

Planning Application 22/03776/FUL and 22/03777/LBC - 127C (1F) Grange Loan EH9 2HB

OBJECTION from Grange Association

19 August 2022

We have reviewed planning applications [22/03776/FUL](#) and [22/03777/LBC](#) and submit this objection to both applications. 127 Grange Loan is a fine [B-listed](#) Victorian villa in the Grange conservation area whose listing was lodged in 1993.

Our objections to the planning application [22/03776/FUL](#) relate to:

- A. LDP Policy Env6: Preserving the special character of the conservation area;
- B. Householder Guidance: Adverse effect on setting; blocking of window; and creation of second vehicle entrance; and
- C. LDP Policy Env12: Protection of mature copper beech tree subject of TPO-104

Our objections to the LBC application [22/03777/LBC](#) relate to:

- D. Guidance on Listed Buildings and Conservation Areas: Unsympathetic changes to curtilage of listed building

A: LDP Policy Env6: Preserving the special character of the conservation area

The Local Development Plan (LDP) includes Policy Env6, relating to development within a conservation area:

Development within a conservation area or affecting its setting will be permitted which:

- a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal;*
- b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area*

[Edinburgh Local Development Plan](#) as modified September 2016 (Policy Env6)

The Grange Conservation Area Character Appraisal, at page 15, uses a photograph of the application site at 127 Grange Loan to illustrate the special character and appearance of the conservation area:

- *“The spacious gardens provide an important setting for the buildings and mature trees within”*
- *“.....the dominant green character, a sense of generous space, and glimpse views of rear and side gardens.”*

The density of development is generally very low. Dwellings on many corner sites in the Grange are sited to take advantage of the southern aspect. Houses on the north side of the street are generally situated to maximise front gardens, whereas most properties on the south side have larger rear gardens. Building line and separation are therefore of key importance.

The separation of dwellings creates a characteristic rhythm and solid-void repetition between precisely-sited structures of similar scale and massing. The spacious gardens provide an important setting for the buildings and mature trees within.

The gaps between buildings are important in maintaining the dominant green character, a sense of generous space, and glimpse views of rear and side gardens.



[Grange Conservation Area Character Appraisal, page 15](#) (including application site illustrated)

The proposed destruction of 3m of the original boundary wall, and the paving over of 30m² of the front garden would therefore not preserve or enhance the special character or appearance of the conservation area. Neither would it preserve trees, boundary walls or paving, and so the proposals would contravene LDP Policy Env6.

B: Householder Guidance: Adverse effect on setting; blocking of window; and creation of second vehicle entrance

Access and parking

Parking in front gardens will not normally be allowed

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- *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;*
- *where the parking space would be formed in front of the windows of a habitable room owned by a different occupier.*

[.....]

Only one access will be permitted per property.

[Householder Guidance \(Nov 2021, page 19\)](#)

The proposals would require the loss of the original boundary wall and create a hard surface that has an adverse effect on the character and setting of the area and of the listed building, by comparison with the “spacious gardens” and “dominant green character” described in the Grange Conservation Area Character Appraisal.

The proposed parking space would be partially in front of a window of a habitable room of the ground floor flat.

At the time that the villa gained its [B-listing](#) in 1993, it was described as a single property with no vehicle entrance or off-street parking. The property deeds for the present three flats refer to an existing driveway and assign that to the garden flat, 127A. We maintain that the interpretation of the Householder Guidance that “*only one access will be permitted per property*” should relate to the villa as described in its listing particulars. To do otherwise and treat each flat within the villa as a property in its own right would logically lead to the granting of a third parking space in the front garden should the owner of the ground floor flat later choose to apply for one. The proposal is therefore for a second vehicle entrance to the villa and contravenes the Householder Guidance.

For the three reasons listed above, the proposals would contravene the Householder Guidance.

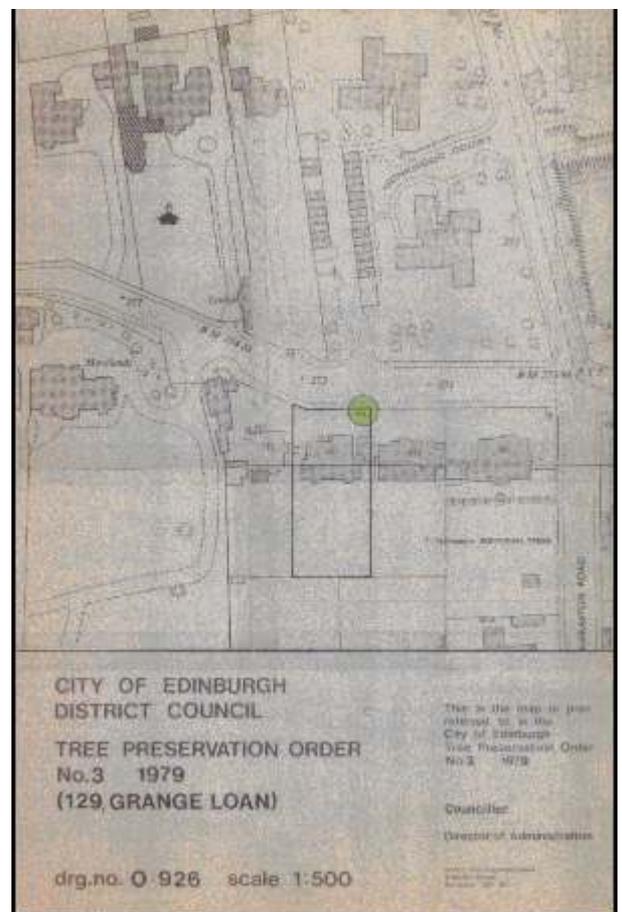
C: LDP Policy Env12: Protection of mature copper beech tree subject of TPO-104

Development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for good arboricultural reasons.

[Edinburgh Local Development Plan](#) as modified September 2016 (Policy Env12)

The mature copper beech tree on the boundary of 129 and 127 Grange Loan was made the subject of [TPO-104](#) in 1979. It has continued to grow and remain a healthy and attractive specimen in the subsequent 43 years. The ground to the west of the tree is already compromised by a paved driveway to No 129. The paving over of the soft garden ground to the east, in No 127, could present a threat to the root structure of the tree and its continued health, removing the last area of soft ground available to the tree’s root system.

The proposals therefore contravene LDP Policy Env12.



D: Guidance on Listed Buildings and Conservation Areas: Unsympathetic changes to curtilage of listed building

“Development within the setting of a listed building will only be acceptable if it can be demonstrated that the proposal would not be detrimental to the architectural or historic character of the listed building. [Any] proposals to alter unsympathetically, relocate or remove items within the curtilage, such as garden walls, stone steps , stone paving are likely to detract from the quality of the building’s setting and are unlikely to be approved.”

[Guidance on listed buildings and conservation areas; page 22](#)

The applicant has failed to demonstrate that the proposal will not be detrimental to the architectural or historic character of this [B-listed villa](#). The proposed removal of a further 3m of the original front boundary wall (after the creation of the vehicle entrance to the East for No 127A), together with material alterations to the height and profile of the gardens and its stone steps and paving, will detract from the quality of the building’s setting.

The front boundary wall is specifically cited in Burden 1 of the Title Deeds for No 127C, in terms of its materials and dimensions, and has therefore been protected since the original construction of the villa. Further removal of this wall would therefore be manifestly detrimental to the historic character of the listed building.

.....bound to enclose the area or piece of ground hereby feued on the north side thereof with a stone and lime wall with suitable entrance doors or gateways therein the said wall to be built wholly upon and within the boundaries of the area or piece of ground hereby feued and to consist of a parapet wall of dressed stone three feet or thereby in height above the level of the foot path to be formed on the outside thereof with polished or dressed stone cope.....

Burden 1: Title Sheet of 127C Grange Loan

Provisions for electric vehicle charging

The Grange Association remains ready to work with the Council and others to develop plans for on-street electric vehicle (EV) charging points that are sympathetic to the conservation area. We note the recent installations in Thirlestane Road and consider these to be a useful model for further sites. We do not consider that the requirement for EV charging should override other assessments of planning proposals where these are otherwise harmful to the conservation area or to the setting of listed buildings.

There is ample parking space available in Grange Loan close to the application site and we do not consider that the requirements for off-street parking or for EV charging should influence the assessment of the Planning Department, which should be in accordance with the LDP Policies and with the non-statutory guidance issued by the Council.

The Grange Association therefore requests that both the planning application and the application for LBC be refused.

**Grange Association
19 August 2022**