

# Community council lodges complaint to Edinburgh Council

The New Town and Broughton Community Council has lodged a formal complaint with The City of Edinburgh Council in relation to a planning decision for a new home on Blenheim Place.

The complaint centres on the council's Planning Local Review Body (LRB) and the way it dealt with an appeal heard on 2 April.

This was an appeal against the council's decision to **refuse** planning permission in October 2024 for a new house on the site between Greenside Parish Church and 12 Blenheim Place and it was heard by the LRB.

Council officers [said in the 2 April papers](#) that the proposal was unacceptable as it would have a "detrimental impact on the New Town Conservation Area and the wider World Heritage Site".

The community council says its members have reviewed the proceedings at the meeting on the recorded webcast and find that there were "serious procedural failures, apparent bias, and lack of adherence to statutory requirements and council guidance during the review of the appeal".

NTBCC claim that the convener and others on the quasi judicial body were casual in the way they examined the issues, failing

to consider whether a building was suitable for the World Heritage Site. They also gave no consideration to the objections from four local representative organisations (including Edinburgh World Heritage) and 28 residents.

During the presentation at the LRB councillors heard that Historic Environment Scotland said there would be some visual impact on Greenside Parish Church and on some viewpoints from Calton Hill, but that the organisation considered these would be minimal. They confirmed no objection to the application.

Edinburgh World Heritage said they noted that “significant efforts have been made to keep the building low minimising the impact on views however changing a historical landscape setting that contributes to numerous heritage values would have negative heritage impact”. They did not support the application.

This is a site of archaeological potential and the City Archaeologist said a condition about the need for investigation should be attached to any permission granted.

The key issues in the report of handing included this statement: “The erection of a building on this site would create an unsympathetic and disruptive addition to the immediate streetscape.”

The LRB had the option to decide on the application before them for review or to ask for more information to be provided – including holding another hearing. The clerk advised that the LRB had to consider the Listed Building – the church – when making any determination.

## **Community Council**

Peter Williamson, Chair of NTBCC, said: “Community councillors were shocked at the conduct at the appeal meeting when they looked at the council’s webcast. Quasi-judicial processes of

this importance to local people need to be conducted in a proper manner.”

NTBCC has demanded that the appeal process is rerun, that the shortcomings of the original appeal are not repeated, and that safeguards for any future appeals are put in place.

At the meeting the LRB allowed an appeal paving the way for a Passivhaus standard flat-roofed two level five bedroom modern house with external area to be placed between the church, a modern office building and a Georgian terrace at 12 Blenheim Place. There will be windows on the elevation facing towards the church.

The site is currently clear, but would be used for the house which would be fitted with photovoltaic panels. The plans are for an eco-efficient house with a ground source heat pump.

The railings would be maintained on the street side of the site but a new entrance would be created for access to the home. This is a site which lies on a slope as viewed from the street with the church sitting higher than the terrace at Blenheim Place.

The majority of the roof would be a flat green roof with terrace.

## **Proceedings at the meeting**

Cllr Tim Jones was the acting Convener of the LRB on 2 April when the decision was made. He commented that Blenheim Place is a beautiful Playfair terrace and a “precedent” had been set by the building of the modern office block next door. He said: “I think too much is made of the blocking of the view because this is really very low down.” He said he was of the mind to uphold the application and allow the planning permission to be granted.

Cllr Jones asked about the design and how it compares in

relation to the height of the modern block of offices next to it. He was referred to the street elevation plans in the presentation pack where the roof of the offices was shown as “significantly higher” than the proposal.

Cllr Key said that the church itself blocks any views of Calton Hill and said the low profile nature of the proposed building did not pose any problem for him.

Cllr Hal Osler opposed the application for review. She said: “There is an important aspect here which is that the church has a definitive gap on either side that puts it in a particular setting. This removes that aspect and makes a continuation where no continuation existed beforehand. It does alter the church’s setting which is the whole point of looking at impact on historic buildings. I feel that an opportunity has been taken to fill this site and I don’t believe there is a necessity to fill this site. I think it is possible to reduce it further. I think it is too much.”

Cllr Ben Parker agreed with Cllr Key that it is a low level building and the views are unaffected. He said he believed the development was quite “sensitive” but building right up to the church is inappropriate.

Cllr Key proposed that the permission was allowed, and it became clear that with Cllr Osler proposing the opposite (and to support the refusal) the LRB – with four members present – were equally divided.

Cllr Key said the development would not have a detrimental impact on the application site, it does have regard to the existing characteristics of the area, has minimal impact on the listed building next door and would not have a detrimental impact on the application site and the surrounding area.

Cllr Key and Cllr Jones both voted to allow the permission and Cllrs Key and Osler voted to refuse it. With his casting vote Cllr Jones overturned the officers’ recommendations and the

development was approved with a condition as provided by the City Archaeologist.

Other councillors due to appear at the LRB on 2 April included Cllr Lezley Marion Cameron who joined online but was too late for this item, Cllr Neil Gardiner (but Cllr Key substituted for him) Cllr Alys Mumford (but Cllr Ben Parker was in attendance for the Green Group) and Cllr Hal Osler.

All of the visualisations of the proposed home are included in this pack here:



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Cllr Tim Jones who convened the meeting

