

# Development Management Sub Committee

Wednesday 26 September 2018

**Application for Planning Permission 18/02448/FUL  
At 24 Hugh Miller Place, Edinburgh, EH3 5JG  
Remove existing front elevation dormer and replace with  
new larger dormer and fit new dormer to the rear elevation.  
(as amended)**

<b>Item number</b>	Item 4.1(a)
<b>Report number</b>	
<b>Wards</b>	B05 - Inverleith

## Summary

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The proposal to install the canted dormer on the rear elevation complies with the Edinburgh Local Development Plan and non-statutory guidance for listed buildings and conservation areas. However the proposal to replace the existing box dormer with a canted dormer on the front elevation is not acceptable in terms of policy and guidance and is recommended for refusal. It is recommended this application be a mixed decision.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	LDPP, LDES04, LEN04, LEN06, NSG, NSLBCA, OTH, CRPSTO,
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# Report

## **Application for Planning Permission 18/02448/FUL At 24 Hugh Miller Place, Edinburgh, EH3 5JG Remove existing front elevation dormer and replace with new larger dormer and fit new dormer to the rear elevation. (as amended)**

### **Recommendations**

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- 1.1 It is recommended that this application be mixed decision to part-approve and part-refuse this application subject to the details below.

### **Background**

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#### **2.1 Site description**

The application site is an upper level flat on two storeys consisting of the upper level and attic, within a row of colony houses. The character of the surrounding area is predominantly residential. The colony houses were built by the Edinburgh Co-operative Building Company in the 1860s. Hugh Miller Place was the second terrace to be built in the development.

The property was category B listed on 11 October 1973 (ref: LB50523).

This application site is located within the Stockbridge Conservation Area.

#### **2.2 Site History**

29 May 2018 - An application for listed building consent is currently pending consideration for the removal of the existing front dormer and replace with a canted style dormer and to fit a new canted dormer on the rear elevation (Application number 18/02446/LBC).

### **Main report**

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#### **3.1 Description Of The Proposal**

The proposal is for the replacement of the existing front box dormer with a new bay style dormer and also to fit a new bay dormer to the rear elevation. The bay dormer will measure 2500mm wide and 2455mm high. The windows will be timber sash and case with astragals as original.

#### **Scheme 2**

Revised drawings were requested to change the design from a box dormer to a canted dormer and to include astragals on the new windows.

### **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 proposals will have an adverse impact on the character of the listed building;
- b) the proposals will preserve or enhance the character of the conservation area;
- c) the proposals will have a detrimental impact on neighbouring amenity; and
- d) any comments have been addressed.

#### **a) Listed Building**

Policy Env 4 of the Edinburgh Local Development Plan (LDP) states that any alterations or extensions to a listed building will be permitted where there will be no unnecessary damage to the historic structure or the diminution of its interest and where any additions are in keeping with other parts of the building.

Policy Des 4 of the LDP states that permission will be granted for development where it will contribute positively on its surroundings. The non-statutory guidance states that new dormers will normally not be acceptable unless they are part of the original or early design of the area.

Hugh Miller Place was the second street of the colonies to be built. Small dormers with glazed sides were first introduced within the upper colony houses of Hugh Miller Place. The majority of Hugh Miller Place retains their original rectangular dormers on the front elevation and any that have been replaced are historical in nature. The proposal to replace the existing rectangular dormer with a larger canted version is unacceptable as this would be detrimental to the character of the listed building, involve the loss of important historic fabric and introduce a dormer design which is not compatible with the rest of the terrace. As such it would be contrary to the aspirations of policy Env 4 and non-statutory guidance.

The rear pitch traditionally had no features. However, the rear pitch now has many dormers of a variety of styles. The proposed dormer is of a canted style and is in keeping with the character of neighbouring dormers. The windows within the new dormer are to be timber sash and case with astragals as traditional detailing would have been. The dormer on the rear elevation is acceptable and will have no adverse impact on the character of the listed building. This complies with the aspirations of policy Env 4 and the non-statutory guidance.

#### b) Conservation Area

Policy Env 6 states that development within a conservation area or affecting its setting will only be permitted where it preserves or enhances the character or appearance of the conservation area and is consistent with the relevant character appraisal. The development must also demonstrate high standards of design and utilise materials relevant to the historic environment.

The Stockbridge Colonies character appraisal states that:

*"New dormers are only acceptable when in the style of the traditional bay type, with dimensions, windows and other details to match those already existing on a particular terrace. New dormers should line through and follow as closely as possible the established spacing of the original. New dormers should always match the original style on the terrace."*

The proposed replacement dormer on the front elevation, although in the traditional bay type, is not typical of this terrace. Hugh Miller Place has retained the majority of their small rectangular dormers. The proposed bay style dormer on the rear elevation is acceptable as there are a variety of styles on this side of the street, many being the traditional bay style. The windows will be timber sash and case and will match the traditional dormers in terms of style, materials and detailing.

The proposal to replace the front dormer will have an adverse impact on the character and appearance of the conservation area. As such is contrary to the aspirations of policy Env 6 and non-statutory guidance. The proposed rear dormer will preserve the character and appearance of the conservation area. This complies with the aspirations of Env 6 and non-statutory guidance.

### c) Neighbouring Amenity

Policy Des 5 states that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

The proposed rear dormer will have no detrimental impact on neighbouring amenity in relation to noise, daylight, sunlight, privacy or immediate outlook as the new dormer will follow the established spacing of existing dormers on the rear terrace. The proposed replacement dormer on the front elevation is unacceptable in principle and will not change. As such the proposals comply with policy Des 5 in terms of amenity.

### d) Public Comments

Thirteen representations of objection have been received in regards to:

#### Material - Objection

- The design is unsympathetic to the surrounding area - assessed in section 3.3a,b).
- Will have a negative impact on the appearance of the street - assessed in section 3.3a,b).
- Will result in the loss of historic fabric of the building - assessed in section 3.3a).
- Will have an adverse impact on the character and appearance of the conservation area - assessed in section 3.3b).
- Dormer is too large - assessed in section 3.3a).

#### Non Material - Objection

- This will create a precedent - each application is dealt with on its own merits.
- This may have an affect on the ten year guarantee on the roof - this is not a planning matter.

### Conclusion

The proposal to install the canted dormer on the rear elevation complies with the Edinburgh Local Development Plan and non-statutory guidance for listed buildings and conservation areas. However the proposal to replace the existing box dormer with a canted dormer on the front elevation is not acceptable in terms of policy and guidance and is recommended for refusal. It is recommended this application be a mixed decision.

It is recommended that this application be mixed decision to part-approve and part-refuse this application subject to the details below.

### **3.4 Conditions/reasons/informatives**

## 1. **Conditions**

This permission relates to the installation of the canted style dormer on the west elevation of Hugh Miller Place.

## 1. **Reasons for Conditions**

This part of the application complies with the Edinburgh Local Development Plan and the non-statutory guidance for listed buildings and conservation areas. The proposal also complies with the relevant Conservation Area character appraisal.

## **Reason for Refusal:-**

1. This refusal relates to the replacement of the existing rectangular dormer with a new canted dormer.
2. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the removal of the existing rectangular dormer would result in an unacceptable loss of historic fabric.
3. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposal will have an adverse impact on the character and appearance 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. 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.
3. 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.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **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**

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### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

The application was re-advertised on the 2 August 2018 and thirteen letters of representation were received. Thirteen letters of objections and no letters of support.

The comments made are addressed in the Assessment section of the report.

## **Background reading/external references**

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- 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**

The application property is in the Urban Area designated in the Edinburgh Local Development Plan and is located within the Stockbridge Colonies Conservation Area.

**Date registered**

6 June 2018

**Drawing numbers/Scheme**

01,02A.03B,04A,

Scheme 2

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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**Links - Policies**

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**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

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

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

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



## **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

## **Other Relevant policy guidance**

The Colony Conservation Areas Character Appraisals emphasise the historic importance and unique architectural form of the Colony developments in Edinburgh. They are typified by their enclosed setting, their small scale layout, high quality workmanship, detailed control of design and pedestrian emphasis.

# Appendix 1

**Application for Planning Permission 18/02448/FUL  
At 24 Hugh Miller Place, Edinburgh, EH3 5JG  
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(as amended)**

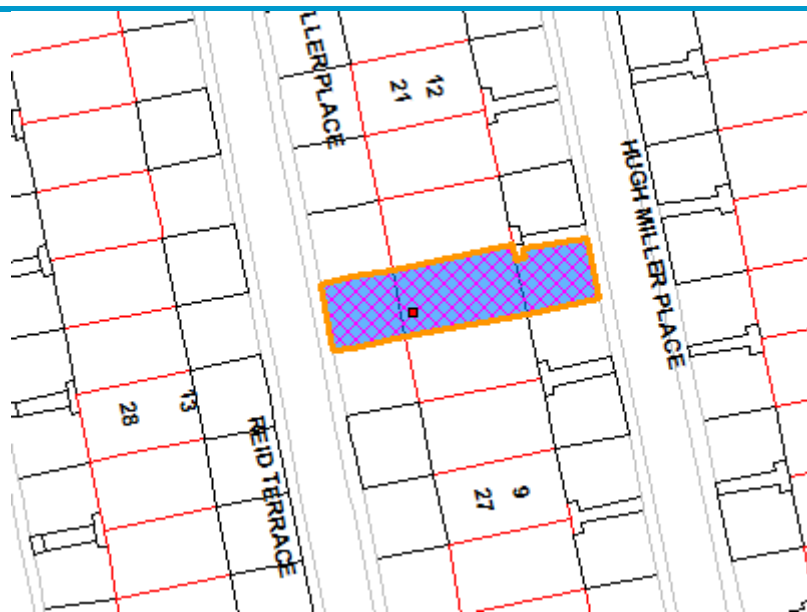
## Consultations

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No consultations undertaken.

## Location Plan

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