

Suzanne McIntosh
Suzanne McIntosh Planning Ltd
12-14 Lochrin Buildings
Edinburgh
EH3 9NB

Date: 24 August 2017

Our Ref: LRB5.2/BR

Dear Ms McIntosh

**THE CITY OF EDINBURGH PLANNING LOCAL REVIEW BODY
REQUEST FOR REVIEW – APPLICATION NO 17/01429/FUL
148 CRAIGCROOK ROAD, EDINBURGH EH4 3PP
TOWN AND PLANNING (SCOTLAND) ACT 1997 AS AMENDED BY THE PLANNING
ETC (SCOTLAND) ACT 2006**

I refer to your request for a review submitted on behalf of Mr and Mrs Logan for the refusal of planning permission for the proposed part change of use from dwellinghouse (class 9) to dwellinghouse and childrens' day nursery (mixed use) at 148 Craigmock Road, Edinburgh which was dealt with by the Chief Planning Officer under delegated powers.

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 23 August 2017.

Decision

To uphold the decision by the Chief Planning Officer to refuse planning permission.

Reasons for Refusal:

The proposal is contrary to the Local Development Plan Policy Hou 7 in respect of Inappropriate Uses in Residential Areas, as the use is likely to cause disturbance to neighbouring properties.

Assessment

At the meeting on 23 August 2017, the LRB had been provided with copies of the notice of review submitted by you on behalf of Mr and Mrs Logan including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice, the report of handling, further representation and a comment from the agent regarding representation.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

Committee Services, Strategy and Insight, Chief Executive
Waverley Court, Business Centre 2.1, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 200 2000

The plans used to determine the application were numbered 1-5 of Scheme 1 being the drawings shown under the application reference number 17/01429/FUL on the Council's Planning and Building Standards Online Services.

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

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

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan
Policy Hou 1 (Inappropriate Uses in Residential Areas)
Policy Tra 2 (Private Car Parking)
- 2) Non-Statutory Guidelines on
'Guidance for Businesses'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB carefully considered all the arguments put before it in respect of the proposed planning application. Consideration was given to the possible implementation of measures to mitigate the effect on transport movements and potential levels of noise from the proposed nursery.

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

Contact

Please contact Blair Ritchie on 0131 529 4085 or e-mail blair.ritchie@edinburgh.gov.uk if you have any queries about this letter.

Yours sincerely

Blair Ritchie
For the Clerk to the Review Body

Notes:

- 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 six 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 5 of the Town and Country Planning (Scotland) Act 1997.

