

Development Management Sub Committee

Wednesday 22 May 2019

**Application for Planning Permission 19/00095/FUL
At 19C Fettes Row, Edinburgh, EH3 6RH
Single storey extension to rear**

Item number	4.4(a)
Report number	
Wards	B11 - City Centre

Summary

The application complies with the development plan and the relevant non-statutory guidelines. The proposal is acceptable in this location, being of an appropriate scale, form and design. It will not have an adverse impact on the character of the listed building or character and appearance of the conservation area. The proposal will not have an unacceptable impact on neighbouring residential amenity. There are no material considerations that outweigh this conclusion and approval is recommended.

Links

[Policies and guidance for this application](#) LDPP, LDES12, NSG, NSLBCA, LEN04, LEN06,

Report

Application for Planning Permission 19/00095/FUL At 19C Fettes Row, Edinburgh, EH3 6RH Single storey extension to rear

Recommendations

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

Background

2.1 Site description

The application refers to a sub-basement flat with garden ground to the rear, within a three storey, basement and sub-basement, terraced tenement by Thomas Brown, dating from 1821.

The wider area is characterised by residential properties.

The building is category B listed (ref. 28755, listed on 10.11.1966) and within the Edinburgh World Heritage Site.

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

2.2 Site History

08 March 2012 - listed building consent granted to change window into French doors on rear elevation (application number 12/00311/LBC).

19 April 2012 - planning permission granted to change window into French doors on rear elevation (application number 12/00311/FUL).

22 January 2018 - planning permission granted to change rear window to patio doors (application number 17/05128/FUL).

16 March 2019 - listed building consent under consideration for single storey extension to rear (application number 19/00096/LBC).

Main report

3.1 Description Of The Proposal

The proposed development would be a single storey, multi-pitched roof extension finished in zinc cladding, with powder coated aluminium framed doors and windows. It would have an approximate floor area of 30 square metres and would be approximately 3.5 metres above ground level at its highest point.

Supporting Statement

A supporting design statement was submitted as part of the application. This 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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - 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.

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 proposal will have an adverse impact on the character of Listed Building;
- (b) the proposal will have an adverse impact on the character and appearance of the New Town Conservation Area;
- (c) the proposal would have an adverse effect on neighbouring residential amenity;
- (d) the proposal would have an adverse effect on archaeology;
- (e) public comments have been addressed; and
- (f) the proposal would raise any equalities or human rights issues.

(a) Impact on the character of the Listed Building

The Historic Environment Policy for Scotland (HEPS) outlines how we should undertake our collective duty of care whenever a decision in the planning system will affect the historic environment. There are three key areas which define how the historic environment should be understood, recognised and managed to support participation and positive outcomes, including "Managing Change" under policies HEP2, HEP3 and HEP4.

The proposed extension would form a contemporary addition to the rear elevation of the building with the use of dark-grey zinc and aluminium, combined with its angular roof design, providing a complimentary feature to the simple architectural detailing of the Georgian tenement and would be clearly read as a modern intervention within the building's historical narrative.

It would represent a sympathetic and subservient development, and would be of an appropriate scale in the context of the property's curtilage. The proposed extension does not exceed 50% of the width of the rear elevation as set out in the Listed Buildings and Conservation Areas Guidance.

The works would not adversely affect the historical or architectural character of the building and are acceptable.

(b) Impact on the character and appearance of the New Town Conservation Area

The New Town Conservation Area Character Appraisal summary 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.

There are a number of similar scale additions to buildings within the surrounding area, and the introduction of a relatively small scale and appropriately designed extension would not adversely affect the spatial characteristics of the area. Its location within the rear garden of the property would result in the development being effectively screened from public view.

The footprint of the extension would be 30 square metres, leaving approximately 80% of the original garden ground as amenity space.

The development would extend over a redundant well, the date of which is unknown, and it is recommended that a condition is attached to secure an appropriate method of capping and preservation in-situ.

The proposal would be a sympathetic development, would be in compliance with Policy Env 6 and would have no adverse effect on the character and appearance of the New Town Conservation Area.

(c) Amenity

The form of the roof has been designed to ensure it would not adversely affect daylight entering nearby residential properties and it would have no adverse impact on sunlight within neighbouring gardens.

In terms of privacy, the windows on the proposed extension are closer than the recommended nine metres from the mutual boundary in the non-statutory guidance. However, the garden is enclosed by vegetation and relatively high boundary walls which will provide adequate screening. No privacy concerns therefore arise. There is already an existing degree of overlooking from the flatted properties above.

The proposal will not have a detrimental impact on neighbouring residential amenity.

(d) Archaeology

There is a well of an unknown date in the garden which the extension will be built over. The well is no longer a functional feature of the property. A condition has been attached to preserve it underneath the proposed extension.

(e) Public Comments

Material Issues:

- light to flats above - assessed in section 3.3 (b).
- reduction in privacy - assessed in section 3.3 (b).
- not in keeping with other properties and the area - assessed in section 3.3 (a).
- loss of a garden view for others in the building - assessed in section 3.3 (b).
- the loss of the well and natural water supply - assessed in section 3.3 (c).
- the materials are not suitable for a listed building - assessed in section 3.3 (a).
- out of keeping with the original building - assessed in section 3.3 (a).
- loss of green space in the garden - assessed in section 3.3 (a).
- increase of floor space will alter floor plan - assessed in section 3.3 (a).

Non-material Issues:

- could set a precedent.
- it is ground which has never been built upon before.
- negative impact on property values.
- residents will have to bear additional cost to work around scaffolding.
- continuous traffic and unrestricted parking.
- increase in noise.
- the extension does not benefit the local area.
- obscure access to the rear of the property for repairs.
- light pollution - assessed in section 3.3 (b).

(f) Equalities and Human Rights Impacts

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

Conclusion

The proposals comply with the Local Development Plan and non-statutory guidelines, have no adverse effect on the character or appearance of the listed building or New Town Conservation Area and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on significant architectural remains, residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No development shall take place on the site until the applicant has submitted a detailed drawing demonstrating how the well will be preserved in situ following the implementation of the development.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.

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

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 is not subject to 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

The application was advertised on 1 February 2019. 29 letters of objection were received.

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**

The site has been identified in Edinburgh's Local Development Plan as being an Urban Area and Historic Designed Landscape.

Date registered

17 January 2019

Drawing numbers/Scheme

01-03,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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.

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.

Appendix 1

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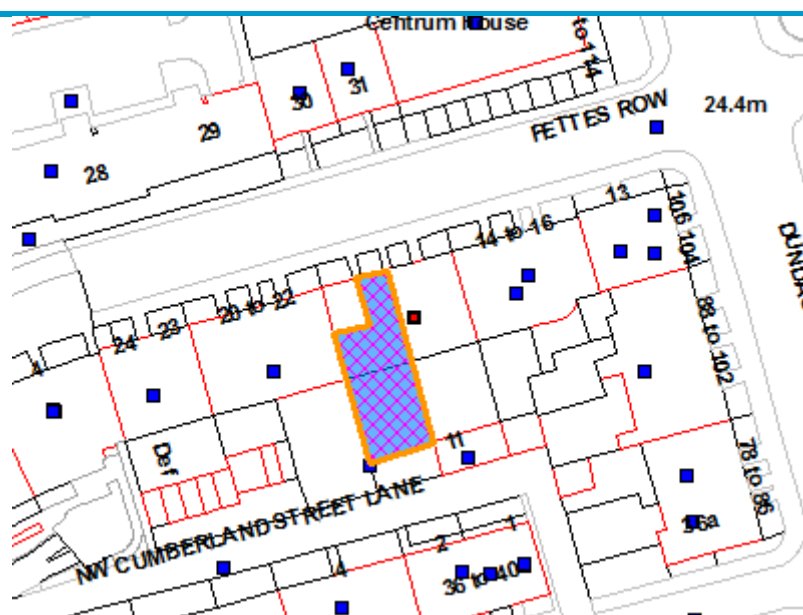
Consultations

Archaeology

The archaeological officer has recommended that a condition be attached to consent.

The proposed development will directly impact the well. The exact age of this feature is not known though the nineteenth century OS maps of the site do not depict a well in this location suggesting that it is a latter 20th century garden feature. Given that there is some question mark as to its age, the well should be considered as being of potential local archaeological interest. As such it is recommended that the well is capped and preserved under the proposed extension and that a condition is attached to any permission requiring the submission of detailed drawings showing how this will be achieved.

Location Plan



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