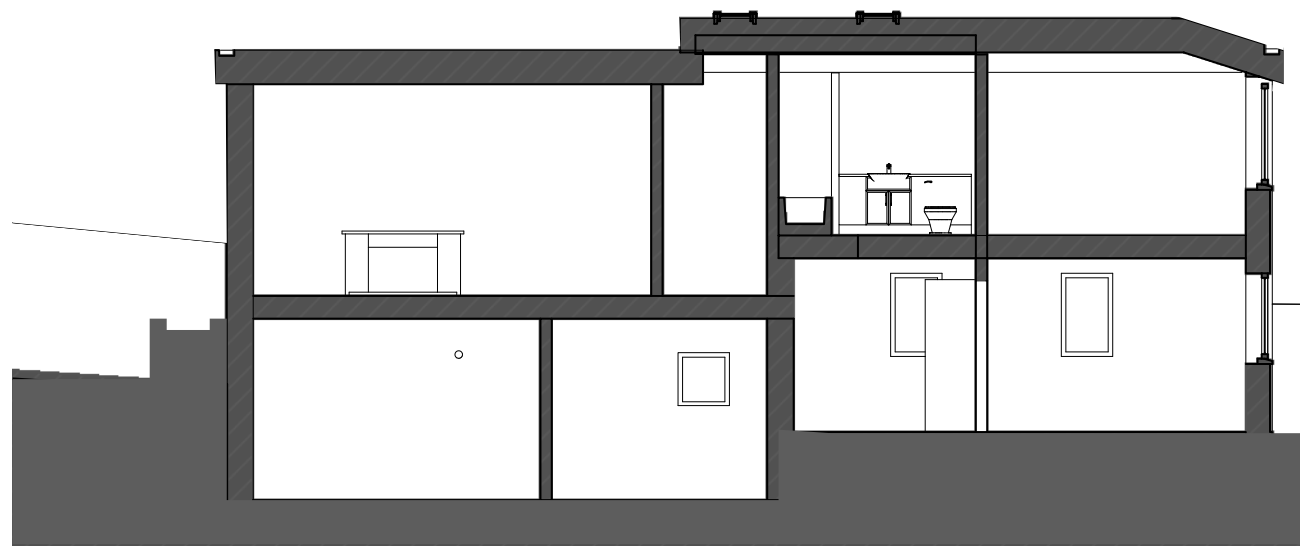
5.00 m



SECTION THRU KITCHEN A-A



SECTION THRU HALL B-B



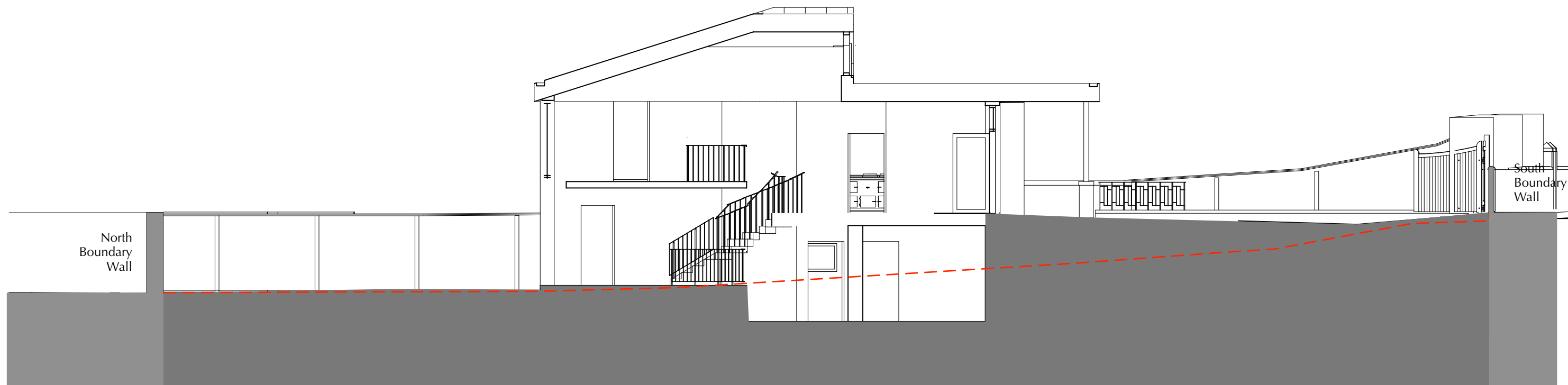
SECTION THRU MASTER BEDROOM C-C



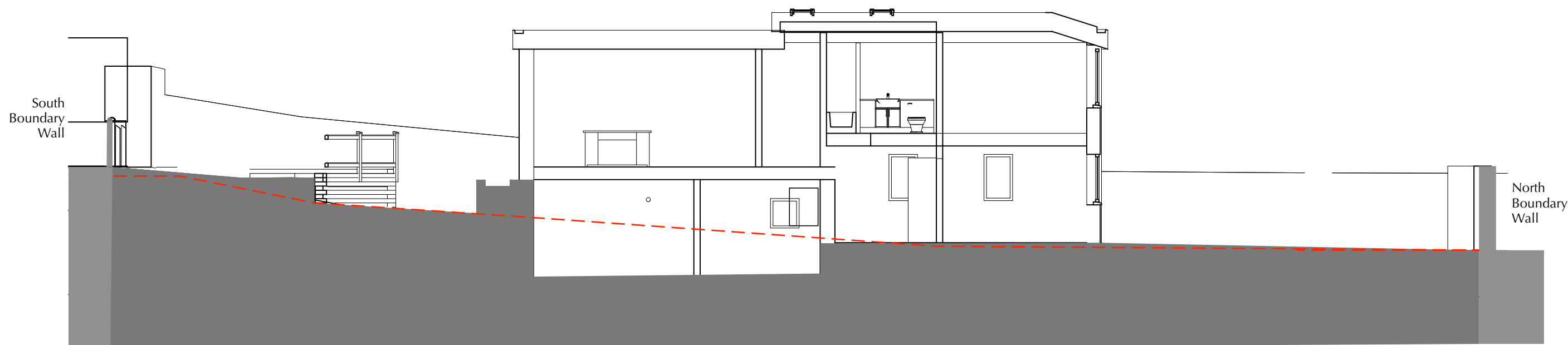
SECTION ACROSS HALL D-D

C - Internal layout 28 09 2018
 B - Misleading remnants removed 30 08 2017
 A - Style changes 10 08 2017

C567 104 C



SECTION THROUGH HOUSE TOWARDS EAST BOUNDARY E-E



SECTION THROUGH HOUSE TOWARDS WEST BOUNDARY C-C

Grey Blocks show proposed Ground and Lower Floor levels
 Dashed Red Line indicates existing ground level
 Site Levels to be maintained as existing, except for Area covered by the House, its Driveway and associated Steps Retaining walls and Planting Boxes
 The ground levels within at least 2m to the West, North and East boundaries remain unaltered

B - Gates modified 28 09 2018
 A - Gates 26 01 2018

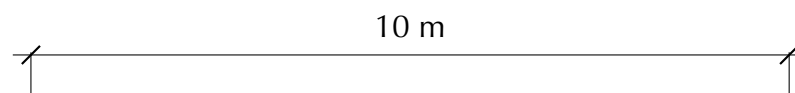
C567 105 B

TOD & TAYLOR ARCHITECTS

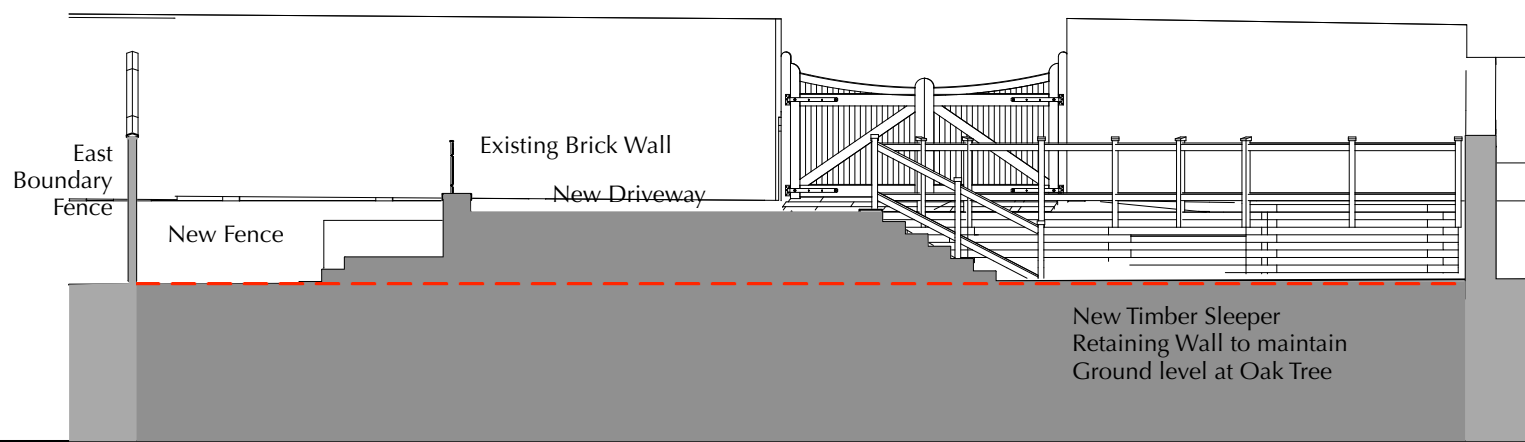
43 MANOR PLACE tel 0131 225 7988
 EDINBURGH EH3 7EB fax 0131 220 0122

WHIM LODGE
 House Proposal

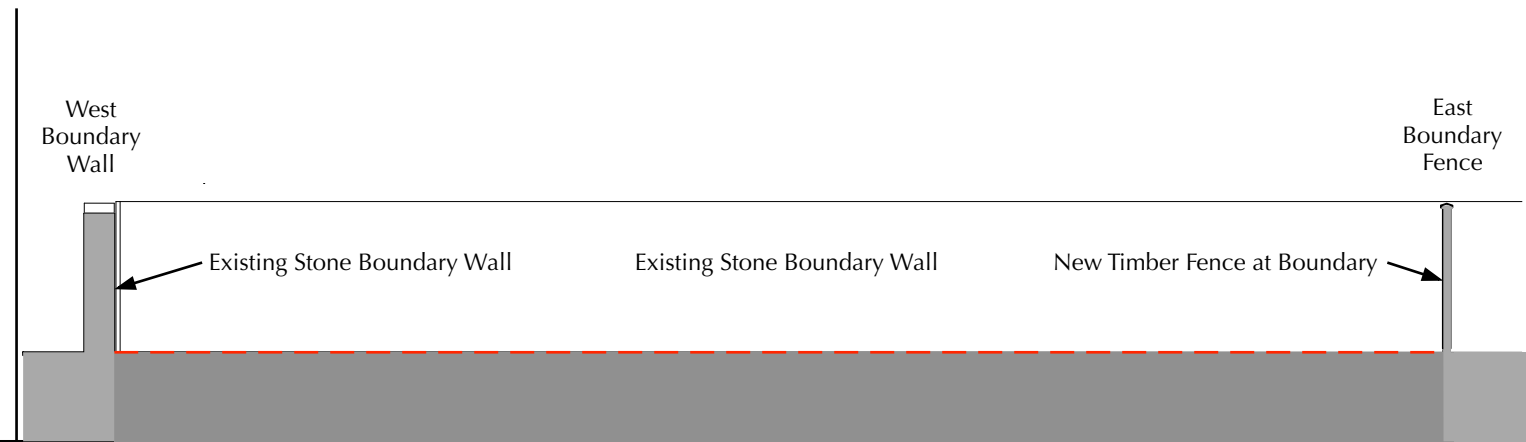
SECTIONS ACROSS SITE
 LOOKING EAST-WEST



Scale 1:100 @ A3
 Date 28 07 2017

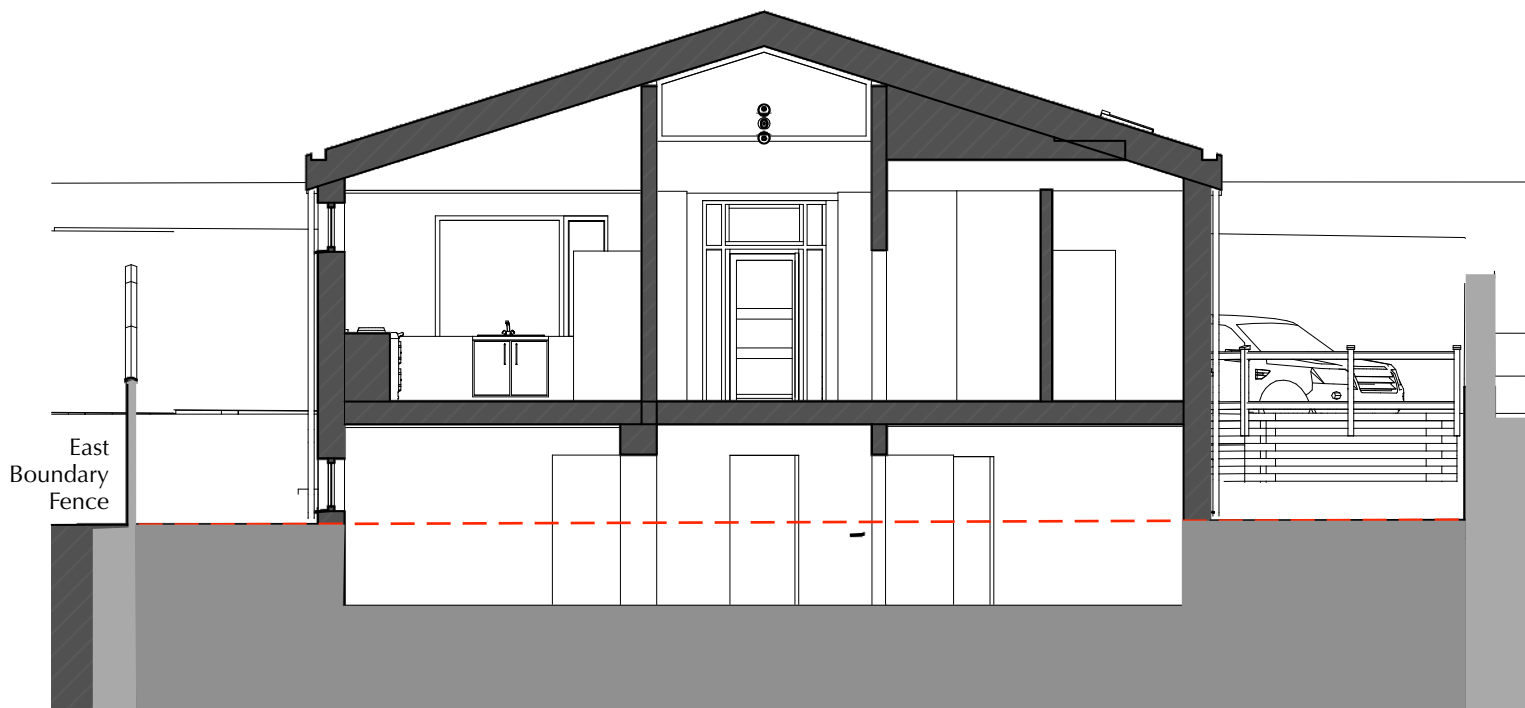


SECTION THROUGH DRIVE BY HOUSE TOWARDS SOUTH BOUNDARY G-G



SECTION THROUGH GARDEN TOWARDS NORTH BOUNDARY H-H

South Boundary Wall



SECTION THROUGH KITCHEN TOWARDS SOUTH BOUNDARY F-F



SECTION THROUGH BEDROOMS TOWARDS NORTH BOUNDARY D-D

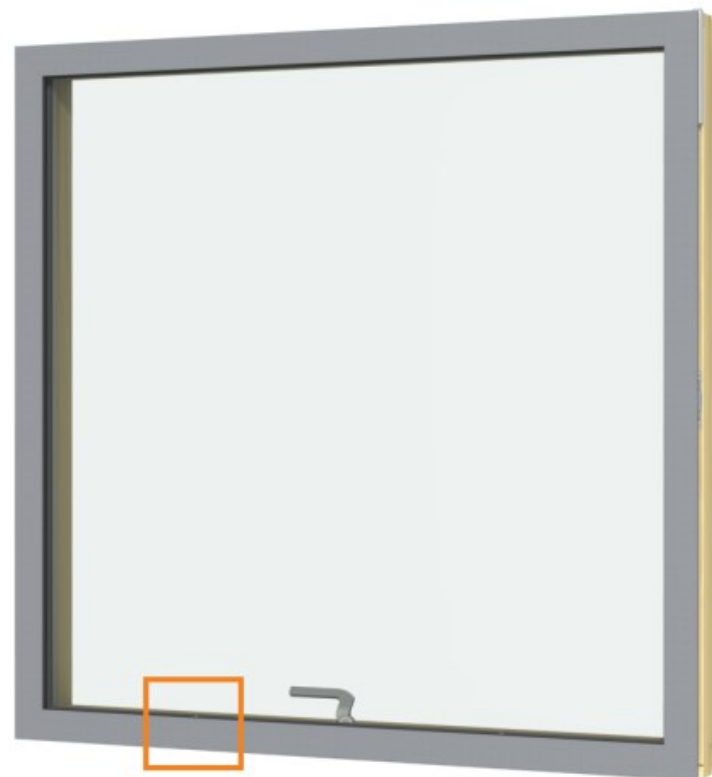
Grey Blocks show proposed Ground and Lower Floor levels
 Dashed Red Line indicates existing ground level
 Site Levels to be maintained as existing, except for Area covered by the House, its Driveway and associated Steps Retaining walls and Planting Boxes
 The ground levels within at least 2m to the West, North and East boundaries remain unaltered

VELFAC 200 ENERGY - Sash profiles

The plain sash profile forms the stylish and sophisticated design, that VELFAC is known for.

N.B.

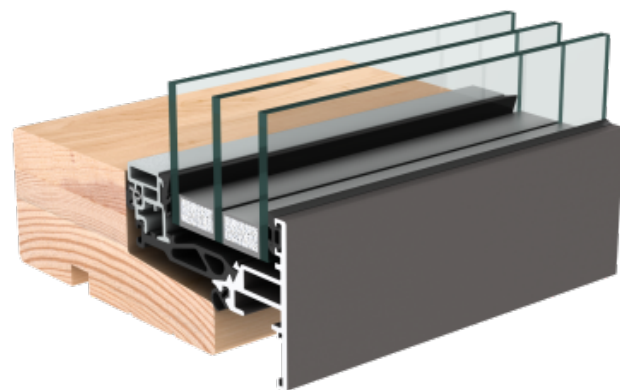
The images below are window sections as shown by the orange box.



Plain profile, 48mm glazing, VELFAC 200 ENERGY

Simple and robust sash.

Provides a stylish and uniform façade.



PNG

Plain profile, VELFAC 200 ENERGY

VELFAC Ribo alu 42 - Inward opening glazed door

Features

Inward opening 1-leaf glazed entrance door.
Glazed entrance doors provide maximum daylight.
Also available as double leaf or single leaf with fixed sidelight and/or fan light (refer to these for more information).
Aluminium externally, pine wood internally.
Opens up to 90°.
Design: Can be divided by glazing bars with the resulting apertures glazed or panelled.
Available with 32mm double or 52mm triple glazed units.

Fittings

Espagnolette system with 3 closing points.
Lock box with oval cylinder.
Cylinder placed above the handle.
3 adjustable grey hinges.
Threshold: 22.5mm threshold of HELO® composite material in a grey hardwearing surface finish.

Alternative fittings

45mm threshold of hardwood (laquered oak).

N.B.

Not available with kick-plate.





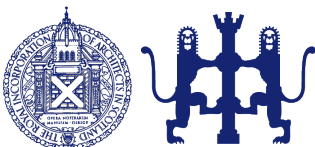
ROOT PROTECTION PLAN

Whim Lodge, Hill Road, Gullane, East Lothian, EH31 2BE

The following measures will be put in place to protect the retained trees at Whim Lodge, Hill Road, Gullane, East Lothian and the existing trees in the neighbouring property.

1. The new development lies at the West end of the Whim Lodge site, with a stone boundary wall separating the site from the grounds of Largo House.
2. The distance of the development from the edge of the trees is shown on the plan. The likely area for tree roots is under the spread of the branches. This would be measured out and marked on the ground with markers.
3. *Betula Pendula* the species in the neighbours property has shallow roots, which can be easily identified. This will enable avoidance of roots, especially major roots.
4. Terram Geocell 25/15 to be installed in relation to the retained trees within the site to provide root protection in the front garden, this to be installed in reference to BS 5837 : 2005.
5. Terram Rootguard to be installed in relation to any roots that are noted outwith the paved area, and requiring protection.

Ref no. C567



Partners
ROGER H. TAYLOR R.I.B.A., A.R.I.A.S.
ROSALIND J. TAYLOR R.I.B.A., A.R.I.A.S., R.M.a.P.S.
Consultant
STEWART TOD F.R.I.A.S



GENERAL PANORAMA FROM THE NORTH



FROM BY THE CAR-PARK ACCESS ROAD



FROM NEAR THE TOP PATH

WHIM LODGE

Environs from the North

C567/P/3

Tod & Taylor Architects

WHIM LODGE, HILL ROAD, GULLANE, EAST LoTHIAN, EH31 2BE**TREE SCHEDULE to be read in conjunction with C567 604 E****Compiled with advice from Donald Rodger**

| NO. | SPECIES | SIZE & DATE OF PLANTING | COMMENT | STATUS |
|----------|--|---------------------------------|--|--|
| | <u>Trees On Proposed Site</u> | | | |
| | Note that there were no trees on the site when the present owners arrived at Whim Lodge in 1974/75 | Circumference in cms | | |
| 1 | Maple- Acer Cappadociana | 96 cm 1980 | Planted as sapling | Retain |
| 2 | Beech - Fagus Fagaceae | 96 cm 1985 3M high | Clipped | Remove - possible relocate as N2 |
| 3 | Horse Chestnut - Aesculus Hippocastanum | 184 cm 1977 | Planted as a conker from Warwickshire | Remove. See additional new trees N1 - N5 |
| 4 | Oak - Quercus Robur | 55 cm 1990 | Planted as acorn from Warwickshire | Remove |
| 5A, B, C | 3 no. Lawson's Cypress - Chamaecyparis Lawsoniana | 204 cm 111 cm 1980 104 cm | As a clump Planted as saplings | Remove |
| 6 | Oak - Quercus Robur | 64 cm 1990 | Planted as acorn from Warwickshire | Remove, plant N4 Ornamental Malus after works |
| 7 | Whitebeam - Sorbus Aria | 48 cm 1985 | Planted as sapling | Remove and Plant N1 new elsewhere after works |
| 8 | Rowan - Sorbus Sargentiana | 42 cm 1995 | Planted as sapling | Remove, plant replacement N3 Sorbus pseudovilmorinii |
| 9 | Silver Birch - Betula Pendula | 84 cm 1977 | Planted for Queens Silver Jubilee | Remove, plant replacement after works |
| 10 | Hawthorn - Cretaegus | 89 cm | Self seeded after 1976 | Remove |
| 11 | Hawthorn - Cretaegus | 51 cm | Self seeded after 1976 | Remove |
| 12 | Holly - Ilex | 160 cm | Self seeded after 1976 | Remove, plant holly sapling after works N5 |
| 13 | Hawthorn - Cretaegus | 46 cm | Self seeded after 1976 | Retain |
| 14 | Holly - Ilex | 95 cm | Part of the hedge self seeded after 1976 | Retain |
| N1 | Whitebeam - Sorbus Aria | | | Proposed |
| N2 | Beech - Fagus Fagacea | | Clipped | Proposed |
| N3 | Sorbus pseudovilmorinii | | In planting bed. In place of 8 | Proposed |
| N4 | Malus Crab Apple | | In place of 6 | Proposed |
| N5 | White Barked Birch | | In place of 9 | Proposed |
| | <u>Trees in Grounds or Whim Lodge</u> | | | |
| WN1 | Beech - Fagus Fagacea | | Clipped | Retain |
| WN2 | Rowan - Sorbus Sargentiana | | | Propose |
| WN3 | Cherry - Sorbus Cerasus | | | Propose |

WHIM LODGE, HILL ROAD, GULLANE, EAST LOTHIAN, EH31 2BE

TREE SCHEDULE to be read in conjunction with C567 604 E

Compiled with advice from Donald Rodger

| | <u>Trees in Grounds of Largo House</u> | | | |
|----|--|--|--|----------|
| L1 | Silver Birch - Betula Pendula | | | Existing |
| L2 | Silver Birch - Betula Pendula | | | Existing |
| L3 | Whitebeam - Sorbus Aria | | | Existing |
| L4 | Hollies - Ilex | | | Existing |
| L5 | Plum Cherries - Prunus | | | Existing |