



The Grange Club  
Portgower Place  
Edinburgh EH4 1HQ

5 March 2025

Geoff Calder  
Stockbridge Colonies Residents' Association  
17 Hugh Miller Place  
Edinburgh EH3 5JG

Dear Mr Calder,

Thank you for your letter of 28 February, the contents of which are noted. The Club is obviously aware of the petition and recent media coverage.

Ahead of addressing the concerns raised in your letter, we believe it important to set out the historical context of the site and planning process that was undertaken as this is ultimately what informs the Club's position. At this juncture, it would also be worth underlining that the Club is not-for-profit and the new facilities are open to the community, two facts that have been somewhat misrepresented across various media. The overall objective of the Club is to promote amateur sports and games and thus any surplus funds have and will be directed in pursuit of this.

### **Historical Background**

The site of the development was, until the early 2000's, the site of the Tanfield Bowling Club. Since 2006, the eastern edge of the 'Arbor Green' area has been leased on a long-term basis to the Arbor Green nursery with the nursery taking over the use of the original bowling club clubhouse. This has been a successful relationship that exists to this day. The western side of the area, which formed the bowling green itself, has lain vacant since this time.

It has long been the intention of the Club to develop indoor sporting facilities on this vacant site. Indeed, back in 2006 when the original plans for the nursery were submitted to the Council, an illustrative plan for indoor facilities for the site were

submitted to the Council<sup>1</sup>. Over the course of the last two decades various plans have been proposed internally, from multi-use sports halls to a five-a-side football centre and real tennis courts. In short, the intention to develop the land for some form of indoor sporting facility was not new. Up until the most recent application, the Club had not settled on a solution that would meet the objectives of the Club, was agreeable to the membership and was financially viable.

## **Pre-Planning Phase**

In mid-2020, outline plans for indoor tennis and padel facilities were first pulled together. The Club was cognisant of the fact that the facilities would necessarily be functional in appearance and of significant scale. In addition, from experience of earlier investigation into costings, we knew that a traditional ‘bricks and mortar’ construction would be financially unviable even with support from sporting governing bodies.

By its very nature, indoor tennis facilities need to be of a certain size and height to make the game playable and as a result the appearance and scale of any such structure will necessarily be functional. For this reason, ahead of investing significant sums in a formal planning application, the Club made use of the Council’s pre-application advice service. This step in the planning process is not mandatory and whilst not prejudicing the outcome of any formal planning application, the pre-application service is specifically designed to give the Council’s initial view on a particular project and highlight any specific issues that would need to be addressed as part of a formal application. The pre-application is handled by a senior planning officer with many years of experience. Had the Council at this juncture provided us with specific guidance that the project was highly likely to be rejected, then the Club would have looked at other options for the site. Following submission of the pre-application in December 2020, the Planning Team Manager visited the site and issued her guidance in January 2021, concluding that:

*“Based on the information submitted, the proposals appear to be generally acceptable. The area of ground is tucked away and has little amenity value. The Council support sporting facilities and provided the above points are addressed, the application can be supported.”*

Whilst the pre-planning advice in no way constituted formal approval from the Council and was only provided for guidance, it is self-evident why the Club believed that there was no significant barrier to pursuing a formal planning process.

## **Formal Planning Application**

With the above favourable response received, the Club decided to pursue a formal planning application. Against the changing backdrop of Covid restrictions this was both a timely and expensive process with multiple external reports and surveys commissioned to support the application. At the same time, and ahead of the submission of the planning application, internal presentations were given to Club

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<sup>1</sup> 06/01012/FUL Illustrative Layout of Third Application

members. The Club has many members who are resident in and around the Colonies so they were fully aware of the plans.

The Club was finally in a position to submit the application at the end of 2021 and the application was validated under reference 21/06513/FUL on 29 December 2021 – all documentation related to the application is publicly available via the Council's planning portal.

As one would expect, there is a set process for any planning application to run through to ensure that the view of all stakeholders can be aired. Thus outside of the planning department, input is sought from both relevant community councils (including Stockbridge and Inverleith Community Council in this case) and other 'specialist' departments and agencies such as archaeology, environmental protection, flood planning, Historic Scotland and Sport Scotland in this case. The Council is responsible for neighbourhood notification and have set guidelines on who is made directly aware. There is also an opportunity at this juncture for any members of the public to make comment via the planning portal. Whilst any comment can theoretically be submitted by members of the public, the Council has guidelines on whether such comments are considered material or not – it should be noted that the loss of private view is not considered a planning issue. All valid comments, both positive and negative, are taken into consideration alongside the views of the different specialist departments when the planning team make their recommendations.

As the planning application was in the public domain and fairly unique, it was naturally picked up by the Edinburgh media<sup>2</sup> and the same article was picked up on Stockbridge social media (stockbridgeedinburgh.com on Facebook).

Over the course of the subsequent 6 months there was regular dialogue between the Club and the Planning Officer to update our designs to address feedback received from various stakeholders. Adjustments to our original designs included:

- Making the airdome canopy opaque so there is zero light emission
- Changes to the design of the airdome canopy to incorporate more green colouring
- Shift in the position of the plant room to be the furthest distance from any residence and incorporation of acoustic fencing around the side of plant area

During this period, the Club made a presentation about the project to the Stockbridge and Inverleith Community Council on 18 May 2022. I note from the minutes of the meeting that you were yourself present and many of the issues that are now being raised, such as noise and public access, were discussed at that meeting<sup>3</sup>. I also met

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<sup>2</sup> <https://www.edinburghlive.co.uk/news/historic-edinburgh-tennis-club-wants-22864065>

<sup>3</sup> Stockbridge & Inverleith Community Council May 2022 Minutes (attached to this letter)

with an owner of a private residence in Raeburn Place at this stage to discuss their concerns about loss of sunlight and change of view.

The culmination of this phase of the planning process, after taking into account the wide variety of input, was that the application was **recommended for approval** by the Council's planning department.

Whilst the number of notes of support were significantly higher than the objections, the threshold for objections was met and, in line with due process, the application moved to the Council's Development Management Sub-Committee (a body made up of elected Councillors) for decision. The application came up for discussion on 29 June 2022 and the Councillors decided to conduct a site survey ahead of making any decision. This site visit took place on 18 August 2022 ahead of the next Sub-Committee meeting on 24 August 2022. At this latter meeting, the Councillors voted by majority, albeit not unanimously, to refuse the application. A letter of formal refusal was received on 16 September 2022.

Clearly the Club had invested significant time, money and energy to get to this stage and was disappointed by the Sub-Committee's decision to refuse the application especially when it had been recommended for approval by the Council's planning department. It was therefore only natural that the Club took professional advice on what legal options lay open to revisit the decision.

## **Appeal Process**

Following receipt of the professional advice, the Club took the decision to appeal the decision to the Scottish Government and the appeal was lodged to the DPEA on 25 November under reference PPA-230-2399. This appeal also appeared in the local media.<sup>4</sup>

Any Reporter assigned to an appeal is an independent planning expert with no direct link to the area so that an objective decision can be reached and there can be no accusations of any undue influence. Whilst the Club initiated the appeal, the Council and any interested party were invited to make representation to the Reporter to be taken into consideration. The Reporter made an inspection of the site on 23 January 2023 and all interested parties were invited to have representatives present.

After making his site visit, which included a visit to a neighbouring property on Raeburn Place, and taking into account the viewpoints of all interested parties, the Reporter made his decision on 10 July 2023 to allow the appeal, i.e. grant planning permission

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<sup>4</sup> <https://www.edinburghlive.co.uk/news/edinburgh-news/prestigious-edinburgh-sports-club-rows-25669130>

subject to the same conditions laid out by the Council in their original recommendation one year prior.

Following issue of the appeal decision, all interested parties were notified that, should they wish to challenge the decision, they could do so by taking their case to Court of Session within 42 days of the decision, i.e. by the end of August 2023. Our own understanding is that this would have been an incredibly high bar to achieve and were advised that it would not be worthwhile to pursue the case had the appeal not gone in our favour. In any event, there was no challenge lodged against the appeal result either by the Council or any other interested party.

Thus after a 2.5 year planning process from pre-application to appeal result, the Club had permission to go ahead with its plans for the new development.

### **Fund-Raising, Construction Phase and Opening**

Following on from the successful appeal outcome, the Club moved onto the more practical steps of putting the project into place. Further information evenings were held with Club members and the formal motion to proceed was passed at an EGM with over 90% approval. Funding was raised through a mixture of Club funds, donations, members' loans and the generous support of the LTA's Quick Access Loan fund.

With the planning and funding secured, construction began in May 2024 and concluded at the end of the year. At the end of the construction process, there was a period when industrial fans were used to assist the drying of the court surface. These were indeed loud so the timings were adjusted so that they would only operate in line with Council guidelines on construction noise. These industrial fans were used for the last time in w/c 2 December 2024 and are no longer required.

The courts opened at the end of the year and have been open to the community and Club membership since. The Club provides free court time and coaching to students from Broughton High School and a pilot programme has been run for children with additional support needs. We have had fantastic feedback from those using the facilities, membership figures are at historic highs and there has been a real vibrancy at the Club in what traditionally would have been a quieter period of the year.

There will be some additional hedges planted along the eastern side of the dome and various additional trees planted around the Club grounds in line with our landscape plan. Naturally these will take some time to grow to their full extent.

### **Response to your letter**

As you will have read from the above notes, the planning application was long and complex with multiple stakeholders involved. During the application period there were opportunities at several junctures for the local community to have their input officially recorded – both negatively and positively. As you will know from your own role on the Community Council, the Community Council and various local residents were active throughout this process and their responses were all taken into account by the decision makers along with those of all other stakeholders.

### **Change of Design**

Regardless of one's personal opinion on the ultimate decision, the underlying fact remains that a decision was made and planning permission granted for the designs submitted.

Were we to 'change the design', let alone the location, as has been suggested, notwithstanding the substantial cost and difficulty in agreeing a design that was acceptable to all, we would be in contravention of our planning permission – a permission that is for a specific design and a specific location. Given the extremely lengthy planning process which we have undergone, it is understandable that the Club has no appetite to re-open the planning process. Whilst we fully accept that the view of some residents has changed, the loss or alteration of private view is not a planning issue, as has been noted by both Edinburgh Council and the Scottish Government.

### **Plant Noise**

With regards to the issue of noise, a noise survey was commissioned as part of the planning process, the results of which were acceptable to the Environmental Protection department. Their response to the planning application states:

*“the NIA [noise impact assessment] advises that no noise mitigation is required to meet the requirements of Environmental Protection, a 2.4m high acoustic fence located in close proximity to the static plant has been recommended to reduce noise impacts on players and the adjacent nursery. The noise assessment has indicated there will be a low noise impact on other surrounding noise sensitive properties”*

As a result of the feedback from this department an acoustic fence, similar to what one might see at the side of a motorway, was included as a planning condition and was duly installed during the build process. This fencing can be clearly seen from the entry point to Arbor Green nursery on Arboretum Road.

The Council has clear and empirical guidelines on acceptable noise levels and testing was carried out by Environmental Protection on the night of 12 February 2025 from a residence on Reid Terrace with the dome ventilation on and off. As of time of writing, no feedback has been provided by the Council. Should the results of the testing conclude that there is any breach of Council guidelines and further noise mitigation is required then the Club shall duly carry out appropriate measures. Subjective testing by various members of the Club have found the noise of the fan inaudible from the closest public thoroughfare on Arboretum Avenue which lies approximately 36m from the plant area, which is closer than any neighbouring residence. We would contrast this to the plant noise from Glenogle Swimming Baths which is clearly audible from the northern corner of Saxe Coburg Place which has no acoustic mitigation in place.

Whilst we fully acknowledge the right of any member of the local community to voice their opinion and organise petitions at any time, planning is a well-recognised and clearly defined process which allows any interested party to give their input both negatively and positively during the course of the process as this is the best time to influence change. In the case of our particular application, its highlighting in the media throughout the application and appeal process meant there were further opportunities for the local community to have their input over the 1.5 year process when the application was in the public domain - indeed you yourself were present at a meeting almost 2 years ago when many of the same issues that are in the most recent petition were discussed with the Club. From the Club's point of view, a thorough and exhaustive process was carried out in line with local and national regulations.

In summation of the above, and with due respect to your request for a meeting, we do not believe that it would be productive to hold a meeting at this juncture due to the limitations that the Club would have to make any changes to the facilities that have been duly confirmed as acceptable through the long and complex planning process.

Yours sincerely,

Rick Symington

Chair, The Grange Club