

**Subject:** RE: CLP 22/02203/CLP - 13 Cumin Place EH9 2JX

**From:** planning@grangeassociation.com <planning@grangeassociation.com>  
**Sent:** 25 May 2022 08:30  
**To:** 'planning.householder@edinburgh.gov.uk' <planning.householder@edinburgh.gov.uk>  
**Cc:** 'planning@edinburgh.gov.uk' <planning@edinburgh.gov.uk>; 'planning@grangeprestonfieldcc.org.uk' <planning@grangeprestonfieldcc.org.uk>  
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**To: Householder Team**

There is an application for a Certificate of Lawfulness (Proposed) (CLP) at 13 Cumin Place EH9 2JX: [22/02203/CLP](#). We have no objections to the work that is proposed in this application. However, we ask you to refuse this Certificate because we consider that the work is not Permitted Development and that it does require planning permission. We are concerned that granting a CLP in this instance will set a troublesome precedent for work in conservation areas.

The work that is proposed involves the removal of part of the stone boundary wall to a house in the Grange Conservation Area. The [Householder Guidance](#) includes, on page 19, referring to Access and Parking:

*“Parking in front gardens will not normally be allowed:*

*[.....]*

- in conservation areas or listed buildings, where loss of original walls or railings and the creation of a hard surface would have an adverse effect on the character and setting of the area, or a listed building and its special architectural or historic interest;*

*[.....]*

*The access should not be wider than 3 metres.*

*Materials must be of high quality and appropriate for the house and the area.”*

If you were to grant the CLP, you would be accepting that the work proposed is Permitted Development and therefore that the assessment described in the Householder Guidance is irrelevant, and there would be no scope for any assessment on these matters. You would not be required to consider whether the proposal “*would have an adverse effect on the character and setting of the area...*”. Others in the area would note any grant of a CLP and may be inclined to proceed with similar work with no application at all, secure in the knowledge that the Council is on record as determining that such work does not require planning permission. We feel strongly that protection of the conservation area does require the assessment to be made on each individual application and therefore that a full planning application is required, whenever boundary walls are to be altered or entrances enlarged.

We therefore request that this CLP is refused and that the applicant is advised to submit a planning application for the work.

**Nigel Ayton**

**Grange Association,  
Planning**



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