

Development Management Sub Committee

Wednesday 1 August 2018

**Application for Planning Permission 18/01091/FUL
At 16 Cumberland Street South East Lane, Edinburgh, EH3
6RU
Erection of new dwelling house on vacant plot (as amended)**

Item number	4.3
Report number	
Wards	B11 - City Centre

Summary

The proposal complies with the Edinburgh Local Development Plan Policies and the non-statutory guidance, and will not adversely impact on the character and appearance of the conservation area; on the setting of other listed buildings; the Edinburgh World Heritage Site; on residential amenity or road safety. There are no other material planning considerations which outweigh this conclusion.

Links

Policies and guidance for this application	LDES01, LDES04, LDES05, LEN01, LEN03, LEN06, LEN09, LHOU07, LTRA02, NSP, NSGD02, CRPNEW,
--	--

Report

Application for Planning Permission 18/01091/FUL At 16 Cumberland Street South East Lane, Edinburgh, EH3 6RU Erection of new dwelling house on vacant plot (as amended)

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The site is located at the west end of Cumberland Street South East Lane where it turns to meet Cumberland Street. It is formed by two side-by-side rear garden plots which are flanked by a rubble stone wall to the west boundary and the gable of an existing mews cottage to the east. A stone garden wall divides the site north-south down the middle of the site. Two storey pitched roof cottages characterise the lane. Across the lane to the north are the walled back gardens of town houses in Cumberland Street.

The main terrace in Great King Street, behind which the mews site is located, is category A listed including the boundary walls. It was designed by Robert Reid and William Sibbald, 1814-23. It was listed on 15 July 1965 ref: LB28964.

The site is situated in the Edinburgh World Heritage Site - Northern New Town

This application site is located within the New Town Conservation Area.

2.2 Site History

July 1996 - Demolition of garage/store and build new mews, refused (planning reference A00190/96).

September 2001 - Minor amendments to mews building granted (planning references 01/02881/FUL+LBC).

September/October 2005 - Planning permission and listed building consent granted for alterations to existing dwelling (planning references 05/1716/FUL+LBC).

13 March and 16 April 2009 - Planning and listed building consent granted for new traditionally styled mews building and conversion of existing mews to additional hotel bedroom accommodation (planning references 08/4118/FUL+LBC).

21 April 2017 - Planning permission granted for the construction of a four apartment mews property for use ancillary to The Howard Hotel (planning reference 17/00269/FUL).

Main report

3.1 Description Of The Proposal

The proposal, as revised, is to erect a four bedroom mews dwelling in contemporary style with a pitched slated roof on the site of a previous garage at the back of what used to be the Howard Hotel before its current conversion to residential use. The building would take up two mews feus and be L shaped in plan form. It would measure a maximum of 16.8m wide x 12.5m. in depth with a small courtyard garden bounded by a new stone wall to the south. The site is 210 sq.metres in area.

Materials would be a mix of two types of stone finish: rubbed ashlar on first floor elevations and rustic channelled on the ground floor, with recessed vertical timber garage doors and door screens, plus grey window frames. The roof covering would be natural slate with recessed gutters.

Previous schemes:

Scheme 1

Recessed window on first floor to give visual break on the former feu line. Mix of smooth rubbed stone and rusticated. More horizontal treatment of ground floor timber and grill features.

Scheme 2

Amendment to materials, fenestration and building line, but retention of flat roof. Reduction in height of flat roof wing to rear.

Scheme 3

Addition of a pitched, slated roof and further amendment to elevational treatment. Parking reduced to one garage from two, plus a cycle store.

Applicant's Supporting Statement

A revised Design Statement dated May 2018 is available to view on the Planning and Building Standards Online Services.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the

building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of a dwelling on this site is acceptable;
- b) the design and materials are compatible with the setting of the listed building and the character and appearance of the conservation area and World Heritage Site;
- c) there are any archaeology issues;
- d) there are any issues in relation to residential amenity;
- e) there are any transport issues;
- f) the objections have been addressed; and
- g) there are any equality or human rights issues;

a) Principle of Development

The site is in the heart of the new town in a residential mews lane at the back of mainly residential town houses, where further housing is acceptable in principle and is supported by Policy Hou 4 and Des 4 of the Edinburgh Local Development Plan (LDP).

b) Impact of Design on Conservation Area, Edinburgh World Heritage Site and Setting of Listed Buildings

The New Town Conservation Area Character Appraisal identifies: *hierarchical arrangement of buildings and spaces; An almost exclusive use of finely dressed squared ashlar of the durable local Craigleith sandstone (a pale, buff sandstone that weathers to a dark grey), creating a visual homogeneity; Visual homogeneity was also created by the use of a limited range of supporting materials: natural slate on roofs.*

The design of the new mews dwelling has been amended to emphasise the visual break between the two feus on which it sits, so that it appears more like two dwellings rather than one. This reflects the rhythm of narrow feus in the lane and makes the overriding design more subservient in massing. This reflects the important features identified in the conservation area character appraisal.

The materials have been reconfigured to visually weight the rougher stone towards the ground floor with the lighter, rubbed stone above as per the formal New Town. The window positions have been amended to emphasise the symmetry of the building. The timber treatment at ground floor garages and door access has been made less conspicuous and more mews like by the first floor overhang and is in keeping with, and an interpretation of, other timber garage doors in the mews lanes.

The massing and pitched roof design with recessed gutters has a strong contemporary appearance. With the amended façade and pitched roof, it is bigger than the adjacent cottage, but matches the general massing of cottages in the lane, which is the predominant townscape feature of the lane. Its setting at the end of the lane forms a visual end stop. The predominantly stone and slate materials are appropriate to the mews location and the setting of the main listed buildings in the terrace.

The proposal is centred within the New Town and has no impact on the contrast between New Town and the Old Town. Its design and materials fit appropriately into the New Town environment and do not have any impact on the outstanding universal values of the Edinburgh World Heritage Site.

The two storey design and materials will have no adverse impact on the character and appearance of the conservation area or setting of adjacent category A listed buildings. The proposals comply with Policy Env 6, Env 1, Env 3 and Des 4 of the LDP.

c) Archaeology

It has been identified as having low archaeological impact, but as walls are to be removed and the development will abut the gable of the adjoining mews, it is important that a programme of archaeological historic building survey is undertaken. A condition is recommended. This complies with Policy Env 9 of the LDP.

d) Residential Amenity

Accommodation

The proposed level of accommodation to be provided exceeds the minimum floor size as set out in the Edinburgh Design Guidance. The proposed development will create an acceptable level and quality of living environment for the proposed occupiers.

Neighbouring Amenity

The proposed development has been assessed in relation to potential impacts on daylighting and overshadowing of the adjacent properties. The addition of the new house does not make the existing situation worse. Consent was given for a mews block, albeit smaller in dimensions, on this site in 2008. The impacts have been assessed and the proposals comply with the Edinburgh Design Guidance. There are no privacy issues arising from the proposals.

The proposed development creates an appropriate residential environment.

e) Roads Authority

The Roads Authority objected to the original scheme as it has two parking (garage) spaces and therefore in excess of Council standards; and no cycle parking. Whilst it has not commented on the revised scheme, the revised scheme has been amended to one internal garage space and a cycle parking area for two-three bikes. The revised scheme complies with parking standards and is acceptable.

f) Public comments

Material objections:

- Lack of a pitched slated roof in this location on aesthetic grounds: - These objections have been addressed by the revised drawings and are considered in paragraph 3.3b) above.
- Loss of light and skyline in terms of amenity. Exceeds 25 degree line: addressed in section 3.3d) above.
- Depth of single storey wing excessive. Height above wall: The plan form is unusual in being L shaped. However, the rear wing has been reduced in height and will only exceed the height of the boundary wall by 750mm.
- Design ugly, brutalist and owes its origins to industrial warehousing: addressed in paragraph 3.3b) above.
- Detrimental to setting of A listed townhouses at 30-42 Great King Street: addressed in paragraph 3.3b) above.
- Parking problems. The new dwelling will generate only one parking space/garage on this quiet lane. It is unlikely that it would have any significant effect on congestion within the lane or upon the amenity of neighbours in this respect of traffic generation, particularly at this 'open end' of the lane.

Material support:

There are six letters of support to Scheme 1 and one letter of support for Scheme 2:

- Like that in Circus Lane - high quality modern mews design has successfully enhanced the area;
- Offers family sized accommodation;
- Will improve messy, vacant plot; and
- In keeping with new town architecture.

Non Material

- Loss of view: - Is not a material consideration.

g) The application has been assessed and has no impact in terms of equalities or human rights.

Conclusion

The proposal complies with the Edinburgh Local Development Plan Policies and the non-statutory guidance, and will not adversely impact on the character and appearance of the conservation area; on the setting of other listed buildings; the Edinburgh World Heritage Site; on residential amenity or road safety. There are no other material planning considerations which outweigh this conclusion.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to safeguard the character of the conservation area.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Advertised on 30 March 2018: 27 letters of objection and 7 letters of support have been received.

The revised application drawings were advertised and renotified to neighbours on 4 June 2018. 12 letters of objection have been received and one of support.

All the letters have been addressed in the Assessment section of this report.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development**Plan Provision**

Allocated as Urban Area in the Edinburgh Local Development Plan.

Date registered

14 March 2018

Drawing numbers/Scheme

01 - 05; 06A-07A; 09A-10A,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Duncan Robertson, Senior Planning Officer

E-mail:d.n.robertson@edinburgh.gov.uk Tel:0131 529 3560

Links - Policies

Relevant Policies:

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

Non-statutory guidelines on 'PARKING STANDARDS' set the requirements for parking provision in developments.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Appendix 1

Application for Planning Permission 18/01091/FUL At 16 Cumberland Street South East Lane, Edinburgh, EH3 6RU Erection of new dwelling house on vacant plot (as amended)

Consultations

Historic Environment Scotland

The proposed development site is located within garden ground to the rear of category A listed 32 and 34 Great King Street, bounded by South East Cumberland Street Lane to the north and is in the Old and New Towns of Edinburgh World Heritage Site (WHS). A defining characteristic of the New Town is the robust architectural articulation used to express the relative status and relationship between buildings in principal streets, secondary streets and service lanes. Great King Street is the Second New Town's central avenue, composed of tall imposing Classical style palace-front town houses. A range of 1 ½ or 2-storey mews buildings to the rear of the 5-storey Great King Street houses' garden ground, front South East Cumberland Street Lane.

The predominant character of the mews buildings is expressed by traditional, tooled rubble sandstone walls incorporating large ground floor openings with pitched, slated roofs. Their flat fronted main elevations sit directly onto the service lane. The modest scale and use of traditional, vernacular finishes makes a considerable contribution to the setting of the category A listed town houses, reinforcing their higher status.

The proposed development is for a 2-storey, flat roofed dwelling house with a projecting upper floor. The property would extend across the former garden ground of the two town houses. The proposed palette of external wall finishes includes areas of polished ashlar sandstone to the ground and first floors and channelled, rusticated, polished ashlar sandstone to the first floor.

In our view, the proposals, in their current form would have a detrimental impact on the setting of the A listed Great King Street town houses. This impact is particularly pronounced in views looking south from Cumberland Street along South East Cumberland Street Lane. We would ask that further consideration be given to the proposals. A revised scheme that responded to the established mews building height, pitched roof form and restrained palette of external finishes could in our view better protect the setting of the Great King Street properties.

Roads Authority- Scheme 1

*The application should be refused.
Reasons:*

- 1.The proposed 2 parking provision breaches the Council's 2017 Parking Standards which requires a maximum of 1 parking space for the proposed development in Zone 1.*
- 2.There is no cycle parking provision and does not comply with the Council's 2017 parking Standards which requires a minimum of 3 secure cycle spaces.*

Roads Authority - Scheme 2

There are no further comments from the roads authority as its original comments have been addressed by the reduction in parking from two to a single garage only and the inclusion of an internal cycle parking store for two-three bikes.

Archaeology

The site lies within the UNESCO World Heritage Site. In particular, the site lies at the core of the Georgian New Town and part of the first extension of the New Town on land feud by the Heriot Trust. Although depicted on earlier plans e.g. Ainslie 1804, development did not commence in earnest until c.1817. Accordingly, this application must be considered therefore under terms the Scottish Government Historic Environment Policy (SHEP), Scottish Planning Policy (SPP), PAN 02/2011 and also Edinburgh Local Plan (2016) policy ENV9.

It is considered that on current information this proposal scheme is regarded as having a low archaeological impact upon both adjacent historic Georgian Mews and underlying archaeological deposits. However, development will impact upon the gable wall of the adjoining mews building which shows evidence of more than one phase of construction. It is therefore recommended that an appropriate programme of archaeological historic building survey (annotated elevations, photographic and written survey) is undertaken in order to provide a permanent record of this historic mews.

Accordingly, it is recommended that that the following condition is attached to this consent to ensure that this programme of archaeological works is undertaken prior to construction.

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, reporting and analysis) in accordance with a written scheme of Policy (SPP), PAN 02/2011 and also Edinburgh Local Plan (2016) policy ENV9.

It is considered that on current information this proposal scheme is regarded as having a low archaeological impact upon both adjacent historic Georgian Mews and underlying archaeological deposits. However, development will impact upon the gable wall of the adjoining mews building which shows evidence of more than one phase of construction. It is therefore recommended that an appropriate programme of archaeological historic building survey (annotated elevations, photographic and written survey) is undertaken in order to provide a permanent record of this historic mews.

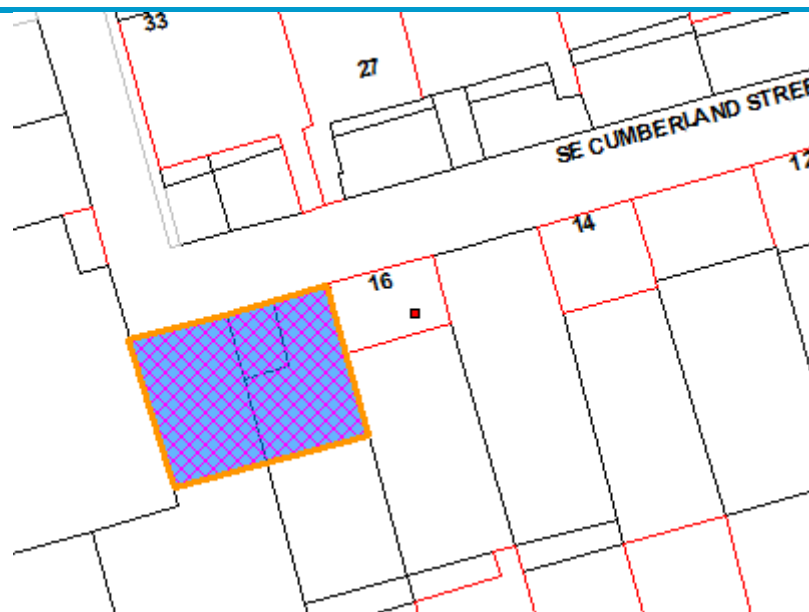
Accordingly, it is recommended that that the following condition is attached to this consent to ensure that this programme of archaeological works is undertaken prior to construction.

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey,

reporting and analysis) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applica.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END