

STATEMENT OF REVIEW

SUMMARY OF APPLICATION PROCESS TO DATE

This planning application ref 25/00229/P was registered on 11 March 2025.

We received an email from the case officer on 1 April 2025 requesting that we provided horizontal and vertical daylight analysis of the proposed extension, which we provided on 10 April 2025.

We received a further email from the case officer on 14 April 2025, advising, in summary, the following concerns:

- The first floor extension is out of character with the nature of the building and due to its style it would be a dominant and incongruous feature.
- The proposed obscure glazing to the east and west elevations to a height of 1.5m may not address overlooking issues.
- The raised areas of the proposed access ramp would result in harmful overlooking.

We received a further email from the case officer on 14 April 2025 summarising the content of the objections received.

We replied on 14 April 2025 advising that we would be submitting a supporting statement, which the case officer agreed that she would discuss this with the planning team, once received.

We submitted our supporting statement on 23 April 2025.

We emailed the case officer on 28 April 2025, asking for feedback on the supporting statement, but received no reply.

We emailed the case officer again on 5 May 2025, asking for any updated, but received no reply.

We emailed the case officer again on 9 May 2025, who replied to say that the application was recommended for refusal. We received the decision notice the same day. After enquiry, we found that the application had been placed on a scheme of delegation list on 1 May 2025, which expired on 8 May 2025. The case officer advised that as no extension to the determination date had been agreed, she had placed it on a list that expired before the determination date.

We wish to record that the case officer had at no point requested an extension to the determination date (other officers routinely request this), if we had been asked, we would have willingly agreed.

We therefore wish to record that not only are we aggrieved by the actual decision, but more so by the process carried out by the case officer, by not keeping us informed of her actions, despite our repeated requests. We appreciate fully however that applying to the Local Review Body is purely to review the decision, and is not an opportunity to review the process.

APPLICATION FOR REVIEW OF DECISION

We have accordingly submitted this application for review of the decision to refuse planning application ref 25/00229/P, and our grounds for review are set out in the below statement.

EXAMINATION OF REASON FOR REFUSAL

The sole stated reason for refusal is as follows:

The proposed 1st floor extension would not be of a size, form, proportion and scale appropriate to the existing house, and would not be in keeping with or complementary to the existing house. Instead, it would be an unacceptable and unsympathetic addition to the house and consequently would not preserve or enhance but would be harmful to the character and appearance of this part of the North Berwick Conservation Area contrary to Policies 7 and 16 of NPF4 and Policies CH2 and DP5 of the adopted East Lothian Local Development Plan 2018.

The planning application as submitted comprises a number of components, which we have here listed in order of increasing perceived significance, being:

- Addition of a velux conservation rooflight to the front elevation.
- Alteration of a window to form french doors to the rear elevation.
- Addition of a ramped access from the new french doors, to the rear garden.
- Reconstruction of the existing wallhead dormers, including lowering the sills to floor level, and part repositioning of the eastmost dormer.
- Construction of a new sunroom above the existing previous ground floor bathroom extension.

Reading the officer report for the planning application, we understand, or would assess, the planning department's position on each aspect, in the same order, as follows:

- The addition of the velux conservation rooflight is regarded as acceptable, as it would sit within a row of three similar velux conservation rooflights.
- The forming of the french doors is regarded as acceptable, as the glazed openings face the applicant's garden ground, and hence do not cause harmful overlooking.
- The forming of the access ramp is regarded as acceptable, as although users of the ramp could overlook neighbouring gardens, the purpose of the ramp is for access, and any overlooking would be regarded as little different to that possible at present.
- The reconstruction of the wallhead dormers is referred to little in the report, other than in reference to the existing ones sitting comfortably, and to glazed openings facing onto the applicant's garden ground being regarded as acceptable. The actual repositioning of the eastmost dormer is not referred to at all. As the reconstructed dormers are of the same size and alignment as the existing dormers, it would seem illogical for these to be regarded as unacceptable.
- The construction of the new sunroom is described in the report as 'proposed first floor extension ... on top of the existing flat roof' and is described as incongruous, not in keeping, unacceptable, unsympathetic, harmful. Therefore, this element of the proposal would seem to be the only reason for this application having been recommended for refusal, and subsequently refused through the scheme of delegation list process.

The new sunroom has been assessed regarding its impact on daylight and sunlight received by neighbouring properties, using the recognised guide used by East Lothian Council, and has been found to pass the required test. The proposal is therefore acceptable in regard to daylight and sunlight.

The new sunroom has been proposed with obscured glazing to its east and west elevations to a height of 1.5m. This height was specified as it is the standard height that East Lothian Council requires for obscure barriers to the sides of external balconies, being the accepted measure to mitigate harmful overlooking. If the case officer had reverted to us requiring that height to be increased to 1.8m, we would have agreed. The case officer notes in the report that if this application were to be approved, this condition should be imposed, to which the applicant readily agrees.

The reason for refusal therefore concentrates on the physical form and presence of the proposed sunroom. We therefore wish to look at the design of the sunroom in greater detail.

The proposed form has been developed as a continuation of the form of the reconstructed dormers, which are box-like in form, however we have consciously improved on the form of these by introducing a more profiled eaves, and a continuous eaves gutter, and this form would be repeated on the sunroom.

We have repeated at the end of this document some further photographs, of nearby properties, which were included in our supporting statement. The planning report acknowledges these, but claims that these differ from our proposal in that these are larger buildings, whereas our building is small. As noted in our description above, we regard our proposal as minor in the context of the surrounding buildings, and would thus disagree with the planning report.

We wish to consider further the scale of the proposed sunroom. When viewed from the beach to the north, as per the below photograph, the sunroom occupies vertically the space between the roof of the ground floor bathroom and the roofs of the dormers, and occupies horizontally the width of the ground floor bathroom. We would argue that far from being excessive in size, form, proportion and scale, this is a comparatively minor addition, which would not be noticed significantly, nor in a negative manner, in the context of the surrounding properties. The scale of the sunroom is less than that of the conservatory to the east.



Photo taken from the north on West Beach. The property that is the subject of the current application is central.

Further, when viewed from the beach looking east, as per the below photograph, the existing dormers are barely visible, and the proposed sunroom would similarly be barely visible.



Photo taken from the west on West Beach. The application property is immediately in front of the cream mansard building, its dormers are just visible beyond the dormers to the adjacent cottage.

Whilst we recognise that each planning application is taken on its own merits, assessment of each planning application is also carried out relative to the parameters set out by the applicable planning policies. It is therefore relevant to look at other in the immediate area, by way of establishing an overall and consistent basis for determining what can be regarded as acceptable.

The below photograph shows a property nearby in Victoria Road, where an existing flat roofed projecting extension has been altered, and has had a flat roofed sunroom added above. We would argue that our proposed sunroom is a comparable addition to this.



Photo taken from Melbourne Road, adjacent to East Beach. Sunroom extension built on top of earlier rear extension, at 24 Victoria Road, in prominent location. There were no public objections to this proposal and it was unanimously approved by the planning committee. This has clear glass to the front, and frosted glass to the two sides. Planning reference 12/00701/P.



Photo taken from West Beach. 3-sided glazed sunroom extension to nearby property in Lorne Square. Highly glazed element in prominent location.



Photo taken from West Beach. 3-sided glazed addition to nearby property in Victoria Road. Highly glazed element in prominent location.



Photo taken from North Berwick Golf Club, Beach Road. Significant change to roofscape of property in the Conservation Area. This is a substantially greater change, and considerably more dominant, than that proposed at 16 Forth Street.

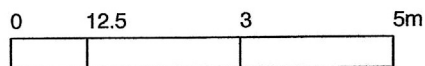
CONCLUSIONS

As we have stated in our original supporting statement, this property lies in the Conservation Area, however it is a part of the Conservation Area characterised by a variety of changes, and an eclectic mix of additional elements, particularly at upper level and roof level, usually to better enjoy the magnificent views.

Those involved in delivering the planning process in East Lothian have publicly stated that conservation is not about keeping everything as it currently is, that conservation areas evolve over the years, as different architectural designs are proposed, leading to gradual change over time. It is about maintaining the character of an area through control of overall change, not about preventing changes, whether minor or significant, to individual properties.

The proposed sunroom at Forth Street very much echoes this sentiment and aspiration, and are intended to enhance the property and facilitate the owners use and enjoyment of their property long term. This particular proposal will clearly be an addition and a change to this part of the Conservation Area, but in so doing it will become part of the Conservation Area.

++++++



Scale 1:1250

somnermacdonaldarchitects

2b Law Road • North Berwick • EH39 4PL • 01620 893825
www.somnermacdonald.co.uk

Project Address:

16 Forth Street North Berwick EH39 4HY

Project Title:

Alterations and Extension to House

Title:

Site Location Plan

Drawing Number:

2456-03

Paper Size:

A4

1st Issued:

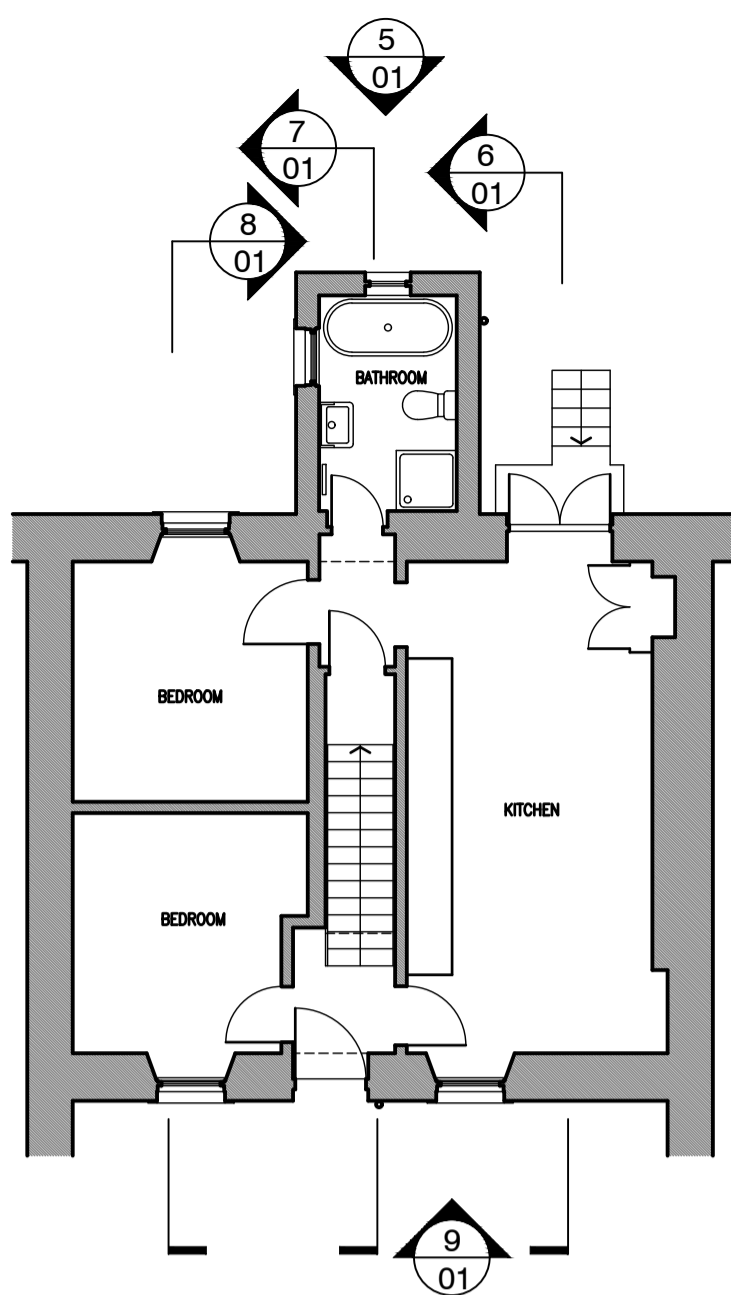
February 2025

Stage:

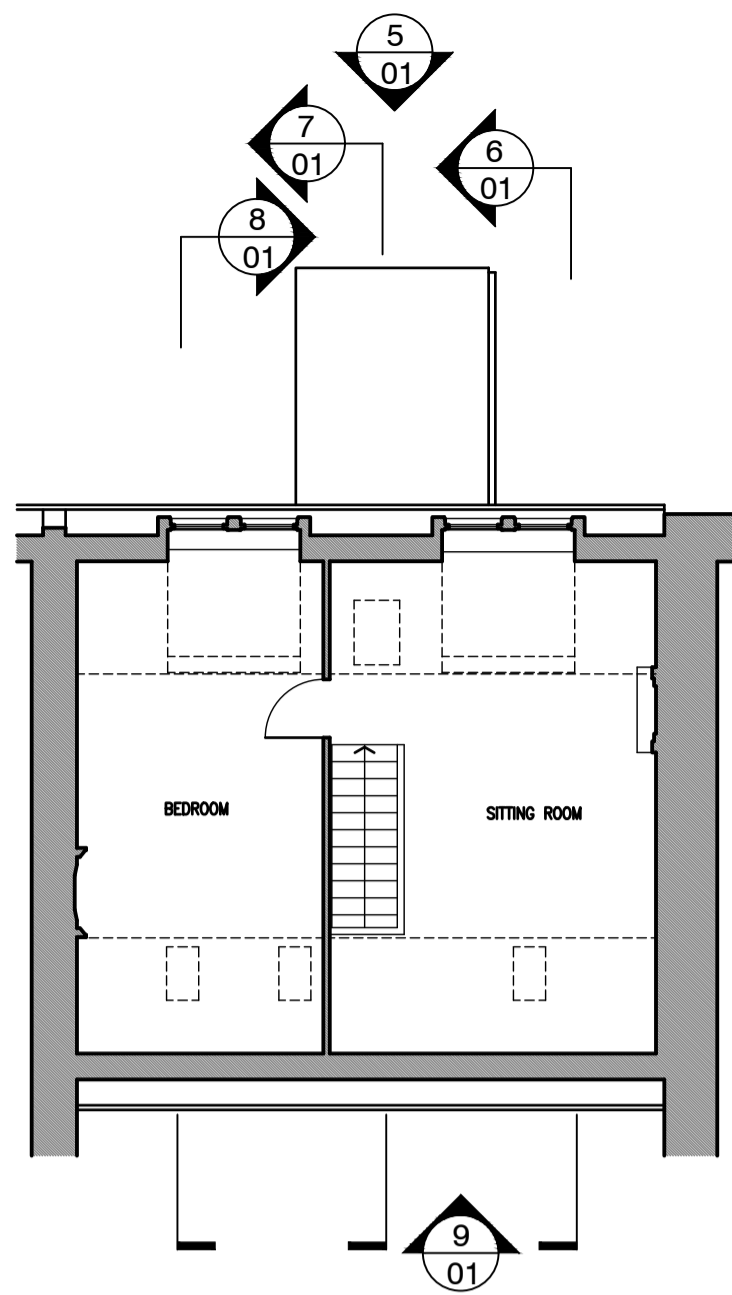
INFORMATION

Dimensions stated are in millimetres unless specifically noted otherwise.

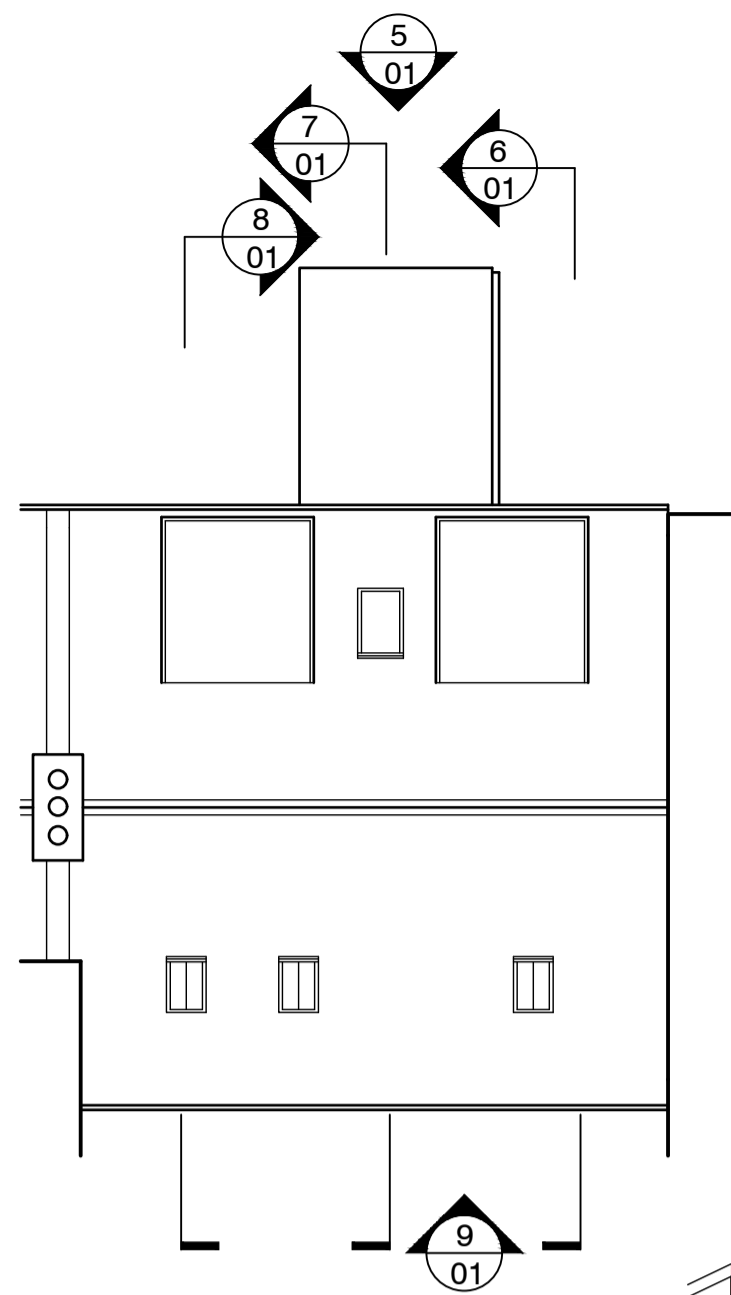
Contractor to ensure full size colour printed copies of this drawing are made available on site and to all relevant subcontractors as required.



1 Ground Floor Plan as Existing
Scale 1:100



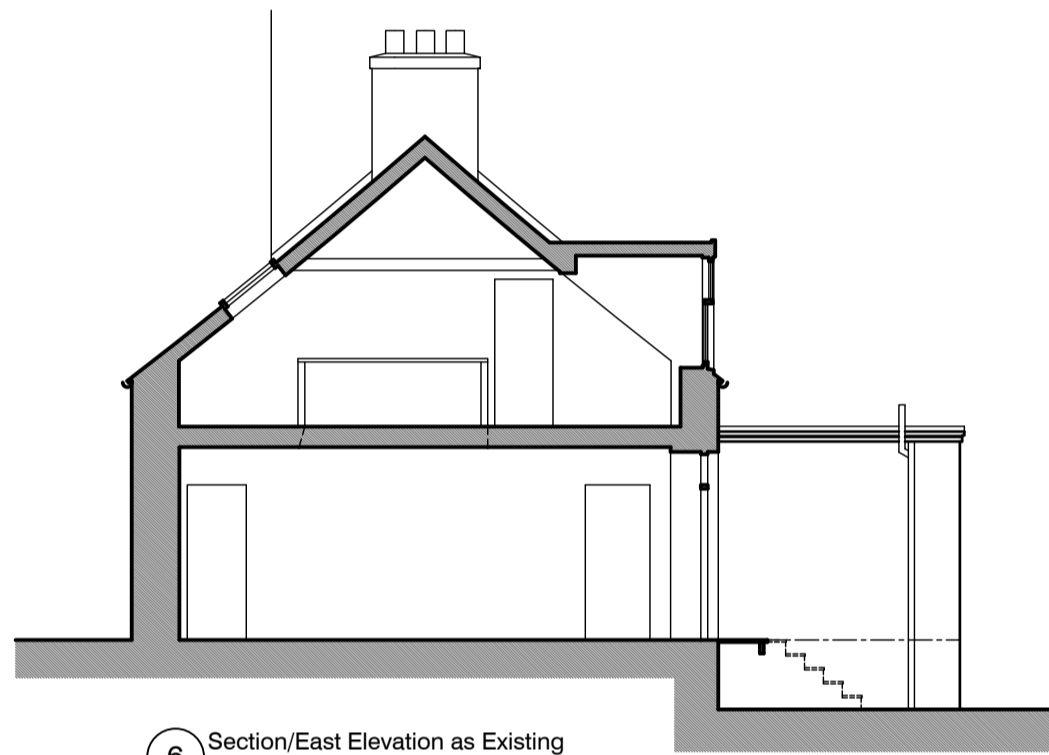
2 First Floor Plan as Existing
Scale 1:100



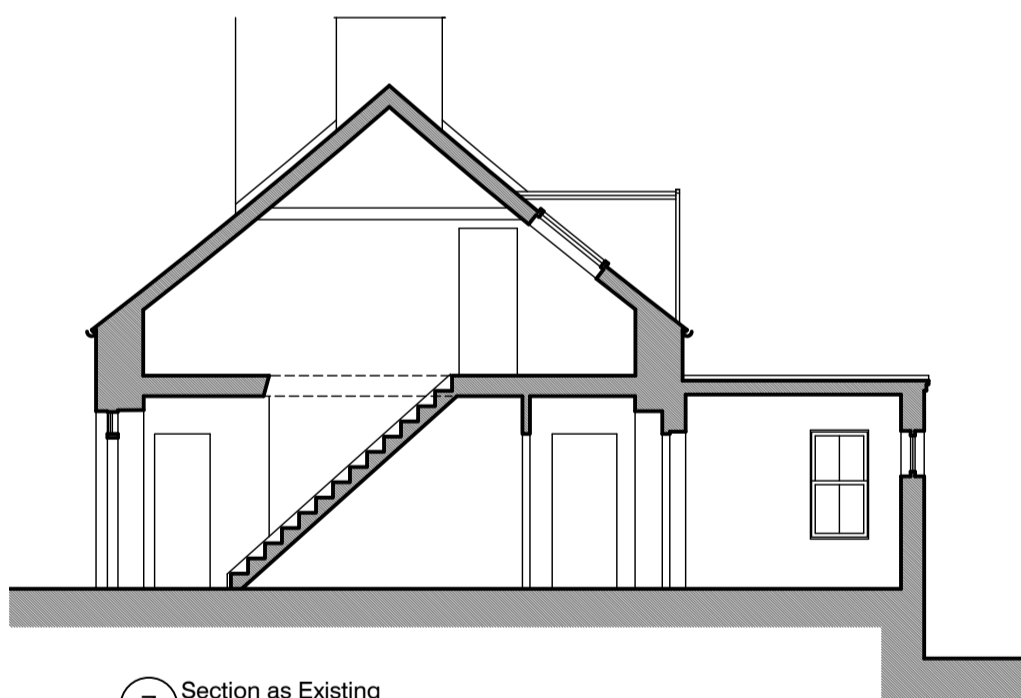
3 Roof Plan as Existing
Scale 1:100



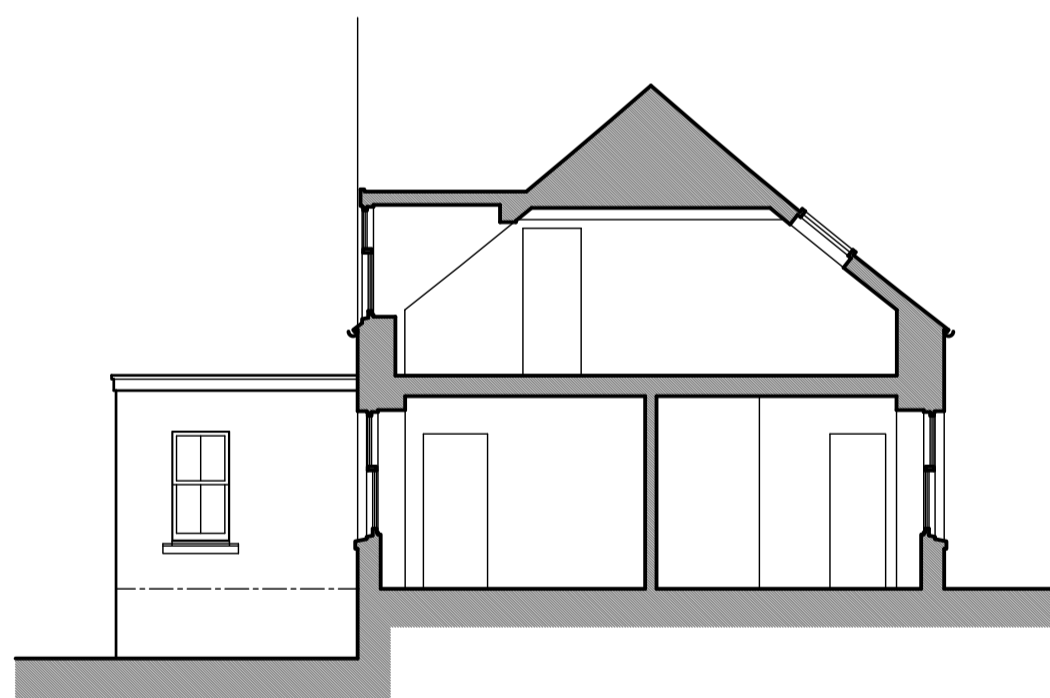
5 North Elevation as Existing
Scale 1:100



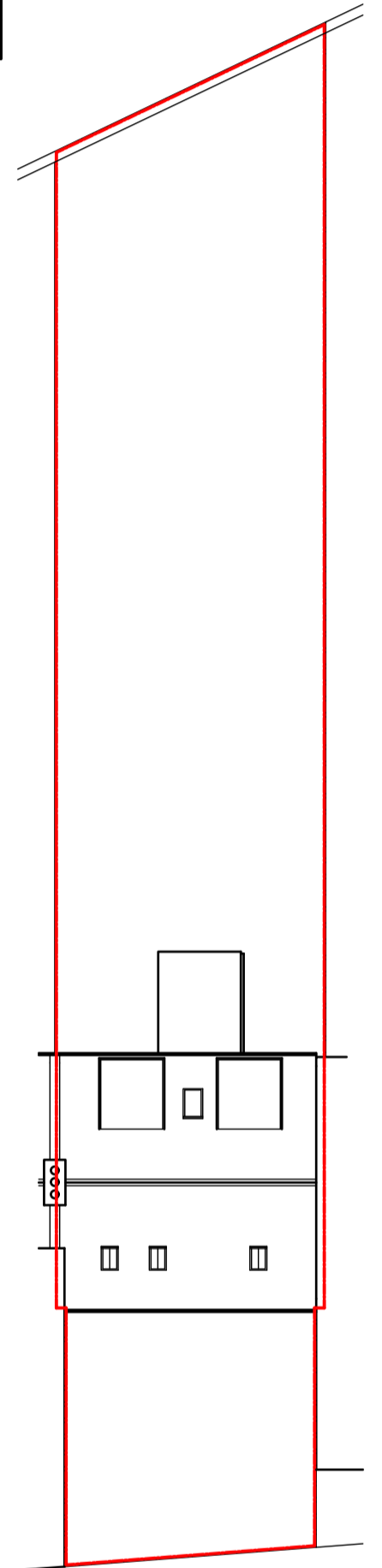
6 Section/East Elevation as Existing
Scale 1:100



7 Section as Existing
Scale 1:100



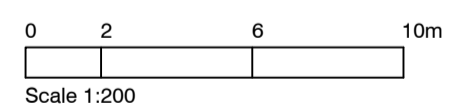
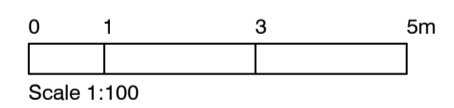
8 Section/West Elevation as Existing
Scale 1:100



4 Site Block Plan as Existing
Scale 1:200



9 South Elevation as Existing
Scale 1:100



somnermacdonaldarchitects
2b Law Road • North Berwick • EH39 4PL • 01620 893825
www.somnermacdonald.co.uk

Project Address:
16 Forth Street North Berwick EH39 4HY

Project Title:
Alterations and Extension to House

Title:
Existing Plans Elevations Sections

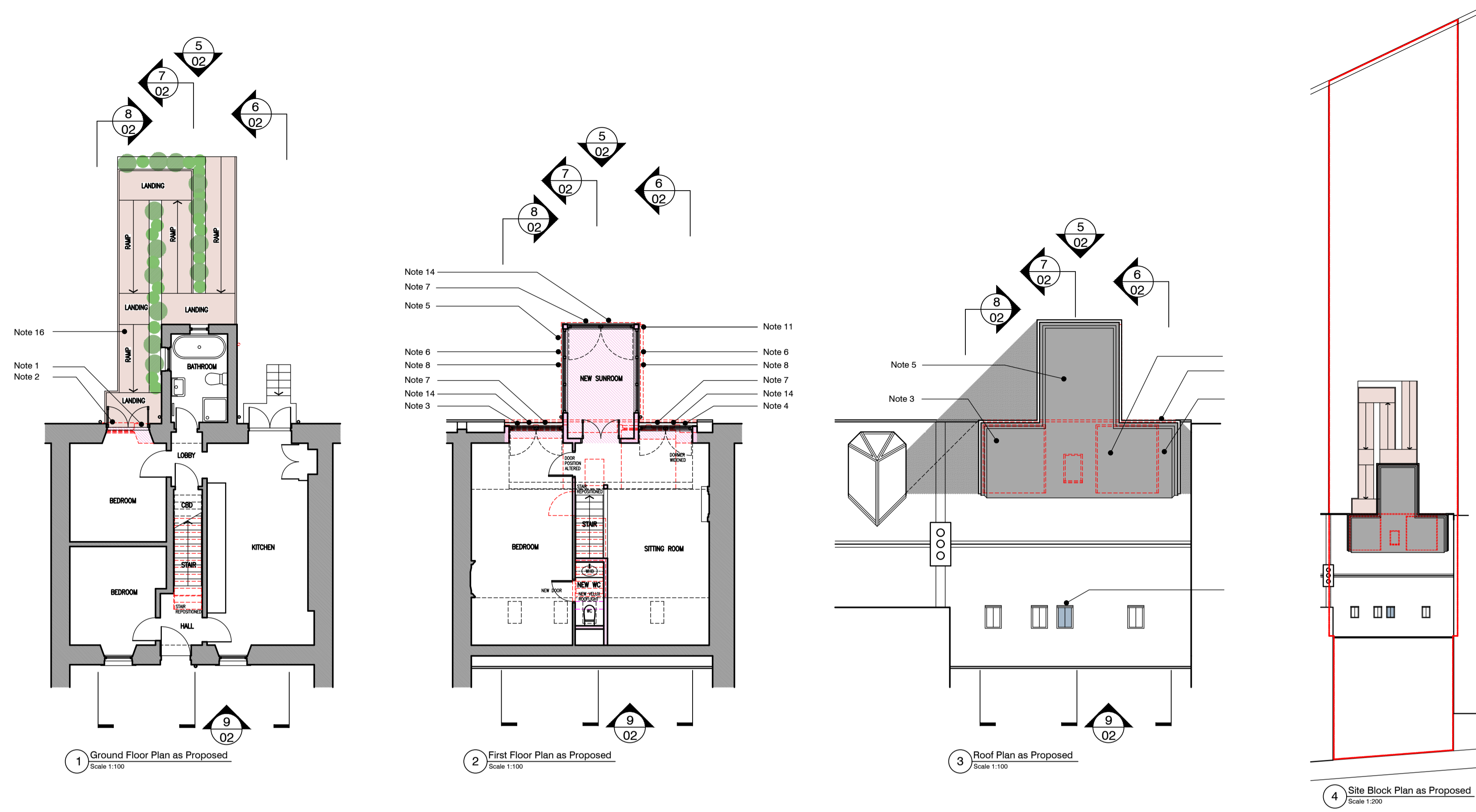
Drawing Number:
2456-01

Paper Size: **A2** 1st Issued: **February 2025**

Stage/Purpose of Issue:
PLANNING

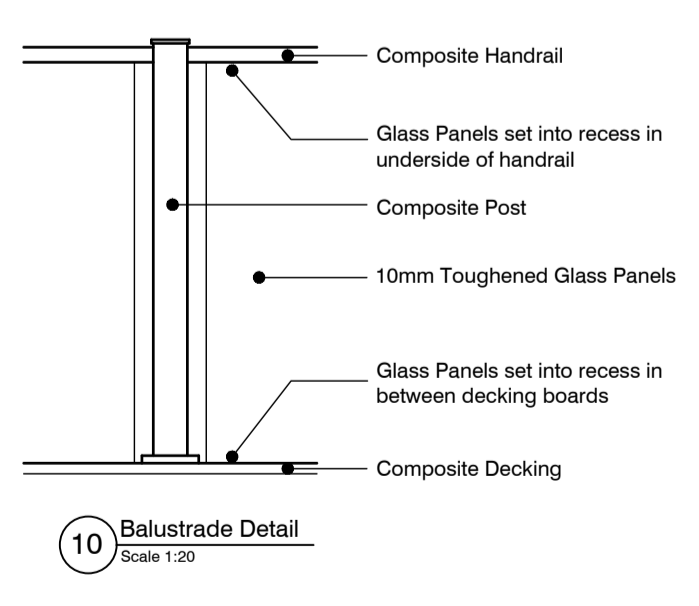
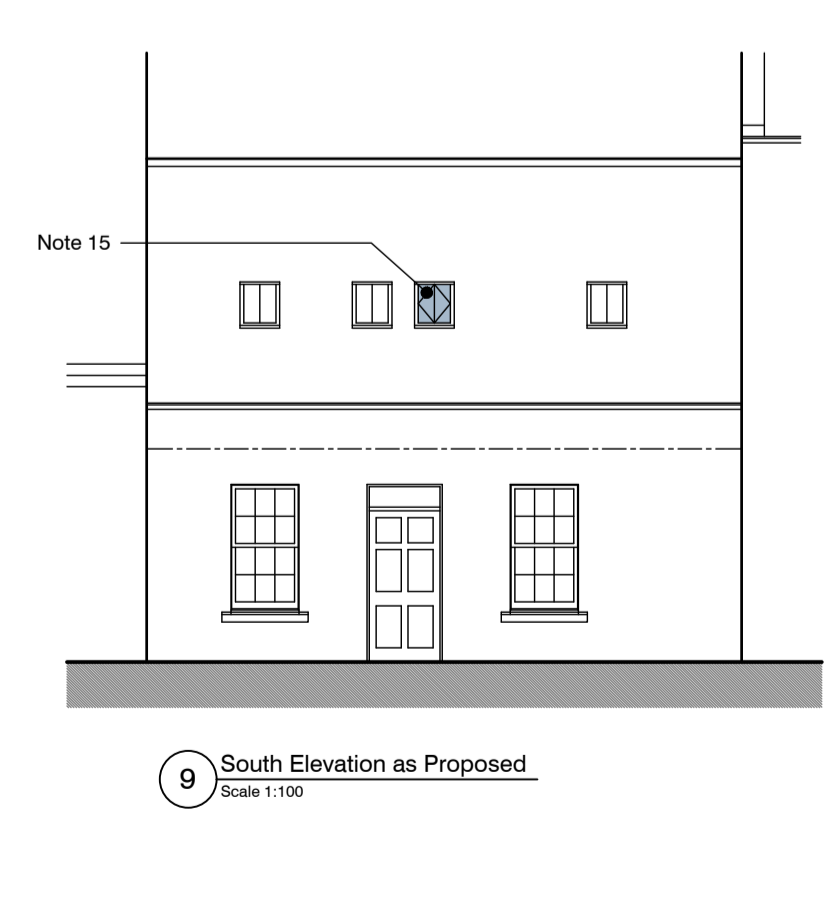
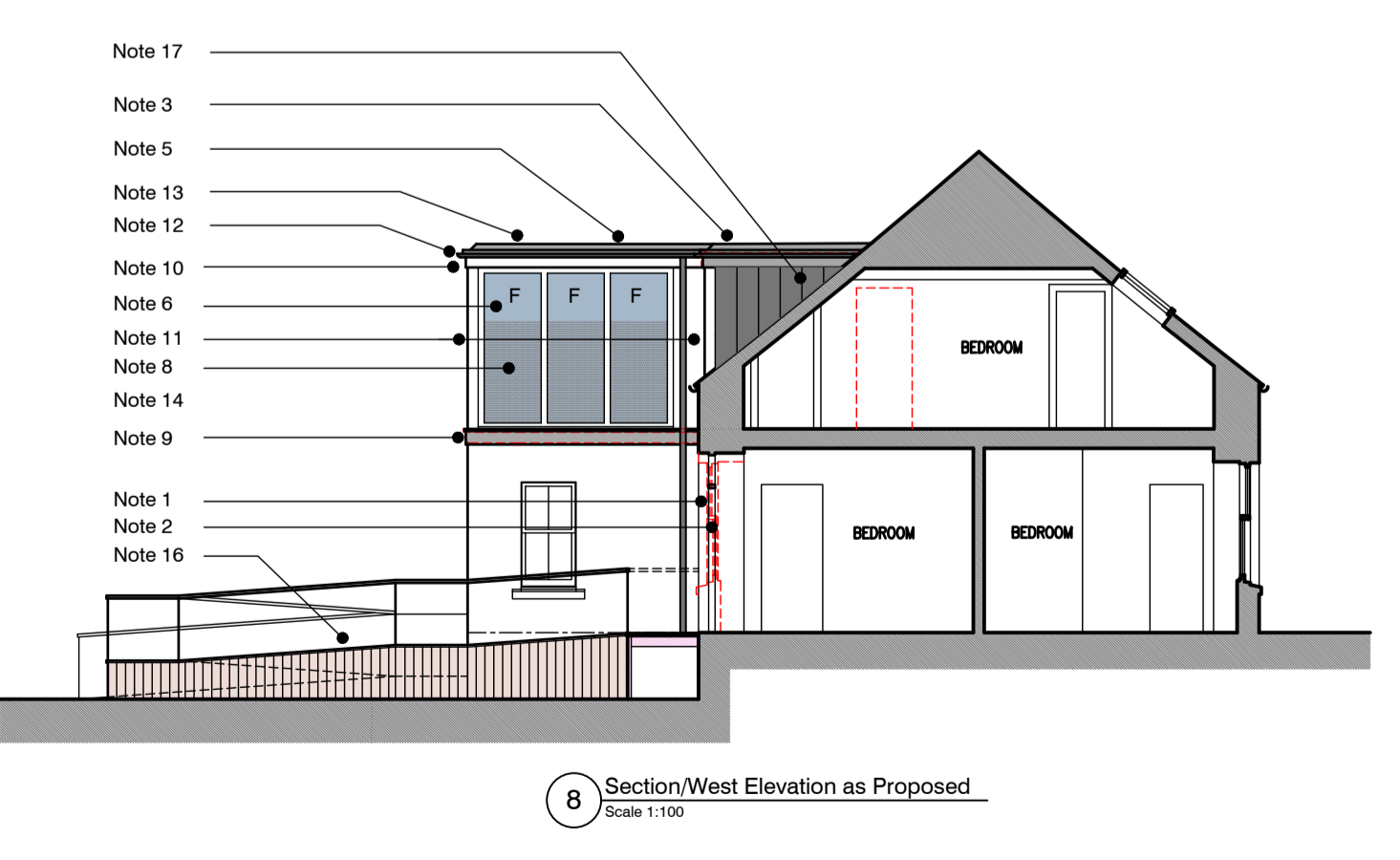
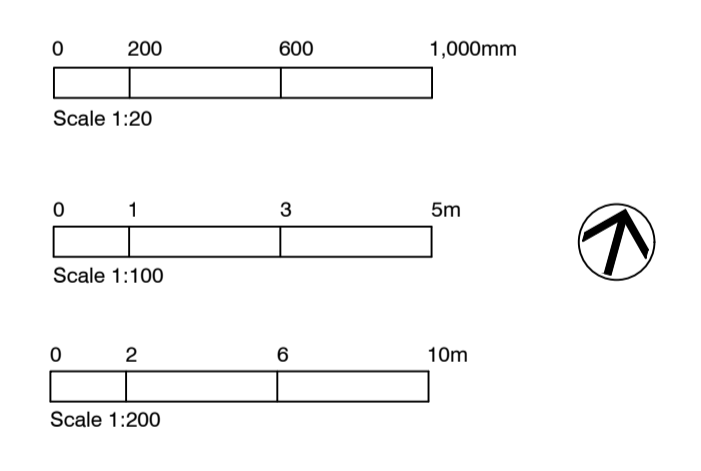
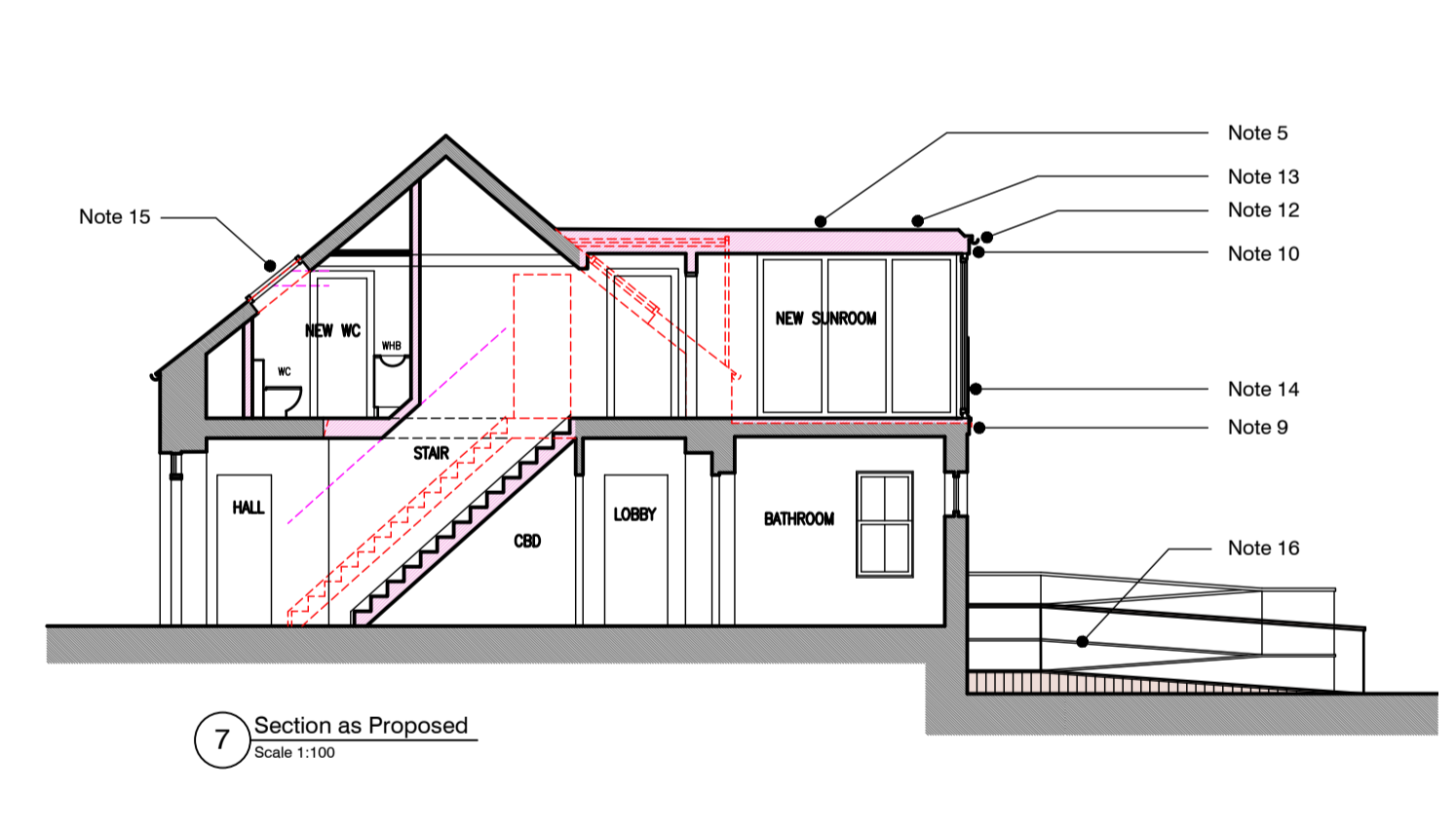
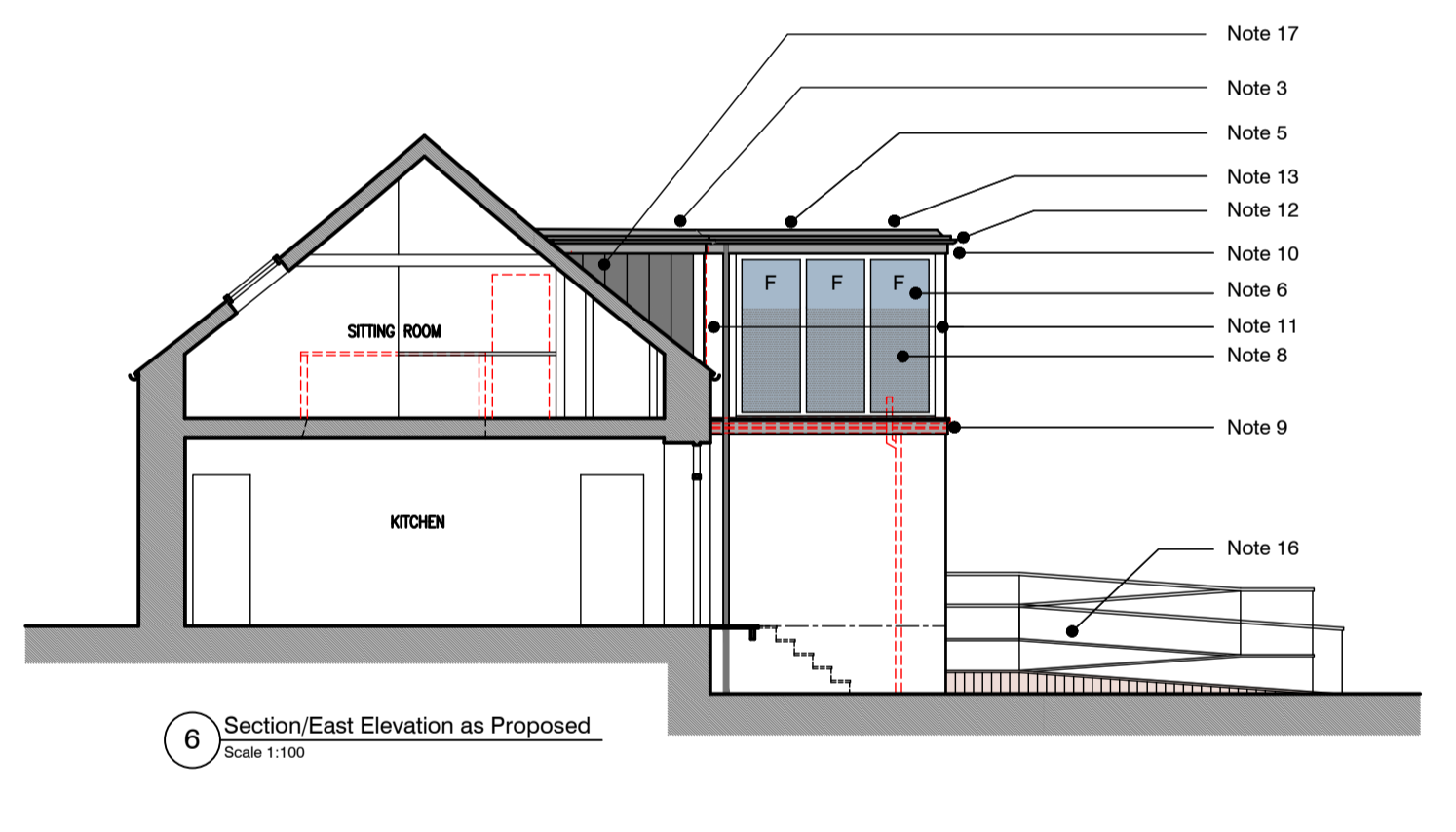
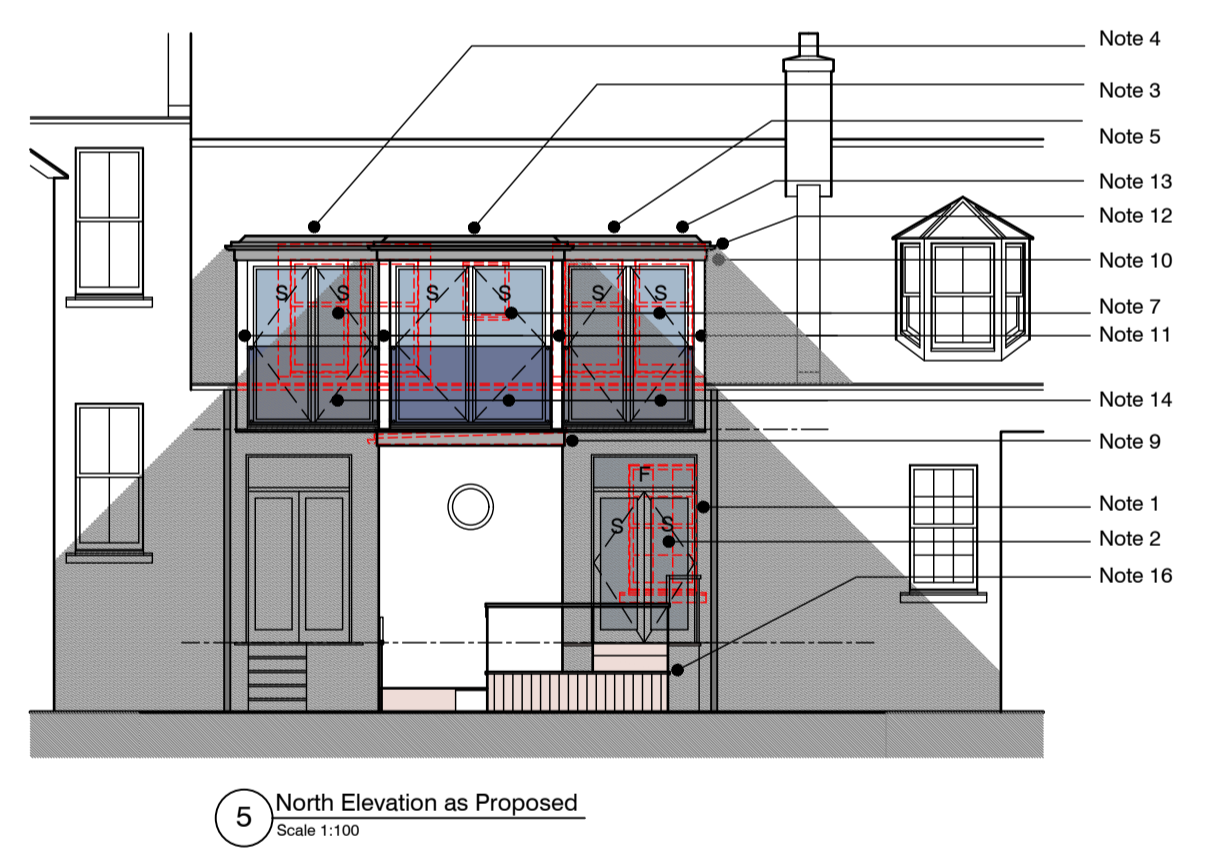
Dimensions stated are in millimetres unless specifically noted otherwise.

Contractor to ensure full size colour printed copies of this drawing are made available on site and to all relevant subcontractors as required.



- Notes**
- Existing window opening enlarged for new french doors, new stone surrounds.
 - Timber side hung glazed french doors with fixed fanlight, colour white.
 - Existing dormer window replaced.
 - Existing dormer window replaced and repositioned.
 - New sunroom extension above existing bathroom.
 - Timber fixed glazed screens colour white.
 - Timber side hung inward opening glazed screens colour white.
 - Obscure glazing to 1.5m from floor level.
 - Composite board cladding trim to base of sunroom, colour grey.
 - Composite board cladding to fascias, colour grey.
 - Composite board cladding to corners and junctions, colour white.
 - UPVC half round gutters and downpipes, colour grey.
 - Alutra roof membrane, colour grey.
 - Barriers, frameless glass panels with stainless steel standoff fixing bolts.
 - Velux conservation rooflight ref CK04 980x550mm, centre pivot reversible, aluminium faced, colour grey.
 - New access ramp and platform in composite decking boards with composite posts and handrails, and with glass infill panels.
 - Composite board cladding to dormer cheeks, colour grey.

- Key to Door/Window Opening Methods**
- T Top Hung.
 - S Side Hung.
 - F Fixed Pane.
 - SL Sliding.
 - BF BiFold.



Revision A 11 March 2025
Drawing revised as required by planning department to register application.

Revision B 10 April 2025
Drawing updated to show daylight assessment on north elevation as requested by planning department.

Revision C 10 April 2025
Drawing updated to show daylight assessment on north elevation and roof plan as requested by planning department.

sommermacdonaldarchitects
20 Law Road • North Berwick • EH39 4PL • 01620 893825
www.sommermacdonald.co.uk

Project Address:
16 Forth Street North Berwick EH39 4HY

Project Title:
Alterations and Extension to House

Title:
Proposed Plans Elevations Sections

Drawing Number:
2456-02-C

Paper Size: A1
1st Issued: February 2025

Stage/Purpose of Issue:
PLANNING

Dimensions stated are in millimetres unless specifically noted otherwise.

Contractor to ensure full size colour printed copies of this drawing are made available on site and to all relevant subcontractors as required.

