

Three year Inverleith planning battle ends in disappointment

An Edinburgh man's three year long battle for permission to build an extension has ended in disappointment – with the council refusing to budge on concerns about the impact on 'future growth' of trees in the garden.

The Inverleith resident pleaded with councillors to "apply common sense" when making a final decision on his application, and said his plans had been redesigned three times in as many years in an attempt to comply with the council's guidance.

But as his appeal was heard at the City Chambers on Wednesday the proposals were once more thrown out.

The council's planning appeals committee upheld officials initial ruling that the development would 'impact on the replacement trees within the site'.

Applicant Jamie Hancox sought permission to demolish an existing extension to his property at Avenue Villas, just off Crewe Road South, to make way for a new, bigger extension and basement providing space for a study and plant room.

A council report explained there are 13 mature trees in the garden, all protected by tree preservation orders (TPOs).

In the appeal, Cundall Johnston & Partners, writing on behalf of Mr Handcox, stressed that “every effort has been taken to mitigate any future harm to the trees within the proposal”.

They argued the application was “uncontroversial” and “marginally above permitted development thresholds”.

And they requested additional time to “prepare a detailed schedule of planting and landscape management” to address the council’s concerns.

“This planning application has been the subject of three years and three redesigns, two withdrawals, a refusal, and now an appeal.

“We respectfully urge the LRB Panel to visit the site scrutinise the facts of the application before them and apply common sense in order to reach a sensible conclusion on this relatively straightforward matter.”

Planning officer Gina Bellhouse said: “If they’re suggesting they can protect these trees, I think the issue is around the proximity to the development and the fact that our arboricultural officer has said that encroachment would be significantly more in the root protection area.

“It’s about the compacting soil as well as the impact on the actual roots. We have a development here that has also got a basement to it so all of that needs to be taken into consideration I suppose when looking at this application.”

Lib Dem councillor Alan Beal said: “The trees and the future growth of the trees is clearly in the bounds of the proposed extension so I can’t see how that would be allowable.”

The Green’s Chas Booth added: “The fundamental issue is whether this extension will impact on the trees that are TPOs and in particular these two trees that are closest to it. The onus is on the applicant to show that it won’t have a negative

impact.”

And Jo Mowat, Conservatives, also supported refusing the appeal before the panel, commenting that the group of trees were ‘important for the locality’.

She said: “It was very green, you used to go past that site and it was just green, you didn’t know the houses were there, and now you see the houses.

“I don’t see how anyone with good faith who’s ever lived near a tree can say that in future as those trees grow there isn’t going to be conflict with the building.”

by Donald Turvill

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