

# Notice of meeting and agenda

## **The City of Edinburgh Planning Local Review Body (Panel 3)**

**10.00 am Wednesday 25 January 2017**

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend.

### **Contact**

Email: [ailen.mcgregor@edinburgh.gov.uk](mailto:ailen.mcgregor@edinburgh.gov.uk)

Tel: 0131 529 4325



## **1. Appointment of Convener**

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- 1.1 The Local Review Body is invited to appoint a Convener from its membership.

## **2. Order of business**

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- 2.1 Including any notices of motion and any other items of business submitted as urgent for consideration at the meeting.

## **3. Declaration of interests**

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- 3.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## **4. Local Review Body – Procedure**

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- 4.1 Note of the outline procedure for consideration of all Requests for Review (circulated)

## **5. Requests for Review**

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- 5.1 37 Argyle Street, Edinburgh EH15 2QE – Proposal to create a car parking space to the front of the lower villa within the front garden ground. Application No.16/03379/FUL.

- (a) Decision Notice and Report of Handling (circulated)
- (b) Notice of Review (circulated)

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

- 5.2 25 George Square, Edinburgh EH8 9LD – Revised design of garden stair alterations to garden building.  
Application No. 16/03527/FUL

- (a) Decision Notice and Report of Handling (circulated)
- (b) Notice of Review (circulated)

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

- 5.3 77b George Street, Edinburgh EH2 3ES – Install balustrade to existing terrace and form door from restaurant onto terrace. Application No. 16/04041/FUL

- (a) Decision Notice and Report of Handling (circulated)
- (b) Notice of Review (circulated)

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

5.4 6 Queen's Avenue, Edinburgh EH4 2DF – Install rooflights and dormer on rear elevation. Application No. 16/04536/FUL

(a) Decision Notice and Report of Handling (circulated)

(b) Notice of Review (circulated)

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

5.5 1 – 3 Rutland Street, Edinburgh EH1 2AN – Temporary planning permission for parasols. Application No. 16/03193/FUL

(a) Decision Notice and Report of Handling (circulated)

(b) Notice of Review (circulated)

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

5.6 4C Wardie Crescent, Edinburgh EH5 1AG – Proposed roof conversion and extension to side /rear of property and garage. Application No. 16/03172/FUL

(a) Decision Notice and Report of Handling (circulated)

(b) Notice of Review (circulated)

Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.

6.1 Extracts of Relevant Policies from the Edinburgh City Local Plan for the above cases (circulated)

[View the Edinburgh City Local Plan online.](#)

Edinburgh City Local Plan Policy ENV 1 (World Heritage Site)

Edinburgh City Local Plan Policy ENV 3 (Listed Buildings - Setting)

Edinburgh City Local Plan Policy ENV 4 (Listed Buildings – Alterations and Extensions)

Edinburgh City Local Plan Policy ENV 6 (Conservation Areas Development)

Edinburgh City Local Plan Policy DES 1 (Design, Quality and Content)

Edinburgh City Local Plan Policy DES 3 (Development Design)

Edinburgh City Local Plan Policy DES 4 (Layout Design)

Edinburgh City Local Plan Policy DES 5 (External Spaces)

Edinburgh City Local Plan Policy DES 11 (Alterations and Extensions)

Edinburgh City Local Plan Policy Ca 1 (Central Area)

## 6.2 Non-Statutory Guidelines:

- (a) Edinburgh Street Design Guidance
- (b) Householder Guidance
- (c) Listed Buildings

## 6.3 Conservation Area Character Appraisals:

- (a) Newtown Conservation Area Character Appraisal
- (b) Portobello Conservation Area
- (c) Southside Conservation Area

**Note:** The above policy background papers are available to view on the Council's website [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk) under Planning and Building Standards/local and strategic development plans/planning guidelines/conservation areas, or follow the links as above.

## **Kirsty- Louise Campbell**

Interim Head of Strategy and Insight

### **Membership Panel 3**

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Councillors Bagshaw, Child, Heslop, Keil and Lunn

### **Information about the City of Edinburgh Planning Local Review Body**

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The City of Edinburgh Planning Local Review Body (LRB) has been established by the Council in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008. The Local Review Body is to determine any request for a review of a decision on a planning application submitted in terms of the Regulations.

The LRB comprises a panel of five Councillors drawn from the fifteen members of the Planning Committee. The LRB usually meets every two weeks, with the members rotating in three panels of five Councillors.

It usually meets in the Dean of Guild Court Room in the City Chambers, High Street, Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.



## Further information

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Members of the LRB may appoint a substitute from the pool of trained members of the Planning Committee. No other member of the Council may substitute for a substantive member. Members appointing a substitute are asked to notify Committee Services (as detailed below) as soon as possible.

If you have any questions about the agenda or meeting arrangements, please contact Aileen McGregor, Committee Services, Strategy and Insight, City of Edinburgh Council, Business Centre 2:1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4325 or email [aileen.mcgregor@edinburgh.gov.uk](mailto:aileen.mcgregor@edinburgh.gov.uk) .

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to [www.edinburgh.gov.uk/cpol](http://www.edinburgh.gov.uk/cpol).

Unless otherwise indicated on the agenda, no elected members of the Council, applicant, agent or other member of the public may address the meeting.

## City of Edinburgh Planning Local Review Body (the LRB)

### General

1. Each meeting of the LRB shall appoint a Convener. A quorum of a meeting of the LRB will be three members.
2. The Clerk will introduce and deal with statutory items (Order of Business and Declarations of Interest) and will introduce each request for review.
3. The LRB will normally invite the planning adviser to highlight the issues raised in the review.
4. The LRB may at any time ask questions of the planning adviser, the Clerk, or the legal adviser, if present.
5. Having considered the applicant's preference for the procedure to be used, and other information before it, the LRB shall decide how to proceed with the review.
6. If the LRB decides that it has sufficient information before it, it may proceed to consider the review using only the information circulated to it.
7. If the LRB decides that it does not have sufficient information before it, it will decide which one of, or combination of, the following procedures will be used: -
  - further written submissions;
  - the holding of one or more hearing sessions; and/or
  - an accompanied or unaccompanied inspection of the land to which the review relates.

Whichever option the LRB selects, it shall comply with any associated requirements given in Part 4 of The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008 (The "regulations".)

The LRB may hold a pre-examination meeting to decide upon the manner in which the review, or any part of it, is to be conducted.

If the LRB decides to seek further information, it will specify what further information is required in a written notice to be issued to the applicant, Head of Planning and any interested parties. The content of any further submissions must be restricted to the matters specified in the written notice.

In determining the outcome of the review, the LRB will have regard to the requirements of paragraphs 9 and 10 below.

8. The LRB may adjourn any meeting to such time and date as it may then or later decide.

## **Considering the Request for Review**

9. Unless material considerations indicate otherwise, the LRB's determination must be made in accordance with the development plan that is legally in force. Any unadopted development plan does not have the same weight but will be a material consideration.
10. The LRB will: -
  - consider the development plan and interpret any provisions relating to the proposal, for and against, and decide whether the proposal accords with the development plan;
  - identify all other material considerations relevant to the proposal and assess the weight to be given to these, for and against, and whether there are considerations of such weight as to indicate that the development plan should not be given priority; and
  - take into account only those issues which are relevant planning considerations.
11. The LRB will then determine the review. It may: -
  - uphold the officer's determination;
  - uphold the officer's determination subject to amendments or additions to the reasons for refusal;
  - grant planning permission, in full or in part,
  - impose conditions, or vary conditions imposed in the original determination;
  - ask the planning adviser for clarification of any conditions to be imposed

## **Procedure after determination**

12. The Clerk will record the LRB's decision.
13. In every case, the LRB must give notice of the decision ("a decision notice") to the applicant. Every person who has made, and has not withdrawn, representations in respect of the review, will be notified of the location where a copy of the decision notice is available for inspection. Depending on the decision, the planning adviser may provide assistance with the framing of conditions of consent or with amended reasons for refusal.
14. The Decision Notice will comply with the requirements of regulation 21(2).
15. The decision of the LRB is final, subject to the right of the applicant to question the validity of the decision by making an application to the Court of Session. Such application must be made within 6 weeks of the date of the decision. The applicant will be advised of these and other rights by means of a Notice as specified in Schedule 2 to the regulations.

**DECISION NOTICE AND REPORT OF HANDLING**

Application address - 37 Argyle Crescent Edinburgh EH15 2QE

Application Ref. No - 16/03379/FUL

Review Ref No - 16/00120/REVREF

Review Lodged Date 01.12.2016

COPY

Format Design  
FAO Bob Tait  
146 Duddingston Road West  
Edinburgh  
EH16 4AP

Mrs G Moodie  
37 Argyle Crescent  
Edinburgh  
EH15 2QE

Date: **5 September 2016**,

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS  
2013**

Proposal to create a car parking space to the front of the lower villa within the front garden ground.

At 37 Argyle Crescent Edinburgh EH15 2QE

**Application No:** 16/03379/FUL

## DECISION NOTICE

With reference to your application for Planning Permission registered on 6 July 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

## Reasons:-

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development, as it would adversely affect the character and appearance of the area and the extended railings will not offset the loss of a section of the original boundary wall in this location.
2. The proposal is contrary to Edinburgh City Local Plan Policy Des 3 in respect of Development Design, as the hardsurfacing in the front garden will have a negative impact on the appearance of the dwelling and streetscene.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-03, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal in this location is contrary to policy Des 3 and Env 6 in the ECLP. It will have an unacceptable impact on the character and appearance of the building and on the wider character and appearance in this part of the conservation area. There are no overriding material considerations that would justify approval.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Laura Marshall directly on 0131 529 3909.

*D R Leslie*

David R. Leslie

Acting Head of Planning and Building Standards

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.



# Report of Handling

Application for Planning Permission 16/03379/FUL

At 37 Argyle Crescent, Edinburgh, EH15 2QE

**Proposal to create a car parking space to the front of the lower villa within the front garden ground.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/03379/FUL
<b>Wards</b>	A17 - Portobello/Craigmillar

## Summary

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The proposal in this location is contrary to policy Des 3 and Env 6 in the ECLP. It will have an unacceptable impact on the character and appearance of the building and on the wider character and appearance in this part of the conservation area. There are no overriding material considerations that would justify approval.

## Links

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<b><u>Policies and guidance for this application</u></b>	LPC, CITD3, CITE6, NSG, NSHOU, NSLBCA, OTH, CRPPOR,
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# Report of handling

## Recommendations

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1.1 It is recommended that this application be Refused for the reasons below..

## Background

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### 2.1 Site description

The application site is an end terrace, stone built villa on the south west side of Argyle Crescent. The front garden is bounded by a low, stone boundary wall.

This application site is located within the Portobello Conservation Area.

### 2.2 Site History

January 07 2014- Planning permission refused to form car run-in at front of property (13/04659/FUL).

February 09 2015- Planning permission refused to form drive in to front elevation of house (14/05093/FUL).

July 01 2015- Local Review Body to refuse driveway to front of property upheld (15/00059/REVREF).

## Main report

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### 3.1 Description Of The Proposal

#### Proposal

The proposal is for the formation of a car run in at the front of the property. It is proposed to remove 2.5 metres of the stone boundary wall to form the new opening, with a traditional fencing and a gate to be erected on the stone boundary wall to the

front of the property. It is proposed to infill the existing pedestrian entrance wall opening with stone to match.

The agent has submitted a planning statement in support of the application and this is available to view on Planning and Building Standards online portal.

### **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 permission.

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, it needs to be considered whether:

- a) the proposal is of an acceptable scale, form and design and will not be detrimental to neighbourhood character;
- b) the proposal will result in an unreasonable loss of neighbouring amenity;
- c) any impacts on equalities or human rights are acceptable; and

d) any public comments raised have been addressed.

a) Scale, form and design

In terms of the footprint, the parking space covers approximately 25% of the garden area and this complies with the Guidance for Householders in this respect.

Criterion (a) of Policy Env 6 of the Edinburgh City Local Plan (ECLP) states that development within a conservation area will be permitted which 'preserves or enhances the special character or appearance of the conservation area'.

Argyle Crescent is a fine, sweeping crescent that is characterised by a variety of stone built semi-detached and terraced villas with small gardens and stone boundary walls, some with their original railings. The use of stone boundary walls to differentiate between public and private space makes a key contribution to the uniformity of the area. Driveways are generally restricted to the ends of terraced buildings.

The property in question forms part of a lower villa and is part of an end terraced building. The existing driveway to the side is owned by the upper villa. The proposal does not differ considerably from the refused permission, reference 14/05093/FUL, with the exception of a single opening to allow access for both pedestrian and parking and the footprint of the hardsurfacing reduced.

The removal of a section of the stone boundary wall and the use of hardsurfacing in the form of paved slabs to form the drive in this particular location will be visually intrusive and will have an adverse impact on the character and appearance of the conservation area. Although there are examples of driveways formed in front gardens on Argyle Crescent, they are very isolated in number and cannot be viewed as being characteristic of this part of the conservation area. The proposal will adversely disrupt the uniformity of the area.

There would be some conservation gain through the installation of traditional railings, but the addition of the hinged gate would not off-set the loss of the stone boundary wall and the layout of the garden ground in this particular location. The loss of this

section of the boundary wall in this location does not comply with criterion (b) of policy Env 6 of the ECLP, which states developments with a conservation area will be permitted where features that contribute positively to the character of the area are retained, including boundary walls.

Criterion (a) of Policy Des 3 of the ECLP states that development will be permitted where it is demonstrated that it will have a positive impact on its setting, having regards to the materials and detailing.

The garden ground is currently gravel which, although is not soft landscaping, provides a soft visual impact from the street. Even with the installation of soft landscaping in part of the garden and the reduced level of the hard surfacing, the paved slabs will result in a harsh and sterile appearance of the garden from the street.

Having regard to the above, the proposal is contrary to policy Des 3 and Env 6 in the ECLP. The proposal in this location will have a detrimental impact on the appearance of the dwelling and on the wider character and appearance in this part of the conservation area.

b) Neighbouring amenity

The proposal will not impact on neighbouring amenity in terms of loss of privacy, daylighting and overshadowing.

c) Equalities and human rights

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

d) Public comments

## Material

- Will detract from the character and appearance of the property - Addressed in section 3.3 (a)
- Will detract from the character and appearance of the conservation area- Addressed in section 3.3 (a)

## Non-material

- No need to form parking to the front of the property as there are parking spaces available on the street - a subjective/personal need is not a material matter to take into consideration and this does not preclude assessment of the proposal on its own merits.

## **CONCLUSION**

In conclusion, the proposal in this location is contrary to policy Des 3 and Env 6 in the ECLP. It will have an unacceptable impact on the character and appearance of the building and on the wider character and appearance in this part of the conservation area. There are no overriding material considerations that would justify approval. It is recommended that the application to be refused.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development, as it would adversely affect the character and appearance of the area and the extended railings will not offset the loss of a section of the original boundary wall in this location.

2. The proposal is contrary to Edinburgh City Local Plan Policy Des 3 in respect of Development Design, as the hardsurfacing in the front garden will have a negative impact on the appearance of the dwelling and streetscene.

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

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

### **Equalities impact**

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#### **5.1 The equalities impact has been assessed as follows:**

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

### **Consultation and engagement**

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#### **6.1 Pre-Application Process**

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

The application was advertised on August 05 2016 and the proposal attracted one letter of objection from Portobello Amenity Society.

### **Material**

- Will detract from the character and appearance of the property; and

- Will detract from the character and appearance of the conservation area.

### Non-material

- No need to form parking to the front of the property as there are parking spaces available on the street.

### **Background reading / external references**

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- To view details of the application go to
- Planning and Building Standards online services

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**David R. Leslie**

## **Statutory Development**

### **Plan Provision**

The site is located in an urban area designated by the Edinburgh City Local Plan and Portobello Conservation Area.

### **Date registered**

6 July 2016

### **Drawing numbers/Scheme**

01-03

Scheme 1

Acting Head of Planning and Building Standards

Contact: Laura Marshall, Planning Officer

E-mail:[laura.marshall@edinburgh.gov.uk](mailto:laura.marshall@edinburgh.gov.uk) Tel:0131 529 3909

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Edinburgh City Local Plan.**

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

#### **Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

**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 Portobello Conservation Area Character Appraisal** emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials

## Appendix 1

### Consultations

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Transport planning were consulted on the proposal and raised no objection.

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## Comments for Planning Application 16/03379/FUL

### Application Summary

Application Number: 16/03379/FUL

Address: 37 Argyle Crescent Edinburgh EH15 2QE

Proposal: Proposal to create a car parking space to the front of the lower villa within the front garden ground.

Case Officer: Laura Loudon

### Customer Details

Name: Mr John Stewart

Address: 4A Elcho Terrace, Edinburgh, City of Edinburgh EH15 2EF

### Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: On behalf of Portobello Amenity Society, I wish to object to this application to create car parking space within the front garden. The society believes that such a proposal would be detrimental to the appearance of the front of the building and to the character of this part of the conservation area. The society also believes that there is no need for a parking space within the garden of the property as there is usually ample parking spaces on the street itself. Yours sincerely, John M. Stewart, Chair, Portobello Amenity Society.

# MEMORANDUM

PLACE  
PLANNING & TRANSPORT  
(DEVELOPMENT CONTROL)

To: Laura Loudon

Our Ref: T/TP/DC/38726/LR

Your Ref: 16/03379/FUL

Date: 1 August 2016

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

PLANNING APPLICATION No: 16/03379/FUL

FOR: PROPOSAL TO CREATE A CAR PARKING SPACE TO THE FRONT OF THE  
LOWER VILLA WITHIN THE FRONT GARDEN GROUND.

AT: 37 ARGYLE CRESCENT, EDINBURGH

## ROADS AUTHORITY ISSUES

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Any off-street parking space should comply with the Council's Guidance for Householders (see [http://www.edinburgh.gov.uk/download/downloads/id/704/guidance\\_for\\_householders](http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders)) including:
  - a. Off-street parking should be a minimum of 6m deep and a maximum of 3m wide;
  - b. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
  - c. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
  - d. Any gate or doors must open inwards onto the property;
  - e. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;
  - f. The applicant should provide a swept-path diagram to demonstrate that the access road and associated car parking is large enough, and of a shape, to accommodate a turning area suitable for any vehicles which are likely to use it so that vehicles can enter and exit the site in a forward gear;
  - g. The works to form a footway crossing must be carried out under permit and in accordance with the specifications. See Road Occupation Permits [http://www.edinburgh.gov.uk/downloads/file/1263/apply\\_for\\_permission\\_to\\_create\\_or\\_alter\\_a\\_driveway\\_or\\_other\\_access\\_point](http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point)

Lynn Russell  
Tel: 5-7212



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100032913-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

### Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

### Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Format Design"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Shona"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Mackay"/>	Building Number:	<input type="text" value="146"/>
Telephone Number: *	<input type="text" value="01316617666"/>	Address 1 (Street): *	<input type="text" value="Duddingston Road West"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="EH16 4AP"/>
Email Address: *	<input type="text" value="formatdesign@aol.com"/>		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:

Mrs

You must enter a Building Name or Number, or both: \*

Other Title:

Building Name:

Format Design

First Name: \*

G

Building Number:

146

Last Name: \*

Moodie

Address 1  
(Street): \*

Duddingston Road West

Company/Organisation

Address 2:

Telephone Number: \*

Town/City: \*

Edinburgh

Extension Number:

Country: \*

Scotland

Mobile Number:

Postcode: \*

EH16 4AP

Fax Number:

Email Address: \*

## Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

37 ARGYLE CRESCENT

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH15 2QE

Please identify/describe the location of the site or sites

Northing

673478

Easting

331023



## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

To create a car parking space to the front of the lower villa within the front garden ground

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Local Review Body appeal statement attached

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

Appeal statement

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

16/03379/ful

What date was the application submitted to the planning authority? \*

06/07/2016

What date was the decision issued by the planning authority? \*

05/09/2016

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Shona Mackay

Declaration Date: 01/12/2016

**LOCAL REVIEW APPEAL STATEMENT FOR APPLICATION 16/03379/FUL  
TO CREATE A CAR PARKING SPACE TO THE FRONT OF THE LOWER VILLA WITHIN THE FRONT  
GARDEN GROUND  
AT  
37 ARGYLE CRESCENT, EDINBURGH**



**08 NOVEMBER 2016**

Format Design  
Holyrood Business Park  
146 Duddingston Road West  
Edinburgh EH16 4AP  
Tel: 0131 661 7666 Fax: 0131 659 6033  
formatdesign@aol.com  
[www.formatbuildingdesign.com](http://www.formatbuildingdesign.com)

## **1. Introduction**

The matter for consideration is the proposed creation of an off-street car parking space in the front garden of the ground floor property in this stone terrace. The proposal incorporated a new railing and the infilling of the existing pedestrian opening in the wall.

The property is the lower villa within this Victorian residential terrace on the south side of the road in the Portobello Conservation Area.

The owner is an elderly lady with some degree of infirmity and requires ease of access between her front door and car.

## **2. The Decision**

Refused for the reason that;-

*"1. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development, as it would adversely affect the character and appearance of the area and the extended railings will not offset the loss of a section of the original boundary wall in this location.*

*2. The proposal is contrary to Edinburgh City Local Plan Policy Des 3 in respect of Development Design, as the hard-surfacing in the front garden will have a negative impact on the appearance of the dwelling and street-scene."*

## **3. Response**

The principle arguments have already been put forward in the supporting statement for the planning application. These appear not to have been taken into account.

The proposal had been previously refused and in order to address the concerns a number of changes were made. The applicant had amended the proposals to include the reinstatement of the railings to the front garden area and to infill the pedestrian opening in the wall as part of the proposal. The street was also surveyed to check the number of existing driveways and assess the character of the street.

The proposed opening in the wall for the car parking space will be 2.5 metres wide. The existing 1.0 metre wide pedestrian opening will be infilled with salvaged stone taken from the vehicle opening. Therefore the net impact of the proposal would be to increase the length of opening in the wall by only 1.5 metres. Furthermore, this 'wall' is only about 300mm high and presently it has no railings. The proposal intends to reinstall railings of an appropriate design to the top of the wall. A gate is also proposed across the new opening. It is considered that these alterations will in fact enhance the appearance of the property.

Also, the street is already characterised by a number of driveways and car run-ins. A brief survey of properties along the west length of Argyle Crescent confirmed that it

is commonplace for properties to have a car parking space or driveway to the front of the property. At least ten examples were found between 22 to 84 and 27 to 75 Argyle Crescent. In many of these cases the walls that have been removed are more substantial than the one at 37 Argyle Crescent. Also, in most cases there are no gates placed across the opening. Also, in many cases the properties also have a pedestrian opening in the front wall. These are accepted changes which allow the Victorian properties to adapt to 21<sup>st</sup> century lifestyles.

The proposal enhances the accessibility of the property in particular for people with mobility problems, be they disabled, elderly or infirm. The applicant is an elderly lady and the space would greatly improve her ability to get to and from her car.

Finally, the front garden area is already covered in a mix of gravel and paving, and the appearance will not differ much from this once the driveway is in place.

The proposal is therefore entirely in keeping with the character of the area. It is considered that the proposal will preserve and possibly even enhance the character of the conservation area.

#### **4. Conclusions**

This proposal has addressed the original reasons for refusal and will have no detrimental impacts upon the character of the street or conservation area, and may in fact be considered as an improvement in the amenity of the area.

The proposal does not breach any of the relevant local plan policies, in particular policies **Des 1**, **Des 3**, **Des 11** and **Env 6**. It complies with the householder guidance with respect to access and parking. It does not conflict with any of the principles within the Portobello Conservation Area Character Appraisal.

In line with policy **ENV6**, the proposal preserves and to some extent enhances the special character and the appearance of the conservation area; it is consistent with the relevant conservation area character appraisal; the alterations have a minimal and acceptable impact upon the boundary walls, railings, and paving; and they demonstrate a high standard of design and materials appropriate to the historic environment.

Also, in line with policy **DES3** the proposal it will have a positive impact on its setting; features worthy of retention have been identified and incorporated into the design; it will facilitate adaptability in the future to the needs of different occupiers;

It is therefore concluded that this proposal now fully resolved all previous concerns and that planning permission ought to have been granted.

Accordingly it is concluded that this appeal be upheld and planning permission now be granted for the proposed development.





**Example at number 35**

## POLICIES REFERRED TO IN REASON FOR REFUSAL

### **Policy Env 6 - Conservation Areas - Development**

Development within a conservation area or affecting its setting will be permitted which:

- a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal;
- b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area; and
- c) demonstrates high standards of design and utilises materials appropriate to the historic environment.

### **Policy DES 3 - Development Design**

Development will be permitted where it is demonstrated that:

- a) it will have a positive impact on its setting, having regard to the positioning of buildings on the site, their height, scale and form, materials and detailing, wider townscape and landscape impacts and impacts on views;
- b) features worthy of retention on the site and in the surrounding area, including potential views, have been identified and incorporated into the design to enhance visual interest and a sense of place;
- c) the amenity of occupiers or neighbours will not be materially harmed, by effects on privacy, daylight, sunlight or immediate outlook;
- d) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses;
- e) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms;
- f) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas;
- g) safe and convenient access and movement in and around the development will be promoted, having regard especially to the needs of people with limited mobility or special needs;
- h) car parking, refuse and recycling facilities, cycle storage, micro-renewable energy and telecommunications equipment, plant and services have been sensitively integrated into the design;
- i) biodiversity will be protected and enhanced; and
- j) a contribution to the improvement of the public realm in the vicinity has been considered, for example, through its redesign or the provision of public art.

**DECISION NOTICE AND REPORT OF HANDLING**

Application address - 25 George Square Edinburgh EH8 9LD

Application Ref. No - 16/03527/FUL

Review Ref No - 16/00123/REVREF

Review Lodged Date 02.12.2016

COPY



Heath - Architect + Stone Consultant.  
The Coach House  
Aldershot  
Haddington  
EH41 3SF

Mr And Mrs Simon Vickers  
25 George Square  
Edinburgh  
EH8 9LD

Date: **6 October 2016**,

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS  
2013**

Revised design of garden stair alterations to garden building.

At 25 George Square Edinburgh EH8 9LD

**Application No:** 16/03527/FUL

## DECISION NOTICE

With reference to your application for Planning Permission registered on 14 July 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

**Reasons:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed stair is not justified and will diminish the interest of the listed building.
2. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development, as neither preserves nor enhances the special character and appearance of the conservation area
3. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as where acceptable, access stairs should be in-keeping with the character of the building..

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

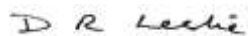
Drawings 1-5, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

Proposals do not comply with the development plan and non-statutory guidance as the proposed stair will neither preserve nor enhance the character or appearance of the conservation area and will have a detrimental impact on the character of the listed building.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Barbara Stuart directly on 0131 529 3927.



David R. Leslie

Acting Head of Planning and Building Standards

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

Application for Planning Permission 16/03527/FUL

At 25 George Square, Edinburgh, EH8 9LD

**Revised design of garden stair alterations to garden building.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/03527/FUL
<b>Wards</b>	A15 - Southside/Newington

## Summary

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Proposals do not comply with the development plan and non-statutory guidance as the proposed stair will neither preserve nor enhance the character or appearance of the conservation area and will have a detrimental impact on the character of the listed building.

## Links

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**Policies and guidance for this application**    LPC, CITE4, CITE6, NSG, NSLBCA, OTH, CRPSSI,

# Report of handling

## Recommendations

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1.1 It is recommended that this application be Refused for the reasons below..

## Background

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### 2.1 Site description

Terraced Georgian townhouse with access to the rear via basement. Dating from 1767-1779 and designed by James Brown, George Square was the earliest, largest and most ambitious scheme of unified town planning attempted in Edinburgh to date. No. 25 represents one of the few remaining buildings on George Square still privately owned and used as a dwelling and is consequently less altered than adjacent buildings with an institutional use.

A listed (ref. LB28810) listed on 14/12/1970, amended on 13/06/2016.

### 2.2 Site History

25.01.13 - Planning permission and listed building consent granted for new metal balcony and stair. Alterations to existing sash and case window to form sash door (12/02910/FUL and 12/02911/LBC) (these consents have now lapsed)

15.10.07 - Mixed decision to part approve and part refuse permission to demolish existing out building, erect new garage and form new access from George Square Lane (07/03580/FUL and LBC)

01.08.2007 - Planning permission and listed building consent granted for alterations to include re-arrangement of basement to form self contained flat, installation of kitchen on ground floor, replacement of fireplace on ground floor, refurbishment of bathrooms on first and second floors, installation of bathroom on attic floor and refurbishment of kitchen on attic floor (07/01817/FUL and 07/01816/LBC)

## **Main report**

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

This application proposes to form an external steel stair with timber treads to the rear of the property from the bedroom window on ground floor down to garden level.

The existing window will be converted to a door as per the design of the previous consent (12/02910/FUL and 12/02911/LBC) . With respect to the free standing flat roofed outbuilding in the garden, it is proposed to replace the roof with a large pitched glazed cupola. Existing sash and case windows in this structure will be converted to French doors.

### **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, it needs to be considered whether:

- a) the proposals will preserve or enhance the character or appearance of the conservation area;
- b) the proposals will have an adverse impact on the character of the listed building;
- c) any comments have been addressed.

a) The Southside Conservation Area Character Appraisal notes of George Square that "This inward looking Georgian square of small scale residential character has been opened up by modern large scale institutional buildings which contrast in scale and style leaving the Georgian remnants isolated .... (and) George Square itself has suffered considerable disruption to its original form with the major buildings erected by the University."

It also states that "Classical Georgian buildings, originally residential, occur on George Square, Buccleuch Place and Buccleuch Street, which were all laid out by James Brown in the 1760s and 70s. These buildings retain their original railings, details and setted streets."

The application relates to a significant A listed building that is unusual for being one of the few relatively unaltered buildings original to George Square. The current application is, in part, for the addition of a steel stair to access the garden from the first floor window that is to be converted into a door. The stair would be U shaped in plan. Traditionally the garden was accessed via the basement and, despite permission to the permission to subdivide the basement off to form a separate flat (application 07/01817/FUL), the basement remains within the overall townhouse, and this access to the garden via the basement is still available.



The previous scheme (12/02910/FUL and 12/02911/LBC) was arrived at after negotiations produced an amended scheme that deleted a timber stair of the same configuration as the stair in this current application and replaced it with a minimal metal spiral stair. This spiral stair received consent because it was in a relatively concealed location and was a light and minimal structure designed with traditional cast iron detailing. The structure now proposed would be much more substantial and would be much more visually dominating. The steel construction would have a utilitarian character that is at odds with the character of the building and the area. Although the drawings indicate that it will not be able to be seen because it will be blocked by the new cupola on the outbuilding, were this application to be granted, the stair could be constructed and the cupola may not. The proposed stair will neither preserve nor enhance the character and appearance of the conservation area.

The proposed door that is to replace the sash and case window is to be a traditionally designed and is acceptable. Likewise the proposed alterations to the outbuilding will not be detrimental to the character of the conservation area.

b) The previous scheme (12/02910/FUL and 12/02911/LBC) was arrived at after negotiations produced an amended scheme that deleted a timber stair of the same configuration as the stair in this current application and replaced it with a minimal metal spiral stair. External stairs are not normally supported on the rear of listed buildings where there is no pattern of existing stairs, and this spiral stair received consent because it was in a relatively concealed location and was a light and minimal structure designed with traditional cast iron detailing. The structure now proposed would be much more substantial and would be much more visually dominating. The steel construction would have a utilitarian character that is at odds with the character of the building. The proposed stair is not a characteristic feature of the rear of these significant Georgian villas and the proposed stair would be of detriment to the special character of the building.

A very large extension has received permission immediately to the north, is used as part of the Catholic chaplaincy. This is not to be seen a precedent for alterations to other properties on George Square. The proposed stair is not necessary to the beneficial use of the building as the successful use of the building as a dwelling will work without this alteration. The stair will adversely affect the special interest of the building.

The proposed door that is to replace the sash and case window is to be a traditionally designed and is acceptable. Likewise the proposed alterations to the outbuilding will not be detrimental to the character of the listed building.

c) No comments have been submitted.

In conclusion, although the proposed alterations to the outbuilding and the window are acceptable, the proposed stair will neither preserve nor enhance the character or appearance of the conservation area and will have a detrimental impact on the character of the listed building.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed stair is not justified and will diminish the interest of the listed building.
2. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as where acceptable, access stairs should be in-keeping with the character of the building..
3. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development, as neither preserves nor enhances the special character and appearance of the conservation area

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

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

## **Equalities impact**

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### **5.1 The equalities impact has been assessed as follows:**

The applicant has stated that the proposed design would better serve a disabled relative to access the garden. Further information has been sought to establish whether the relative lives at this address and whether this individual cannot access the garden via the internal stair to the basement, but this information has not been provided. Due to the lack of this information, it can only be concluded that that the proposals are neutral with respect to equalities and human rights issues.

## **Consultation and engagement**

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### **6.1 Pre-Application Process**

Pre-application discussions took place on this application.

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

No representations have been received.

## **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**David R. Leslie**

### **Statutory Development**

**Plan Provision** Located in the central area within the urban area in the Edinburgh City Local Plan.

**Date registered** 14 July 2016

**Drawing numbers/Scheme** 1-5

Scheme 1

Acting Head of Planning and Building Standards

Contact: Barbara Stuart, Senior planning officer  
E-mail: [barbara.stuart@edinburgh.gov.uk](mailto:barbara.stuart@edinburgh.gov.uk) Tel: 0131 529 3927

### **Links - Policies**

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#### **Relevant Policies:**

#### **Relevant policies of the Edinburgh City Local Plan.**

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

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

#### **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 South Side Conservation Area Character Appraisal** emphasises the harmonious scale, massing and materials and the significance of key institutional buildings within the area.

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## Appendix 1

### Consultations

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No consultations undertaken.

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## HEATH: ARCHITECT + STONE CONSULTANT

THE COACH HOUSE, ALDERSTON, BY HADDINGTON, EH4 3SF

BOB HEATH · DIP ARCH · RIBA · ARIAS · FSA · SCOT

T. 01620 829 020

E. heath@alderston.co.uk

M. 07855 172 838

574/RH/LYB

29<sup>th</sup> November 2016

City of Edinburgh Council  
Local Review Body  
G2 Waverley Court  
4 East Market Street  
Edinburgh  
EH8 8BG

Building Standards  
02 DEC 2016

Dear Sirs

Review of Refusal of Application 16/0352/FUL  
25 George Square, Edinburgh

Please find enclosed a copy of documents in support of a request to review refusal of Planning Permission for the above.

The documents consist of copies of:

1. Application Form dated 12.07.16 and support drawings
2. Decision Notice – Refusal
3. Email correspondence with Planning Officer
4. Previously approved Application 12/02910/FUL
5. Relevant photographs of site
6. Statement of Reasons for Review Request

I would be grateful if you could place these before the requisite bodies for consideration.

Please let me know if further information is required and/or when access is required to the property.

I look forward to your response.

Yours faithfully



BOB HEATH

cc Mrs Fiona Vickers

Encs



# NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013

The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR+MRS	Ref No.	574
Forename	SIMON	Forename	BOB
Surname	VICKERS	Surname	HEATH
Company Name		Company Name	HEATH:ARCHITECT
Building No./Name	25	Building No./Name	THE COACH HOUSE
Address Line 1	GEORGE SQUARE	Address Line 1	ALDERSTON
Address Line 2		Address Line 2	
Town/City	EDINBURGH	Town/City	HADDINGTON
Postcode	EH8 9LD	Postcode	EH41 3SF
Telephone		Telephone	01620 829 020
Mobile	07880 600 848	Mobile	07855 172 838
Fax		Fax	
Email	fiona.vickers@dsl.pipex.com	Email	heath@alderston.co.uk
3. Application Details			
Planning authority	CITY OF EDINBURGH COUNCIL		
Planning authority's application reference number	16 / 03527 / FUL		
Site address	25 GEORGE SQUARE EDINBURGH EH8 9LD		
Description of proposed development	REVISED DESIGN OF GARDEN STAIR ALTERATIONS TO GARDEN BUILDING		

Date of application

Date of decision (if any)

**Note.** This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

**4. Nature of Application**

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

**5. Reasons for seeking review**

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

**6. Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

**7. Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

ACCESS TO SITE IS THROUGH THE APPLICANTS HOUSE

**8. Statement**

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

SEE ATTACHED STATEMENT

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes  No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

### 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

### 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

### DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature: B.R. Heath Name: BOB HEATH Date: 29 11 2016

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

Heath - Architect + Stone Consultant.  
The Coach House  
Aldershot  
Haddington  
EH41 3SF

Mr And Mrs Simon Vickers  
25 George Square  
Edinburgh  
EH8 9LD

Decision date: 6 October 2016

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Revised design of garden stair alterations to garden building.  
At 25 George Square Edinburgh EH8 9LD

Application No: 16/03527/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 14 July 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

**Reasons:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed stair is not justified and will diminish the interest of the listed building.
2. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as where acceptable, access stairs should be in-keeping with the character of the building..

3. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development, as neither preserves nor enhances the special character and appearance of the conservation area

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 1-5, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

Proposals do not comply with the development plan and non-statutory guidance as the proposed stair will neither preserve nor enhance the character or appearance of the conservation area and will have a detrimental impact on the character of the listed building.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Barbara Stuart directly on 0131 529 3927.



John Bury  
Head of Planning & Transport  
PLACE  
City of Edinburgh Council

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

## **Heath Architects**

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**From:** "Heath Architects" <heath@alderston.co.uk>  
**Date:** 15 September 2016 17:27  
**To:** "Barbara Stuart" <Barbara.Stuart@edinburgh.gov.uk>  
**Cc:** "Fiona Vickers" <fiona.vickers@dsl.pipex.com>  
**Subject:** 574 16/03527/FUL 25 George Square, Edinburgh

Dear Barbara

I notice that the target date for a decision has been exceeded.

Can you please let me know the position of the application and if a delegated decision has been made?

regards

Bob

29/11/2016



## **Heath Architects**

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**From:** "Barbara Stuart" <Barbara.Stuart@edinburgh.gov.uk>  
**Date:** 23 August 2016 14:01  
**To:** "Heath Architects" <heath@alderston.co.uk>  
**Subject:** RE: 16/03527/FUL 25 George Square

Bob,

I don't think we are backtracking at all since the approved scheme was the 3<sup>rd</sup> iteration where the proposal was amended from a configuration more akin to your own, to the spiral stair.

Regards,

Barbara Stuart  
Barbara Stuart | Listed Buildings and Local Developments East | Planning and Transport | PLACE | The City of Edinburgh Council | Waverley Court, Level G:3, 4 East Market Street, Edinburgh, EH8 8BG | Tel 0131 529 3927 | [barbara.stuart@edinburgh.gov.uk](mailto:barbara.stuart@edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)

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**From:** Heath Architects [mailto:heath@alderston.co.uk]  
**Sent:** 23 August 2016 13:57  
**To:** Barbara Stuart  
**Subject:** Re: 16/03527/FUL 25 George Square

Barbara

We are aware that there is already a planning permission and listed building consent for an external stair. However, my client and I believe that it is neither an elegant nor safe access. However, a stair is still required. Your current response appears to be back-tracking by the Council on a decision already made. The principle has already been established, albeit it is one you are not happy with and it is the detail we are therefore trying to improve upon.

regards  
Bob

**From:** [Barbara Stuart](mailto:Barbara.Stuart@edinburgh.gov.uk)  
**Sent:** Tuesday, August 23, 2016 1:00 PM  
**To:** [Heath Architects](mailto:heath@alderston.co.uk)  
**Subject:** RE: 16/03527/FUL 25 George Square

Bob,

You also spoke to me in September about this and my advice was not supportive of this proposal.

Can you tell me if it is not possible to use the existing internal stairs for the sister who I assume is not a permanent occupant of the house?

Regards,

Barbara Stuart  
Barbara Stuart | Listed Buildings and Local Developments East | Planning and Transport | PLACE | The City of Edinburgh Council | Waverley Court, Level G:3, 4 East Market Street, Edinburgh, EH8 8BG | Tel 0131 529 3927 | [blocked::mailto:nancy.jamieson@edinburgh.gov.uk](mailto:barbara.stuart@edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)

25/11/2016

**From:** Heath Architects [mailto:heath@alderston.co.uk]  
**Sent:** 19 August 2016 11:32  
**To:** Barbara Stuart  
**Subject:** Re: 16/03527/FUL 25 George Square

Dear Barbara

I was informed by my client, Mrs Fiona Vickers, that you had visited.

You will be aware that I had a pre-application meeting with your colleague, Stephen Dickson. He implied (not stated) that as the current stair arrangement would be hidden by the garden building (as with the previously proposed spiral stair), an application could be considered.

At the time of the previous applications(12/02910/FUL and 12/02911/LBC) the owners requirements were different. These requirements have now changed, as the room served by the stair is used regularly by the owners quadriplegic sister and her young children. The need for **safe**, direct access between the ground floor room and garden has therefore been increased. The straight flights stair is a far safer arrangement, especially when accessed by young children.

With regard to the form of the stair construction, I disagree that the current proposal is “much less lightweight” and “unsympathetic to railings at other windows”. I attach an abbreviated illustration of the spiral stair showing ‘victorian’ cast iron balusters. These do not appear elsewhere on the house. Indeed the two safety railings to second floor windows are simple, plain wrought iron rods matched by the current stair proposal, thus being **more** sympathetic and more lightweight.

I would also suggest that the use of cast iron actually makes the spiral stair less lightweight. The current proposal sensitively makes use of the space and walls which surround it rather than being an isolated intrusion.

In light of the above, and as the spiral stair would be both unsafe and unsuitable for current requirements, we believe there is no reason to amend the application.

kind regards

Bob Heath

**From:** Barbara Stuart  
**Sent:** Wednesday, August 10, 2016 6:32 PM  
**To:** Heath Architects  
**Subject:** 16/03527/FUL 25 George Square

Dear Bob,

I had a chance to go and visit the above property last week.

The previous applications ( 12/02910/FUL & 1202911/LBC) received consent for to turn a ground floor window into a door and to form a metal spiral stair to the garden level.

Advice in the Guidance for Listed Buildings and Conservation Areas states that:

25/11/2016

*New external access stairs will require listed building consent and may also require planning permission. There is a general presumption against external access stairs.*

*Where acceptable, access stairs should be in-keeping with the character of the building. The design of the stair should either be based on an original design for the type of building or a lightweight modern addition with metal being the preferred material. New doors and stairs should be painted appropriate colours, usually black for metal work. They should not be enclosed structures.*

*Stairs should normally be for access only. Where they include platforms for incidental use, the Council's guidelines on privacy must be complied with. Stairs should be kept close to the building, but should not obstruct daylight from existing windows.*

*When buildings are in single occupancy and there is an existing door at either ground floor or basement level, an access stair at upper levels will not normally be permitted. On all other properties, access stairs will be restricted to the floor above the lowest habitable floor level. Bridges over rear basement areas will not be considered acceptable.*

The spiral stair has already been agreed to. The scheme that received consent was the third one after two previous proposals were not considered acceptable. A proposal for a stair not dissimilar in plan to yours was amended to the spiral stair. It was considered less intrusive and, as per the advice above, was kept close to the building. In terms of detailing it was not unsympathetic to the railings at other windows on this building.

Your proposals for the stairs in the current application will be much less lightweight and will be more dominating. The consented stairs were only accepted because it was the absolute minimum. As there is usually a presumption against access stairs in the first place – particularly when there is access via the basement - it is not therefore incumbent on us to look favourably on an access stair that will provide a enhanced access for the owners of this property. The property is a single townhouse and there is access to the garden via the basement as was the original design.

With respect to the proposed alterations to the outbuilding, I do not have any objections to this.

Can you please advise as to whether your client is prepared to amend the drawings to propose a spiral stair as in the previous consent.

Regards,  
Barbara Stuart  
Barbara Stuart | Listed Buildings and Local Developments East | Planning and Transport | PLACE | The City of Edinburgh Council | Waverley Court, Level G:3, 4 East Market Street, Edinburgh, EH8 8BG | Tel 0131 529 3927 | [blocked::mailto:nancy.jamieson@edinburgh.gov.uk](mailto:nancy.jamieson@edinburgh.gov.uk) | [www.edinburgh.gov.uk](http://www.edinburgh.gov.uk)

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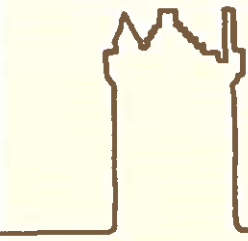


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# HEATH: ARCHITECT + STONE CONSULTANT

THE COACH HOUSE, ALDERSTON, BY HADDINGTON, EH41 3SF  
BOB HEATH · DIP ARCH · RIBA · ARIAS · FSA · SCOT

T. 01620 829 020

E. heath@alderston.co.uk

M. 07855 172 838

574/RH/LYB

## 25 George Square, Edinburgh

### Previous Application 12/02910/FUL + LBC

Planning Permission and Listed Building were granted on 25<sup>th</sup> January 2013 (12/02910/FUL + LBC) for the alteration of a window into a door and the addition of an iron spiral staircase on the back elevation of the property.

The home owner, however, believed the spiral stair to be inappropriate, as the room is now used by the owner's quadriplegic sister. It was considered to be dangerous for use by the sister's children and a decision was taken not to proceed.

### Current Application 16/03527/FUL + LBC

A new scheme for the stair element has been designed which would be simpler and safer to use. In addition, a scheme has been drawn up to restore the adjacent garden building for use as a studio.

The new scheme was discussed at a pre-application meeting with Steven Dickson, a Planning Officer with Edinburgh City Council. He implied (not stated) that as the proposed stair arrangement would be hidden by the garden building (as with the previous spiral stair), an application could be considered. The current application was duly submitted and registered on 14 July 2016.

The applications were refused by delegated decision on 16<sup>th</sup> October 2016.

The refusal notice states that (Reason 1) the proposed stair is not justified. This contradicts the previous approval. Reason 2 states that the stair should be in keeping with the character of the building. However, we believe that the simplicity of the revised design more closely matches the only other wrought ironwork on the elevation i.e. the window railings to the second floor. It also reflects the simplicity of Georgian architecture, as opposed to the approved ornate Victorian cast iron of the spiral stair - decorative elements of which are absent from the building and we believe to be pastiche and therefore not in keeping.

In conservation terms, the change of window into a door is the debatable issue. However, approval was previously given for this element. The addition of the stair, whether open-well with quarter-pace landings (current application) or spiral stair (previous application) both require minimal and reversible fixings.

The re-use and enhancement of a redundant and poorly finished period garden building should be welcomed.

It is worthy of note that new buildings have been quite recently erected in adjacent conterminous gardens which have a far far greater impact on the Category A-Listed group.

BOB HEATH, Architect  
Accreditation in Conservation Architecture (Advanced)

Simpson + Brown Architects.  
St Ninian's Manse  
Quayside Street  
Edinburgh  
EH6 6EJ

Mrs Fiona Vickers.  
25 George Square  
Edinburgh  
EH8 9LD

Date:25 January 2013

Your ref:

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2008**

New timber balcony and stair. Alterations to existing sash and case window to form sash door.

At 25 George Square Edinburgh EH8 9LD

**Application No: 12/02910/FUL**

With reference to your application for Planning Permission registered on 21 August 2012, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Granted** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

**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.



Please see the guidance notes in the decision pack for further information, including how to appeal or review your decision. The decision pack forms part of your decision.

Drawings 01, 02, 03b + 04a, represent the determined scheme. Full details of the application can be found on the Planning and Building Standards Online Services

The reason why the Council made this decision is as follows:

Proposals comply with relevant policies. Character and appearance of conservation area preserved. No adverse effect on character of listed building. No detrimental impact on residential amenity.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Clare Macdonald directly on 0131 529 6121.

David R. Leslie  
Acting Head of Planning and Building Standards

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice review should be addresses to the City of Edinburgh Planning Local Review Body, G2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

**DECISION NOTICE AND REPORT OF HANDLING**

Application address - 77B George Street Edinburgh EH2 3ES

Application Ref. No - 16/04041/FUL

Review Ref No - 16/00119/REVREF

Review Lodged Date 23.11.2016

COPY

Format Design  
146 Duddingston Road West  
Edinburgh  
EH16 4AP

Cafe Andaluz.  
C/o Agent

Date: **21 October 2016,**

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS  
2013**

Install balustrade to existing terrace and form door from restaurant onto terrace.

At 77B George Street Edinburgh EH2 3ES

**Application No:** 16/04041/FUL

## DECISION NOTICE

With reference to your application for Planning Permission registered on 23 August 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

## Reasons:-

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 4 Listed Buildings - Alterations and Extensions) and Env 6 Conservation Areas - Development, as the proposed door on the gable end and the formation of the balustrade will introduce an incongruous feature to this building, detrimental to the character of the listed building and the character and appearance of the New Town Conservation Area.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01-02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposal does not comply with the development plan. The formation of the door on the gable end and the formation of the balustrade will introduce an incongruous

feature to this building, detrimental to the setting of the listed building and the character and appearance of the New Town Conservation Area.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Lynsey Townsend directly on 0131 529 3905.

*D R Leslie*

David R. Leslie

Acting Head of Planning and Building Standards

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

Application for Planning Permission 16/04041/FUL

At 77B George Street, Edinburgh, EH2 3ES

**Install balustrade to existing terrace and form door from restaurant onto terrace.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/04041/FUL
<b>Wards</b>	A11 - City Centre

## Summary

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The proposal does not comply with the development plan. The formation of the door on the gable end and the formation of the balustrade will introduce an incongruous feature to this building, detrimental to the setting of the listed building and the character and appearance of the New Town Conservation Area.

## Links

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**Policies and guidance for this application** CITE6, NSG, NSLBCA, CITE4,

COPY



# Report of handling

## Recommendations

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1.1 It is recommended that this application be Refused for the reasons below..

## Background

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### 2.1 Site description

The application site is located on the north side of George Street and is a three storey building with attic space. The building has an early 20th century projection at 1st floor with paired pilasters framing large mullioned and transomed windows. 2nd floor windows with lugged architraves; cornice with balustraded parapet broken by pedimented wallhead dormers.

The building is category 'B' listed, listed 13/01/1966, LB reference 28845.

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

### 2.2 Site History

18/11/2015 - Application withdrawn to form a doorway at first floor level onto existing terrace and install a glazed seamless balustrade (15/03889/LBC).

12/11/2015 - Certificate of Lawfulness Proposed granted confirming area hatched in red on enclosed plan forms part of the change of use 14/02226/FUL recently granted. Area in question is covered by change of use and is area shown as terrace (15/03871/CLP).

18/11/2015 - Application withdrawn for the formation of a doorway at first floor level onto existing terrace and install a glazed seamless balustrade (15/03889/LBC).

18/11/2015 - Planning permission refused for the formation of new window in the gable at first floor level to match existing windows to the front elevation (15/05519/FUL)

09/02/2016 - Advertisement consent granted for internally lit individual blue lettering Fascia Sign (16/01977/ADV).

20/04/2016 - LRB decision not to uphold the decision and grant planning permission for the formation of new window in the gable at first floor level to match existing windows to the front elevation. A condition was added that the new window shall match the existing windows in the 1st floor Victorian projection in terms of design, materials and section size and detailing. Details of the window shall be submitted for further approval to the planning authority.

20/06/2016 - Listed building consent granted for the formation of new window in the gable at first floor level to match existing windows to the front elevation (16/02272/LBC).

August 2016 - Listed building consent pending consideration for installation of balustrade to existing terrace and form door from restaurant onto terrace.

## **Main report**

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

The application is for the formation of a single glazed door and glass balustrade at the first floor level to create a terraced area. The balustrade measures 1100mm high and will be positioned on the edge of the building running the full width (approximately 8 metres) of the terrace directly above the entrance to the restaurant at ground floor level.

### **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, it needs to be considered whether:

- (a) the proposals adversely affect the character of the listed building or character or appearance of the conservation area;
- (b) any impacts on equalities or human rights are acceptable;
- (c) comments raised have been addressed.

#### **a) Impact on conservation area and character of listed building**

The New Town Conservation Area Character Appraisal states under Views-Essential Character: *A planned urban concept of European significance, the New Town has an overriding character of Georgian formality. The importance of the area therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves*

A number of the buildings along George Street are characterised in a similar way with modern shop fronts at the ground floor level and recessed terraces at the first floor level. The listing of this building as a group states that *Nos 79-87 (and perhaps No 77) were built together on a line and subsequently received identical dressings at*

*1st floor (No 83 was completely rebuilt), see separate listings. A Group with Nos 77-87 (odd nos) George Street as a significant surviving part of the original fabric of Edinburgh's New Town, one of the most important and best preserved examples of urban planning in Britain.*

Whilst the perception would be that this single pane of seamless glass will make the proposal look invisible in reality the reflective nature of the glass balustrade, located at the edge of the first floor, will make the proposal visible within the streetscape introducing an incongruous feature on this traditional facade. The proposal would be an uncharacteristic addition to this listed building which is not evident within the immediate context of the site and would have an adverse impact on its appearance.

Whilst the principle of a window has been accepted through the recent LRB decision (15/05519/FUL) this proposal is for a single glazed door allowing access from the restaurant onto the terrace. The change from a window to a door on this elevation will alter the proportions of this gable and create an incongruous feature which is not characteristic to this style of building.

b) Equalities and human rights

This application was assessed in terms of equalities and human rights. No impact was identified.

c) Public comments

The material points raised were;

- the barrier will mask the surviving Georgian fabric of the building - addressed in section 3.3a.
- it will reduce the impact of the building as one pair with its neighbour and also as part of the parade of buildings - addressed in section 3.3a.

CONCLUSION

In summary, the proposal will have a detrimental impact on the character of the conservation area and setting of the listed building.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 4 Listed Buildings - Alterations and Extensions) and Env 6 Conservation Areas - Development, as the proposed door on the gable end and the formation of the balustrade will introduce an incongruous feature to this building, detrimental to the character of the listed building and the character and appearance of the New Town Conservation Area.

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

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

#### **Equalities impact**

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##### **5.1 The equalities impact has been assessed as follows:**

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

#### **Consultation and engagement**

---

##### **6.1 Pre-Application Process**

## 6.2 Publicity summary of representations and Community Council comments

The application was advertised on the 9 September 2016 and one letter of representation was received from the Architectural Heritage Society of Scotland. The main grounds are as follows:

- the barrier will mask the surviving Georgian fabric of the building;
- it will reduce the impact of the building as one pair with its neighbour and also as a part of the parade of buildings.

### **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**David R. Leslie**

## **Statutory Development**

**Plan Provision** Edinburgh City Local Plan - Central Area.

**Date registered** 23 August 2016

**Drawing numbers/Scheme** 01-02

Scheme 1

Acting Head of Planning and Building Standards

Contact: Lynsey Townsend, Senior planning officer  
E-mail:lynsey.townsend@edinburgh.gov.uk Tel:0131 529 3905

## **Links - Policies**

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### **Relevant Policies:**

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

### **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.

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

## Appendix 1

### Consultations

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No Consultations received.

COPY



END

COPY

## **Comments for Planning Application 16/04041/FUL**

### **Application Summary**

Application Number: 16/04041/FUL

Address: 77B George Street Edinburgh EH2 3ES

Proposal: Install balustrade to existing terrace and form door from restaurant onto terrace.

Case Officer: Lynsey Townsend

### **Customer Details**

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

### **Comment Details**

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Thank you for the opportunity to comment on the above planning application. The restaurant at this address is one of a pair of houses dating to about 1775, and is described in Historic Environment Scotland's listing as a 'significant surviving part of the original fabric of Edinburgh's New Town'.

The applicant wishes to erect a glass balustrade at first floor level to form a balcony over the extension into the original area.

The cases panel has discussed the case and is concerned that, while the barrier appears to be almost invisible in the drawing, it will be more noticeable in reality, and will mask the surviving Georgian fabric of the building. The result will be to reduce the impact of the building as one of a pair with its neighbour, and also as part of the parade of buildings in one of the great eighteenth-century streetscapes of Europe.

Accordingly, the Architectural Heritage Society of Scotland wishes to object to this application.

# Item No 5.3 (b)



## THE CITY OF EDINBURGH COUNCIL

Business Centre G 2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100032045-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

### Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

### Agent Details

Please enter Agent details

Company/Organisation:	Format Design		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Shona	Building Name:	<input type="text"/>
Last Name: *	Mackay	Building Number:	146
Telephone Number: *	01316617666	Address 1 (Street): *	Duddingston Road West
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Edinburgh
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	EH16 4AP
Email Address: *	formatdesign@aol.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

### Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="Format Design"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="146"/>
Last Name: *	<input type="text"/>	Address 1 (Street) *	<input type="text" value="Duddingston Road West"/>
Company/Organisation	<input type="text" value="Cafe Andaluz"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH16 4AP"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

### Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="77B GEORGE STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH2 3ES"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673984"/>	Easting	<input type="text" value="325080"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority. \*  
(Max 500 characters)

Install balustrade to existing terrace and form door from restaurant onto access

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section. \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see attached appeal statement

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review. \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process. \* (Max 500 characters)

Appeal statement

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

16/04042/LBC

What date was the application submitted to the planning authority? \*

23/08/2016

What date was the decision issued by the planning authority? \*

21/10/2016

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may select more than one option if you wish the review to be a combination of procedures.

Please select a further procedure \*

By means of inspection of the land to which the review relates

Please explain in detail in your own words why this further procedure is required and the matters set out in your statement of appeal it will deal with? (Max 500 characters)

To allow the Local Review Body members to see the proposal site

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant? \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mrs Shona Mackay

Declaration Date: 23/11/2016

# EDINBURGH

## THE CITY OF EDINBURGH COUNCIL

Business Centre G 2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100032045-002

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

### Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

77B GEORGE STREET

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH2 3ES

Please identify/describe the location of the site or sites

Northing

673984

Easting

325080

### Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent



## Agent Details

Please enter Agent details

Company/Organisation:	Format Design		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Shona	Building Name:	
Last Name: *	Mackay	Building Number:	146
Telephone Number: *	01316617666	Address 1 (Street): *	Duddingston Road West
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH16 4AP
Email Address: *	formatdesign@aol.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	Format Design
First Name *		Building Number:	146
Last Name: *		Address 1 (Street): *	Duddingston Road West
Company/Organisation	Cafe Andaluz	Address 2:	
Telephone Number *		Town/City *	Edinburgh
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode *	EH16 4AP
Fax Number:			
Email Address: *			

### Proposal/Application Details

Please provide the details of the original application(s) below:

Was the original application part of this proposal? \*

Yes  No

### Application Details

Please select which application(s) the new documentation is related to.

Application: \* 100032045-001, application for Notice of Review, submitted on 23/11/2016

### Document Details

Please provide an explanation as to why the documentation is being attached after the original application was submitted: \* (Max 500 characters)

The appeal statement submitted was a draft version and not the final version, which is now attached, apologies for any inconvenience caused, the attached should be substituted for the appeal statement submitted on 23.11.16.

### Checklist – Post Submission Additional Documentation

Please complete the following checklist to make sure you have provided all the necessary information in support of your application.

The additional documents have been attached to this submission. \*

Yes  No

### Declare – Post Submission Additional Documentation

I/We the applicant/agent certify that this is a submission of Additional Documentation, and that all the information given in this submission is true to the best of my/the applicants knowledge.

Declaration Name: Mrs Shona Mackay

Declaration Date: 24/11/2016

**LOCAL REVIEW APPEAL STATEMENT FOR APPLICATION 16/04041/FUL  
TO INSTALL BALUSTRADE AND FORM DOOR FROM RESTUARANT TO EXISTING TERRACE  
AT  
CAFÉ ANDALUZ, 77B GEORGE STREET, EDINBURGH**



**08 NOVEMBER 2016**

Format Design  
Holyrood Business Park  
146 Duddingston Road West  
Edinburgh EH16 4AP  
Tel: 0131 661 7666 Fax: 0131 659 6033  
formatdesign@aol.com  
[www.formatbuildingdesign.com](http://www.formatbuildingdesign.com)

## 1. Introduction

The matter for consideration is the proposed installation of a frameless glass balustrade around the first floor balcony terrace at Café Andaluz, and creation of an access through a previously approved window opening. The use of the terrace has been deemed lawful and the creation of a new window in the gable of the first floor extension has already been granted planning and listed building consent.

The premises occupy the ground floor of the unit at 77B George Street and the first floor, which extends over the adjacent unit at 77A George Street.

## 2. The Decision

Refused for the reason that *"The proposal is contrary to Edinburgh City Local Plan Policy Env 4 Listed Buildings - Alterations and Extensions, and Env 6 Conservation Areas - Development, as the proposed door on the gable end and the formation of the balustrade will introduce an incongruous feature to this building, detrimental to the character of the listed building and the character and appearance of the New Town Conservation Area"*.

## 3. Response

It is apparent that George Street has experienced a large number of changes over the past century and more involving complete replacement of buildings as well as alterations to existing buildings. Many of these involve what may be deemed to be changes that are out of place with the setting and context of George Street.

The images on page 4 show several examples of balconies generally, enclosed with stone or cast iron balustrades, as well as a number of modern interventions into the streetscape, impacting upon the urban character.



Figure 1. The street frontage around the application premises

The picture above shows in particular the street frontage within close proximity to the application premises.

It is clearly apparent that there is very little in the way of consistency, and that a number of modern alterations and additions, some of which may be deemed "incongruous", have taken place over the past 150 years or so. It is a very random

group of styles from the modern bank to the right to the original buildings either side of Waterstones. There is a variety of shopfront extensions and some buildings are extended forwards above the shopfront. Since the completion of the New Town, and starting with the late Victorians there has been an evolutionary process of alterations and additions taking place and the current proposal is part of that process.

There is nothing in the New Town Conservation Area Character Appraisal to deal with this particular type of alteration so it needs to be taken as a general guide and the proposals should be assessed on their own merits.

The proposed door will have no impact on the character of the building. The upper section is unchanged from the previously approved window proposal (15/05519/FUL), and the section below the window is screened by the existing shopfront extension and parapet, as demonstrated in the image below.

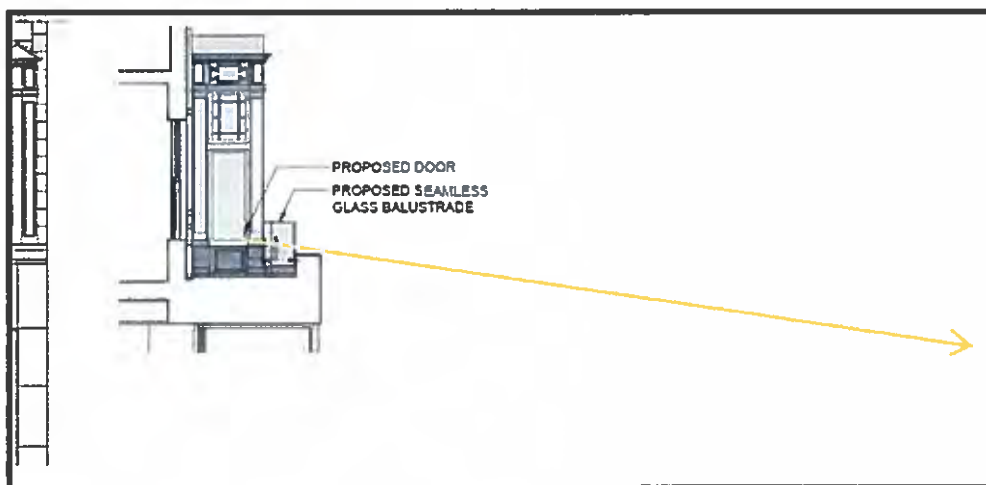


Figure 2. The bottom section of the opening will not be visible from the street

The use of the first floor terrace has already agreed as being lawful (15/03871/CLP).

This leaves the balustrade. What is proposed is a clear glass, frameless balustrade. The glass is structural and supports itself and there will be no handrail. This has to be 1100mm above the terrace level from a building regulation public safety point of view, and as the existing parapet is already around 430mm high, the visible glazing above the parapet will only be 670mm high.

At certain times of the day, and from certain angles, there will be some reflection noticed, however this will not be to the detriment of the character of the listed building. There are large areas of glazed shopfront and office windows along George Street, and the balustrade will not be significantly different (see figure 3 below).

There is sufficient variety in forms and styles of architecture on George Street (and in particular this stretch as already demonstrated in figure 1 above) and the proposal will be absorbed into the streetscape. The frontage at street level is already of a modern style, and the simple glass balustrade would compliment this.



The applicant had considered using planters to raise the parapet level, however it was concluded that this would be too intrusive to the frontage of the building. There are already seven large plant pots balcony as can be seen in the picture below.



Figure 3. Large areas of glazing on upper floors and associated reflection is not uncommon

Elsewhere stone and cast iron has been used to enclose these balconies (see images below), however the frameless glass in this location is a far better solution aesthetically, and it will blend seamlessly with the modern frontage to which it will be fitted.

The Council's own **Guidelines for Listed Buildings and Conservation Areas** advises on page 11, under the sub-heading of Extensions and Additions, that *"It is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high quality materials which complement the main building will be required."* It was on this principle that the current proposal was founded, and it is considered to be the preferred solution.

It is therefore concluded that the proposed alteration has minimal impact on the setting of the listed building; it compliments the modern style of the shopfront; and It complies with the guidance for listed buildings.



ANTHROPOLOGIE [39 – 41]



COSTA [95]



HADEEL [123]



TEMPUS [21-25]



JIGSAW [49]



THE WHITE COMPANY [88]



CAFÉ ANDALUZ [77B]



HAWES & CURTIS [60]



LEWIN/TYRWHITT [48 - 52]



NAT WEST, STV [8]



NORTH AMERICA TRAVEL [143]



BANK OF SCOTLAND [75]





SWEATY BETTY [67]



STARBUCKS [30A]



CROMBIE [63]



STANDARD LIFE [3]

#### **4. Conclusions**

The proposed balustrade is a minimalist intrusion which will have a neutral impact upon the character of the listed building and the conservation area. The works will not cause any unnecessary damage to historic structures or diminish its interest and they are in keeping with the modern shopfront. The works will preserve the special character or appearance of the conservation area and they do not conflict with any objectives of the conservation area character appraisal. It will have high standards of design and utilises materials appropriate to the historic setting.

The works will allow the terrace area to comply fully with building regulations.

The proposed development has been carefully considered taking into account the character of the area and surrounding buildings and the historic townscape of the George Street frontage. The applicant's architectural and planning advisors have considered different options and assessed how each of these impact upon the surrounding cultural heritage and street scene, and concluded that the present proposal of a frameless glass balustrade is the best solution.

The resultant proposal will have almost no impact upon the George Street frontage. The terrace will provide an enhanced dining experience for customers and it will allow for the greater appreciation of views across and along George Street. This will enhance the character of the city centre retail core.

The proposal will make a positive contribution to the vitality of George Street without having any negative impacts upon local amenity or the historic character.



**It is part of the continuing evolution of George Street into the 21st Century in a manner befitting the cultural heritage status of the location.**

**It is concluded that the proposals comply with all of the critical planning policies of the Edinburgh City Local Plan, the forthcoming Edinburgh Local Development Plan, it does not conflict with any aspect of the New Town Conservation Area Character Appraisal, and that planning and listed building consent ought to be granted for the proposals.**



**DECISION NOTICE AND REPORT OF HANDLING**

Application address - 6 Queen's Avenue Edinburgh EH4 2DF

Application Ref. No - 16/04536/FUL

Review Ref No - 17/00002/REVREF

Review Lodged Date 06.01.2017

COPY

Concept Completed Ltd  
Fao Aidan Ruthven  
6 Queens Avenue  
Edinburgh  
EH4 2DF

Mr Aidan Ruthven  
6 Queens Avenue  
Edinburgh  
EH4 2DF

Date: **30 November 2016**,

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS  
2013**

Install rooflights and dormer on rear elevation.

At 6 Queen's Avenue Edinburgh EH4 2DF

**Application No:** 16/04536/FUL

## DECISION NOTICE

With reference to your application for Planning Permission registered on 19 September 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

**Reasons:-**

1. The proposed dormer would be a bulky and incongruous addition to the roofscape which would be detrimental to the character of the building and of the neighbourhood. For this reason, the proposal fails to comply with DES 12 of the Local Development Plan.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01, 02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposed dormer window is of a design and scale which would have an adverse impact on the character and appearance of the house. The proposal is contrary to local plan policies Des 11 'Alterations and Extensions' and non-statutory 'Guidance

for Householders'. There are no material considerations that outweigh this conclusion and refusal is recommended.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Rachel Webster directly on 0131 529 3442.

*D R Leslie*

David R. Leslie

Acting Head of Planning and Building Standards

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## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

Application for Planning Permission 16/04536/FUL  
At 6 Queen's Avenue, Edinburgh, EH4 2DF  
**Install rooflights and dormer on rear elevation.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/04536/FUL
<b>Wards</b>	A05 - Inverleith

## Summary

---

The proposed dormer window is of a design and scale which would have an adverse impact on the character and appearance of the house. The proposal is contrary to local plan policies Des 11 'Alterations and Extensions' and non-statutory 'Guidance for Householders'. There are no material considerations that outweigh this conclusion and refusal is recommended.

## Links

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**Policies and guidance for this application** LDPP, LDES12, NSG, NSHOU,



# Report of handling

## Recommendations

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1.1 It is recommended that this application be Refused for the reasons below..

## Background

---

### 2.1 Site description

The property is a two storey, semi-detached house, located on the north east side of Queen's Avenue. The surrounding area is residential in character, with properties of a similar style on the same side of the street and terraced properties opposite.

### 2.2 Site History

22/10/2016 - Alterations and extension of dwelling house including the installation of decking (as amended) (14/03689/FUL).

## Main report

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### 3.1 Description Of The Proposal

The application proposes the formation of a dormer window on the rear elevation roof slope of the house. Works to form new rooflights do not require the benefit of planning permission.

### 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 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, it needs to be considered whether:

- a) the proposal is of an acceptable scale, form and design and will not be detrimental to neighbourhood character:
- b) the proposal will result in an unreasonable loss of neighbouring amenity.

a. The application proposes the formation of a new dormer window to the rear elevation of the property.

Non statutory Guidance for Householders advises that dormer windows should not dominate the roof form, should not come to the edges of the roof and should be no greater than 33% of the average roof width. On rear elevations which are not publicly visible or not readily visible from public viewpoints a larger dormer may be acceptable where this fits in with the character of the building and surrounding area.

The proposed dormer window will occupy 60% of the roof width, and will meet the ridge line of the roof of the property with no set down included. The large width, and lack of a set down from the ridge line to the dormer would detract from the appearance of the property as a whole and the character of the surrounding area.

The rear elevation of properties on Queen's Avenue are clearly visible from an access lane which runs along the rear boundary of the properties and glimpse views are also found from Seaforth Drive. Dormer windows do not form part of the

established characteristic of the area, with only one example of a dormer found on a similar property style on Forthview Terrace. This dormer is significantly smaller than that proposed at the application site.

A revised scheme was requested to show a smaller dormer which included a set down from the ridge line, but this was not an acceptable solution to the applicant.

The proposed dormer window fails to comply with policy DES 11 of the Edinburgh City Local Plan.

b. The proposal fully accords with the criteria in the 'Guidance for Householders' in relation to the protection of neighbouring amenity.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons:-**

1. The proposed dormer would be a bulky and incongruous addition to the roofscape which would be detrimental to the character of the building and of the neighbourhood. For this reason, the proposal fails to comply with DES 12 of the Local Development Plan.

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

---

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

### **Equalities impact**

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## **5.1 The equalities impact has been assessed as follows:**

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

## **Consultation and engagement**

---

### **6.1 Pre-Application Process**

There is no pre-application process history.

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

No representations have been received.

## **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**David R. Leslie**

## **Statutory Development**

**Plan Provision** Local Development Plan - urban area.

**Date registered** 19 September 2016

**Drawing numbers/Scheme** 01, 02

Scheme 1

Acting Head of Planning and Building Standards

Contact: Rachel Webster, Planning officer  
E-mail: rachel.webster@edinburgh.gov.uk Tel: 0131 529 3442

## **Links - Policies**

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### **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** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

## Appendix 1

### Consultations

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No consultations undertaken.

COPY

END

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Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100035795-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

### Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

### Agent Details

Please enter Agent details

Company/Organisation:	<input type="text" value="Concept Completed Ltd"/>		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	<input type="text" value="Aidan"/>	Building Name:	<input type="text"/>
Last Name: *	<input type="text" value="Ruthven"/>	Building Number:	<input type="text" value="6"/>
Telephone Number: *	<input type="text" value="07966671644"/>	Address 1 (Street): *	<input type="text" value="Queens Avenue"/>
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Fax Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
		Postcode: *	<input type="text" value="EH4 2DF"/>
Email Address: *	<input type="text" value="aidan@conceptcompleted.com"/>		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity



## Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Aidan"/>	Building Number:	<input type="text" value="6"/>
Last Name: *	<input type="text" value="Ruthven"/>	Address 1 (Street): *	<input type="text" value="Queens Avenue"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="07966671644"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text" value="07966671644"/>	Postcode: *	<input type="text" value="EH4 2DF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="aidan@conceptcompleted.com"/>		

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="6 QUEEN'S AVENUE"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH4 2DF"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="674708"/>	Easting	<input type="text" value="322038"/>
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## Description of Proposal

Please provide a description of your proposal to which your review relates. The description should be the same as given in the application form, or as amended with the agreement of the planning authority: \*  
(Max 500 characters)

Install dormer and rooflights on rear elevation.

## Type of Application

What type of application did you submit to the planning authority? \*

- Application for planning permission (including householder application but excluding application to work minerals).
- Application for planning permission in principle.
- Further application.
- Application for approval of matters specified in conditions.

What does your review relate to? \*

- Refusal Notice.
- Grant of permission with Conditions imposed.
- No decision reached within the prescribed period (two months after validation date or any agreed extension) – deemed refusal.

## Statement of reasons for seeking review

You must state in full, why you are seeking a review of the planning authority's decision (or failure to make a decision). Your statement must set out all matters you consider require to be taken into account in determining your review. If necessary this can be provided as a separate document in the 'Supporting Documents' section: \* (Max 500 characters)

Note: you are unlikely to have a further opportunity to add to your statement of appeal at a later date, so it is essential that you produce all of the information you want the decision-maker to take into account.

You should not however raise any new matter which was not before the planning authority at the time it decided your application (or at the time expiry of the period of determination), unless you can demonstrate that the new matter could not have been raised before that time or that it not being raised before that time is a consequence of exceptional circumstances.

Please see the attached Statement Of Appeal document and attached drawings which set out representations with reference to The Local Development Plan, Design Guidance For Householdors and Permitted Development Rights.

Have you raised any matters which were not before the appointed officer at the time the Determination on your application was made? \*

Yes  No

If yes, you should explain in the box below, why you are raising the new matter, why it was not raised with the appointed officer before your application was determined and why you consider it should be considered in your review: \* (Max 500 characters)

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review and intend to rely on in support of your review. You can attach these documents electronically later in the process: \* (Max 500 characters)

The Application Form The Decision Notice Drawing QUAV.207.A (this was considered with the application but includes some information that was not provided in the original application drawing); Statement Of Appeal document QUAV.170106.StatementOfAppeal; Appeal Drawing QUAV.Appeal Drawing1; Appeal Drawing QUAV.Appeal Drawing2

## Application Details

Please provide details of the application and decision.

What is the application reference number? \*

16/04536/FUL

What date was the application submitted to the planning authority? \*

19/09/2016

What date was the decision issued by the planning authority? \*

30/11/2016

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## **Declare – Notice of Review**

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Mr Aidan Ruthven

Declaration Date: 06/01/2017



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100025607-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Description of Proposal

Please describe accurately the work proposed: \* (Max 500 characters)

Internal and external alterations to semi-detached dwelling house to create larger kitchen/dining/family room, install rooflights and install dormer to proposed bedroom attic conversion

Has the work already been started and/ or completed? \*

No  Yes - Started  Yes – Completed

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:	Concept Completed Ltd		
Ref. Number:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
First Name: *	Aidan	Building Name:	<input type="text"/>
Last Name: *	Ruthven	Building Number:	6
Telephone Number: *	07966671644	Address 1 (Street): *	Queens Avenue
Extension Number:	<input type="text"/>	Address 2:	<input type="text"/>
Mobile Number:	<input type="text"/>	Town/City: *	Edinburgh
Fax Number:	<input type="text"/>	Country: *	Scotland
		Postcode: *	EH4 2DF
Email Address: *	aidan@conceptcompleted.com		

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	Aidan	Building Number:	6
Last Name: *	Ruthven	Address 1 (Street): *	Queens Avenue
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	Edinburgh
Extension Number:	<input type="text"/>	Country: *	Scotland
Mobile Number:	<input type="text"/>	Postcode: *	EH4 2DF
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:

City of Edinburgh Council

Full postal address of the site (including postcode where available):

Address 1:

6 QUEEN'S AVENUE

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH4 2DF

Please identify/describe the location of the site or sites

Northing

674708

Easting

322038

## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Access and Parking

Are you proposing a new or altered vehicle access to or from a public road? \*

Yes  No

If yes, please describe and show on your drawings the position of any existing, altered or new access points, highlighting the changes you proposed to make. You should also show existing footpaths and note if there will be any impact on these.

## Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

## Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

## Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate A

## Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Certificate A

I hereby certify that –

(1) - No person other than myself/the applicant was an owner (Any person who, in respect of any part of the land, is the owner or is the lessee under a lease thereof of which not less than 7 years remain unexpired.) of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application.

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding

Signed: Aidan Ruthven

On behalf of: Mr Aidan Ruthven

Date: 19/09/2016

Please tick here to certify this Certificate. \*



## Checklist – Application for Householder Application

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

- a) Have you provided a written description of the development to which it relates? \*  Yes  No
- b) Have you provided the postal address of the land to which the development relates, or if the land in question has no postal address, a description of the location of the land? \*  Yes  No
- c) Have you provided the name and address of the applicant and, where an agent is acting on behalf of the applicant, the name and address of that agent? \*  Yes  No
- d) Have you provided a location plan sufficient to identify the land to which it relates showing the situation of the land in relation to the locality and in particular in relation to neighbouring land? \*. This should have a north point and be drawn to an identified scale.  Yes  No
- e) Have you provided a certificate of ownership? \*  Yes  No
- f) Have you provided the fee payable under the Fees Regulations? \*  Yes  No
- g) Have you provided any other plans as necessary? \*  Yes  No

Continued on the next page

A copy of the other plans and drawings or information necessary to describe the proposals (two must be selected). \*

You can attach these electronic documents later in the process.

- Existing and Proposed elevations.
- Existing and proposed floor plans.
- Cross sections.
- Site layout plan/Block plans (including access).
- Roof plan.
- Photographs and/or photomontages.

Additional Surveys – for example a tree survey or habitat survey may be needed. In some instances you may need to submit a survey about the structural condition of the existing house or outbuilding.  Yes  No

A Supporting Statement – you may wish to provide additional background information or justification for your Proposal. This can be helpful and you should provide this in a single statement. This can be combined with a Design Statement if required. \*  Yes  No

You must submit a fee with your application. Your application will not be able to be validated until the appropriate fee has been Received by the planning authority.

## Declare – For Householder Application

I, the applicant/agent certify that this is an application for planning permission as described in this form and the accompanying Plans/drawings and additional information.

Declaration Name: Mr Aidan Ruthven

Declaration Date: 19/09/2016

## Payment Details

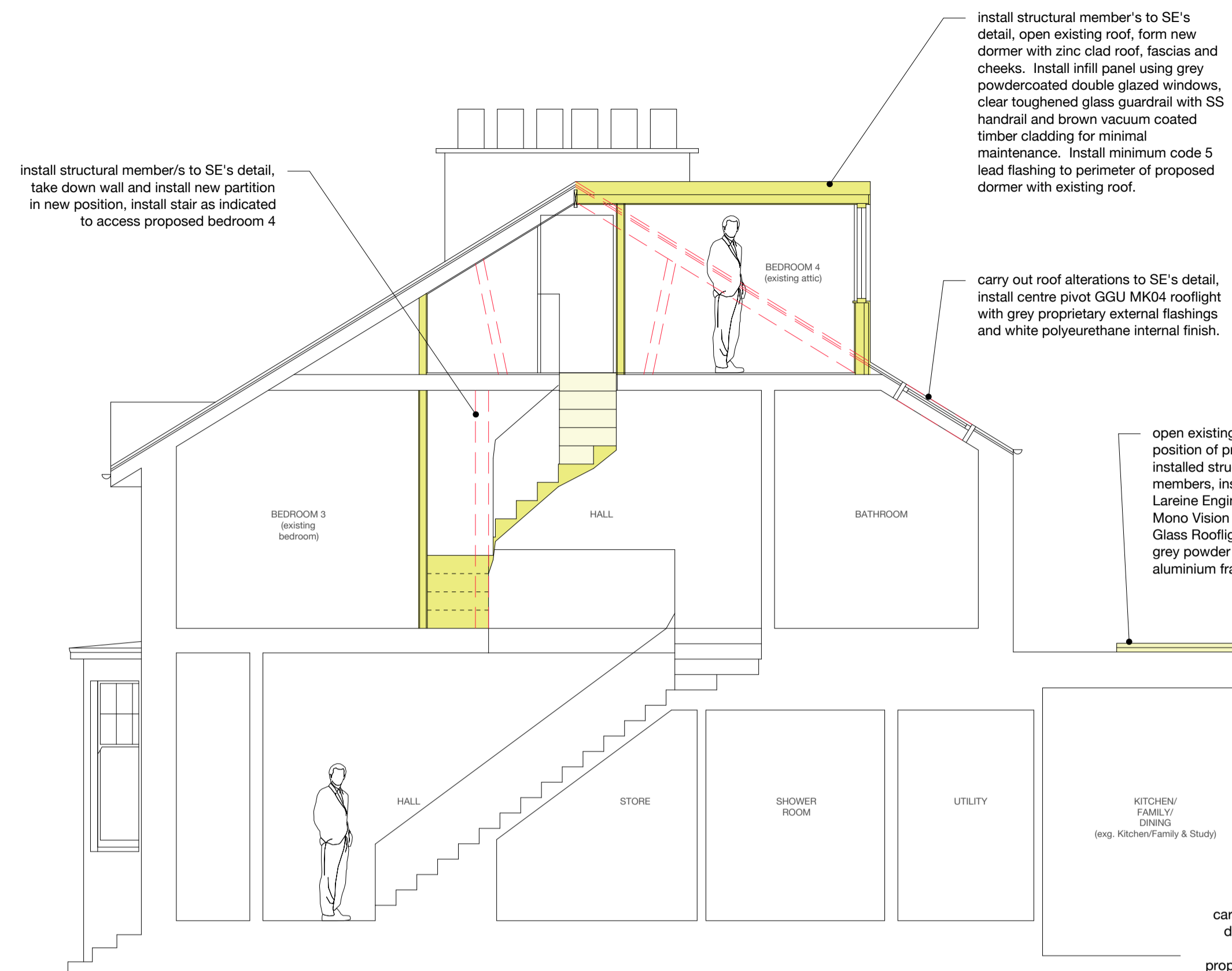
Online payment: 5324263966

Payment date: 19/09/2016 11:22:00

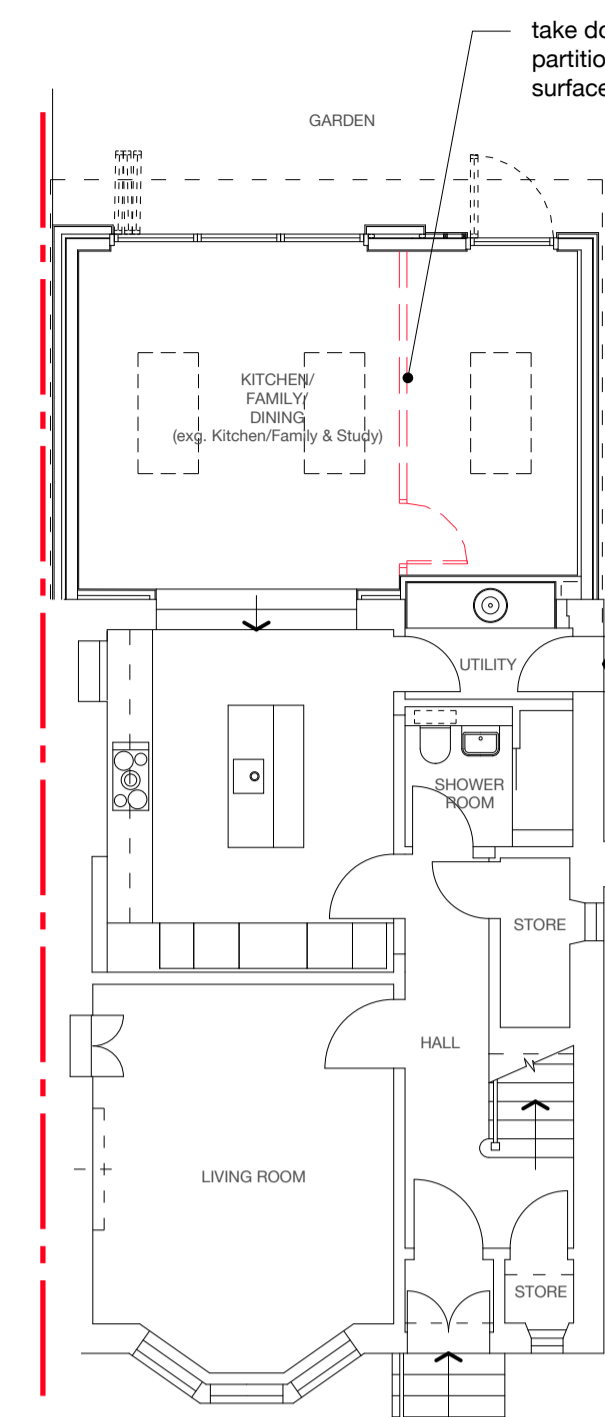
Created: 19/09/2016 11:22



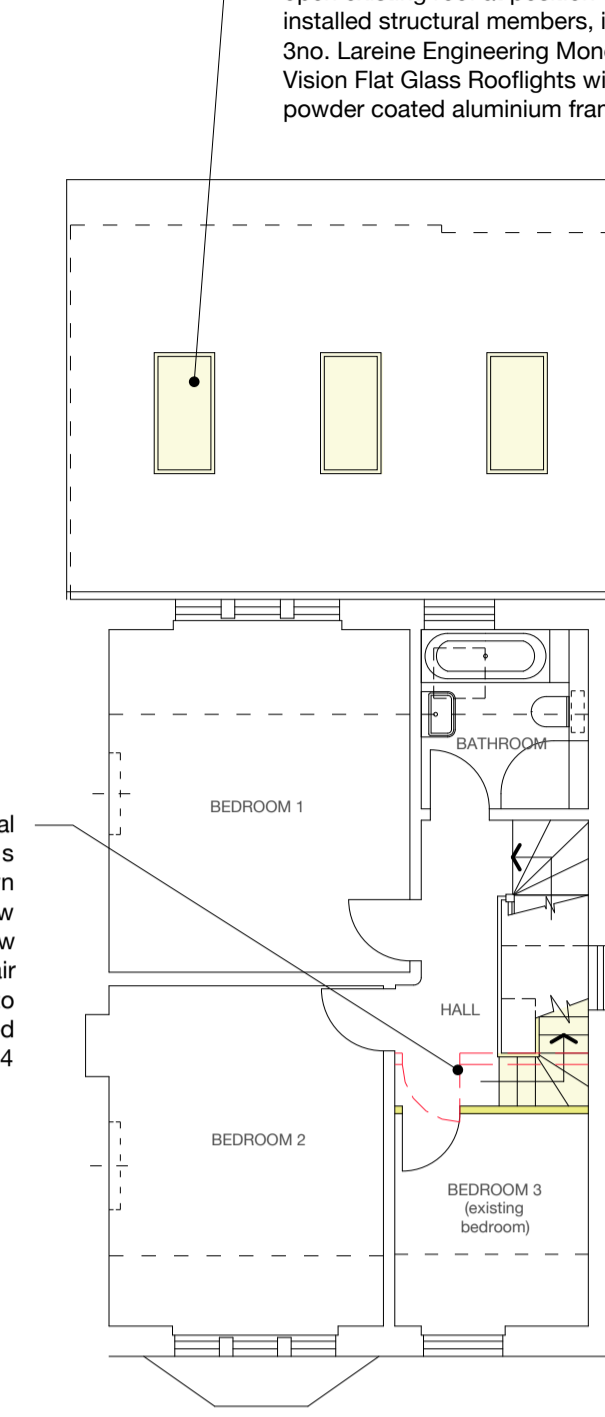
SOUTH ELEVATION AS PROPOSED 1:50



SECTION AS PROPOSED 1:50



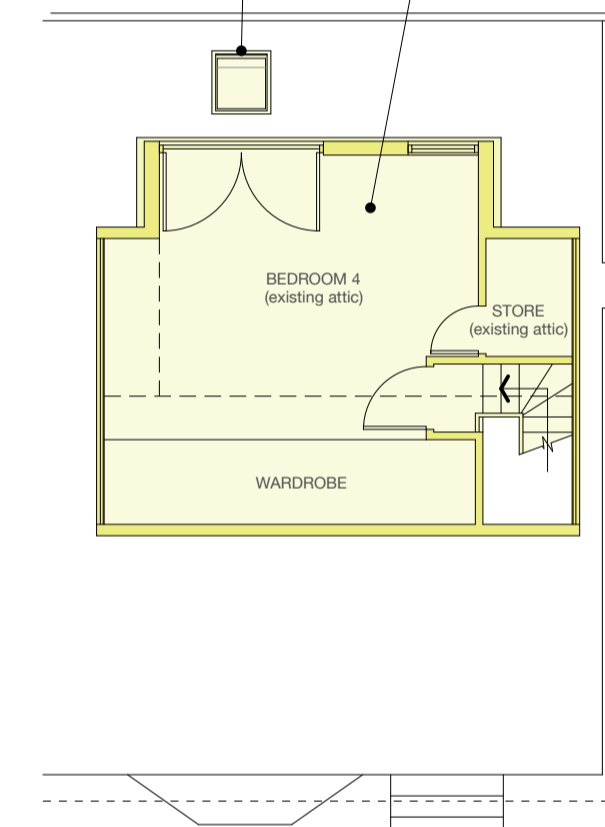
GROUND FLOOR PLAN AS PROPOSED 1:100



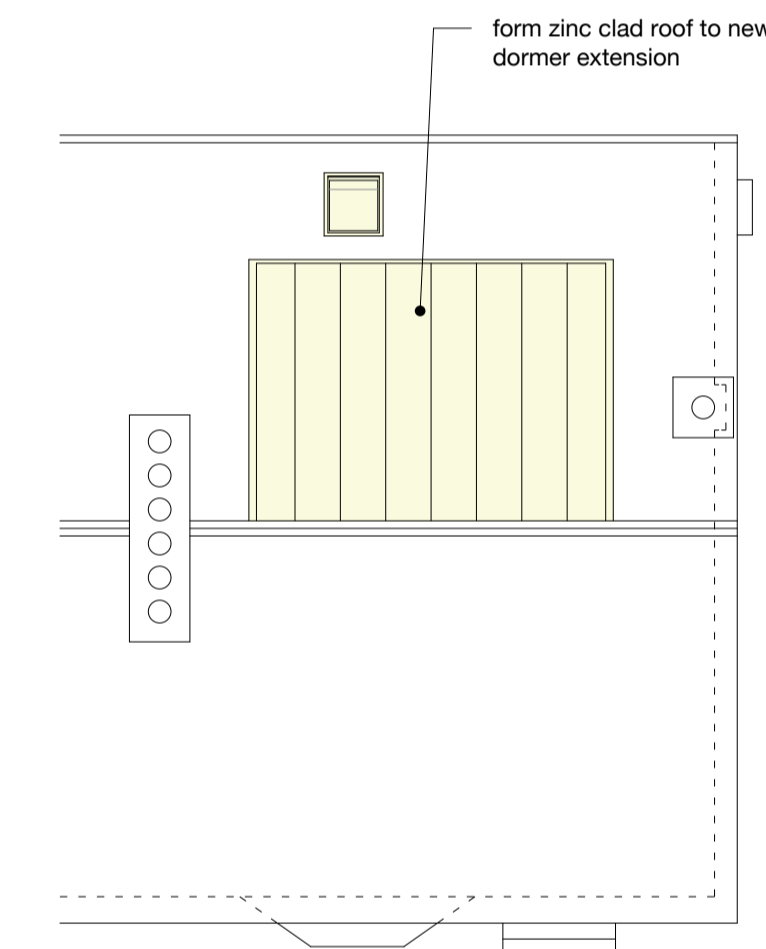
FIRST FLOOR PLAN AS PROPOSED 1:100

carry out roof alterations to SE's detail, install centre pivot GGU MK04 rooflight with grey proprietary external flashings and white polyurethane internal finish.

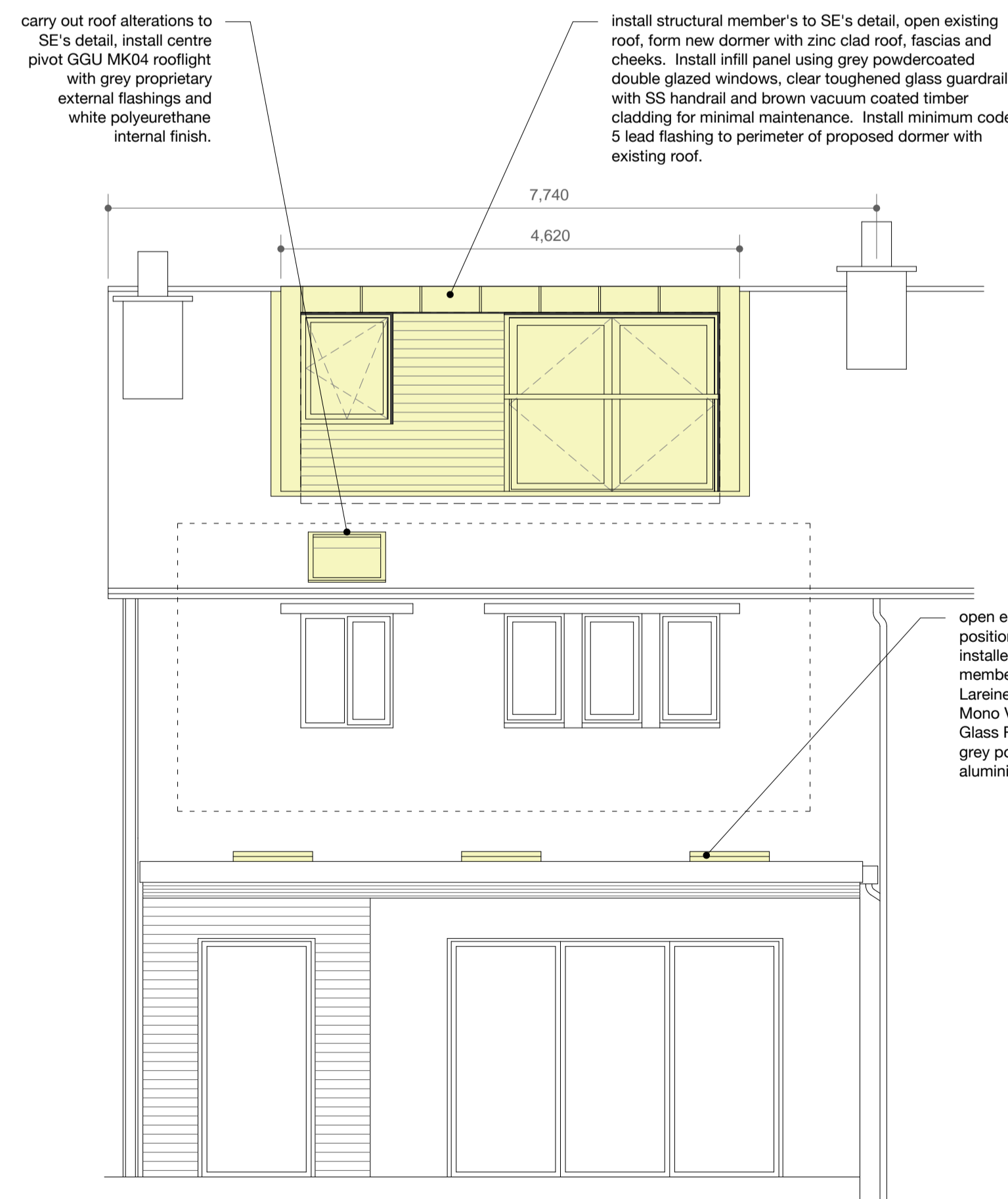
install stair, form partitions, roof and walls to create new bedroom 4 and storage



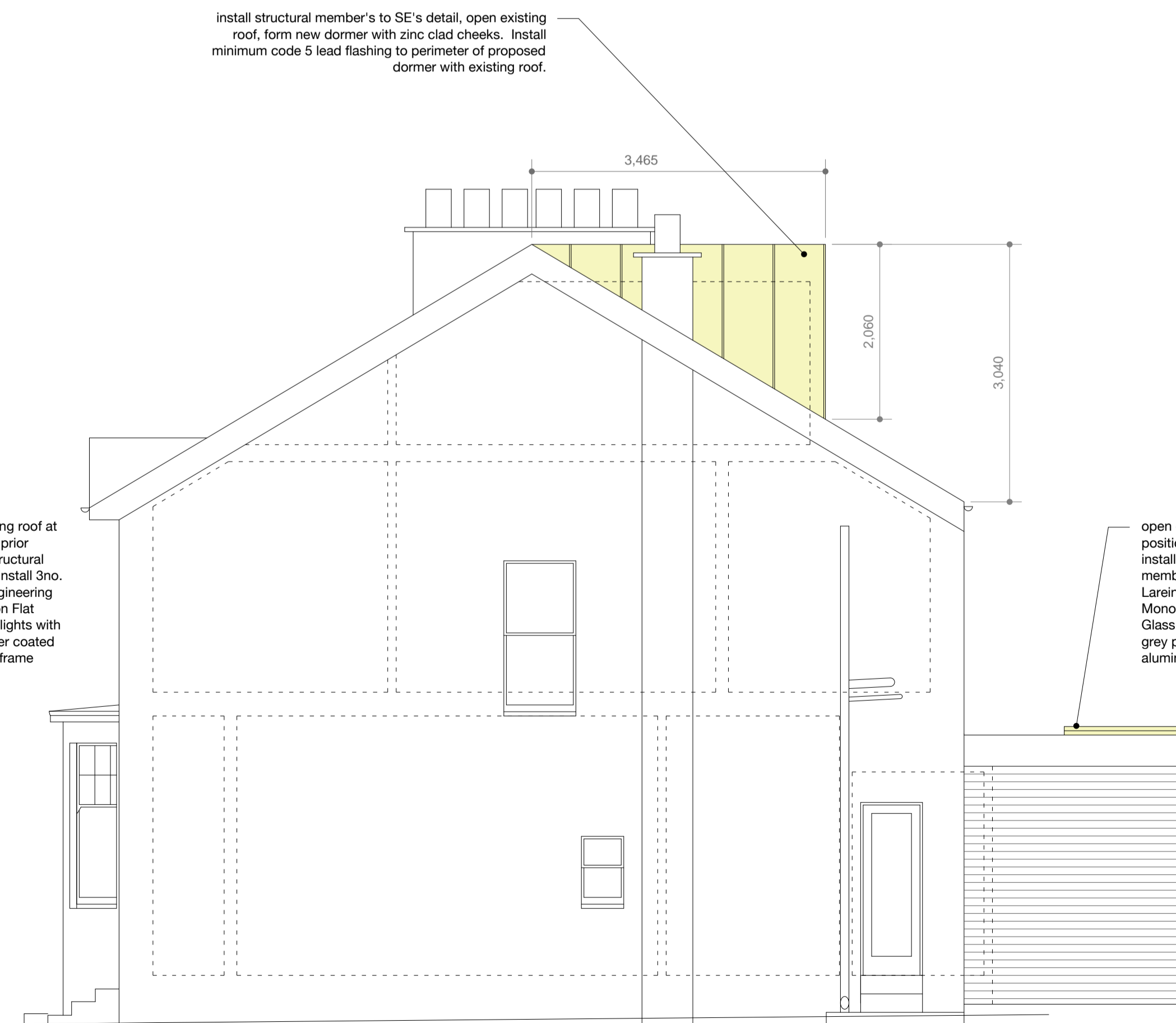
SECOND FLOOR PLAN AS PROPOSED 1:100



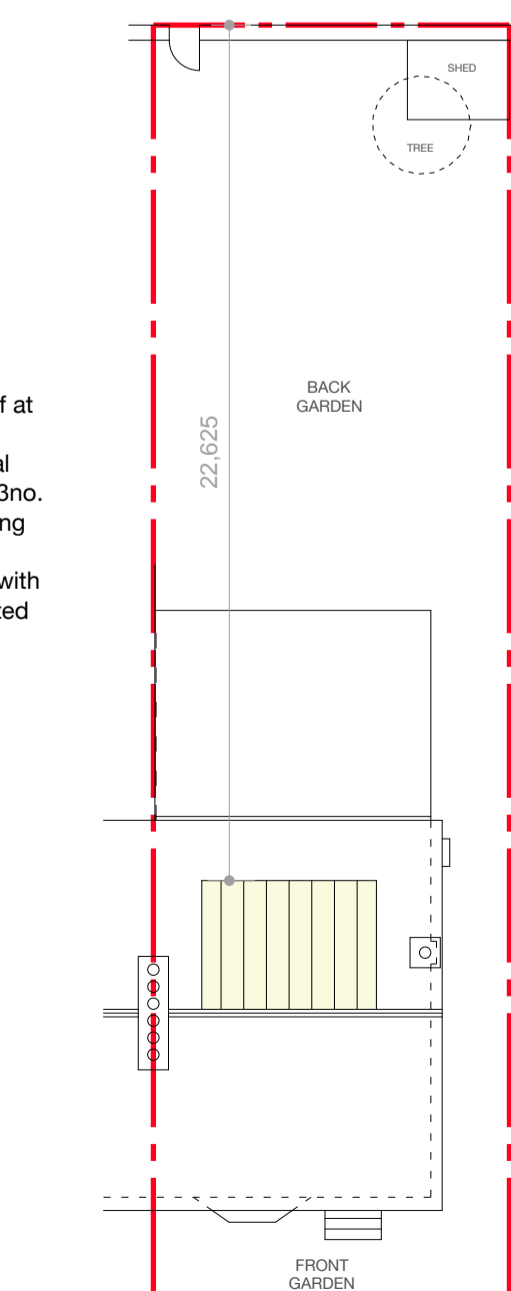
ROOF PLAN AS PROPOSED 1:100



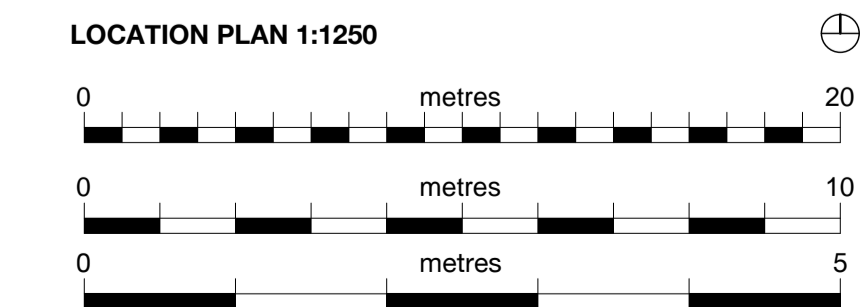
NORTH ELEVATION AS PROPOSED 1:50



EAST ELEVATION AS PROPOSED 1:50



SITE PLAN AS PROPOSED 1:200



LOCATION PLAN 1:1250

REVISION A 28.09.16: rooflights finish added, all rooflights indicated on elevations

NOTES

All takedowns and demolitions shown dotted in red

LEGEND

- Yellow tone denotes new works
- Red dotted line denotes takedowns
- Red chain-dotted line denotes boundary



6 Queens Avenue  
 Parramatta NSW 2150  
 T: 011 921 7888  
 F: 011 921 7888  
 www.conceptcompleted.com

QUAV.207.A

6 QUEENS AVENUE  
 PLANS, SECTIONS & ELEVATIONS AS  
 PROPOSED

Sep 2016	1:50, 1:100, 1:200, 1:1250BA1	AR
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Do not scale from this drawing. This drawing and designs are the Copyright of Concept Completed Ltd



**STATEMENT OF APPEAL**

Of Decision to Refuse Planning Permission

6 QUEENS AVENUE  
EDINBURGH  
EH4 2DF

APPLICATION FOR PLANNING PERMISSION  
CITY OF EDINBURGH COUNCIL REFERENCE **16/04536/FUL**

**January 6, 2017**



## **Introduction**

This Statement of Appeal is provided for consideration with the appeal of the decision by City Of Edinburgh Council to refuse the application for planning permission reference 16/04536/FUL relating to proposals to install rooflights and dormer on rear elevation at 6 Queens Avenue, Edinburgh EH4 2DF.

Details of this application are as follows:

<b>Applicant:</b>	Aidan Ruthven
<b>Case Officer:</b>	Rachel Webster
<b>Application Validated Date:</b>	19 September, 2016
<b>Date of Decision:</b>	30 November, 2016

## **Decision**

In the Decision Notice, the reason for the decision is noted as follows:

*"The proposed dormer would be a bulky and incongruous addition to the roofscape which would be detrimental to the character of the building and of the neighbourhood. For this reason, the proposal fails to comply with DES 12 of the Local Development Plan."*

## **Representations**

We wish to make the following statements in appeal of this decision:

1. We do not agree with the reason provided in the decision which is based solely on the nature of the proposed dormer. We believe that, in accordance with Policy Des 12 of the Local Development Plan:
  - a. the design and form, choice of materials and positioning **are** compatible with the character of the existing building. The proposed dormer:
    - i. is balanced on the rear elevation
    - ii. observes the balance and existing pattern of fenestration beneath
    - iii. replicates the materials approved in the existing extension providing consistency of the contemporary additions and interventions to the original house
    - iv. provides - in its form and materials - a clear, complimentary and compatible distinction from the original house thereby avoiding a confused pastiche of the original house.
  - b. the proposals **will not** result in an unreasonable loss of privacy or natural light to neighbouring properties. The proposed dormer:
    - i. is situated over 22metres from the rear boundary which backs onto a shared unmade access lane
    - ii. has windows facing only this rear boundary and therefore does not create any loss of privacy
    - iii. does not create any loss of natural light to neighbouring properties
  - c. the proposals **will not** be detrimental to neighbourhood amenity and character. The proposed dormer:
    - i. has been designed so that it will not adversely affect privacy or daylight in the neighbourhood
    - ii. will improve amenity of the application address by providing views to the North East towards the Firth of Forth



- iii. will be a modest intervention to the rear of the property, at high level and not overlooking a public road and will thereby not be detrimental to the neighbourhood character

We believe the proposals will enrich the neighbourhood and will not impoverish any part of the public realm, especially as the proposals are of a modest scale to the rear of the application address.

- 2. We believe that the proposals meet the City of Edinburgh Council Design Guidance for Householders. The proposals compliment the existing house leaving it as the dominant element, maintain the quality and character of the surrounding area and respect the amenity of adjacent neighbours. In addition:
  - a. **in accordance with the final paragraph of page 10:** the proposed dormer - at over 22 metres from the common boundary - is well outwith the required 10 metre distance
  - b. **in accordance with paragraph 3, page 12:** the roof of the original house still comes over as the main element rather than the dormer. Please see the attached *Appeal Drawing no.1* which shows that 68% of the rear roofscape on rear elevation belongs to the original house with significant amount of roof left around the dormer.
  - c. **in accordance with page 13:**
    - i. the proposals are part of a high quality, contemporary design. Please see the attached *Appeal Drawing no.2* which gives a clearer indication in colour of the completed rear elevation as it is proposed.
    - ii. there is no development above the existing roof ridge
    - iii. as described above, the proposed dormer does not dominate the form of the roof. The proposed dormer will occupy less than one-third of the roof in rear elevation. It will occupy only approximately one-fifth of the roof in plan.
    - iv. the proposed dormer does not come to the edges of the roof and does not breach the ridge line
- 3. Furthermore, we believe that the proposals very nearly meet permitted development rights as detailed for dormers in the Scottish Government 'Guidance On Householder Permitted Development Rights' and for Roof Enlargements as set out in the Scottish Government 'Town & Country Planning (GDP) (Scotland) Amendment Order 2011' by meeting the following criteria:
  - a. the house is not a Listed Building ✓
  - b. the house is not in a Conservation Area ✓
  - c. the proposals do not add to or alter the roof plane on the principal elevation ✓
  - d. the side elevation of the house does not front a road ✓
  - e. the roof extension is outwith 10 metres from the boundary that it faces ✓
  - f. the proposed roof will be no higher than any part of the existing house
  - g. The only reasons for which these proposals do not meet permitted development rights are:
    - i. the proposed roof enlargement will exceed **50%** of the total width of the roof plane. The proposed roof enlargement (dormer) will occupy **59%** of the total width of the roof plane, only a 9% difference.
    - ii. the proposed roof enlargement will encroach within **0.3** metres of the edge of the house's roof plane. However, as described in attached *Appeal Drawing no.1*, this will occur in only one of the four sides of the proposed dormer (the one which is least visible), will be no higher than the existing house and in all other directions, it will be an average of **1.67** metres from the house's roof plane.



**Conclusion**

For the reasons as set out above and the supporting information provided, we hereby request that the appeal of the above noted Planning Application 16/04536/FUL finds in favour of granting Planning Permission to carry out the associated works.



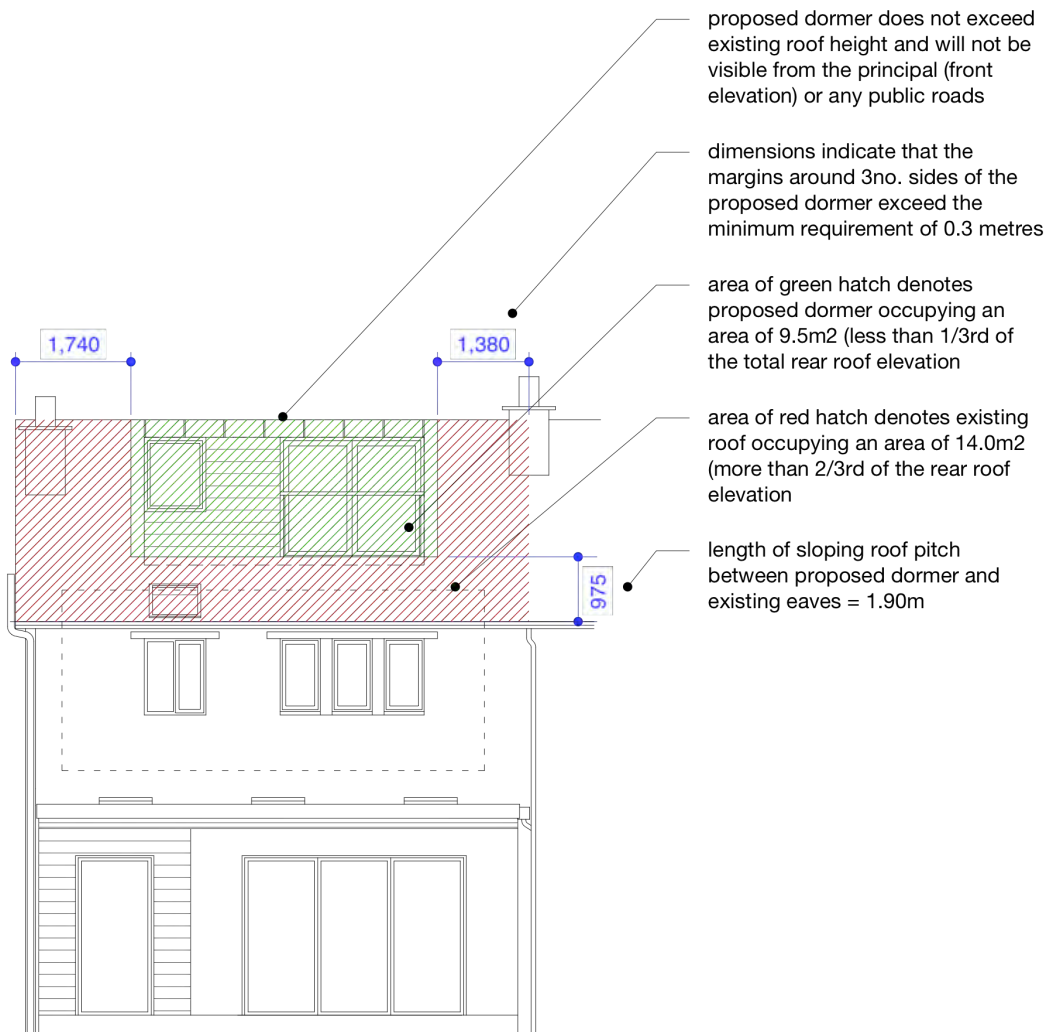
## **APPEAL DRAWINGS**

6 QUEENS AVENUE  
EDINBURGH  
EH4 2DF

APPLICATION FOR PLANNING PERMISSION  
CITY OF EDINBURGH COUNCIL REFERENCE **16/04536/FUL**



**6 QUEENS AVENUE, EDINBURGH EH4 2DF**  
**DRAWING No. 1**  
 REAR ELEVATION AS PROPOSED 1:100 @ A4  
*Showing extent of proposed dormer and critical dimensions*



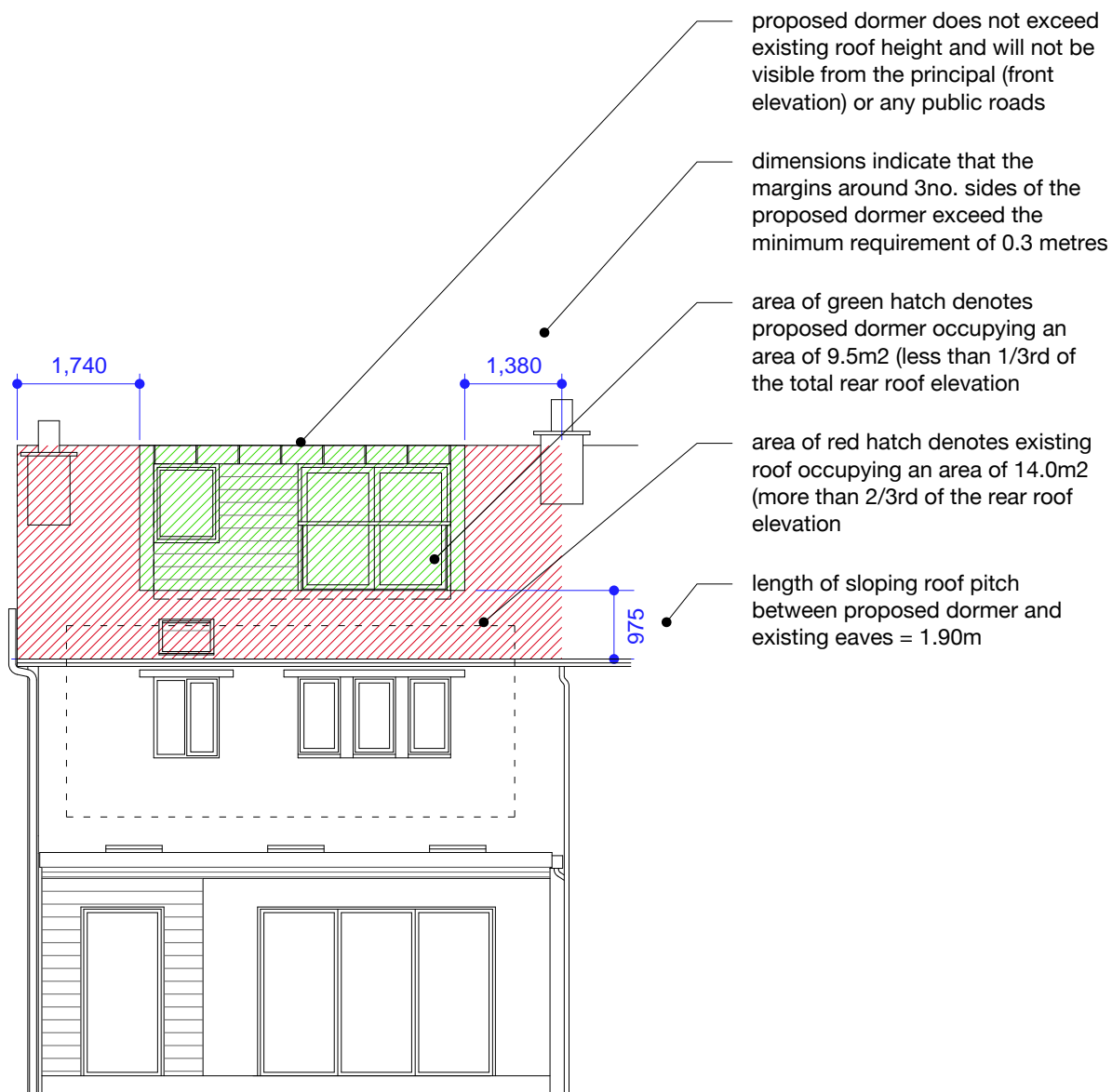
**6 QUEENS AVENUE, EDINBURGH EH4 2DF  
DRAWING No. 2**

REAR ELEVATION AS PROPOSED 1:100 @ A4  
*Showing a shaded colour version of the proposals*



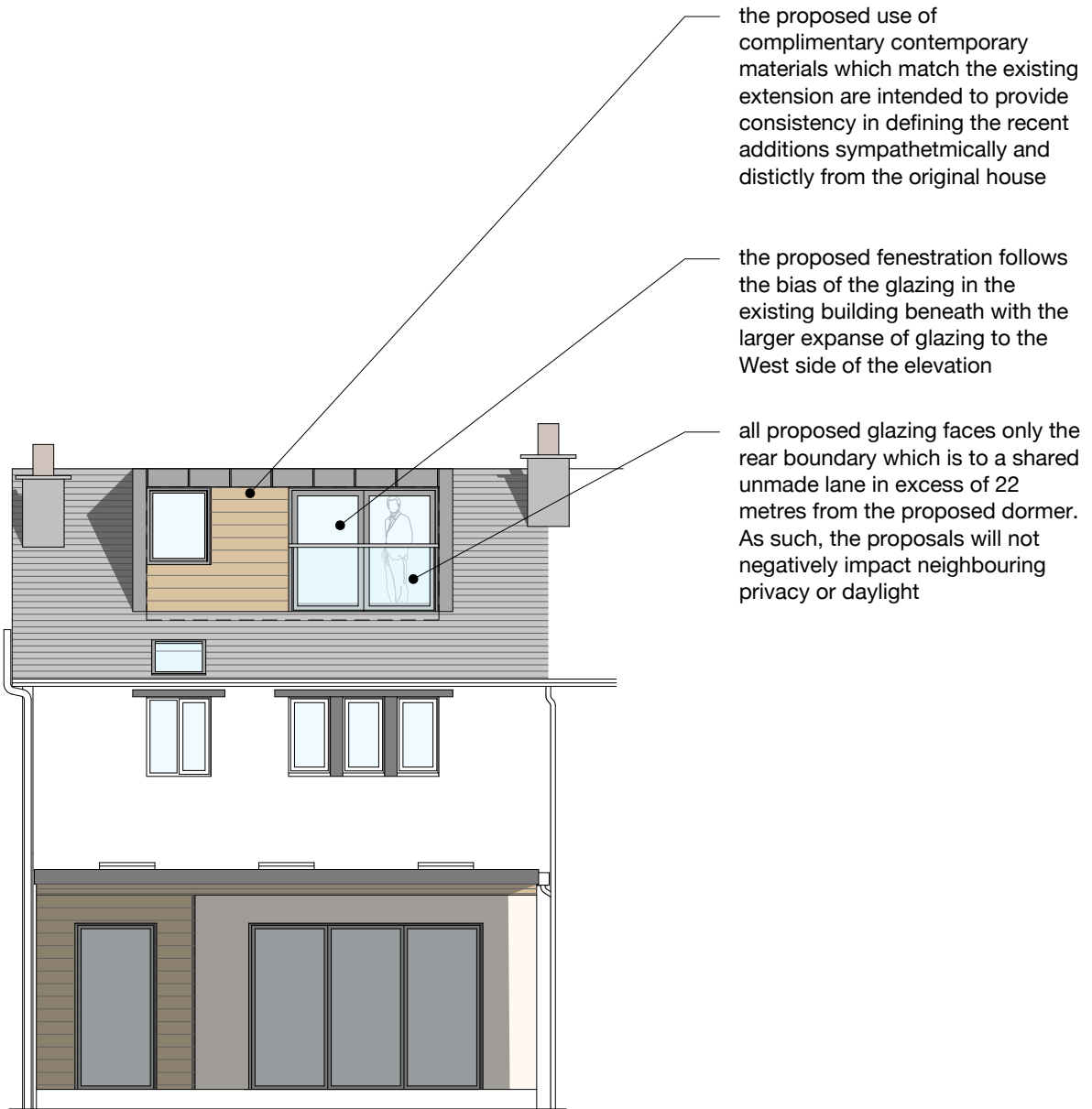
**6 QUEENS AVENUE, EDINBURGH EH4 2DF**  
**DRAWING No. 1**

REAR ELEVATION AS PROPOSED 1:100 @ A4  
*Showing extent of proposed dormer and critical dimensions*



**6 QUEENS AVENUE, EDINBURGH EH4 2DF**  
**DRAWING No. 2**

REAR ELEVATION AS PROPOSED 1:100 @ A4  
*Showing a shaded colour version of the proposals*



Concept Completed Ltd  
Fao Aidan Ruthven  
6 Queens Avenue  
Edinburgh  
EH4 2DF

Mr Aidan Ruthven  
6 Queens Avenue  
Edinburgh  
EH4 2DF

**Decision date: 30 November 2016**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Install rooflights and dormer on rear elevation.  
At 6 Queen's Avenue Edinburgh EH4 2DF

**Application No: 16/04536/FUL**

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 19 September 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

**Reasons:-**

1. The proposed dormer would be a bulky and incongruous addition to the roofscape which would be detrimental to the character of the building and of the neighbourhood. For this reason, the proposal fails to comply with DES 12 of the Local Development Plan.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01, 02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposed dormer window is of a design and scale which would have an adverse impact on the character and appearance of the house. The proposal is contrary to local plan policies Des 11 'Alterations and Extensions' and non-statutory 'Guidance for Householders'. There are no material considerations that outweigh this conclusion and refusal is recommended.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Rachel Webster directly on 0131 529 3442.



John Bury  
Head of Planning & Transport  
PLACE  
City of Edinburgh Council

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

**DECISION NOTICE AND REPORT OF HANDLING**

Application address - 1 - 3 Rutland Street Edinburgh EH1 2AN

Application Ref. No - 16/03193/FUL

Review Ref No - 17/00001/REVREF

Review Lodged Date 04.01.2017

COPY



Savills UK Ltd (Edin Wemyss Place).  
Wemyss House  
8 Wemyss Place  
Edinburgh  
Scotland  
EH3 6DH

19 Rutland Street  
Edinburgh  
Scotland  
EH1 2AE

Date: **5 October 2016**,

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS  
2013**

Temporary planning permission for parasols

At 1 - 3 Rutland Street Edinburgh EH1 2AN

**Application No:** 16/03193/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 28 June 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01 - 02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

In conclusion, the proposed parasols do not comply with Development Plan and the non-statutory guidance stated. They are out of place on this corner site and will significantly and adversely impact on the views of certain buildings, several of which are listed and will adversely impact on the views at the bottom of Lothian Road towards landmark buildings which form an integral part of the conservation area.

Whilst the proposals may not impact on the outstanding universal values of the Edinburgh World Heritage Site because they do not affect the relationship between

the old and new towns, they are within the designated area and have an impact on its appearance.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Duncan Robertson directly on 0131 529 3560.

*D R Leslie*

David R. Leslie

Acting Head of Planning and Building Standards

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## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

Application for Planning Permission 16/03193/FUL  
At 1 - 3 Rutland Street, Edinburgh, EH1 2AN  
**Temporary planning permission for parasols**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/03193/FUL
<b>Wards</b>	A11 - City Centre

## Summary

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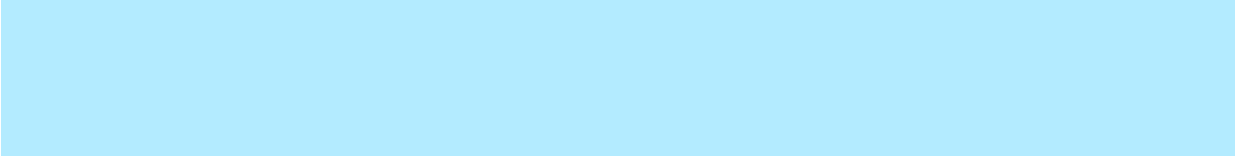
In conclusion, the proposed parasols do not comply with Development Plan and the non-statutory guidance stated. They are out of place on this corner site and will significantly and adversely impact on the views of certain buildings, several of which are listed and will adversely impact on the views at the bottom of Lothian Road towards landmark buildings which form an integral part of the conservation area.

Whilst the proposals may not impact on the outstanding universal values of the Edinburgh World Heritage Site because they do not affect the relationship between the old and new towns, they are within the designated area and have an impact on its appearance.

## Links

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<b><u>Policies and guidance for this application</u></b>	CITD1, CITD3, CITD5, CITE1, CITE6, CITCA1, CITR6, NSGSTR, NSLBCA, CRPNEW,
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# Report of handling

## Recommendations

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1.1 It is recommended that this application be Refused for the reasons below..

## Background

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### 2.1 Site description

The application site comprises a hard paved pedestrian area and footway, extending approximately 21 metres in width and 19 metres in depth, situated at the junction of Princes Street, Lothian Road and Rutland Street.

The proposal relates to 1 Rutland Place, and 1 and 3 Rutland Street which are category A listed (ref: 29685, listed on 14 December 1970) which lie immediately to the west of the application site.

4 Lothian Road, The Caledonian Hotel, which is category A listed (ref: 29524, listed on 20 February 1985) lies opposite the site to the south.

This area of public realm was increased in size and resurfaced in Caithness stone slabs with kerb lines being reconfigured as part of the Edinburgh Tram Project.

The site is located within the Edinburgh World Heritage Site. The surrounding area is in mixed use.

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

### 2.2 Site History

14 December 2015: 1-3 Rutland Street - Renewal of temporary permission for parasols and associated artificial grass until October 2017. WITHDRAWN (15/04505/FUL).

19 August 2014: 1-3 Rutland Street - Consent approved for outdoor seating area (as amended) August to September 2014 and April to September 2015(14/1524/FUL).

25 April 2014: Application for outdoor seating area WITHDRAWN (14/1523/FUL).

Other relevant history:

31 October 2014: 2-6 Rutland Place - Consent refused for a temporary outdoor seating area, including timber structures (14/3182/FUL)(FN).

10 December 2015: 9 Shandwick Place - Consent refused for installation of fixed parasol in the external seating area (15/3596/FUL).

## **Main report**

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

Proposal is retain four large parasols on the site of the outdoor seating area between 1 April and 30 September each year.

### **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 permission.



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, it needs to be considered whether:

- a) the proposals adversely affect the setting of listed buildings, preserve and enhance the character of the conservation area, and the World Heritage Site and achieve an acceptable standard of design;
- b) the proposals raise transport or raise traffic safety issues;
- c) the proposals raise equalities and human rights impacts and
- d) representations have been addressed.

a) The New Town Conservation Area character Appraisal states under Views-Essential Character: *Terminated vistas within the grid layouts and distant views across and out of the conservation area are an important feature.* Under Spatial Qualities it states: *Landmark buildings, usually churches as well as monuments, establish formal punctuation.* Concerning Streetscape - Essential Character, the appraisal states: *The presence of street clutter (that) visually detracts from the conservation area.*

The four parasols included within the designated seating area are very large and are fixed into the pavement. When open they will impinge upon views of the surrounding buildings which are listed buildings, thereby adversely affecting their setting. They will adversely impact on views across Princes Street/Queensferry Street to the churches on the corner of Lothian Road and ultimately the Castle mound. They will create unnecessary visual clutter on the pavement and for the street as a whole which is detrimental to the appearance of the conservation area.

The applicant's Heritage Assessment notes that the site at 1-3 Rutland Street is an important visual terminus and area of public realm at the western end of Princes Street. It forms an important element of the setting of adjacent designed historic assets and contains a significant vantage point towards the Castle. The applicant contends that this area forms only a peripheral element of the wider Conservation Area and World Heritage Site. This corner is a significant element of the conservation area and any views of buildings and the wider area that are obstructed by unnecessary developments and street furniture will adversely impact on the character of the area and its heritage status.

The proposal will obstruct views of the lower parts of St. John's Church and St. Cuthbert's Church from Shandwick Place/Rutland Place, contrary to policy CITD1 (Design Quality and Context) of the Edinburgh City Local Plan as the parasols do not make a positive contribution to the appearance of the conservation area. The proposal is contrary to Policy CITD3a) because the size and form of the parasols adversely affects the local townscape and impacts on views despite the location not being an identified key viewpoint in the Edinburgh City Local Plan. The applicant's analysis shows it as a Heritage Asset because of the important buildings that can be seen from this corner, such as St. John's Church, St. Cuthbert's Church and the Castle. The Council concurs with this statement. Furthermore, the proposal is contrary to Policy CITD5a (External Spaces) as the special interest and importance of this pavement area recently cleared of telephone boxes and other street furniture is recognised. Significantly, the retention of the parasols is contrary to Policy CITE6a (Conservation Areas) as the parasols will not make a positive contribution to the character of the area. The proposal will also cause further, unnecessary clutter on the pavement contrary to the de-cluttering advice given in the Edinburgh Street Design Guidance and will diminish the appearance of the built conservation area contrary to non-statutory Guidance for Listed Buildings and Conservation Areas.

Whilst the proposals may not impact on the outstanding universal value of the Edinburgh World Heritage Site because they do not affect the relationship between the old and new towns, they are within the designated area and have an impact on its appearance.

b) Fixed parasols in the public pavement are resisted and the mounting points may cause a potential trip hazard. Transport recommend refusal.

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

d) There are no material representations to be addressed.

In conclusion, the proposed parasols are out of place on this corner site and will significantly and adversely impact on the views of certain buildings, several of which are listed. They will adversely impact on the views at the bottom of Lothian Road towards landmark buildings which form an integral part of the conservation area and therefore the proposal has an adverse impact on the character and appearance of the conservation area.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development, as the parasols will not make a positive contribution to the conservation area by visually cluttering an open area of public realm which is an integral part of the area.
2. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the parasols will cause unnecessary clutter on the pavement contrary to the de-cluttering advice given in the guidance.
3. The proposal is contrary to Edinburgh City Local Plan Policy Des 3 in respect of Development Design, as the size and form of the parasols adversely affects the townscape and views despite not being key viewpoint
4. The proposal is contrary to Edinburgh City Local Plan Policy Des 1 in respect of Design Quality and Context, as the parasols will obstruct views of the lower parts of key historic buildings in Lothian Road and Rutland Place

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

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

## **Equalities impact**

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### **5.1 The equalities impact has been assessed as follows:**

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

## **Consultation and engagement**

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### **6.1 Pre-Application Process**

There is no pre-application process history.

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

Advertised on 8 July 2016. No reps received.

## **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**David R. Leslie**

## **Statutory Development**

**Plan Provision** Allocated as Central Area in the Edinburgh City Local Plan.

**Date registered** 28 June 2016

**Drawing numbers/Scheme** 01 - 02

Scheme 1

Acting Head of Planning and Building Standards

Contact: Duncan Robertson, Senior planning officer  
E-mail: [d.n.robertson@edinburgh.gov.uk](mailto:d.n.robertson@edinburgh.gov.uk) Tel: 0131 529 3560

## **Links - Policies**

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### **Relevant Policies:**

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

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Des 5 (External Spaces) sets criteria for assessing landscape design and external space elements of development.

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

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

Policy Ca 1 (Central Area) sets criteria for assessing development in the Central Area.

Policy Ret 6 (Entertainment and Leisure Developments – Preferred Locations) identifies the Central Area, Leith & Granton Waterfronts and town centres as the preferred locations for entertainment and leisure developments.

**Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE -** Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

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

**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

### Consultations

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No consultations undertaken.

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## NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect  
of Decisions on Local Developments  
The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND)  
Regulations 2013  
The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

**PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>**

1. Applicant's Details		2. Agent's Details (if any)	
Title	<input type="text"/>	Ref No.	<input type="text" value="NAC/VMS/SIG17.3"/>
Forename	<input type="text"/>	Forename	<input type="text" value="Victoria"/>
Surname	<input type="text"/>	Surname	<input type="text" value="Smith"/>
Company Name	<input type="text" value="Signature Pub Group"/>	Company Name	<input type="text" value="Brodies LLP"/>
Building No./Name	<input type="text" value="19"/>	Building No./Name	<input type="text" value="15"/>
Address Line 1	<input type="text" value="Rutland Street"/>	Address Line 1	<input type="text" value="Atholl Crescent"/>
Address Line 2	<input type="text"/>	Address Line 2	<input type="text"/>
Town/City	<input type="text" value="Edinburgh"/>	Town/City	<input type="text" value="Edinburgh"/>
Postcode	<input type="text" value="EH1 2AE"/>	Postcode	<input type="text" value="EH3 8HA"/>
Telephone	<input type="text"/>	Telephone	<input type="text" value="0131 228 3777"/>
Mobile	<input type="text"/>	Mobile	<input type="text"/>
Fax	<input type="text"/>	Fax	<input type="text"/>
Email	<input type="text"/>	Email	<input type="text" value="victoria.smith@brodies.com"/>
<b>3. Application Details</b>			
Planning authority	<input type="text" value="City of Edinburgh Council"/>		
Planning authority's application reference number	<input type="text" value="16/03193/FUL"/>		
Site address	<input type="text" value="1-3 Rutland Street, Edinburgh EH1 2AN"/>		
Description of proposed development	<input type="text" value="Temporary planning permission for parasols"/>		

Date of application

Date of decision (if any)

**Note.** This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

**4. Nature of Application**

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

**5. Reasons for seeking review**

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

**6. Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

**7. Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

### 8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

Please see separate statement of appeal.

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes  No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.



### 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

Please see separate statement of appeal.

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

### 10. Checklist

Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

Full completion of all parts of this form

Statement of your reasons for requesting a review

All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

### DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:  Name:  Date:

**Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.**

## APPEAL AGAINST REFUSAL OF PLANNING PERMISSION (REF: 16/03193/FUL)

### 1 Introduction

- 1.1 This is an appeal by Signature Pub Group against refusal for an application for planning permission (ref: 16/03193/FUL) for temporary planning permission for parasols between 1 April and 30 September annually at 1 – 3 Rutland Street, Edinburgh EH1 2AN. The documents submitted in support of this appeal are set out in Appendix 1.
- 1.2 The applicant owns and manages The Huxley, 1 -3 Rutland Street, Edinburgh. The proposed development is for four parasols to be erected on the pavement area at the front entrance to The Huxley [as outlined on the Site Plan (Dwg No. 6)]. The parasols have plain coloured fabric material with no branding or advertising logos.

### 2 Background

- 2.1 To date the applicant has invested around £12 million pounds in establishing one of Edinburgh's premium restaurants at 1 – 3 Rutland Street, attracting both visitors to the city and locals.
- 2.2 Building on this success, the applicant has made further significant investment in creating a seasonal outdoor seating area (authorised by a separate Tables and Chairs Permit (ref: 20/2016) of which the parasols form part. The applicant intends to apply for a further permit to cover the Spring/Summer period in 2017.
- 2.3 The outdoor seating area and parasols further the Council's '*ultimate goal of providing the people of Edinburgh with a world-class network of vibrant, safe, attractive, effective and enjoyable streets*' (Edinburgh Street Design Guidance, page 5).
- 2.4 Similarly, in the recently adopted LDP, the Council identified as a key objective the need to '*sustain and enhance the city centre as the regional focus for shopping, entertainment, commercial leisure and tourism related activities and encourage appropriate development of the highest quality*' (Edinburgh Local Development Plan 2016, page 119).
- 2.5 The proposed development is clearly aligned with these aims. It represents:
- 2.5.1 Investment in an existing business, which makes an important contribution to the local and tourism economies;
  - 2.5.2 Sustainable expansion of a thriving restaurant, in turn further enhancing the cosmopolitan fabric and vibrancy of the west end of Princes Street;
  - 2.5.3 Continuation of a pattern of temporary, seasonal outdoor seating areas at nearby premises on Princes Street, Queensferry Street and Shandwick Place.

- 2.6 In short, and in terms of policy, this is precisely the type of economic development that the Council should be supporting: development that contributes to the attractiveness of the city centre and the wider tourism economy. As outlined in Section 6, arguably the development finds greater support in policy following the Council's recent adoption of the new LDP.
- 2.7 Indeed, the proposed development will enhance the character and appearance of this bland area of pavement which is currently dominated by the unattractive adjacent busy road intersection.
- 2.8 The applicant has provided a Heritage Assessment, prepared by experts. That concludes (at page 28) that the proposed development will have a **negligible** impact on the architectural and historic interest of the designated historic assets within the setting of the application site:
- 2.8.1 It does not dominate or detract from the setting of historic assets;
- 2.8.2 The application site forms part of a historically busy intersection and pedestrian thoroughfare;
- 2.8.3 The proposals fit within the existing character of the area which includes a café culture of restaurants with outdoor seating; and
- 2.8.4 In terms of visual impact, the proposed development will have a low adverse effect on key views due to the scale of the proposed development in relation to the large buildings surrounding and the dominance of the Castle in the distance.
- 2.9 As far as the applicant is aware, there have been no complaints about the use of the external seating area at this location.

### **3 Grounds of Appeal**

- 3.1 The Grounds of Appeal are:
- 3.1.1 This is precisely the type of economic development that the Council should be supporting: development that contributes to the attractiveness of the city centre and the wider tourism economy.
- 3.1.2 As mentioned above, it promotes the objectives of the local development plan and other policy:
- 3.1.2.1 The outdoor seating area and parasols further the Council's '*ultimate goal of providing the people of Edinburgh with a world-class network of vibrant, safe, attractive, effective and enjoyable streets*' (Edinburgh Street Design Guidance, page 5).
- 3.1.2.2 Similarly, in the recently adopted LDP, the Council identified as a key objective the need to '*sustain and enhance the city centre as the regional focus for shopping, entertainment, commercial leisure and tourism*

*related activities and encourage appropriate development of the highest quality* (Edinburgh Local Development Plan 2016, page 119).

(The application was determined prior to the adoption of the Edinburgh Local Development Plan 2016 in November. Accordingly, the policy references in the Report of Handling are to the Edinburgh City Local Plan 2010. While the new LDP largely replicates the City Plan policies, where the wording of the policies has been updated this lends greater support to the proposed development as outlined in Section 6 below).

- 3.1.3 There is no specific development plan policy prohibiting this development. The relevant policies are general, and require assessment of the impacts of the development. Permission should only be refused if the development will have significant impacts. The evidence clearly shows that it will not have significant impacts.
- 3.1.4 The expert Heritage Assessment shows there will be a negligible impact on the architectural and historic interest of the designated historic assets.
- 3.1.5 There is no evidence to support the reasons for refusal, which are unjustified. In particular, concerns about the impact on the Conservation Area and World Heritage Site are exaggerated. The evidence shows that any impact will be negligible and localised.
- 3.1.6 The development will enhance the character and appearance of locality which is currently dominated by the unattractive adjacent busy road intersection.

#### **4 Impact of the proposed parasols**

- 4.1 The applicant holds a Tables and Chairs Permit from the Council, which allowed for the operation of an outdoor seating area during the spring and summer months in 2016 on the same area of pavement outside The Huxley.
- 4.2 In short, under the Tables and Chairs Permit the applicant was able to erect the same parasols in the outdoor seating area. As indicated above, the applicant will seek a new permit for 2017. At this time, the applicant is not aware of any change in circumstances that might prevent a new permit from being granted in the same terms as the one held previously.
- 4.3 The difference between what is consented by the Tables and Chairs Permit and the present application is that the four parasols would be fixed to the pavement for the duration of the six month period, rather than being put out with the other outdoor furniture each day and then taken in again overnight. In practice, the impact of the parasols when the outdoor seating area is not in use will be considerably less than during the day: (1) the parasols will be less visible at night; and (2) the visual impact is further reduced as the canopies will be furled when not in use.

- 4.4 It is this additional impact – the presence of the four parasols, with the canopy sections furled when not in use, outwith the hours of a Tables and Chairs Permit (the 20/2016 permit allows occupation of the area until 10pm) – that should have been considered in the determination of the application and should now be assessed at appeal.
- 4.5 This additional impact should be considered in the following terms:
- 4.6 **Safety**
- 4.7 Planning permission is required for the four parasols principally for safety. As emphasised previously, the same parasols could be erected on a daily basis as part of a Tables and Chairs Permit. The need for planning permission arises, however, because the applicant wishes the parasols to be fixed securely to the pavement during the period when the outside seating area is in operation.
- 4.8 The incorporation of secure fixings makes no material difference to the visual impact of the parasols. Yet they greatly increase the stability of the structures and minimise the risk of the parasols toppling or blowing over in adverse weather, which is particularly important for the safety of pedestrians and road users at this busy interchange.
- 4.9 Outwith the period of 1 April – 30 September, all fixings for the parasols would be removed from the pavement area so that there is no residual visual or physical impact that would cause a distraction or trip hazard for pedestrians.
- 4.10 **Relationship to Tables and Chairs Permit**
- 4.11 References in the Report of Handling to “street clutter” do not take account of the Tables and Chairs Permit, which has authorised outside dining on that area of pavement. If planning permission is granted on appeal the area of ground in which the parasols will be sited forms part of the area designated for outside dining in terms of the 20/2016 permit.
- 4.12 Unlike neighbouring streets such as Shandwick Place where ‘A’ boards, bus stops and litter bins obstruct narrow pavements, there is a vast expanse of pavement at this corner, which is well placed to absorb street furniture without appearing cluttered.
- 4.13 The applicant intends to implement the planning permission in conjunction with a Tables and Chairs Permit. Accordingly, the applicant would propose a condition linking the planning permission to future tables and chairs permits so that the planning permission would only be implemented in accordance with the terms and time period of such permits.
- 4.14 This condition would allow the Council’s Tables and Chairs Permit Team to retain control should there be any change in circumstances (such as the need for future public realm improvements in the area) because the implementation of the planning permission each year is dependent on renewal of the Tables and Chairs Permit.



- 4.15 Planning permission was granted previously for an outdoor seating area, including the fixing of parasols, in August 2014 (ref: 14/01524/FUL). The seating area was implemented and used for around half the permitted period, further use having to cease on account of pavement restoration works being carried out in the vicinity.
- 4.16 For the period that 14/01524/FUL was implemented, however, the applicant is not aware of any complaints having been made in relation to use of the seating area. Furthermore the applicant had no communications from the Council to indicate that there was any issue with the operation of the outdoor seating area during this time, notwithstanding the reduced period of operation prevented the extent of the positive contribution of the outdoor seating area from being properly assessed.

## 5 Visual Impact

- 5.1 Fundamentally, the visual impact of the proposed development requires to be looked at in context.
- 5.2 The applicant was requested by the Council to obtain a Heritage Assessment so that the impact of the parasols on adjacent listed buildings and the character and appearance of the conservation area / World Heritage Site could be properly assessed.
- 5.3 While the site lies within the New Town Conservation Area and the World Heritage Site, it is a small part of those designated areas. Any impact from the development will therefore be localised.
- 5.4 The Heritage Assessment is focused on the Application Site and its immediate vicinity.
- 5.5 In contrast, the New Town Conservation Area Character Appraisal and guidance relating to the World Heritage Site consider the designations more generally. Crucially, however, neither of these documents gives (1) any particular prominence or contains any specific discussion of the location of the parasols; (2) no key views are identified from the location of the parasols; and (3) it is not defined as a viewpoint in the Conservation Area Character Appraisal.
- 5.6 In fact the character appraisal acknowledges that this part of the city centre has evolved to meet changing retail and leisure needs: '*Western New Town: This area has been subject to increasing pressure from commercial uses. Shandwick Place, the western extension of Princes St, has become a significant retail location with purpose built properties replacing the original Georgian houses*' (page 39).
- 5.7 Consistent with the minimal discussion of the application site noted above, the Heritage Assessment concludes (at page 28) that the proposed development will have a **negligible** impact on the architectural and historic interest of the designated historic assets within the setting of the application site:
- 5.7.1 It does not dominate or detract from the setting of historic assets;
- 5.7.2 The application site forms part of a historically busy intersection and pedestrian thoroughfare;

- 5.7.3 The proposals fit within the existing character of the area which includes a café culture of restaurants with outdoor seating; and
- 5.7.4 In terms of visual impact, the proposed development will have a low adverse effect on key views due to the scale of the proposed development in relation to the large buildings surrounding and the dominance of the Castle in the distance.
- 5.8 The practical factors that support the conclusions in the Heritage Assessment are as follows:
- 5.8.1 The parasols will only be in place from April to September and will be folded down when not in use. Because parasols can be erected on a daily basis under a Tables and Chairs Permit, the net additional impact of the proposed development is the presence of folded umbrellas outwith operating hours.
- 5.8.2 The parasols only cover a small area of the pavement space outside The Huxley. The space taken up and the impact on views of listed and landmark buildings is further reduced when the parasols are folded down and the other outdoor furniture stored overnight.
- 5.8.3 A number of neighbouring premises have various tables, chairs and other street furniture and any additional minor adverse impact arising as a result of the proposed development is mitigated by the temporary nature of the consent sought and the ability to link its implementation to a valid Tables and Chairs Permit.
- 5.9 Accordingly, comments in the Report of Handling, that *'this corner is a significant element of the conservation area and any views of buildings and the wider area that are obstructed by unnecessary developments and street furniture will adversely impact on the character of the area and its heritage status'* are simply not substantiated by the key relevant guidance documents providing detail on the designations or the Heritage Assessment that the Council requested the applicant prepare.
- 5.10 Finally the comments referred to in the present Report of Handling are at odds with the Council's analysis in the Report of Handling in relation to the planning permission that previously authorised parasols at this site (ref: 14/01524/FUL). At page 4 of the Report of Handling for the previous planning permission, the following assessment is made:
- 5.10.1 *'The positioning of the parasols will have a limited impact upon the views of neighbouring listed buildings, particularly towards the section of frontage at ground level...'*
- 5.10.2 *'The proposed parasols will be temporary in nature and the overall effect on the setting of adjacent listed buildings would be considered as neutral, and any limited impact is outweighed by the benefits of an enlivened street scene.'*

5.10.3 *'...the scale of the parasol structures would be subservient within the street scene allowing distant views to be maintained. The parasols may impact upon some localised views of the surroundings when in an opened position but their visual impact will be limited in that they will only be fully opened at certain times of day.'*

5.11 While it is acknowledged that each application requires to be considered on its merits, the applicant is unaware of any change in circumstances to the application site and/or its surroundings that would reconcile such contrasting conclusions in relation to the visual impact of the parasols. The Reasons for Refusal for the current application are therefore wholly inconsistent with the Council's previous assessment.

5.12 The Council's analysis in the previous Report of Handling is consistent with and supported by the applicant's Heritage Assessment.

## **6 Positive contribution to the area at the west end of Princes Street**

6.1 The application site currently forms part of an underutilised corner at the end of Edinburgh's main shopping street. This particular area of pavement was extended in summer 2014 as a result of kerb lines being reconfigured as part of the tram works so that there is ample space for the parasols within an outdoor seating area, whilst maintaining sufficient space for pedestrians and views towards nearby listed and landmark buildings.

6.2 The proposed development will provide an attractive focal point enhancing the existing restaurant offering at the west end of Princes Street. The parasols and outdoor seating area will provide an attractive space for customers to spend time against the backdrop of the World Heritage Site, rather than detracting from the character of the area.

6.3 The creation of an outdoor seating area as a new element to the existing restaurant offering is in line with SPP, para 60, which highlights that the evening economy should be encouraged and managed in appropriate centres to ensure life and activity outwith usual retail hours.

6.4 As indicated above, the City Plan policies referenced in the Report of Handling are largely carried forward in the recently adopted LDP (the new policy references are noted in brackets). The policies, old and new, support the proposed development in the follow terms:

6.4.1 CITD1 (Policy Des 1), CITD3 (Policy Des 4) and CITD5 (Policy Des 8) all relate to high quality design – the proposed development draws on positive characteristics of the area and the materials, height and scale are all appropriate for and integrate the parasols with the setting.

6.4.2 CITE1 (Policy Env 1) and CITE6 (Policy Env 6) both protect the City's historic environment – the proposed development would not have a detrimental impact on the Old and New Town World Heritage Sites; it also preserves the character of the conservation area.

- 6.4.3 CITCA1 (Policy Del 2) relates specifically to the nature of city centre development – the proposed development brings character and vitality to a prominent corner located at a significant interchange.
- 6.4.4 CITR6 (Policy Ret 8) promotes high quality leisure and entertainment facilities in the City Centre – the proposed development contributes to the evening economy in the city centre yet is integrated into the surrounding area and compatible with adjacent existing uses.
- 6.5 In fact, the proposed development finds greater support in the new LDP policies: Policy Del 2 places a new emphasis on maintaining the city centre and retail diversity and Policy Ret 8 promotes new leisure and entertainment facilities in the city centre before other locations are considered. On both counts, the proposed development performs strongly.

## **7 Further Procedure**

- 7.1 The applicant suggests that it would be appropriate for the Local Review Body to visit the application site, to allow for consideration of the impacts of the parasols directly.
- 7.2 It should be noted that the parasols remain in situ following use of the outdoor seating area during 2016. This has been agreed between the applicant and Ian Buchanan, Head of the Council's Neighbourhood Services Team, as to remove the parasols would cause a trip hazard as the existing fixings stick out from the pavement.

## **8 Conclusion**

- 8.1 The development will make a positive contribution to the local and tourism economies, as well as the cosmopolitan fabric of the west end of Princes Street.
- 8.2 The parasols and outdoor seating area make a feature of an otherwise bland area of pavement at a prominent road interchange.
- 8.3 Planning permission is needed to ensure the parasols are securely erected. While the applicant is able to erect parasols on a daily basis under a Table and Chairs Permit, the temporary permission would ensure the safety of pedestrians and roads users by increasing the stability of the parasols.
- 8.4 The additional impact arising, then, if planning permission is granted is the presence of the parasols overnight (and so in darkness), in a furled position, between April and September.
- 8.5 The expert Heritage Assessment confirms that there will be a negligible impact on adjacent historic assets and landmark and listed buildings.
- 8.6 This conclusion is consistent with the temporary nature of the permission sought and the applicant's proposal that implementation of the permission at any time is conditional on it holding a valid Tables and Chairs Permit.

- 8.7 The development complies with LDP policies (to the extent they are relevant) and is in line with the Council's stated objective to: *'enhance the city centre as the regional focus for shopping, entertaining, commercial leisure and tourism'*.
- 8.8 Accordingly, this appeal should be allowed and temporary planning permission granted.

**APPENDIX 1**

- 1.1 Decision Notice dated 5 October 2016
- 1.2 Report of Handling 16/03193/FUL
- 1.3 Application Form
- 1.4 Letter to CEC re application for temporary planning permission dated 28 June 2016
- 1.5 Location Plan
- 1.6 Site Plan
- 1.7 Heritage Assessment (June 2016)
- 1.8 CEC New Town Conservation Area Character Appraisal
- 1.9 Edinburgh Street Design Guidance
- 1.10 Report of Handling 14/0124/FUL

# Report of Handling

## Application for Planning Permission 16/03193/FUL At 1 - 3 Rutland Street, Edinburgh, EH1 2AN Temporary planning permission for parasols

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/03193/FUL
<b>Wards</b>	A11 - City Centre

### Summary

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In conclusion, the proposed parasols do not comply with Development Plan and the non-statutory guidance stated. They are out of place on this corner site and will significantly and adversely impact on the views of certain buildings, several of which are listed and will adversely impact on the views at the bottom of Lothian Road towards landmark buildings which form an integral part of the conservation area.

Whilst the proposals may not impact on the outstanding universal values of the Edinburgh World Heritage Site because they do not affect the relationship between the old and new towns, they are within the designated area and have an impact on its appearance.

### Links

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<a href="#"><u>Policies and guidance for this application</u></a>	CITD1, CITD3, CITD5, CITE1, CITE6, CITCA1, CITR6, NSGSTR, NSLBCA, CRPNEW,
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# Report of handling

## Recommendations

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**1.1** It is recommended that this application be Refused for the reasons below.

## Background

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### 2.1 Site description

The application site comprises a hard paved pedestrian area and footway, extending approximately 21 metres in width and 19 metres in depth, situated at the junction of Princes Street, Lothian Road and Rutland Street.

The proposal relates to 1 Rutland Place, and 1 and 3 Rutland Street which are category A listed (ref: 29685, listed on 14 December 1970) which lie immediately to the west of the application site.

4 Lothian Road, The Caledonian Hotel, which is category A listed (ref: 29524, listed on 20 February 1985) lies opposite the site to the south.

This area of public realm was increased in size and resurfaced in Caithness stone slabs with kerb lines being reconfigured as part of the Edinburgh Tram Project.

The site is located within the Edinburgh World Heritage Site. The surrounding area is in mixed use.

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

### 2.2 Site History

14 December 2015: 1-3 Rutland Street - Renewal of temporary permission for parasols and associated artificial grass until October 2017. WITHDRAWN (15/04505/FUL).

19 August 2014: 1-3 Rutland Street - Consent approved for outdoor seating area (as amended) August to September 2014 and April to September 2015(14/1524/FUL).

25 April 2014: Application for outdoor seating area WITHDRAWN (14/1523/FUL).

Other relevant history:

31 October 2014: 2-6 Rutland Place - Consent refused for a temporary outdoor seating area, including timber structures (14/3182/FUL)(FN).

10 December 2015: 9 Shandwick Place - Consent refused for installation of fixed parasol in the external seating area (15/3596/FUL).

## Main report

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### 3.1 Description Of The Proposal

Proposal is retain four large parasols on the site of the outdoor seating area between 1 April and 30 September each year.

### 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 permission.

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, it needs to be considered whether:

- a) the proposals adversely affect the setting of listed buildings, preserve and enhance the character of the conservation area, and the World Heritage Site and achieve an acceptable standard of design;
- b) the proposals raise transport or raise traffic safety issues;
- c) the proposals raise equalities and human rights impacts and
- d) representations have been addressed.

a) The New Town Conservation Area character Appraisal states under Views- Essential Character: *Terminated vistas within the grid layouts and distant views across and out of the conservation area are an important feature.* Under Spatial Qualities it states: *Landmark buildings, usually churches as well as monuments, establish formal punctuation.* Concerning Streetscape - Essential Character, the appraisal states: *The presence of street clutter (that) visually detracts from the conservation area.*

The four parasols included within the designated seating area are very large and are fixed into the pavement. When open they will impinge upon views of the surrounding buildings which are listed buildings, thereby adversely affecting their setting. They will adversely impact on views across Princes Street/Queensferry Street to the churches on the corner of Lothian Road and ultimately the Castle mound. They will create unnecessary visual clutter on the pavement and for the street as a whole which is detrimental to the appearance of the conservation area.

The applicant's Heritage Assessment notes that the site at 1-3 Rutland Street is an important visual terminus and area of public realm at the western end of Princes Street.

It forms an important element of the setting of adjacent designed historic assets and contains a significant vantage point towards the Castle. The applicant contends that this area forms only a peripheral element of the wider Conservation Area and World Heritage Site. This corner is a significant element of the conservation area and any views of buildings and the wider area that are obstructed by unnecessary developments and street furniture will adversely impact on the character of the area and its heritage status.

The proposal will obstruct views of the lower parts of St. John's Church and St. Cuthbert's Church from Shandwick Place/Rutland Place, contrary to policy CITD1 (Design Quality and Context) of the Edinburgh City Local Plan as the parasols do not make a positive contribution to the appearance of the conservation area. The proposal is contrary to Policy CITD3a) because the size and form of the parasols adversely affects the local townscape and impacts on views despite the location not being an identified key viewpoint in the Edinburgh City Local Plan. The applicant's analysis shows it as a Heritage Asset because of the important buildings that can be seen from this corner, such as St. John's Church, St.Cuthbert's Church and the Castle. The Council concurs with this statement. Furthermore, the proposal is contrary to Policy CITD5a (External Spaces) as the special interest and importance of this pavement area recently cleared of telephone boxes and other street furniture is recognised. Significantly, the retention of the parasols is contrary to Policy CITE6a (Conservation Areas) as the parasols will not make a positive contribution to the character of the area. The proposal will also cause further, unnecessary clutter on the pavement contrary to the de-cluttering advice given in the Edinburgh Street Design Guidance and will diminish the appearance of the built conservation area contrary to non-statutory Guidance for Listed Buildings and Conservation Areas.

Whilst the proposals may not impact on the outstanding universal value of the Edinburgh World Heritage Site because they do not affect the relationship between the old and new towns, they are within the designated area and have an impact on its appearance.

b) Fixed parasols in the public pavement are resisted and the mounting points may cause a potential trip hazard. Transport recommend refusal.

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

d) There are no material representations to be addressed.

In conclusion, the proposed parasols are out of place on this corner site and will significantly and adversely impact on the views of certain buildings, several of which are listed. They will adversely impact on the views at the bottom of Lothian Road towards landmark buildings which form an integral part of the conservation area and therefore the proposal has an adverse impact on the character and appearance of the conservation area.

It is recommended that this application be Refused for the reasons below.

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

## **Reasons:-**

1. The proposal is contrary to Edinburgh City Local Plan Policy Env 6 in respect of Conservation Areas - Development, as the parasols will not make a positive contribution to the conservation area by visually cluttering an open area of public realm which is an integral part of the area.
2. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the parasols will cause unnecessary clutter on the pavement contrary to the de-cluttering advice given in the guidance.
3. The proposal is contrary to Edinburgh City Local Plan Policy Des 3 in respect of Development Design, as the size and form of the parasols adversely affects the townscape and views despite not being key viewpoint
4. The proposal is contrary to Edinburgh City Local Plan Policy Des 1 in respect of Design Quality and Context, as the parasols will obstruct views of the lower parts of key historic buildings in Lothian Road and Rutland Place

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

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

## **Equalities impact**

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### **5.1 The equalities impact has been assessed as follows:**

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

## **Consultation and engagement**

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### **6.1 Pre-Application Process**

There is no pre-application process history.

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

Advertised on 8 July 2016. No reps received.

## Background reading / external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)

## Statutory Development

### Plan Provision

Allocated as Central Area in the Edinburgh City Local Plan.

### Date registered

30 June 2016

### Drawing numbers/Scheme

01 - 02

Scheme 1

## John Bury

Head of Planning & Transport  
PLACE  
City of Edinburgh Council

Contact: Duncan Robertson, Senior planning officer  
E-mail:d.n.robertson@edinburgh.gov.uk Tel:0131 529 3560

## Links - Policies

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### Relevant Policies:

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

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Des 5 (External Spaces) sets criteria for assessing landscape design and external space elements of development.

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

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

Policy Ca 1 (Central Area) sets criteria for assessing development in the Central Area.

Policy Ret 6 (Entertainment and Leisure Developments – Preferred Locations) identifies the Central Area, Leith & Granton Waterfronts and town centres as the preferred locations for entertainment and leisure developments.

**Non-statutory guidelines - EDINBURGH STREET DESIGN GUIDANCE** - Edinburgh Street Design Guidance supports proposals that create better places through the delivery of vibrant, safe, attractive, effective and enjoyable streets in Edinburgh. It sets out the Council's expectations for the design of streets and public realm.

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

**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

## Consultations

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No consultations undertaken.

END



Savills UK Ltd (Edin Wemyss Place).  
Wemyss House  
8 Wemyss Place  
Edinburgh  
Scotland  
EH3 6DH

19 Rutland Street  
Edinburgh  
Scotland  
EH1 2AE

**Decision date: 5 October 2016**

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Temporary planning permission for parasols  
At 1 - 3 Rutland Street Edinburgh EH1 2AN

**Application No:** 16/03193/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 28 June 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01 - 02, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

In conclusion, the proposed parasols do not comply with Development Plan and the non-statutory guidance stated. They are out of place on this corner site and will significantly and adversely impact on the views of certain buildings, several of which are listed and will adversely impact on the views at the bottom of Lothian Road towards landmark buildings which form an integral part of the conservation area.

Whilst the proposals may not impact on the outstanding universal values of the Edinburgh World Heritage Site because they do not affect the relationship between the old and new towns, they are within the designated area and have an impact on its appearance.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Duncan Robertson directly on 0131 529 3560.



John Bury  
Head of Planning & Transport  
PLACE  
City of Edinburgh Council

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).
2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Tel: 0131 529 3550 Fax: 0131 529 6206 Email: [planning.systems@edinburgh.gov.uk](mailto:planning.systems@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100016128-001

The online reference is the unique reference for your online form only. The Planning Authority will allocate an Application Number when your form is validated. Please quote this reference if you need to contact the planning Authority about this application.

## Type of Application

What is this application for? Please select one of the following: \*

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

## Description of Proposal

Please describe the proposal including any change of use: \* (Max 500 characters)

Temporary planning permission for parasols

Is this a temporary permission? \*

Yes  No

## Description of Proposal Cont.

Please state how long permission is required for and why: \* (Max 500 characters)

Temporary planning permission is sought for the period between 01 April and 30 September each year.

If a change of use is to be included in the proposal has it already taken place?  
(Answer 'No' if there is no change of use.) \*

Yes  No

Has the work already been started and/or completed? \*

No  Yes – Started  Yes - Completed

Please state date of completion, or if not completed, the start date (dd/mm/yyyy): \*

31/08/2014

Please explain why work has taken place in advance of making this application: \* (Max 500 characters)

The application is for the renewal of a previous temporary permission Planning Ref: 14/01524/FUL

## Applicant or Agent Details

Are you an applicant or an agent? \* (An agent is an architect, consultant or someone else acting on behalf of the applicant in connection with this application)

Applicant  Agent

## Agent Details

Please enter Agent details

Company/Organisation:

Savills (UK) Ltd

Ref. Number:

You must enter a Building Name or Number, or both: \*

First Name: \*

Adam

Building Name:

Wemyss House

Last Name: \*

Henry

Building Number:

Telephone Number: \*

0131 247 3809

Address 1  
(Street): \*

8 Wemyss Place

Extension Number:

Address 2:

Mobile Number:

Town/City: \*

Edinburgh

Fax Number:

Country: \*

Scotland

Postcode: \*

EH3 6DH

Email Address: \*

ahenry@savills.com

Is the applicant an individual or an organisation/corporate entity? \*

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="19"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="Rutland Street"/>
Company/Organisation	<input type="text" value="Signature Pub Group"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH1 2AE"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

## Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="1-3 RUTLAND STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH1 2AN"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="673648"/>	Easting	<input type="text" value="324668"/>
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## Pre-Application Discussion

Have you discussed your proposal with the planning authority? \*

Yes  No

## Pre-Application Discussion Details Cont.

In what format was the feedback given? \*

Meeting  Telephone  Letter  Email

Please provide a description of the feedback you were given and the name of the officer who provided this feedback. If a processing agreement [note 1] is currently in place or if you are currently discussing a processing agreement with the planning authority, please provide details of this. (This will help the authority to deal with this application more efficiently.) \* (max 500 characters)

Confirmed application procedure and agreed requirement for heritage assessment.

Title:

Mrs

Other title:

First Name:

Elaine

Last Name:

Campbell

Correspondence Reference Number:

Date (dd/mm/yyyy):

12/04/2016

Note 1. A Processing agreement involves setting out the key stages involved in determining a planning application, identifying what information is required and from whom and setting timescales for the delivery of various stages of the process.

## Site Area

Please state the site area:

68.00

Please state the measurement type used:

Hectares (ha)  Square Metres (sq.m)

## Existing Use

Please describe the current or most recent use: \* (Max 500 characters)

Outdoor seating area with associated parasols.

## Access and Parking

Are you proposing a new altered vehicle access to or from a public road? \*

Yes  No

If Yes please describe and show on your drawings the position of any existing. Altered or new access points, highlighting the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any change to public paths, public rights of way or affecting any public right of access? \*

Yes  No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

0

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? \*

0

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

## Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? \*

Yes  No

Do your proposals make provision for sustainable drainage of surface water?? \* (e.g. SUDS arrangements) \*

Yes  No

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? \*

- Yes  
 No, using a private water supply  
 No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

## Assessment of Flood Risk

Is the site within an area of known risk of flooding? \*

Yes  No  Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? \*

Yes  No  Don't Know

## Trees

Are there any trees on or adjacent to the application site? \*

Yes  No

If Yes, please mark on your drawings any trees, known protected trees and their canopy spread close to the proposal site and indicate if any are to be cut back or felled.

## Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? \*

Yes  No

If Yes or No, please provide further details: \* (Max 500 characters)

N/A

## Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? \*

Yes  No



## All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? \*

Yes  No

### Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) \*

Yes  No  Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

### Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? \*

Yes  No

### Certificates and Notices

CERTIFICATE AND NOTICE UNDER REGULATION 15 – TOWN AND COUNTRY PLANNING (DEVELOPMENT MANAGEMENT PROCEDURE) (SCOTLAND) REGULATION 2013

One Certificate must be completed and submitted along with the application form. This is most usually Certificate A, Form 1, Certificate B, Certificate C or Certificate E.

Are you/the applicant the sole owner of ALL the land? \*

Yes  No

Is any of the land part of an agricultural holding? \*

Yes  No

Are you able to identify and give appropriate notice to ALL the other owners? \*

Yes  No

### Certificate Required

The following Land Ownership Certificate is required to complete this section of the proposal:

Certificate B

# Land Ownership Certificate

Certificate and Notice under Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Address:

Date of Service of Notice: \*

Name:

Address:

Date of Service of Notice: \*

(2) - None of the land to which the application relates constitutes or forms part of an agricultural holding;

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: \*

Signed: Adam Henry  
On behalf of: Signature Pub Group  
Date: 28/06/2016

Please tick here to certify this Certificate. \*

## Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

Please take a few moments to complete the following checklist in order to ensure that you have provided all the necessary information in support of your application. Failure to submit sufficient information with your application may result in your application being deemed invalid. The planning authority will not start processing your application until it is valid.

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? \*

Yes  No  Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? \*

Yes  No  Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? \*

Yes  No  Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? \*

Yes  No  Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? \*

Yes  No  Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: \* (Max 500 characters)

Provide copies of the following documents if applicable:

- |  |                              |   |
|--|------------------------------|---|
| A copy of an Environmental Statement. *  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. *                                   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Flood Risk Assessment. *   | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. *  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. *  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. *  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. *  | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

A Heritage Assessment and Supporting Cover Letter have been submitted.

## Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Adam Henry

Declaration Date: 28/06/2016

## Payment Details

Cheque: Savills (UK) Ltd, TBC

Created: 28/06/2016 10:45

28 June 2016  
16 06 28 Supporting Cover Letter



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Dear Sir or Madam

**1-3 Rutland Street, Edinburgh – Temporary planning permission for parasols between 01 April and 30 September annually (Online Planning Ref: 100016128-001)**

We write on behalf of our client Signature Pub Group enclosing a planning application for temporary planning permission for four parasols between 01 April and 30 September each year (at 1-3 Rutland Street, Edinburgh. Temporary permission was granted in August 2014 (Planning Ref: 14/01524/FUL) which allowed for the successful installation and use of the area, the tram restoration works have meant it was not been able to be used for about half of that permitted period.

An application to renew this temporary permission was withdrawn in December 2015, following concerns from the Planning Authority that the proposal had an adverse impact on the setting of adjacent listed buildings and on the character and appearance of the conservation area / World Heritage Site. Following further discussions with the Planning Authority, it was agreed that a Heritage Assessment would be required to support the proposals. This has been enclosed as part of this submission.

**The Proposal**

The high quality canvas parasols would continue to utilise the new space at the front door of The Huxley, which recently underwent public realm works to install Caithness flagstone paving to the area. During the summer months of 2014, the area was increased in size as a result of kerb lines being reconfigured as part of the Edinburgh Tram Project. A crescent shaped seating area and redundant telephone kiosks were also removed. The parasols provide shelter, allowing customers to eat outside, taking in the stunning views of Edinburgh Castle. The parasols are left folded overnight.

The City of Edinburgh Council has promoted the use of semi permanent outdoor seating areas across the City. Of particular relevance are the proposals which took place on George Street last year. While the

George Street proposals have now been removed and the normal street pattern returned, these parasols offer a more measured approach to creating functional and flexible outdoor space. The Council has already confirmed the necessary Table and Chairs Permit to allow for the operation of the outdoor seating area until the end of September 2016.

It is proposed to link the jumbrellas to the permitted table and chairs area, which will give the Council greater flexibility to control this area should they require it for future public realm improvements. It is considered that the following appropriate conditions should be applied to any future planning permission to link it to the table and chair permit:

1. *The permission shall only be implemented in accordance with the relevant tables and chairs permit issued by the City of Edinburgh Council.*
2. *The permission shall only be implemented for the period identified on the relevant tables and chairs permit issued by the City of Edinburgh Council.*

## **Planning Justification**

### *Scottish Planning Policy (SPP)*

SPP sets out the Scottish Government's policy on land use planning, and contains national planning policy guidance on town centres. Paragraph 94 states how the tourism industry is one of Scotland's largest business sectors and planning authorities should support high quality tourism related development. Continued implementation of the parasols constitutes a contemporary facility in line with modern consumer expectation which would clearly supplement the existing tourist offer in the City (as well as benefitting local residents).

The proposal is also in accordance with SPP Paragraph 60, which highlights that the evening economy should be encouraged and managed in appropriate centres to ensure life and activity outwith usual retail hours. Again, the proposal would actively contribute towards a vibrant evening (and day) economy, improving levels of vitality and viability within the City Centre.

### *Strategic Development Plan for Edinburgh and South East Scotland – SESplan*

Edinburgh is located within the Regional Core and forms an important centre for economic activity. Paragraph 98 recognises that Edinburgh City Centre performs a broad range of regional and national functions including shopping, office and leisure uses. The creation of a high quality outdoor seating area will complement and support the surrounding range of uses within the City Centre.

### *Edinburgh City Local Plan 2010*

One of the main objectives of the adopted Edinburgh City Local Plan is to “*sustain and enhance the city centre as the regional focus for shopping, entertainment, commercial leisure and tourism related activities and encourage appropriate development of the highest quality*”.

The Edinburgh City Local Plan (2010) identifies the site within the Central Area and Policy Ca 1 notes that development in this area must maintain the character and vitality of the City Centre. As established, the proposal will continue to encourage footfall to the area and help promote improve the evening economy.

Nearly £12 million has been invested in creating one of the Edinburgh’s premium restaurants at 1-3 Rutland Street. A further amount of circa £50,000 has been spent on creating the semi permanent outdoor seating area including the parasols, a significant additional investment for the City.

Policy Des 5 sets out the considerations for development in all external spaces. The parasols are made of high quality materials, which makes a positive contribution to the public realm and the wider New Town Conservation Area. It is considered that the proposals will continue to provide a key point of interest within this restructured, cleared area of public space.

Policy Env 3 directs that development affecting the setting of a listed building will only be supported if there is no detrimental effect on the appearance or character of the building. The parasols have been carefully sited beside the ‘A’ Listed 1-3 Rutland Street, whilst their high quality design means that there will be no significant adverse material impact on the Category A listed building at 1-3 Rutland Street. The visual impact of the parasols will also be limited as they will only be fully opened at certain times of day, being left in a closed position outside trading hours. Likewise, with respect to Policy Env 6, the proposals will result in no adverse impact or permanent physical change to the New Town Conservation Area.

The submitted Heritage Assessment concludes that the proposals will have a negligible impact on the architectural and historic interest of the designated historic assets within the setting of the site at 1-3 Rutland Street.

### *Edinburgh Street Design Guidance (August 2015)*

This non-statutory guidance is supplementary to the Local Development Plan and is a material consideration in determining planning applications. It has the ultimate goal of providing the people of Edinburgh with a world-class network of vibrant, safe, attractive, effective and enjoyable streets.

The design principles for proposals within a World Heritage Site and Conservation Area seek to reinforce the character of the place and use traditional materials. As demonstrated over the past year, the sensitively

designed parasols have gradually animated the space outside The Huxley, allowing customers to eat and drink in a sheltered space. The guidance sets out the following supplementary street design objectives:

- *“Innovative and creative solutions (artistic interventions)*
- *Create flexible spaces that allow a range of activities (future proof)*
- *Maintain the design philosophy of original scheme (especially with materials and details)*
- *Include facilities for events and city dressing etc”*

Whilst the proposals don't redesign the entire street, they are considered to generally meet with the thrust of each of the above objectives. The parasols will add to the vibrancy of street and the public realm. As established, the parasols will utilise space within the restructured pavement area at the Rutland Street/Lothian Road junction. The scale and siting has been carefully considered, maintaining existing pedestrian routes and set back from the adjacent roads.

#### *Edinburgh Local Development Plan - Second Proposed Plan (June 2014)*

The Local Development Plan is at an advanced stage and due to be adopted in Autumn 2016. Notwithstanding, the emerging policy position set out within the Proposed Plan provides no material changes which should preclude implementation of that proposed.

### **Material Considerations**

There are a number of material considerations that need to be addressed alongside the relevant planning policy in deciding this planning application. The use of the parasols were restricted throughout the previous permitted period due to pavement works undertaken by the Council, thus there hasn't been an opportunity to fully appreciate and assess the parasols.

Soon after planning permission was granted in August 2014, the Council contacted The Huxley and explained that they would be undertaking pavement works prior to Christmas 2014, and as such The Huxley decided not to use the area due to the disruption that would be caused during the pavement works.

In April 2015, the pavement contractor informed The Huxley that everything had to be removed from the outdoor area by 9am on Monday 11<sup>th</sup> May 2015 to allow them to prepare the area for the works. Works were intended to last 4 weeks, however were not completed until the 2<sup>nd</sup> August 2015. The area was unable to be used between the 11<sup>th</sup> May – 2<sup>nd</sup> August 2015 (77 days), even though a table and chairs permit had been granted by the Council.



In conclusion, the proposed parasols are fully in accordance with the prevailing planning policy hierarchy, positively contributing to footfall levels and the overall vitality of the City Centre. The proposals are of high quality design, improving public realm facilities within Edinburgh's City Centre to the benefit of local residents and tourists alike. The submitted heritage assessment demonstrates that the temporary proposals have a negligible impact on their surroundings. As such, we would respectfully request that the application is given full support by the Council and that planning permission is granted incorporating the suggested conditions.

A cheque made payable to City of Edinburgh Council for £202 will follow on in the coming days. We would be happy to meet with you and discuss matters further. In the meantime, if you require any further information or have any queries please feel do not hesitate to contact me.

Yours faithfully

A handwritten signature in black ink, appearing to read "A Wood", written in a cursive style.

Alastair Wood  
Director

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Client

**Signature Pubs**

Job Title

**The Rutland Hotel  
Edinburgh**

Drawing Title

**Location Plan**

Date

13.09.12

Scale

1:1250@A4

Drawn by

JT/AL

Job No.

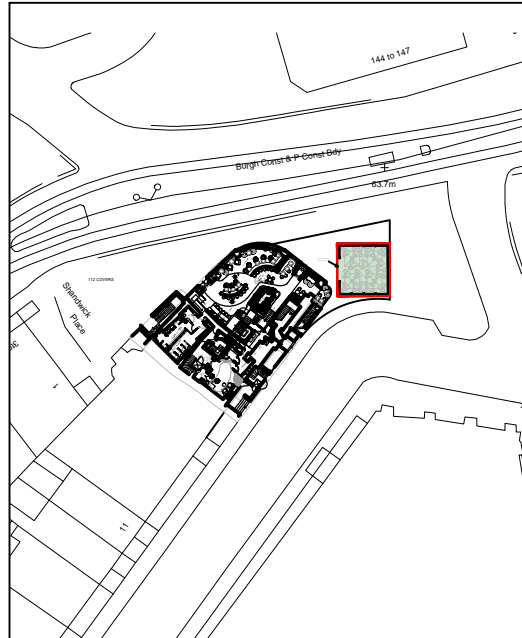
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Revisions	Description	Date

Drawing Number

**07**

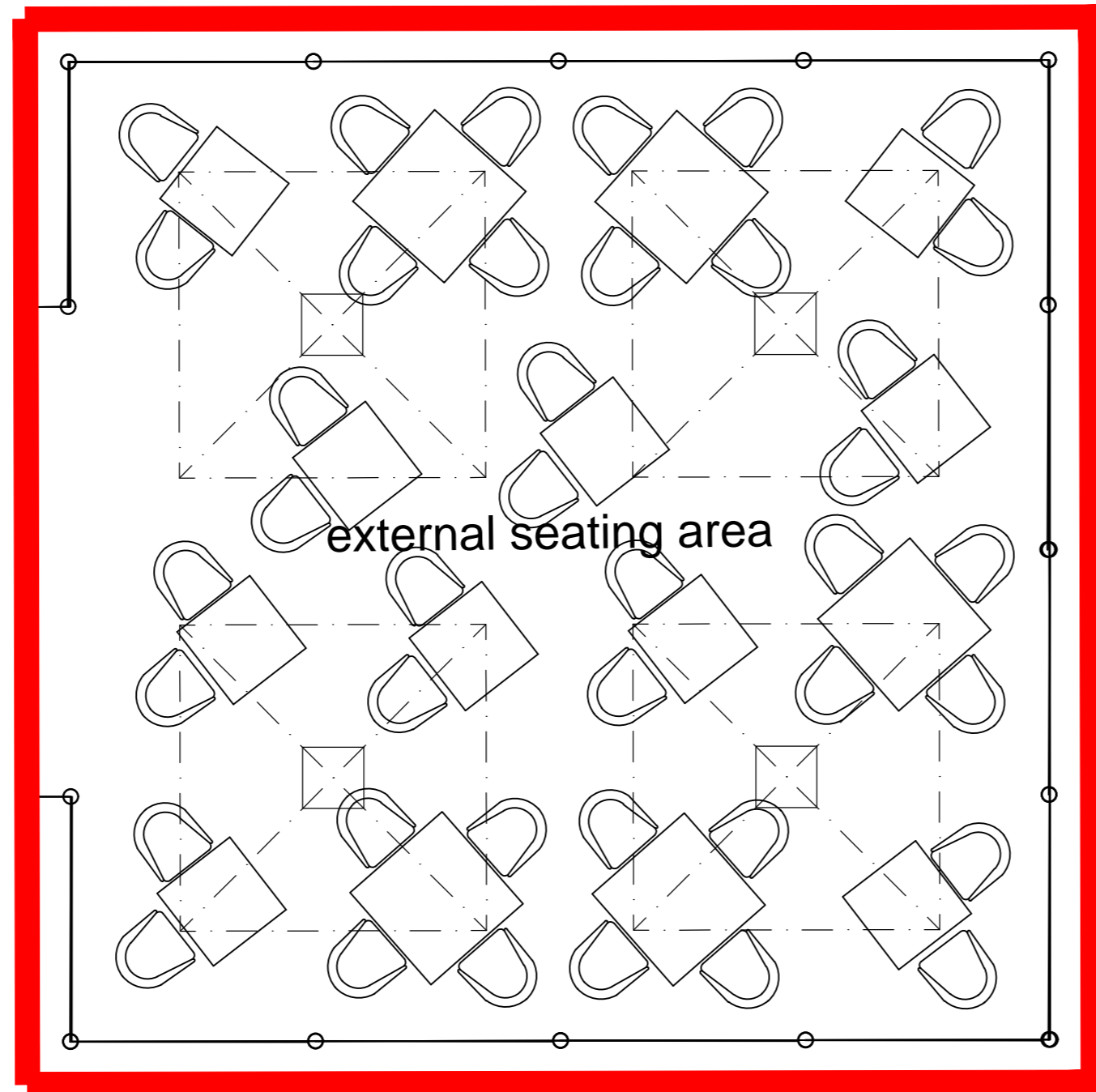
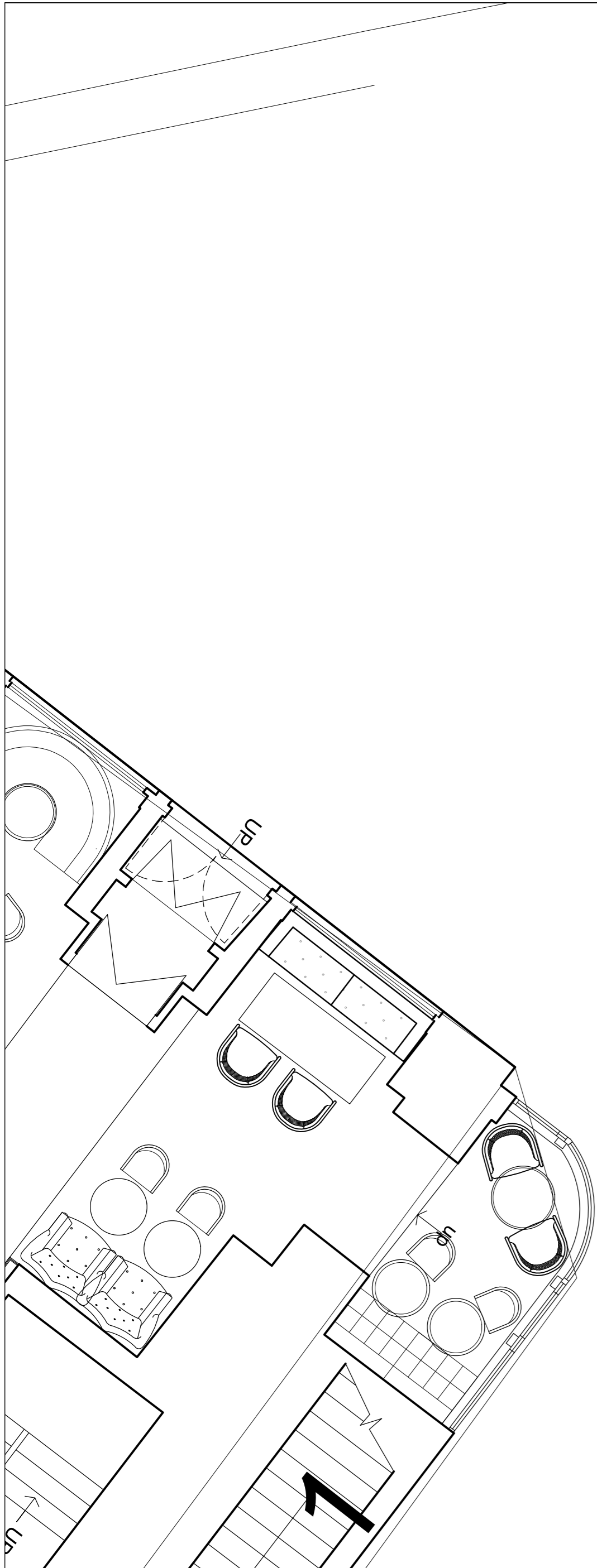
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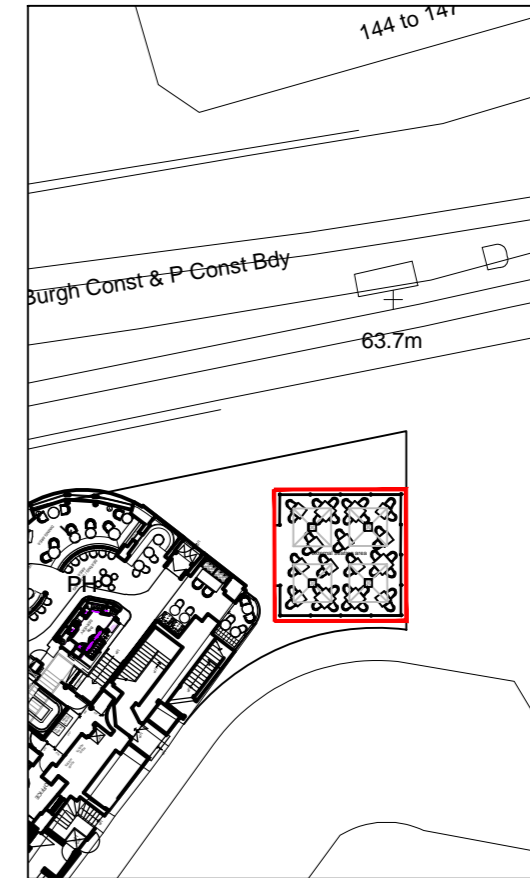
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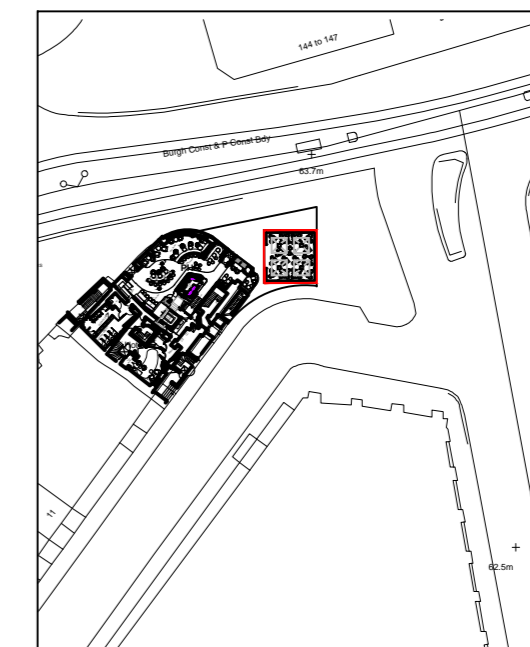
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Scale 1:50



Site Plan Scale 1:500



Location Plan Scale 1:1250

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Client  
**Signature Pubs**

Job Title  
**The Rutland Hotel  
 Edinburgh**

Drawing Title  
**External Area**

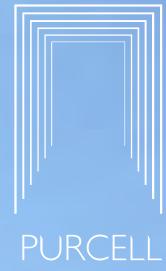
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 Drawn by JT/AL  
 Job No. 1531

Revisions	Description	Date
A	Tables and Chairs Area	25/09/15
B	Tables and Chairs Edit	14/06/16

Drawing Number **06**

(b)

RUTLAND STREET JUMBRELLAS  
HERITAGE ASSESSMENT  
ISSUE I  
JUNE 2016



**REBECCA BURROWS**

On behalf of Purcell ©

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**DOCUMENT ISSUE**

Issue 1 (June 2016) - Savills



RB/tro/01-237435

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## EXECUTIVE SUMMARY

---

This Heritage Statement has been written to accompany a planning application to Edinburgh City Council for the renewal of permission for the use of jumbo-umbrellas (jumbrellas) during the period between 1 April and 30 September 2016 at The Rutland Hotel, 1-3 Rutland Street.

The Rutland Hotel (Category A) sits on the corner of Rutland Street at the junction between Princes Street, Lothian Street and Rutland Street and the site occupies an area of hard standing at the front of the hotel, used as an outdoor seating area for the hotel restaurant.

The site falls within the immediate setting of three Category A listed buildings and the wider setting of numerous other listed buildings. The site is within the boundary of the Edinburgh New Town and Old Town World Heritage Site, the New Town Conservation Area and the New Town Garden and Designed Landscape.

This statement highlights the history and character of the area as a public thoroughfare and busy interchange that includes cars, trams and pedestrian traffic. Views of the castle can be appreciated as one travels through the site and the impact on these views has been considered to be low. The impact on the principal view west along Princes Street is negligible. The impact of the jumbrellas on the experience of the heritage assets in the vicinity, in particular the Castle, has been assessed and the proposals will have a negligible impact on the ability to appreciate and understand them. Any minor impact on the views from the square has been mitigated by the part-time use of the jumbrellas and their small scale presence within the square as a whole.

This application conforms with the local and national policy and will fit into the vibrant, growing café culture character of this area of Edinburgh.

## 1.1 AUTHORSHIP

This report has been prepared by Rebecca Burrows (BA (Hons), MSc, IHBC), Senior Heritage Consultant on behalf of Savills. Copyright will be vested with Purcell, with our client given rights to distribute this report to relevant staff and stakeholders.

## 1.2 CONTEXT TO THE REPORT

Savills, on behalf of Signature Pub Group, seek to renew planning permission for the existing jumbo-umbrellas (jumbrellas) at the Rutland Hotel, 1-3 Rutland Street, Edinburgh EH1 2AE (the site). The application is for the use of four jumbrellas on a temporary basis between 01 April and 30 September 2016 in conjunction with the use of tables and chairs in the same location.

## 1.3 SCOPE OF THE REPORT

This Heritage Assessment provides an assessment of the impact of the jumbrellas on designated historic assets within the site's setting. The assessment of impact has been produced in line with Historic Environment Scotland's Managing Change in the Historic Environment: Setting, 2010. The three sections of this assessment are:

- Identification of the historic assets
- Definition and analysis of setting and significance
- Evaluation the potential impact of the proposed changes on the setting and mitigation

## 1.4 PLANNING HISTORY

**14/01524/FUL** - Planning permission was originally granted in August 2014 for the use of jumbrellas on a temporary basis from August to September 2014 and April to September 2015.

**15/04505/FUL** – A renewal of this temporary planning permission was withdrawn in December 2015 following the requirement to submit further information.



## 2 IDENTIFYING THE HISTORIC ASSETS

### 2.1 SITE LOCATION AND DESCRIPTION

The application site is situated on the corner of Rutland Street; directly to the east of the Rutland Hotel. The site comprises a hard paved pedestrian area and footway, extending approximately 21 metres in width and 19 metres in depth, situated at the junction of Princes Street, Lothian Road and Rutland Street.

This area of public realm has recently (2014) been increased in size as a result of kerb lines being reconfigured as part of the Edinburgh Tram Project (2009-2014). A crescent shaped seating area and redundant telephone kiosks have recently been removed from the area.

Today, the site is a thoroughfare for pedestrians at the junction of the busy Princes Street and Lothian Road. Pedestrians wait on both sides of the site to cross Lothian Road to the north and east. The site is bound by the new tram line that continues from Princes Street onto Shandwick Place (east to west) and by road traffic on Lothian Road to the east. To the south, Rutland Street has retained a more traditional surface of stone setts.

The site is overlooked by The Caledonian Hotel to the south, the Rutland Hotel to the west and St Johns Church to the east. To the north the site opens up, with Fraser's 20th century Neo-Classical department store (House of Fraser) and other 18th century buildings, typical of Edinburgh's New Town.



Aerial view of Edinburgh showing the location of key sites related to the Rutland Street proposals. Baseplan © 2016 Infoterra Ltd & Bluesky



*View of the site at 1-3 Rutland Street with the jumbrellas in place, looking south-east*



*View of the site related to these proposals*

## 2 IDENTIFYING THE HISTORIC ASSETS

### 2.2 HISTORIC DEVELOPMENT

#### 2.2.1 EDINBURGH OLD TOWN

The City of Edinburgh developed around the naturally defensible position created by Castle Rock and the Old Town Ridge. Occupation at this site can be traced back to the Bronze Age and a Royal Castle on the site identified since the 10th century. The abbey at Holy Rood was founded by David I in 1128 and medieval Edinburgh developed along the ridge between the two creating what is now called Old Town.

Edinburgh was made the capital of Scotland by the Stuart Kings in the 15th century continued to expand, though was restricted by the Flodden and Telfer Walls. Following the suppression of the Jacobite Risings in 1745, political stability made it possible to expand outside of the defensive walls and bridges were built from 1763 to allow for the development of New Town to the north of Old Town.

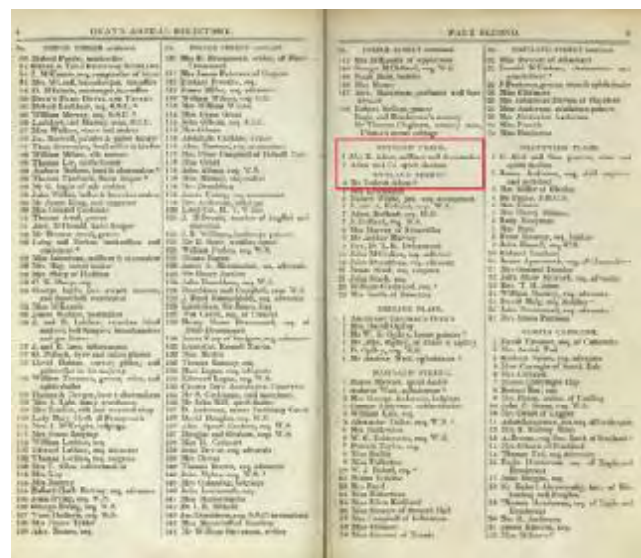
#### 2.2.2 EDINBURGH NEW TOWN

The development of New Town was based on a hierarchical symmetrical grid plan designed by James Craig and selected in a competition. Princes, George and Queen Street provide the grandest and central point to the plan. Construction began in 1770 with the area at the east of Queen Street from which development continued to spread west. The John Ainslie map of 1780 shown the plan for First New Town terminating at Charlotte Street at the west (see map 1). Following this success further landowners took on a similar planned design to the north, west and east of the First New Town.

#### 2.2.3 DEVELOPMENT OF RUTLAND STREET

Rutland Street sits to the west of the First New Town in the area of Western New Town. This area was developed from 1805, beginning with Shandwick Place (initially Maitland Street). As a result of its planned development the Western New Town is characterised by the established grid and crescent plans extending from the edge of the First New Town. Rutland Place, Street and Square were originally planned by Archibald Elliot in 1819 and built between 1830 and 1840. New Town is celebrated once of the most significant pieces of urban town planning in Britain, however its piecemeal development and feus system has meant that some areas such as Rutland Street are built on an angle to the original scheme.

The designed layout for Rutland Street, Place and Square is set out in Wood's 1823 Plan of the City of Edinburgh (see map 2) and 1-3 Rutland Street had been completed by 1833 and is listed in the 1833-34 Greys Annual Directory for Edinburgh. 3 Rutland Street is listed as being the residence of Mr Robert Adam and 1 and 2 Rutland Place as being the property of Mrs R Adam's dressmakers and the Adam and Co Spirit Dealers.



1833-34 Gray's annual directory: Edinburgh and vicinity National Library of Scotland

An 1836 feus map showing the land of John Learmonth Esquire indicates that these properties were all one tenement on the site of The Rutland Hotel today (map 3). The Ordinance Survey Map of 1896 first marks the building as a hotel (see map 4).

2.2.4 DEVELOPMENT OF THE RAILWAY STATIONS

From the 1840's two competing train companies built railways into Edinburgh resulting in two stations at either end of Princes Street. To the east was the Waverley Station and on Lothian Road, the Princes Street Station which cut into the gridded street pattern and resulted in the demolition of the south side of Rutland Street. These stations also resulted in the building of two large hotels each to be associated with its own station. The Princes Street Station fell out of use in 1965 and the Caledonian Hotel now dominates this corner. The Caledonian Hotel is identified as a landmark feature in the Character Appraisal on the entry to New Town from the south west.<sup>01</sup>

2.2.5 SITE AT 1-3 RUTLAND STREET

The application site outside The Rutland Hotel forms a part of the square created by the junction between Lothian Street, Princes Street, and Shandwick Place at the top of Rutland Street.

Before the complete development of New Town this site sat on an older route into the marketplace of Edinburgh. The 1780 John Ainslie map (see map 1) shows a route from the north-west labelled Kirkbraehead leading to the West Kirk (which is on the site of St Cuthbert's) and around the castle to the Grass Market in the Old Town. The square as a space was created here by the development of the First New Town. Princes Street ended here and joined the older road. The map also shows a toll booth in the centre of the square indicating that there was activity in and around the square prior to the development of Rutland Street and the rest of the Western New Town. By the late 19th century a drinking fountain had replaced the toll booth.

As New Town extended further west, Princes Street was extended beyond the square to add Shandwick Place and running off north to Hope Street and Queensferry road (which follows a similar line to Kirkbraehead) the space was opened up further when Rutland Place and Rutland Square were added in the 1830's and designed with a curving frontage.

The square has further changed its shape over time due to the development of the Train Station and the Caledonian Hotel and has more recently been altered by the Edinburgh Tram scheme.



Photograph of the site at 1-3 Rutland Street in 2011 prior to public realm works associated with the Princes Street tram scheme. The telephone boxes and crescent seating has been removed and the pavement expanded.



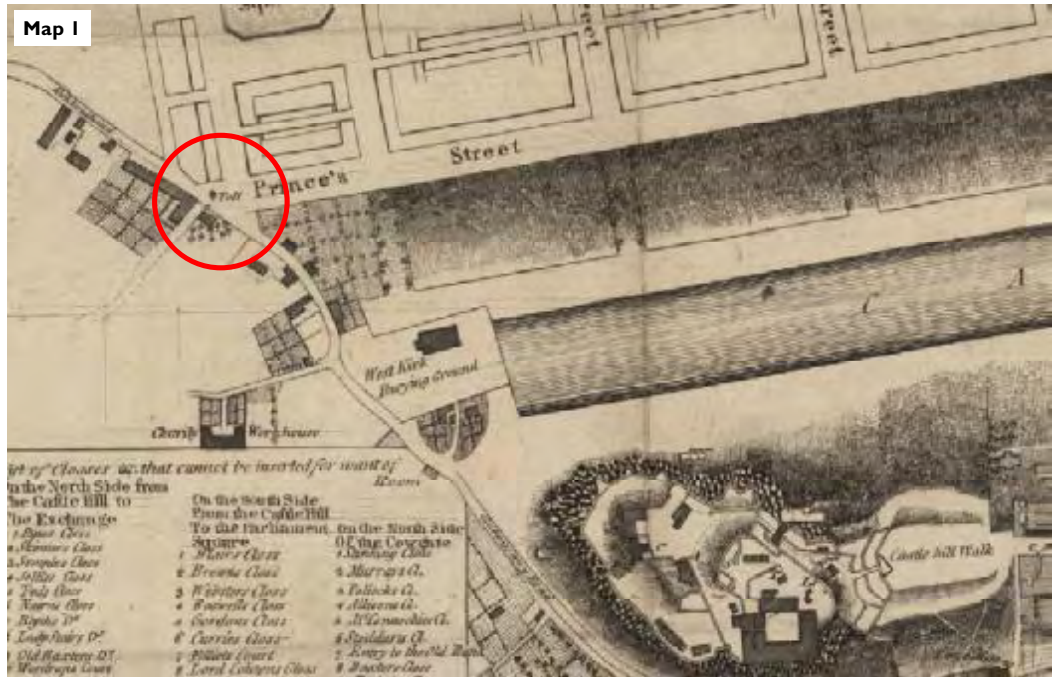
Photograph of the view from the Rutland Hotel looking east along Princes Street in the late 19th century © Britain From Above, public contribution

01 New Town Conservation Area Character Appraisal, 2005



## 2 IDENTIFYING THE HISTORIC ASSETS

### 2.3 MAP PROGRESSION

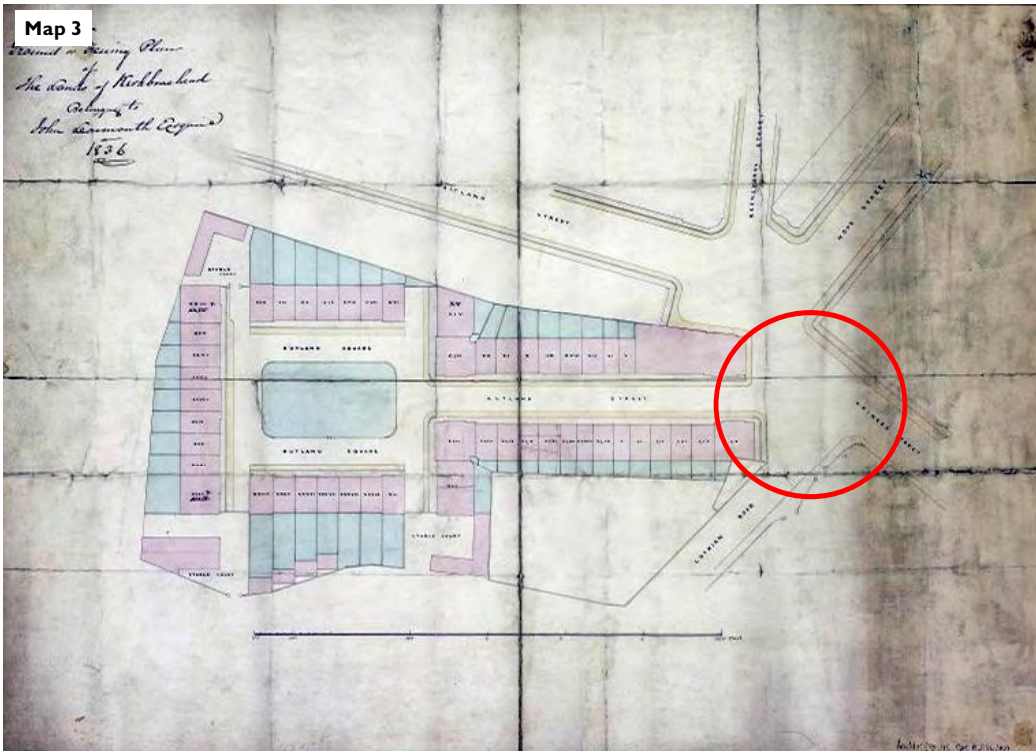


Map by John Ainslie of 1780 showing the early development plans for New Town. The terminus of Princes Street marks the western edge of New Town. At this date the site at 1-3 Rutland Street was an open space at the termination of the planned New Town and contained a toll booth. To the west were small structures, possibly of an agricultural nature. An early workhouse was extant to the south. (National Library of Scotland)



Wood's Map of 1823 shows the layout of Rutland Street, Square and Place alongside the rest of the Western New Town development. Rutland Street, appears to have been squeezed in at an angle between the junction of Lothian Road and Maitland Street. The site is formed a wide area of road for vehicular traffic. (National Library of Scotland)





1836 Map showing the feus of John Learmonth Esquire. In this map the individual plots that were 1 and 3 Rutland Street are now shown as one block. The site remained a wide area of road at a busy junction. (RCAHMS: Canmore ID 147266 via ScotlandsPlaces)



The OS Map published in 1896 shows 1 and 3 Rutland Street marked as a hotel for the first time and the south side of the street had been demolished to make room for the Princes Street Station terminal building. Trams had been constructed along the main streets. The site remained a wide space at the junction of the roads and a drinking fountain had been installed. (National Library of Scotland)

## 2 IDENTIFYING THE HISTORIC ASSETS



The OS Map published in 1908 shows The Caledonian Hotel at 4 Lothian Street had been constructed around the northern and eastern façades of the Train Station opposite the site. (National Library of Scotland)



The 1933 OS map still shows the Princes Street Station before its decline and conversion into The Caledonian Hotel. The entrance of Rutland Street had been opened up, with focus now on the Caledonian Hotel. The site remained an open area of road and the drinking fountain was still in place. (National Library of Scotland)



## 2.4 DESIGNATED HISTORIC ASSETS

Designated historic assets are details of the environment that have a historic dimension that contributes to its quality and character. Designations can be both statutory and non-statutory and help to protect the special interest of the environment through rules in the planning process. Statutory designations are Listed buildings, Conservation Areas, Scheduled Monuments and Designated Wreck Sites. Non-statutory designations include World Heritage Sites and Gardens and Designed Landscapes.<sup>02</sup>

The historic environment is covered by the following legislation:

- Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997
- Planning etc. (Scotland) Act 2006
- Historic Environment (Amendment) (Scotland) Act 2011
- Scottish Planning Policy, 2014
- Scottish Historic Environment Policy, 2011
- Historic Environment Scotland's Managing Change in the Historic Environment, 2010

See Appendix B for more information on the national and local planning policy relevant to the proposals for the site at 1-3 Rutland Street.

The Rutland Street site is situated within the New Town Conservation Area, which was designated in 1977 and revised and extended in 1980 and 1995. The Conservation Area is classified as Outstanding by Historic Environment Scotland and has international recognition as a part of the UNESCO designated Edinburgh Old and New Town World Heritage Site. The Character Appraisal for the New Town Conservation Area highlights The Caledonian Hotel as a landmark feature. The public space at 1-3 Rutland Street is not listed as a key viewpoint and is not specifically referred to within the report.

The proposal relates to land directly east of The Rutland Hotel at 1 Rutland Place, and 1 and 3 Rutland Street which are category A listed (LB reference: - 29685 and listed on 14 December 1970) which lie immediately to the west of the application site.

The Caledonian Hotel at 4 Lothian Road which is category A listed (LB reference: - 29524 and listed 20 February 1985), lies opposite the site to the south.

St John's Church on Lothian Road and its associated church hall and churchyard which is also category A listed (LB reference: - 27401 and listed 14 December 1970), lies opposite the site to the east, across Lothian Road.



*The Rutland Hotel (right) and the Caledonian Hotel (centre)*



*Church of St John*

<sup>02</sup> Scottish Planning Policy SPP 23: Planning and the Historic Environment, 2008.



## 2 IDENTIFYING THE HISTORIC ASSETS

There are no listed buildings within the site boundary but many within its immediate setting. Listed buildings considered to be within the setting of the site are set out on the plan below and associated key.

The site also sits near the boundary of the designated Parks and Gardens of New Town (Designation reference: - GDL00367 and designated on 31 March 2001).



- Site
- Inventory of Gardens and Designed Landscapes
- Conservation Area

- Scheduled Ancient Monument
- Please note the entire study area falls within the New Town and Old Town World Heritage Site

Heritage Assets Plan. Baseplan ©  
2016 Infoterra Ltd & Bluesky

- 01 1 Rutland Place, and 1 and 3 Rutland Street, Rutland Hotel and Bar, including railings and lamp standard LB29685 Category: A
- 02 4 Lothian Road, The Caledonian Hotel, including piers, railings and former screen entrance to station LB29524 Category: A
- 03 Lothian Road, St John's Church (Episcopal), hall, churchyard, boundary walls, steps, railings, gatepiers, vaults and monuments LB27401 Category: A
- 04 Lothian Road, St Cuthbert's Church (Church of Scotland), churchyard and monuments, boundary walls, gatepiers and railings LB27339 Category: A
- 05 King's Stables Road and Lothian Road, St Cuthbert's Churchyard, watch tower LB27346 Category: B
- 06 1 and 2 Castle Terrace and 11-17 (odd Nos.) Lothian Road, including boundary wall and railings LB28480 Category: B
- 07 King's Stables Road, St Cuthbert's church halls, including boundary walls, railings, gates, gatepiers and lamp standards LB47883 Category: C

- 08 Lothian Road, St Cuthbert's Church (Church of Scotland), churchyard and monuments, boundary walls, gatepiers and railings LB27339 Category: A
- 09 Edinburgh Castle Esplanade, 72nd Highlanders Memorial LB48237 Category: C
  - Edinburgh Castle Esplanade, 78th Highlanders Memorial LB48238 Category: B
  - Edinburgh Castle Esplanade, Duke of York statue LB27883 Category: B
  - Edinburgh Castle Esplanade, Monument to Colonel Mackenzie LB48257 Category: B
  - Edinburgh Castle Esplanade, Scottish Horse Memorial LB48239 Category: C
  - Edinburgh Castle Esplanade, statue of Earl Haig LB27860 Category: B
  - Edinburgh Castle, 2 K6 telephone kiosks at Gatehouse LB28012 Category: B
  - Edinburgh Castle, batteries, including Argyle, Dury's, Forewall, Half-Moon, And Western Defences LB28010 Category: A

- Edinburgh Castle, Esplanade LB28011 Category: A
  - Edinburgh Castle, Foog's Gate LB48217 Category: A
  - Edinburgh Castle, Gatehouse LB48218 Category: A
  - Edinburgh Castle, Governor's House LB48219 Category: A
  - Edinburgh Castle, Great Hall LB48220 Category: A
  - Edinburgh Castle, Lang Stairs LB48221 Category: B
  - Edinburgh Castle, Military Prison LB48222 Category: B
  - Edinburgh Castle, National War Museum of Scotland (former hospital and Ordnance store), including sentry boxes and urns LB48223 Category: B
  - Edinburgh Castle, New Barracks LB48224 Category: A
  - Edinburgh Castle, Old Guardhouse, including inner barrier LB48225 Category: B
  - Edinburgh Castle, Palace Block LB48226 Category: A
  - Edinburgh Castle, Portcullis Gate and Argyle Tower LB48227 Category: A
  - Edinburgh Castle, Scottish National War Memorial LB48229 Category: A
  - Edinburgh Castle, St Margaret's Chapel LB48228 Category: A
  - Edinburgh Castle, United Services Museum LB48231 Category: A
  - Edinburgh Castle, Vaults LB48232 Category: A
- 10 West Princes Street Gardens, Robert Louis Stevenson Memorial LB48255 Category: A
- 11 West Princes Street Gardens, Ross Fountain LB27911 Category: A
- 12 West Princes Street Gardens, Police Box LB48252 Category: B
- 13 West Princes Street Gardens, Sir James Young Simpson Monument LB27876 Category: B
- 14 West Princes Street Gardens, Thomas Guthrie Monument LB27858 Category: B
- 15 118 Princes Street and 2 Castle Street LB43325 Category: B
- 16 119, 119a and 120 Princes Street LB43326 Category: B
- 17 123 Princes Street LB29513 Category: B
- 18 125a and 126 Princes Street LB29514 Category: B
- 19 127 and 128 Princes Street LB29515 Category: B
- 20 129 Princes Street LB29516 Category: B
- 21 131-133 (inclusive Nos.) Princes Street LB29518 Category: B
- 22 17-25 (odd Nos.) Leith Street LB29251 Category: B
- 23 134 Princes Street, and 1 and 3 South Charlotte Street LB29521 Category: B
- 24 135 and 136 Princes Street and 2-8 (even Nos.) South Charlotte Street, Charlotte House LB29522 Category: B
- 25 137 and 138 Princes Street LB30148 Category: B
- 26 139 and 140 Princes Street and 5 Hope Street Lane LB30149 Category: A
- 27 141 Princes Street LB30300 Category: B
- 28 142 and 143 Princes Street, Royal Bank of Scotland LB29523 Category: B
- 29 144-147 (inclusive Nos.) Princes Street LB43328 Category: B
- 30 3 Hope Street LB43307 Category: B
- 31 7-11 (odd Nos.) Hope Street LB43308 Category: B
- 32 24-32 (inclusive Nos.) Charlotte Square, 13-19 (odd Nos.) Hope Street and 14 and 16 South Charlotte Street with railings, lamp standards and boundary walls LB28505 Category: A
- 33 18-23 (inclusive Nos.) Charlotte Square with railings, lamp standards and boundary walls LB28504 Category: A
- 34 12-16 (even Nos.) Hope Street LB29094 Category: A
- 35 6-10 (even Nos.) Hope Street LB29093 Category: A
- 36 2 and 4 Hope Street and 46 Queensferry Street LB29092 Category: B
- 37 23-39 (inclusive Nos.) Queensferry Street and 14 Randolph Place LB29576 Category: B
- 38 2-24 (even Nos) Melville Street, 21, 22 Queensferry Street. 31 Stafford Street, including railings and arched lamp holders LB29326 Category: A
- 39 18, 19, 20 Queensferry Street LB29578 Category: B
- 40 2, 4 Alva Street, 15, 17 Queensferry Street LB28238 Category: A
- 41 1, 3 Alva Street, 12, 13, 14 Queensferry Street including boundary walls to rear LB28235 Category: A
- 42 9, 10, 11 Queensferry Street LB30150 Category: B
- 43 4, 5, 6, 7, 8 Queensferry Street LB29577 Category: B
- 44 Shandwick Place 2, 4 and 1-4 (consecutive numbers) Queensferry Street, including H P Mathers Bar LB30180 Category: B
- 45 22-30 (even Nos) Shandwick Place LB30181 Category: C
- 46 13-23 (odd Nos.) Shandwick Place LB47728 Category: C
- 47 3-11 (odd Nos.) Shandwick Place LB30175 Category: B
- 48 2 Rutland Place and Rutland Street at rear; Berkeley Casino, (former St Thomas's Church, Latterly Scottish Tourist Board), including railings, piers and lamp standards LB27532 Category: B
- 49 11-25 (odd Nos.) Rutland Street, including railings and lamp standards LB29693 Category: B
- 50 32 Rutland Square and 27 Rutland Street, including railings and lamp standards LB29692 Category: A
- 51 Rutland Square, Police Box LB30246 Category: B
- 52 1 Rutland Square and 28 Rutland Street, including railings LB29686 Category: A
- 53 22-26 (even Nos.) Rutland Street, including railings and lamp standards LB29694 Category: B

## 2 IDENTIFYING THE HISTORIC ASSETS

### 2.5 CHARACTER AND APPEARANCE

The New Town Conservation Area, within which the site at 1-3 Rutland Street falls, is graded as 'Outstanding' by Historic Environment Scotland and represents a model for urban planning that is unparalleled in Britain. The stone built, Georgian style terraces with hierarchical proportions are complimented by the formal gardens and open public spaces.

The formal layout of the Georgian and Victorian buildings in conjunction with the ground floor shops, open squares and wide pavements in the surrounding areas give the feel of a cosmopolitan and European café culture, with outdoor seating and restaurants making the most of the grand views along the straight, formal roads.

The provision of street furniture including tables and chairs illustrates a thriving city culture of outdoor dining. The site at 1-3 Rutland Street conforms to that character with its outdoor seating, although its position between several major roads gives it a different character to those seating areas on less busy areas.

Landmark buildings at corners such as churches and monuments stand out and above the regular plot rows that are usually of three storeys punctuating the skyline to the backdrop of Edinburgh's Old Town and Castle.

Stone setts (such as those seen on Rutland Street), Whinstone kerbs and stone channels are traditional details. Footways are defined by their uninterrupted smooth surfaces, which compliments the intricate designs of the buildings.<sup>03</sup>

The site is located at a busy pedestrian and tram junction in an awkward shaped square. Development over time for the Station and Caledonian Hotel has destroyed the regular designed plots on the south side of Rutland Street and Lothian Street remains a busy entry into the centre of the City. The elegant curving shape of the elevation of The Rutland Hotel that joins Rutland Place to Rutland Street opens the potentially harsh corner elevation into a dramatic view of the church and Castle beyond and further opens up the square. Early photographs from the late 19th century use the site as a viewing point to look out along Princes Street and Shandwick Place (see the historic photograph on page 09).<sup>04</sup>



1 View towards the site from Rutland Street

2 View from the site towards Princes Street was considered important in the 19th and 20th centuries, rather than the view towards the Castle from this location

3 Example of the street furniture found in this area

<sup>03</sup> The Edinburgh Standards for Streets, 2006

<sup>04</sup> <https://www.cardcow.com/277736/princes-st-from-rutland-hotel-edinburgh-uk-scotland/>



This section seeks to understand the elements within the setting of the site at 1-3 Rutland Street and their significance. Key viewpoints have been identified to, from and across the site. This section has been prepared in line with Historic Environment Scotland's *Managing Change in the Historic Environment: Setting* (2010) guidance.

## 3.1 SETTING

Setting is defined as the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.<sup>01</sup> While the site at 1-3 Rutland Street is not a designated historic asset itself, it is situated within the immediate and peripheral setting of many other designated historic assets. Elements of a setting may make a positive or negative contribution to the special interest of these historic assets. They may affect the ability to appreciate this special interest, or may be neutral.

The site at 1-3 Rutland Street forms an element of the setting of individual designated heritage assets and several larger designations. Key relationships are briefly listed below and further detail is given in section 2.4.

Individual designed historic assets:

- 1-3 Rutland Street (Category A)
- Caledonian Hotel (Category A)
- Church of St John (Category A)

Elements of a wider designated historic asset:

- New Town Conservation Area
- Edinburgh WHS
- Edinburgh New Town Gardens
- Edinburgh Castle

The site at 1-3 Rutland Street has been an open area of public realm since before the New Town was laid out in the 18th century. The site retains this character today and forms the setting of a busy intersection between Princes Street and Lothian Road. This pedestrian thoroughfare and busy tram/bus route marks the termination of the Princes Street Gardens and the formal promenade of Princes Street.

The site forms the immediate setting to the front elevation of the Rutland Hotel (Category A listed) and the Caledonian Hotel (Category A listed). It also forms a dynamic backdrop to the prominent buildings on the corners of Shandwick Place, Queensferry Road, Hope Street, Rutland Street and Lothian Road. The west end of St John's church (Category A listed) faces directly onto the site across Lothian Road.

The site has clear views across the Princes Street Gardens towards Edinburgh Castle, which are significant. However, it should be noted that the site is not prominent when looking back from the Castle towards Rutland Street. The formal design of Edinburgh New Town implies that some thought was given to this view towards the Castle in the 18th century, although the existing topography has created a natural viewpoint across the valley. More impressive views are visible from the east, along Princes Street.

The site at 1-3 Rutland Street contributes somewhat to our understanding of Edinburgh's New Town as it forms an important terminus at the western end of Princes Street. However, the site's existence before the laying out of the New Town means that it does not hold significance as a key design element.

The site is not given particular prominence or discussion within the New Town Conservation Area Character Appraisal or the WHS documents and no key views from this location are identified. It is not defined as a viewpoint in the Conservation Area Character Appraisal although the Caledonian Hotel is noted as a Landscape Feature.

Overall, the site at 1-3 Rutland Street is an area of public realm that forms an important element of the setting of adjacent designed historic assets and contains a significant vantage point towards the Castle – best viewed from the Lothian Road pedestrian crossing or the entrance to Rutland Street. However, it forms only a peripheral element of the wider designated such as the Conservation Area and WHS and does not specifically relate to the special interest of those historic assets.

<sup>01</sup> Historic Environment Scotland's *Managing Change in the Historic Environment: Setting* (2010)

### 3 UNDERSTANDING OF SETTING AND ITS SIGNIFICANCE

#### 3.2 VIEWS ANALYSIS

Kew views within the site have been identified in order to assess the impact of the proposals on how surrounding designated historic assets are understood, appreciated and experienced. The views identified are shown on the map below. These are all located within the public domain and are views either from or across the site. There are no key views that focus directly on the site. The site assessment took place in May and June 2016, in fine weather.

The illustrated assessment identifies and describes each view as it currently exists. Visible historic assets are identified and the significance of the view is assessed. The significance of each view is considered in turn and afforded a relative designation of high, medium, low, neutral or detrimental heritage value.

<b>High</b>	A theme, feature, building or space which is important at national or international level, with high cultural value and important contribution towards the character and appearance of the site and its setting.
<b>Medium</b>	Themes, features, buildings or spaces which are important at regional level or sometimes higher, with some cultural importance and some contribution towards the character and appearance of the site and its setting.
<b>Low</b>	Themes, features, buildings or spaces which are usually of local value only but possibly of regional significance for group or their value. Minor cultural importance and contribution to the character or appearance of the site and its setting.
<b>Neutral</b>	These themes, spaces, buildings or features have little or no cultural value but do not detract from the character or appearance of the site and its setting.
<b>Detrimental</b>	Themes, features, buildings or spaces which detract from the values of the site, its setting, character and appearance. Efforts should be made to remove or enhance these features.



- 1 Aerial map showing each of the Key Views 1-7. Base plan © 2016 Infoterra Ltd & Bluesky
- 2 Aerial map showing the longer distance view across to Edinburgh Castle from Key View 1. © 2016 Infoterra Ltd & Bluesky



VIEW 1

LOCATION

View from the site at 1-3 Rutland Street looking south-east.

DESCRIPTION

View from the site looks out across to Edinburgh Castle, going over the top of the Princes Street Gardens within the valley. The Church of St John dominates the view at short-distance while the spire of St Cuthbert's stands out in mid-distance. Edinburgh Castle is prominent at long-distance although the spire bisects it. Lothian Road dominates the foreground and distracts from the view with cluttered street furniture and busy traffic.

SPECIAL INTEREST WITHIN THE VIEW

**Medium** – the road intersection opens out here to give wide dynamic views of the Castle beyond the Gardens for pedestrians walking across the site. Key elements of the WHS can be seen here.

HERITAGE ASSETS WITHIN THE VIEW

- 03 Lothian Road, St John's Church (Episcopal), Hall, Churchyard, Boundary Walls, steps, railings, gatepiers, vaults and monuments LB27401 Category: A
- 04 Lothian Road, St Cuthbert's Church (Church Of Scotland), churchyard and monuments, boundary walls gatepiers and railings LB27339 Category: A
- 05 King's Stables Road and Lothian Road, St Cuthbert's Churchyard, watch tower LB27346 Category: B
- 09 Edinburgh Castle (Listed buildings, scheduled monument and WHS)





### 3 UNDERSTANDING OF SETTING AND ITS SIGNIFICANCE

#### VIEW 2

##### LOCATION

View from the site at 1-3 Rutland Street looking north-east.

##### DESCRIPTION

View from the site along the formally designed Princes Street. The 18th century and later buildings are prominent on the northern side and the Church of St John dominates the foreground to the south (not pictured).

##### SPECIAL INTEREST WITHIN THE VIEW

**High** – Princes Street is the principal street of Edinburgh's New Town and views from the western terminus at the intersection of Lothian Road has historically been a key viewpoint along the street, looking east. Its use on historic postcards from the 19th century to at least the 1950s illustrates this.

##### HERITAGE ASSETS WITHIN THE VIEW

- 03 Lothian Road, St John's Church (Episcopal), Hall, Churchyard, boundary walls, steps, railings, gatepiers, vaults and monuments LB27401 Category: A
- 12 West Princes Street Gardens, police box LB48252 Category: B
- 13 West Princes Street Gardens, Sir James Young Simpson Monument LB27876 Category: B
- 14 West Princes Street Gardens, Thomas Guthrie Monument LB27858 Category: B

- 15 118 Princes Street and 2 Castle Street LB43325 Category: B
- 16 119, 119a and 120 Princes Street LB43326 Category: B
- 17 123 Princes Street LB29513 Category: B
- 18 125A and 126 Princes Street LB29514 Category: B
- 19 127 and 128 Princes Street LB29515 Category: B
- 20 129 Princes Street LB29516 Category: B
- 21 131-133 (inclusive Nos.) Princes Street LB29518 Category: B
- 22 17-25 (Odd Nos.) Leith Street LB29251 Category: B
- 23 134 Princes Street, and 1 and 3 South Charlotte Street LB29521 Category: B
- 24 135 and 136 Princes Street and 2-8 (Even Nos.) South Charlotte Street, Charlotte House LB29522 Category: B
- 25 137 and 138 Princes Street LB30148 Category: B
- 26 139 and 140 Princes Street and 5 Hope Street Lane LB30149 Category: A
- 27 141 Princes Street LB30300 Category: B
- 28 142 and 143 Princes Street, Royal Bank Of Scotland LB29523 Category: B
- 29 144-147 (Inclusive Nos) Princes Street LB43328 Category: B
- 30 3 Hope Street LB43307 Category: B



### VIEW 3

#### LOCATION

View from the entrance Rutland Street looking south-east.

#### DESCRIPTION

This view offers a different perspective to Key View 1. From this position at the entrance to Rutland Street the Castle is more prominent, although the spire of St Cuthbert's still bisects it.

#### SPECIAL INTEREST WITHIN THE VIEW

**Medium** – dynamic view across Princes Street Gardens towards Edinburgh Castle, which are both key elements of the WHS.

#### HERITAGE ASSETS WITHIN THE VIEW

- 02 4 Lothian Road, The Caledonian Hotel, including piers, railings and former screen entrance to station LB29524 Category: A
- 03 Lothian Road, St John's Church (Episcopal), hall, churchyard, boundary walls, steps, railings, gatepiers, vaults and monuments LB27401 Category: A
- 04 Lothian Road, St Cuthbert's Church (Church Of Scotland), churchyard and monuments, boundary walls gatepiers and railings LB27339 Category: A
- 05 King's Stables Road And Lothian Road, St Cuthbert's Churchyard, watch tower LB27346 Category: B
- 09 Edinburgh Castle (Listed buildings, scheduled monument and WHS)





### 3 UNDERSTANDING OF SETTING AND ITS SIGNIFICANCE

#### VIEW 4

##### LOCATION

View from the site looking north-west towards Hope Street and Queensferry Street.

##### DESCRIPTION

This view looks towards two designed streets, laid-out as part of the later phases of the New Town development. The streets contain many 18th, 19th and 20th century buildings, which are largely category A and B.

##### SPECIAL INTEREST WITHIN THE VIEW

**Low** – The streets have been designed to be viewed along their length from this busy interchange and the interaction of pedestrians from this site when travelling northwards is of some importance.

##### HERITAGE ASSETS WITHIN THE VIEW

- 29 44-147 (inclusive Nos) Princes Street LB43328 Category: B
- 30 3 Hope Street LB43307 Category: B
- 33 18-23 (inclusive Nos.) Charlotte Square with railings, lamp standards and boundary walls LB28504 Category: A

- 34 12-16 (even Nos.) Hope Street LB29094 Category: A
- 35 6-10 (Even Nos.) Hope Street LB29093 Category: A
- 36 2 and 4 Hope Street and 46 Queensferry Street LB29092 Category: B
- 38 2-24 (even Nos.) Melville Street, 21, 22 Queensferry Street. 31 Stafford Street, including railings and arched lamp holders LB29326 Category: A
- 39 18, 19, 20 Queensferry Street LB29578 Category: B
- 40 2, 4 Alva Street, 15, 17 Queensferry Street LB28238 Category: A
- 41 1, 3 Alva Street, 12,13,14 Queensferry Street including boundary walls to rear LB28235 Category: A
- 42 9, 10, 11 Queensferry Street LB30150 Category: B
- 43 4, 5, 6, 7, 8 Queensferry Street LB29577 Category: B
- 44 Shandwick Place 2, 4 And 1-4 (Consecutive Numbers) Queensferry Street, including H P Mathers Bar LB30180 Category: B
- 45 22-30 (even Nos.) Shandwick Place LB30181 Category: C



## VIEW 5

### LOCATION

View from Lothian Road looking north-west across the site towards Hope Street.

### DESCRIPTION

This is one of two Key Views that overlook the site, but as the majority of experiences of the area are dynamic, the jumbrellas, tables and chairs would be visible from many approaches, as people move across the area. Pedestrians using the crossing-point on Lothian Road would look north-west towards the Georgian and Victorian buildings on Rutland Place, Shandwick Place and Hope Street.

### SPECIAL INTEREST WITHIN THE VIEW

**Low** – This view typifies the European character of the Conservation Area – with tall 18th-20th century buildings, ground floor shops and restaurants, while the various areas of outdoor seating characterise the 'café culture' of this western end of Princes Street.

### HERITAGE ASSETS WITHIN THE VIEW

- 01 1 Rutland Place, and 1 and 3 Rutland Street, Rutland Hotel and Bar, including railings and lamp standard LB29685 Category: A
- 02 4 Lothian Road, The Caledonian Hotel, including piers, railings and former screen entrance to station LB29524 Category: A
- 29 144-147 (inclusive Nos.) Princes Street LB43328 Category: B
- 33 18-23 (inclusive Nos.) Charlotte Square with railings, lamp standards and boundary walls LB28504 Category: A
- 34 12-16 (even Nos.) Hope Street LB29094 Category: A
- 35 6-10 (even Nos.) Hope Street LB29093 Category: A
- 36 2 and 4 Hope Street and 46 Queensferry Street LB29092 Category: B
- 43 4, 5, 6, 7, 8 Queensferry Street LB29577 Category: B
- 44 Shandwick Place 2, 4 and 1-4 (consecutive Nos.) Queensferry Street, including H P Mathers Bar LB30180 Category: B
- 45 22-30 (even Nos.) Shandwick Place LB30181 Category: C
- 48 2 Rutland Place and Rutland Street at Rear, Berkeley Casino, (Former St Thomas's Church, Latterly Scottish Tourist Board), including railings, piers and lamp standards LB27532 Category: B
- 49 11-25 (odd Nos.) Rutland Street, including railings and lamp standards LB29693 Category: B



### 3 UNDERSTANDING OF SETTING AND ITS SIGNIFICANCE

#### VIEW 6

##### LOCATION

View from the north side of Lothian Road/Shandwick Place looking south-east.

##### DESCRIPTION

This view takes in the site at 1-3 Rutland Street and looks across the busy tram line of Shandwick Place towards the Church of St John and the Castle beyond. This is another important dynamic view in which the listed buildings are clustered together in the fore and background.

##### SPECIAL INTEREST WITHIN THE VIEW

**Medium** - dynamic view across the busy intersection at the west end of Princes Street, looking towards Edinburgh Castle, which are both key elements of the WHS.

##### HERITAGE ASSETS WITHIN THE VIEW

- 01 1 Rutland Place, and 1 and 3 Rutland Street, Rutland Hotel And Bar, including railings and lamp standard LB29685 Category: A
- 02 4 Lothian Road, The Caledonian Hotel, including piers, railings and former screen entrance to station LB29524 Category: A
- 03 Lothian Road, St John's Church (Episcopal), hall, churchyard, boundary walls, steps, railings, gatepiers, vaults and monuments LB27401 Category: A
- 04 Lothian Road, St Cuthbert's Church (Church Of Scotland), churchyard and monuments, boundary walls gatepiers and railings LB27339 Category: A
- 09 Edinburgh Castle (Listed buildings, scheduled monument and WHS)





## VIEW 7

### LOCATION

View from the entrance of Rutland Street looking south-west.

### DESCRIPTION

View looking down Rutland Street towards Rutland Square. This development was laid-out in the late 18th century and forms a single phase. The Caledonian Hotel replaced the houses on the south side of the street and dominates the view due to its height and dark-red stone. The view contains several listed buildings and is terminated by the green space of Rutland Square.

### SPECIAL INTEREST WITHIN THE VIEW

**Low** – This view contains listed buildings of interest but does not contain significant elements of the WHS. The public realm and layout is typical of Edinburgh New Town.

### HERITAGE ASSETS WITHIN THE VIEW

- 01 1 Rutland Place, and 1 and 3 Rutland Street, Rutland Hotel and Bar, including railings and lamp standard LB29685 Category: A
- 02 4 Lothian Road, The Caledonian Hotel, including piers, railings and former screen entrance to station LB29524 Category: A
- 48 2 Rutland Place and Rutland Street at rear, Berkeley Casino, (former St Thomas's Church, Latterly Scottish Tourist Board), including railings, piers and lamp standards LB27532 Category: B
- 49 11-25 (odd Nos.) Rutland Street, including railings and lamp standards LB29693 Category: B
- 50 32 Rutland Square and 27 Rutland Street, including railings and lamp standards LB29692 Category: A
- 51 Rutland Square, Police Box LB30246 Category: B
- 52 1 Rutland Square and 28 Rutland Street, including railings LB29686 Category: A
- 53 22-26 (even Nos.) Rutland Street, including railings and lamp standards LB29694 Category: B



## 3 UNDERSTANDING OF SETTING AND ITS SIGNIFICANCE

### 3.3 STATEMENT OF SIGNIFICANCE

The significance of the site at 1-3 Rutland Street stems from its location on the corner of a busy intersection, which existed prior to the formal, planned layout of the New Town. It retained this character as an open area of road following completion of the New Town and remained a busy pedestrian and vehicular junction into the 20th century, when it also contained a drinking fountain.

Today, the site occupies a dynamic space on a busy interchange for road traffic, trams and pedestrians and has been reconfigured to create a large area of pavement. Pedestrian's experience of the site is dynamic as they cross the space from one street to another; with key views altering as they move through the area.

The site is situated within several overlapping and highly designated historic asset boundaries such as the Old Town and New Town Edinburgh WHS, the New Town Conservation area and the New Town Gardens.

Views from the site at 1-3 Rutland Street are of some importance both across to Edinburgh Castle from the west end of New Town, and those along Princes Street from its western terminus. Views are dynamic and criss-cross the site as people move across it from one street to another. The view along Princes Street is considered to be of the highest value, illustrated by the substantial amount of historic depictions made from this location. The view of the Castle is of significance, particularly when viewed as a cluster with churches in the foreground and Castle in the background. However, this is not considered to be a principal view of the Castle as much better vantage points are possible further to the east.

The site holds a degree of communal value due to the constant and ongoing interactions of the public with this space.

## 4.1 PROPOSALS

The proposals for 1-3 Rutland Street is for the use of four jumbrellas on a temporary basis between 01 April and 30 September 2016 in conjunction with the use of tables and chairs for the Rutland Hotel. The rectangular canvas parasols would be fixed into the ground. These would measure 3 metres in width, 4 metres in depth, 4.02 metres high in a closed position and 2.95 metres when opened. The parasols would be left folded overnight.

## 4.2 ASSESSMENT OF IMPACT

An assessment of impact measures the identified levels of significance against the degree of change proposed. This assessment is carried out in line with Scottish Planning Policy, Historic Environment Scotland's Managing Change in the Historic Environment guidance and the Edinburgh City Local Plan.

The level of impact will take into account the significance of the historic asset in order to weigh this against the level of change. The impact will be assessed based on the following criteria:

<b>HIGH BENEFICIAL</b>	The alterations considerably enhance the heritage asset or the ability to appreciate its significance values.
<b>MEDIUM BENEFICIAL</b>	The alterations enhance to a clearly discernible extent the heritage asset or the ability to appreciate its significance values.
<b>LOW BENEFICIAL</b>	The alterations enhance to a minor extent the heritage asset or the ability to appreciate its significance values.
<b>NEGLIGIBLE</b>	The alterations do not affect the heritage asset or the ability to appreciate its significance values.
<b>LOW ADVERSE</b>	The alterations harm to a minor extent the heritage asset or the ability to appreciate its significance values.
<b>MEDIUM ADVERSE</b>	The alterations harm to a clearly discernible extent the heritage asset or the ability to appreciate its significance values.
<b>HIGH ADVERSE</b>	The alterations severely harm the heritage values of the heritage asset or the ability to appreciate its significance values.

## 4 IMPACT OF THE PROPOSED CHANGES ON SETTING

### 4.2.1 KEY VIEWS

Key View	Level of Impact	Comment
01	Negligible	This view from the main pedestrian crossing on Lothian Road towards the Castle is not effected by the jumbrellas.
02	Negligible	This view along Princes Street can be seen from all parts of the paved area in front of 1-3 Rutland Street. The dynamism means the key view is not effected by the jumbrellas.
03	Negligible	This view from the entrance to Rutland Street towards the Castle is not effected by the jumbrellas.
04	Negligible	This view from the site towards Hope Street is not effected by the jumbrellas.
05	Low adverse	This view from the Lothian Road crossing or when approaching from Rutland Street towards Hope Street is effected by the jumbrellas to a minor degree. However, the scale of the jumbrellas in comparison to their surroundings means they do not dominate the designated historic assets.
06	Low adverse	The jumbrellas are visible when crossing from Hope Street but the scale means they do not dominate the designated historic assets.
07	Negligible	This view along Rutland Street is not effected by the jumbrellas.

### 4.2.2 IMPACT ON ARCHITECTURAL AND HISTORIC INTEREST

The proposals will have a negligible impact on the architectural and historic interest of the designated historic assets within the setting of the site at 1-3 Rutland Street. The proposals do not dominate or detract from the setting of historic assets in a way that affects our ability to understand and appreciate them. As an historically busy intersection and pedestrian thoroughfare, the proposals preserve this space as an important part of the public realm at the western termination of Princes Street.

The character of the area includes a café culture of restaurants with outdoor seating, which these proposals fit into, without eroding key characteristics of the Conservation Area or WHS. The proposals preserve the presence, extent, character and scale of the existing historic environment. The proposals have a negligible impact on the intangible qualities of the setting of designated historic assets, such as sense of place and cultural identity.

### 4.2.3 VISUAL IMPACT

The proposals will have a low adverse effect on Key Views due to the impact when looking south-east across the site from Hope Street or north-west from Lothian Road. This visual impact is limited due to the scale of the proposed development in relation to the large buildings surrounding it and the dominance of the Castle in the distance. Views of the Castle are more significant from further east along Princes Street, therefore development in this location is considered to be limited in its impact. The most significant Key View is that looking from the site along Princes Street (Key View 2), which the proposals have a negligible impact on.

### 4.3 MITIGATION

Thought has been given to ways in which any adverse effects of the proposals could be mitigated. The jumbrellas will only be in place from April to September and would be folded down at night and when not in use. The jumbrellas only cover a small proportion of the paved area adjacent to 1-3 Rutland Street, leaving a sizable area from which the Key Views can be experienced without hindrance. The jumbrellas are lower when open, and have little visual impact from surrounding streets. Any minor adverse impact is mitigated by the temporary nature and reversibility of the proposals.

### 4.4 COMPLIANCE WITH POLICY

The proposals are compliant with local and national policy as the impact on the historic environment is considered to be negligible overall. As required by national planning policy, this report has identified the historic assets effected, defined and analysed the setting and evaluated the impact of proposed changes.

As required in the Edinburgh City Local Plan, development within the setting of a listed building should not be detrimental to the character or appearance of listed buildings (Policy Env 3). Development should preserve or enhance special character of a Conservation Area and be consistent with the Character Appraisal (Policy Env 6). The current proposals are considered to comply with both policies.

The proposals also comply with Policy Ret 6 which states that leisure and entertainment facilities should be integrated with their surroundings with attractive frontages in order to safeguard character. The proposal at 1-3 Rutland Street will further support the emerging café culture within the City Centre, of which outdoor seating is currently being promoted by the City of Edinburgh Council.

## POLICY DOCUMENTS

Planning (Listed Buildings and Conservation Areas) (Scotland) Act, 1997

Historic Environment (Amendment) (Scotland) Act 2011

Scottish Planning Policy, 2014

Scottish Historic Environment Policy, 2011

Historic Environment Scotland's Managing Change in the Historic Environment: Setting 2010

Edinburgh City Local Plan

The Edinburgh Standards for Streets

The New Town Conservation Area Character Appraisal



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## APPENDICES

Appendix A: List Descriptions

Appendix B: National and Local Planning Policy Guidance

Appendix C: Conservation Area Map

## APPENDIX A: LIST DESCRIPTIONS

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### **I Rutland Place, and I and 3 Rutland Street, Rutland Hotel and Bar, Including Railings And Lamp Standard LB29685**

Category: A

Group Category Details: A - see notes

Date Added: 14/12/1970

Local Authority: Edinburgh

Planning Authority: Edinburgh

Burgh: Edinburgh

NGR: NT 24673 73645

Coordinates: 324673, 673645

#### DESCRIPTION

Circa 1835 with later alterations. 4-storey over basement hotel with bar at ground floor, forming corner block of Rutland Street and Rutland Place; giant Corinthian pilasters through 1st and 2nd floors, tetrastyle to NE looking down Princes Street, penastyle on Rutland Place and Rutland Street; Doric pilasters dividing bays at 3rd floor; linking astylar 3-bay curved block and further astylar 3-storey, 3-bay block to SW, adjoining former St Thomas' Church (see separate listing). Painted sandstone ashlar at ground floor; polished sandstone ashlar above. Base course; cornice at ground floor; cill course to 2nd floor; string course to architrave and dentilled cornice at 2nd floor; cornice and blocking course at 3rd floor with pilastered and corniced panelled tablets at wallhead of 2 bays to middle of penastyle section to NW. Architraves to upper floor windows of 3-bay block.

**NE (Rutland Place) Elevation:** modern bar frontage at ground floor with recessed entrance at penultimate bay to right of pentastyle block to NW, comprising 2-leaf partially glazed wooden door with fanlight; cornice to window at left of 3-bay block, boarded architraved window to centre, panelled timber door with bracketed cornice to bay to outer right; stone flight to modern timber door at basement from outer right; recessed entrance comprising 2-leaf partially glazed wooden door with fanlight to centre of tetrastyle block to NE; regular fenestration to remaining bays at ground floor; upper floors and to all floors of corner bow.

**SE (Rutland Street) Elevation:** hexastyle, 3-storey, 5-bay block with attic to right, central 3 bays slightly advanced; slightly recessed 2-storey and attic, 3-bay block to left. 5-bay block to right: bar frontage built out at ground floor spanning 3 bays to outer right; timber panelled door with large square fanlight to left; bipartite window with consoled cornice to outer left; window in each bay at 1st and 2nd floors; windows at 3rd floor in 3 bays to outer right; paired corniced ashlar wallhead stacks with uniting panel over central bay; dormer window to left. 3-bay block to left: stone L-plan flight to tall consoled doorpiece at ground floor in bay to centre; modern panelled timber door; window (blind) at 1st floor above. Stone flight to basement door in bay to right; window (blind) at ground and 1st floors; box dormer above. Blind window at each floor in bay to left; box dormer above.

**SW Elevation:** obscured by adjoining building. Variety of glazing patterns including 2- and 12-pane timber sash and case windows. Grey slate platform roof; slate-hung dormers. Coped rendered wallhead stacks with cylindrical cans. Cast-iron rainwater goods.

**Interior:** fitted as modern bar at ground floor; unseen elsewhere.

**Railings and Lamp Standard:** decorative iron spear-headed railings around basement access to NW elevation and to right of SE elevation; incorporated lamp standard (converted to electricity) comprising scrolled shafts supporting glass globe with drum well above; replacement railings around entrance to left of SE elevation.

#### STATEMENT OF SPECIAL INTEREST

Part of the Edinburgh New Town A-Group, a significant surviving part of one of the most important and best preserved examples of urban planning in Britain. An imposing corner block sited to the west end of Princes Street and uniting Rutland Place with Rutland Street in an elegant bowed elevation. The south elevation of The Rutland Hotel remains as part of the north side of Rutland Street, the south side having been demolished to make way for the Caledonian Hotel and Station (see separate listing). This part of Rutland Street seems to feature in both Wood's 1823 map and the later PO Directory map. The complete street once formed 'a monumental entry [to Rutland Square] from the busy West End' (Gifford, McWilliam and Walker). Rutland Place, Street and Square were originally planned by Archibald Elliot in 1819 and built between 1830 and 1840. This block remains an important part of the scheme. The 1913 alterations to the ground floor by Bailey Murphy included the incorporation of a billiard room.

**4 Lothian Road, The Caledonian Hotel, Including Piers, Railings And Former Screen Entrance To Station LB29524**

Category: A

Date Added: 20/02/1985

Supplementary Information Updated: 23/03/2001

Local Authority: Edinburgh

Planning Authority: Edinburgh

Burgh: Edinburgh

NGR: NT 24712 73597

Coordinates: 324712, 673597

## DESCRIPTION

Peddie and Kinneir, 1890-3, ground floor and mezzanine (former entrance to Caledonian Station), incorporated into hotel with upper floors by J M Dick Peddie and Washington Browne, 1899-1903; later additions and alterations. V-plan (becoming A-plan, 1970-1) Flemish Renaissance hotel with Francois Ier dormers; 5-storey (including mezzanine) with 3 attic storeys arranged as tiered triangular curvilinear pediment with terminating obelisks at each level and finialled round-arched pediment, set in front of balustraded pavilion roof to N (entrance) elevation; 5-storey with basement and 2 attic storeys to E (Lothian Road) elevation; 5-storey with 2 attic storeys to NW (Rutland Street) elevation. Polished red sandstone ashlar with polished dressings; channelled ashlar to basement on Lothian Road; red brick at rear. Base course; cornice below thermal windows at mezzanine; entablature and dentil cornice between mezzanine and 1st floors; dentil cornice between 3rd floor and attics; blocking course at wallhead between attic dormers; cornice between attic storeys. Moulded architraves to corniced tripartites at 2nd, 3rd and 4th floors; semicircular pediments to advanced central light flanked by Ionic columns supported on volutes at 2nd floor of N elevation; semicircular pediments to central light at 1st floor of E and NW elevations; round-arched windows to tiered attic storeys, divided by single and paired columns; triple-arched entrance with flanking paired and pedestalled Corinthian columns rising through ground and mezzanine floors at N elevation, with pediment to central pair; similar paired Corinthian columns dividing bays along E elevation and flanking outer bays of NW elevation; giant pilasters with banded rustication to upper floors of bays surmounted by 2-tiered dormers at E elevation and flanking upper floors of 2 bays to outer left and outer right of NW elevation.

**N (Entrance) Elevation:** 3-bay. Slightly advanced central bay with high-relief carved spandrels over tripartite window with Ionic columnar mullions and thermal window forming mezzanine above at ground floor; canopied revolving doors with thermal windows above in bays flanking. Carved female figure over paired columns dividing bays; regular fenestration above. 5 windows to lower attic, with paired columns flanking outer bays, single columns to remainder; 3 windows to middle attic, outer columns paired, inner ones single; single window to top attic, flanked by single columns; round-headed dormer windows to pavilion roof behind.

**E (Lothian Road) Elevation:** 19-bay. Tripartite fenestration except single bay (7th from right) with blank niche at ground floor. Regularly fenestrated at basement. Thermal mezzanine windows to 11 bays to right (excluding single niched bay) at ground floor; thermal windows at ground floor with bipartites above in 2 bays to left; tripartites to ground floor and mezzanine in remaining bays to left; round-arched, doorpiece with Gibbsian surround, timber panelled door and semicircular fanlight in bay 3rd from left, raising cill of 2 lights at left of tripartite window above. Regular fenestration to 2nd, 3rd and 4th floors above. Semicircular pediments to regularly disposed bipartite dormers over each bay; 2-tier arrangement with large semicircular pediment over central and penultimate bays to left and right, comprising 4 round-arched windows to lower level, 2 to upper level with terminating obelisks, all flanked by single columns; small timber box dormers to mansard roof behind.

**Return Elevation:** single window at right of 3rd and 4th floors, bipartite at left of 4th floor; 2-stage attic dormer, as Lothian Road elevation, above.

**NW (Rutland Street) Elevation:** 9 bays, grouped symmetrically, (window lights, 3-3-2-1-3-1-2-3-3) with 2 bays to outer left and right slightly advanced and treated as entrances at ground floor (bays to outer right converted as bar); carved caryatid mullions to thermal windows. Regular fenestration to all floors. 3 regularly disposed wallhead dormers with round-arched pediments over central bays; 2-stage arrangements as at Lothian Road over bays at outer ends; small timber box dormers set into mansard roof behind.

**Return Elevation:** irregularly fenestrated at ground floor and mezzanine with some windows blocked; pilaster-style iron brackets fitted to wall at right at mezzanine level; regular fenestration to upper floors.

**Rear (Internal) Elevations:** some red sandstone at mezzanine level (to rear of Lothian Road elevation), incorporating architraved windows; remainder principally regularly fenestrated. Predominantly 2-pane timber sash and case windows. Grey slate roof; tall ashlar coped stacks; squat cylindrical cans. Cast-iron rainwater goods.

**Interior:** designed by Washington Browne, executed by Scott Morton and Co. Timber panelling to reception hall with paired Egyptian caryatids supporting reception desk; restaurant at ground floor incorporates some original station features, such as red sandstone arches and overdoor carvings (also feature at ground floor of exterior at rear, along with copper-cased lamp fittings with ornamental wrought-iron brackets). Station clock, by Hamilton and Inches, to bar wall; paired, black marble columns with decorative plasterwork capitals incorporating thistle motif in main hall; deep dentilled cornices and fluted pilasters to lounge; imperial staircase from main hall with cast bronze 'tree' balusters and timber handrail (part of Robert & Roger Nicholson redecoration scheme, 1958); wood panelling to 1st floor corridors; timber balustrade to staircase to 2nd floor.

## APPENDIX A: LIST DESCRIPTIONS

**Former Screen Entrance To Station:** cast-iron and timber screen, painted in red, black and gold, sited to SW of Rutland Street elevation comprising 2 segmental arches on engaged colonettes with segmental headed window between; open fretwork to spandrels; centred diamond motif to frieze below cavetto moulded, fluted cornice; smaller scale cast-iron gates with solid lower panels, set behind screen.

**Piers and Railings:** red sandstone ashlar pedestalled and corniced panelled piers with square caps along NW (Rutland Street) elevation; 3 evenly disposed cast-iron cope-mounted lamp standards with glass globes and drum wells (central one lacks globe); decorative cast-iron railings on ashlar copes between piers and to entrance platts, penultimate bays to left and right; cope-mounted cast-iron railings between pedestals to paired columns to most of E (Lothian Road) elevation.

### STATEMENT OF SPECIAL INTEREST

Originally built as the Princes Street Station for the Caledonian Railway. Dick Peddie and Washington Browne incorporated the pedimented screen of the station to create a large hotel as a rival to the North British at the other end of Princes Street. Described by McKean as a 'wonderfully blowsy red sandstone intrusion into classical Edinburgh', the building dominates the intersection of Princes Street, Shandwick Place and Lothian Road. The station closed in 1965, although elements were retained, namely the double segmental-arched screen to the south-west of the Rutland Street elevation and the ground floor interior features listed above. The screen formed the entrance to St Cuthbert's Lane, running along the NW side of Princes Street Station. Previously, as can be seen by comparing the original 1853 OS Map with its 1877 revision, the station, then called Lothian Road Station, was sited further south. The earlier station became the Caledonian Railway's goods terminal when the demolition in 1870 of St Cuthbert's Poor House made possible expansion towards Princes Street. The first building on the new site was timber and most of it burnt down in 1890. The new Princes Street Station, having the advantage over Waverley of providing street-level access, began to be used in 1893 and offered a large forecourt for the picking up and setting down of passengers, as well as incorporating glass-fronted shops and a restaurant.

### Lothian Road, St John's Church (Episcopal), Hall, Churchyard, Boundary Walls, Steps, Railings, Gatepiers, Vaults And Monuments LB27401

Category: A

Date Added: 14/12/1970

Local Authority: Edinburgh

Planning Authority: Edinburgh

Burgh: Edinburgh

NGR: NT 24782 73655

Coordinates: 324782, 673655

### DESCRIPTION

William Burn, 1816-18; Peddie and Kinnear, 1879-82 (sanctuary/chancel); JM Dick Peddie and Forbes Smith, 1915-16 (vestry/hall); W J Walker Todd, 1934-5 (Morning Chapel). Perpendicular gothic church, with flat-roofed square-plan tower to W, pitched-roofed nave with clerestorey, lean-to buttressed aisles and piend-roofed polygonal apse. Polished ashlar (Redhall quarry). Base course; pierced parapet. Gabletted buttresses; crocketed pinnacles. Hoodmoulded pointed-arched windows with perpendicular tracery. Undercroft projects to S as terrace and hall over cloister arcade (see Notes); 1916 chapel projects into polygonal walled burial enclosure to E.

**W (Lothian Road) Elevation:** advanced W tower: decorative buttressed corners; Tudor-arched doorway flanked by 7 colonnettes; 2-leaf timber storm door with gothic timber panel above and 2-leaf glazed inner door with timber tracery; 3-light window above; paired louvred windows to each face of belfry, crocketed pinnacles and pierced parapet. 3-light windows to aisles in outer bays, flanked by gabletted buttresses. W elevation of single storey hall adjoins to outer right: gothic timber panelled door in square hoodmould to left; single window flanked by buttresses to right.

**N (Princes Street) Elevation:** 8 bays: 2-leaf timber door with gothic decoration in Tudor-arched surround, flanked by colonnettes, with square hoodmould and carved label-stops, in outer right bay; decoratively corbelled niches with gothic canopies above and in outer left bay. 6 3-light windows to aisle flanked by gabletted buttresses in intervening bays; clerestorey windows to nave above. Projecting crenellated vestry porch with crocketed corner buttresses to outer left: 2-leaf timber panelled door with gothic decoration in Tudor-arched surround

**E Elevation:** 3 tall 3-light windows to polygonal apse, flanked by window to right now lighting vestry, and E window of projecting 1935 chapel. E elevation of hall gives onto E terrace; timber panelled door with cast-iron hinges in hoodmoulded Tudor-arched surround, flanked by buttresses.

**S Elevation:** 8 bays: decoratively panelled glazed timber door in Tudor-arched surround in outer left bay; tripartite gothic niche above. 6 3-light windows to aisle flanked by gabled buttresses. 6-bay S elevation of single storey hall adjoins to outer right: single windows flanked by crocketed buttresses in each bay; crenellated parapet. 15 bay arcade beneath stone-flagged terrace with crenellated parapet: chamfered gothic arches with blank shields above, flanked by buttresses, contain windows and doors to shops and cafes to left (originally intended as burial vaults).

**Interior:** square entrance porch with office to right, stairs to galley to left. 6-bay nave with flanking aisles; nave arcade with slim clustered shafts, polychrome foliate capitals and penitent figures at pier-heads; heraldic crests (see Notes) above. Clerestorey wall shafts, gilded and painted plaster fan vaults and pendants (see Notes); ribbed aisle vaults. Choir and chancel with Lierne ribs; canopied choir stalls, pulpit and oak panelling; Caen stone reredos with tiled pictures (see Notes). Organ at NE (see Notes). Gallery above entrance with carved wooden balustrade (see Notes). Gothic and neo-Tudor marble Memorials in aisles; bust of Dean Ramsay by Sir John Steel in N aisle and memorial (bronze, enamel and coloured stones) Gilbert Scott, 1867; memorial to Mary Arbuthnot, John Flaxman, 1822. Important stained glass (see notes).

**Morning Chapel:** furnished by Walker Todd, 1935. Compartmented shallow vaulted roof, carved Scots oak; cornice of angels' wings. Iron gates by Ian Lindsay. Stained glass window, James Ballantine II.

**Hall:** dark varnished hammer-beamed roof, panelling and timber reeded and panelled doors in Tudor-arched surrounds.

**Churchyard, Boundary Walls, Steps, Railings, Gatepiers, Vaults and Monuments:** dormitory/burial enclosure to E of church, bounded by high wall, ashlar-faced and crenellated to exterior; rubble to interior; with crenellated gothic-panelled turrets to corners; chamfered Tudor-arched gateway with decorative hoodmould and 2-leaf cast-iron gate; contains memorials including those to Sir Henry Raeburn and Margaret Rutherford (mother of Sir Walter Scott). Dean Ramsay Memorial to NE, tall granite Celtic cross designed by Rowand Anderson, 1878, with Celtic bronze reliefs by Skidmore. Stone steps to lower level with other important monuments (including that of Sir William Forbes, who was the largest shareholder, and James Donaldson, founder of Donaldson's School for the Deaf) in walled enclosures; saddle-backed coping to coursed ashlar walls. Cast-iron railings to low boundary wall; pyramidally-coped gothic panelled ashlar gatepiers to entrances. Arcaded vaults under Lothian Road (built 1926-30).

## STATEMENT OF SPECIAL INTEREST

Ecclesiastical building in use as such. Stone from Redhall quarry. Built on the site of a market garden, purchased from the Town Council. Cost ?18,013 to build, raised through donations and subscriptions of ?20 shares. The W tower originally had single windows and an octagonal lantern (based on that of Harrison's St Nicholas, Liverpool (1811), which blew down during construction. An etching after Burn (NMRS C/75576) shows the lantern and the original form of Burn's E end. Fan vaulting based on that of King Henry VII's Chapel, Westminster Abbey). Heraldic crests of bishops of Edinburgh above nave arcade. Pews (replacing box pews), pulpit and aisle panelling by Peddie and Kinnear, 1867. Burn's original flat-ended chancel in the E bay (see NMRS EDD/205/13 plan and illustration in J and HS Storer VIEWS IN EDINBURGH AND ITS VICINITY (1820) p109) was extended by 1 aisleless bay and 3-sided apse by Peddie and Kinnear, 1879-82 (NMRS 205/4). Drawings of Peddie and Kinnear chancel and porch W gallery formerly extended over 1st W bay. Reredos by Peddie and Kinnear, 1889, with tile pictures by WB Simson & Sons, London. Organ by Willis & Sons, 1901. Hanging rood cross, 1912. Canopied choir stalls and oak panelling to chancel, based on those of King's College Chapel, Aberdeen, JM Dick Peddie and Forbes Smith, 1913. Hanging sanctuary lamp designed by DY Cameron. Important stained glass: original E window by William Raphael Eginton of Birmingham (from designs by Andrew Geddes) re-used N and S chancel; E and SE apse windows by Clayton and Bell; NE window by Heaton, Butler and Bayne, 1886; remainder mainly by James Ballantine, 1857-61. Chancel extended into the nave 1984 (10 pews removed) to allow central communion table.

## APPENDIX A: LIST DESCRIPTIONS

### Lothian Road, St Cuthbert's Church (Church Of Scotland), Churchyard and Monuments, Boundary Walls Gatepiers and Railings LB27339

Category: A

Group Category Details: A - see notes

Date Added: 14/12/1970

Supplementary Information Updated: 23/03/2001

Local Authority: Edinburgh

Planning Authority: Edinburgh

Burgh: Edinburgh

NGR: NT 24819 73607

Coordinates: 324819, 673607

#### DESCRIPTION

Hippolyte J Blanc, 1892-5, incorporating earlier fabric (see Notes) and later alterations and additions. Church with Renaissance/Baroque detailing, retaining tower (James Weir, 1775) and spire (built, and possibly designed, by Alexander Stevens 1789-90). Wide pitch-roofed nave, shallow pedimented transepts, paired Baroque E cupolas and semi-domed apse. Squared and necked bull-faced cream sandstone (coursed rubble to 18th century section) with polished ashlar dressings. Broad moulded band between ground and 1st floors; panelled parapet. Windows in moulded architraves, corniced at ground floor; round-arched with Corinthian pilasters at 1st floor; half-fluted Corinthian pilasters clasping corners at transepts and advanced W bays; long and short quoins.

**W Elevation:** tall narrow 2-storey pedimented advanced centre bay (remnant of 1775 church) with memorial sculpture in channelled blind arch (1844 - see Notes) inserted at ground floor, Serliana at 1st floor and sundial (dated) above. 3-stage square tower above (1789) with circular windows at 1st stage, round-arched windows with latticed glazing at 2nd stage, and clocks in consoled and pedimented frames at 3rd; moulded bands between each stage, corner urns at 2nd and 3rd; octagonal stone belfry and spire with round-arched louvred openings flanked by Doric pilasters to belfry, circular openings and weathervane to spire. Flanking bays (Blanc): wall tablets to ground, single round-arched windows flanked by half-fluted Corinthian pilasters to 1st floor.

**N Elevation:** N elevation of 1775 tower to outer right with apse of War Memorial chapel projecting at ground floor; small circular window above and small Diocletian window at 2nd floor level. Slightly advanced right bay: stone steps with cast-iron railings to 2-leaf timber panelled door in corniced moulded surround flanked to right by small window; round-arched window above. 3 central bays with single windows to ground, round-arched windows above. Advanced pedimented penultimate bay to left (transept): stone steps with cast-iron railings to timber panelled door in Doric pilastered frame, flanked by small windows to ground; tripartite arcaded window above with Corinthian columns/pilasters; stone steps down

to round-arched key-blocked entrance to Nisbet of Dean vault (1692, see Notes) in W re-entrant angle, with inscribed tablet and coat of arms above. 3-storey recessed bay to outer left: stone steps with stone balustrade to timber panelled door in moulded surround; small windows at 2nd and 3rd stages.

**E Elevation:** cross finial to pedimented gable; lead half dome to apsed bay at centre; tall base course with small door; 3 single windows to upper level with decorative carved panels above, flanked by half-fluted Corinthian pilasters. Narrow flanking bays, corniced and scrolled, with small windows at ground. Small windows at 1st and 2nd floors in outer bays; square-plan key-blocked arcaded 1st stage of cupolas; half-fluted paired Ionic pilasters to angled buttresses, surmounted by decorative scrolls; key-blocked circular openings to octagonal base of domed lanterns.

**S Elevation:** 3-storey recessed bay to outer right: stone steps with cast-iron railings to timber panelled door in moulded surround at ground floor; small windows at 1st and 2nd floors. Advanced penultimate bay to right: stone steps with cast-iron railings to timber panelled door in corniced surround with Doric pilasters, flanked by small windows; tripartite arcaded window above with Corinthian columns/pilasters. 3 central bays with single windows to ground, round-arched windows above. Slightly advanced penultimate bay to left with 2-leaf panelled door (principal entrance) in corniced moulded surround flanked by small windows; round-arched window above. S elevation of 1775 tower to outer left with segmental-arched window at ground, small circular window above, and small Diocletian window at 2nd floor.

**Interior:** wide nave with U-plan galleries (supported on marbled Corinthian columns), shortened in 1990 (see Notes). Chancel arch painted in vault (Gerald E Moira, 4 Evangelists, see Notes) and spandrels (John Duncan, 1931, 2 angels); mosaic floor and carved elders' seats with Renaissance details in chancel; spandrels of apse painted (Robert Hope, Christ in Glory and angels); alabaster wall frieze (Bridgeman of Lichfield, 1906-8, high relief version of Leonardo's 'Last Supper'), divided by orange marble-clad pilasters; central white marble communion table with semi-precious inserts; lectern with carved angel (DW Stevenson 1895); marble-clad steps to panelled marble pulpit (Blanc, 1897-8) with carved angel, supported on red marble columns with white Ionic capitals, to left of chancel arch; font to right of chancel arch (Thomas Armstrong, 1908, see Notes); white marble bowl with bronze profile portrait (MacGill), supporting bronze copy of Michelangelo's Bruges Madonna. Compartmented ceiling; scrolled pew ends (Blanc); organ in N transept arch (see Notes); decorative glazed screen (see Notes) in S transept arch. Wood-panelled War Memorial screen and doors at W (Ian G Lindsay, 1950), framed by Corinthian pilasters. Important stained glass (see Notes). Principal entrance at SW: full width vestibule (Napier wall tablet - see Notes) with 2 sets curved stairs leading to upper meeting room (formerly rear of gallery) with large mural (Moira, 'St Cuthbert on Lindisfarne'). War Memorial Chapel (P MacGregor Chalmers, 1921) at ground floor of 1775

tower: vaulted roof with compartmented low relief plasterwork; gold mosaic and small round-headed window (see Notes) in apse to S; segmental-arched window with leaded glass window (see Notes) to S; marble floor; marble panels to walls with names of fallen inlaid in lead. Session room above and cantilevered wooden stair to wood-panelled choir room at 2nd floor.

Leaded glass to most windows. Slated roof; ribbed stone roofs to E belfries. Cast-iron down pipes with decorative hoppers.

**Churchyard and Monuments, Boundary Walls, Railings and Gatepiers:** churchyard containing many important monuments, many of which predate present building, including that to John Grant of Kilgraston, 1795; cast-iron tombstone (obelisk on 4 lions couchant, angels in roundels) to Janet Crawford, wife of Alexander Barker, Edinburgh, iron founder; Greek Doric Hamilton enclosure, wall monument to George Winton, architect, 1823, the 3-bay gothic mausoleum of the Gordons of Cluny by Bryce, and the burial places of Thomas de Quincey, Alexander Nasmyth and George Meikle Kemp. Graveyard divided by ashlar-coped rubble walls of varying age. Cast-iron railings mounted on low arch-coped boundary walls; tall pyramidally-capped and corniced octagonal ashlar gatepiers with quatrefoil decoration; cast-iron gates.

#### STATEMENT OF SPECIAL INTEREST

The A Group comprises St Cuthbert's Church, Lothian Road and the Watch Tower in King's Stables Road. Ecclesiastical building in use as such. Built on the site of a medieval foundation (first mentioned 1127). Formerly known as the West Kirk. The Nisbet of Dean Vault of 1692 survives to the N, causing the N transept to be shorter than the S. Rebuilt 1773-5 by the architect/builder James Weir of Tollcross; sundial on W elevation (inscribed VIVETE FUGIO) dated 1774; clock-faces on tower inscribed 1789. This building (illustrated in J and HS Storer VIEWS IN EDINBURGH AND ITS VICINITY (1820 p91) became unsafe and was demolished; a photograph in the church booklet (THE KIRK BELOW THE CASTLE p24) shows the W tower and steeple standing alone, awaiting the construction of the new church. The style and furnishing of St Cuthbert's (central communion table, figurative frieze and paintings, font, stained glass etc), created controversy at the time, reflecting contemporary debate about forms of worship. The font was devised by Thomas Armstrong, Keeper of Fine Arts at the South Kensington Museum, and based on della Quercia's Siena Cathedral font. Gerald Moira was Principal of Edinburgh College of Art 1924-32, and a noted designer both of murals and of stained glass. Organ 1899, R Hope-Jones. 'A general and harmonious scheme of scriptural subjects applying to the whole church' was devised by the Kirk Session in 1893 for the stained glass, and produced by Alexander Ballantyne (lower NE window signed and dated A Ballantyne & Gardiner 1904, and above one commemorating Ballantyne himself). Upper centre N window by Tiffany of New York, circa 1900, 'David going to meet Goliath'; window to left of principal entrance, Mary Wood, 1928, St Cuthbert and St Aidan; 2 windows by Douglas Strachan in War Memorial

Chapel, 1922, Crucifixion in apse, St Cuthbert in S wall. In vestibule, inscribed tablet to Robert Pont, 1608; vesica panel, John Flaxman 1802, 'Christ blessing the children', and wall tablet, 1842, memorial to John Napier, reproducing the title page of his book on logarithms. On W front: sculptural memorial to Rev David Dickson, A Handyside Ritchie, 1844. In 1841 a railway tunnel was cut beneath the churchyard, incurring the loss of gravestones above. In 1990 the interior of the church was altered in order to create meeting rooms, kitchen, toilets, disabled access etc; the nave and galleries were foreshortened, the W portion of the ground floor becoming the Lammermuir Hall, the area formerly the rear galleries being known as the Lindisfarne Room (retaining Moira's mural); the upper S transept became the Norloch Room, screened off from the church by a decorative screen designed by students of Edinburgh College of Art.



## APPENDIX B: NATIONAL AND LOCAL PLANNING POLICY AND GUIDANCE

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### NATIONAL POLICY AND GUIDANCE

#### Planning (Listed Buildings and Conservation Areas) (Scotland) Act, 1997

This Planning Act is the legislation that forms the basis of listed building designations; defining them as a building or structure is of 'special' interest.

Category A listed buildings are of national or international importance, either architectural or historic, or fine little-altered examples of some particular period, style or building type. Category B listed buildings are of regional or more than local importance, or major examples of a period, style or type. Category C listed buildings are buildings of local importance or lesser examples.

Conservation Areas are also protected by the 1997 Act. Conservation Areas are areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance.

#### Historic Environment (Amendment) (Scotland) Act 2011

The Historic Environment (Amendment) (Scotland) Act 2011<sup>01</sup> replaces provisions in the Listed Building and Conservation Areas (Scotland) Act 1997, the Ancient Monuments and Archaeological Areas Act 1979 and the Historic Buildings and Ancient Monuments Act 1953.

The bill has introduced statutory inventories for some designated asset types, extended Scottish Minister's grant-making powers, introduced a series of enforcement provisions and introduced certificates of immunity from listing.

#### Scottish Planning Policy, 2014

The Scottish Planning Policy<sup>02</sup> sets out the national planning policies within the planning system, development and the use of land. It sits alongside the National Planning Framework (NPF).

The SPP has a presumption in favour of development that contributes to sustainable development.

The four key outcomes of the SPP are:

**Outcome 1:** *a successful, sustainable place - supporting sustainable economic growth and regeneration, and the creation of well-designed, sustainable places.*

**Outcome 2:** *A low carbon place – reducing our carbon emissions and adapting to climate change.*

**Outcome 3:** *A natural, resilient place – helping to protect and enhance our natural and cultural assets, and facilitating their sustainable use*

**Outcome 4:** *A more connected place – supporting better transport and digital connectivity.*

#### Valuing the Historic Environment

Paragraphs 135 to 151 relate to the historic environment. The policies state that the planning system should promote the care and protection of the designated and non-designated historic environment, enable positive change in the historic environment which is informed by a clear understanding of the importance of the heritage assets and ensure change is sensitively managed to avoid or minimise adverse impacts on the fabric and setting of the asset, and ensure that its special characteristics are protected, conserved or enhanced (paragraph 137).

#### Listed buildings

Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. The layout, design, materials, scale, siting and use of any development which will affect a listed building or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting.

#### Conservation Areas

Proposals for development within conservation areas and proposals which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area.

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01 <http://www.legislation.gov.uk/asp/2011/3/contents/enacted>

02 <http://www.gov.scot/Resource/0045/00453827.pdf>

## Scottish Historic Environment Policy, 2011

The Scottish Historic Environment Policy, 2011<sup>03</sup> (SHEP) was produced by Historic Scotland (now Historic Environment Scotland) as part of the Scottish Government's Strategic objectives to the National Performance Framework. It sets out Scottish Minister's policies for the historic environment and provides direction for a range of organisations.

This report states that the protection of the historic environment is not about preventing change; *Ministers believe that change in this dynamic environment should be managed intelligently and with understanding, to achieve the best outcome for the historic environment and for the people of Scotland. Such decisions often have to recognise economic realities.*

### Key principles

1.14. The policy of Scottish Ministers is that:

- a) actions taken in respect of Scotland's historic environment should secure its conservation and management for the benefit and enjoyment of present and future generations;
- b) there should be a presumption in favour of preservation of individual historic assets and also the pattern of the wider historic environment; no historic asset should be lost or radically changed without adequate consideration of its significance and of all the means available to manage and conserve it;
- c) Scotland's historic environment should be managed in a sustainable way, recognising that it is a social, cultural, economic and environmental resource of great value;
- d) all of the people of Scotland should be able to enjoy, appreciate, learn from and understand Scotland's historic environment, and be assisted in that through access, research, knowledge, information and education and proactive conservation investment, without compromise to cultural significance.

1.15. The conservation of any part of Scotland's historic environment should:

- a) be based upon sound knowledge and understanding of the particular site, building, monument or landscape, and of its wider context;
- b) be founded on full awareness and consideration of its cultural significance and all phases of its development;
- c) be carried out in accordance with a conservation plan, which brings together all of the information and research necessary to guide the proposed action;
- d) ensure that what is to be conserved is properly recorded before and, if necessary, during and after work;
- e) make provision for recording where continued preservation is no longer possible or where loss is taking place through change or ongoing decay, and ensure that all records are retained in readily accessible archives;

- f) incur only the minimum degree of intervention considered appropriate by the relevant authority for the type of site, building, monument or landscape;
- g) use appropriate technical knowledge, materials, skills and methods of working;
- h) have regard to retaining, or where appropriate enhancing, the setting of the site, monument, building or landscape;
- i) ensure that, where change is proposed, it is appropriate, carefully considered, authoritatively based, properly planned and executed, and (if appropriate) reversible;
- j) include effective arrangements for monitoring the condition and safety of the historic asset and for delivery of routine maintenance and good housekeeping;
- k) take account of the rich biodiversity of many historic sites, buildings and landscapes.

## Environment Scotland's Managing Change in the Historic Environment: Setting 2010

This document is part of the Historic Environment Scotland series of guidance notes and sets out the principles that apply to developments affecting the setting of historic assets or places, including scheduled monuments, listed buildings, Inventory historic gardens and designed landscapes, World Heritage Sites, conservation areas, historic battlefields, Historic Marine Protected Areas and undesignated sites.

The guidance document sets out the key setting issues:

1. *Setting can be important to the way in which historic structures or places are understood, appreciated and experienced. It can often be integral to a historic asset's cultural significance. Planning authorities must take into account the setting of historic assets or places when drawing up development plans and guidance, when considering environmental and design assessments/statements, and when making decisions on planning applications.*
2. *Where development is proposed it is important to:*
  - identify the historic assets that might be affected
  - define the setting of each historic asset
  - assess the impact of any new development on this
3. *Setting often extends beyond the property boundary or 'curtilage' of an individual historic asset into a broader landscape context. Both tangible and less tangible elements can be important in understanding the setting. Less tangible elements may include function, sensory perceptions or the historical, artistic, literary and scenic associations of places or landscapes.*

03 <http://www.pkcs.gov.uk/CHttpHandler.ashx?id=28665&p=0>

4. *If proposed development is likely to affect the setting of a key historic asset, an objective written assessment should be prepared by the applicant to inform the decision-making process. The conclusions should take into account the significance of the asset and its setting and attempt to quantify the extent of any impact. The methodology and level of information should be tailored to the circumstances of each case.*
5. *In the light of the assessment described above, finalised development proposals should seek to avoid or mitigate detrimental impacts on the settings of historic assets.*
6. *Advice on whether a planning application should include an assessment of the development's impact on setting should be sought from the planning authority.*

## LOCAL POLICY AND GUIDANCE

### Edinburgh City Local Plan

*The Edinburgh City Local Plan, 2010<sup>04</sup> contains policies that are directly related to the jumbrella proposals for 1-3 Rutland Street.*

#### Design Policies

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

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Des 5 (External Spaces) sets criteria for assessing landscape design and external space elements of development.

#### Caring for the Environment Policies

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

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.

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

#### Shopping, Entertainment and Other Town Centre Uses Policies

Policy Ret 6 (Entertainment and Leisure Developments – Preferred Locations) identifies the Central Area, Leith & Granton Waterfronts and town centres as the preferred locations for entertainment and leisure developments.

### The Edinburgh Standards for Streets

*The Edinburgh Standards for Streets, 2006<sup>05</sup> SPG sets out principles and guidance whose aim is to achieve a coherent and enhanced public realm.*

Design Guidance 5: Street Furniture and Features offers relevant guidance:

*New items of street furniture should be considered in the context of the wider street design and combined with other features where possible or appropriate.*

*Street furniture should be positioned to ensure that there is a clear zone for pedestrians along the footway.*

*New items of street furniture will be minimised and considered in context with the capacity of the footway and other features already located there.*

*Simple contemporary standard furniture and features will be used consistently in general street arrangements.*

#### Tables and Chairs

*The opportunity to sit outside on the footway or in squares and spaces is increasing in the city and adds to the vibrancy of streets and the public realm. In this context commercial premises are given the opportunity to reserve space on the footway for tables and chairs. Located adjacent to the building line, they can unfortunately sometimes present a hazard to the visually impaired and other users of the footway. In recognition, the Council require a licence for occupation of the footway. The consent to occupy the footway with tables and chairs is subject to siting requirements.*

*Tables and chairs are allowed to occupy the footway under licence. The requirements and controls for siting of tables and chairs must be considered in the context of the siting of other street furniture and features to retain sufficient footway space.*

#### The New Town Conservation Area Character Appraisal

The New Town Conservation Area Character Appraisal, 2005 was produced to safeguard the New Town Conservation Area following its designation in 1977 (extended in 1980 and amended in 1995).

The Conservation Area ranks as one of the most important in the United Kingdom, in terms of both its architectural and historic interest. Its significance is reflected in the extensive number of Statutory Listed Buildings, the number of tourists that visit the area, its 'Outstanding' status and its international recognition as part of the UNESCO designated Edinburgh Old and New Town World Heritage Site.

<sup>04</sup> <http://edinburghcouncilmaps.info/dev/plans/eclp/contents.htm>

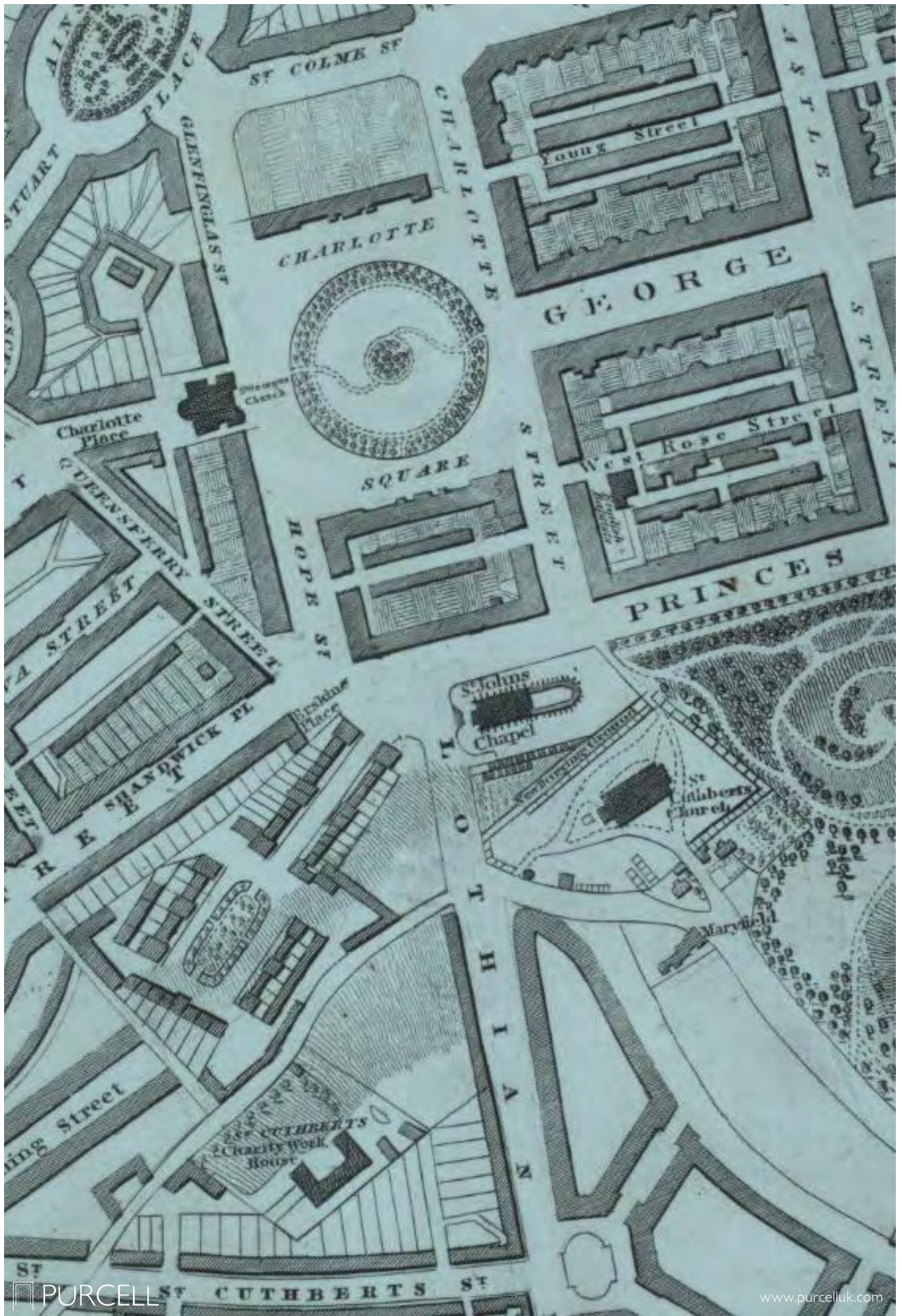
<sup>05</sup> <http://www.gov.scot/Resource/0048/00481815.pdf>

## APPENDIX C: CONSERVATION AREA MAP



Baseplan © 2016 Infoterra Ltd & Bluesky





# Development Management Sub Committee

Wednesday 13 August 2014

**Application for Planning Permission 14/01524/FUL  
At 1 - 3 Rutland Street, Edinburgh, EH1 2AN  
Proposed outdoor seating area with enclosure (as amended)**

**Item number**

**Report number**

**Wards**

A11 - City Centre

## Summary

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The proposals comply with the development plan and Edinburgh Planning Guidance. The proposal would not adversely affect the setting of listed buildings, would preserve and enhance the character of the conservation area and would not affect the outstanding universal values of the World Heritage Site.

## Links

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[Policies and guidance for this application](#)

CITD1, CITD3, CITD5, CITE1, CITE3, CITE6, CITR6, NSGESS, CRPNEW,

# Report

## **Application for Planning Permission 14/01524/FUL At 1 - 3 Rutland Street, Edinburgh, EH1 2AN Proposed outdoor seating area with enclosure (as amended)**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site comprises a hard paved pedestrian area and footway, extending approximately 21 metres in width and 19 metres in depth, situated at the junction of Princes Street, Lothian Road and Rutland Street.

The proposal relates to 1 Rutland Place, and 1 and 3 Rutland Street which are category A listed (LB reference: 29685 and listed on 14 December 1970) which lie immediately to the west of the application site.

4 Lothian Road, The Caledonian Hotel, which is category A listed (LB reference; - 29524 and listed 20 February 1985), lies opposite the site to the south.

This area of public realm has recently been increased in size as a result of kerb lines being reconfigured as part of the Edinburgh Tram Project. A crescent shaped seating area and redundant telephone kiosks have recently been removed from the area in order to reduce clutter.

The site is located in the New Town Conservation Area and the Edinburgh World Heritage Site.

#### **2.2 Site History**

There is no relevant planning history for this site.

### **Main report**

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

##### Amended proposal

The application is for the erection of two rectangular canvas parasols which would be fixed into the ground. These would measure 3 metres in width, 4 metres in depth, 4.02 metres high in a closed position and 2.95 metres when opened. The parasols would be left folded overnight.

These would provide partial cover for tables and chairs (58 covers) for external dining associated with the adjacent restaurant premises; these being enclosed by demountable barriers. The tables, chairs and barriers would be removed from the area and stored overnight.

The parasols would only be used between 1 April and 30 September each year, with temporary permission being sought to the end September 2015.

The tables, chairs and barriers require a permit to be obtained from the Council and do not require planning permission.

#### Previous scheme

Erection of a timber canopy structure measuring 3.89 metres in width, 7.23 metres in length and 2.86 metres in height, partially covering tables and chairs for external dining. The canopy structure would have been finished in exposed timber and featured a retractable canvas roof, with screening to the walls provided by plants.

Temporary permission was sought until 31 October 2015.

### **3.2 Determining Issues**

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

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 proposed use is acceptable;
- b) the proposals adversely affect the setting of listed buildings, preserve and enhance the character of the conservation area, and the World Heritage Site and achieve an acceptable standard of design;
- c) the proposals raise transport or raise traffic safety issues;
- d) the proposals adversely affect neighbour amenity;
- e) the proposals raise equalities and human rights impacts and
- f) representations have been addressed.



a) Principle of Development

Two parasols with ground fixings are now proposed in place of the timber canopy structure, these requiring planning permission. Local Plan Policy Ret 6 states that permission will be granted for high quality, well designed leisure and entertainment and visitor attractions in the Central Area subject to the proposal being integrated satisfactorily into the surroundings, achieving a high quality of design that safeguards character and would not be detrimental to amenity. The principle of such development is acceptable subject to meeting requirements of relevant policy and guidance.

b) Setting of Listed Buildings, impact of the Conservation Area and design.

Local Plan Policy Env 3 states that development within the curtilage or affecting the setting of the listed building will be permitted only if not detrimental to the appearance or the character of the building, or to its setting.

The positioning of the parasols will have a limited impact upon the views of neighbouring listed buildings, particularly toward the section of frontage at ground floor level. The visual impact of the parasols will also be limited as they will only be fully opened at certain times of day, being left in a closed position outside trading hours.

The proposed parasols will be temporary in nature and the overall effect on the setting of adjacent listed buildings would be considered as neutral, and any limited impact is outweighed by the benefits of an enlivened street scene.

The New Town Conservation Area Character Appraisal identifies the following in relation to the application site;-

*The streets of the First New Town are hierarchical in their width and quality of design and finish. The three parallel streets of Princes, George and Queens Streets allied with Charlotte and St Andrew Square are the grandest in Craig's plan, consisting originally of individual townhouses.*

*The use of a grid layout forms throughout the area provided a formal hierarchy of streets with controlled vistas and planned views.*

*Within the grid layouts, terminated vistas have been planned using churches, monuments, buildings and civic statuary.*

*The streets of the New Town form a key component of the geometric hierarchy of the area. The public realm should be of the highest quality in terms of material used.*

The application site occupies a prominent position in terms of townscape, key conservation area views and the World Heritage Site. However, the scale of the parasol structures would be subservient within the street scene allowing distant views to be maintained. The parasols may impact upon some localised views of the surroundings, when in an opened position but their visual impact will be limited in that they will only be fully opened at certain times of day.

The parasols would be in a canvas finish and appearance would offer an acceptable design quality to the location.

Pedestrian access around the proposed seating area will be maintained, with the equipment being removed from the area and stored overnight. In view of these factors it is not considered that the proposal will result in street clutter or hinder pedestrian movement.

The proposed outdoor tables and chairs seek to provide a temporary intervention to a redefined area of public realm, in order to highlight and assess potential opportunities for an enhanced pedestrian environment. The parasols would only be used between 1 April and 30 September each year, with temporary permission being sought to the end September 2015.

The design and nature of the proposal is not considered to be detrimental to the character and appearance of the conservation area or the World Heritage Site and any limited impact is outweighed by the benefits of an enlivened public realm.

#### c)Transport

Transport has no objection to the proposal, subject to a tables and chairs permit to occupy the public pavement being obtained from the Council's Local Neighbourhood Office. The Council's Tram Team has also advised that there are underground utilities located within the area and public utility companies will require access at all times. These matters will be highlighted through informative.

#### d)Amenity

The application site occupies a busy urban location characterised by high levels of ambient noise. The nature of the proposal is not therefore considered detrimental to neighbouring amenity. The proposed hours of operation for the tables and chairs will be controlled through the licensing regime.

#### e)Equalities and Human Rights

An equalities and human rights impact assessment has been completed. This identifies the need for proposals to comply with DDA legislation and ensure that the proposal maximises accessibility for the mobility and visually impaired.

The parasols are not considered to adversely affect accessibility for the mobility impaired. The proposed tables, chairs and demountable barriers are not elements which require planning permission, with any physical impacts to the mobility and visually impaired being considered as part of the granting of any tables and chairs permit issued by the Council's Local Neighbourhood Team.

This proposal seeks to provide a temporary intervention to a redefined area of public realm, in order to highlight and assess potential opportunities for an enhanced pedestrian environment. In view of this, the design of the proposals are considered acceptable and would not pose an adverse impact to equalities and human rights.

#### f)Representations

The following material issues raised have been assessed as follows:-

- Site is located within the New Town Conservation Area, Edinburgh World Heritage Site and is on the corner of an important pedestrian thoroughfare at the corner of Princes Street and Lothian Road - noted
- Proposal will disrupt sightlines to surrounding listed buildings, vistas and cityscape - addressed in sections 3.3 b)

- Layout of the proposal would be detrimental to pedestrian movement through the area - addressed in section 3.3 b)
- Outdoor seating is an inappropriate item of street clutter - addressed in sections 3.3 b)
- Concern regarding potential noise levels to adjacent hotel guests - addressed in section 3.3 d)

In conclusion, the proposal would not adversely affect the setting of adjacent listed buildings, would preserve and enhance the character of the conservation area and would not affect the outstanding universal values of the World Heritage Site. The proposal is a temporary intervention seeking to highlight opportunities for an improved public realm.

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

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

#### **Conditions:-**

1. Permission is granted for the parasols and associated uses on a temporary basis only from August 2014 to end September 2014 and 01 April to 30 September 2015.
2. At the end of the expiration of specified temporary periods of permission the approved uses must be stopped with the parasols and associated equipment removed from the site.

#### **Reasons:-**

1. In order to give due recognition to the temporary nature of the proposed development.
2. In order to give due recognition to the temporary nature of the proposed development.

#### **Informatives**

It should be noted that:

1. The works 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.

4. Applicant to apply to the Council's Local Neighbourhood team for a tables and chairs permit.
5. The Council's tram team have advised that there are underground utilities at the location given and public utilities will require access at all times.

## **Financial impact**

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

There are no financial implications for 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:**

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

## **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 advertised on 05 May 2014 and 2 letters of objection were received. These included comments from The Cockburn Association. The letter of representation raised the following issues:-

- Site is located within the New Town Conservation Area, Edinburgh World Heritage Site and is on the corner of an important pedestrian thoroughfare at the corner of Princes Street and Lothian Road
- Proposal will disrupt sightlines to surrounding listed buildings, vistas and cityscape
- Layout of the proposal would be detrimental to pedestrian movement through the area
- Outdoor seating is an inappropriate item of street clutter

- Concern regarding potential noise levels to adjacent hotel guests
- Unaware of the applicant discussing proposals with Historic Scotland.

There were no comments received from the Community Council.

## Background reading / external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)

### Statutory Development

#### Plan Provision

Edinburgh City Local Plan - Central Area

#### Date registered

28 April 2014

#### Drawing numbers/Scheme

01, 03C, 04C,

Scheme 3

## D David R. Leslie

Acting Head of Planning and Building Standards

Contact: Francis Newton, Planning Officer

E-mail:[francis.newton@edinburgh.gov.uk](mailto:francis.newton@edinburgh.gov.uk) Tel:0131 529 6435

## Links - Policies

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### Relevant Policies:

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

Policy Des 3 (Development Design) sets criteria for assessing development design.

Policy Des 5 (External Spaces) sets criteria for assessing landscape design and external space elements of development.

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

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.

Policy Env 6 (Conservation Areas Development ) sets out criteria for assessing development in conservation areas.

Policy Ret 6 (Entertainment and Leisure Developments – Preferred Locations) identifies the Central Area, Leith & Granton Waterfronts and town centres as the preferred locations for entertainment and leisure developments.

**Non-statutory guidelines** 'The Edinburgh Standards for Streets' sets out principles and guidance whose aim is to achieve a coherent and enhanced public realm.

**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 14/01524/FUL At 1 - 3 Rutland Street, Edinburgh, EH1 2AN Proposed outdoor seating area with enclosure (as amended)**

### **Consultations**

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#### **Transport Planning - Development Control**

*No objections to the application but applicant will have to apply to the Local Neighbourhood for a table and chairs permit to occupy the public pavement. This section may object to the layout and not issue a permit.*

*The tram team have also intimated that there are underground utilities at the location given and the public utility companies will require access at all times.*

#### **Environmental Assessment**

*The applicant proposes introducing an outdoor seating area within a semi-permanent enclosure. It will be sited on a space within the restructured pavement area at the Rutland Street/Lothian Road junction. This is a very busy vibrant area with no residential properties in close proximity. Furthermore the use of the proposed seating area will further control under licence. The licence will be subject to conditions which will ensure the impact on the neighbouring amenity is protected. Amplified music and vocal will not be permitted under this licence.*

*Therefore Environmental Assessment offer no objection to this application.*

## Location Plan

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**END**



**DECISION NOTICE AND REPORT OF HANDLING**

Application address - 4C Wardie Crescent Edinburgh EH5 1AG

Application Ref. No - 16/03172/FUL

Review Ref No - 16/00124/REVREF

Review Lodged Date 13.12.2016

COPY

Les McCaskey  
18A Rothesay Place  
Edinburgh  
EH3 7SQ

Mr Cameron Watson.  
4C Wardie Crescent  
Edinburgh  
EH5 1AG

Date: **26 September 2016,**

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS  
2013**

Proposed roof conversion and extension to side/ rear of property and garage.

At 4C Wardie Crescent Edinburgh EH5 1AG

**Application No:** 16/03172/FUL

## DECISION NOTICE

With reference to your application for Planning Permission registered on 24 June 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

## Reasons:-

1. The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings Drawings 01 to 07., represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious. The proposal does not comply with local

plan policy or non-statutory guidance and there are no material planning considerations which would justify approval.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Val Malone directly on 0131 529 3485.

*D R Leslie*

David R. Leslie

Acting Head of Planning and Building Standards

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## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

Application for Planning Permission 16/03172/FUL  
At 4C Wardie Crescent, Edinburgh, EH5 1AG

**Proposed roof conversion and extension to side/ rear of property and garage.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/03172/FUL
<b>Wards</b>	A04 - Forth

## Summary

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The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious. The proposal does not comply with local plan policy or non-statutory guidance and there are no material planning considerations which would justify approval.

## Links

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**Policies and guidance for this application** CITD11, NSHOU,

# Report of handling

## Recommendations

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1.1 It is recommended that this application be Refused for the reasons below..

## Background

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### 2.1 Site description

The application site is one of a pair of detached, one and a half storey modern houses to the north of No. 4 Wardie Crescent, Edinburgh. They are known as 4B and 4C Wardie Crescent and have been built on land previously associated with 4 Wardie Crescent, a substantial two storey villa now sub-divided into two flats. The surrounding area is predominantly residential.

4B and 4C are accessed by a driveway to the east of No 4 Wardie Crescent and each has an integral garage plus a paved area for parking in front of the houses. There is also a paved parking area on the eastern boundary and 4 Wardie Crescent has an attached garage block. The southern gable of 4C and the northern gable of 4B are in very close proximity.

4B and 4C have open elevations onto the access drive, and each have a small area of grass to the front of the properties. 4C has enclosed garden areas to the west and north and what may be a later glazed conservatory on the western elevation.

Immediately to the north of the application site is a terrace of flatted properties on Wardie Dell, with the boundary being the stone wall and fence referred to in the History section. To the west is the substantial stone villa at 6 Wardie Crescent with its later house in the rear garden. The boundary to this property from the application site is a stone wall and high hedge. To the east is another terrace of flats on Wardie Dell and the application site adjoins a garage forecourt and access serving those flats. The boundary to this is formed by a stone wall, fence and vegetation.

## 2.2 Site History

3 June 1987 planning permission granted for two semi-detached houses in the rear garden of No 4 Wardie Crescent (0730/87). Permitted development rights for the extension or external alteration of the properties were removed

11 November 1987 planning permission granted for a revised form of these two semi-detached houses (n the rear garden of No 4 Wardie Crescent (2099/87). Permitted development rights for the extension or external alteration of the properties were removed.

19 March 2013 enforcement investigation in relation to the erection of a fence of over 2 metres in height was closed, (12/00290/EOPDEV). No action was expedient or justifiable.

## Main report

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### 3.1 Description Of The Proposal

The application proposes the conversion of the pitched roof on the southern elevation to form a flat roofed, two-storey extension on the southern and western elevations. This would incorporate the area of the existing conservatory on the west elevation and the existing entrance porch. The sides of the extension would have vertical timber cladding at first floor level and rendered walls at ground floor level.

A virtually two storey glazed feature (including a new glazed front door) would be created at the corner of the south and east elevations. The south elevation would have two narrow windows on both the ground and first floors and a set of full height glazed windows at ground level at the western end. The northern elevation would have a set of full height glazed windows at ground level and a window at first floor level. The eastern elevation would have another a set of full height glazed windows at ground level and a window at first floor level.

A new garage would be constructed on the eastern elevation with flat roof and pitched, tiled roof planes on the north and south elevations and rendered walls.



It is proposed to convert the existing integral garage to form habitable accommodation and make a number of internal alterations; these would not be development as defined in terms of Section 26 of the Town and Country Planning (Scotland) Act 1997, as amended. The substitution of a set of windows for the existing garage doors and the conversion of a door to a window on the northern elevation would be "permitted development" in terms of Class 2B of the Town and Country Planning (Scotland) (General Permitted Development) (Scotland) Order 1992, as amended.

### **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 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, it needs to be considered whether:

- (a). The proposed scale, form and design is acceptable and will accord with neighbourhood character;
- (b). The proposal will cause an unreasonable loss to neighbouring amenity;
- (c). Any impacts on equalities or human rights are acceptable;
- (d). Any comments raised have been addressed.

(a). The proposed extensions would add 44 square metres to the footprint of the dwelling; this equates to 33.8% of the plot being in built form as opposed to the current 24.4%. The proposal would not therefore represent over-development of the plot and its scale would otherwise be acceptable. The form and design of the proposal is, however, out of keeping with this modest dwelling with quite steeply pitched roofs. The original design concept of this backland development is of two modest dwellings set in the rear garden ground of a Victorian villa. This application, as proposed, would negate this balance and introduce a very discordant new dwelling form. The proposal adds a very large amount of new glazing, and a two-storey glazed feature, which is out of keeping with the original form and the glazed element would become an overly dominant feature. The introduction of extensive flat roofed elements is, likewise, incongruous and obtrusive. The design and form of the extensions bear no relation to that of the original dwelling, which would become overwhelmed. The original modest dwelling is not capable of absorbing this type of extension and there would be no harmony in form and appearance. The proposal is not of an acceptable form or design, would be detrimental to neighbourhood character and would not comply with local plan policy Des 11 or the non-statutory "Guidance for Householders".

(b). There would be no effect on daylight to windows in any adjoining properties and any effect on sunlight or overshadowing would be contained within the host property, complying with these criteria in the non-statutory "Guidance for Householders". With respect to the privacy criterion in this guidance, new windows on the north and east elevations would meet the required distances to boundaries; those on the eastern elevation would marginally fail but the existing stone boundary wall and hedge afford screening. The new windows on the southern elevation do not meet this criterion but the adjoining property provides a blank gable onto this elevation. The proposal would not result in an unreasonable loss of neighbouring amenity.

(c). There would be no impact on equalities and human rights.

(d). The public comments can be addressed as follows:

Loss of daylight and sunlight to flatted properties to the north; this is stated as a particular concern as this block is at a lower level than surrounding properties - using the methodology in the "Guidance for Householders", it has been established that this would not be the case and this is addressed in (b), above.

Loss of privacy to flatted properties to the north, in both habitable accommodation and garden areas - the additional windows on the north elevation are set back from the building line to the north and meets the privacy criterion in the "Guidance for Householders; this is addressed in (b), above.

Overdevelopment of the plot - this is addressed in (a), above.

It is recommended that this application be Refused for the reasons below.

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

#### **Reasons:-**

1. The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious.

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

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

#### **Equalities impact**

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##### **5.1 The equalities impact has been assessed as follows:**

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

## **Consultation and engagement**

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### **6.1 Pre-Application Process**

There is no pre-application process history.

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

Representations have been received from three parties, raising the following:

Material planning considerations.

Loss of daylight and sunlight to flatted properties to the north; this is stated as a particular concern as this block is at a lower level than surrounding properties.

Loss of privacy to flatted properties to the north- in both habitable accommodation and garden areas.

Overdevelopment.

### **Background reading / external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**David R. Leslie**

### **Statutory Development**

**Plan Provision** The application site is identified as being within the "urban area" in the adopted Edinburgh City Local Plan.

**Date registered** 24 June 2016

**Drawing numbers/Scheme** Drawings 01 to 07.

Scheme 1

Acting Head of Planning and Building Standards

Contact: Val Malone, Senior planning officer  
E-mail:val.malone@edinburgh.gov.uk Tel:0131 529 3485

### **Links - Policies**

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#### **Relevant Policies:**

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

## Appendix 1

### Consultations

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No consultations undertaken.

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## Comments for Planning Application 16/03172/FUL

### Application Summary

Application Number: 16/03172/FUL

Address: 4C Wardie Crescent Edinburgh EH5 1AG

Proposal: Proposed roof conversion and extension to side/ rear of property and garage.

Case Officer: Val Malone

### Customer Details

Name: Mr Ronald Robb

Address: 23 Wardie Dell Edinburgh

### Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The extension will overlook our garden and two bedrooms in our property and has a proposed upper north facing window looking directly into these bedrooms, therefore I am objecting on the basis of privacy and overshadowing. There is overdevelopment in this area and we are becoming very closed in as the properties from 17 to 25 Wardie Dell are sited at a lower level than the surrounding properties with previous developments causing a big impact overshadowing our gardens and sunlight from the West with this development going to overshadow and block sunlight from the South.



## Comments for Planning Application 16/03172/FUL

### Application Summary

Application Number: 16/03172/FUL

Address: 4C Wardie Crescent Edinburgh EH5 1AG

Proposal: Proposed roof conversion and extension to side/ rear of property and garage.

Case Officer: Val Malone

### Customer Details

Name: Mrs Moira MacDonald

Address: 19 Wardie Dell Edinburgh

### Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I object to the proposed planning at 4c Wardie Crescent, Edinburgh EH5 1AG as strongly feel the building will impose on 17 - 25 Wardie Dell properties.

Please note that this house is located very near to our houses and is elevated therefore any extension will appear a lot taller from our view.

# NOTICE OF REVIEW

Under Section 43A(8) Of the Town and County Planning (SCOTLAND) ACT 1997 (As amended) In Respect of Decisions on Local Developments  
 The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (SCOTLAND) Regulations 2013  
 The Town and Country Planning (Appeals) (SCOTLAND) Regulations 2013

**IMPORTANT: Please read and follow the guidance notes provided when completing this form. Failure to supply all the relevant information could invalidate your notice of review.**

PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://www.eplanning.scot>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR	Ref No.	
Forename	CAMERON	Forename	LES
Surname	WATSON	Surname	MCCASKEY
Company Name		Company Name	
Building No./Name	AC	Building No./Name	18A
Address Line 1	WARDIE	Address Line 1	ROTHESAY PLACE
Address Line 2	CRESCENT	Address Line 2	
Town/City	EDINBURGH	Town/City	EDINBURGH
Postcode	EH5 1AG	Postcode	EH3 7SQ
Telephone	-	Telephone	-
Mobile	07990 551 181	Mobile	07817 809 327
Fax		Fax	
Email	cameron.watson@homecall.co.uk	Email	lesmccaskeyaciob@gmail.com
3. Application Details			
Planning authority	CITY OF EDINBURGH COUNCIL		
Planning authority's application reference number	16/03172/FUL		
Site address	AC, WARDIE CRESCENT EDINBURGH EH5 1AG		
Description of proposed development	PROPOSED ROOF CONVERSION AND EXTENSION TO SIDE/ REAR OF PROPERTY AND GARAGE		

Building Control  
 13 DEC 2016

Date of application

24/6/2016

Date of decision (if any)

26<sup>th</sup> SEPT 2016

Note. This notice must be served on the planning authority within three months of the date of decision notice or from the date of expiry of the period allowed for determining the application.

**4. Nature of Application**

- Application for planning permission (including householder application)
- Application for planning permission in principle
- Further application (including development that has not yet commenced and where a time limit has been imposed; renewal of planning permission and/or modification, variation or removal of a planning condition)
- Application for approval of matters specified in conditions

**5. Reasons for seeking review**

- Refusal of application by appointed officer
- Failure by appointed officer to determine the application within the period allowed for determination of the application
- Conditions imposed on consent by appointed officer

**6. Review procedure**

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Please indicate what procedure (or combination of procedures) you think is most appropriate for the handling of your review. You may tick more than one box if you wish the review to be conducted by a combination of procedures.

- Further written submissions
- One or more hearing sessions
- Site inspection
- Assessment of review documents only, with no further procedure

If you have marked either of the first 2 options, please explain here which of the matters (as set out in your statement below) you believe ought to be subject of that procedure, and why you consider further submissions or a hearing necessary.

**7. Site inspection**

In the event that the Local Review Body decides to inspect the review site, in your opinion:

- Can the site be viewed entirely from public land?
- Is it possible for the site to be accessed safely, and without barriers to entry?

If there are reasons why you think the Local Review Body would be unable to undertake an unaccompanied site inspection, please explain here:

### 8. Statement

You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. Note: you may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

If the Local Review Body issues a notice requesting further information from any other person or body, you will have a period of 14 days in which to comment on any additional matter which has been raised by that person or body.

State here the reasons for your notice of review and all matters you wish to raise. If necessary, this can be continued or provided in full in a separate document. You may also submit additional documentation with this form.

REFER TO ENCLOSED STATEMENT

Have you raised any matters which were not before the appointed officer at the time your application was determined? Yes  No

If yes, please explain below a) why your are raising new material b) why it was not raised with the appointed officer before your application was determined and c) why you believe it should now be considered with your review.

\* ADDITIONAL INFORMATION AS DETAILED IN ENCLOSED STATEMENT PROVIDES IMPORTANT SUPPORT TO APPLICATION BEING GRANTED

### 9. List of Documents and Evidence

Please provide a list of all supporting documents, materials and evidence which you wish to submit with your notice of review

- 1) APPLICATION FORM.
- 2) PLANNING REFUSAL / HANDLING REPORT
- 3) STATEMENT / PHOTOGRAPHS
- 4) DRAWINGS - 01, 02, 03, 04  
SITE LOCATION PLAN PROPOSED - 1:1250 / 1:200  
" " " EXISTING - 1:1250 / 1:200  
SITE SECTION 1:50 1-1
- 5) PHOTOGRAPH - FRONT ELEVATION - EXISTING

Note. The planning authority will make a copy of the notice of review, the review documents and any notice of the procedure of the review available for inspection at an office of the planning authority until such time as the review is determined. It may also be available on the planning authority website.

### 10. Checklist

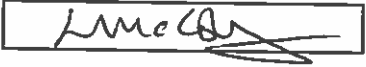
Please mark the appropriate boxes to confirm that you have provided all supporting documents and evidence relevant to your review:

- Full completion of all parts of this form
- Statement of your reasons for requesting a review
- All documents, materials and evidence which you intend to rely on (e.g. plans and drawings or other documents) which are now the subject of this review.

Note. Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice from that earlier consent.

### DECLARATION

I, the applicant/agent hereby serve notice on the planning authority to review the application as set out on this form and in the supporting documents. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

Signature:  Name:  Date:

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.

# HOUSEHOLDER APPLICATION FOR PLANNING PERMISSION

Town and Country Planning (SCOTLAND) ACT 1997  
The Town and Country Planning (Development Management Procedure) (SCOTLAND) REGULATIONS 2013

Please refer to the accompanying Guidance Notes when completing this application  
PLEASE NOTE IT IS FASTER AND SIMPLER TO SUBMIT PLANNING APPLICATIONS ELECTRONICALLY VIA <https://eplanning.scotland.gov.uk>

1. Applicant's Details		2. Agent's Details (if any)	
Title	MR.	Ref No.	
Forename	CAMERON	Forename	LES
Surname	WATSON.	Surname	McCASKEY
Company Name		Company Name	
Building No./Name	A.C.	Building No./Name	18A
Address Line 1	WARDIE	Address Line 1	ROTHESAY PLACE
Address Line 2	CRESCENT	Address Line 2	
Town/City	EDINBURGH	Town/City	EDINBURGH
Postcode	EH5 1AG	Postcode	EH3 7SQ
Telephone	-	Telephone	-
Mobile	07990 551 181	Mobile	07817 809 327
Fax	-	Fax	-
Email		Email	lesmccaskey@blueyonder.co.uk

**3. Address or Location of Proposed Development (please include postcode)**

A.C. WARDIE CRESCENT  
EDINBURGH  
EH5 1AG

NB. If you do not have a full site address please identify the location of the site(s) in your accompanying documentation.

**4. Describe the Proposed Works**

Please describe accurately the work proposed:

PROPOSED ROOF CONVERSION AND EXTENSION TO SIDE/ REAR OF PROPERTY AND GARAGE.

Have the works already been started or completed Yes  No

If yes, please state date of completion, or if not completed, the start date:

Date started:

Date completed:

If yes, please explain why work has already taken place in advance of making this application.

### 5. Pre-Application Discussion

Have you received any advice from the planning authority in relation to this proposal? Yes  No

If yes, please provide details about the advice below:

In what format was the advice given? Meeting  Telephone call  Letter  Email

Have you agreed or are you discussing a Processing Agreement with the planning authority? Yes  No

Please provide a description of the advice you were given and who you received the advice from:

Name:  Date:  Ref No.:

### 6. Trees

Are there any trees on or adjacent to the application site? Yes  No

If yes, please show on drawings any trees (including known protected trees) and their canopy spread as they relate to the proposed site and indicate if any are to be cut back or felled.

### 7. Changes to Vehicle Access and Parking

Are you proposing a new altered vehicle access to or from a public road? Yes  No

If yes, please show in your drawings the position of any existing, altered or new access and explain the changes you propose to make. You should also show existing footpaths and note if there will be any impact on these.

Are you proposing any changes to public paths, public rights of way or affecting any public rights of access? Yes  No

If yes, please show on your drawings the position of any affected areas and explain the changes you propose to make, including arrangement for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site? (i.e. the total of existing and any new spaces or reduced number of spaces)

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, etc.)

**8. Planning Service Employee/Elected Member Interest**

Are you / the applicant / the applicant's spouse or partner, a member of staff within the planning service or an elected member of the planning authority? Yes  No

Or, are you / the applicant / the applicant's spouse or partner a close relative of a member of staff in the planning service or elected member of the planning authority? Yes  No

If you have answered yes please provide details:

**DECLARATION**

I, the applicant / agent certify that this is an application for planning permission and that accompanying plans/drawings and additional information are provided as part of this application. I hereby confirm that the information given in this form is true and accurate to the best of my knowledge.

I, the applicant/agent hereby certify that the attached Land Ownership Certificate has been completed

I, the applicant/agent hereby certify that requisite notice has been given to other land owners and /or agricultural tenants Yes  No  N/A

Signature:  Name: L. MCCUSKEY Date: 7-6-16

Any personal data that you have been asked to provide on this form will be held and processed in accordance with the requirements of the 1998 Data Protection Act.



# LAND OWNERSHIP CERTIFICATES

Town and Country Planning (Scotland) Act 1997  
Regulation 15 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

## CERTIFICATE A, B, C, D OR CERTIFICATE E MUST BE COMPLETED BY ALL APPLICANTS

### CERTIFICATE A

Certificate A is for use where the applicant is the only owner of the land to which the application relates and none of the land is agricultural land.

I hereby certify that -

- (1) No person other than ~~myself~~ <sup>Applicant</sup> was owner of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the application.
- (2) None of the land to which the application relates constitutes or forms part of agricultural land.

Signed: L. McCosh

On behalf of: MR. C. WATSON

Date: 7-6-16

### CERTIFICATE B

Certificate B is for use where the applicant is not the owner or sole owner of the land to which the application relates and/or where the land is agricultural land and where all owners/agricultural tenants have been identified.

I hereby certify that -

- (1) I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was owner of any part of the land to which the application relates. These persons are:

Name	Address	Date of Service of Notice

- (2) None of the land to which the application relates constitutes or forms part of agricultural land
- or
- (3) The land or part of the land to which the application relates constitutes or forms part of agricultural land and I have served notice on every person other than myself who, at the beginning of the period of 21 days ending with the date of the application was an agricultural tenant. These persons are:

Les McCaskey  
18A Rothesay Place  
Edinburgh  
EH3 7SQ

Mr Cameron Watson.  
4C Wardie Crescent  
Edinburgh  
EH5 1AG

Decision date: 26 September 2016

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS  
DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS 2013**

Proposed roof conversion and extension to side/ rear of property and garage.  
At 4C Wardie Crescent Edinburgh EH5 1AG

Application No: 16/03172/FUL

**DECISION NOTICE**

With reference to your application for Planning Permission registered on 24 June 2016, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

**Conditions:-**

**Reasons:-**

1. The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.


Drawings Drawings 01 to 07., represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious. The proposal does not comply with local plan policy or non-statutory guidance and there are no material planning considerations which would justify approval.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Val Malone directly on 0131 529 3485.



John Bury  
Head of Planning & Transport  
PLACE  
City of Edinburgh Council

## NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The Notice of Review can be made online at eplanning (<https://eplanning.scotland.gov.uk/WAM/>) or forms can be downloaded from that website. Paper forms should be addressed to the City of Edinburgh Planning Local Review Body, G.2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG. For enquiries about the Local Review Body, please email [localreviewbody@edinburgh.gov.uk](mailto:localreviewbody@edinburgh.gov.uk).

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

# Report of Handling

**Application for Planning Permission 16/03172/FUL  
At 4C Wardie Crescent, Edinburgh, EH5 1AG  
Proposed roof conversion and extension to side/ rear of  
property and garage.**

<b>Item</b>	Local Delegated Decision
<b>Application number</b>	16/03172/FUL
<b>Wards</b>	A04 - Forth

## Summary

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The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious. The proposal does not comply with local plan policy or non-statutory guidance and there are no material planning considerations which would justify approval.

## Links

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**Policies and guidance for this application**      CITD11, NSHOU,

# Report of handling

## Recommendations

---

1.1 It is recommended that this application be Refused for the reasons below.

## Background

---

### 2.1 Site description

The application site is one of a pair of detached, one and a half storey modern houses to the north of No. 4 Wardie Crescent, Edinburgh. They are known as 4B and 4C Wardie Crescent and have been built on land previously associated with 4 Wardie Crescent, a substantial two storey villa now sub-divided into two flats. The surrounding area is predominantly residential.

4B and 4C are accessed by a driveway to the east of No 4 Wardie Crescent and each has an integral garage plus a paved area for parking in front of the houses. There is also a paved parking area on the eastern boundary and 4 Wardie Crescent has an attached garage block. The southern gable of 4C and the northern gable of 4B are in very close proximity.

4B and 4C have open elevations onto the access drive, and each have a small area of grass to the front of the properties. 4C has enclosed garden areas to the west and north and what may be a later glazed conservatory on the western elevation.

Immediately to the north of the application site is a terrace of flatted properties on Wardie Dell, with the boundary being the stone wall and fence referred to in the History section. To the west is the substantial stone villa at 6 Wardie Crescent with its later house in the rear garden. The boundary to this property from the application site is a stone wall and high hedge. To the east is another terrace of flats on Wardie Dell and the application site adjoins a garage forecourt and access serving those flats. The boundary to this is formed by a stone wall, fence and vegetation.

### 2.2 Site History

3 June 1987 planning permission granted for two semi-detached houses in the rear garden of No 4 Wardie Crescent (0730/87). Permitted development rights for the extension or external alteration of the properties were removed

11 November 1987 planning permission granted for a revised form of these two semi-detached houses (in the rear garden of No 4 Wardie Crescent (2099/87). Permitted development rights for the extension or external alteration of the properties were removed.

19 March 2013 enforcement investigation in relation to the erection of a fence of over 2 metres in height was closed, (12/00290/EOPDEV). No action was expedient or justifiable.

## **Main report**

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

The application proposes the conversion of the pitched roof on the southern elevation to form a flat roofed, two-storey extension on the southern and western elevations. This would incorporate the area of the existing conservatory on the west elevation and the existing entrance porch. The sides of the extension would have vertical timber cladding at first floor level and rendered walls at ground floor level.

A virtually two storey glazed feature (including a new glazed front door) would be created at the corner of the south and east elevations. The south elevation would have two narrow windows on both the ground and first floors and a set of full height glazed windows at ground level at the western end. The northern elevation would have a set of full height glazed windows at ground level and a window at first floor level. The eastern elevation would have another a set of full height glazed windows at ground level and a window at first floor level.

A new garage would be constructed on the eastern elevation with flat roof and pitched, tiled roof planes on the north and south elevations and rendered walls.

It is proposed to convert the existing integral garage to form habitable accommodation and make an number of internal alterations; these would not be development as defined in terms of Section 26 of the Town and Country Planning (Scotland) Act 1997, as amended. The substitution of a set of windows for the existing garage doors and the conversion of a door to a window on the northern elevation would be "permitted development" in terms of Class 2B of the Town and Country Planning (Scotland) (General Permitted Development) (Scotland) Order 1992, as amended.

### **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 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, it needs to be considered whether:

- (a). The proposed scale, form and design is acceptable and will accord with neighbourhood character;
- (b). The proposal will cause an unreasonable loss to neighbouring amenity;
- (c). Any impacts on equalities or human rights are acceptable;
- (d). Any comments raised have been addressed.

(a). The proposed extensions would add 44 square metres to the footprint of the dwelling; this equates to 33.8% of the plot being in built form as opposed to the current 24.4%. The proposal would not therefore represent over-development of the plot and its scale would otherwise be acceptable. The form and design of the proposal is, however, out of keeping with this modest dwelling with quite steeply pitched roofs. The original design concept of this backland development is of two modest dwellings set in the rear garden ground of a Victorian villa. This application, as proposed, would negate this balance and introduce a very discordant new dwelling form. The proposal adds a very large amount of new glazing, and a two-storey glazed feature, which is out of keeping with the original form and the glazed element would become an overly dominant feature. The introduction of extensive flat roofed elements is, likewise, incongruous and obtrusive. The design and form of the extensions bear no relation to that of the original dwelling, which would become overwhelmed. The original modest dwelling is not capable of absorbing this type of extension and there would be no harmony in form and appearance. The proposal is not of an acceptable form or design, would be detrimental to neighbourhood character and would not comply with local plan policy Des 11 or the non-statutory "Guidance for Householders".

(b). There would be no effect on daylight to windows in any adjoining properties and any effect on sunlight or overshadowing would be contained within the host property, complying with these criteria in the non-statutory "Guidance for Householders". With respect to the privacy criterion in this guidance, new windows on the north and east elevations would meet the required distances to boundaries; those on the eastern elevation would marginally fail but the existing stone boundary wall and hedge afford screening. The new windows on the southern elevation do not meet this criterion but the adjoining property provides a blank gable onto this elevation. The proposal would not result in an unreasonable loss of neighbouring amenity.

(c). There would be no impact on equalities and human rights.

(d). The public comments can be addressed as follows:

Loss of daylight and sunlight to flatted properties to the north; this is stated as a particular concern as this block is at a lower level than surrounding properties - using the methodology in the "Guidance for Householders", it has been established that this would not be the case and this is addressed in (b), above.

Loss of privacy to flatted properties to the north, in both habitable accommodation and garden areas - the additional windows on the north elevation are set back from the building line to the north and meets the privacy criterion in the "Guidance for Householders; this is addressed in (b), above.

Overdevelopment of the plot - this is addressed in (a), above.

It is recommended that this application be Refused for the reasons below.



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

#### **Reasons:-**

1. The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two-unit backland development and introduces new elements of glazing and flat roof style which are discordant and disharmonious.

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

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

### **Equalities impact**

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#### **5.1 The equalities impact has been assessed as follows:**

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

### **Consultation and engagement**

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#### **6.1 Pre-Application Process**

There is no pre-application process history.

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

Representations have been received from three parties, raising the following:

Material planning considerations.

Loss of daylight and sunlight to flatted properties to the north; this is stated as a particular concern as this block is at a lower level than surrounding properties.

Loss of privacy to flatted properties to the north- in both habitable accommodation and garden areas.

Overdevelopment.

## Background reading / external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)

**Statutory Development  
Plan Provision**

The application site is identified as being within the "urban area" in the adopted Edinburgh City Local Plan.

**Date registered**

24 June 2016

**Drawing numbers/Scheme**

Drawings 01 to 07.

Scheme 1

**John Bury**

Head of Planning & Transport  
PLACE  
City of Edinburgh Council

Contact: Val Malone, Senior planning officer  
E-mail:val.malone@edinburgh.gov.uk Tel:0131 529 3485

**Links - Policies**

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**Relevant Policies:**

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

# Appendix 1

## Consultations

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No consultations undertaken.

END

City of Edinburgh Planning Local Review Body,  
G.2  
Waverley Court,  
4 East Market Street,  
Edinburgh,  
EH8 8BG

4C Wardie Crescent  
Edinburgh  
EHS 1AG

9 December 2016

Dear Sir/Madam,

I refer to my application No 16/03172/FUL for a roof extension to side/rear of property and garage. The application was rejected for the following reason:

“The form and design of this proposal is out of keeping with the built form of the dwellinghouse and overwhelms it. It disrupts the balance of the original two unit backland development and introduces elements of glazing and flat roof style which are discordant and disharmonious.”

The application to alter my family home has been designed to minimise the impact on my neighbours - with most of the work abutting the gable end of my immediate neighbour – and this is reflected in the fact that the application did not contravene any planning regulations. On the basis that the refusal effectively comes down to the planning officer’s individual view as to the aesthetics of the proposal, I am hereby appealing the decision for the following reasons:

- The refusal places considerable focus on the original permission to build two properties at the back of 4 Wardie Crescent some c29 years ago and does not take into consideration the other properties that my house borders.
- The reference to introducing a flat roof style takes no cognisance of the neighbouring properties to the North, East and North East all 12 of which have flat roofs. (photos North, East and North East below ).
- The terraced properties to the East are 3 stories high and the properties to the North are 2 stories high so I do not believe that a full second level with flat roof on my property is out of line or disharmonious with the neighbouring properties.
- The refusal notice acknowledges that very little of my existing undeveloped land will be utilised by the proposal. Most of this will arise from the proposed conversion of existing garage and erection of new garage which can be undertaken without the need for planning consent.
- I really struggle with the comment around overwhelming the property when you consider the monstrous development that was approved at 6 Wardie Crescent. Whilst they had significant land to develop, the ultimate building was more befitting of a country manor than a city centre back garden (photo West). My proposal is significantly less imposing and less out of keeping with its surroundings.
- I know that one neighbour to the North has not been happy at the level of change in the neighbourhood since they acquired their home many years ago, but from speaking directly to them, this relates to lingering resentment over the development at No6 which was permitted some 10 years ago and not specifically to what I have proposed.
- Full length glazing is already present in my own property at the main door (photo 4C Glass) and also in the rear conservatory. Both 4A and 4B also have fully glazed conservatory buildings. Full glazing is also present in the adjoining property (photo 4B) and each of the terraced houses to the East have full

length glass doors onto glass fronted balconies, with some having developed the ground floor with full glass frontage.

- The amount of glass is required to increase the light into my main hall which currently requires a light in all but the bright summer days. Not particularly well designed at the outset although I do notice that the original drawings assume a design similar to that for 4B.

There are very few developments within the local area for traditional family homes where children and families can benefit from a garden, and it is therefore no surprise that failing to allow extensions of an individual's home that so many families are being forced out of the city (Fife, East and West Lothian) placing increased pressure on the transport infrastructure.

Yours faithfully



Cameron Watson



West



North



North East



North East 2

Appeal re application No 16/03172/FUL



East



East 2



4B Glass



4C Glass



South





**ANDERSON STRATHERN WS**  
SOLICITORS • ESTATE AGENTS • FINANCIAL ADVISORS



**TRINITY**  
**4C WARDIE CRESCENT,**  
**EDINBURGH**

Well appointed, modern detached 2 storey family home within a cul-de-sac location

**Summary of Accommodation:**

Hall, Lounge, Master Bedroom with En-Suite Shower Room, 2 Further Double Bedrooms, Kitchen/Breakfast Room, Study, Bathroom, Cloakroom, Conservatory, Utility Room. Double glazing. Gas central heating (not tested). Storage facilities. Gardens. Garage and substantial potting shed.

**Offers Over £165,000**

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HADDINGTON EH41 3JA  
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FAX: 01620-825839

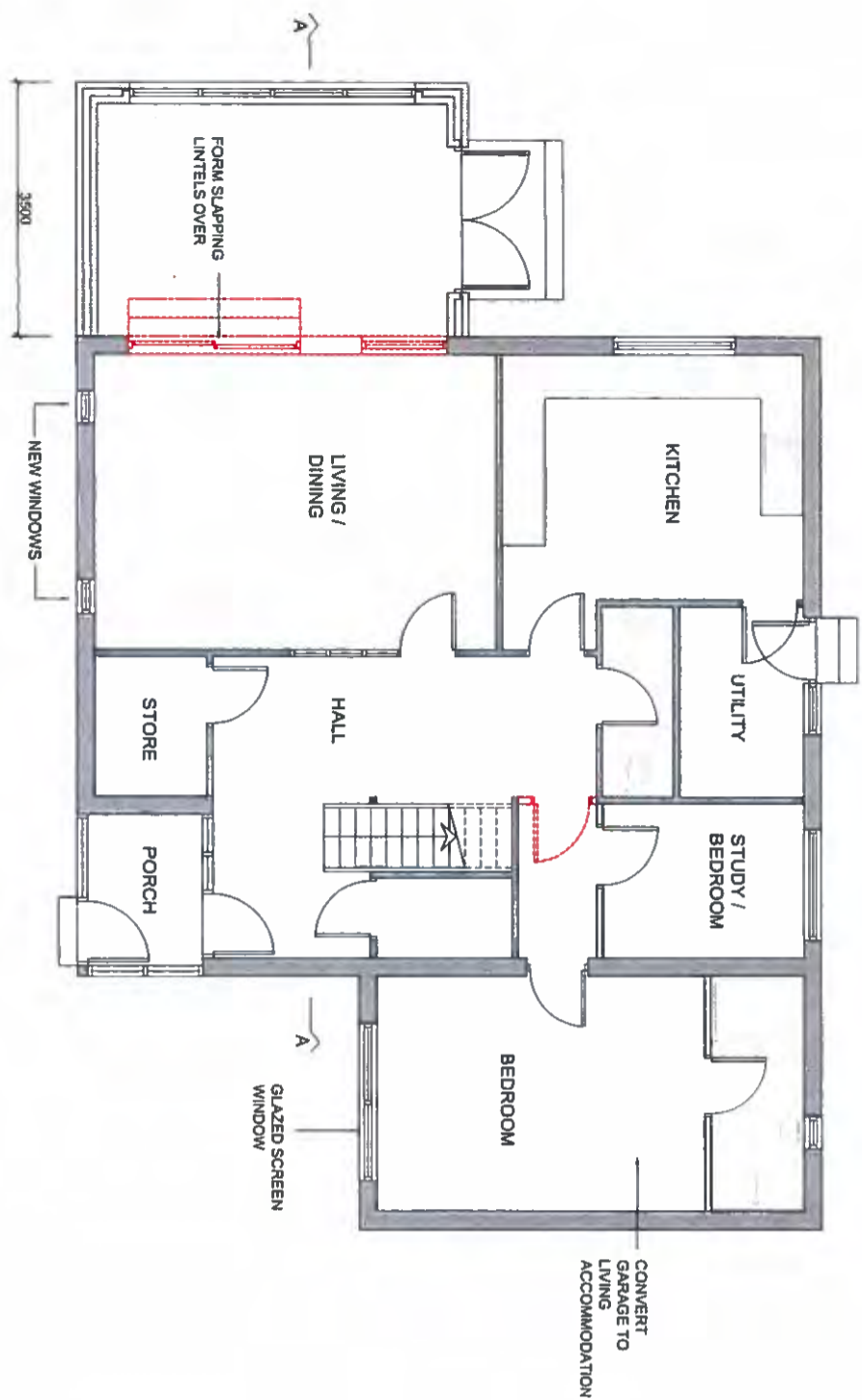
54 CASTLE STREET  
EDINBURGH EH2 3LX  
TEL: 0131-220 4848  
FAX: 0131-226 6363

163 LANARK ROAD WEST  
CURRIE EH14 5NZ  
TEL: 0131-449 2833  
FAX: 0131-449 6725

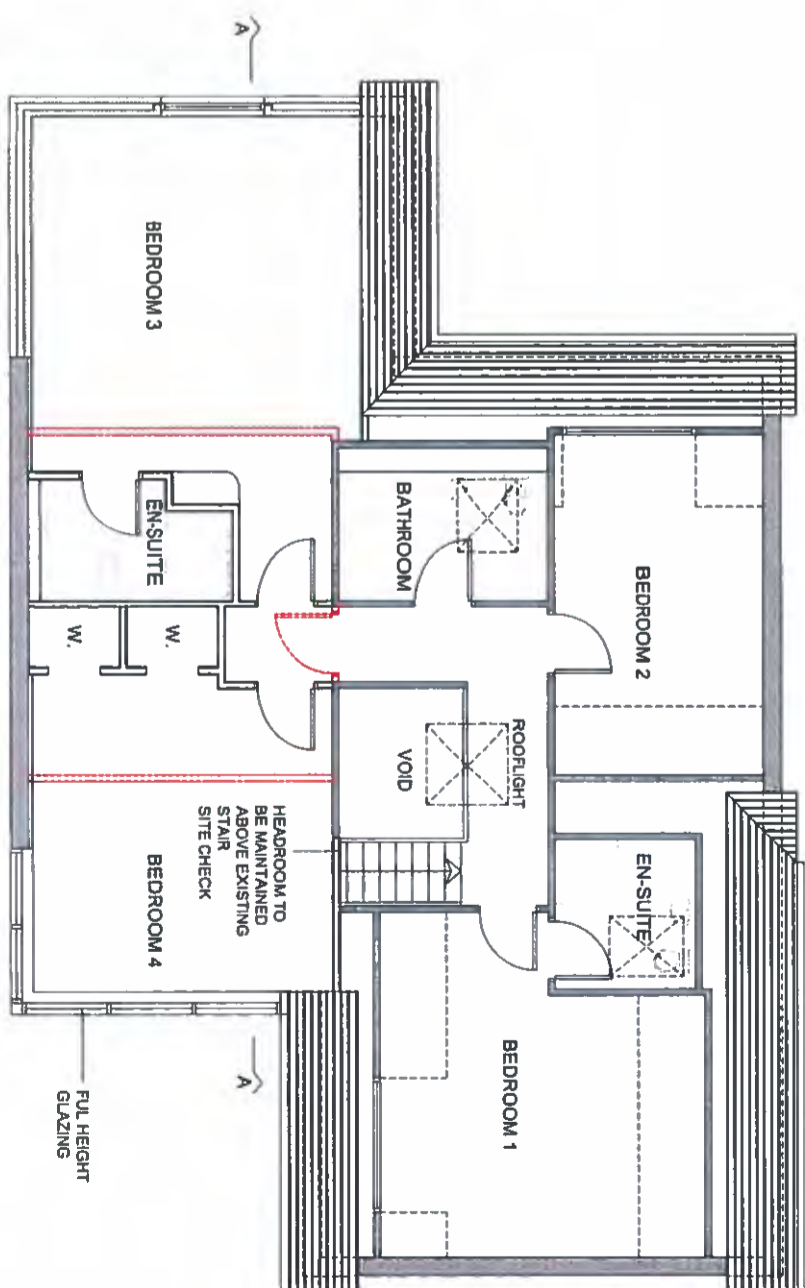
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PROPOSED GROUND FLOOR PLAN 1:100



PROPOSED FIRST FLOOR PLAN 1:100

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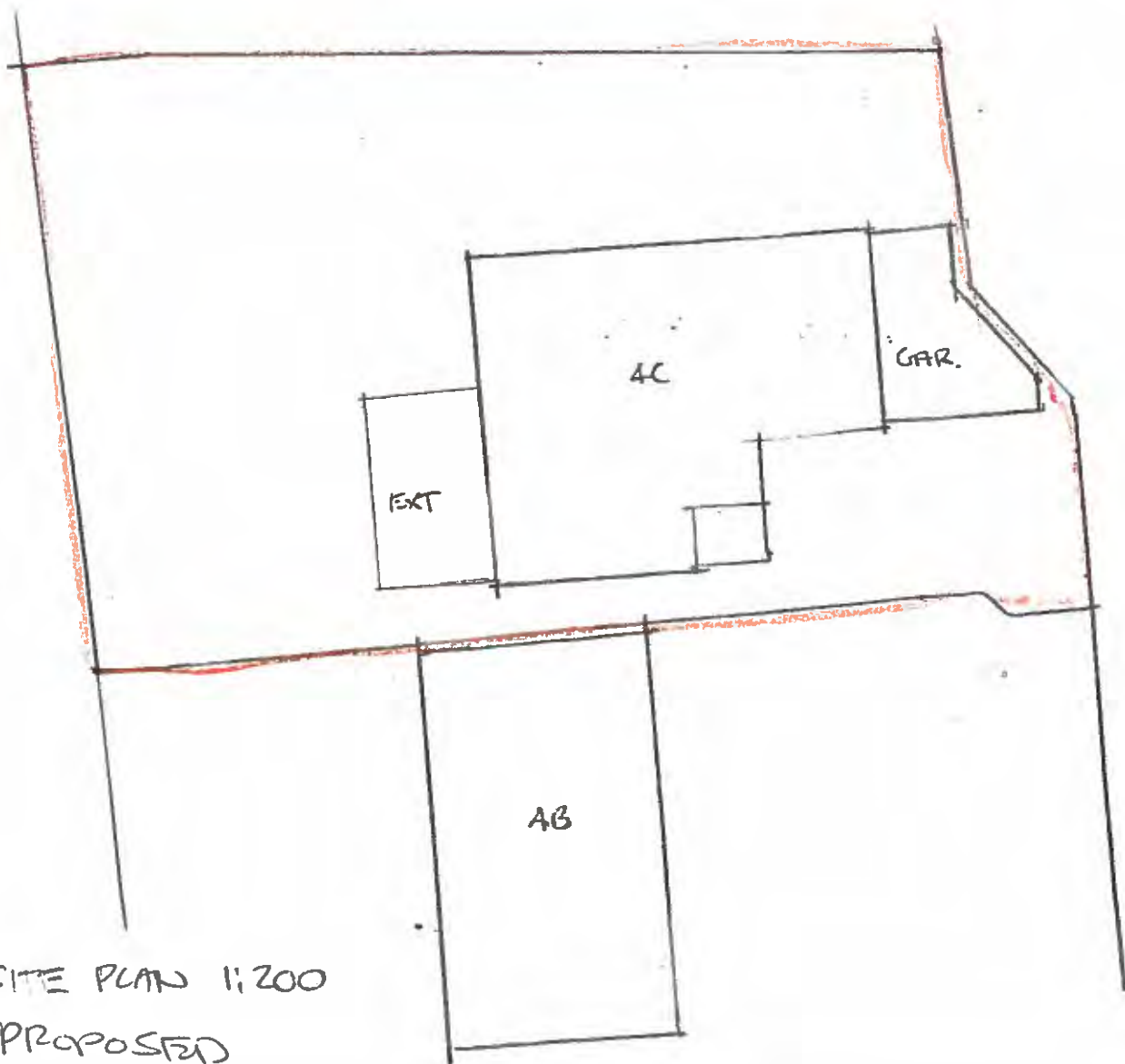
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**4C WARDIE CRESCENT**  
**EDINBURGH**

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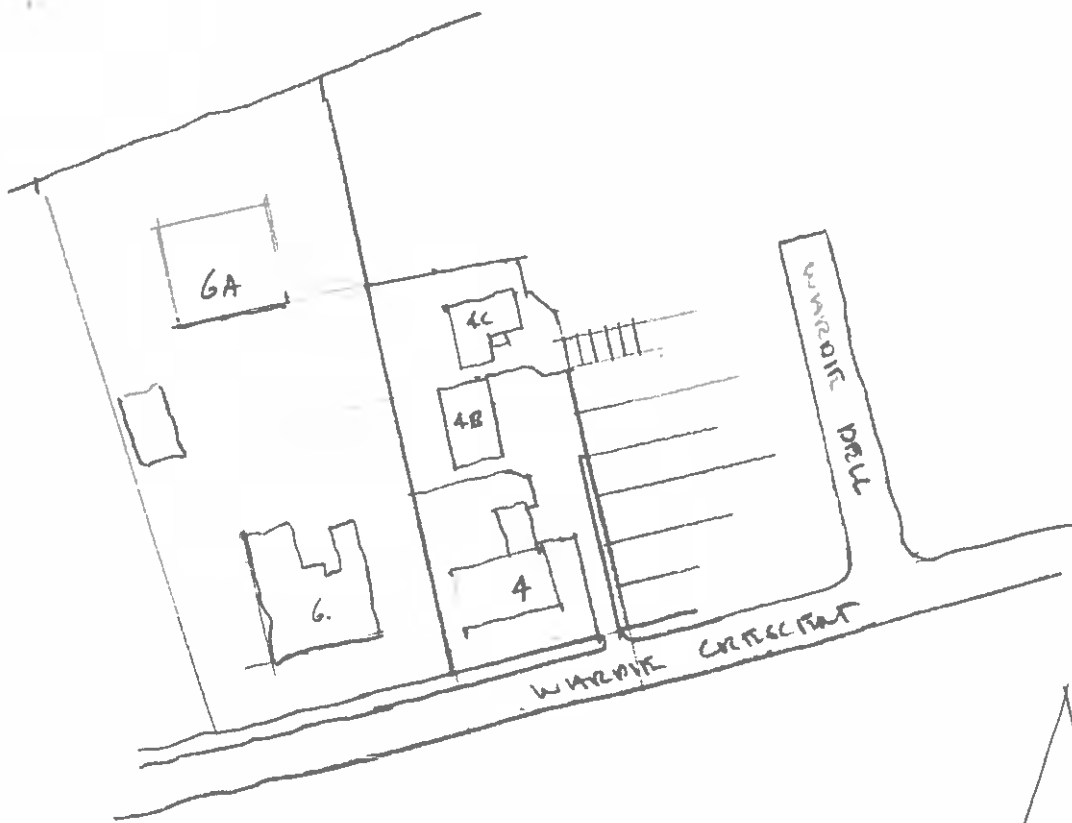
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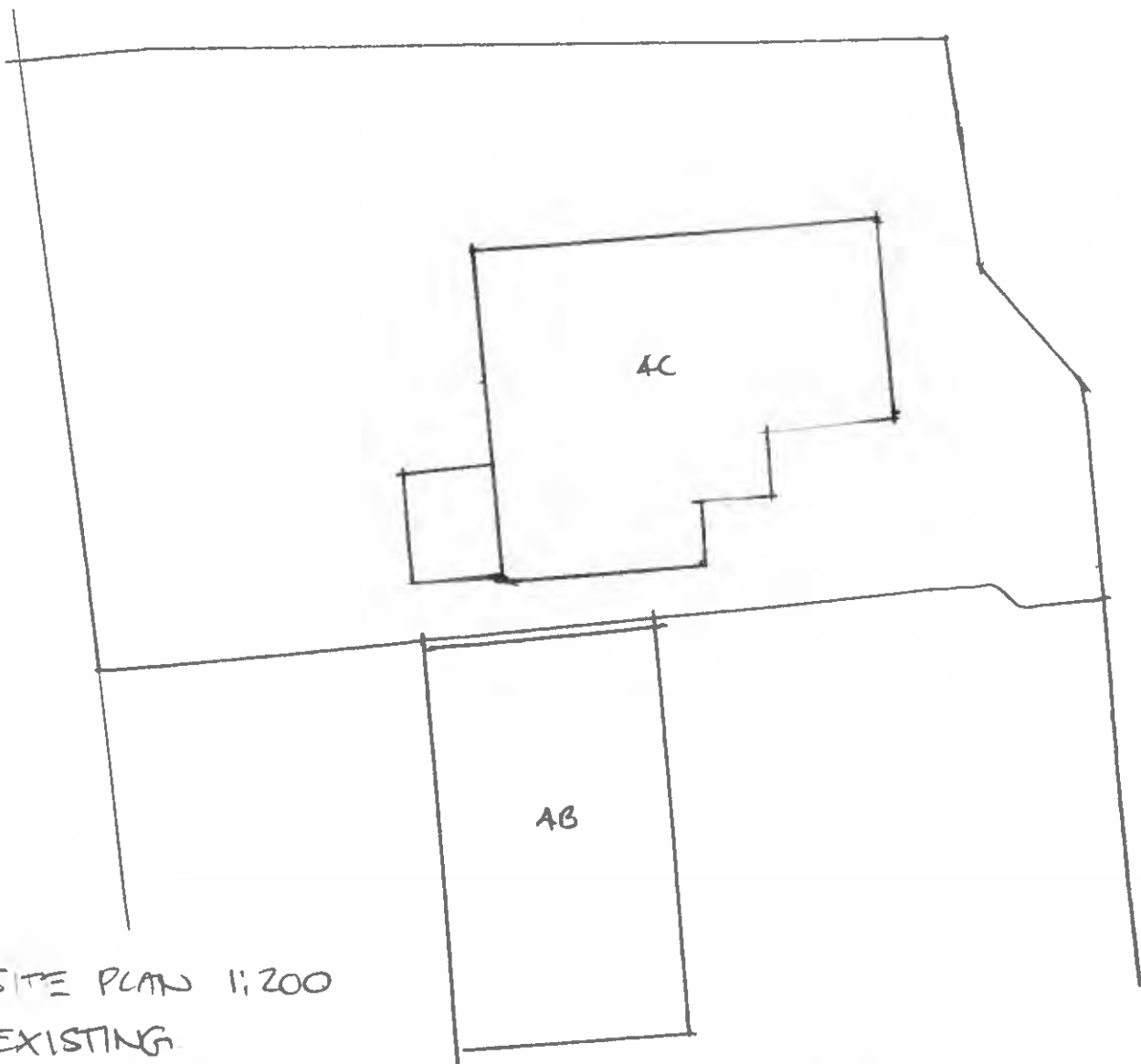
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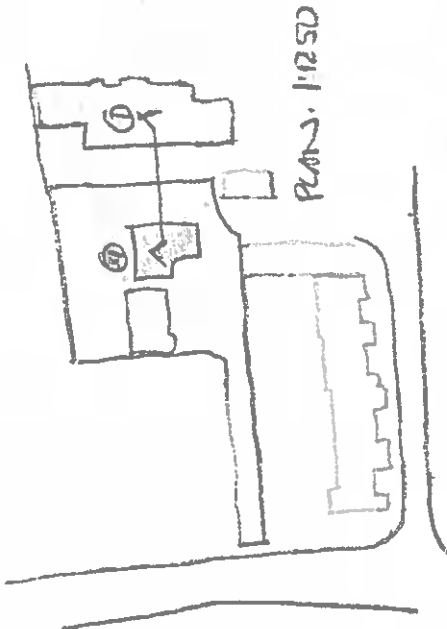
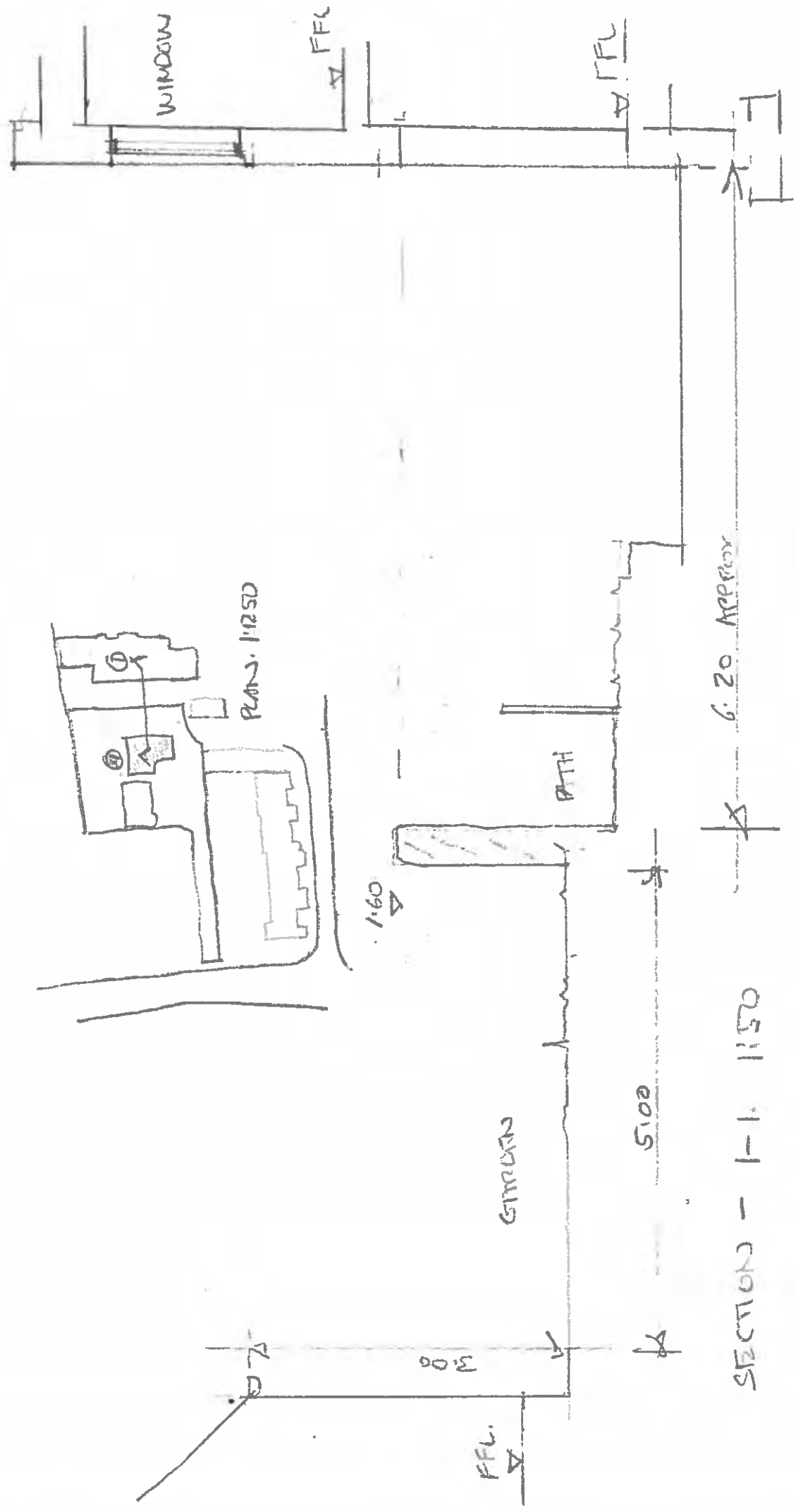
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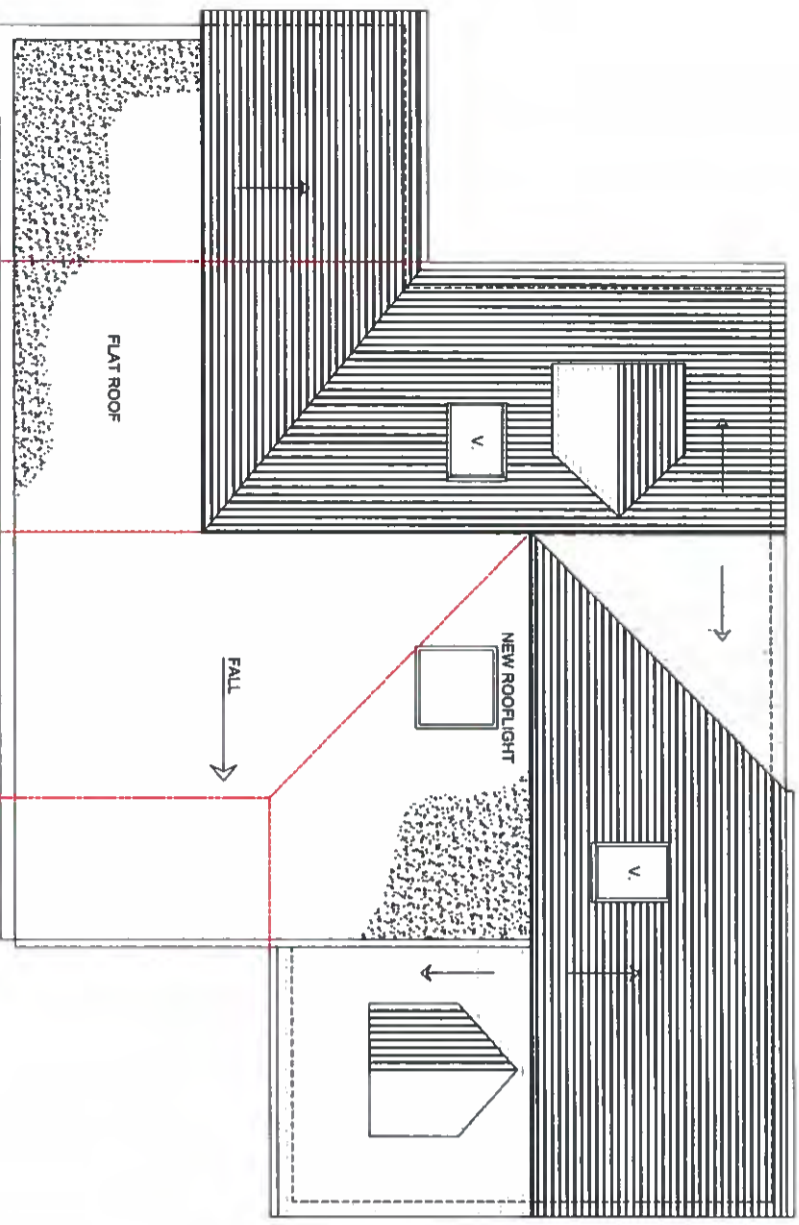


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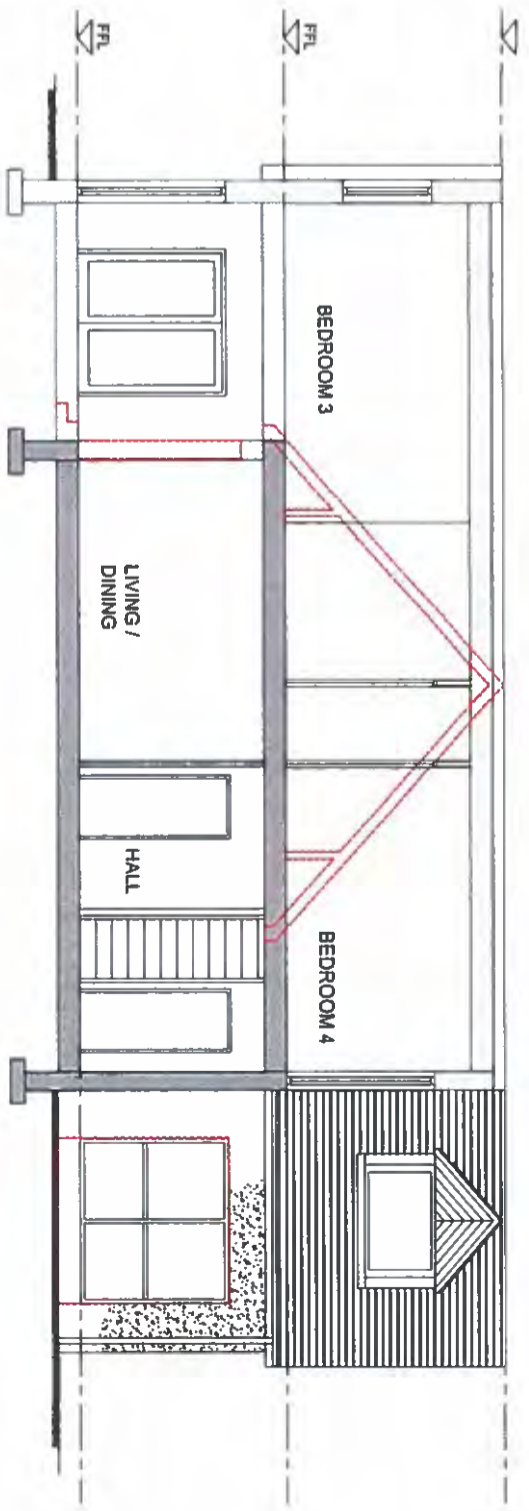


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PROPOSED ROOF PLAN 1:100



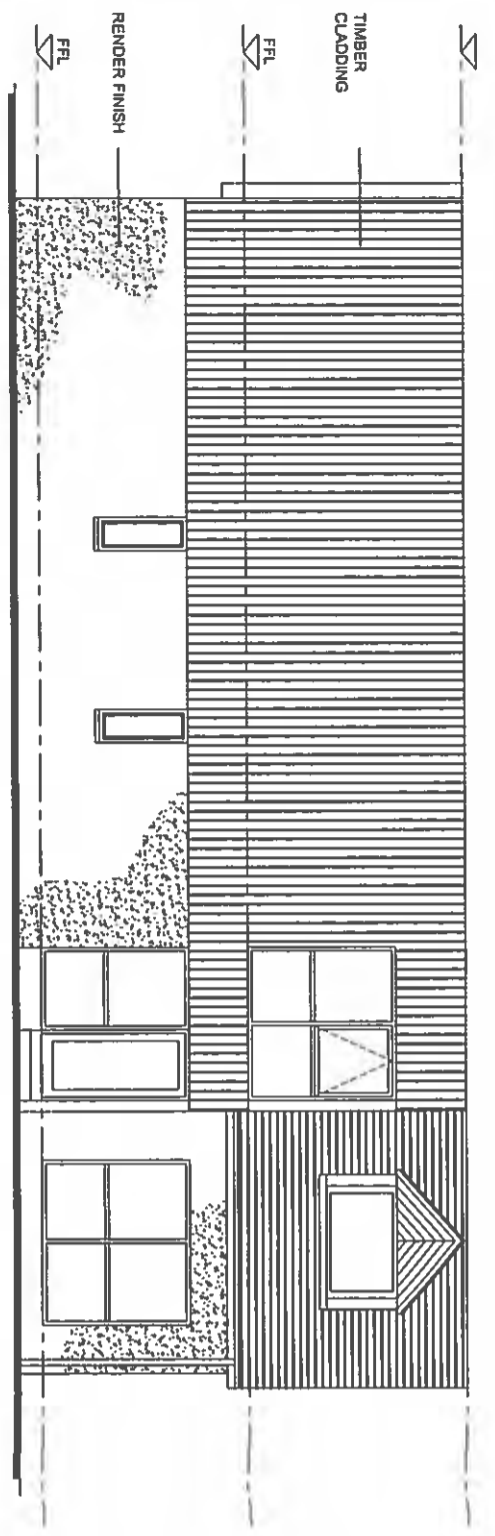
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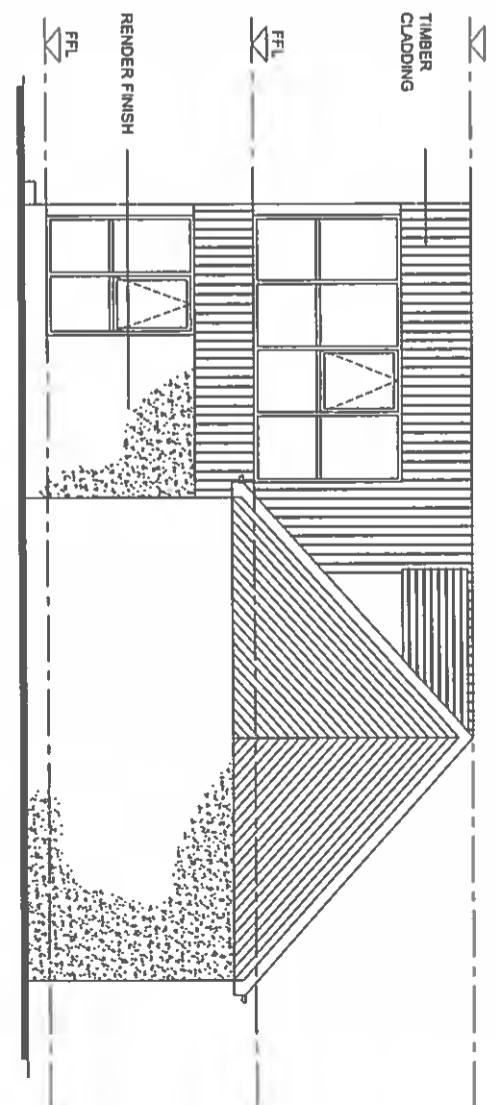
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EDINBURGH

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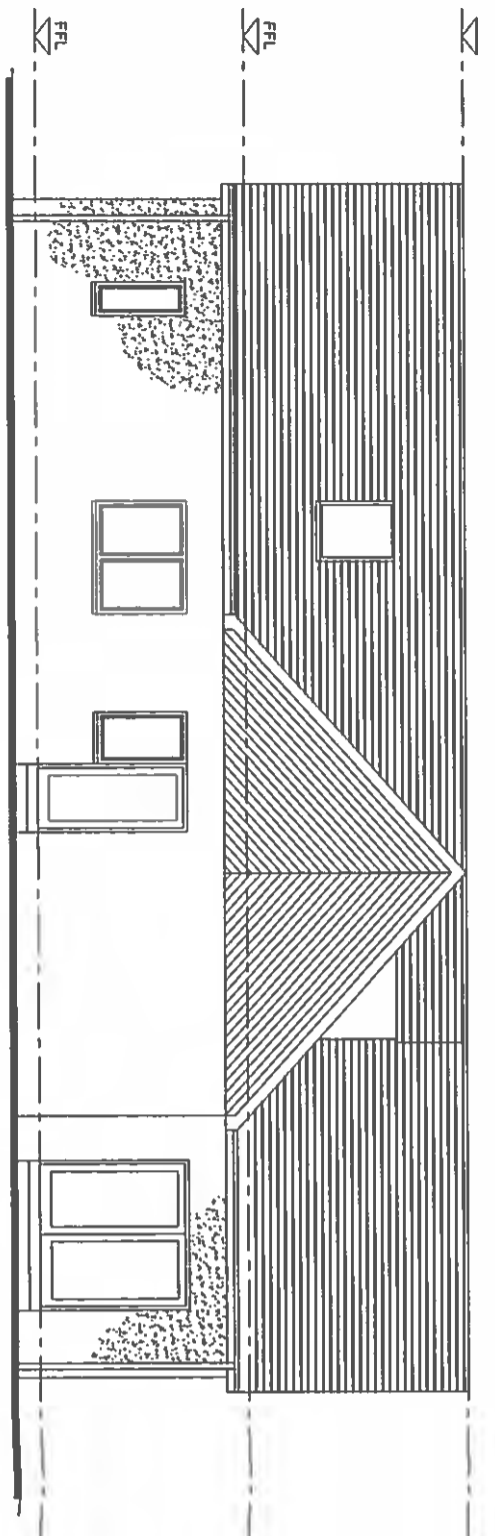
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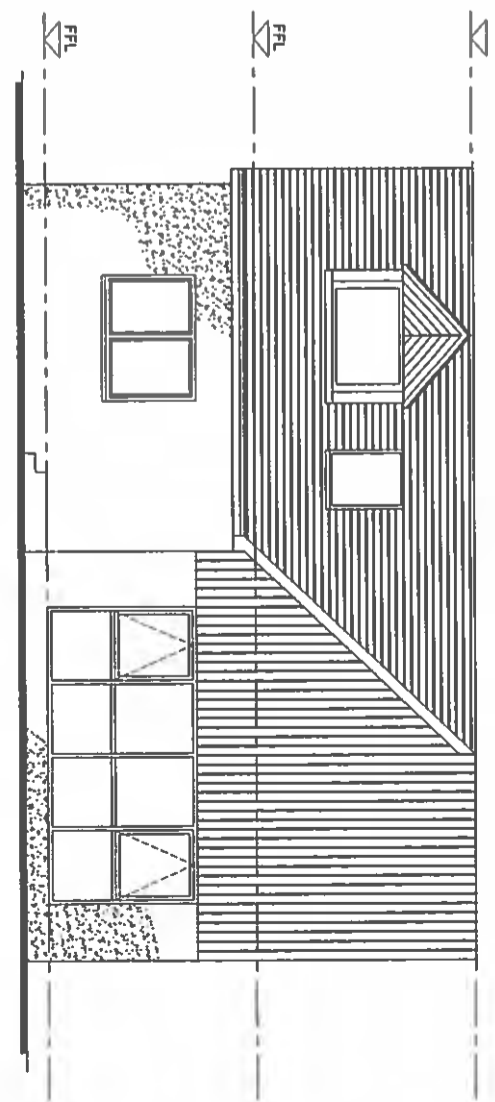
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PROPOSED EAST ELEVATION 1:100



PROPOSED NORTH ELEVATION 1:100



PROPOSED WEST ELEVATION 1:100

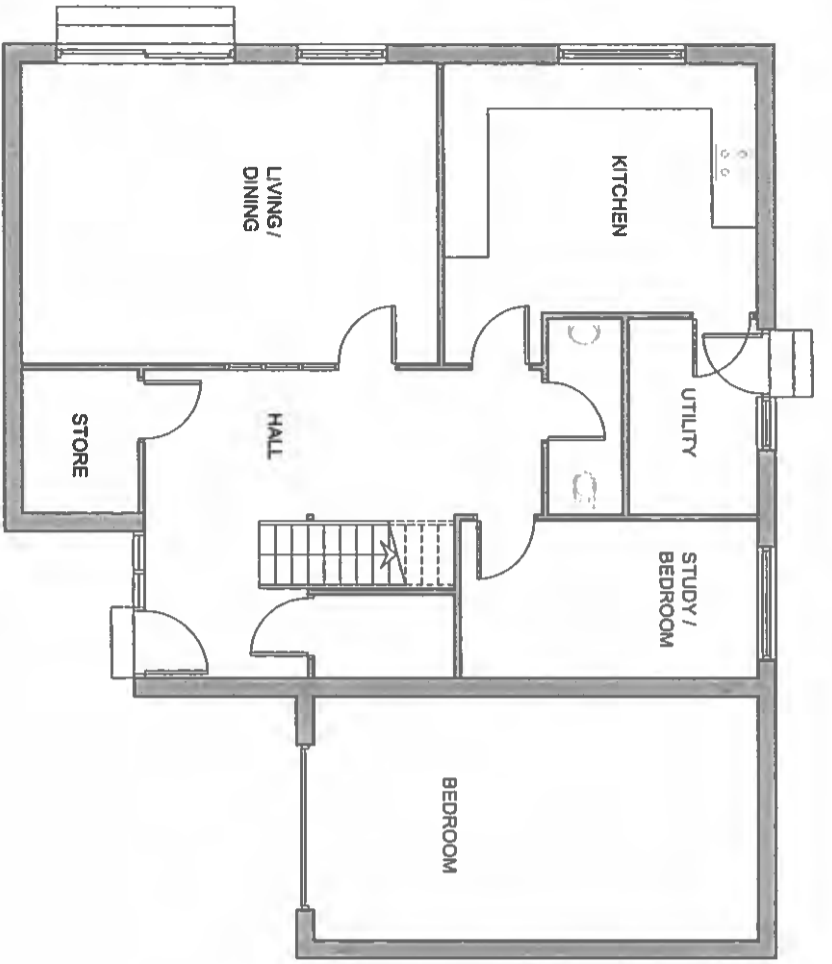
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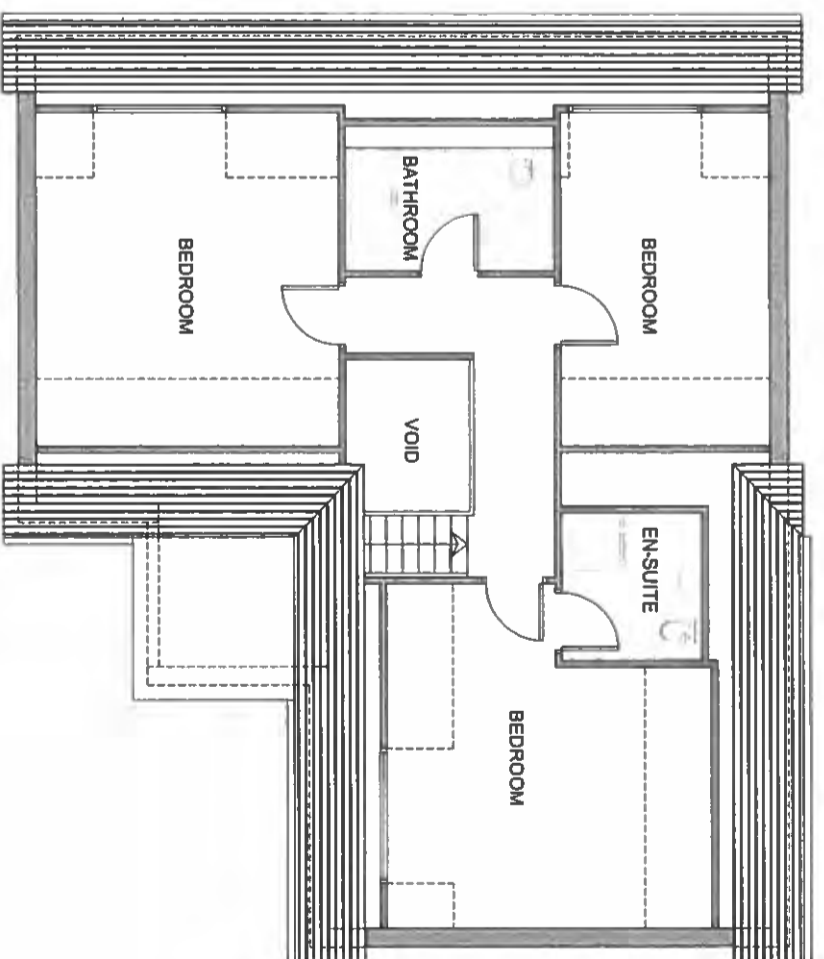
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 EDINBURGH

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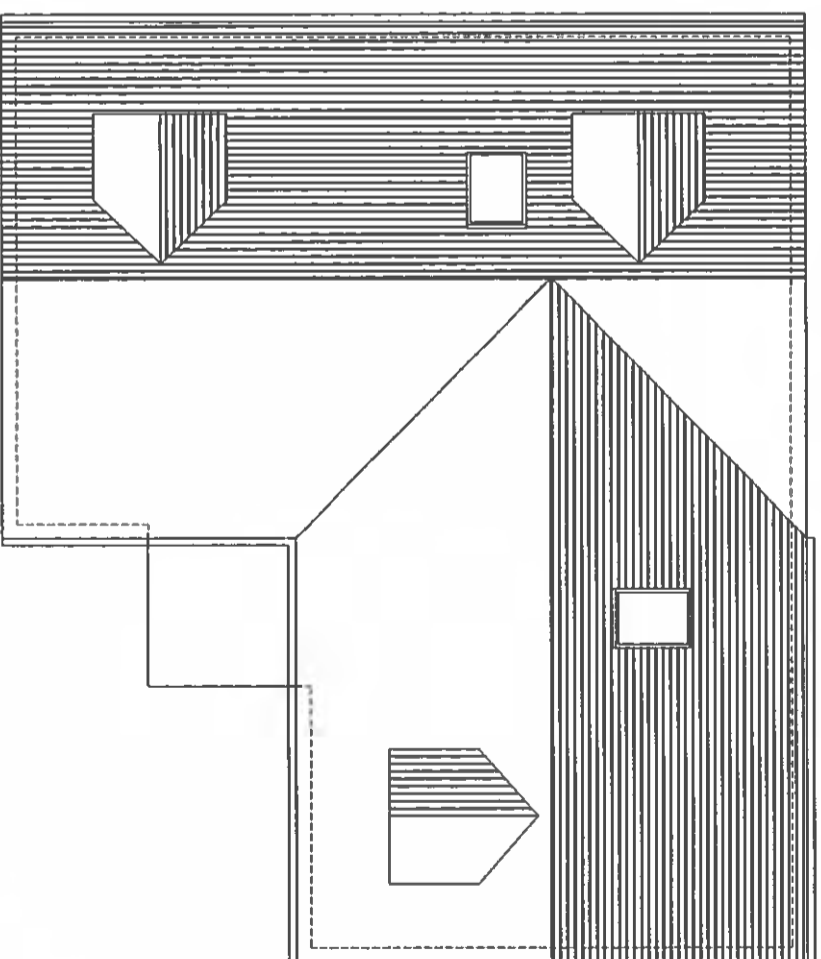
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EXISTING GROUND FLOOR PLAN 1:100



EXISTING FIRST FLOOR PLAN 1:100



EXISTING ROOF PLAN 1:100

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PROPOSED HOUSE EXTENSION

4C WARDIE CRESCENT

EDINBURGH

DRAWING No.

04

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1:100

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FORMAT

A3

DATE

05.16

# Edinburgh City Local Plan

## Written Statement

Adopted by the City Of Edinburgh Council

28 January 2010

Dave Anderson

Director Of City Development

The City Of Edinburgh Council

Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG

The plan can also be viewed on the Council's website at [www.edinburgh.gov.uk/eclp](http://www.edinburgh.gov.uk/eclp)



## Environmental Assessment

- 4.3** Planning authorities have wide ranging obligations and powers to collect and evaluate environmental information from applicants before deciding whether or not to grant planning permission and under what conditions. This may involve consultation with statutory bodies such as SEPA (the Scottish Environment Protection Agency), Historic Scotland and SNH (Scottish Natural Heritage). The planning system therefore provides a means for assessing the environmental effects of all applications before decisions are made, and ensuring that appropriate mitigation is put in place. For certain types of application specified in regulations a comprehensive evaluation of environmental effects in the form of an Environmental Impact Assessment is required. The Council may also ask that an Environmental Impact Assessment is prepared for other applications judged likely to have significant environmental effects. Major proposals within or affecting the World Heritage Site are likely to fall within this category.

## THE HISTORIC ENVIRONMENT

### The World Heritage Site

#### Policy Env 1 World Heritage Site

Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh as a World Heritage Site or would have a detrimental impact on the Site's setting will not be permitted.

- 4.4** World Heritage Sites are places of outstanding universal value, recognised as such under the terms of the 1972 UNESCO Convention concerning the Protection of the World Cultural and Natural Heritage. Outstanding universal value is defined by UNESCO as cultural and/or natural significance which is so exceptional as to transcend national boundaries. Member states are encouraged to nominate sites for inscription and ensure that they have the necessary level of protection. The 'Old and New Towns of Edinburgh World Heritage Site' was accepted on the list of World Heritage Sites in 1995. The boundaries are shown on the Proposals Map; these cover all or part of seven conservation areas, reflecting the complexity of the Site.
- 4.5** Designation does not confer any additional statutory powers: protection is achieved primarily through the effective operation of the planning system and controls derived from other primary legislation, including listed building and conservation area legislation. The

outstanding value of the Edinburgh Site as agreed at inscription, including its authenticity and integrity, is a key material consideration when decisions are taken on applications for planning permission and other relevant applications, whether by the Council or Scottish Ministers. The Site is unusual in a Scottish context in being a central urban area, resulting in greater pressures for change, which must be accommodated sensitively and harmoniously. Development proposals affecting the Site including its setting will come under close scrutiny, usually by means of formal environmental assessments and design statements, to ensure that immediate and long-term impacts are fully evaluated and will be compatible with World Heritage status and objectives. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city.

- 4.6** Historic Scotland and the Council have jointly set up the Edinburgh World Heritage Trust to assist with the management of the Site. The Trust has responsibility for grant aid disbursement, site promotion and preparation of the necessary management plan; this draws together all the relevant issues, some of which do not relate to planning, and reflects advice given in UNESCO's Operational Guidelines for the Implementation of the World Heritage Convention. The management plan may itself be a material consideration for decisions on planning matters. Historic Scotland has issued a Statement of Significance to assist with a shared understanding of the value of the site.

Fig 4.1  
World Heritage  
Site



# Edinburgh City Local Plan Written Statement

Adopted by the City Of Edinburgh Council

28 January 2010

Dave Anderson

Director Of City Development

The City Of Edinburgh Council

Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG

The plan can also be viewed on the Council's website at [www.edinburgh.gov.uk/eclp](http://www.edinburgh.gov.uk/eclp)

## Listed Buildings

### Policy Env 2 Listed Buildings - Demolition

Proposals for the total or substantial demolition of a listed building will only be supported in exceptional circumstances, taking into account:

- a) the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value to be derived from its continued use
- b) the adequacy of efforts to retain the building in, or adapt it to, a use that will safeguard its future, including its marketing at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.
- c) the merits of alternative proposals for the site and whether the public benefits to be derived from allowing demolition outweigh the loss.

### Policy Env 3 Listed Buildings - Setting

Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the appearance or character of the building, or to its setting.

### Policy Env 4 Listed Buildings - Alterations and Extensions

Proposals to alter or extend a listed building will be permitted where those alterations or extensions are justified, will not cause any unnecessary damage to historic structures or diminish its interest and where any additions are in keeping with other parts of the building.

**4.7** The Statutory List of Buildings of Special Architectural or Historic Interest identifies around 4,500 items (31,500 buildings) for Edinburgh. Where the Council considers that an unlisted building merits special protection, it can ask for the building to be considered for listing, or in urgent cases serve a Building Preservation Notice.

**4.8** In determining applications for planning permission or listed building consent the Council is required to have special regard to the desirability of preserving the building, or its setting or any features of special interest that it possesses. Applications for the demolition or substantial alteration of a listed building must be accompanied by a thorough structural condition report demonstrating that the proposals are necessary or justified, and in the case of demolition proposals, that every possibility of retaining the building in an alternative viable use has been explored, including its sale on the open market. Proposals for the replacement building will also need to be before the Council; these should be of comparable quality in terms of construction and design.

- 4.9 Edinburgh does not have a legacy of derelict listed buildings, and only a small number are on the Scottish Civic Trust's Buildings at Risk Register, which could justify intervention to safeguard their future. Instead, the record is of the large number of listed buildings which have been given new leases of life by sensitive restoration and adaptation to new uses if necessary. The loss of a listed building will only seldom be justified.

### Conservation Areas

#### Policy Env 5 Conservation Areas - Demolition of Buildings

Proposals for the demolition of an unlisted building within a conservation area but which is considered to make a positive contribution to the character of the area will only be permitted in exceptional circumstances and after taking into account the considerations set out in Policy Env 2 above.

Proposals for the demolition of any building within a conservation area, whether listed or not, will not normally be permitted unless a detailed planning application is submitted for a replacement building which enhances or preserves the character of the area or, if acceptable, for the landscaping of the site. Conservation Area Consent will be subject to conditions or legal agreement to ensure that demolition does not begin until evidence has been given that contracts have been let for the approved replacement development.

#### Policy Env 6 Conservation Areas - Development

Development within a conservation area or affecting its setting will be permitted which:

- a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal
- b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area and
- c) demonstrates high standards of design and utilises materials appropriate to the historic environment.

Planning applications should be submitted in a sufficiently detailed form for the visual effect of the development proposal on the character of the area to be assessed.

- 4.10 Conservation Areas are areas which the Council has determined are of special architectural or historic interest, the character or appearance of which it is desirable to conserve or enhance. The main implication of designation is that consent is required for specific types of development that would not otherwise require it, for example,

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design of new development must provide for the needs it generates – physical infrastructure and amenities such as open space – and for a cross-section of community needs, to achieve balanced, well planned communities and successful places that will hold their value over time.

- 3.4** Government guidance strongly stresses the importance of good design in making successful places. Scottish Planning Policy states that the quality of development on the ground is an important outcome of the planning process. It affirms that proposals may be refused solely on design grounds. Through *Designing Places*, published in 2001, Scottish Ministers have signalled the importance they attach to achieving improvements in the design and quality of new development. Planning authorities are encouraged to adopt an approach that does not focus solely on new buildings but also on the way that all buildings, old and new, work with each other to create the spaces and sense of place that influence the quality of life for communities. *Designing Places* also identifies six qualities which create successful places: they have a distinct identity; their spaces are safe and pleasant; they are easy to move around, especially on foot; visitors feel a sense of welcome; they adapt easily to changing circumstances; and they make good use of scarce resources – they are sustainable.

## DESIGN POLICIES

### Design Quality and Context

#### Policy Des 1 Design Quality and Context

Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a high quality, sustainable living or working environment. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area to create or reinforce a sense of place, security and vitality. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.

- 3.5** The Council expects new development to be of a high standard of design and will encourage innovation in the design and layout of new buildings, streets and spaces, provided that the existing quality and character of the immediate and wider environment are respected and enhanced and local distinctiveness is generated. A key consideration is the World Heritage Site and the effect development would have on its essential attributes.

- 3.6** Proposals should emerge from a design process that includes an appraisal of the local context and of public views and aspirations. Design statements will be required with most types of application. These should explain the design thinking behind an application. They should demonstrate the account taken of relevant supporting guidance prepared by the Council and, if part of an ongoing development of a wider area, of any approved master plans or brief. They should also show how local groups or individuals have been involved in discussing the scheme at an early stage: the Council is strongly committed to using collaborative design workshops for schemes likely to generate significant interest, or have a significant impact on existing communities. Proposals for sensitive sites will come under close scrutiny and may be referred to Architecture+Design Scotland, the government's advisory body on design matters. Consultation will be assisted by a clear explanation of the underlying design principles and the design process followed.

## Co-ordinated Development

### Policy Des 2 Co-ordinated Development

Planning permission will not be granted for development which might compromise the effective development of adjacent land or the comprehensive development and regeneration of a wider area as provided for in a master plan or development brief approved by the Council.

- 3.7** The Council encourages a comprehensive approach to redevelopment and regeneration whenever possible, and the preparation of development frameworks or master plans, to identify the full design potential for creating the kind of successful places which embody the desirable characteristics described in 'Designing Places' (para. 3.4 above). Where it is apparent that this will not be achieved by allowing what would in effect be piecemeal development, then proposals will be refused. Piecemeal development is less likely to lead to the creation of well-defined and cohesive networks of streets and spaces. In exceptional cases it may be necessary for the Council to use its powers of compulsory purchase, to assemble a site for development and enable a satisfactory outcome to be achieved.



### Policy Des 3 Development Design

## Development Design

Development will be permitted where it is demonstrated that:

- a) it will have a positive impact on its setting, having regard to the positioning of buildings on the site, their height, scale and form, materials and detailing, wider townscape and landscape impacts and impacts on views
- b) features worthy of retention on the site and in the surrounding area, including potential views, have been identified and incorporated into the design to enhance visual interest and a sense of place
- c) the amenity of occupiers or neighbours will not be materially harmed, by effects on privacy, daylight, sunlight or immediate outlook
- d) the design will facilitate adaptability in the future to the needs of different occupiers, and in appropriate locations will promote opportunities for mixed uses
- e) a clear distinction is made between public and private spaces, with the latter provided in enclosed or defensible forms
- f) community security will be promoted by providing active frontages to more important thoroughfares and designing for natural surveillance over all footpaths and open areas
- g) safe and convenient access and movement in and around the development will be promoted, having regard especially to the needs of people with limited mobility or special needs
- h) car parking, refuse and recycling facilities, cycle storage, micro-renewable energy and telecommunications equipment, plant and services have been sensitively integrated into the design
- i) biodiversity will be protected and enhanced
- j) a contribution to the improvement of the public realm in the vicinity has been considered, for example, through its redesign or the provision of public art.

### 3.8

Development must be designed to fulfil its function effectively, and meet the needs of users and occupiers, but consideration must also be given to how it impacts on neighbouring properties and the surrounding townscape. Where the built environment is of high quality and has a settled townscape character, new development proposals will be expected to have similar characteristics of scale, height, layout and massing to the surrounding buildings. This will be important for example in the city's tenement areas and its villa areas. The Council has published strict design requirements in supplementary guidance for the historic villa areas relating to site coverage issues and acceptable forms of development. Where the surrounding

development is fragmented or of poor quality, development proposals will be expected to repair the urban fabric, establish model forms of development and generate coherence and distinctiveness – a sense of place. Buildings should address the street in a positive manner, helping to create or reinforce urban vitality and community safety. In most circumstances, buildings should interact closely with the street, providing continuity of urban frontage and enclosure, allowing natural surveillance.

- 3.9** A clear distinction should be made between public and private spaces. If semi-private front gardens or terraces are to be provided in higher density housing developments, these should be separated from the street or public spaces by walls or railings. Designing for a mix of uses can help foster urban vitality. Buildings should be designed to be flexible in use and adaptable. The environment around buildings should be designed to provide an attractive immediate outlook for residents and occupiers. Biodiversity is also a crucial sustainability issue. The Plan has identified the sites of greater importance for biodiversity in Edinburgh, but this is a necessary consideration for all development, and does not necessarily require the provision of green space, for example, swift boxes mounted on buildings.

## Layout Design

### Policy Des 4 Layout Design

Planning permission will be granted for development where:

- a) a comprehensive and integrated approach to the layout of buildings, streets, footpaths, cycle paths and public and private open spaces has been taken
- b) new streets within developments are direct and integrated to ensure ease of access to local centres and public transport and new public or focal spaces are created where they will serve a purpose
- c) the layout will encourage walking and cycling, cater for the requirements of public transport if required and incorporate design features which will restrict traffic speeds to an appropriate level and minimise potential conflict between pedestrians, cyclists and motorised traffic
- d) pedestrian and cycle paths and car parking areas are overlooked by surrounding properties
- e) public open spaces and pedestrian and cycle routes are connected with the wider pedestrian network including any off-road pedestrian and cycle routes where the opportunity exists.

- 3.10** The layout of development should enhance community safety and urban vitality. A comprehensive approach should be taken to the design of a site, which does not leave any difficult-to-manage left-over spaces with no clear purpose, and which minimises the visual impact of car parking provision (see also Policy Tra 6). The movement needs and the security of pedestrians and cyclists must be fully considered. Direct routes with multiple points of access, and streets connected at both ends rather than culs-de-sac arrangements or single access residential enclaves, can help the integration of housing and mixed use developments into the wider neighbourhood. Overlooking reduces the opportunity for anti-social behaviour and enhances personal security.
- 3.11** Housing layouts should not be dictated by the technical and engineering requirements of road design, as they have been in the past, particularly in low density housing areas. Instead, the 'home zones' principles should be used. The home zone concept encourages streets to be treated as, or turned into public spaces rather than simply movement corridors and requires traffic speeds to be restricted by built-in design and landscape features. Government advice encourages a more flexible and innovative approach to the design of new residential streets in support of a higher quality design in new development overall.

## Design of External Spaces

### Policy Des 5 External Spaces

Development will be permitted where all external spaces, including streets, footpaths, civic spaces, other open spaces and boundary treatments have been designed as an integral part of the scheme as a whole, and it has been demonstrated that:

- a) the design and the materials to be used are appropriate for their intended purpose, to the use and character of the surrounding buildings and to the character of the area generally, especially where this has a special interest or importance
- b) the different elements of paving, landscaping and street furniture are coordinated to avoid a sense of clutter, and in larger schemes design and provision will be coordinated over different phases of a development
- c) existing trees worthy of retention in and around a site have been safeguarded and other built or natural features with potential to enhance quality and distinctiveness have been successfully incorporated into the design
- d) particular consideration has been given, if appropriate, to the planting of trees to provide a setting for buildings, boundaries and road sides
- e) a satisfactory scheme of maintenance will be put in place.

- 3.12** High quality, well designed public spaces are crucial elements of the urban environment and in making successful places. The Council expects to see close attention paid to the detailed design of streets and all other spaces in proposals for new development. This consideration must be given at an early stage in the design process. The Council has also prepared supplementary guidance, the Edinburgh Standards for Streets and other guidance (for example, on landscaping in developments) to which developers should refer.
- 3.13** Landscaping proposals should retain existing trees and other features of value and incorporate these into the scheme design. Species which are locally appropriate and enhance biodiversity will be sought. The design of all hard surfaces, including areas to be adopted by the Council as highway, must be of high quality befitting the character of the surrounding area and the intended use. The extensive use of granite setts is a characteristic feature of Edinburgh's streetscape, which should be emulated where appropriate.
- 3.14** The Council will encourage the preparation of public realm strategies to coordinate design and provide information on future maintenance in other major development schemes. A key objective of the Waterfront proposals is to open up areas to public access and extend the public realm in ways which provide new leisure opportunities and amenities for residents and visitors. There is also the potential to enhance the public realm through the imaginative re-use of setts, quay walls etc. The development will extend over many years and will require a coordinated approach that should be set out in a formal public realm strategy.



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and proposes a means of assessing the impact that new building proposals would have. This has led to a policy set out in the new supplementary planning guidance prepared by City of Edinburgh Council entitled: Protection of Key Views, which was approved in June 2008.

- 3.28** Proposals for development that would be conspicuous in wider views of the city will be subject to special scrutiny, to ensure that important views are not impaired. Existing high buildings which are out of keeping with their neighbours and have a detrimental effect on the historic skyline or important views will not set a precedent for the future, and their replacement with more appropriately scaled buildings will be sought if redevelopment is in prospect.

## Alterations and Extensions to Existing Buildings

### Policy Des 11 Alterations and Extensions

Planning permission will be granted for alterations and extensions to existing buildings which:

- a) in their design and form, choice of materials and positioning are compatible with the character of the existing building
- b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties
- c) will not be detrimental to neighbourhood amenity and character.

- 3.29** Alterations and extensions to existing buildings generally raise similar design issues to those of new development. Every change to a building, a street or a space has the potential to enrich or, if poorly designed, impoverish a part of the public realm. The impact of a proposal on the appearance and character of the existing building and street scene generally must be satisfactory and there should be no unreasonable loss of amenity and privacy for immediate neighbours. Particular attention will be paid to ensuring that such works to listed buildings and non-listed buildings in conservation areas do not damage their special character.

## Shopfront Design and Advertising

### Policy Des 12 Shopfronts

Alterations to shopfronts will be permitted which are improvements on what already exists and relate sensitively and harmoniously to the building as a whole. Particular care will be taken over proposals for the installation of illuminated advertising panels and projecting signs, blinds, canopies, security grills and shutters to avoid harm to the visual amenity of shopping streets or the character of historic environments.

development with fewer than twelve houses, all sites will in principle be considered suitable for affordable housing provision.

- 6.29 A key aim is that affordable housing should be integrated with market housing on the same site and should address the full range of housing need, including family housing where appropriate. Provision on an alternative site may be acceptable where the housing proposal is for less than 20 units or if there are exceptional circumstances.
- 6.30 Further information on affordable housing requirements is provided in supplementary planning guidance. The details of provision, which will reflect housing need and individual site suitability, will be a matter for agreement between the developer and the Council.

### **Inappropriate Uses in Residential Areas**

**Policy Hou 8  
Inappropriate  
Uses in  
Residential  
Areas**

Developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents will not be permitted.

- 6.31 The intention of the policy is firstly, to preclude the introduction or intensification of non-residential uses incompatible with predominantly residential areas and secondly, to prevent any further deterioration in living conditions in more mixed use areas which nevertheless have important residential functions.

### **Houses in Multiple Occupation (HMOs)**

**Policy Hou 9  
HMOs**

Planning permission for the conversion of a dwelling house or flat to a House in Multiple Occupation (HMO) will be approved only where there is not considered to be an excessive concentration of such accommodation in the locality. Planning permission will not be granted for any further HMOs in localities where these already comprise 30% or more of all households or where the proposal would result in this threshold being exceeded.

- 6.32 Edinburgh has a large private rented sector, a substantial proportion of which is tenanted and occupied as HMOs. These play an important role by providing affordable housing for students and others seeking accommodation for a temporary period or who have limited housing choices. However, they tend to be concentrated heavily in a limited

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## Policy Ca 1 The Central Area

major sites, the Council will provide guidance or seek to agree with developers in advance of a planning application the appropriate mix of uses that should be provided for a particular site.

### Central Area Policy

Development in the central area will be permitted which maintains and enhances the character, attractiveness, vitality and accessibility of the city centre and contributes to its role as the regional service centre and Edinburgh's role as a capital city. The requirements in principle will be for:

- a) comprehensively designed proposals which maximise the potential of the site in accordance with any relevant site development brief and/or other guidance
- b) a use or a mix of uses appropriate to the location of the site, its accessibility characteristics and the character of the surrounding area
- c) a contribution to the proposed tram network if required and for the provision of any other measures and facilities made necessary by the development including a contribution to the improvement of the public realm in the immediate vicinity of the site
- d) the creation of new civic spaces and traffic-free pedestrian routes where achievable.

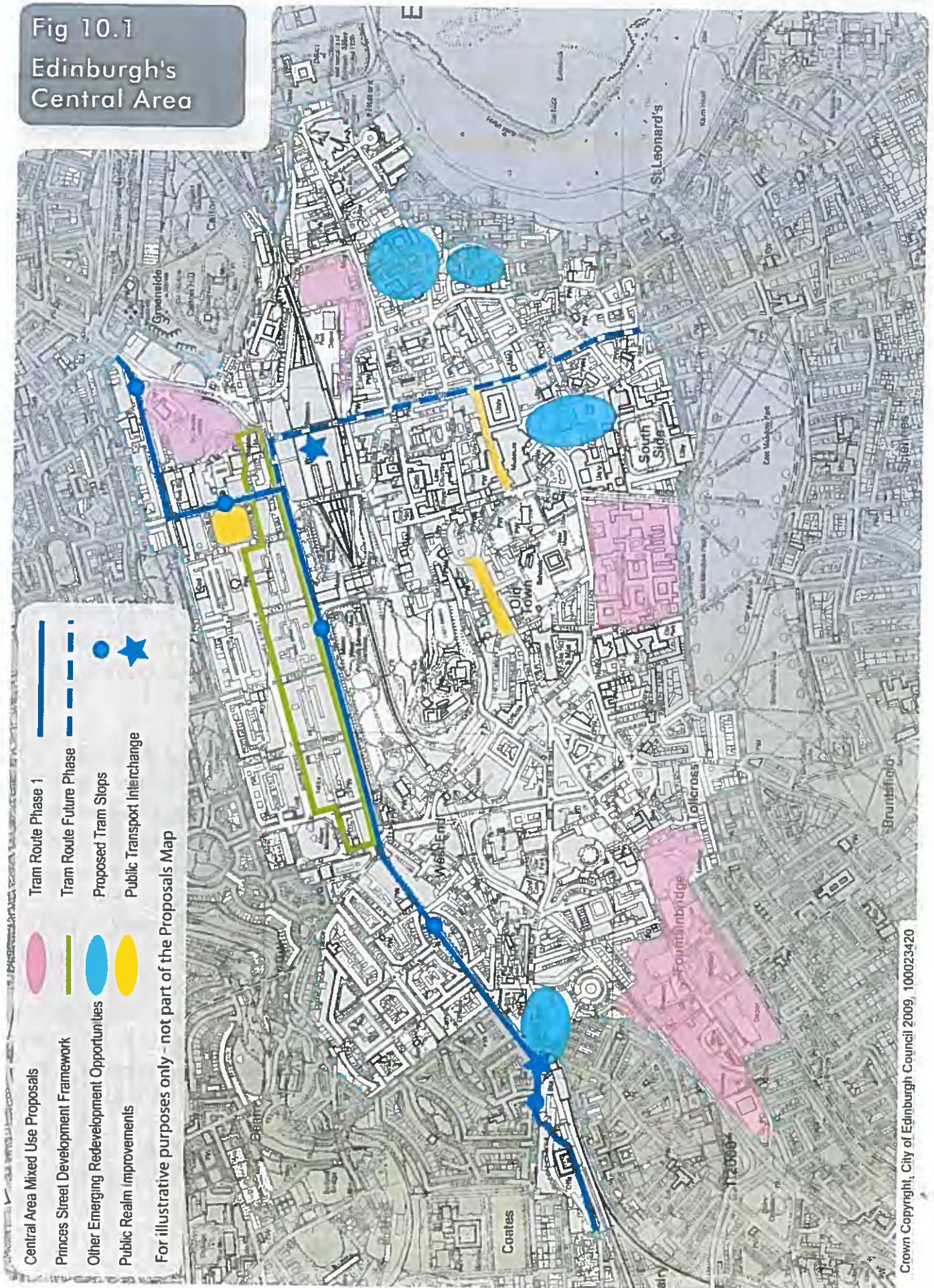
**10.4** The supply of development land likely to come forward in the city centre is difficult to predict. There are now almost no long-standing gap sites and few areas suitable for wholesale clearance. One source of development opportunity in recent years is the less successful buildings of the early post-war decades which are proving unsuitable for modernisation. The city centre as defined in this Plan is the core of the World Heritage Site. Much the greater part is within a conservation area. Accordingly, the Council will approve new development only where this will make a positive contribution to the character and appearance of the surrounding area. High standards of design are of paramount importance in securing approval and public acceptance of proposals for prominent or sensitive sites with particularly challenging characteristics.

**10.5** The Council has set up the City Centre Development Partnership, through which it will work closely with landowners, prospective developers and other key organisations. The Partnership will play a role in promoting and coordinating development proposals and improvement initiatives, which will be brought forward in Action Plans.

- 10.6** The current regeneration priority in the city centre is the retail core focused on Princes Street and the St James Centre. It is essential that redevelopment of sites in the retail core should include a significant retail element that will enable the centre to secure and enhance the quality and breadth of its retail offer. Proposals for the redevelopment of the St James Centre summarised below have the potential to make a significant contribution to this aim. The Council is examining the potential for redevelopment in Princes Street on a block-by-block basis, and will bring forward proposals in an action plan. Policies in this Plan promote the retention of an intensive shopping character in Princes Street and exclude non-shopping uses entirely from ground floor premises. This approach will continue as long as it is viable and offers the prospect of revitalising one of the world's great iconic destinations. In considering redevelopment or refurbishment proposals it is important that attention is paid to upper floors, to ensure that these will attract and sustain viable uses.
- 10.7** The accessibility of the city centre by public transport is of crucial importance to its continued success. This will be progressively enhanced, notably through the construction of the tram, the continuing improvement of conditions generally on radial routes for buses and by proposals to rebuild passenger rail links, one to the Borders and one to south east Glasgow via a rebuilt Bathgate – Airdrie link. These are important developments, allowing the city to widen its labour and housing market areas.
- 10.8** The Local Plan has also highlighted the importance of the public realm in the city centre and which requires major investment if it is to provide a quality setting for its historic architecture and the activities associated with a major commercial centre, festival city and visitor destination. A rolling programme of public realm enhancement projects is under way, dealing initially with streets and spaces unaffected by the tram. Later phases of the programme will tackle streets through which the tram has been constructed. In approving tram proposals (see para. 9.20 for a brief description of the process) the Council will seek to ensure that the tram effects are minimised and public realm improvement possibilities are safeguarded. The Council will also negotiate public realm improvements from suitable private developments.
- 10.9** Figure 10.1 shows the city centre as defined in this Plan, areas of likely change and regeneration, including four sites in which large-scale change and mixed use redevelopment is either approved or under consideration. The main planning and development principles on which redevelopment is or should be based are set out below.



Fig 10.1  
Edinburgh's  
Central Area





## Central Area Development Proposals Identified on Proposals Map

**Table 10.1 Central Area Development Proposals**

Proposal Reference:	
Proposal CA 1	St James Quarter
Proposal CA 2	Caltongate
Proposal CA 3	Fountainbridge
Proposal CA 4	Quartermile

### Proposal CA 1 St James Quarter

**10.10** A development brief was approved in April 2007 for the comprehensive redevelopment of the enclosed shopping mall, hotel, vacant offices and multi-storey car park. Replacement proposals provide the opportunity for:

- ③ a more outward-looking and less dominating form of development than currently exists, with new buildings that are well integrated into the surrounding townscape, for example, by re-establishing an active frontage to Leith Street
- ③ a significant expansion of retail floorspace
- ③ provision of business accommodation (offices), hotel, housing, leisure and cultural uses
- ③ replacement provision of off-street short stay car parking for public use
- ③ a new civic space that creates a focal point within the site and public, pedestrian routes that will strengthen and re-establish links with the surrounding area, especially St Andrew Square and existing shopping facilities in Princes Street
- ③ development that enhances local views into and across the site and contributes positively to the historic skyline from more distant views.

# ◆ EDINBURGH ◆

THE CITY OF EDINBURGH COUNCIL



## Edinburgh Street Design Guidance

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Version	Date
V1.01	January 2015
<b>Notes</b>  Minor text and image editing on page 2, 8, 16 and 27 since v1.0. The Guidance will be subject to ongoing review. Part C (Factsheets), will be issued, and a web based version of the document produced over the next year.	
For inquiries and suggestions, please <a href="mailto:street.design@edinburgh.gov.uk">email us (street.design@edinburgh.gov.uk)</a>	
For news and updates, please visit <a href="#">Edinburgh Street Design Guidance</a> website	

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# Foreword

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*Grassmarket*

High quality streets define Edinburgh. People visit the city from all over the World to appreciate the special qualities of the city. These owe much to the quality and variety of the New Town and Old Town streets along with the historic coastal and rural towns and villages. We owe it to current and future citizens and visitors to build on this great inheritance, improving our existing streets and creating great new streets.

Street design, though, is not just about streets of international significance; it is about every street in the city. Every street that people live, shop and work on and travel along can add to or detract from the quality of city life. This guidance is about improving all our streets for all of their users.

For too long we have put car based movement ahead of the needs of pedestrians, cyclists and public transport users when designing streets. While most streets will require to accommodate car use, we need to achieve a much better balance, where the street environment positively influences driver behaviour and where other street uses, sense of place and other forms of travel are put before speed of movement by car.

We need to fully embrace relevant best practice from Scotland and around the World and tackle perceived barriers to change. Building on the Scottish Government 'Designing Street' policy, this guidance sets the principles, the process and the detailed technical guidance to achieve this in the unique and diverse context of the Edinburgh area.



*Springside*





# **INTRODUCTION AND GUIDING PRINCIPLES**

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# Introduction

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## What does this Guidance do?

This guidance brings together previously separate CEC guidance on street design to achieve coherence and co-ordination across the city, with the ultimate goal of providing the people of Edinburgh with a world-class network of vibrant, safe, attractive, effective and enjoyable streets.

It provides **Edinburgh-specific guidance** fully embracing the protocol and principles set out in the Scottish Government's 'Designing Streets' Policy.

It sets out the Council's expectations for the design of Edinburgh's streets to support the Council's wider policies, in particular transport and planning policies. It aims to co-ordinate street design and to promote collaborative working between different disciplines, by considering the function of a street first as a place, and then for movement.

## Who is this Guidance for?

This Guidance sets out City of Edinburgh Council's (CEC) design expectations and aspirations for streets within the Council area. **It will be used by anyone who designs, plans, manages, maintains, alters or constructs streets.**

## What is the status of the Guidance?

This Guidance will be the first point of reference for all street design whether it is for renewals schemes, improvements to existing streets or new streets, (including urban paths), in Edinburgh. Such projects include:

- **Carriageway and footway maintenance and renewals;**
- **New streets associated with development or redevelopment;**
- **Alterations to existing streets including surfaced paths; and**
- **Utility installations and reinstatements.**

It will not apply to the design of unsurfaced rural paths or tracks, or to the Scottish Government's trunk roads and motorways.

The Guidance will also apply to other Council services, as well as Transport and Roads teams, who manage streets for various purposes. These include The Council's Planning and Building Standards, Parks and Greenspaces, Waste and Fleet Services, Economic Development and Trading Standards and Licensing for events, activities and licensing for street use e.g. for tables and chairs, market stalls etc. Everyone who manages, maintains, alters or reconstructs streets, including urban paths, will be expected to comply with the Guidance in order to realise the outcomes it sets out to achieve.

The Guidance will be a material consideration in determining planning applications and appeals as well as Road Construction Consent (RCC) processes.

It supersedes the previous City of Edinburgh Council publications Standards for Streets (2006), Movement and Development (2000) and the Edinburgh Standards for Urban Design (2003).

### **How does it relate to other Guidance?**

This Street Design Guidance is one of six, user-focused, non-statutory guidance documents interpreting Local Development Plan policies. It is supplementary to the Local Development Plan and Local Transport Strategy, and sits alongside the Edinburgh Design Guidance, which deals with the planning and design of new developments.

Non-statutory Edinburgh Planning Guidance documents

- ✓ Edinburgh Design Guidance, 2013
- ✓ Guidance for Householders, 2012
- ✓ Guidance for Businesses, 2014
- ✓ Listed Buildings and Conservation Areas, 2014
- ✓ Developer Contributions and Affordable Housing, 2014
- ✓ Edinburgh Street Design Guidance, 2015 this document

### **Designing Streets Policy Statement for Scotland**

This Guidance aligns with Designing Streets which will be the next point of reference for issues that are not covered within this Guidance.

### **Use of Design Manual for Roads and Bridges (DMRB)**

The Design Manual for Roads and Bridges (DMRB) provides standards, advice notes and other documents relating to the design, assessment and operation of trunk roads. The DMRB is not an appropriate design standard for most of Edinburgh's streets, particularly for geometry and layout. Therefore, in accordance with Designing Streets, the DMRB standards should not be used, unless specifically directed in the detail of this Guidance or where this Guidance does not cover an issue.

### **Risk and Liability**

The design principles set out in this guidance document follow the same principles established in the Designing Streets policy. The Designing Streets policy document should be consulted for further details of the risk and liability considerations.

### **How is it structured?**

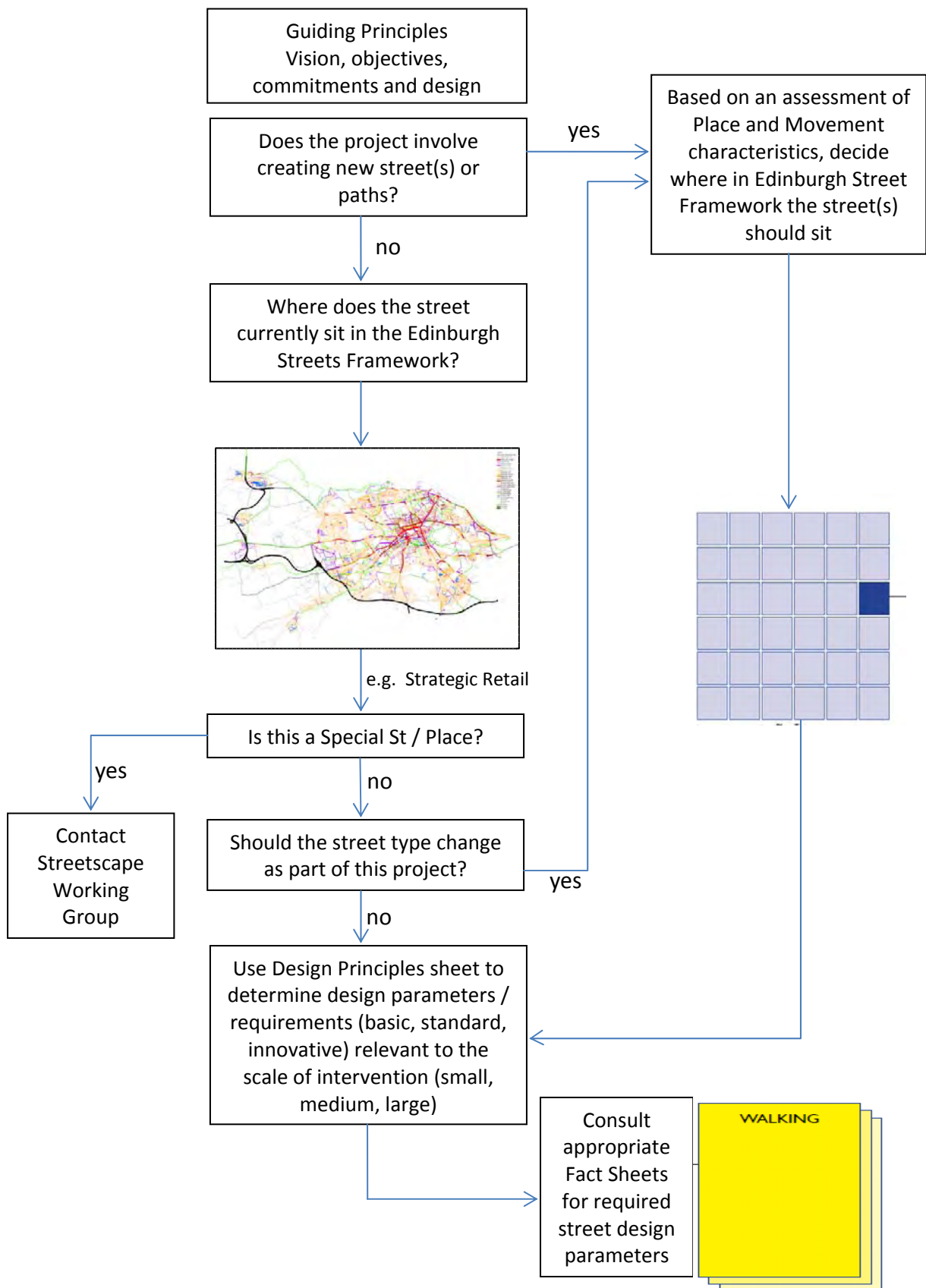
**Part A** provides the Introduction and the guiding principles of street design and street type, setting out the policy and geographical context to street design in Edinburgh. It also sets the Council's expectations for street design and the objectives that the Council would expect street design to be measured against.

**Part B** discussed the design, including a comprehensive set of ‘Design Principles’ summary sheets, which sets out detailed design principles for each street type.

**Part C** provides the Detailed Design Manual. It contains detailed and technical information to implement the guidance. Part C is intended to be a ‘live’ document and will be updated as best practice, policies and legislation change. At the time of initial publication (August 2015), Part C is not yet populated.

A web-based version will also be developed and is currently planned to be rolled out during 2016. This will guide the user through the process shown overleaf.

## How do I use the Guidance?



# Guiding Principles

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## Our Vision and Objectives

The Council's vision is to transform the process of street design to provide Edinburgh with a world-class network of streets and places. We aim to enhance the vibrancy of our streets, support sustainable movement, make the most of our historic inheritance and optimise the use of limited budgets.

This Guidance is based on the following objectives for streets which align with the key qualities set out in Designing Streets. We aim to provide streets that:

- are welcoming, inclusive and accessible to all;
- are easy to navigate;
- are attractive and distinctive;
- give priority to sustainable travel (walking, cycling and public transport);
- are safe and secure;
- are designed to deal with and respond to environmental factors such as sun, shade, wind, noise and air quality.
- respect key views, buildings and spaces reflect the needs of local communities; and
- are resilient, cost-effective and have a positive impact on the environment over their life-cycle.

## Our commitments

- We will follow a design process that starts by considering the street as a place for people and recognising that streets have an important non-transport role.
- We will provide integrated design solutions which reflect the local character of the area.
- We will always prioritise improving conditions for pedestrians, especially for those with mobility impairments or other disabilities, for cyclists and for public transport users.
- We will use signs, markings and street furniture only where necessary, and in a balanced way.

## How will our streets change as a result of this guidance?

The main differences that this design guidance will make on our streets are summarised below. In addition detailed Factsheets in Part C of this Guidance discuss each of these proposed changes and associated issues in more detail.

### Starting by considering the street as a place

This guidance is intended to bring about a shift in the emphasis of street design across the city from a movement dominated approach, to one which starts by considering streets as places, in so doing reinforcing and improving the quality of Edinburgh's streets. Designers should have a clear understanding of the function of a particular street and propose improvements that will reflect the role of the street,

whether it is primarily a retail (high) street, a low density residential street, a place for social and cultural activity, a busy bus or general traffic route.

The new approach will use design to influence road user behaviour, helping reduce vehicle speeds and thus improving safety, particularly for pedestrians and cyclists. Examples of changes to our streets that will result include:

## Junctions

- 'Tight' corner radii will be encouraged, slowing down turning vehicles and making side roads easier to cross.
- Wider use of raised road junctions without specific vehicle priority to help reduce vehicle speeds and to give pedestrians more priority.
- Introduction of 'continuous pavement' side road crossings in streets busy with pedestrians, giving greater priority to people travelling on foot.
- Pedestrian phases and advanced cycle stop lines at all signalled junctions.



## Road Geometry

- Using narrower vehicle lanes, consistent with promoting slower traffic speeds which give more space to pedestrians and cyclists, whilst keeping enough width for buses to operate efficiently where appropriate.

## Road Crossings for pedestrians and cyclists (e.g. dropped kerbs, 'pelican', 'puffin' and 'toucan' crossings)

- Providing new crossings on desire lines wherever possible, including where this brings the crossing very close to a side road junction.

## Footways

- Altering the design of driveway crossings of pavements (“crossovers”) to prioritise a level surface for walking and wheelchairs above a gradual gradient for cars. Ensuring crossfalls on all footways are comfortable for people with reduced mobility.
- Using the guardrail assessment protocol adopted in 2012 as a basis for considering this design feature, with a presumption against new railings and in favour of removing existing.
- Providing tactile paving and (where carriageways are not raised) dropped kerbs at all controlled and uncontrolled crossing points, including those at junctions, and prevention of parking at these crossing points.



- Wider footways in places which are busy with pedestrians, and clear walking zones along them.

### Cycling and cycleways

- Increasing the priority given to cyclists in street design.
- Introducing guidance covering segregated on-street cycleways, including dealing effectively with junctions and bus stops.

### De-cluttering



Poundbury, Dorset - Source: WSP

- Minimising signing, lining, bins and other street furniture to create an uncluttered space for both movement and place functions.

- Generally not reinstating the centrelines on the 20mph network, other than on strategic routes. (A trial conducted in London between 2013 and 2014 concluded that there was a statistically significant reduction in vehicle speeds and there will be immediate and longer term maintenance cost savings as a result of not reinstating the centrelines).

### Tidying up the street surface - West Meon Village, Hampshire



Residents of this Hampshire village were concerned at the effects of speeding traffic on the A32 which bisected the village. Hampshire County Council was due to resurface the road and took the opportunity to work with the local community and a consultant to make improvements within the limited budget available.

[Read more on Living Streets website](#)

### Flood management and Sustainable Urban Drainage systems (SUDs)

- Promoting and clarifying the requirements for this new approach to drainage which seeks to 'design out' flood risk through attenuation as well as providing water quality treatment both in terms of new streets and retrofitting in existing streets.
- Ensure the systems maximise the potential for improvements to landscape and biodiversity e.g. the use of 'rain gardens' with trees and soft landscaping.

### Street trees and soft landscaping

- Introducing street trees and soft landscaping to conserve and enhance townscape character; to use as traffic calming measure and to encourage walking and cycling.

### Guidance for everyone

Design changes should be incorporated into all projects including roads and pavements renewals. Everyone who manages, maintains, alters or reconstructs streets, including urban paths, will be expected to comply with the Guidance in order to realise the outcomes that the Guidance sets out to achieve.

# Street Pattern

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When creating new street patterns in Edinburgh, designers will draw on:

- Edinburgh's vision, objectives and commitments set out in this Guidance;
- Designing Street's [key considerations for designing new street patterns \(p19-31\)](#); and
- Edinburgh's recognisable street patterns and distinctive urban structure.

These will also apply to making amendments to existing streets. In summary the key requirements include:

- establishing connected streets – cul de sacs should be avoided unless unavoidable;
- creating an urban form that establishes suitable grids and patterns and creates relationships between street widths and building heights and ensure neighbourhoods are walkable;
- prioritising pedestrians, cycling and public transport;
- design solutions that draw on typologies common to Edinburgh and respond to the character and features of the area (refer to Conservation Area Character Appraisals and Edinburgh Design Guidance); and
- considering the environmental quality of the street.

## The Edinburgh Context

Edinburgh's city centre has a powerful and distinctive character created by its topography, geological history and the unique form of its historic environment, consisting of the Old and New Towns separated by what are now Princes Street and its gardens. This character makes a contribution to the city's quality of life, to its status as a World Heritage city and to its position as a major visitor destination. What makes Edinburgh special is detailed in [Edinburgh Design Guidance \(p8-9\)](#) and includes areas outside the urban area such as the coastal settlements and rural towns and villages.

Edinburgh developed through time giving each area a distinct character. This provides potential templates for the development and expansion of the rest of the city. This is summarised in relation to street design, including examples of important street styles.

## Referencing Existing Street Styles

Edinburgh has a legacy of original street layouts, fabrics, materials and furniture. Locally quarried sandstone, Caithness paving, original whinstone kerbs, granite setts, honored paving, original cast iron street lamps and street features such as mounting blocks, lighting plinths and coal chutes have been retained in many parts of the city.

These features form part of the overall values that underpin World Heritage status and create the essential character of the city's conservation areas. It is important that changes to streets aim to preserve and enhance this historic fabric.



There is range of street character in Edinburgh where the scale, ratios and patterns, materials of streets vary. The street patterns of Medieval, Georgian, Victorian and Edwardian streets, and of some (but not all) between and post war Edinburgh streets demonstrate good townscape qualities showing coherent relationships between building, footway and road. Generally, designs for changes to existing streets or for new streets should reinforce recognisable street patterns and styles already in place locally. However 20<sup>th</sup> century car-based street patterns with layouts impermeable to pedestrians, cyclists and public transport should be adapted or replaced wherever opportunities arise.

Edinburgh already has good practice examples that feature as [Designing Streets case studies](#). These include:

- [Wauchope Square \(City of Edinburgh\)](#)
- [Gracemount \(City of Edinburgh\)](#)
- [Greendykes North \(City of Edinburgh\)](#)

## Gracemount City of Edinburgh 21st Century Homes

designing streets

case study

**This development complies with four of the five Designing Streets Policies:**

- ✓ Street Design should consider place before movement.
- ✓ Street Design Guidance as set out in Designing Streets can be a material consideration in determining planning applications and appeals.
- ✓ Street Design should meet the six qualities of successful places, as set out in Designing Places.
- ✓ Street Design should be based on balanced decision-making and must adopt a multidisciplinary collaborative approach.
- ✗ Street Design should run planning permission and roads construction consent (RCC) processes in parallel.

**Location:** Gracemount

**Developer:** Cruden Homes; City of Edinburgh Council 21st Century Homes

**Size:** 1.2 hectares; 99 new affordable homes

**Type:** New Residential

**Stage:** Planning Permission in Principle for overall masterplan. First phase completed



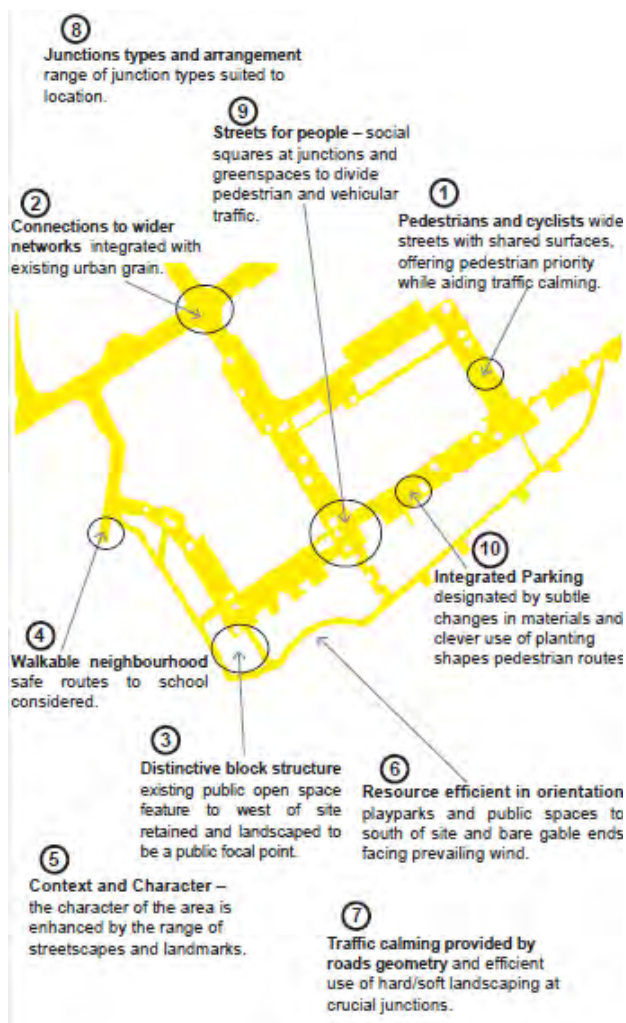
Background

This development is the first phase of affordable housing within a larger master planned area of houses for sale. As part of the 21st Century Homes initiative, City of Edinburgh Council developed an initial master plan for the wider Gracemount area. It outlined the approach to all basic aspects of the design, such as maximum storey heights, housing typologies, public space, private space and boundary treatments, waste management and lighting.

For this first phase of development, the master plan was developed in more detail. The Design Team had pre-application discussions with CEC Planning, Transport and Refuse, and a Planning Officer is on the client project team in an advisory role, ensuring a degree of continuity throughout this and following phases. The site layout is based around two new roads, the main street is on the axis of the listed Gracemount House, providing views through trees along this route for character and orientation. The new crossroads form an important junction, with the majority of three and four storey flats located around this area. Elsewhere, housing comprises houses and a 'colonies' type arrangement (upper and lower villas with front doors at opposite sides). Streets are designed to provide a pedestrian friendly, low traffic speed area which works as a coherent public space. There are uniform levels with no high kerbs and different zones are distinguished by different surface finishes.

This approach allows street to become a more sociable space. To address concerns about the use of shared surfaces by blind and partially sighted people, a separate walkway is provided which is defined by a tactile strip rather than a raised kerb. All homes have a private or semi private outdoor space – a private garden, private balcony or secure communal rear garden. Public open space is provided by retaining an important existing walkway through the site and three informal squares, located at road junctions, provide small scale greenspace with seating.

In Gracemount, streets are designed to provide a pedestrian friendly, low traffic speed area which works as a coherent public space. There are uniform levels with no high kerbs and different zones are distinguished by different surface finishes.



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Public open space is provided by retaining an important existing walkway through the site and three informal squares, located at road junctions, provide small scale greenspace with seating.



*Parking courts softened with planting*

**Movement analysis**

Source: Creating Places website, Scottish Government

# Edinburgh Street Framework

The Edinburgh Street Framework is based around the dual **place** and **movement** roles of streets.

As a **place**, a street is a destination in its own right. People using streets as places will live on a street, or make use of buildings or other facilities that are on the street. People using streets as places are almost always on foot.

**Movement** is essentially travel by any mode. Within the Edinburgh Streets Framework, the movement significance of a street is primarily determined by the function of the street for medium and long distance movements, particularly by public transport.

*Designing Streets, page 9*



Source:

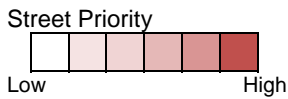
Many streets with similar **movement** functions can have very different **place** functions. Perhaps the best examples in Edinburgh are the main roads into the city centre from its edges. These are very significant for movement throughout their lengths, whilst their place functions vary dramatically, ranging from outer suburban low density housing and busy high streets.

## Street Categories / Types

The Edinburgh Street Framework categorises our streets based on their place and movement functions. There are different Design Principles for each of the seven street types, which (with 3 different levels of movement significance) have been identified in the table below. In addition to this there are also footpaths, cycle paths and a number of special streets / places in this framework. Design Principles for the standard street types and these special categories are provided in Part B.

## Edinburgh Street Framework

Click to link to summary principles sheets		Type of Place →						
		Rural roads / No frontage	Industrial Employment	Low Density Residential	Med Density Residential	High Density Residential	Service Sector Employment	Retail / High Streets
↑ Significance of Movement	Strategic							
	Secondary							
	Local							
Other streets and paths	Footpaths	(pedestrians only)						
	Footpath/ cycleways	(shared by pedestrians and cyclists)						
	Special streets and places	Royal Mile, Princes Street, George Street (with squares), Grassmarket, The Shore, Queensferry High Street, Old Towns closes and stairs						



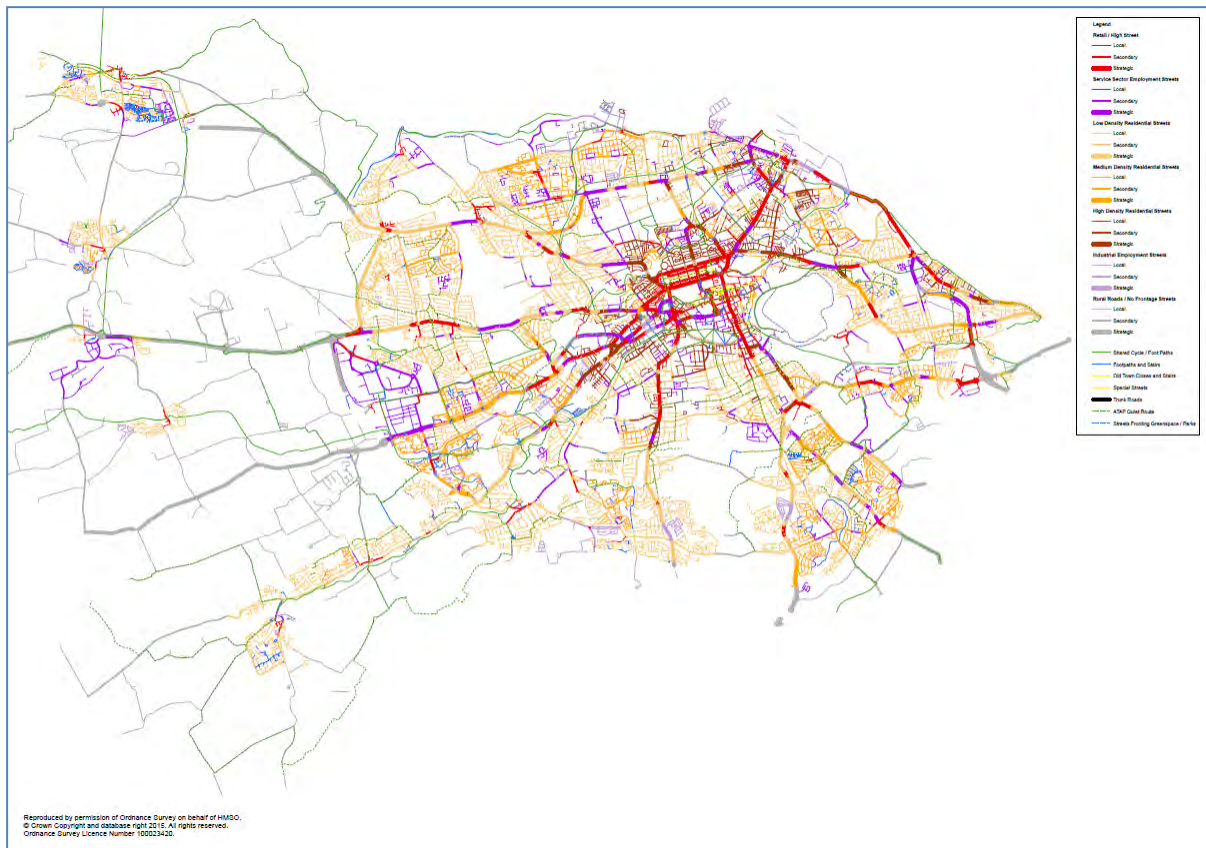


## Mapping out Edinburgh Street Types

Application of the above framework on our existing streets has resulted in a map format of the Edinburgh Streets Framework. The [Edinburgh Street Types](#) map presents Edinburgh's existing streets based on their **current** place and movement status.

Those who are dealing with Edinburgh's existing streets can simply locate the street(s) in question on the map to obtain the relevant Design Principles sheet presented in Part B.

Those who are creating new streets (eg developers) in Edinburgh should apply the "*place and movement*" detailed in above and the information provided in the next section to identify Design Principles applicable to the proposed street type(s) in their development.



Edinburgh Street Framework - Street Types Map

## How to apply Edinburgh Street Framework to New Developments

### How significant should movement be?

**Movement** significance of a street is based on the importance of the street for motorised (private and public transport) traffic and its place in the street hierarchy in connecting major destinations.

**Strategic streets** accommodate the highest levels of movement by a range of modes of transport including out-of-city movements. These include A roads and other main streets, such as Leith Walk, Morningside Road and the Western Approach Road, aside from trunk roads.

**Secondary streets** provide connections between different parts of the city with moderate to high levels of movement, usually includes travel by bus, such as Captains Road, Bonnington Road, or Drum Brae.

**Local streets** serve mainly (though not exclusively) housing, and provide local access for example for local residents and employees to and from their houses and places of work. These streets will not have a significant through traffic function. They can vary substantially in width depending on when they were first built. They do not have a significant public transport role.

The majority of new streets are likely to fall into the 'Local streets' category.

**Paths** are type of street that will usually excludes any form of motorised traffic. The level to which pedestrians and cyclists are separated from each another will vary.

### What type of a place to create?

The [Edinburgh Design Guidance](#) sets out requirements relevant to understanding context, designing buildings, landscape and biodiversity that all together with streets creates the very essence of a place that is being developed. Therefore streets can also be categorised by **their place function** – in the Edinburgh Streets Framework, this is simply derived by land uses and frontages. Areas where there are lots of people on the street have a high place status: for example, streets with shop frontages and offices. Areas with limited street frontage and pedestrian interaction have a low place status: for example industrial estates and rural roads.

**Retail / High Streets** have an important and valued role within the whole city, local district or neighbourhood. They typically comprise a group of shops with frontage at the ground floor level and are mixed with other land uses between or above them such as non-retail employment (e.g. offices), tenement flats, restaurants, hotels or other types of private residence. This type of place also covers smaller numbers of shops providing an important community function in local centres such as bars, cafes and shops with self-contained streets such as local shopping parks or drive-ins.

**Service sector employment streets** include short stretches of offices in otherwise residential locations (such as offices on the ground floor of tenement buildings); schools, hospitals, self-contained business units or industrial parks and places within the urban fabric forming identified business areas

**Industrial employment streets** include activities related to industrial manufacturing, distribution and sale of industrial goods etc.

**High density residential streets** are sometimes mixed with retail and/or non-retail employment, including traditional multi-storey tenements and other newer high density housing developments consisting of modern apartments (these may depart from traditional street patterns).

**Medium density residential streets** Including large semi-detached housing, closely-spaced terraces, colonies, or 2 to 3 storey villas or new apartments.

**Low density residential streets** with their own private frontage/gardens and off-street car parking typically in suburban areas outside of the central areas of the city. These include 1-2 storey and less densely spaced family dwellings such as semi-detached houses or bungalows.

**Rural roads and streets with no frontage** have fewer features of the built environment or are surrounded by fields, parks, the green belt or countryside, with potentially with a few isolated dwellings in a **rural** setting.

## 20 mph Streets

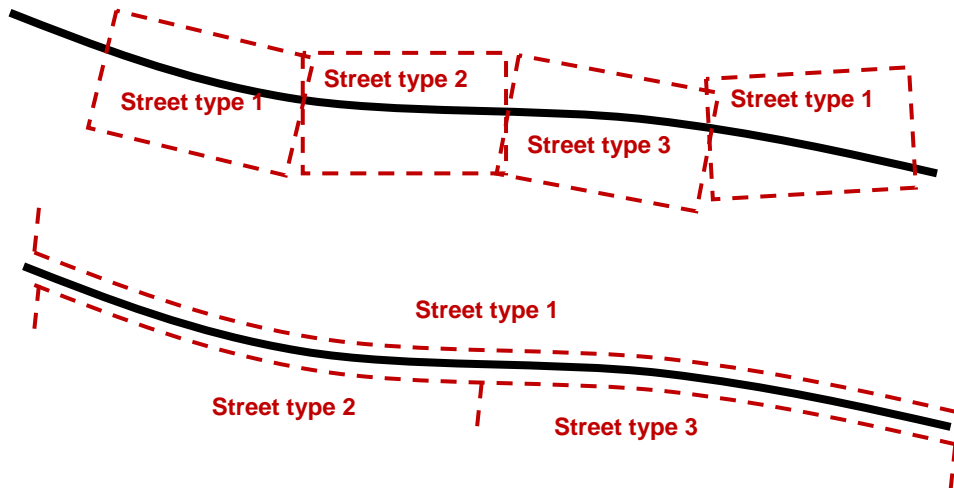
Edinburgh is the first 20 mph city in Scotland with 30mph and 40mph speed limits only maintained for a limited arterial network. Therefore the default design speed for new streets is 20 mph. Exceptions will be considered for new rural streets with no-frontage, for those serving and fronting low-medium density industrial land uses and for those strategic and secondary streets with a frequent bus service.

## Interaction between different street types – transition and transformation

Where streets have more than one land-use for example with both retail and residential functions, the predominant street level use should be seen as the main influence on the balance between place and movement.

Some streets will have a consistent design along their length. However in many cases, a streets' place function changes as it passes through the city (eg from retail / shopping to residential to office based employment). At transitions between two place types, there should not be a sharp boundary – the designer should take a pragmatic approach to the design so that it makes sense to the user and avoids apparently illogical or jarring changes.

Sometimes one side of a street will have a different place function from the other. In this case, the street type with the higher place status should normally apply on both sides, although some flexibility can be applied. For example, on a street with shops on one side and a local park boundary on the other, the highest priority (shopping) implies a need for paving slabs on the footways on both sides; in practice, blacktop could be used on the park side, if there is low pedestrian demand. There may also be cases where special design consideration may apply. Whatever the composition of the street, its design should be coherent and respond to the local context.



*Street segmentation along a street; each segment may have an individual place type and design options (based on Movement & Place)*

In some cases, complete transformation of a street may be desirable or required by a design brief, meaning that the existing movement and place needs of a street should be altered by the design. This approach is likely to apply when reconstruction projects, area wide traffic management schemes or urban design improvements are proposed. In some cases, the transformation of a street may take several years and go through different phases.



## **Part B – DESIGN**

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# Design Approach

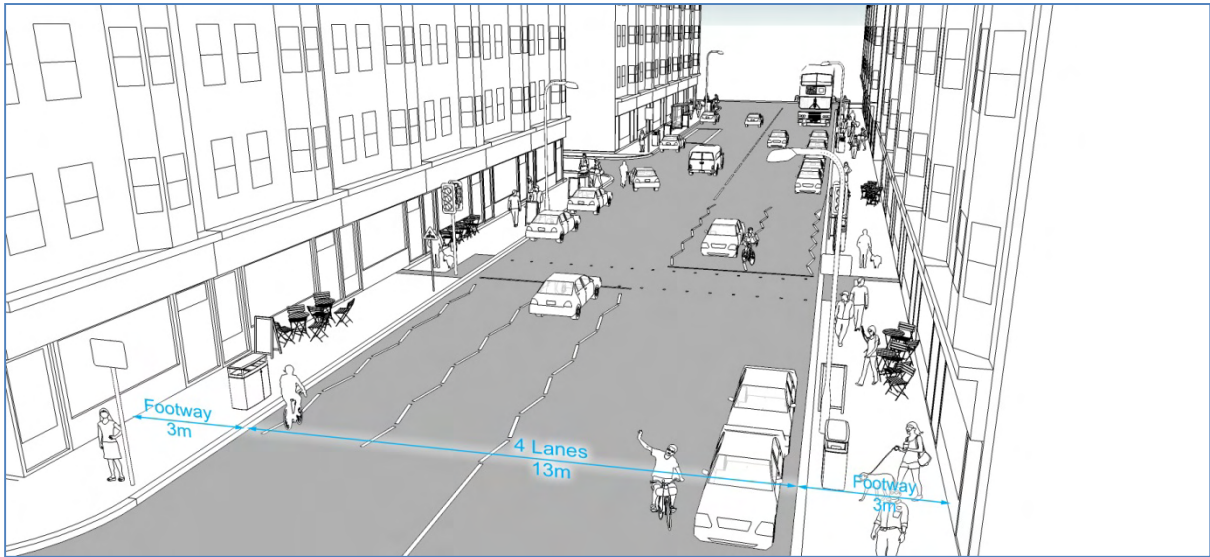
## Levels of Design Intervention

The Council intends to make sure all work undertaken in Edinburgh's streets is a step towards its vision and objectives for streets. Therefore Edinburgh Street Design Guide must be applied across the design spectrum, from the completion of routine maintenance and basic repairs to construction of a brand new street. The requirements set out in the 'Design Principles' Sheets relate to the level of intervention on our streets undertaken by the Council services or third parties.

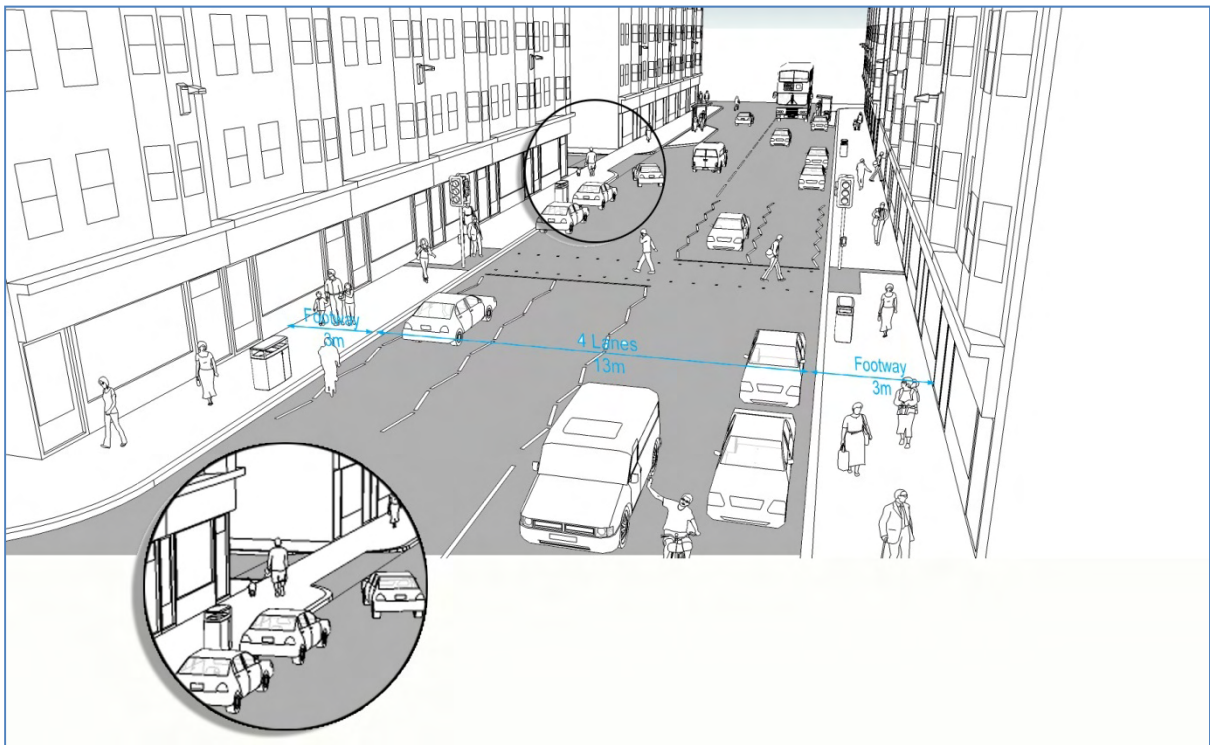
Requirement	Action required	Level of intervention
<b>Basic</b>	<p><b>Tidy up</b> Get rid of unnecessary street furniture that is easy to remove, combine or relocate (bins, signs, seats)</p> <p><b>Declutter</b> Do not retain street furniture and road sign/markings unless there is a clear case for retention</p>	<p>Small scale maintenance and renewals projects that are based on periodic inspections and/or reports and requests from third parties, e.g. single pothole repairs, isolated footway repairs &lt;25m in length, single (pairs) of tactile or drop kerb installations, new single signs, new crossovers for single buildings etc.</p> <p>Also applies to other services that use, maintain and manage streets including utility providers.</p>
	<p><b>Improve</b> Improve standards of streets with smaller budget and limited specs so that they are accessible for all and support street uses/activities</p>	<p>Small scale capital (carriageway and footway) renewal schemes and other small scale capital schemes including road safety projects, new crossings, traffic calming schemes incorporating physical measures, junction refurbishments, bus stops including build outs, and road cycle schemes.</p>
<b>Standard</b>	<p><b>Rethink and redesign</b> Apply basic design principles but also aim for significant street re-design and roadspace reallocation.</p>	<p>Medium to large scale capital (carriageway and footway) renewal schemes and other medium to large scale capital schemes such as large scale traffic management, bus priority and cycle priority schemes.</p>
<b>Innovative</b>	<p><b>Consider innovative approaches to create new streets or reconstruct existing streets</b> Apply basic and standard design principles but also aim for innovative construction/ full reconstruction of the street from building to building.</p>	<p>This level should be considered for street / area based public realm or economic development projects. For example, High Street, Leith Walk and Grassmarket public realm schemes where whole street layout is reconfigured from building to building.</p> <p>Also should be considered when creating new streets associated with developments.</p>

**“Basic”** Design Principles / Requirements focus on - making Edinburgh's streets accessible especially for the vulnerable street users (e.g. mobility impaired, blind and partially sighted, elderly or young, people with cognitive difficulties etc); supporting sustainable forms of travel and street uses/activities. Achieving this requires tidying up, decluttering and improving basic street layout, materials and furniture.

Any small scale works /projects on streets undertaken by the Council or third parties will fulfil the basic design principles / requirements that are specified in the design principles sheet for each street type.



*Illustrative example of a typical existing retail/ high street layout*



*Illustrative example of the same street tidied up and decluttered*

**“Standard”** Design Principles / Requirements supplement these basic treatments and focus on establishing a much higher standard of street. The majority of these requirements already feature in some of our streets, but the aim is to make sure all corners of Edinburgh offer such streets to our residents and visitors.

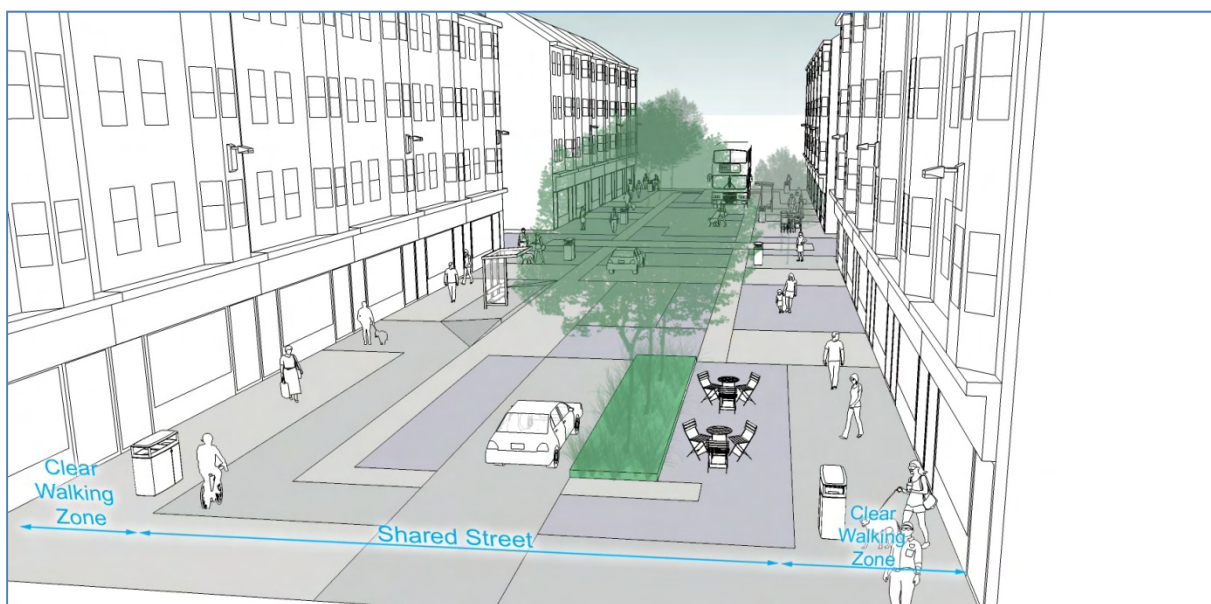
Any Medium to large scale works /projects on streets by the Council or third parties will fulfil the basic and standard design principles / requirements that are specified in the design principles sheet for each street type.



*Illustrative example of the same street reconstructed as an ATAP Quiet Route*

**“Innovative”** Design Principles / Requirements include concepts that may be new or experimental (at least in the UK context), or suitable only in special circumstances.

Any corridor or area based public realm, transport or economic development projects by the Council or third parties will fulfil both the basic and standard design principles and should consider innovative design principles.



*Illustrative example of the same street reconstructed as shared space*

## Quality Audit

A Quality Audit should be an integral part of street design. The Quality Audit process aims to allow for more innovative design solutions where overly cautious practices can be avoided in favour of creating places that are high quality and enjoyable to use.

A Quality Audit draws together assessments relating to a range of street users. By grouping the assessments together and considering against CEC's overall street objectives and any specific local objectives, any compromises in the design will be apparent, making it easier for decision makers to view the scheme in the round. Whilst they can be used at initial design stages they add particular benefit once a design has been developed in some detail whether on an existing or new street.

A Quality Audit is not a tick box exercise, but should be integral to the design and implementation of any street design. A typical audit may include some of the following assessments but the content will depend on the type of scheme and the objectives which the scheme is seeking to meet:

- an audit of visual quality;
- a review of how the street will be used by the community;
- a Road Safety Audit;
- an inclusive access audit;
- a walking audit; and/or
- a cycle audit.

To assist with the Quality Audit process, CEC have adopted the Quality Audit template and accompanying guidance document, created by the Scottish Government for Designing Streets, which can be downloaded from the following web address:

<http://www.creatingplacesscotland.org/designing-streets/process/quality-audit>



# Design Principles

Each street type has a corresponding 'Design Principles' summary sheet, which provides a high level design brief for any works undertaken on that particular street type. Principles sheets indicate key design parameters and also direct users to associated technical factsheets. Applicable design parameters vary according to the level of intervention proposed and agreed with CEC.

The Design Principles sheets also acknowledge that there may be certain design considerations which will apply to some but not all streets within a given 'type' (e.g. those within conservation areas, presence of a school – for more detail see Special Design Considerations above) and provide guidance on how to design around these elements.

The key points set out in the appropriate Design Principles Sheet should be the starting point for design. However designs should always respond to local context and objectives, and this may justify changes in the approach in some circumstances.

An example Principles Sheet is shown below:

**Street type**

**DESIGN PRINCIPLES – RETAIL/HIGH STREETS (STRATEGIC, SECONDARY and LOCAL)**

Design Emphasis

**Summary statement covering this type of street**

**Design principles**

**Reference to relevant factsheet section**

**The relative emphasis to be given to catering for different street users**

<p><b>Retail / High Streets</b> contribute an important and valued role to the whole city, district or neighbourhood. They form a group of shops along a street frontage at the ground floor level and typically mixed with other land uses between or above them such as non-retail employment (e.g. offices), tenement flats, restaurants, offices, hotels or other types of private residence. There is significant amount of pedestrian activity associated with the movement of people along these streets. There are also high levels of kerbside activity generated by parking, loading and public transport. They can be centres of civic pride with important buildings, squares and spaces. These functions should be understood and incorporated in the design.</p> <p>Street design must cater for retail, leisure and social needs as well as the needs of people walking, cycling, public transport. Generally road traffic will be accommodated but not prioritised. Pedestrians will have priority through junctions and intersections, including across side streets. Cyclist will be separated as far as possible from traffic.</p>		
<b>STREET LAYOUT</b>	Factsheet reference	
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul> <p>Minimum width of footway:</p> <ul style="list-style-type: none"> <li>- Strategic streets: absolute min. 3m (only allowed in short sections), desirable min 5m or wider.</li> <li>- Secondary streets: absolute min. 2.5m (only allowed in short sections), desirable min 4m or wider.</li> <li>- Local streets: absolute min. 2m (only allowed in short sections), desirable min 3m or wider.</li> <li>- Maximise clear "walking zone" (absolute minimum: 1.5m - only allowed in short sections)</li> </ul> <p>Minimise corner radii (maximum 3m for all street types, desirable max 1m only for local streets)</p> <p>Provide pedestrian crossing points (controlled or uncontrolled crossings) every 50-100m, ideally associated with entrances to major buildings. Consider raised crossings and signalised/zebra crossings at strategic points. Locate them at or near junctions to respect pedestrian desire lines.</p>	<p>C1-1-b and C1-1-a</p> <p>C4-1-b</p> <p>C1-2 (all f/s)</p>	

## Special Streets and Places

There will be a number of exceptions and unique locations which require special treatment; examples include:

- Royal Mile
- Princes Street
- George Street (with squares)
- Grassmarket
- The Shore
- Queensferry High Street
- Old Town's closes and stairs



*The Shore*



*Grassmarket*

The overall vision and objectives for street and design set out in this guidance are relevant for these special streets and places. They should be used as a basis for any design proposals, in the first instance, along with any more specific local objectives.



*South Queensferry*

When considering significant or full reconstruction of these streets, their unique nature means that it is important that creativity and innovation is not stifled by an overly generic approach to design. It is therefore recommended that objectives, suitably prioritised, should form the basis of a collaborative / corporate based design approach.

For maintenance and more limited reconstruction, the most appropriate principles sheets (eg primary and secondary retail) as well as any specific design codes already in place, should be used to inform the design.

## Special Design Considerations

Some specific local design factors may need to be addressed as part of the design process. Examples of these Special Design Considerations include:

- World Heritage Site, conservation areas and listed buildings, Natural Heritage and biodiversity designations areas that are otherwise visually distinct or historically important
- areas that may require increased social and pedestrian space such as squares and significant streets, street junctions and intersection; and
- areas outside buildings such as schools, pubs, local shops or at bus stops or rail stations
- streets that front onto water (coastal or river) and important greenspace (parks and gardens)
- footpaths
- foot/cycle paths
- Active Travel Action Plan (ATAP) Quiet Routes



*Castlehill*



*Shared Foot/Cycle path*

These design factors are important in delivering Edinburgh's vision and objectives and should apply across the standard street types.

Some of the key principles related to these streets and places are outlined overleaf in the following principles sheets.



*Segregated Cycle path*



# Design Principle Sheets

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## DESIGN PRINCIPLES – RETAIL/HIGH STREETS (STRATEGIC, SECONDARY and LOCAL)

Design Emphasis



<p><b>Retail / High Streets</b> contribute an important and valued role to the whole city, district or neighbourhood. They form a group of shops along a street frontage at the ground floor level and typically mixed with other land uses between or above them such as non-retail employment (e.g. offices), tenement flats, restaurants, offices, hotels or other types of private residence. There is significant amount of pedestrian activity associated with the movement of people along these streets. There are also high levels of kerbside activity generated by parking, loading and public transport. They can be centres of civic pride with important buildings, squares and spaces. These functions should be understood and incorporated in the design.</p> <p>Street design must cater for retail, leisure and social needs as well as the needs of people walking, cycling, public transport. Generally road traffic will be accommodated but not prioritised. Pedestrians will have priority through junctions and intersections, including across side streets. Cyclist will be separated as far as possible from traffic.</p>	
<b>STREET LAYOUT</b>	Factsheet reference
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>	
Minimum width of footway:	C1-1-b and C1-1-a
<ul style="list-style-type: none"> <li>Strategic and secondary streets: absolute min. 2.5m (only allowed in short sections), general min 3m, desirable min 4m or wider.</li> <li>Local streets: absolute min. 2m (only allowed in short sections), general min 2.5m, desirable min 3m or wider.</li> <li>Maximise clear "walking zone" (absolute minimum:1.5m - only allowed in short sections)</li> </ul>	
Minimise corner radii (maximum 3m for all street types, desirable max 1m only for local streets )	C4-1-b
Provide pedestrian crossing points (controlled or uncontrolled crossings) every 50-100m, ideally associated with entrances to major buildings. Consider raised crossings and signalised/zebra crossings at strategic points. Locate them at or near junctions to respect pedestrian desire lines. Avoid staggered crossings.	C1-2 (all f/s)
Provide pedestrian phases on all signalised junction arms and consider X (all green) crossing.	C4-2-a
Review existing Traffic Regulation Orders (TRO's).	C1-2-a
Make all crossing points suitable for wheelchairs and protected from parking/loading.	
Introduce waiting restrictions to protect all corners and, if required, the opposite kerbside of T-junctions, from parking and loading.	C-4-1b
No new vehicular footway crossovers to be introduced on strategic and secondary streets. Remove obviously redundant footway crossovers. At new and existing vehicle crossovers retain an evenly graded walking zone of at least 1.5m wide.	C1-1-c and C1-1-d
If the street forms part of the <a href="#">ATAP Quiet Routes Network (GIS)</a> or the network crosses the street, provide or at least future proof specific cycle provision of a suitable standard - consult cycle team.	C2-1 to C2-6
Provide Advanced Stop Lines at all signalised junctions.	C2-1
Provide cycle parking for visitors and commuters.	C2-4
Reduce the amount of kerbside devoted to parking and loading to support cycle/bus facilities	C4-3
Consider providing bus boarders where minimum footway width of 1.5m can't be obtained (consider implications for cyclists) otherwise provide bus stop clearway of min 25m at every stop on strategic and secondary streets.	C3-1-b and C-3-d and C2-1
Consider bus lanes or other bus priority measures in places where queuing occurs	C3-1-e
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>	
Install continuous footways at all uncontrolled side junctions.	C4-2-d and C4-2-b
Consider raised junctions incorporating full carriageway width of main road at key junctions.	C4-2 (all f/s)
Consider shared space at key junctions/locations, public transport interchanges etc.	C1-3 (all f/s)
Consider provision of mandatory or segregated cycle lanes on strategic and secondary streets especially where traffic volumes/speeds are high. Connect them to <a href="#">ATAP Quiet Routes Network (GIS)</a> .	C2-1
Consider bus lanes with parking/loading restrictions on strategic and secondary streets.	C3-1-e
Consider retrofit SUDS e.g. bioretention, swales	
<ul style="list-style-type: none"> <li><b>INNOVATIVE</b></li> </ul>	
Clear width of carriageway:	C4-1-a
<ul style="list-style-type: none"> <li>Strategic streets: min 6m</li> <li>Secondary streets min 5.5m</li> <li>Local streets min 4.5m</li> </ul>	
Consider full shared space as part of a comprehensive approach to wider traffic management.	C1-3
Design speed for secondary and local streets is 20mph, including bus routes	C5-2-a (Green Env/ Flood prevention / SUDs)
Incorporate SUDS features (swales, ponds, basins, bioretention, etc)	
Utility service zone generally within footways, where possible min 3m wide and 2m deep. Local widening of utility zone maybe required to accommodate junction boxes.	
<b>FABRIC/MATERIALS</b>	
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>	
Localised repairs to footway and carriage way (including surface treated cycle and bus lanes) must be in original material. Consider overlay or surface dressing to improve skid resistance (only where required), enhance appearance or extend life.	
Footways in paving slabs	C1-4-b
Contrasting grey tactile paving/ cycle warning paving	C1-4-c
Consistent use of materials (no breaks for driveways etc unless historic materials. In this situation use flat-topped setts)	C1-1-c and C4-5-b
If streets are settled then setts should be replaced with flat-topped at crossing points for wheelchairs, prams etc. use.	C1-4-b
Provide completely smooth walking zone surface (min 1.5m wide) suitable for wheelchairs, prams etc	C1-1-b and C1-1-a
Use Pre-Cast Concrete (PCC) kerbing and edging outside Conservation Areas, unless whinstone is currently used.	C1-4-d
Standard kerb height 100mm. Consider retention of natural materials.	
Carriageway HRA Asphalt or SMA. No antiskid at 20mph, 25m at 30mph. at 40mph use DMRB. Alternatively PSV stone HRA can be used.	C4-5-a
Cycle lanes and bus lanes - red chipped HRA surfacing (applied red surface on cycle lanes at safety-critical locations)	C3-3-a and C2-3-a
Bus stops- 100mm kerb upstand	C3-3-c
Minimise road markings	
Protect existing trees, and replace dead trees - discuss with Streetscape Working Group / Parks as early as possible	<a href="#">Trees in the City Action Plan</a> <a href="#">Edinburgh Design Guidance</a>
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>	
Consider natural materials for kerbs.	C1-4-d
Use high quality materials- unit paving (pcc or natural stone)	C1-4-b
Consider recessed utility covers in consultation with the utility suppliers.	
Consider soft landscaping and street trees to conserve and enhance townscape character and for SUDs - discuss with Streetscape Working Group / Parks as early as possible.	
Consider retrofit SUDS materials e.g. permeable paving, etc.	C5-2-a
Consider different/high quality materials to enhance place and crossroads.	
<b>FURNITURE/FEATURES</b>	
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>	
Consolidate street poles and signs etc to declutter the street. Follow <a href="#">De-cluttering Assessment process</a>	
Presumption against guardrail - <a href="#">Apply Guardrail Assessment Process</a> for removal, retention and installation of new.	C1-9 -a
Clear walking zone (absolute min 1.5 m) from obstructions - relocate street furniture and features outside <a href="#">walking zone</a> closer to the kerb or buildings.	C1-1
Locate domestic bins and recycling units off street or on carriageway (consider implications for cycling) and public bins on footways (outside the	

walking zone).	
Poles set back 300mm from kerb	C1-1
Provide frequent seating and waste bins, at least every 50m	C1-5-a
Visitor/commuter cycle parking will be Sheffield stands or cycle hoops or toast racks. Communal residents' cycle parking will be lockable compound/container.	C2-4
Provide bus shelter and Bus Tracker at all bus stops (check current furniture contract, shelter requirements, notice boards etc) - contact public transport team.	
Locate signage on walls/ boundaries and other street furniture. Utilise existing poles to avoid erecting new ones.	
Utility chambers to be replaced if worn and if redundant, to be removed. New ones are not placed in walking zone.	
<b>• STANDARD</b>	
Consider provision for city dressing/ events infrastructure.	
Provide street lighting, aluminium columns or preferably wall mounted, 10m columns for strategic, 8m for secondary, 6m on local streets (absolute minimum 5m where building mounted), 5m on pedestrian only paths	Street Lighting Strategy
Consider CCTV requirements	C1-11-d
Assess and provide community and retail information; and wayfinding and directional signage.	Contact CEC Planning Department for Wayfinding Guidance
<b>• INNOVATIVE</b>	
Bus boarder kerbs to be consistent with existing footway material	C3-3-c
Minimise street furniture, signage and road markings, to minimise visual impact and obstruction of pedestrian space	C5-1
Use street furniture and planting as part of speed control strategy and to encourage activity on street	C1-11

## DESIGN PRINCIPLES – SERVICE SECTOR EMPLOYMENT STREETS (STRATEGIC, SECONDARY and LOCAL)

Design Emphasis



<p><b>Service Sector Employment Streets</b> will have frontage, and will typically mixed with other uses between or below/above them such as retail, tenement flats, restaurants, hotels or other types of private residence. Streets will be similar in profile to retail streets, with similar key footpath links to local facilities.</p> <p>Street design must cater for retail, leisure and social needs as well as the needs of people walking, cycling, taking public transport. Generally road traffic will be accommodated but not prioritized. Pedestrians will have priority through junctions and intersections, including across side streets. Cyclist will be separated as far as possible from traffic.</p>	
<b>STREET LAYOUT</b>	Factsheet reference
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>	
<p>Minimum width of footway:</p> <ul style="list-style-type: none"> <li>- Strategic streets: absolute min. 2m (only allowed in short sections), general min 3m, desirable min 5m or wider.</li> <li>- Secondary streets: absolute min. 2m (only allowed in short sections), general min 2.5m, desirable min 4m or wider.</li> <li>- Local streets: absolute min. 2m (only allowed in short sections), desirable min 3m or wider.</li> </ul> <p>Maximise clear "walking zone" (absolute minimum:1.5m - only allowed in short sections)</p>	C1-1-b and C1-1-a
Minimise corner radii (maximum 3m for all street types, desirable max 1m only for local streets )	C4-1-b
Provide pedestrian crossing points (controlled or uncontrolled crossings) every 50-100m. Consider raised crossings and signalised/zebra crossings at strategic points. Locate them at or near junctions to respect pedestrian desire lines. Avoid staggered crossings.	C1-2 (all f/s)
Provide pedestrian phases on all signalised junction arms and consider X (all green) crossing.	C4-2-a
Review existing Traffic Regulation Orders (TRO's).	C1-2-a
Make all crossing points suitable for wheelchairs and protected from parking/loading.	
Introduce waiting restrictions to protect all corners and, if required, the opposite kerbside of T-junctions, from parking and loading.	C-4-1b
No new vehicular footway crossovers to be introduced on strategic and secondary streets. Remove obviously redundant footway crossovers. At new and existing vehicle crossovers retain an evenly graded walking zone of at least 1.5m wide.	C1-1-c and C1-1-d
If the street forms part of the <a href="#">ATAP Quiet Routes Network (GIS)</a> or the network crosses the street, provide or at least future proof specific cycle provision of a suitable standard - consult cycle team.	C2-1 to C2-6
Provide Advanced Stop Lines at all signalised junctions.	C2-1
Provide cycle parking for commuters and visitors.	C2-4
Reduce the amount of kerbside devoted to parking and loading to support cycle/bus facilities on strategic and secondary streets. High density of short term parking and low density of long term parking.	C4-3
Consider providing bus boarders where minimum footway width of 1.5m can't be obtained (consider implications for cyclists) otherwise provide bus stop clearway of min 25m at every stop on strategic and secondary streets.	C3-1-b and C-3-d and C2-1
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>	
Install continuous footways at all uncontrolled side junctions.	C4-2-d and C4-2-b
Consider raised junctions incorporating full carriageway width of main road at key junctions.	C4-2 (all f/s)
Consider shared space at squares, key junctions/locations, public transport interchanges etc.	C1-3 (all f/s)
Consider provision of mandatory or segregated cycle lanes on strategic and secondary streets especially where traffic volumes/speeds are high. Connect them to <a href="#">ATAP Quiet Routes Network (GIS)</a> .	C2-1
Consider bus lanes with parking/loading restrictions on strategic and secondary streets.	C3-1-e
Consider retrofit SUDS e.g. bioretention, swales, etc.	C5-2-a
<ul style="list-style-type: none"> <li><b>INNOVATIVE</b></li> </ul>	
<p>Clear width of carriageway:</p> <ul style="list-style-type: none"> <li>- Strategic streets: min 6m</li> <li>- Secondary streets min 5.5m</li> <li>- Local streets min 4.5m</li> </ul>	C4-1-a
Design speed for secondary and local streets is 20mph, including bus routes	
Consider full shared space as part of a comprehensive approach to wider traffic management, especially to avoid footway parking.	C1-3
Incorporate SUDS features (swales, ponds, basins, filter strips, bioretention, etc)	C5-2-a (Green Env/ Flood prevention / SUDS)
Utility service zone generally within footways, where possible min 2.5m wide and 2m deep. Local widening of utility zone maybe required to accommodate junction boxes.	C4-1-f
<b>FABRIC/MATERIALS</b>	
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>	
Localised repairs to footway and carriage way (including surface treated cycle and bus lanes) must be in original material. Consider overlay or surface dressing to improve skid resistance (only where required), enhance appearance or extend life.	
Footways in paving slabs	C1-4-b
Contrasting grey tactile paving/ cycle warning paving	C1-4-c
Consistent use of materials (no breaks for driveways etc unless historic materials. In this situation use flat-topped setts)	C1-1-c and C4-5-b
If streets are settled then setts should be replaced with flat-topped at crossing points for wheelchairs, prams etc. use.	C1-4-b
Provide completely smooth walking zone surface (min 1.5m wide) suitable for wheelchairs, prams etc	C1-1-b and C1-1-a
Use Pre-Cast Concrete (PCC) kerbing and edging outside Conservation Areas, unless whinstone is currently used.	C1-4-d
Standard kerb height 100mm. Consider retention of natural materials.	
Carriageway HRA Asphalt or SMA. No antiskid at 20mph, 25m at 30mph. at 40mph use DMRB. Alternatively PSV stone HRA can be used.	C4-5-a
Cycle lanes and bus lanes - red chipped HRA surfacing (applied red surface on cycle lanes at safety-critical locations)	C3-3-a and C2-3-a
Bus stops- 100mm kerb upstand	C3-3-c
Minimise road markings. No centrelines on local streets with design speed of 20mph.	
Protect existing trees, and replace dead trees - discuss with Streetscape Working Group / Parks as early as possible	<a href="#">Trees in the City Action Plan</a> <a href="#">Edinburgh Design Guidance</a>
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>	
Consider natural materials for kerbs.	C1-4-d
Use high quality materials- unit paving (pcc or natural stone) at strategic locations, squares, shops, public buildings etc	C1-4-b
Consider recessed utility covers in consultation with the utility suppliers.	
Consider soft landscaping and street trees to conserve and enhance townscape character and for SUDS - discuss with Streetscape Working Group / Parks as early as possible.	
Consider retrofit SUDS materials e.g. permeable paving, etc.	C5-2-a
<b>FURNITURE/FEATURES</b>	
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>	
Consolidate street poles and signs etc to declutter the street. Follow <a href="#">De-cluttering Assessment process</a>	
Presumption against guardrail - <a href="#">Apply Guardrail Assessment Process</a> for removal, retention and installation of new.	C1-9 -a
Clear walking zone (absolute min 1.5 m) from obstructions - relocate street furniture and features outside <a href="#">walking zone</a> closer to the kerb or buildings.	C1-1
Locate domestic bins and recycling units off street or on carriageway (consider implications for cycling) and public bins on footways (outside the walking zone).	
Poles set back 300mm from kerb	C1-1
Provide seating and waste bins every 100m on strategic and secondary streets.	C1-5-a
Visitor & commuter cycle parking will be Sheffield stands or cycle hoops or toast racks. Communal cycle parking will be lockable compound/container.	C2-4
Provide bus shelter with seating and Bus Tracker at all bus stops (check current furniture contract, shelter requirements, notice boards etc) -	

contact public transport team.	
Locate signage on walls/ boundaries and other street furniture. Utilise existing poles to avoid erecting new ones.	
Utility chambers to be replaced if worn and if redundant, to be removed. New ones are not placed in walking zone.	
<b>• STANDARD</b>	
Consider provision for city dressing/ events infrastructure on strategic streets.	
Provide street lighting, aluminium columns or preferably wall mounted, 10m columns for strategic, 8m for secondary, 6m on local streets (absolute minimum 5m where building mounted), 5m on pedestrian only paths	Street Lighting Strategy
Consider CCTV requirements	C1-11-d
Assess and provide community information; and wayfinding and directional signage.	Contact CEC Planning Department for Wayfinding Guidance
<b>• INNOVATIVE</b>	
Bus boarder kerbs to be consistent with existing footway material	C3-3-c
Minimise street furniture, signage and road markings, to minimise visual impact and obstruction of pedestrian space	C5-1
Use street furniture and planting as part of speed control strategy and to encourage activity on street	C1-11

## DESIGN PRINCIPLES – HIGH DENSITY RESIDENTIAL STREETS (STRATEGIC, SECONDARY and LOCAL)

Design Emphasis

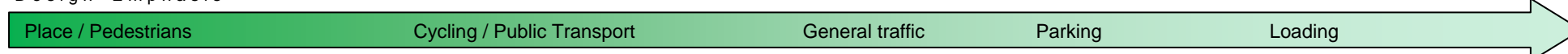
Place	Pedestrians	Cycling / Public Transport	General traffic	Parking	Loading
<p><b>High-density residential streets</b> are sometimes mixed with retail and/or non-retail employment, including traditional multi-storey tenements and other newer high density housing developments consisting of modern apartments with different street layouts and building accesses that may depart from traditional street patterns.</p> <p>Design for high density residential streets <b>will</b> emphasise social spaces, the pedestrian environment and public transport. They <b>will</b> use layout treatments to balance movement and place. Street furniture such as seating, bins, cycle and motorcycle parking, and bus shelters will be highly relevant. General road traffic will be permitted, but not prioritised. Cyclists <b>will</b> be separated as far as possible from other road traffic. Pedestrians <b>will</b> have priority through junctions and intersections, including across side streets.</p>					
<b>STREET LAYOUT</b>					Factsheet reference
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>					
Minimum width of footway:					
– Strategic and secondary streets: absolute min. 2m (only allowed in short sections), general minimum 2.5m, desirable min 3m or wider.					
– Local streets: absolute min. 2m (only allowed in short sections), desirable min 2.5m or wider.					
Maximise clear “walking zone” (absolute minimum:1.5m - only allowed in short sections)					
Minimise corner radii (maximum 3m for all street types, desirable max 1m only for local streets )					
Provide pedestrian crossing points (controlled or uncontrolled crossings) every 50-100m. Consider raised crossings and signalised/zebra crossings at strategic points. Locate them at or near junctions to respect pedestrian desire lines. Avoid staggered crossings.					
Provide pedestrian phases on all signalised junction arms and consider X (all green) crossing.					
Review existing Traffic Regulation Orders (TRO's).					
Make all crossing points suitable for wheelchairs and protected from parking/loading.					
Introduce waiting restrictions to protect all corners and, if required, the opposite kerbside of T-junctions, from parking and loading.					
No new vehicular footway crossovers to be introduced on strategic and secondary streets. Remove obviously redundant footway crossovers. At new and existing vehicle crossovers retain an evenly graded walking zone of at least 1.5m wide.					
If the street forms part of the <a href="#">ATAP Quiet Routes Network (GIS)</a> or the network crosses the street, provide or at least future proof specific cycle provision of a suitable standard - consult cycle team.					
Provide Advanced Stop Lines at all signalised junctions.					
Provide cycle parking for residents and visitors.					
Reduce the amount of kerbside devoted to parking and loading to support cycle/bus facilities on strategic and secondary streets.					
Low density of short term parking and high density of long term parking.					
Consider providing bus boarders where minimum footway width of 1.5m can't be obtained (consider implications for cyclists) otherwise provide bus stop clearway of min 25m at every stop on strategic and secondary streets.					
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>					
Install continuous footways at all uncontrolled side junctions.					
Consider raised junctions incorporating full carriageway width of main road at key junctions.					
Consider shared space at squares, key junctions/locations, public transport interchanges etc.					
Consider provision of mandatory or segregated cycle lanes on strategic and secondary streets especially where traffic volumes/speeds are high. Provide if on <a href="#">ATAP Quiet Routes Network (GIS)</a> , and consider connection to this network.					
Consider bus lanes with parking/loading restrictions on strategic and secondary streets.					
Consider retrofit SUDS e.g. bioretention, swales, etc.					
<ul style="list-style-type: none"> <li><b>INNOVATIVE</b></li> </ul>					
Clear width of carriageway:					
– Strategic and secondary streets: minimum 6m, min 6.5m for bus routes					
– Local streets minimum 4.5m, absolute min 3.3m at narrowing for speed control					
Design speed for secondary and local streets is 20mph, including bus routes					
Consider full shared space as part of a comprehensive approach to wider traffic management, especially to avoid footway parking.					
Incorporate SUDS features (swales, ponds, basins, filter strips, bioretention, etc)					
Utility service zone generally within footways, where possible min 2.5m wide and 2m deep. Local widening of utility zone maybe required to accommodate junction boxes.					
<b>FABRIC/MATERIALS</b>					
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>					
Localised repairs to footway and carriage way (including surface treated cycle and bus lanes) must be in original material. Consider overlay or surface dressing to improve skid resistance (only where required), enhance appearance or extend life.					
Footways in paving slabs					
Contrasting grey tactile paving/ cycle warning paving					
Consistent use of materials (no breaks for driveways etc unless historic materials. In this situation use flat-topped setts)					
If streets are settled then setts should be replaced with flat-topped at crossing points for wheelchairs, prams etc. use.					
Provide completely smooth walking zone surface (min 1.5m wide) suitable for wheelchairs, prams etc					
Use Pre-Cast Concrete (PCC) kerbing and edging outside Conservation Areas, unless whinstone is currently used.					
Standard kerb height 100mm. Consider retention of natural materials.					
Carriageway HRA Asphalt or SMA. No antiskid at 20mph, 25m at 30mph. at 40mph use DMRB. Alternatively PSV stone HRA can be used.					
Cycle lanes and bus lanes - red chipped HRA surfacing (applied red surface on cycle lanes at safety-critical locations)					
Bus stops- 100mm kerb upstand					
Minimise road markings. No centrelines on local streets with design speed of 20mph.					
Protect existing trees, and replace dead trees - discuss with Streetscape Working Group / Parks as early as possible					
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>					
Consider natural materials for kerbs.					
Use high quality materials- unit paving (pcc or natural stone) at strategic locations, squares, shops, public buildings etc					
Consider recessed utility covers in consultation with the utility suppliers.					
Consider soft landscaping and street trees to conserve and enhance townscape character and for SUDS - discuss with Streetscape Working Group / Parks as early as possible.					
Consider retrofit SUDS materials e.g. permeable paving, etc.					
<b>FURNITURE/FEATURES</b>					
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>					
Consolidate street poles and signs etc to declutter the street. Follow <a href="#">De-cluttering Assessment process</a>					
Presumption against guardrail - <a href="#">Apply Guardrail Assessment Process</a> for removal, retention and installation of new.					
Clear walking zone (absolute min 1.5 m) from obstructions - relocate street furniture and features outside <a href="#">walking zone</a> closer to the kerb or buildings.					
Locate domestic bins and recycling units off street or on carriageway (consider implications for cycling) and public bins on footways (outside the walking zone).					
Poles set back 300mm from kerb					
Provide seating and waste bins every 100m on strategic and secondary streets.					
Visitor cycle parking will be Sheffield stands or cycle hoops or toast racks. Communal residents' cycle parking will be lockable compound/container.					
Provide bus shelter with seating and Bus Tracker at all bus stops (check current furniture contract, shelter requirements, notice boards etc) -					

contact public transport team.	
Locate signage on walls/ boundaries and other street furniture. Utilise existing poles to avoid erecting new ones.	
Utility chambers to be replaced if worn and if redundant, to be removed. New ones are not placed in walking zone.	
<b>• STANDARD</b>	
Consider provision for city dressing/ events infrastructure on strategic streets.	
Provide street lighting, aluminium columns or preferably wall mounted, 10m columns for strategic, 8m for secondary, 6m on local streets (absolute minimum 5m where building mounted), 5m on pedestrian only paths	Street Lighting Strategy
Consider CCTV requirements	C1-11-d
Assess and provide community information; and wayfinding and directional signage.	Contact CEC Planning Department for Wayfinding Guidance
<b>• INNOVATIVE</b>	
Bus boarder kerbs to be consistent with existing footway material	C3-3-c
Minimise street furniture, signage and road markings, to minimise visual impact and obstruction of pedestrian space	C5-1
Use street furniture and planting as part of speed control strategy and to encourage activity on street	C1-11



## DESIGN PRINCIPLES – MEDIUM DENSITY RESIDENTIAL STREETS (STRATEGIC, SECONDARY and LOCAL)

Design Emphasis



<p><b>Medium density residential streets</b> consist of large semi-detached housing, closely-spaced terraces, colonies, or 2 to 3 storey villas or new apartments.</p> <p>Design for medium density residential streets <b>will</b> emphasise social spaces, the pedestrian environment and public transport. They <b>will</b> use layout treatments to balance movement and place. Street furniture such as seating, bins, cycle and motorcycle parking, and bus shelters will be highly relevant. General road traffic will be accommodated, but not prioritised. Cyclists <b>will</b> be separated as far as possible from other road traffic. Pedestrians <b>will</b> have priority through junctions and intersections, including across side streets.</p>	
<b>STREET LAYOUT</b>	Factsheet reference
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>	
<p>Minimum width of footway:</p> <ul style="list-style-type: none"> <li>– Strategic and secondary streets: absolute min. 2m (only allowed in short sections), generally 2.5m, desirable min 3m or wider.</li> <li>– Local streets: absolute min. 2m (only allowed in short sections), desirable min 2.5m or wider.</li> </ul> <p>Maximise clear “walking zone” (absolute minimum:1.5m - only allowed in short sections)</p>	C1-1-b and C1-1-a
Minimise corner radii (maximum 3m for all street types, desirable max 1m only for local streets )	C4-1-b
Provide pedestrian crossing points (controlled or uncontrolled crossings) every 50-100m. Consider raised crossings and signalised/zebra crossings at strategic points. Locate them at or near junctions to respect pedestrian desire lines. Avoid staggered crossings.	C1-2 (all f/s)
Provide pedestrian phases on all signalised junction arms and consider X (all green) crossing.	C4-2-a
Review existing Traffic Regulation Orders (TRO's).	C1-2-a
Make all crossing points suitable for wheelchairs and protected from parking/loading.	
Introduce waiting restrictions to protect all corners and, if required, the opposite kerbside of T-junctions, from parking and loading.	C-4-1b
Remove obviously redundant footway crossovers. At new and existing vehicle crossovers retain an evenly graded walking zone of at least 1.5m wide.	C1-1-c and C1-1-d
If the street forms part of a <a href="#">ATAP Quiet Routes Network (GIS)</a> or the network crosses the street, provide or at least future proof specific cycle provision of a suitable standard - consult cycle team.	C2-1 to C2-6
Provide Advanced Stop Lines at all signalised junctions.	C2-1
Provide cycle parking for residents and visitors.	C2-4
Reduce the amount of kerbside devoted to parking and loading to support cycle/bus facilities on strategic and secondary streets	C4-3
Low density of short term parking and high density of long term parking.	
Consider providing bus boarders where minimum footway width of 1,5m can't be obtained (consider implications for cyclists) otherwise provide bus stop clearway of min 25m at every stop on strategic and secondary streets.	C3-1-b and C-3-d and C2-1
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>	
Install continuous footways at all uncontrolled side junctions.	C4-2-d and C4-2-b
Consider raised junctions incorporating full carriageway width of main road at key junctions.	C4-2 (all f/s)
Consider shared space at squares, key junctions/locations, public transport interchanges etc.	C1-3 (all f/s)
Consider provision of mandatory or segregated cycle lanes on strategic and secondary streets especially where traffic volumes/speeds are high. Provide if on <a href="#">ATAP Quiet Routes Network (GIS)</a> , and consider connection to this network	C2-1
Consider locating bus lanes with parking/loading restrictions on strategic and secondary streets.	C3-1-e
Consider retrofit SUDS e.g. bioretention, swales, etc.	C5-2-a
<ul style="list-style-type: none"> <li><b>INNOVATIVE</b></li> </ul>	
Clear width of carriageway:	C4-1-a
<ul style="list-style-type: none"> <li>– Strategic and secondary streets: minimum 6m, min 6.5m for bus routes</li> <li>– Local streets minimum 4.5m, absolute min 3.3m at narrowing for speed control</li> </ul>	
Design speed for secondary and local streets is 20mph, including bus routes	
Consider full shared space as part of a comprehensive approach to wider traffic management, especially to avoid footway parking.	C1-3
Incorporate SUDS features (swales, ponds, basins, filter strips, bioretention, etc)	C5-2-a (Green Env/ Flood prevention / SUDs)
Utility service zone generally within footways, where possible min 2.5m wide and 2m deep. Local widening of utility zone maybe required to accommodate junction boxes.	C4-1-f
<b>FABRIC/MATERIALS</b>	
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>	
Localised repairs to footway and carriage way (including surface treated cycle and bus lanes) must be in original material. Consider overlay or surface dressing to improve skid resistance (only where required), enhance appearance or extend life.	
Footways in paving slabs	C1-4-b
Contrasting grey tactile paving/ cycle warning paving	C1-4-c
Consistent use of materials (no breaks for driveways etc unless historic materials. In this situation use flat-topped setts)	C1-1-c and C4-5-b
If streets are settled then setts should be replaced with flat-topped at crossing points for wheelchairs, prams etc. use.	C1-4-b
Provide completely smooth walking zone surface (min 1.5m wide) suitable for wheelchairs, prams etc	C1-1-b and C1-1-a
Use Pre-Cast Concrete (PCC) kerbing and edging outside Conservation Areas, unless whinstone is currently used.	C1-4-d
Standard kerb height 100mm. Consider retention of natural materials.	
Carriageway HRA Asphalt or SMA. No antiskid at 20mph, 25m at 30mph. at 40mph use DMRB. Alternatively PSV stone HRA can be used.	C4-5-a
Cycle lanes and bus lanes - red chipped HRA surfacing (applied red surface on cycle lanes at safety-critical locations)	C3-3-a and C2-3-a
Bus stops- 100mm kerb upstand	C3-3-c
Minimise road markings. No centrelines on local streets with design speed of 20mph.	
Protect existing trees, and replace dead trees - discuss with Streetscape Working Group / Parks as early as possible	<a href="#">Trees in the City Action Plan</a> <a href="#">Edinburgh Design Guidance</a>
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>	
Consider natural materials for kerbs.	C1-4-d
Use high quality materials- unit paving (pcc or natural stone) at strategic locations, squares, shops, public buildings etc	C1-4-b
Consider recessed utility covers in consultation with the utility suppliers.	
Consider soft landscaping and street trees to conserve and enhance townscape character and for SUDS - discuss with Streetscape Working Group / Parks as early as possible.	
Consider retrofit SUDS materials e.g. permeable paving, etc.	C5-2-a
<b>FURNITURE/FEATURES</b>	
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>	
Consolidate street poles and signs etc to declutter the street. Follow <a href="#">De-cluttering Assessment process</a>	
Presumption against guardrail - <a href="#">Apply Guardrail Assessment Process</a> for removal, retention and installation of new.	C1-9 -a
Clear walking zone (absolute min 1.5 m) from obstructions - relocate street furniture and features outside <a href="#">walking zone</a> closer to the kerb or buildings.	C1-1
Locate domestic bins and recycling units off street or on carriageway (consider implications for cycling) and public bins on footways (outside the walking zone).	
Poles set back 300mm from kerb	C1-1
Provide seating and waste bins every 200m on strategic and secondary streets.	C1-5-a
Visitor cycle parking will be Sheffield stands or cycle hoops or toast racks. Communal residents' cycle parking will be lockable compound/container.	C2-4
Provide bus shelter with seating and Bus Tracker at all bus stops (check current furniture contract, shelter requirements, notice boards etc) - contact public transport team.	



Locate signage on walls/ boundaries and other street furniture. Utilise existing poles to avoid erecting new ones.	
Utility chambers to be replaced if worn and if redundant, to be removed. New ones are not placed in walking zone.	
<b>• STANDARD</b>	
Consider provision for city dressing/ events infrastructure on strategic streets.	
Provide street lighting, aluminium columns or preferably wall mounted, 10m columns for strategic, 8m for secondary, 6m on local streets (absolute minimum 5m where building mounted), 5m on pedestrian only paths	Street Lighting Strategy
Consider CCTV requirements	C1-11-d
Assess and provide community information; and wayfinding and directional signage.	Contact CEC Planning Department for Wayfinding Guidance
<b>• INNOVATIVE</b>	
Bus boarder kerbs to be consistent with existing footway material	C3-3-c
Minimise street furniture, signage and road markings, to minimise visual impact and obstruction of pedestrian space	C5-1
Use street furniture and planting as part of speed control strategy and to encourage activity on street	C1-11

## DESIGN PRINCIPLES – LOW DENSITY RESIDENTIAL STREETS (STRATEGIC, SECONDARY and LOCAL)

Design Emphasis



<p><b>Low-density residential streets</b> with their own private frontage/gardens and off-street car parking typically in suburban areas outside of the central areas of the city. These include 1-2 storey and less densely spaced family dwellings such as semi-detached houses or bungalows in Colinton.</p> <p>Design for strategic streets will permit movements by all street users on an equal basis while secondary and local streets will prioritise pedestrian movements and play on streets. They <b>will</b> be simple streets. Trees will help improve the sense of enclosure on these streets.</p>	
<b>STREET LAYOUT</b>	Factsheet reference
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul> <p>Minimum width of footway ( N/A in shared space):</p> <ul style="list-style-type: none"> <li>– Strategic streets: absolute min. 2m, generally 2.5, desirably wider than 2.5m</li> <li>- Local and secondary streets: absolute min. 2m, desirably wider than 2m.</li> </ul> <p>Maximise clear “walking zone” (absolute minimum:1.5m - only allowed in short sections)</p> <p>Minimise corner radii (maximum 6m for all street types, desirable max 3m for local and secondary streets )</p> <p>Provide pedestrian crossing points (controlled or uncontrolled crossings) at least every 200m . Consider raised crossings and signalised/zebra crossings at strategic points. Locate them at or near junctions to respect pedestrian desire lines. Avoid staggered crossings.</p> <p>Provide pedestrian phases on all signalised junction arms and consider X (all green) crossing.</p> <p>Review existing Traffic Regulation Orders (TRO's).</p> <p>Make all crossing points suitable for wheelchairs and protected from parking/loading.</p> <p>Introduce waiting restrictions to protect all corners and, if required, the opposite kerbside of T-junctions, from parking and loading.</p> <p>Remove obviously redundant footway crossovers. At new and existing vehicle crossovers retain an evenly graded walking zone of at least 1.5m wide.</p> <p>If the street forms part of the <a href="#">ATAP Quiet Routes Network (GIS)</a> or the network crosses the street, provide or at least future proof specific cycle provision of a suitable standard - consult cycle team.</p> <p>Provide Advanced Stop Lines at all signalised junctions.</p> <p>Provide cycle parking for residents and visitors at strategic locations such as shops, libraries, etc.</p> <p>Reduce the amount of kerbside devoted to parking and loading to support cycle/bus facilities on strategic and secondary streets.</p> <p>Low density of short term parking and high density of long term parking.</p> <p>Consider providing bus boarders where minimum footway width of 1.5m can't be obtained (consider implications for cyclists) otherwise provide bus stop clearway of min 25m at every stop on strategic and secondary streets.</p>	<p>C1-1-b and C1-1-a</p> <p>C4-1-b</p> <p>C1-2 (all f/s)</p> <p>C4-2-a</p> <p>C1-2-a</p> <p>C-4-1b</p> <p>C1-1-c and C1-1-d</p> <p>C2-1 to C2-6</p> <p>C2-1</p> <p>C2-4</p> <p>C4-3</p> <p>C3-1-b and C-3-d and C2-1</p>
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul> <p>Install continuous footways at all uncontrolled side junctions.</p> <p>Consider raised junctions incorporating full carriageway width of main road at key junctions.</p> <p>Consider shared space at squares, key junctions/locations, public transport interchanges etc.</p> <p>Consider full length shared space, if problems of footway parking.</p> <p>Consider provision of mandatory or segregated cycle lanes on strategic and secondary streets especially where traffic volumes/speeds are high. Provide if on <a href="#">ATAP Quiet Routes Network (GIS)</a>, and consider connections to this network</p> <p>Consider bus lanes with parking/loading restrictions on strategic and secondary streets.</p> <p>Consider retrofit SUDS eg bioretention, swales etc.</p>	<p>C4-2-d and C4-2-b</p> <p>C4-2 (all f/s)</p> <p>C1-3 (all f/s)</p> <p>C2-1</p> <p>C3-1-e</p> <p>C5-2-a</p>
<ul style="list-style-type: none"> <li><b>INNOVATIVE</b></li> </ul> <p>Clear width of carriageway:</p> <ul style="list-style-type: none"> <li>– Strategic and secondary streets: minimum 6m, min 6.5m for bus routes</li> <li>– Local streets minimum 4.5m, absolute min 3.3m at narrowing for speed control</li> </ul> <p>Design speed for secondary and local streets is 20mph, including bus routes</p> <p>Consider full shared space as part of a comprehensive approach to wider traffic management, especially to avoid footway parking.</p> <p>Incorporate SUDS features (swales, ponds, basins, filter strips, bioretention, etc)</p> <p>Utility service zone generally within footways, where possible min 2.5m wide and 2m deep. Local widening of utility zone maybe required to accommodate junction boxes.</p>	<p>C4-1-a</p> <p>C1-3</p> <p>C5-2-a (Green Env/ Flood prevention / SUDs)</p> <p>C4-1-f</p>
<b>FABRIC/MATERIALS</b>	
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul> <p>Localised repairs to footway and carriage way (including surface treated cycle and bus lanes) must be in original material. Consider overlay or surface dressing to improve skid resistance (only where required), enhance appearance or extend life.</p> <p>Footways in HRA. PCC paving at strategic locations or higher use locations eg shops, public building etc.</p> <p>Contrasting grey tactile paving/ cycle warning paving</p> <p>Consistent use of materials (no breaks for driveways etc unless historic materials. In this situation use flat-topped setts)</p> <p>If streets are settled then setts should be replaced with flat-topped at crossing points for wheelchairs, prams etc. use.</p> <p>Provide completely smooth walking zone surface (min 1.5m wide) suitable for wheelchairs, prams etc</p> <p>Use Pre-Cast Concrete (PCC) kerbing and edging outside Conservation Areas, unless whinstone is currently used.</p> <p>Standard kerb height 100mm. Consider retention of natural materials.</p> <p>Carriageway HRA Asphalt or SMA. No antiskid at 20mph, 25m at 30mph. at 40mph use DMRB. Alternatively PSV stone HRA can be used.</p> <p>Cycle lanes and bus lanes - red chipped HRA surfacing (applied red surface on cycle lanes at safety-critical locations)</p> <p>Bus stops- 100mm kerb upstand</p> <p>Minimise road markings. No centrelines on local streets with design speed of 20mph.</p> <p>Protect existing trees, and replace dead trees - discuss with Streetscape Working Group / Parks as early as possible</p>	<p>C1-4-b</p> <p>C1-4-c</p> <p>C1-1-c and C4-5-b</p> <p>C1-4-b</p> <p>C1-1-b and C1-1-a</p> <p>C1-4-d</p> <p>C4-5-a</p> <p>C3-3-a and C2-3-a</p> <p>C3-3-c</p> <p><a href="#">Trees in the City Action Plan</a> <a href="#">Edinburgh Design Guidance</a></p>
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul> <p>Consider natural materials for kerbs.</p> <p>Use high quality materials- unit paving (pcc or natural stone) at strategic locations, squares, shops, public buildings etc</p> <p>Consider recessed utility covers in consultation with the utility suppliers.</p> <p>Consider soft landscaping and street trees to conserve and enhance townscape character and for SUDS - discuss with Streetscape Working Group / Parks as early as possible.</p> <p>Consider retrofit SUDS materials i.e. Permeable paving</p>	<p>C1-4-d</p> <p>C1-4-b</p> <p>C5-2-a</p>
<b>FURNITURE/FEATURES</b>	
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul> <p>Consolidate street poles and signs etc to declutter the street. Follow <a href="#">De-cluttering Assessment process</a></p> <p>Presumption against guardrail - <a href="#">Apply Guardrail Assessment Process</a> for removal, retention and installation of new.</p> <p>Clear walking zone (absolute min 1.5 m) from obstructions - relocate street furniture and features outside <a href="#">walking zone</a> closer to the kerb or buildings.</p> <p>Locate domestic bins and recycling units off street or on carriageway (consider implications for cycling) and public bins on footways (outside the walking zone).</p> <p>Poles set back 300mm from kerb</p> <p>Provide low density seating and waste bins every 200m on strategic and secondary streets.</p> <p>Visitor cycle parking will be Sheffield stands or cycle hoops or toast racks.</p> <p>Provide bus shelter with seating at all stops and Bus Tracker at strategic and secondary streets only (check current furniture contract, shelter requirements, notice boards etc) - contact public transport team.</p> <p>Locate signage on walls/ boundaries and other street furniture. Utilise existing poles to avoid erecting new ones.</p>	<p>C1-9 -a</p> <p>C1-1</p> <p>C1-1</p> <p>C1-5-a</p> <p>C2-4</p>

Utility chambers to be replaced if worn and if redundant, to be removed. New ones are not placed in walking zone.	
• <b>STANDARD</b>	
Provide street lighting, aluminium columns or preferably wall mounted, 10m columns for strategic, 8m for secondary, 6m on local streets (absolute minimum 5m where building mounted), 5m on pedestrian only paths	Street Lighting Strategy
Consider CCTV requirements	C1-11-d
Assess and provide community information; and wayfinding and directional signage.	Contact CEC Planning Department for Wayfinding Guidance
Street furniture to form a family of materials and styles	C1-11
• <b>INNOVATIVE</b>	
Bus boarder kerbs to be consistent with existing footway material	C3-3-c
Minimise street furniture, signage and road markings, to minimise visual impact and obstruction of pedestrian space	C5-1
Use street furniture and planting as part of speed control strategy and to encourage activity on street	C1-11

## DESIGN PRINCIPLES – INDUSTRIAL EMPLOYMENT STREETS (STRATEGIC, SECONDARY AND LOCAL)

Design Emphasis

Public Transport	Pedestrians / Cycling	Place	General traffic	Loading	Parking
<p><b>Industrial employment streets</b> will have very little frontage, and will typically be on the outskirts of towns, often in industrial estates or industry parks. Industrial streets will generally have a lower sense of place, will often have on-street parking, and will have a wider profile to accommodate service vehicles.</p> <p>Street design must meet the needs of service vehicles as well as people walking, cycling, and taking public transport, all in a constrained space.</p>					
<b>STREET LAYOUT</b>					Factsheet reference
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>					
Minimum width of footway					C1-1-a
<ul style="list-style-type: none"> <li>- Strategic and secondary streets: absolute min. 2m, general minimum 2.5m, desirable min 3m</li> <li>- Local streets: absolute min. 2m, desirable min 2.5m</li> <li>- Maximise clear "walking zone" (absolute minimum:1.5m - only allowed in short sections)</li> </ul>					
Corner radii- where possible, reduce to maximum 9m, consistent with the following: Vehicle tracking to ensure appropriate radii for required HGV manoeuvres Use of full width of minor roads to make turns is acceptable. Cars and light vans should be able to make turns at junctions with secondary roads without impinging onto opposing traffic. All vehicles should be able to make turns at junctions onto strategic roads without impinging onto opposing traffic					C4-1-b
Provide pedestrian crossing points (controlled or uncontrolled crossings) at least every 100 on strategic, 50 m on secondary and local streets. Locate them at or near junctions to respect pedestrian desire lines. Avoid staggered crossings.					C1-2 (all f/s)
Provide pedestrian phases on all signalised junction arms and consider <a href="#">X crossings</a> at junctions with heavy pedestrian use					C4-2-a
Make all crossing points suitable for wheelchairs and protected from parking/loading					
Remove obviously redundant footway crossovers. At existing vehicle crossovers retain an evenly graded walking zone of at least 1.5m wide.					C1-1-c and C1-1-d
If the street forms part of the <a href="#">ATAP Quiet Routes Network (GIS)</a> or the network crosses the street, provide or at least future proof specific cycle provision of a suitable standard - consult cycle team					C2-1 to C2-6
Provide Advanced Stop Lines at all signalised junctions					C2-1
Provide cycle parking for visitors and commuters					C2-4
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>					
Strategic streets with higher pedestrian volumes, consider providing bus boarders where minimum clear footway width of 0.9m can't be obtained at bus stops (consider implications for cyclists) otherwise provide bus stop clearway of min 25m at every stop					C3-1-b and C-3-d and C2-1
On Strategic and secondary streets with significant bus frequency, consider bus lanes where queuing occurs					C3-1-e
<ul style="list-style-type: none"> <li><b>INNOVATIVE</b></li> </ul>					
Clear width of carriage way: (all subject to vehicle tracking)					C4-1-a
<ul style="list-style-type: none"> <li>- Strategic streets: min 6m, desirably 7.3m or more.</li> <li>- Secondary streets: min 6m, desirably 6.5m or more.</li> <li>- Local streets min 4.5m, desirably 6m.</li> </ul>					
Consider shared space at key locations, PT interchanges etc.					C1-3 (all f/s)
Incorporate SUDS features (swales, ponds, basins, filter strips, bioretention, etc)					C5-2-a
On strategic and secondary streets with significant bus frequency, consider bus lanes with parking/loading restrictions.					C3-1-e
Utility service zone generally within footways, where possible min 2.5m wide and 2m deep. Local widening of utility zone maybe required to accommodate junction boxes.					C4-1-f
<b>FABRIC/MATERIALS</b>					
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>					
Footways HRA surfacing. PCC paving at special or higher use location e.g. frontages to shops, public buildings, etc.					C1-4-b
Contrasting grey tactile paving/ cycle warning paving					C1-4-c
Use Pre-Cast Concrete (PCC) kerbing and edging outside Conservation Areas, unless whinstone is currently used. Standard kerb height 100mm.					C1-4-d
Carriageway HRA Asphalt or SMA. No antiskid at 20mph, 25m at 30mph. 40mph use DMRB. Alternatively PSV stone HRA can be used.					C4-5-a
Cycle lanes or shared cycle/pedestrian areas and bus lanes - red chipped HRA surfacing (applied red surface on cycle lanes at safety-critical locations)					C3-3-a and C2-3-a
No centrelines on local 20mph streets					
Minimise road markings.					
Protect existing trees, and replace dead trees - discuss with Streetscape Working Group / Parks as early as possible					<a href="#">Trees in the City Action Plan</a>
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>					
Consider natural materials for kerbs.					C1-4-d
Incorporate SUDS measures					
Bus stops- 125mm kerb upstand					C3-3-c
Consider retrofit SUDS materials i.e. Permeable paving					C5-2-a (Green Env / Flood Prevention / SUDS)
<b>FURNITURE/FEATURES</b>					
<ul style="list-style-type: none"> <li><b>BASIC</b></li> </ul>					
Follow <a href="#">De-cluttering Assessment process</a>					
Presumption against guardrail - <a href="#">Apply Guardrail Assessment Process</a>					C1-9 -a
<ul style="list-style-type: none"> <li><b>STANDARD</b></li> </ul>					
Provide completely smooth walking zone surface (min 1.5m wide) suitable for wheelchairs, prams etc					C1-1-b and C1-1-a
Protect existing trees, and replace dead trees - discuss with Streetscape Working Group / Parks as early as possible					<a href="#">Trees in the City Action Plan</a> <a href="#">Edinburgh Design Guidance</a>
Provide wayfinding and directional signage. Locate them on walls/ boundaries and other street furniture					Contact CEC Planning Department for Wayfinding Guidance
Utility requirements (chambers replaced and removed if redundant)					
Poles set back generally 300mm from kerb					C1-1
Visitor/commuter cycle parking will be Sheffield stands or cycle hoops (or bespoke toast racks).					C2-4
<ul style="list-style-type: none"> <li><b>INNOVATIVE</b></li> </ul>					
Provide bus shelter with seating at all stops and Bus Tracker at interchange points (check current furniture contract, shelter requirements, notice boards etc) - Contact PT officers					C3-4-a
Minimise street furniture, signage and road markings, to minimise visual impact and obstruction of pedestrian space					C5-1
Use street furniture and planting as part of speed control strategy and to encourage activity on street					C1-11

## DESIGN PRINCIPLES- World Heritage Site, Conservation Areas, Listed Buildings, Natural heritage and biodiversity designations

### Key Principles

- Reinforce the character of the Place
- Seek to use traditional materials

These principles will be achieved by applying the following supplementary objectives:

- Innovative and creative solutions (artistic interventions)
- Create flexible spaces that allow a range of activities (future proof)
- Maintain the design philosophy of original scheme (especially with materials and details)
- Include facilities for events and city dressing etc

Edinburgh has a considerable number of areas that are specially protected. Edinburgh's network of streets pass through many of these protected areas which means that the choice of layout, the materials used and street furniture / features; such as street lighting; have to take into account the character and potential impact of any changes being made.

**World Heritage Site (WHS)** status is protected through the combination of its conservation area designation, the considerable number of listed buildings and natural environment designations.

**Conservation areas** have special architectural or historic interest. There are 49 in Edinburgh and details can be found in each report (link to CACA's).

The Council must protect these areas, and there are extra rules to control building work. Conservation area management plans include more information to help protect conservation areas. The two management plans are for the Leith and Inverleith conservation areas (include links).



*Vennel Steps*



*George Street / Castle Street*

**Listed Buildings** protect both the internal as well as the external features of the building. This will include features that interface with streets, such as outbuildings, boundary walls and features such as lighting, gateways and materials such as paving and settled surfaces. Listed buildings are afforded statutory protection which means that changes that take place that could affect its character as a building of architectural or historic interest are controlled.



**Designed Landscapes, Tree Preservation Orders (TPO's) SSSI's LNR's etc** protect special landscapes and areas of biodiversity. Changes to the landscape as well as the timing of work can be harmful to some habitats and species.

All of these specially protected places are mapped on the Council's GIS system and many are shown on the maps in the Local Development Plan for Edinburgh (include link)

The following Principles will apply :

- **Identify** constraints or requirements that may apply if you are within or adjacent to a designated place or feature (protect, retain, preserve and enhance etc)
- **retain and protect** historic/ natural features, with reference to:
  - natural stone paving or setts, kerbs and channels, mounting stones or lighting plinths, coal chutes, lighting columns, boundary walls, entrance stones, railings and original light fittings etc (link to paving the way and settled streets report at EWH)
  - areas of natural habitat, landscape and trees
  - vulnerable features/ species
- **Preserve and enhance** the character of the place, with reference to:
  - the setting to buildings, landscape , topography
  - use natural materials in the WHS and key streets in Conservation Areas
  - consider reproduction lighting (in the WHS or key locations) or conservation lighting
  - repair original lighting
  - repair settled streets or add new settled streets and features
  - replace railings/ gates and improve boundary treatments
  - historic information and interpretation / wayfinding
- **Respect and contribute to** local character - layout and overall design arrangement and detailing with reference to:
  - proportion
  - materials
  - recognisable street pattern, building, footway, road
- Careful consideration will need to be given to introducing new trees in the World Heritage Site and Conservation Areas, including the use of temporary planting measures.



*Grassmarket*

## DESIGN PRINCIPLES - Squares and significant streets, key nodes / intersections and spaces around public buildings and attractions

These special locations tend to have 24 hour activity. Designs should take account of requirements for flexibility of use and night time lighting etc. These areas will have an overriding place function. They will provide a non-transport function, such as sitting or relaxing, although will sometimes feature priority routes for through movements by foot or bike.

Edinburgh has few urban squares and its public spaces are either gardens or significant streets.



*St Andrew Square*

**Squares** and **significant streets** have an important role in the city for events and activities and have pedestrian priority. It is important that squares are well connected with routes and have ground floor activity to maintain surveillance at all times of the day.

**Key nodes / intersections** often feature key buildings and are where people naturally meet and gather together. They can have a greater amount of space than in the adjoining street network. They will provide interesting spaces including seating, vegetation, art and / or enhanced footway fabric treatments or detail.

**Public Buildings and attractions** will have high numbers of pedestrians. Often distinctive buildings, they will benefit from additional space around their entrances and facilities such as cycle parking and high quality/hard wearing footway fabric.

## DESIGN PRINCIPLES - Streets fronting water (coastal or river) and important greenspaces (parks and gardens)

These places will also require special consideration, with careful choice of night time lighting, particularly for waterfront areas. Many of these areas will have a bespoke character and may also be protected, which will require appropriate use of street furniture to maintain the unique character of these areas.

Edinburgh has an extensive green network (parks, gardens and green corridors) and blue network, (rivers, canals and the waterfront).

Streets and Paths adjacent to these spaces should:

- respond to the character of the area with details and boundary treatments;
- ensure streets provide for pedestrian connectivity and access to these places at suitable locations



*Fountainquay*



## DESIGN PRINCIPLES - FOOTPATHS

Footpaths between places, such as neighbourhood facilities and local transport services, should be safe and easy. Links should be direct, follow desire lines and avoid deviation to minimise distances travelled. This involves looking at safe and attractive access points into and through street blocks and to and from everyday activity destinations. Design should give special consideration to the young, old and those with disabilities. Common issues include people having to walk around 'three sides of a square' to get around road junctions or having to wait excessive lengths of time to cross roads using multi-staged, button-controlled, crossings.

### Accessibility considerations:

- SURFACING: Cohesive/stable, level/ well-maintained (designed to accommodate wheeled users)
- GRADIENT: Free of abrupt changes (e.g. slopes, steps, kerbs)
- ACCESS: Free from barriers such as footway obstructions (parked cars, street furniture (signs, bins), overgrown foliage/vegetation)
- CONTINUITY: Continuous without gaps
- DIRECTNESS: Shortcuts and gates to respect desire lines (filtered permeability) minimising detours
- CROSSINGS: Well-designed, efficient/well-timed and direct pedestrian crossing opportunities at junctions, roundabouts and across roads - to respect desire lines

### Safety and security considerations:

- AFTER DARK SECURITY: Lighting
- DAYTIME SECURITY: CCTV
- VISIBILITY: Overlooked, no blind corners/alleys
- QUALITY OF SPACE: Friendly and interesting surroundings (quality of built environment, greenery, presence of people)

### Comfort considerations:

- DRAINAGE: Well drained and free of puddles in the wet
- CLEANLINESS: Free of litter, grime and criminal damage
- NUISANCE: Low perceived levels of noise and air pollution
- SEATING: Provision of regular seating opportunities

### Information provision considerations:

- CONSPICUITY: Walking routes easy to find and follow
- WAY-FINDING: Presence of accurate, continuous, legible directional information/signage (including destinations, distances in time, and symbols and pictures where appropriate)
- VISUAL CLUES: Use of landmarks, focal points or distinctive foliage

## DESIGN PRINCIPLES - CYCLE PATHS

Cycle paths between places such as neighbourhood facilities and local transport services should be safe and easy. Supporting facilities such as cycle parking will need to be well-designed, easy and attractive to use, and fit-for-purpose to encourage their use by cyclists.



### Accessibility considerations:

- **PROVISION:** Dedicated paths or shared paths with pedestrians
- **GRADIENT:** Free of abrupt changes (e.g. slopes, steps, kerbs) and as shallow as possible
- **WIDTH:** Adequate (e.g. 3m minimum for a shared-use path, at least 3.5m when adjacent to carriageway)
- **DIRECTNESS:** Cycle shortcuts and routes to respect desire lines (filtered permeability) minimising detours. Routes unimpeded by “no cycling” regulations
- **CONTINUITY:** Continuous without gaps
- **PASSAGE:** Routes unimpeded by permanent barriers or abrupt/sudden changes in direction
- **CROSSINGS:** Well-designed, efficient/well-timed and direct cycle crossing opportunities  
Toucan crossings allowing cyclists to cross roads mounted
- **SPEEDS:** Appropriate design speeds on dedicated/off-road cycle routes for a mix of riders (e.g. 8-20+mph)
- **SURFACING:** Cohesive/stable, level/well-maintained (including road margins)
- **PARKING:** Nearby off-site cycle parking and at local destinations (e.g. post office/ convenience store)
- **CONSPICUITY:** Cycling routes easy to find and follow
- **WAY-FINDING:** Presence of accurate, continuous, legible directional information/signage/milestones (including destinations, distances in time, and symbols and pictures where appropriate)

## DESIGN PRINCIPLES - ATAP's Quiet Routes

Edinburgh is developing a network of [Quiet Routes](#) specifically aimed at broadening the appeal of cycling around the city. The routes seek to cater for the many people who do not feel comfortable cycling amongst any significant volume of motorised traffic. The routes do not conform to the general movement categorisation but require specific interventions, notably high quality facilities for cyclist on busier streets or any crossings of busier streets.

Streets and paths that are part of this network should be designed in consultation with the Council's Cycle Team. As a general guide, the following principles / standards will apply:

### Local Streets

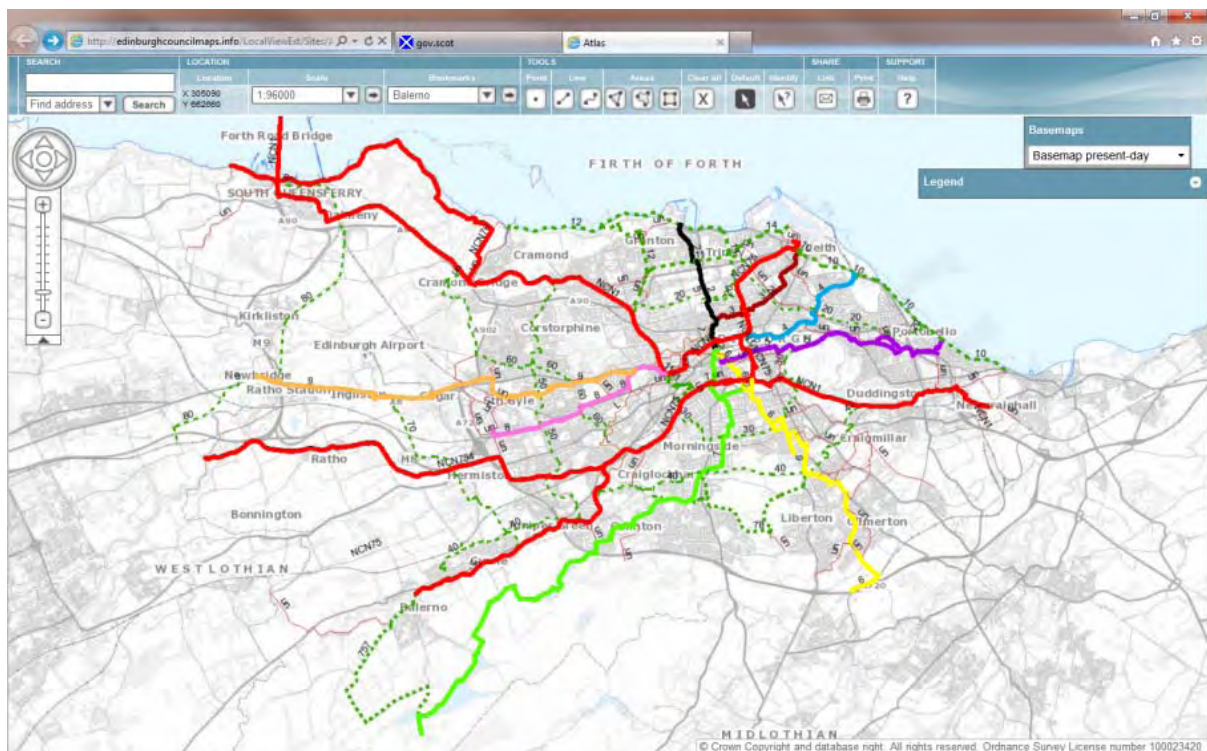
The emphasis will be on providing a high standard of safe crossings where these streets join or cross secondary or strategic streets.

### Secondary Streets

Physically segregated cycle facilities (using kerb or similar) will generally be necessary.

### Strategic Streets

Physically segregated cycle facilities (using kerb or similar) will always be necessary.



Map of ATAP Quiet Routes on CEC's map website  
(<http://edinburghcouncilmaps.info/LocalViewExt/Sites/Atlas/>)

# Frequently Asked Questions

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## **How does this guidance relate to Designing Streets (DS)?**

This Edinburgh Street Design Guidance aligns with Designing Streets which will be the next point of reference for issues that are not covered within this Guidance.

## **Is the approach in this guidance likely to increase more risk than conventional designs?**

The guidance itself should help justify the use of the design approach it advocates, in addition to the use of the quality audit approach. This involves balancing new risks against benefits, for example reduced risk to vulnerable users can be balanced against increased risk to less vulnerable users.

The Council aims to create successful places with fewer and less serious road casualties. To do this, the Council sets a default design speed in residential areas as 20mph; recommends the use of tighter radii at junctions for cyclist safety and pedestrian crossing convenience; supports the use of innovative concepts to create psychological traffic calming; and aims to optimise the use of pedestrian guardrail and minimum the use of signs and markings. Further justification for the design principles within this guidance can be found in Designing Streets policy.

## **The guidance does not deal with a particular design issue – should I revert to DBRB instead?**

For any layout issues on urban streets, no. The appropriate guidance suitable for urban streets layout should be available within this guidance, and Designing Streets makes it clear that DMRB should not be used in urban areas. There are however certain specific areas, for example in relation to bridges or roads which provide some form of structural support, where DMRB remains appropriate.

## **What about Safety and Safety Audits?**

Safety audits, if appropriate, should not be carried out in isolation but as an integrated part of a quality audit that also checks the scheme's compliance with its objectives, and equalities legislation. The audit should identify safety risks and the scale of these risks in relation to the impact of reducing or eliminating the risk on safety and other scheme objectives. For example, whilst installation of guard railing may seem to eliminate the risk of someone unwittingly stepping off the footway into traffic, this benefit is likely to be outweighed in many locations by its negative impacts on pedestrian accessibility, safety of cyclists and streetscape/visual impact.

## **Do the Construction (Design and Management) Regulations 2015 (CDM) still apply?**

Yes. CDM 2015 came into force on 6 April 2015, and encompasses the applicable law which applies to the whole construction process on all construction projects, from concept, through to completion, maintenance and eventual demolition. Designers must ensure that their designs comply with this legislation and that their respective duties are carried out.

## **What about Road Construction Consent (RCC) and Adoption?**

Provision of roads for new developments is controlled and consented by the CEC authority through the Roads Construction Consent (RCC) process, governed by Section 21 of the Roads (Scotland) Act 1984. For the purposes of adoption, all streets are deemed to be roads under this Act. If the road is adopted, it will in the future be maintainable by CEC. In general terms, a full adoption plan is expected to be submitted by developers at the planning stage.

## **Will CEC adopt landscape features?**

Maintenance arrangements for all planted areas should be established at an early stage, as they affect the design, including the choice of species and their locations. The approval and maintenance of proposed planting within the road boundary will be required to comply with Sections 50 and 51 of the Roads (Scotland) Act 1984. Landscape features must be included on the roads adoptions plan.

## **What about SUDS features?**

CEC will generally adopt SUDS features which are included, or intended to be included within adopted roads, or adopted landscape features. It is important for SUDS designers to engage with CEC drainage and RCC engineers at an early stage. 'SUDS for Roads' guidance contains expert advice for designers on this matter. Further information and guidance should be sought from the SUDS factsheet (C5-2).

## **What about private streets?**

Where a developer wishes streets to remain privately maintained, conditions will be incorporated into the planning approval to require the developer to design, construct and to make arrangements for the future maintenance of the new streets to a standard acceptable to the authority and residents of the development. This agreement may still require the submission and approval of an RCC under the terms of Section 21 of the Act, and all roads serving more than 2 properties must be open for public access (i.e. not gated).

## **Will design and approval processes take longer?**

More often than not, identifying and resolving conflicting interests/issues earlier in the design process based on the principles set out in this guidance could actually reduce the time for the approval and implementation stages of a scheme, as the guidance follows Scottish Government policies and principles, and the Council supports their use through this Guidance.

## **Where can I get further help/advice?**

Further advice can be sought by sending an e-mail to the following:  
[street.design@edinburgh.gov.uk](mailto:street.design@edinburgh.gov.uk)



Item No 6.2 (b)

# Guidance for Householders

February 2016



# Guidance for Householders



For listed buildings or conservation areas in the rural west, the Rural West Edinburgh Local Plan sets out the equivalent provision.

Both local plans will be superseded when the Edinburgh Local Development Plan is adopted, in 2016. It sets out equivalent policies.

## Introduction

This document sets out guidance for people considering altering or extending their house. It does not cover new houses even if built in the gardens of existing properties – these should meet the requirements set out in *Edinburgh Design Guidance*.

All house extensions and alterations – including dormers, conservatories, decking, energy devices and replacement doors and windows - should be well designed and of high quality. In particular, they must meet three key requirements. They should

- complement the existing house, leaving it as the dominant element;
- maintain the quality and character of the surrounding area; and
- respect the amenity of adjacent neighbours.

**The appointment of an architect is strongly encouraged in all cases.**

This document follows the step-by-step sequence from your initial ideas through to obtaining consent:

**Work out your space requirements**



**Fit the extension onto the site**



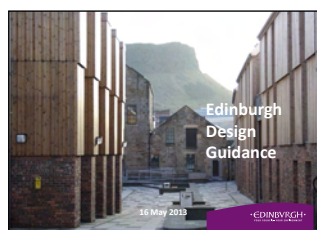
**Test its effect on the amenity of neighbours and the area**



**Design the detail**



**Submit your planning application**



**Misc:** Student Housing, Radio Telecommunications, Open Space Strategy etc.

This document and other non-statutory guidance can be viewed at: [www.edinburgh.gov.uk/planningguidelines](http://www.edinburgh.gov.uk/planningguidelines)

This guidance interprets policies in the Edinburgh City Local Plan which seek to protect the character and setting of listed buildings, and the character and appearance of conservation areas.

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# Policy Context

This document gives guidance on the following policy in the Edinburgh City Local Plan (2010):

## Policy Des 11 Alterations and Extensions

Planning permission will be granted for alterations and extensions to existing buildings which:

- in their design and form, choice of materials and positioning are compatible with the character of the existing building;
- will not result in an unreasonable loss of privacy or natural light to neighbouring properties;
- will not be detrimental to neighbourhood amenity and character.

Alterations and extensions to existing buildings generally raise similar design issues to those of new development. Every change to a building, a street or a space has the potential to enrich or, if poorly designed, impoverish a part of the public realm. The impact of a proposal on the appearance and character of the existing building and street scene generally must be satisfactory and there should be no unreasonable loss of amenity and privacy for immediate neighbours.

Particular attention will be paid to ensuring that such works to listed buildings and non-listed buildings in conservation areas do not damage their special character. Policy Env 5 and 6 may apply.

Both Local Plans will be superseded when the Edinburgh Local Development Plan is adopted, in 2016. It sets out an equivalent policy : Des 12 - Alterations and extensions.

The equivalent policy in the Rural West Edinburgh Local Plan (2006, 2011) is

## Policy E43 Alterations and Extensions

There are also restrictions on development in the Green Belt, which could affect the principle and scale of extension which might be acceptable. Separate guidance is provided in the Countryside and Green Belt Development guideline.

[This guidance was initially approved in December 2012 and incorporates additional text and minor amendments approved in and February 2016.](#)

# Other Consents

Other consents may be required before you start work. These can include:

**Listed Building Consent** if the property is listed as being of special architectural or historical interest – see the separate [Listed Building and Conservation Area Guidance](#) for more details.

**Conservation Area Consent** if you are demolishing an unlisted building in a conservation area – see [Listed Building and Conservation Area Guidance](#) for more details

**Planning restrictions** may have been imposed when the original consent was granted, e.g. prohibiting certain kinds of work or removing permitted development rights – check the conditions on any previous consents, including those for the original estate layout if it is relatively new.

Converted, new or altered buildings may require a **Building Warrant**. There is more Building Standards information at [www.edinburgh.gov.uk/buildingwarrants](http://www.edinburgh.gov.uk/buildingwarrants). For detailed information please go to the [Scottish Government website](#).

**A Road Permit** will be required if forming a new access or driveway. Contact the Area Roads Manager in your [Neighbourhood Team](#) for more information

If there are any **trees** on the site or within 12 metres of the boundary, they should be identified in the application. Please check online at [www.edinburgh.gov.uk/private-trees](http://www.edinburgh.gov.uk/private-trees) for more advice. Trees with a

Tree Preservation Order or in a conservation area are also protected by law, making it a criminal offence to lop, top, cut down, uproot, wilfully damage or destroy a tree unless carried out with the consent of the Council.

Some species of animals and plants are protected by law. Certain activities, such as killing, injuring or taking the species or disturbing it in its place of shelter, are unlawful as is damaging or disrupting its breeding site or resting place, even if the species is not there at the time. If the presence of a European Protected Species (such as a bat, otter or great crested newt) is suspected, a survey of the site must be undertaken. If it is identified that an activity is going to be carried out that would affect protected species, a licence may be required. More information on European Protected Species, survey work and relevant licenses is available on the [Scottish Natural Heritage website](#).

In relation to bats further guidance on when a survey may be required, can be found on page 9 of the [Bat Conservation Trust Guidelines](#)

Other factors such as old mine workings (particularly in the south-eastern suburbs), restrictions where water or gas mains have wayleaves across the site; or water/drainage consents from [SEPA](#).

If you intend to rent your property you will require to [register as a Landlord](#) with the Council. Depending on numbers, you may also require an [HMO \(Houses](#)

[in Multiple Occupancy\) licence](#).

Although not a planning issue, there may be **legal restrictions** on development in your title deeds - for example feu superiors' consent may be required or you may require the consent of other joint owners – and legal advice may be required.

If you think that your proposals do not need consent, or if you are not sure that previously undertaken work has proper consent, you can apply online at [www.eplanning.scot](http://www.eplanning.scot) online for a [Certificate of Lawfulness](#) to confirm the position in writing.

# Step 1: Planning Your Extension

Home improvements such as extensions or alterations should be carefully considered. Time spent on initial planning can save money in the long run.

It is the property owner's responsibility to ensure that all the statutory requirements are met and that all necessary permissions have been obtained. If the development doesn't comply, the owner could be asked to take – and pay for – remedial action including, in extreme cases, demolition and restoration back to what had been there before.

## Good enough in the past?

Extensions or alterations in the surrounding area that were granted permission in the past and which do not comply with these guidelines will NOT be taken as setting any form of precedent, and should not be used as examples to follow.

## What needs planning consent?

Many minor works do not require planning permission – *see pages 18-20*. But note that most properties that are listed buildings or in conservation areas will require consent – and that flatted properties in any part of the city have much more limited exemptions.

## House or Flat?

It seems obvious, but ... A flat is not only an apartment in a traditional tenement or modern block. The official definition is a “separate and self contained set of premises whether or not on the same floor and forming part of a building from some other part of which it is divided horizontally”.

So, whatever the estate agents say, “four-in-a-blocks” or “maisonettes” are also flats, not houses. So are some studios and mews. The distinction is important in deciding whether planning permission is required for extensions or alterations.

## Listed buildings

If you are fortunate enough to live in a property which is listed as being of special architectural or historical interest, then you will also require Listed Building Consent as well as planning permission. Consult the separate guidance on [Listed Buildings and Conservation Areas](#).

## Listed Building or Conservation Area?

To check if your house is in a conservation area or is a listed building, use the Council's Interactive map at

<http://www.edinburgh.gov.uk/conservation>

## What space do you need?

The first stage is to work out what you are really looking for in terms of extra accommodation and floor space. Consider the various ways of achieving it – for instance, a rear extension compared with expanding into the roof space. An extension may not always be required - can you achieve the same result just by rearranging the existing space?

## Working out a plan

When you work up your proposals, always bear in mind the impact they might have.

What effect will the extension have on your existing house? Is it in harmony in scale and appearance? Do the doors and windows match the existing ones? If it is an attic extension, does the roof still come over as the main element rather than a dormer with a small amount of roof left around it? Is the new roof pitch the same as the existing? Are matching materials used throughout? How is the junction between old and new being handled?

What is the impact on the street? Is the appearance changed? Does the extended house still fit in, or will it stand out obtrusively?

What is the impact on neighbours? Will the extension still preserve their light, or will it overpower their garden and cut out their sunlight? Is the elevation they will see well designed? Will the new extension protect their privacy and avoid introducing new overlooking from windows, balconies or terracing?

All these things will be important to your neighbours, who have the right to make their views known to the planning authority (see panel right). The Council will consider their comments when reaching a decision.

Note that there is no automatic right to extend and, at the end of the day, if your site is too small or your proposal doesn't meet policy requirements, it may not be possible to grant permission for your proposals.

## Changes of Use

This guidance sets out the physical considerations in planning your domestic extension. However, if the alterations are to allow you to operate a business from your home, then you should consult the Council's *Guidance for Businesses* to see if planning permission is required for the use. Note that consent for a self-contained extension (a "granny annexe" does not give you permission for a totally independent house - it is still ancillary to the main building.

If you intend to rent out your property, you will require to *register as a Landlord* with the Council, and may need to consult the *Houses in Multiple Occupancy* guidance.

## Consulting neighbours

When a formal planning application is made, neighbours will be notified by the Council. It is usually a good idea to tell them what you are thinking of before you start, so that notification doesn't come as a surprise – especially if you might need to negotiate access with them.

The Planning Authority is obliged to take account of comments and objections received from neighbours.

If once you have permission, you need to get onto their land to build your extension, then planning permission does not grant any automatic rights – you will still need to agree terms with them.

## Step 2: Fitting it on to the site

Before getting down to the detailed design, it is important to check whether your site is big enough to take the scale of extension you want to achieve.

Any extension should still leave a reasonable proportion of private garden space - usually at least 9 metres to the rear boundary (see the section on Private Open Space in the Edinburgh Design Guidance). If the plot is small, with minimal or shared garden space, there may not be sufficient room for your extension.

The general density and scale resulting must also be in keeping with the overall spatial pattern of the area. Where there is a traditional development pattern in the area, such as villas with single storey outbuildings, this may determine the form and size of any addition.

The position and design of an extension should not prejudice the ability of neighbours to add similar or equivalent extensions.

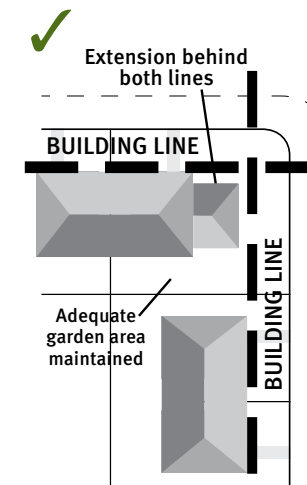
### Extension to Villas

In terms of the guidance, a 'villa' is a traditional large detached or semi-detached house built before 1914. Normally stone built, they are mainly in conservation areas or on some arterial routes. A bungalow is not a villa.

Special guidelines apply to extensions and alterations to villas:

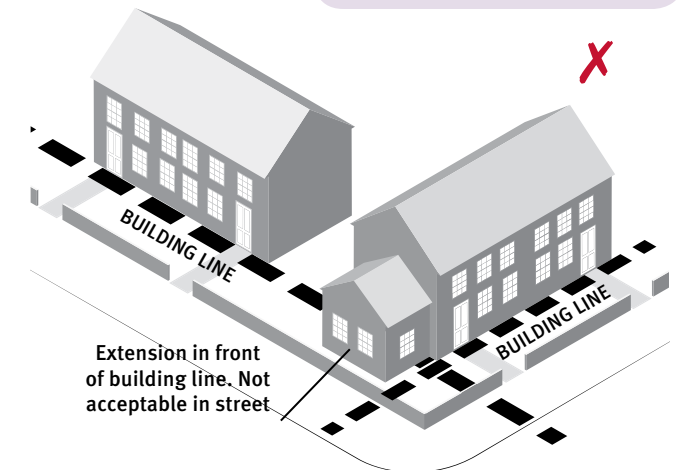
- The character of the original villa should not be adversely changed as a result of the extension
- When complete, the whole building, including the original villa and the extension should still be in character with the scale and spacing of the surrounding properties and rhythm of the street
- The design approach – including form, scale, style, proportions including windows, storey heights and materials – should relate to the original building and be subservient to it
- Total site coverage of the new and existing building should not exceed 1.5 times the original villa, subject to:
  - Maximum site coverage of all buildings, garages, parking and access driveways should not exceed 40% of the site area, and
  - Distances from the main facades to the boundaries being at least 12.5m
- If the villa is listed, if there are protected trees or if it is in a corner site, you should discuss your proposals with a planning officer.

### Front extensions and building lines



#### What is a building line? -

It is the line formed by the frontages of the buildings along a street. Sometimes it is defined in the title deeds. Generally developments other than porches etc are not acceptable in front of the building line as they disrupt the character and appearance of the street.



Extensions that project beyond the front building line are not generally allowed unless this fits in with the local character of the street.

Corner plots can present a particular problem where the majority of the house's garden space is in front of the building lines.

Where they contribute to the character of the area, their openness will be protected by resisting any significant intrusion into the corner ground.

Modest porches may be acceptable where they do not detract from the design of the original building or the character of the street.

## Side Extensions

In achieving an extension that will fit in with the original building and respect its neighbours, the extension should be set behind the front line of the existing dwelling to give a clear definition between the new design and the existing building.

Where a side extension could visually connect separate houses so that they appear like a continuous terrace, planning permission will only be permitted if that is characteristic of the area.

## Rear extensions

Rear extensions should not occupy more than one third of the applicant's original rear garden area.

For flats, including 4 in a block and maisonettes, the opportunity for extending, if any, will be limited.

## Conservatories

Consent will not normally be granted for a conservatory on a principal, or other conspicuous, elevation. Exceptions may be justified for appropriately designed conservatories where this is part of the traditional character of the area.

In general, only ground floor conservatories will be permitted, except where underbuilding is required to achieve an appropriate height. Original abutting walls should be kept and form part of the structure. Where dwarf walls are proposed they should be constructed with the same materials and finish as the house.

Proposals for a new conservatory on a listed building should ensure that the original stonework inside a conservatory remains unpainted, and that the colour of the conservatory respects the character of the area.

## Daylight and sunlight

Daylight and sunlight are important to health and well being. Lack of daylight contributes to depression (SAD), and sunlight helps synthesise Vitamin D which is important for bone health.

Adequate daylight can also reduce the energy requirements of development through lessening the need for electric lighting.

All extensions and alterations will be required to ensure adequate daylighting, privacy and sunlight both for themselves and to their neighbours.

Calculating daylight and sunlight is complex, but there are some simple "rules of thumb" which can be used to check whether a proposed development is likely to conform. These are set out here.

All new development should ensure that:

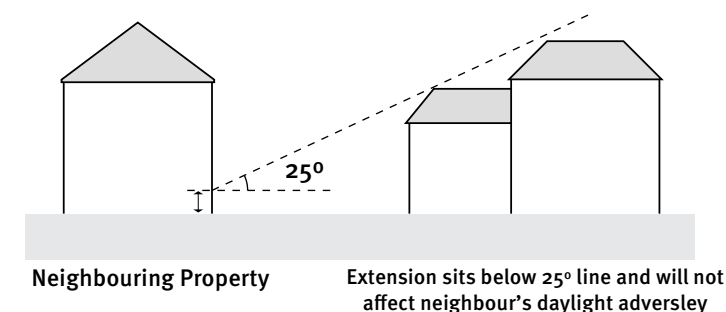
- the amenity of neighbouring development will not be adversely affected by impact on privacy, daylight, sunlight or immediate outlook from main (i.e. front and rear) windows; and,
- occupiers will have adequate daylight, sunlight, privacy and immediate outlook

If the proposal does not meet these criteria, and there are good townscape reasons for looking at other solutions (for instance, the character of an historic area), then more detailed calculations will be required. Guidance can be found in the *Building Research Establishment* guide Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice.

## Daylight to existing buildings

Reasonable levels of daylight to existing buildings will be maintained where the measure of daylight falling on the wall (the Vertical Sky Component - VSC), does not fall below 27%. This standard can be achieved where new development is kept below a 25° line from the mid point of an existing window.

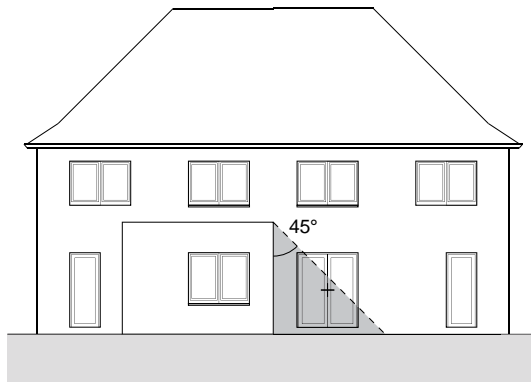
Daylighting to side or gable windows is not protected (see Side Windows, page 11)



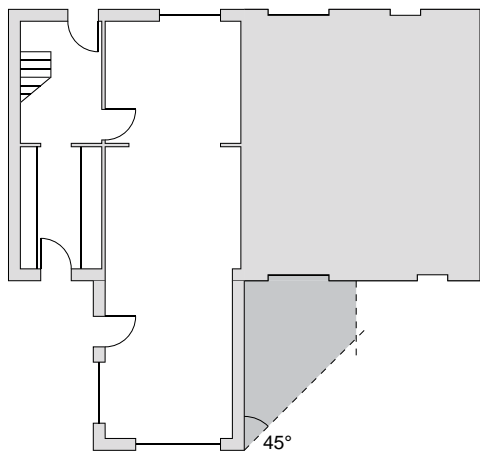


## Step 2: Fitting it on to the site

For rear extensions on terraced or semi-detached houses, adequate daylight will be maintained to the neighbouring property if 45 degree lines drawn from both the plan and section of the new extension do not enclose the centre of the neighbour's window.



**Not acceptable because the centre of the window is within the 45° lines**



## Sunlight to existing development

How the affected area of a garden is used and its overall size, will be taken into account when determining whether any loss of sunlight from a new extension or outbuilding is acceptable.

Generally, half the area of garden space should be capable of receiving potential sunlight during the spring equinox for more than 3 hours.

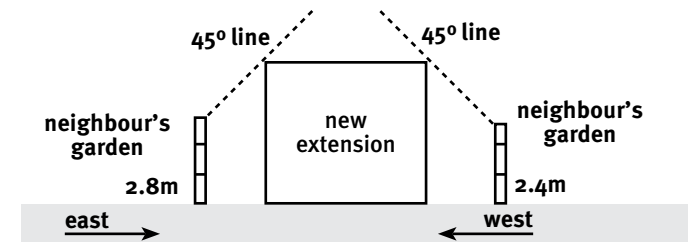
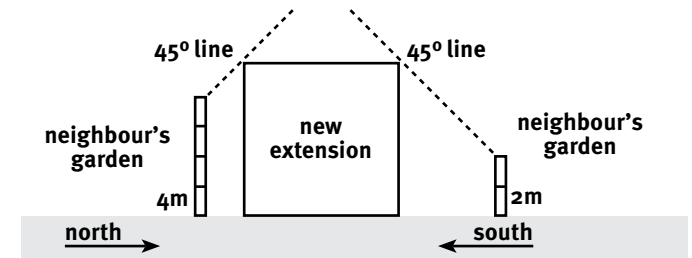
The sunlight of spaces between gables will not be protected unless the affected space is of particular amenity value in comparison with the remainder of the garden. Such a space might be a patio which was designed as an integral part of the plan-form of the original house.

There are various methods of calculating sunlight, but a simple check is to use the 45 degree method below:

Where development is located to the south or south west of a garden, if it rises above a 45° line to the horizontal which is set 2m from the ground level, the sunlight to the garden may be adversely affected.

Where development is located in other orientations in relation to a neighbouring garden, the 45° line should be set at a distance from the ground level as follows:

N 4m	NE 3.5m
E 2.8m	SE 2.3m
S 2m	SW 2m
W 2.4m	NW 3.3m



## Protecting sunlight to neighbour's property

In more complex cases, or where the development fails this test, other methods may be required – for instance, a measurable hour by hour sun path analysis showing how sunlight moves through the affected space for both before and after situations.

## Privacy and outlook

People value privacy within their homes but they also value outlook - the ability to look outside, whether to gardens, streets or beyond. To achieve both, windows either have to be spaced sufficiently far apart so that it is difficult to see into a neighbouring property or windows have to be angled away from one another.

18m is the minimum recommended distance between windows, usually equally spread so that each property's windows are 9 metres (10 metres for a dormer) from the common boundary.

A frequent objection to a development is loss of a particular view from the neighbour's house. Whilst this may be unfortunate, there is no right to a view across someone else's property simply because they had not chosen to develop it in the past.

## Side Windows

Windows will only be protected for privacy and light if they themselves accord with policies in terms of distance to the boundary. Windows on side walls or gables - as often found on bungalows, for instance - will not normally be protected as they are not set back sufficiently from the boundary to be "good neighbours" themselves, taking only their fair share of light.

Ground floor windows can sometimes be closer than 9 metres to a boundary if they can be screened in some way, e.g. by a fence or hedge. However, the barrier must not exceed the normal height of a fence or wall.

## Decking and Balconies

Balconies and decking which are close to boundaries and overlook neighbouring properties can be a major source of noise and privacy intrusion.

Generally, decking should be at, or close to, ground level (taking account of any level changes in the garden ground), of simple design (including barriers and steps), and should not detract from the appearance of the house.

For this reason, opportunities for decking may be limited on listed buildings

In some instances privacy issues from balconies or decking can be overcome by screening, for instance with frosted glazing, or by inseting the balcony or deck into the building or roof. However, any screening would still have to permit adequate light to neighbouring properties.

## Gardens

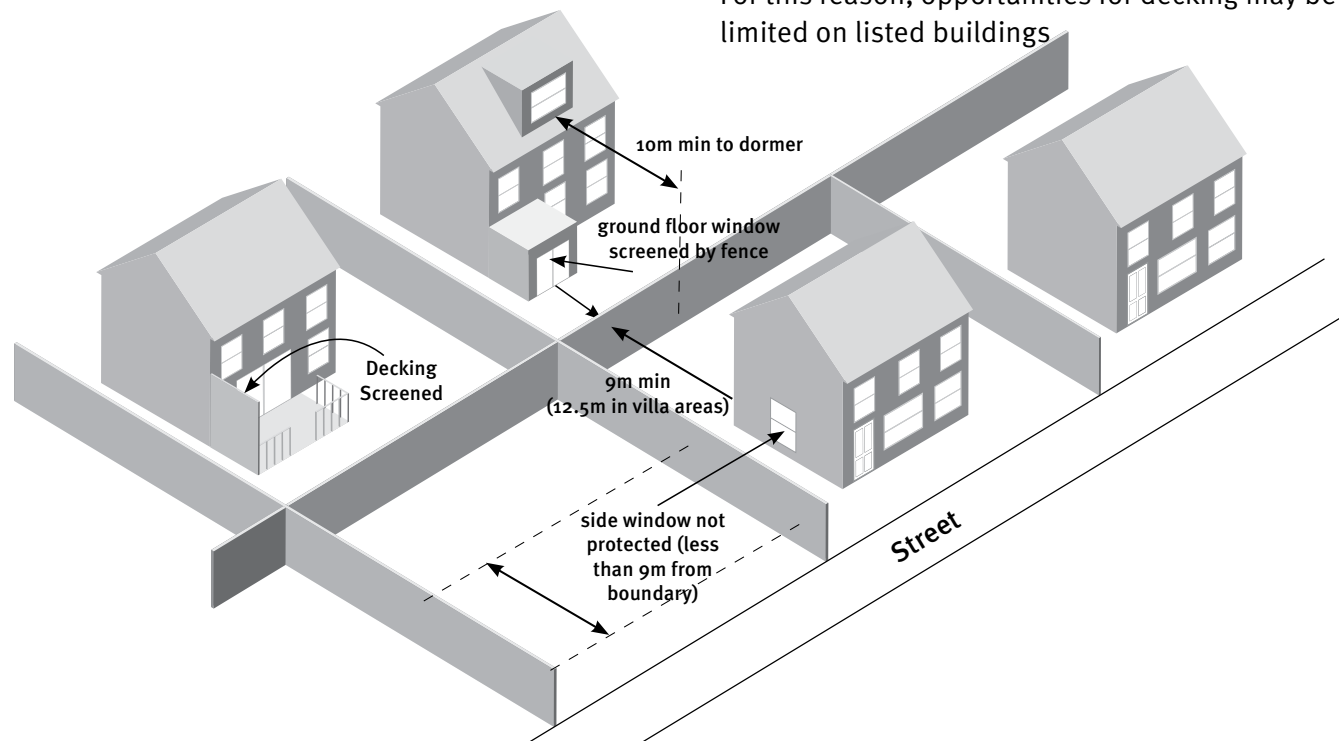
There should be enough private garden space left after extensions – normally at least 9 metres depth, or 30 sq.metres. This may have to be more – e.g. at least 12.5 metres depth in villa areas - depending on the spatial pattern of neighbourhood to avoid over-development.

## Trees

The retention of trees and landscape can soften the impact of a new building and help it to blend in. Mature landscape should therefore be retained where possible.

If a tree would overhang the proposed development or is closer to it than a distance equal to half the tree height, it must be shown on the application plans.

The tree species and the position of the trunk and extent of branch spread must be accurately indicated. The case officer will then assess if more detailed information, such as a tree survey of the site, is required.





## Garages and outbuildings

Buildings within the residential curtilage – such as garages, sheds or greenhouses – should be subordinate in scale and floor area to the main house. In many cases, they will be “permitted development” if:

- they are not in front of the principal or side elevation which faces a road;
- they are not more than 3m high at the eaves and 4m overall;
- no part of them within 1m of the boundary is more than 2.5m high;
- they do not take the total coverage of development (extensions, sheds etc, but excluding the original house and any hard surface or deck) to more than 50% of the front or rear curtilage area;
- in a conservation area or within the curtilage of a listed building, they would not have a footprint exceeding 4sq.m.

If they don't fit these criteria, or if they are within the curtilage of a flatted property, planning permission will be required. Proposals will be assessed for their impact on the amenity of the area and on neighbouring property (eg loss of daylight) in the same way as extensions. Some points to note when planning your development:

- the use must be ancillary to the “enjoyment of the dwelling house”; for instance, gardening, maintenance or hobbies, and not for a commercial business (see our [Guidance for Businesses](#) for advice in these cases);
- in flatted properties, the way that the garden ground is allocated and the position of neighbouring windows may restrain the size or position of any outbuildings;
- buildings in front gardens will not usually be acceptable, because of the damaging impact on the appearance and amenity of the street and the surrounding area;
- there may be additional considerations for listed buildings and conservation areas.

Sheds for cycle storage are subject to the same principles as sheds for any other purpose. The Council has worked with Spokes to produce guidance on the storage of bikes for tenement and flat dwellers. A Spokes factsheet sets out useful practical advice.

### **Links:**

[\*Guidance for Businesses\*](#)

[\*Listed Buildings and Conservation Areas Guidance\*](#)

[\*Spokes factsheet \(Cycle storage for tenements and flats\)\*](#)

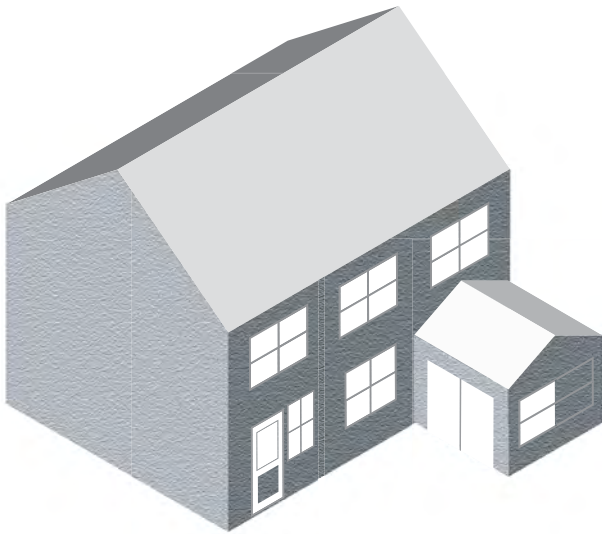
[\*Spokes factsheet \(Cycle storage in gardens\)\*](#)

# Step 3: Design Matters

Extensions and alterations should be architecturally compatible in design, scale and materials with the original house and its surrounding area. This does not preclude high quality innovative modern designs.

Extensions should not overwhelm or dominate the original form or appearance of the house, or detract from the character of the area.

A well-designed and attractive extension will enhance the appearance – and value – of your property and of the neighbourhood.



Extension subservient to original home in scale and size and compatible with original house in materials and form

## Roof Design

In general the pitch and form of an extension roof should match that of the existing roof.

Flat roofs may be appropriate on modest, single storey extensions where not visible in public views. Side extension roofs should normally be pitched to match the house.

Otherwise flat and mansard roofs on extensions will not normally be allowed unless these are complementary to the existing roof, or in the case of flat roofs they are part of a high quality, contemporary design.

New eaves heights should either match or be lower than existing eaves, to avoid extensions being greater in storey height than the original building.

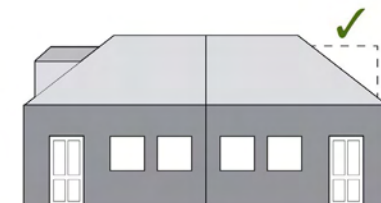
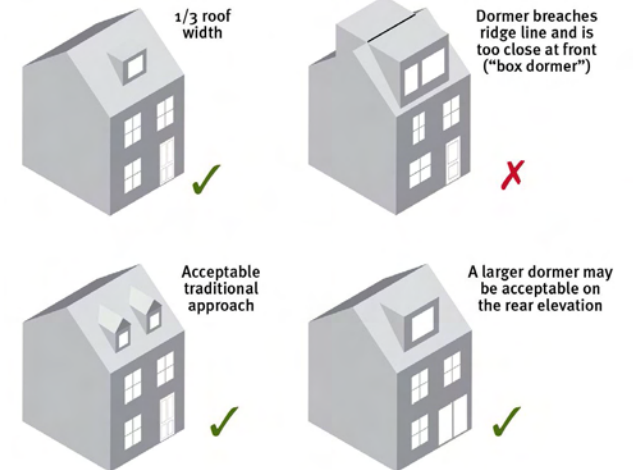
Development above the existing roof ridge will not be permitted.

Chimneys form an important feature of many roofs, often marking the subdivision of terraces or adding height to bungalows. Even if disused, they should normally be retained. New false ones can act as ventilation flues from kitchens or bathrooms.

## Dormers

Dormers on principal elevations, and all dormers in conservation areas or on a listed building, will require planning permission.

Dormers on a listed building will also require listed building consent. New dormers on a listed building are not normally acceptable on front roof pitches even where previous dormers have been added. New dormers on rear roof pitches of listed buildings may be acceptable where dormers are part of the character of the listed building. Where acceptable on listed buildings, dormers should be of a historic design.



### Step 3: Design Matters

On unlisted houses that are not in conservation areas, rear and side dormers may be “permitted development”. Guidance on Householder Permitted Development Rights can be found in the [Scottish Government Guidance \(Circular 1/2012\)](#).

All proposals should comply with both general and specific guidance as set out below.

## Materials

The materials used to construct a building are one of the most important elements in helping a new extension to sit harmoniously with the original building. Materials characteristic of the neighbourhood and of Edinburgh can provide a sense of quality and identity. Cheap or inappropriate materials can detract from the neighbourhood and the value of the house.

The materials to be used on an extension should normally match exactly those of the existing building. Where the existing building is constructed of stone, natural stone of the same type and colour should be used for the extension.

Alternatively, a new extension may be designed to contrast with the existing building using a modern design and materials. In this instance the materials should be of the highest quality and relate well to the existing building.

If it is impossible to get an exact match for the existing material, it is better to set the extension slightly back so that there is a visible break between the old and new.

The use of sustainable long-lasting materials, locally sourced wherever possible, and with the potential for later recycling will be encouraged.

The use of materials that are reclaimed or recycled will be encouraged.

uPVC is not a traditional or sustainable material, and its use will not normally be acceptable in listed buildings and conservation areas.

## General Guidance

The relationship between a dormer and its surroundings is particularly important. Dormers should be of such a size that they do not dominate the form of the roof. Dormers should not come to the edges of the roof. There should be visible expanses of roof on all 4 sides. Where possible, the dormer should align with existing fenestration on the building's elevation.

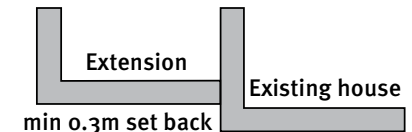
## Specific Guidance

On principal elevations a single dormer should be no greater in width than one third of the average roof width. If there are two or more dormers, their combined width should be less than 50% of the average width of the single roof plane on which they are located.

On rear elevations which are not publicly visible or not readily visible from public viewpoints a larger dormer may be acceptable where this fits in with the character of the building and surrounding area.

Dormers on side elevations will be considered acceptable where it can be demonstrated that the proposal fits in well with the character of the surrounding area.

All dormers should comply with the ‘Privacy and Outlook’ requirements as set out in this guidance.



## Doors and windows

Doors and windows should be sensitively replaced, in keeping with the character of the original building, the quality of its design and in an environmental sustainable way. The character of the area should be protected and enhanced.

Replacement windows, and new windows on an extension, should be of the same size and style as the existing ones, keeping the same proportions.

Repairs to match the original do not require planning permission or listed building consent. However, where a building is listed, consent may be required for:

- Double glazing;
- Secondary glazing;
- The removal or replacement of windows and doors;
- Alterations to windows such as the changes to astragals, and alterations to doors.

Window and door alterations to listed buildings may require planning permission as well as listed building consent, if they are considered to be ‘development’, eg if the new window or door is materially different and changes the character of the building.

Window replacement on unlisted buildings in conservation areas may also require planning permission, as may alterations such as converting a window to French windows.

Door alterations to unlisted buildings in conservation areas may require planning permission.

Permission will not normally be required in the following cases:

- The replacement of doors and windows on a like-for-like basis.
- In properties which are not in a conservation area.

If you want formal confirmation that your replacement doors and windows are lawful, you can apply for a *Certificate of Lawfulness* at [www.eplanning.scot](http://www.eplanning.scot)

## Boundary walls

Walls and fences to the street frontage should harmonise with street and the house. They should not be so high as to be intimidating or reduce security overlooking from the houses.

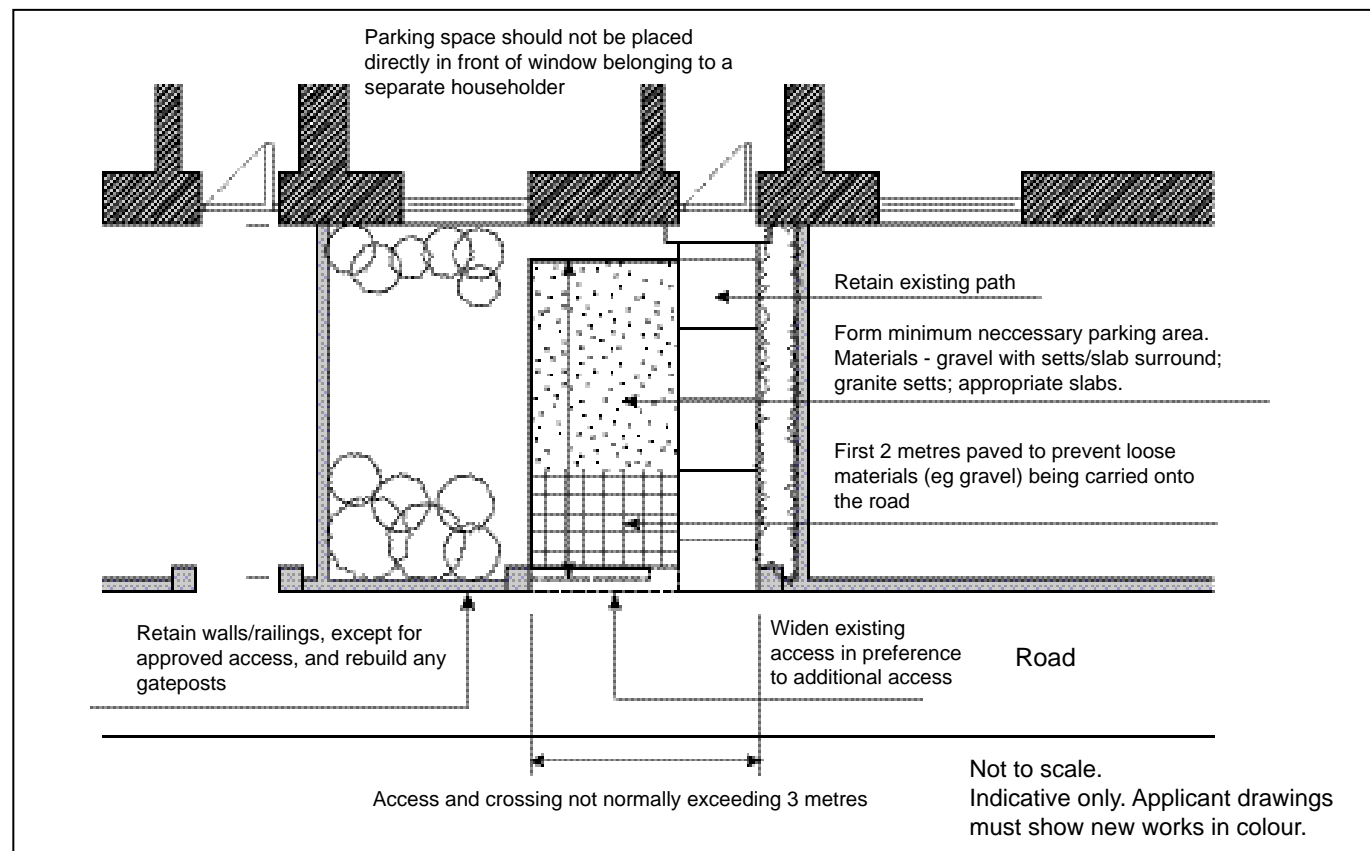
Front walls and fences should not be more than 1 metre in height unless there is a prevailing size already established in the neighbourhood. They will not be acceptable at all in estates designed as open-plan front gardens.

## Access and parking

Forming an access for a parking space or garage will require permission where it is taken from a classified road or trunk road. In all cases, a permit will be required for works required to form a new access.

In flats, within conservation areas and within the curtilage of a listed building permission is also required to form a hard surface – a driveway or a parking space. For other properties, see the section on forming a hard-paved area in Permitted Development Rights.

Demolition or alteration of walls will need consent in conservation areas or for listed buildings. A building warrant is also needed where the hard paved area is more than 200 square metres.



### Step 3: Design Matters

Parking in front gardens will not normally be allowed

- within traditional tenements;
- in listed buildings, where loss of original walls or railings and the creation of a hard surface would have an adverse effect on the character and setting of the building and its special architectural or historic interest;
- where the parking space would be formed in front of the windows of a habitable room owned by a different occupier.

For road safety reasons, an access must not be formed

- within 15 metres of a junction;
- where visibility would be obstructed;
- where it would interfere with pedestrian crossings, bus stops, street lighting or existing street furniture.

Only one access will be permitted per property.

A parking space will normally be allowed if the front garden is at least 6 metres deep, with a maximum area of 21 square metres or 25% of the front garden, whichever is the greater. The design should be such as to prevent additional parking on the remainder of the garden area, eg by using kerbs, planting boxes or changes of level. The access should not be wider than 3 metres.

Materials must be of high quality and appropriate for the house and the area. The paving must be porous or combined with a soakaway within the site; the first 2 metres from the road should be paved to avoid loose chippings spilling out. Gates should be of appropriate design and open inwards, to avoid obstructing the pavement.

Garages or car-ports must have at least a 6 metre driveway in front to allow vehicles to draw in completely off-street.

Where the provision of parking was part of the original grant of consent, the number of parking spaces should be maintained. Loss of a parking space (eg by the conversion of a garage) may, in a controlled parking area, affect the householder's right to obtain a parking permit.

## Sustainability

The Council encourages energy conservation, including microgeneration where appropriate. However, some devices are not always suitable on older listed properties or in conservation areas.

However, the re-use and adaptation of old buildings, which have long paid back their carbon footprint, is in itself sustainable.

Adaptable buildings, which allow for change or rearrangement in the future, are also sustainable, as they have a longer lifespan than those designed so tightly that they cannot be altered to meet future needs.

Other ways to make your extension more sustainable are to use environmentally-friendly and re-cycled materials.

Extensions must comply with Building Standards, which place a strong emphasis on energy-conservation measures such as insulation and appropriate materials. This passive energy approach is often more cost and energy-efficient than renewable technology.

## Solar Panels

The provision of solar panels can contribute to sustainability. However, on listed buildings and/or within conservation areas, solar panels will not normally be permitted on any conspicuous elevations.

In other cases, where solar panels would be visible from public streets and areas, they should be designed and laid out as part of an overall architectural treatment.

## Wood-burning stoves

Wood burning stoves and biomass boilers are similar appliances, both burn organic materials to create space heating. In addition, larger biomass central heating systems are available which can also heat water. The main difference between the two appliance types is that wood burning stoves burn wood, or wood pellets; and biomass stoves burn a variety of energy crops, including wood.

Provided that the wood burning stove or biomass boiler is located inside the dwelling house, the stoves themselves do not require planning permission. However, permission may be required for the flue and any storage facility required for the fuel. Where the building is listed, listed building consent may also be required if the storage is attached to the listed building. A building warrant will be required to cover installation, the flue and fuel storage.

This advice covers domestic stoves and boilers up to 45kW (heat) output. The Council's Environmental Assessment team can advise on acceptable types of stoves to achieve the required air quality standards.



## Other services on buildings

Some new buildings, whether extensions or new-build houses or flats, spoil their exterior finishes with construction joints, outlets for flues and fans, weep holes, grilles, etc that were not taken into account at the time of design. These should be considered and planned in to minimise their impact.

## Satellite Dish Aerials

Where they fall within planning control, e.g. in conservation areas, dishes will not normally be acceptable on the front or street elevation of any building.

However, they may be acceptable in the following situations:

- on the ground to the rear of the building;
- on a modern extension to the rear of the building providing that no part of the dish is higher than the main building;
- in the internal valley of roof provided that no part of the dish projects above the ridge; or
- behind a parapet provided that no part of the dish projects above it.

## Secured by design

The design and layout of your extension should not affect the security of your home or those of your neighbours. Blank walls, hidden corners and secluded passageways provide cover for intruders to work at gaining access.

Many break-ins take place at the rear of the house, taking advantage of the privacy of the rear garden.

Ways of making your property more secure include:

- Making access to the rear difficult, using alarms and sensors;
- ensuring flat roofs do not provide access to upper windows;
- deterrent prickly planting under windows; and
- strong locks and fastenings.

You can get advice from the Architectural Liaison Officer at your local police station. It is much easier and cheaper to build in security features while you are constructing your extension, than trying to add them afterwards.

## Considerations Checklist

Before you submit your completed design to the Council for all the necessary permissions, which might include:

- Planning Permission
- Listed Building Consent
- Conservation Area Consent
- Building Warrant
- Roads Consent
- Licensing (landlord/HMO etc.)

(see page 5 for details of these and other consents)

... look at the list of considerations in the panel right.

These are some of the basic questions which the Council will ask in assessing your proposal; have you covered all of them?

Is the site big enough to take an extension?	<input type="checkbox"/>
Does the layout and scale fit with the general pattern of development within the area?	<input type="checkbox"/>
Is the design of a high enough standard for the house and area?	<input type="checkbox"/>
Is the extension subservient to the main house?	<input type="checkbox"/>
Does it avoid any overlooking which would result in a loss of privacy for the neighbours?	<input type="checkbox"/>
Does it avoid overshadowing the neighbouring properties and significantly reducing their daylight?	<input type="checkbox"/>
If a side extension, does it avoid a terracing effect?	<input type="checkbox"/>
Does it leave enough garden space for a house of the final size?	<input type="checkbox"/>
Does it avoid loss of significant trees or landscaping?	<input type="checkbox"/>
What is its impact on access, parking and road safety?	<input type="checkbox"/>
Are the details and proportions of doors and windows appropriate?	<input type="checkbox"/>

# Step 4: Submitting your Application

## Do I need Permission?

Not all extensions or alterations require planning permission. Many small alterations and extensions can be carried out without the need for planning permission – this is known as Permitted Development (PD) and some alterations may not even be ‘development’ at all.

However, there are some limitations, particularly for:

**Flats** (see definition on page 6)

**Houses in Conservation Areas**

**Listed Buildings**

There are restricted permitted development rights for flats, houses in a conservation area or to a listed building, which are identified in the following pages.

Planning permission will always be required for extensions, dormers and conservatories to flatted properties and to any house in a conservation area.

New dormers on principal frontages always require planning permission, as do balconies and roof terraces.

Listed building consent is always required for an extension, dormers, rooflights or conservatory to a listed building. An application for planning permission may also be needed.

Even if planning permission is not required, other consents such as a building warrant may still be

necessary.

The main provisions of the Permitted Development rights are set out on the following pages. However, this is just a summary and, particularly if you are considering unusual proposals or have an awkward site, you should check the Scottish Government Circular (see panel below).

## Whose responsibility?

It is the householder’s responsibility to make sure that all alterations they make without permission do in fact fall within the exemptions of the Permitted Development scheme. If not, you could be asked to alter or even demolish new work and put back the original.

The Scottish Government circular *Guidance on Householder Permitted Development rights*, available at <http://www.scotland.gov.uk/Publications/2012/02/9140/downloads>, sets out what is included, with examples.

If you want to be sure whether or not works are permitted, you can apply for a *Certificate of Lawfulness* at [www.eplanning.scot](http://www.eplanning.scot) both for proposed works or those already carried out. This certificate is particularly useful if you are selling your house or to avoid legal disputes. Details are given on [page 22](#).

## Permitted Development: the main exemptions

If your proposals exceed the constraints set out here, they may still be acceptable if they accord with the Council policies and do not adversely affect amenity, but they will require permission.

**Enlargement** is any development that increases the internal volume of the original house. It includes a canopy or roof, with or without walls, which is attached to the house, but does not include a balcony. Therefore, a car port is an enlargement but a balcony is not.

The most common types of enlargements covered by Permitted Development are:

## Houses

A house can be a detached, a bungalow, semi-detached, or terraced dwelling sitting on its own ground. However, if there is any other occupant or use above or below, it is a flat – see definition on page 6. Flats do not have as wide a range of permitted development as houses.

These guidelines apply to houses only. See the separate section on flats on page 20.

## Single storey extensions

A single storey extension in the rear garden is acceptable if the height of the eaves is not more than 3 metres and the overall height is not more than 4 metres above the existing ground level measured at lowest part of the adjacent ground surface.

If any part of the extension is within a metre of a boundary it cannot extend back from the original rear wall of the house more than 3 metres for a terraced house, or 4 metres in other cases.

The area covered by any existing and proposed extension cannot be greater than the area of the original house footprint or 50% of the area of the rear “curtilage” (ie the part of the garden behind the front elevation of the original house).

## Extensions of more than one storey

Typically, these are either 1½ storey (ie single storey with converted roof space) or 2 storey extensions.

The extension must be at least 10 metres from any boundary. The majority of extensions will not be able to meet this criterion, therefore an application for planning permission would be required.

## Porches

Porches are allowed on any external door of the house providing they are not higher than 3 metres, and the overall footprint of the porch is not more than 3 square metres.

The minimum distance between the porch and any boundary with a road must be more than 2 metres.

## Enlargements of the roof

Permitted development rights allow the enlargement of a house by an addition or alteration to its roof, e.g. by a dormer.

However, dormers are not permitted on the principal elevation (usually the front), or on a side elevation if it fronts a road;

- the distance from the face of the dormer to the boundary must be at least 10 metres;
- the height of the dormer must not be higher than the existing house;
- the dormer, or dormers, must cover less than half the roof, measured at eaves level; and
- the distance between the dormer and the edges of the roof (including any common boundary with another attached property) must be at least 0.3 metres.

## Access ramps

Small ramps to any external door are allowed so long as the ramp is not higher than 0.4 metres or longer than 5 metres. The overall length of the ramp and landings cannot be more than 9 metres. The combined height of the ramp and any handrail cannot exceed 1.5 metres.

## Improvements or alterations that are not enlargements

These include: replacement windows and doors, satellite dishes, cladding, painting and new flues; and photo-voltaic or solar thermal equipment, etc.

This class is best visualised as a 1 metre “bubble” surrounding the walls and roof of the house. A householder can add a wide range of different types of development within this “bubble” without having to apply for planning permission.

Balconies, roof terraces or raised platforms are specifically excluded from this class.

## Microgeneration equipment

Permitted development rights for wind turbines and air, ground and water source heat pumps as well as flues for biomass heating and combined heat and power systems are covered in other classes of PD.

## Ancillary buildings such as sheds, garages, sun-houses, and greenhouses

PD rights allow buildings “incidental to the enjoyment of the dwellinghouse” within the rear garden. The height of the eaves (gutter) of any building, including sheds and greenhouses, can not be higher than 3 metres and no part of the building can be higher than 4 metres.

Any part of the building within a metre of a boundary cannot be higher than 2.5 metres.

The total area covered by proposed and existing development must be less than half the relevant curtilage.

In conservation areas or for a listed building, the footprint of the ancillary building cannot exceed 4 square metres.



## **Other building, engineering, installation or other operations**

Typical development permitted by this class within the rear curtilage of a house would be free standing solar panels, flag poles, swimming pools and oil tanks.

The resulting height cannot be more than 3 metres, and the total area covered by proposed and existing development must be less than half the curtilage.

## **Hard surfaces**

A new or replacement hard surface located between the house and a road must either be porous; or rain water run-off must be dealt within the curtilage of the house, e.g. with a soakaway.

## **Decking**

The floor level of the deck or other raised platform must not exceed 0.5 metres, and the combined height of the deck and any balustrade or screen attached to it must not exceed 2.5 metres.

In conservation areas or the curtilage of a listed building its maximum size is 4 square metres.

## **Gates, fences, walls or other means of enclosure**

The overall height must not be more 2 metres; but if it fronts a road or is in front of the principal or side elevation nearest a road, it cannot exceed 1 metre.

## **Flats**

See the definition of a flat on [page 6](#)

Improvements or alterations that are not enlargements, such as replacement windows and doors, photovoltaic or solar panels, flues or satellite dishes, may be allowed under Permitted Development rights.

The exemption is best visualised as a 1 metre “bubble” surrounding the flat. A wide range of different types of development is permitted within this “bubble” without having to apply for planning permission providing that:

- the development does not enlarge the flat;
- the development does not project more than 1 metre from the walls or roof of the flat;
- the development is not a balcony, roof terrace or raised platform or a wind turbine.

Installing a flue forming part of biomass heating system, a flue forming part of combined heat and power system, an air source heat pump or CCTV is not permitted by this class because it is subject to restrictions identified in by other classes of PD.

Other classes relevant to flats include:-

- construction of gate, fences, walls and other means of enclosure;
- Closed Circuit Television Cameras (CCTV).

## **Further information**

This is just a brief summary of the more common aspects of the Permitted Development scheme.

For more information see the circular at:

<http://www.scotland.gov.uk/Publications/2012/02/9140/downloads>

## Making an application where permission is required

### How to apply for planning permission

#### Apply online

Applications can be submitted online at [www.eplanning.scot](http://www.eplanning.scot)

Once registered you can log in and begin making your application. A guide to submitting an application online is available to help you go through the process.

#### Apply by post

If you prefer paper forms then these can be downloaded from [www.eplanning.scot](http://www.eplanning.scot)

#### Data protection

When you submit a planning application, the information will appear on the Planning Register and will also be published on our weekly list of planning applications. This is all done in accordance with data protection law.

## Preparing and Submitting your Planning Application

#### Forms

Two sets of the planning application form are required. The same number of land ownership certificates must also be submitted. Guidance on their completion is provided with the forms.

The Council will notify all those with an interest in neighbouring land within 20 metres of the application site that you have submitted a valid

planning application. They have 21 days from the date of the Council's notice to make formal representations. Note that anyone can send in comments, not just the notified neighbours.

#### Application Fee

Fees can be calculated at [www.eplanning.scot](http://www.eplanning.scot). Cheques should be made payable to the City of Edinburgh Council.

#### Requirement for Plans and Drawings

All applications should be accompanied by a location plan, to scale and showing the application site in red and any other land owned by the applicant in blue. Almost all will also require a site plan.

Other plans and drawings will depend on the scale, nature and location of the proposal. For minor householder applications, such as a garden fence or a satellite dish, brochure details may be acceptable, but their precise location should be shown on a scaled drawing.

All new work should be coloured and the plans should be annotated with the proposed materials and dimensions, and details such as the design and location of bin stores and recycling facilities.

For listed building consent, where new openings/changes are proposed, details of internal elevations and sections are required. With larger applications, a photographic survey will need to be submitted.

The minimum detailed information on the plans must be as follows:

#### Location plan

This must identify the land to which the proposal relates and its situation in relation to the locality - in particular in relation to neighbouring land (land within 20 metres of the boundary of the land to be developed) for notification. Location plans should be a scale of at least 1:2500 and should indicate a north point.

#### Site Plan

This should be of a scale of at least 1:500 and should show:

- a. the direction of North;
- b. any access arrangements, landscaping, car parking and open areas around buildings;
- c. the proposed development in relation to the site boundaries and other existing buildings on the site, with written dimensions including those to the boundaries;
- d. where possible, all the buildings, roads and footpaths on land adjoining the site including access arrangements;
- e. the extent and type of any hard surfacing;
- f. boundary treatment including walls or fencing where this is proposed.

#### Site Surveys

Including existing site levels, will be required for all new build proposals.

## Existing and proposed elevations

(at a scale of 1:50 or 1:100) which should:

- a. show the proposed works in relation to what is already there;
- b. show all sides of the proposal;
- c. indicate, where possible, the proposed building materials and the style, materials and finish of windows and doors;
- d. include blank elevations (if only to show that this is in fact the case);
- e. where a proposed elevation adjoins another building or is in close proximity or is part of a larger building (eg flats), the drawings should clearly show the relationship between the buildings, and detail the positions of the openings on each property.

## Existing and proposed floor plans

(at a scale of 1:50 or 1:100) which should:

- a. explain the proposal in detail;
- b. show where existing buildings or walls are to be demolished;
- c. show details of the existing building(s) as well as those for the proposed development;
- d. show new buildings in context with adjacent buildings (including property numbers where applicable).

**Existing and proposed site sections and finished floor and site levels** (at a scale of 1:50 or 1:100) which should:

- a. show a cross section(s) through the proposed building(s);
- b. where a proposal involves a change in ground levels, show both existing and finished levels to include details of foundations and eaves and how encroachment onto adjoining land is to be avoided;
- c. include full information to demonstrate how proposed buildings relate to existing site levels and neighbouring development;
- d. show existing site levels and finished floor levels (with levels related to a fixed datum point off site), and also show the proposals in relation to adjoining buildings (unless, in the case of development of an existing house, the levels are evident from floor plans and elevations).

## Roof plans

(at a scale of 1:50 or 1:100) to show the shape of the roof and specifying details such as the roofing material, vents and their grilles /outlets.

## I don't need permission but ...

I want to be sure that I have correctly interpreted the permitted development rules, or that alterations carried out in the past are legitimate?

To cover these situations, you can apply for a *Certificate of Lawfulness* at [www.eplanning.scot](http://www.eplanning.scot)

## Apply on line

Applications for Certificates of Lawfulness can be made online at [www.eplanning.scot](http://www.eplanning.scot)

A certificate has legal status, giving certainty to prospective buyers, and immunity from future enforcement action.

Certificates of Lawfulness are particularly useful when selling properties in the housing market, where the buyer may want proof that the works are lawful and planning permission was not required.

The onus is on you to provide supporting information as to why you think that the works are lawful under the Planning acts. When a certificate is being sought for building works - e.g. an extension to a house - drawings will be required to ascertain that the proposal is actually permitted development. *Guidance* is available on the Council's web-site.

It may become apparent during the processing of the application for the certificate of lawfulness that this is not the case and planning permission will be required. In these cases, the certificate will be refused. You have a right of appeal against this decision.



**HAPPY TO TRANSLATE**

ترجمے کے لئے حاضر آماندوں کے ساتھ انوباد کررر

بسمعدنا توفير الترجمة MOŻEMY PRZETŁUMACZYĆ 很樂意翻譯

You can get this document on tape, in Braille, large print and various computer formats if you ask us. Please contact ITS on 0131 242 8181 and quote reference number 12-0931. ITS can also give information on community language translations.



# Listed Buildings and Conservation Areas

February 2016



# Listed Buildings & Conservation Areas

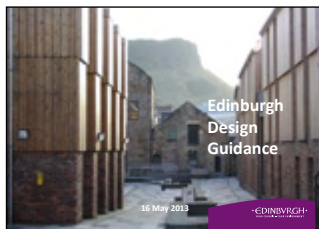
## Who is this guidance for?

Anyone considering work to a property within a conservation area or to a listed building.

This guidance provides information on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

This document and other non-statutory guidance can be viewed at:

[www.edinburgh.gov.uk/planningguidelines](http://www.edinburgh.gov.uk/planningguidelines)



**Misc:** Student Housing, Radio Telecommunications, Open Space Strategy etc.

February 2016

This document is divided into two parts:

**Part 1. Listed Building Guidance**

**Part 2. Conservation Area Guidance**

## Policy Context

This guidance interprets policies in the Edinburgh City Local Plan which seek to protect the character and setting of listed buildings, and the character and appearance of conservation areas.

For listed buildings or conservation areas in the rural west, the Rural West Edinburgh Local Plan sets out the equivalent provision.

Both local plans will be superseded when the Edinburgh Local Development Plan is adopted, in 2016. It sets out equivalent policies.

*This guidance was initially approved in December 2012 and incorporates minor amendments approved in February 2016.*

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- apply For Planning Permission
- apply For Listed Building Consent
- apply For Certificate of Lawfulness

# Part1: Listed Buildings

Listed buildings represent the very best examples of the built heritage. They are defined as buildings of special architectural or historic interest and are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The lists of Buildings of Historic or Architectural Interest are compiled by Historic Scotland on behalf of Scottish Ministers. The term *building* includes structures such as walls and bridges.

There are three categories of listed buildings:

**Category A** - Buildings of national or international importance, either architectural or historic, or fine little-altered examples of some particular period, style or building type.

**Category B** - Buildings of regional or more than local importance, or major examples of some particular period, style or building type which may have been altered.

**Category C** - Buildings of local importance, lesser examples of any period, style, or building type, as originally constructed or moderately altered; and simple traditional buildings which group well with others in categories A and B.

Buildings which relate together in townscape terms or as planned layouts in urban, rural or landed estate contexts, often have their group value stressed by inclusion within 'A' or 'B' groups.

To check whether your property is listed, use our [online map](#).

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## Do I need Listed Building Consent?

Listed buildings are afforded statutory protection. This means that listed building consent is required for the demolition of a listed building, or its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.

Listing covers the interior as well as the exterior, and includes any object or structure fixed to the building, or which has been included within its curtilage since 1st July, 1948. Listing, therefore, extends to historic fixtures or fittings (plasterwork, chimneypieces, panelling) and items within the curtilage such as stables, mews, garden walls and stone setts. Any proposals to alter unsympathetically, relocate or remove such features are likely to detract from the quality of the setting and are unlikely to be approved.

Listed building consent must be obtained where proposals will alter the character of the listed building, regardless of its category or whether the work is internal or external.

Proposed change will be managed to protect a building's special interest while enabling it to remain in active use. Each proposal will be judged on its own merits. Listing should not prevent adaptation to

modern requirements but ensure that work is implemented in a sensitive and informed manner. The aim is to guard against unsympathetic alterations and prevent unnecessary loss or damage to historic fabric. Any alterations which would seriously detract from or alter the character of a listed building are unlikely to receive consent



Listed building consent is not required for internal redecoration, renewal of bathroom and kitchen fittings, rewiring or new plumbing, provided fittings or internal decorations (such as decorative plaster, murals and paintings) which contribute to the character of the building or structure are not affected.

In considering any application for listed building consent, and also any application for planning permission for development which affects a listed



building or its setting, the Council are required to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it may possess. In this context, preserving, in relation to a building, means retaining it either in its existing state or subject only to such alterations or extensions as can be carried out without detriment to its character.

The tests for demolition are detailed in the Scottish Historic Environment Policy. No listed building should be demolished unless it has been clearly demonstrated that every effort has been made to retain it. The Council will only approve such applications where they are satisfied that:

- the building is not of special interest; or
- the building is incapable of repair; or
- the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

Repairs which match the original materials and methods and do not affect the character of the building do not usually require listed building consent or planning permission.

You can apply for listed building consent at [www.eplanning.scot](http://www.eplanning.scot).

## What if the work has already been carried out?

It is a criminal offence to demolish, alter materially or extend a listed building without listed building consent. Alterations may be subject to enforcement action or prosecution at any time. Retrospective applications for listed building consent will be considered on their merits.

Our guidance on [Selling Your House](#) sets out the criteria which will be used to determine whether to take enforcement action against unauthorised works to a listed building. This will help if you are selling a listed property and provides general advice on listed building consent.

## What Other Consents Might Be Required?

### Planning Permission

Development is defined as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Planning permission is required for many alterations, additions and changes of use, although some development can be carried out without planning permission. This is ‘[permitted development](#)’.

To determine whether planning permission is required, the [Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992](#) or [Government Circular on Permitted Development](#) should be considered.

If you believe your building work is ‘permitted development’, you can apply for a [Certificate of Lawfulness](#). This is a legal document from the Council which confirms that the development is lawful.

In addition, listed building consent may be required regardless of whether planning permission has been granted.

### Advertisement Consent

Many advertisements will require advertisement consent, in addition to listed building consent and planning permission. You can check this by consulting or by seeking advice from the Planning Helpdesk.

### Building Warrant

Converted, new or altered buildings may require a building warrant, even if planning permission or listed building consent is not required. Please contact Building Standards for more information on 0131 529 7826 or [email: buildingwarrant.applications@edinburgh.gov.uk](mailto:buildingwarrant.applications@edinburgh.gov.uk).

## General Principles

The aim of this guideline is to prevent unnecessary loss or damage to historic structures and ensure that proposals will not diminish their interest.

The fact that a building is listed does not mean that changes cannot be made. However, it does mean that any alterations must preserve its character. Any alterations which would seriously detract from or alter the character of a listed building are unlikely to receive consent.

It is strongly advised that specialist advice be sought prior to carrying out any works to a listed building. Without exception, the highest standards of materials and workmanship will be required for all works associated with listed buildings.

Any alterations should protect the character and special interest of listed buildings .

There is a strong presumption against demolition of listed buildings and proposals for demolition will be assessed against the criteria set out in the Scottish Historic Environment Policy.

## Repair

Planning permission and listed building consent are not normally required for repairs which match the original materials and methods and do not affect the character of the building. Inappropriate repairs can result in enforcement action or prosecution.

Repairs to listed buildings should always be carried out with care. Matching the original materials and method is important. The use of inappropriate materials and poor repair techniques can accelerate the decay of traditional historic buildings, shorten their lifespan and result in longer-term problems which may result in much higher repair costs.

### Stone Repair

Before any repairs are undertaken, the existing stonework details should be carefully categorised for the:

- **Type:** ashlar, random rubble, coursed rubble etc.
- **Tooling:** broached, stugged, polished
- **Joints:** v-jointed, square-jointed, fine-jointed, etc.

An analysis of the stone will also be required to establish its chemical make-up and ensure compatibility with the existing stone.

These details should be respected and repeated, where appropriate, when stone replacement and pointing is carried out. Inappropriate replacements affect the architectural integrity of historic buildings.

It is also imperative to remedy the cause of any decay by eliminating sources of soluble salts, preventing the passage of moisture and rectifying active structural faults.

### Indenting

Indenting is the insertion of a new stone to replace one which is damaged or decayed.

Indenting may not always be necessary when a stone has a defect; if the stone can reasonably be expected to survive for another 30 years, it should be left, regardless of its appearance.



Where indenting is appropriate, the indent should be selected to closely match the original stone. Artificial stone should not be used on listed buildings.



There will inevitably be a marked contrast between old and new work. However, within a few years of repair the effects of natural weathering will have gone a long way to remedy this situation. Cosmetic treatment of indented stone, either cleaning the old stone or distressing the new is not recommended.

Partial indenting should not normally be considered. In certain circumstances, small indents may be appropriate on moulded detail, but leaving the damaged stonework may be more acceptable than carrying out a visually intrusive repair.

Stone indents on external original steps and entrance platts are normally the most appropriate method of repair. Concrete screeds to steps and entrance platts are not acceptable.

### Redressing

Redressing is the removal of the surface layer from the decayed stone. This may not be appropriate as it can cause considerable damage to the underlying stone and accelerate decay.

### Mortar

Mortar repairs to stone should only be used as an extension of pointing to fill in small areas of decay and extend the life of a stone which would otherwise have to be replaced.

In some cases, it may be appropriate to use mortar on sculpted or moulded stonework. However, as mortar is significantly different from stone, ensuring a permanent bond between the two materials will be difficult. Therefore, a mortar repair will have a considerably shorter life than indenting.

Lime mortars will usually be the most appropriate mix. The presence of cement in the mix used for mortar repairs will accelerate decay in the neighbouring stone.

## Weather Proofing

In traditional construction, the free movement of water vapour through the fabric of a building in both directions is essential.

The use of silene and silicone treatments to weather proof stone is not recommended because serious damage can occur if condensation builds up within a stone and the process is not reversible.

## Mortar Joints and Pointing Repair

The original mortar joints and pointing should be respected, if traditional and causing no damage. Pointing can take many forms (recessed, flush, slaistered etc.) In some instances, small pieces of stone or slate are used in the mortar mix. In cases where it is unclear what existed previously, mortar analysis should be carried out.

Under no circumstances should joints be widened to facilitate the work. Raking out should be done carefully with hand tools; power tools should never be used. It is important that the correct pointing and tools are chosen and used for specific types of joints.

Mortar should be sufficiently resilient to accommodate minor movements in the masonry, but it should never be stronger or denser than adjoining stones. This will cause the mortar to crack and prevent drying out through the joints, causing moisture to evaporate through the stones, accelerating decay.

Lime mortar should be used in most instances. However, as the technology, science and physical properties of pure lime mortars vary considerably from cement gauged mortars, they must be used

carefully. Hard cement mortar should never be used.

## Traditional Harls and Renders

Hard cement mixes should not be used for harls and renders. A hard mix will trap a layer of moisture between the harl and the stonework beneath, thus forcing water back into the stone and encouraging accelerated decay. Lime mixes are recommended.

Original harls can be analysed to establish their composition. In order to prepare surfaces for harling and rendering, old cement render should usually be removed. In most cases, it will be more appropriate to use a wet dash rather than a dry dash. It is important that each 'layer' of harl is allowed to dry fully before applying another coat. However, each situation is different and specialist advice should be sought on best practice.

## Roofs

Listed building consent will be required for alterations to roofs. Planning permission may also be required, depending on the proposal.

Planning permission and listed building consent are not normally required for repairs which match the original materials and methods and do not affect the character of the building.

The roof, which includes parapets, skews, chimney heads and chimney pots, is an important feature of a building. The retention of original structure, shape, pitch, cladding (particularly colour, weight, texture and origin of slate and ridge material) and ornament is important. Any later work of definite quality which makes a positive contribution to the interest of the building should also be kept.



The restoration of lost roof elements to match the original form will be encouraged.

It is important to use the proper repair techniques and materials for ridges, flashings, mortar fillets



and parapet gutters. Ridges should be replaced to match existing. Most ridges and flashings should be replaced in lead, making sure to use the correct code of lead.

Any change to the roofing material, including alternative slate, will require listed building consent and may require planning permission.



Most traditional roofs within Edinburgh are covered with Scots slates, although other materials, such as Welsh and Cumbrian slates, pantiles and thatch, have also been used. In some instances, materials such as copper may have been used on the roof of a decorative turret. Traditional materials should always be respected and repeated, where appropriate.



Scots slates are becoming increasingly rare and in some circumstances second-hand slates are of poor quality and size. It is preferable in some cases that sound old slates are laid together on visible roof slopes, with new slates used on non-visible roof slopes. Alternatives to Scots slate will be considered on their merits.

It is important to ensure consistency in the texture and grading, and that the new slate matches the colour, size, thickness and surface texture of the original materials as closely as possible.

Concrete tiles or artificial slate should never be used in conjunction with, or as a replacement for real slate. The introduction of slate vents may require listed building consent.

Patterned slating, incorporating fish scale or diamond slates, sometimes in different colours, should be retained and repaired with special care.

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The original gradation of slates should be repeated.

### Flat Roofs

Lead is usually the most appropriate covering for the long-term maintenance of flat roofs. Alternatives to lead may be considered acceptable in certain cases. Bituminous felt is not generally appropriate for use on listed buildings.

### Chimneys

Removal of all or part of a chimney will require listed building consent and may require planning permission.

Original chimneys should always be retained and repaired as they are an essential feature of traditional buildings and contribute to the historic skyline. Non-original additions to chimneys should be removed.

Chimneys should be repaired using traditional methods to reinstate as original, with particular attention to the detail of the coping stone. Particular care should be taken to retain chimneystacks to their original height.

Detailed records of the original structure should be made where dunting is necessary to ensure correct replacement. Chimney pots should always be replaced to match the original.

Where the original chimneys have been demolished and replaced in brick and render, the rebuilding in stone will be encouraged.

## Rainwater goods (guttering, downpipes etc.)



Replacement rainwater goods should match the original, cast iron or zinc should be used where these were the original materials. Other materials such as aluminium may be acceptable, where appropriate.

They should be painted either black or to tone in with the adjacent stonework and roofing respectively.

## Railings, Gates, Balconies and Handrails

The erection of railings, gates, balconies and handrails requires listed building consent and planning permission.

Planning permission and listed building consent are not normally required for repairs.

Balconies, gates, railings and handrails are usually formal components in the design of an elevation. They should be maintained and repaired and, if

they have to be replaced, should be erected on a like for like basis. The recommended paint colour is black gloss.

Usually, railings were made from cast iron, although there may be some examples surviving of wrought iron. If the railings no longer exist, it is important to establish what the original railings were like. Remaining sections of iron work may still exist in the cope or on similar neighbouring properties or old photographs and plans can be used. In most cases, cast iron railings fixed individually into the cope should be used.

Railings are normally fixed to stone copes. These should be repaired according to the principles outlined in the previous section on stone repair. Moulded copes and other special details should always be respected and repeated.

## External Alterations

Any external alterations, however minimal, may require listed building consent and possibly planning permission.

This section provides guidance on the most common forms of change. You are encouraged to contact Planning to discuss any proposed work.

Where it is proposed to restore lost features, it will be important to ensure that all restorative work is



based on sound physical and documentary evidence of the previous state of the building. This is to ensure that work is carried out in an architecturally and historically correct manner.

## Stone Cleaning

Listed building consent is required to stone clean listed buildings. Planning permission is also required for the stonecleaning of any building within a conservation area.

Stone cleaning cannot be undertaken without damaging a building. It can also reveal the scars of age, such as staining, poor previous repairs and surface damage. It may also remove the natural patina, the protective layer on the stone, opening up the surface pore structure and making re-soiling much easier.

There will, therefore be a presumption against the stone cleaning of listed buildings and buildings within conservation areas. Stone cleaning will not be considered acceptable on any street where cleaning has not commenced. Where cleaning of a street has commenced, the issue of reinstating architectural unity will be a material considerations in assessing the merits of individual applications.

Specialist professional skills should be sought to undertake analysis and, where acceptable, design a suitable cleaning method and undertake work.

Applications for stone cleaning should be accompanied by a full drawing and photographic survey.

To assess the most appropriate method of stone

cleaning, applicants will be required to ascertain geological characteristics through laboratory tests.

Stone cleaning methods should be tested on an inconspicuous trial area of two or three stones.

If stone cleaning is approved, post-cleaning photographic records should be submitted and documented for research purposes.

It is expected that most necessary repairs will be identified at the initial application stage. Therefore, consent would be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to stonecleaning.

## Stone Cleaning Methods

The following are the most common stone cleaning methods. Their inclusion in this guideline is for information only and does not imply their acceptability.

### 1. Mechanical - Carborundum Disc

This method comprises a hand-held rotary disc with a carborundum pad.

### 2. Air and Water Abrasive

These methods comprise grits and other abrasive mediums carried by jets of air and/or water.

### 3. Chemical Cleaning

This method comprises the application of chemicals and a high pressure water wash or pressure steam.

#### 4. Water (High Pressure, Low Pressure, Manual)

When water pressure is used as part of the cleaning method, water is forced into the stone to a depth where natural evaporation will not take place. The water can then percolate down through the fabric of the wall and cause accelerated weathering at lower levels in the building. High pressure water can also cause damage to the stone.

A water wash remains an alternative stone cleaning technique. A low pressure water wash (100-200psi) is the least aggressive method of stone cleaning. However, it will not remove dirt which has combined with the surface to form an insoluble compound. High pressure and/or excessive water can cause surface erosion, pointing wash-out, staining and force water into the core of the wall. Due to the dangers of thermal expansion, water washing should be avoided in frosty conditions.

### Paint Removal from Masonry

Paint removal will require planning permission and listed building consent.

The restoration of the original surface through the removal of paint can improve the character and appearance of a building. Where surfaces have been previously painted, the removal of paint will be supported in principle, provided that the proposed removal method does not adversely affect the original surface.

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The removal of paint requires chemical and/or abrasive cleaning to re-expose the stone beneath. Abrasive methods can cause severe damage to the surface and will be unlikely to remove all traces of paint from coarse, porous sandstone. In certain circumstances, a minimally abrasive method may be appropriate to remove the outermost paint layers not in contact with the stone surface. Chemical paint removal varies from paint stripper to a proprietary poultice (a substance placed on the stone to draw out the paint). Each requires extreme caution due to their potentially damaging effects and trial samples should be carried out.

Previous painting could have disguised the poor condition or appearance of the surface so repair work may be required following paint removal. Therefore, consents will be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to paint removal.

Where paint removal is not appropriate, the property should be repainted in a matt finish stone coloured paint to tone with the adjoining stonework.

Specialist professional skills should be sought to undertake analysis, design a suitable treatment method and undertake any work.

### Graffiti Treatment

Graffiti treatment will require planning permission and listed building consent if the proposed method will affect the character or appearance of the building.

Whilst graffiti can have an adverse impact on the character and appearance of a building and general environment, inappropriate graffiti treatment can cause irreversible and fundamental damage to buildings.

The treatment of graffiti from listed buildings and buildings within conservation areas will generally be supported provided there would be no unacceptable change in the appearance of the historic surface or structural integrity. However, the condition or architectural detailing of the surface or the nature of the graffiti may, in some circumstances, prevent any form of graffiti treatment from being acceptable.



Each site must be assessed on an individual basis and a site specific proposal prepared. Specialist professional skills should be sought to design suitable treatment methods and undertake any work.

At sites where graffiti is a recurring issue or where historic surfaces are vulnerable to the effects of graffiti treatment, alternative strategies may be required to prevent or reduce incidences of graffiti. Lighting, CCTV, physical barriers and the repositioning of fixtures may be required. These may need listed building consent and/or planning permission.

Temporary sacrificial coatings will also be encouraged in areas of persistent graffiti attack, provided there would be no adverse impact on the surface.



The permanent sealing of a surface will result in accelerated decay of the stone leading to expensive repairs and will therefore not be considered acceptable.

## Graffiti Removal Methods

### Chemical

Includes solvent based paint removers, other organic solvents and alkali-based paint removers or caustic removers.

### Physical

Mainly air abrasion but can also include pressure washing and steam cleaning.

### Heat

Includes hot pressure washing and steam cleaning, which must be applied at an appropriate pressure for the substrate; and laser treatments which can be labour intensive, slow and expensive.

## Painting and Render

Paint which matches the existing in colour and uses traditional materials and methods will not require listed building consent or planning permission.

Painting or rendering of a previously untreated surface will require planning permission and listed building consent, and is unlikely to be acceptable.

Changing the colour of a listed building will need listed building consent. Planning permission will also be required to change the colour of any building located within a conservation area.



External stonework must not be painted or rendered, unless the surface was originally painted or rendered.

Coping stones and the edge of steps should not be painted.

Information on painting a shop or other commercial premises is included within the [Guidance for Businesses](#).

Walls covered with smooth cement render or a harled finish should generally be painted in earth colours or neutrals (grey, cream or beige). Rendered bands to windows should generally be in stone colours.

## Extensions and Additions

Listed building consent will be required for extensions or additions to listed buildings. Planning permission may also be required, depending on the proposal.

New extensions on a terraced block may not be acceptable where there are no existing extensions. Where the principle of extending a listed building is acceptable, the extension should be subservient to the main building and will rarely be permitted on principal elevations. Extensions should not normally exceed 50% of the width of any elevation.



It is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high quality materials which complement the main building will be required. In other circumstances it may be appropriate to match the new work to the existing, in which case the new materials should be carefully matched.

The visual separation of extensions is encouraged. In the case of side extensions, they should be set back from the facade and be of a scale that does not affect the overall architectural composition. The effect of any addition on a symmetrical composition will be particularly important.

Encouragement will be given to the removal of inappropriate additions which are of inferior quality and which detract from the listed building. Where there is an existing extension of historic or architectural interest, such as a conservatory or outshot, this should be restored or repaired, rather than replaced.

## Shopfront Alterations and Signage



Specific information is included in Guidance for Businesses. This should be considered alongside this document, where relevant.

## Windows

The removal, replacement or alteration of windows will normally require listed building consent.

Repairs and painting which match the existing and use traditional materials and methods will not require listed building consent or planning permission.

Double glazing in listed buildings will require listed building consent.

Where a significant proportion of historic glass (such as Crown, cylinder and drawn sheet) remains on an individual window, it should be retained or re-used.

Secondary glazing is likely to require listed building consent where it will impact on architectural detail or affect the external appearance of the building.

Planning permission may also be required where the replacement or alteration will not match the existing in design, material, size, opening mechanism or proportion. Replacement windows which do not result in a material change to the appearance will not normally require planning permission.

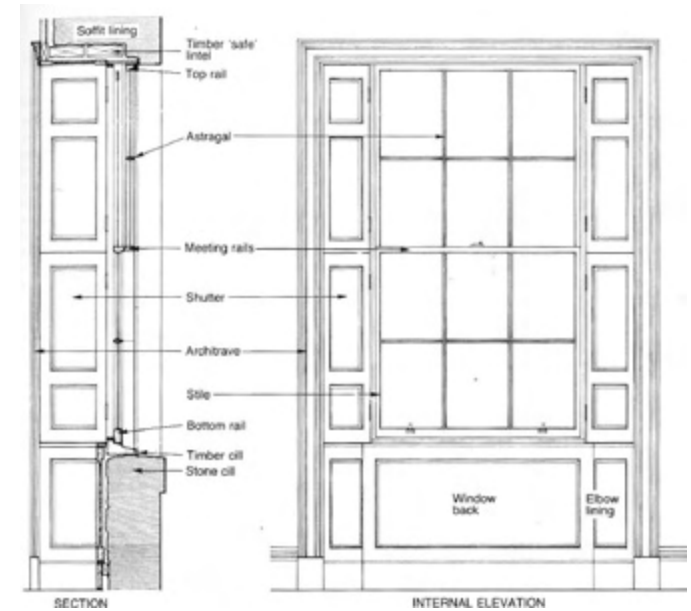
The reinstatement of the original window pattern will normally be encouraged.

## Repair and Maintenance

There is a general presumption against the removal of original window frames and glazing; repair and refurbishment is preferred. Decay in timber is usually caused by moisture penetration, which can be prevented by thorough painting, regular maintenance and prompt attention to necessary repairs.

Glazing should be fixed with putty or a glazing compound rather than timber beading.

The thermal performance standard of existing windows can be improved by repair, draught-stripping and working internal shutters.



## Openings

Window openings play an important role in establishing the character of an elevation and they should not be altered in their proportions or details.

Proposals to increase the glazing area by removing stone or timber mullions (vertical members between windows which form the divisions between windows) will not normally be granted consent.

Proposals to convert windows into door openings will not be considered acceptable on principal frontages or above garden level on all other elevations. Where acceptable, the width of the existing opening should not be increased. Normally, only one set of French windows will be permitted.

Entirely new window openings are unlikely to be acceptable on principal elevations as this can create an unbalanced composition.



## Replacing Original Windows



Original windows are important features of any building and should not be removed or altered. The complete replacement of original windows will only be approved where they have clearly deteriorated beyond practicable repair. Proposals must be accompanied by evidence demonstrating that they are beyond repair; a professional survey may be requested.

In the event that replacement windows can be justified, they should be designed to replicate the original details, including materials, design and opening method. Particular attention must be paid to the mouldings; standard modern sections are not acceptable for reinstatement work. uPVC will not be acceptable.

Care should be taken to ensure that replacement windows are fitted in the same plane as the originals, are made of timber sections (the profile and dimensions of which match the originals) and

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have the meeting rails in the same position as the originals; this is especially important where the windows of only one property in a tenement or terrace block are being replaced.

Whenever an original window has been lost, any modern windows which are badly proportioned, of the wrong type, or incorrectly glazed, should be reinstated to the original proportion and detail. This is especially important in the case of unified terraces.

### Double Glazing

Slim profile double glazing with a cavity (the space between the two sheets of glass) of a maximum of 6mm can be fitted into existing windows, provided early glass is not present.

Double glazing with a cavity of more than 6mm is not acceptable.

### Secondary Glazing

Secondary glazing involves an independent internal window in addition to the existing. It should, wherever possible, be fitted immediately inside existing sashes or at a suitable position within the depth of the window reveal, being fixed either to the case or the surrounding framework of the ingoes. Secondary glazing should not disrupt architectural features, such as shutters.

The meeting rails and frames of secondary windows should be as small in section as possible to allow them to be disguised behind existing rails. Painting their external faces black helps to minimise visibility from the outside. Where necessary, detailing of internal secondary windows must allow for the use of the easy-clean hinges on the lower sash of the original outer window.

Additional glazing units fitted to the outside of existing windows are not acceptable.

### Fanlights



Decorative fanlights should be retained, and where necessary, replaced.

### Astragals

Where there is clear photographic or physical evidence that astragals (the glazing bars dividing panes of glass) have been removed, their replacement to the original profile and dimensions will be encouraged. The glazing pattern which forms part of a significant later re-modelling scheme should not be changed. Astragals applied to the surface of the glass or sandwiched between the glass of doubled glazed units are not considered acceptable.

### Horns

Horns are Victorian projections of the side frames of the sashes, devised to strengthen them, following the introduction of heavy plate glass. Georgian and early Victorian windows with astragals never have horns and will therefore be strongly resisted. Edwardian windows sometimes had horns, and their use may, therefore, be appropriate.

## Ventilators and Extractor Fans

Ventilators cut through the glass or visible on the window frames will not be considered acceptable; they should be located unobtrusively in the meeting rail or through the box frame.

Mechanical extractor fans should be located on rear or side elevations and will not normally be acceptable within windows or fanlights, or on front elevations.

## Paint

Originally, most windows were painted dark brown or bottle green. However, window joinery, including fanlights, should normally be painted white or off-white to maintain uniformity (brilliant white should be avoided).

Freestanding buildings may have more scope to investigate and 'restore' the original colours.

All areas of dormer windows, other than the window frames, should be painted to tone in with the roof.

## Special Cases

### Institutional/Industrial buildings

Industrial and institutional buildings have a variety of window types, depending on their age and function. The original window type should be retained wherever practicable, although flexibility on window design may be acceptable to allow conversion to new uses. The glazing pattern should be reproduced and the manner of opening should be as close to the original as possible. Standard double glazing may be acceptable, provided discrepancies in the form, profile, section, materials and opening method are kept to a minimum.

## Early Modern Metal Windows

Early modern metal framed windows should normally be repaired or replaced with matching windows of the same materials and design. New units manufactured from different materials will rarely be capable of accurately matching and will only be acceptable where exact replication of the original window is of less importance. In such cases, any discrepancy in form, profile, section and opening method should be kept to a minimum.

## Casement Windows

Original inward opening casement windows are relatively rare and must be retained or identically replaced.

## Special Types of Glass

There is a presumption in favour of retaining stained, decorative leaded, etched glass and historic glass. If the glass has to be removed and is of artistic merit, arrangements should be made for its recording and its careful removal. Proposals to use wired glass, obscured glass, and louvered glass or extract fans in windows on main elevations will not be considered acceptable.

## Dormer Windows and Rooflights

New dormer windows will not normally be acceptable unless they are part of the original or early design of an area. Rooflights will almost always be a preferable solution, but these will not generally be permitted on roof slopes which are largely unaltered. Where acceptable, rooflights should be of



a conservation type and should be of an appropriate scale and proportion. The proposed number of rooflights will also be a determining factor.

## Doors

The removal, replacement or alteration of doors will normally require listed building consent.

Original doors are important features of any building and should not be removed or altered. The complete replacement of original doors will only be approved where they have clearly deteriorated beyond practicable repair. Proposals must be accompanied by evidence demonstrating that they are beyond repair; a professional survey may be requested.

Replacement doors which incorporate integral fanlights or inappropriate glazing or panelling patterns will not be granted consent.

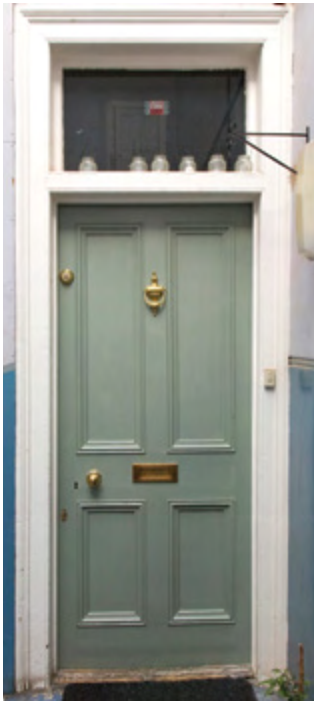
Entirely new door openings are unlikely to be acceptable on principal elevations as this can create an unbalanced composition.



Doors in street frontages, even though no longer used, should be retained.

Door furniture and later fittings of quality should be retained. Where these have not survived, the replacement of modern fittings with items appropriate to the period of the building will be encouraged.

Door entry systems should be discreetly designed and should be located on door ingoes, not the main façade.



## Paint

Doors should be painted in an appropriate dark and muted colour.

## Basements

Listed building consent may be required for external alterations to basements. Planning permission may also be required, depending on the proposal.

There is a presumption against the removal of original stone slabs from basement areas. They should never be covered in concrete or any other material such as gravel or chips. Where existing stone slabs need to be renewed new stone slabs should be laid. Similarly, stone steps and platts to ground floor entrances should be repaired or

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renewed in natural stone to match the original in colour. Basement steps, floors and walls should not be painted .

Proposed extensions in front basement areas or under entrance platts are not normally acceptable and owners are encouraged to remove existing extensions.

The formation of lightwells in basements will only be permitted where they are part of the character of the street. These should always be in matching materials to the main building and covered with a flush cast iron grille.

## Access Stairs

New external access stairs will require listed building consent and may also require planning permission.

There is a general presumption against external access stairs.



Where acceptable, access stairs should be in-keeping with the character of the building. The design of the stair should either be based on an original design for the type of building or a lightweight modern addition with metal being the preferred material. New doors and stairs should be painted appropriate colours, usually black for metal work. They should not be enclosed structures.

Stairs should normally be for access only. Where they include platforms for incidental use, the Council's guidelines on privacy must be complied with. Stairs should be kept close to the building, but should not obstruct daylight from existing windows.

When buildings are in single occupancy and there is an existing door at either ground floor or basement level, an access stair at upper levels will not normally be permitted. On all other properties, access stairs will be restricted to the floor above the lowest habitable floor level. Bridges over rear basement areas will not be considered acceptable.

## Renewable Energy Technologies (Solar Panels, Wind Turbines etc.)

Listed building consent will normally be required for the installation of renewable energy technologies. Planning permission may also be required, depending on the proposal.

The installation of renewable energy technologies should be carefully sited in order to protect the architectural integrity of the listed building.

Poorly located renewable energy technologies can be visually intrusive and will not be acceptable where they detract from the character of the building. They should not be visible from public view. They may be acceptable in the following locations:

- On the ground to the rear of the building.
- On a modern extension to the rear of the building, providing that no part is higher than the main building.
- In the internal valley of a roof, provided that no part projects above the ridge.

In the New Town Conservation Area and World Heritage Site, aerial views will also be considered.

## External Plumbing

Listed building consent may be required for external plumbing. In some circumstances, planning permission may also be required, depending on the proposal.

Additional pipework on important facades should be avoided especially if it would result in disturbance to, or the breaking through of masonry, mouldings or decorative features. Replacements should be in cast iron, painted to match the colour of the walling and should match the original sections.

## Gas Pipes and Meter Boxes

Listed building consent is only required where the guidelines listed below cannot be complied with.

A maximum of a 450mm of supply pipe can be visible on the front wall of listed buildings. External pipes which are both horizontal and vertical must have the horizontal section within the basement areas (where applicable) and not be visible from the street.

Holes in stonework must be kept to a minimum and should be made through stone joints, except in the case of “V” jointing or rubble where holes should be in the stonework. Non-ferrous fixings must be used.

Pipe runs should not interfere with cornices and decorative plasterwork. Where pipes are chased into walls, plasterwork must be reinstated to original.

All redundant surface-run pipe work must be removed and the surfaces made good and painted to match existing materials and colour.

Meter boxes should not be fitted to the front or any conspicuous elevation of buildings.

Pipe work and meter boxes should be painted to match adjacent stone.

## Flues

Listed building consent is required to install balanced flues on the front or any conspicuous elevation of listed buildings. In certain circumstances an application for planning permission will also be required.

Balanced flues will not normally be acceptable on the front or conspicuous elevations of listed buildings.

The balanced flue should be painted to match the colour of the surrounding stonework.

Holes to accommodate the balanced flue should be formed with a core cutter.

## Ventilation Grilles

Listed building consent is required to install ventilation grilles on the front elevation (or any conspicuous elevations) of listed buildings. Planning permission is not normally required if of a domestic scale.

Ventilation grilles will not normally be acceptable on the front or other conspicuous elevations of listed buildings.

If acceptable in principle, ventilation grilles should generally be no bigger than the standard size, flush with the wall surface and coloured to match the background.

## Air Conditioning and Refrigeration

Planning permission and listed building consent will normally be required to install air conditioning and refrigeration units on the exterior of buildings. Listed building consent may also be required to install units within listed buildings where units would disrupt architectural features and fixtures.

The preferred location for units on listed buildings are:

- Free standing within garden or courtyard areas, subject to appropriate screening and discreet ducting.
- Within rear basement areas.
- Inconspicuous locations on the roof (within roof valleys or adjacent to existing plant). However, in the New Town Conservation Area and World Heritage Site, aerial views will also be considered.
- Internally behind louvres on inconspicuous elevations. This should not result in the loss of original windows.

Where it is not practicably possible to locate units in any of the above locations, it may be acceptable to fix units to the wall of an inconspicuous elevation, as low down as possible; they should not be located on the front elevation.

Units should be limited in number, as small as practicably possible and painted to tone with the surrounding stonework or background.

Ducting must not detract from the character of the building.

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## Alarm Boxes

Alarm boxes on listed buildings should be the smallest available, fitted in the least conspicuous location and painted to match the background colour or stonework.



There will be a general presumption against the location of alarm boxes on the front elevation of listed buildings which retain their original domestic character, irrespective of the use of the premises.

Where alarm boxes have to be located on the front elevation, they should be restricted to the least visible location. On tenemental properties, alarm boxes should not normally be located above the ground floor.

In basement areas, it may be possible to fit alarm boxes in inconspicuous locations such as on in-facing walls, under entrance platts and stairs, and on the sides of platt supporting arches close to the junction with the pavement.

Concealed locations on side and rear elevations should also be considered. Consideration should also be given to fitting boxes inside the building behind windows and fanlights. Alarm boxes should not bridge mortar joints in the stone, particularly where V or square joints are used.

Alarm boxes will normally be considered acceptable in appropriate locations and on painted shop fronts and commercial frontages where the boxes are painted to match the background colour.

## Satellite Dishes

Listed building consent will normally be required to install a satellite dish on a listed building. Planning permission may also be required if located within a Conservation Area.

Poorly sited satellite dishes can be visually intrusive and will not be acceptable where they detract from the character of the building. They should not be visible from public view. They may be acceptable in the following locations:

- On the ground to the rear of the building.
- On a modern extension to the rear of the building, providing that no part of the dish is higher than the main building.
- In the internal valley of a roof, provided that no part of the dish projects above the ridge.
- Behind a parapet, provided no part of the dish projects above it.

In the New Town Conservation Area and World Heritage Site, aerial views will also be considered.

Where the location for a dish is considered to be appropriate, it should be chosen to blend in with its background. This may require the dish to be painted.

All fixings should be non-ferrous.

Consent may be refused for additional dishes due to the visual effects of a multiplicity of dishes, even if this precludes some residents from receiving satellite television. The sharing of satellite dishes will be encouraged.



## Other Additions

External fixtures will require listed building consent when they affect the character of the listed building. These include floodlighting, security cameras, window boxes, bird control installations and eyebolts (unless on window reveals). Planning permission may also be required, depending on the proposal.

Only undamaging and visually unobtrusive positions for such fixtures will be considered acceptable. Fixtures should not lie across, cut into or through any architectural feature or disturb the balance of a symmetrical façade. Fixings into stonework should be kept to a minimum and should be non-ferrous.

The size and number of additions will also be an important consideration and, where appropriate, applicants may be asked to erect fixtures on a temporary basis in order that their impact can be accurately assessed.

Proposals to erect any fixtures which fail to respect the form and detailing of the building and detract from its appearance are not likely to be acceptable.

The position and colour of cabling for lighting, television and other services should be inconspicuous. Cabling may often be accommodated behind or next to downpipes or on top of projecting string courses and cornices. Black or grey cabling is normally the most appropriate colour.

## Adaptation for Accessibility

Listed building consent is required to install ramps, handrails, indicators and lifts and for alterations to doors. Planning permission may also be required.

While the Equality Act 2010 requires service providers to take “reasonable” steps to make their buildings and services accessible, there is also a statutory duty to protect the character of the historic environment. The provision of access for the less able to historic buildings will, therefore, require careful consideration and design.

Full access for everyone via the principal entrance may not be appropriate. Alternative access arrangements which preserve the character of the listed building may be required.

Listed building consent will be required for any internal alterations which will alter the character of the listed building.

Planning permission is not required for internal alterations.

Solutions should be tailored to the particular building through the use of innovative design and high quality materials.

### Ramps

The placing of a ramp on a building should have minimal impact on the historic fabric.

The symmetry of existing elevations and the rhythm of the street as a whole should be respected, and where relevant, care should be taken to protect the relationship between railings, property and basement.



Where appropriate, consideration should be given to regrading the ground at the entrance in order to overcome the need for larger ramps and minimise the visual impact on the building. If this will cause a footway hazard, a ramp inside the building may be appropriate; the removal of steps and the lengthening of doors can sometimes accommodate this.

Ramps on the public footway will not generally be supported. Where acceptable, ramps must leave sufficient clear footway for pedestrians. This will vary according to the volume of pedestrian traffic. In general, this is 2 metres for residential areas, 3 metres for main roads and 5-6 metres for busy shopping streets.

Where a ramp is acceptable, high quality materials, such as stone to match the existing building, will be encouraged. In some circumstances, high quality design in modern materials may be more appropriate.

### Handrails

Where required, handrails should be carefully designed and sensitively located to avoid being visually intrusive.

Appropriate contrast with the background material can be achieved with high quality traditional or contemporary materials.

### **Tactile Indicators**

Historic flooring materials should not be replaced with standard tactile paving. A tactile grid can be achieved by using materials that match those of the surrounding area, and which have been textured with ridges or dimples. More information is available in [Street Design Guidance](#).

### **Visual indicators**

Brightly coloured high-visibility strips should be avoided, unless their use helps to avoid other more visually intrusive works.

### **Doors**

There may be cases (particularly in the case of historic buildings) where it is less damaging to seek alternative access routes than to widen or alter a doorway. Historic doors are often an integral part of the design of the building, and should be retained wherever possible.

Where historic doors are heavy or difficult to operate, it is normally possible to adapt them by re-hanging and/or introducing opening mechanisms or visual indicators to make the handles more prominent.

### **Lifts**

External chair and platform lifts can have a significant impact on the architectural character of a building, but may be more appropriate than a ramp in certain circumstances. The resting position of any external lift should be as low as possible, and the design of the platform and restraints should be as

transparent as possible. Metal cages are unlikely to be acceptable as they are disruptive to the streetscape and can seem intimidating to the user.

## **Internal Alterations**

Listed building consent will be required for any internal alterations which will alter the character of the listed building.

Planning permission is not required for internal alterations.

### **Subdivision**

The original plan form of a building should always be respected.

All major works of alteration should be limited to areas of secondary importance. There will be a particular requirement not to sub-divide, either vertically or horizontally, principal rooms and entrance/stair halls. Where the interior is of particular architectural or historical importance, subdivision will not be permitted.

The degree of change to the plan form which may be acceptable will normally be dependent on previous alterations and use.

There will be a presumption against the sub-division of complete houses and flats currently in residential use. A greater degree of flexibility will be exercised where the current use is non-residential and a return to residential is proposed.

Where acceptable, subdivision should not normally result in the formation of more than one flat per floor in town houses.

Rear stairs should not be attached as part of a sub-division proposal. Access to rear gardens should be retained through a basement room, where possible.

Garden ground should not be formally divided up by the use of fences and other unsuitable boundary markers to delineate ownership. Particular care should be taken to conceal the clutter of intensified domestic use, e.g. garages and bin stores.

### **Internal Walls and Partitions**

Internal walls in listed buildings should always be investigated with care in advance of alterations as historic or interesting features may be concealed by plaster or behind panelling. In some cases, the partitions themselves may be of historic interest.

In cases where it is considered acceptable for an existing wall or partition to be removed, it will be necessary to leave nibs and a downstand of at least 300mm with any original cornice left intact. Work should not cut through mouldings or enriched plaster decoration but be shaped around them to allow for reinstatement at a later date. In most cases it will be desirable to replicate the original cornice detail at the head of new partitions as well as dadoes and skirtings.

New partitions which affect the proportions of principal rooms will not be considered acceptable.

### **Internal Door**

Doors that form part of the architectural composition of a room or plan form should be retained. Where they are redundant in terms of circulation, they should be locked shut and left in position, rather than being removed.



If traditional panelled doors require to be upgraded for fire resistance, fire resistant paper applied to the panelling or intumescent paint and edge strips should be used. Door closers should be hidden.

Where new door openings are considered acceptable, they should be correctly detailed with matching doors and architraves. They should not incorporate features such as glazed panels. In general, consent will not be granted for new doors connecting front and rear principal rooms at ground floor level, although jib (secret) doors may be allowed in certain cases. Where doors are to be added, but are not in traditional positions it is often acceptable to design a jib door or modern opening, so as not to confuse the building's history.

Buffet recesses are an important feature in the dining rooms of listed buildings, particularly in the New Town, and should be retained.

### Plasterwork



Care should always be taken with works to old plaster to avoid destroying early decoration. All decorative features from a simple cornice or cove to elaborate wall and ceiling decoration should

be preserved. Suspended ceilings should never be formed in principal rooms or entrance halls which have decorative plasterwork. They may be acceptable in minor rooms provided they are above window height.

### Chimneypieces

Chimneypieces, along with fireplaces containing original features are part of the decorative history of a building and are often central to the design of a room. Even later chimneypieces of interest can make a significant contribution to the character of a room. Original or later chimneypieces or fireplaces of interest should not be removed, even if the chimney is redundant. In cases where there is no alternative to the removal of a chimneypiece, it should be re-used in an appropriate location within the building. The removal of a chimneybreast is almost never acceptable, particularly as this may affect the structural stability and ventilation of the building. The restoration of missing chimneypieces will be supported.



### Staircases



The removal or alteration of any historic staircase, including handrails and balusters, is not normally acceptable. The stair is often the most significant piece of design within a building and can be important dating evidence. Where subdividing ground and basement floors, the basement stair must be retained. In retail premises, the removal of the lowest flight of stairs, which provides access to and use of upper floors, will not be allowed.

### Lifts and Stair Lifts

Wherever possible, lifts should be installed in an existing opening in order to minimise physical and visual disruption to the built fabric.

Stair lifts and chair lifts may not be acceptable in sensitive interiors. It may be better to use a secondary stair if possible, or to rationalise the service provision within the building so that access to all floors is not required. An independent device such as a stair climber could also be considered.

## Floors and Ceilings

Floors which are original to the building and/or of interest because of their materials, form or surface treatment should be respected, and repaired and retained in situ. Care must be taken when such floors require to be lifted in order to install or repair services. In some instances, features of interest are concealed behind suspended or false ceilings. This should always be the subject of investigation prior to any works being carried out.

## Kitchens and Bathrooms

New kitchens and bathrooms should be located at the rear of a building to prevent fittings being built across windows to the front of a property and to avoid cluttering a front elevation with downpipes and ventilators.

New kitchens will generally not be acceptable in principal rooms and must not obscure any architectural detailing.

Podded kitchens and bathrooms will rarely be permitted in principal rooms but may be permitted elsewhere provided they are of a limited area, are freestanding and do not have a detrimental effect on any fixtures of architectural interest.

En-suite bathrooms will not be acceptable in principal rooms. They should ideally be located within existing boxrooms or cupboards. Where this is not possible, it may be acceptable to locate them in larger, secondary rooms although this will be dependent on their form and how they affect room proportions.

En-suite bathrooms, where acceptable within rooms, will normally be height, appearing as a 'piece of furniture' within the room.

## Sprinkler Systems

The introduction of sprinkler systems into important and/or vulnerable interiors will normally be acceptable. Whilst exposed pipework systems minimise the degree of disturbance to the structure, care must be exercised in the design of exposed pipework to ensure its appearance is appropriate to the historic interior to be protected. Pipework should not be cut into decorative plasterwork.

The location of sprinkler heads, either ceiling or wall mounted, must be carefully integrated into interiors in order to reduce their visual impact. In particular, ornate interior locations, will not normally be considered acceptable. On highly decorative ceilings, sprinkler heads are best concealed within the raised modelling of the ceiling.

The presence of sprinkler protection does not eliminate the need for preventative measures to reduce the risk of a fire occurring or spreading.

## Other Services

The installation of services, such as computer trunking, fibre optics and central heating pipes, should be reversible and should not result in damage to architectural features. Surface mounting such services may be preferable.

## New development in the grounds of listed buildings

Development within the curtilage of a listed building which is not physically attached to listed structures does not require listed building consent, but may require planning permission.

Buildings and structures erected before 1 July 1948 within the curtilage of a listed building are treated as part of the listing building, even if they are not included within the description. Listed building consent will, therefore, be required for works which affect their character. Planning permission may also be required.

The curtilage of a listed building is the area of land originally attached to, and containing the structure of the main house and its ancillary buildings, and which was used for the comfortable enjoyment of the house. The extent of the curtilage in individual cases will be based on an assessment of the physical layout, pattern of ownership, and the past or present use and function of the building. Thus, buildings such as coach-houses, doocots, mews/stable courts, walled gardens, lodges, boundary walls, garden ornaments and gates would all be considered to be part of the curtilage of the listed building and are treated as part of the listed building, even if they are not individually listed.

The setting of a listed building is the environment of which the building was designed to be a principal focus, and which it was designed to overlook. The 'setting' of a listed building takes into account a much broader assessment of the siting and situation

of the building. The curtilage of a house will normally form part of the setting, but it is also important to consider land immediately adjacent to, or visible from, the listed building.

Development within the setting of a listed building will only be acceptable if it can be demonstrated that the proposal would not be detrimental to the architectural or historic character of the listed building.

The sympathetic conversion and re-use of existing buildings on the site, particularly stable blocks, mews, service courts and steadings, should be considered prior to developing proposals for new build; care should be taken to incorporate surviving original features in these buildings where possible.

However, any proposals to alter unsympathetically, relocate or remove items within the curtilage, such as stables, mews, garden walls, stone steps, stone paving and cobbled or setted areas are likely to detract from the quality of the building's setting and are unlikely to be approved.

The condition of the main item of listing is critical and, where it has gone out of use, it is important that the restoration of the listed building is sought as a priority. It should be a condition that work on the listed building should be completed, or that an appropriate contract has been let for its restoration, prior to the commencement of new development.

## New Development

Where new development within the grounds of a listed building is acceptable, the siting, design, scale, form, density and materials should be sympathetic to the listed building, including ancillary buildings.

The feeling of spaciousness of the grounds in relation to the main building should be protected for the amenity of the property. The scale of new development should be controlled so as not to crowd or obscure the house. No building of similar or greater bulk should be erected close to the main listed building.

The relationship that exists between the main house and its ancillary uses should not be disrupted by the new build.

## Views

New development should always be set back from the original building line of the main house to avoid interfering with oblique views of the listed building and disrupting formal approaches. Development to the front of a listed building which breaks its relationship to the street is not acceptable. This is particularly destructive of character, not only to the building, but to the area, especially where the building is part of a unified group. The principal elevations should remain visible in their entirety from all principal viewpoints. New development should not restrict or obstruct views of, or from, the listed building or rise above and behind the building so that its silhouette can no longer be seen against the sky from the more familiar viewpoints. Distant views of features and landmarks which may have been exploited in the design of the building should not be obstructed by the development.

## Landscape

The landscape setting of the building should be analysed as the loss of garden ground can seriously affect the setting of a listed building.

Planting which forms part of the original landscape should be retained and, where appropriate, the original landscape restored. New landscaping should be used imaginatively to screen and enhance new development and to retain the landscape setting of the building. Immediate surroundings should be maintained communally, avoiding individually defined gardens.

Conservation areas are areas of special architectural or historic interest which have a character and appearance which is desirable to preserve or enhance.

To check whether your property is located within a conservation area, the Council's [online map](#) can be used.

# Part 2: Conservation Areas

## Conservation Area Character Appraisals

Conservation Area Character Appraisals identify the essential character of conservation areas. They guide the local planning authority in making planning decisions and, where opportunities arise, preparing enhancement proposals. The Character Appraisal are a material consideration when considering applications for development within conservation areas.

## Implications of Conservation Area Status

1. The permitted development right which allows any improvement or alteration to the external appearance of a flatted dwelling that is not an enlargement is removed.
2. Special attention must be paid to the character and appearance of the conservation area when planning controls are being exercised. Most applications for planning permission for alterations will, therefore, be advertised for public comment and any views expressed must be taken into account when making a decision on the application.
3. Within conservation areas the demolition of unlisted buildings requires conservation area consent.
4. Alterations to windows are controlled in terms of the Council's policy.

5. Trees within conservation areas are covered by the Town and Country Planning (Scotland) Act 1997. The Act applies to the uprooting, felling or lopping of trees having a diameter exceeding 75mm at a point 1.5m above ground level, and concerns the lopping of trees as much as removal. The planning authority must be given six week's notice of the intention to uproot, fell or lop trees. Failure to give notice renders the person liable to the same penalties as for contravention of a Tree Preservation Order (TPO).

## Do I Need Planning Permission?

### Planning Permission

Planning permission is required for many alterations, additions and changes of use. However, some work can be carried out without planning permission; this is referred to as 'permitted development'.

Within conservation areas, fewer alterations are permitted development and most changes to the outside of a building, including changing the colour, require planning permission.

The **Town and Country Planning (General Permitted Development) (Scotland) Order 199** sets out the requirements for planning permissions.

If you believe your building work is 'permitted development' and doesn't need planning permission, you can apply for a Certificate of Lawfulness. This is a legal document from the Council which confirms that the development is lawful.

## What Other Consents Might Be Required?

### Listed Building Consent

Listed building consent is required for works affecting the character of listed buildings, including the interior and any buildings within the curtilage. Planning permission may also be required in addition. If your building is listed, the Listed Buildings Guidance should be used.

### Advertisement Consent

Advertisements are defined as any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, and employed wholly or partly for the purposes of advertisement, announcement or direction.

While many advertisements require permission, certain types do not need permission as they have "deemed consent". You can check this by consulting **The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984**.



## Building Warrant

Converted, new or altered buildings may require a Building Warrant, even if Planning Permission is not required. Please contact Building Standards for more information on 0131 529 7826 or **email: [buildingwarrant.applications@edinburgh.gov.uk](mailto:buildingwarrant.applications@edinburgh.gov.uk)**.

## Road Permit

A Road Permit will be required if forming a new access or driveway. Please contact the Area Roads Manager in your **Neighbourhood Team** for more information.

## Biodiversity

Some species of animals and plants are protected by law. Certain activities, such as killing, injuring or taking the species or disturbing it in its place of shelter, are unlawful.

If the presence of a European Protected Species (such as a bat, otter or great crested newt) is suspected, a survey of the site must be undertaken. If it is identified that an activity is going to be carried out that would be unlawful, a licence may be required.

More information on European Protected Species, survey work and relevant licenses is available in the Edinburgh Planning Guidance on Biodiversity and the **Scottish Natural Heritage** website.

## Trees

If there are any trees on the site or within 12 metres of the boundary, they should be identified in the application. Please refer to **Edinburgh Design Guidance** for advice.

Trees with a Tree Preservation Order or in a conservation area are also protected by law, making it a criminal offence to lop, top, cut down, uproot, wilfully damage or destroy a tree unless carried out with the consent of the Council. You can read more about this on our website at [www.edinburgh.gov/privatetrees](http://www.edinburgh.gov/privatetrees)

## General Principles

Designation of a conservation area does not mean development is prohibited.

However, when considering development within a conservation area, special attention must be paid to its character and appearance. Proposals which fail to preserve or enhance the character or appearance of the area will normally be refused. Guidance on what contributes to character is given in the conservation area character appraisals.

The aim should be to preserve the spatial and structural patterns of the historic fabric and the architectural features that make it significant.

Preservation and re-use should always be considered as the first option.

Interventions need to be compatible with the historic context, not overwhelming or imposing.

Without exception, the highest standards of materials and workmanship will be required for all works in conservation areas.

## Repair

Planning permission is not normally required for repairs which match the original materials and methods and do not affect the character of the building.

## Demolition

Conservation area consent is required for the complete demolition of unlisted buildings within conservation areas.

Demolition will only be acceptable if the new development preserves or enhances the area.

## Extensions and Alterations

Information on extensions and alterations to residential properties is included within '**Guidance for Householders**'.

Proposals must preserve or enhance the character or appearance of the conservation area.

The use of traditional materials will be encouraged. UPVC will not be acceptable.

## Shopfront Alterations and Signage

Specific information is included in Guidance for Businesses. This should be considered alongside this document, where relevant.

## Windows and Doors

The replacement, repair and painting of windows and doors which match the design, materials and methods utilised in the existing build will not require planning permission.

Planning permission will not be required where replacement or altered windows and doors meet the following requirements.

Replacement windows and doors on all elevations of unlisted properties of a traditional design within conservation areas must match the original proportions, appearance, materials, and opening method. Appropriate timber sealed unit double glazing will normally be considered acceptable. Alternative materials such as uPVC will not be acceptable.

A departure from these guidelines must be fully justified. The form of the existing windows &



doors within the building and in its immediate surroundings will be taken into consideration.

Replacement windows and doors in less traditional developments within conservation areas should maintain the uniformity of original design and materials and should open in a manner that does not disrupt the elevation. However, the exact replication of the original windows or doors may, in some cases, be of lesser importance.

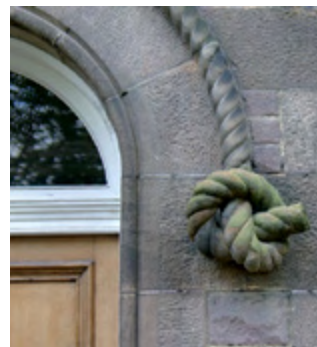
Doors should be painted in an appropriate dark and muted colour. Windows should normally be painted white or off-white.

Planning permission is required for the stonecleaning of any building within a conservation area.

## Stone Cleaning

Stone cleaning cannot be undertaken without damaging a building. It can also reveal the scars of age, such as staining, poor previous repairs and surface damage. It may also remove the natural patina, the protective layer on the stone, opening up the surface pore structure and making re-soiling much easier.

There will therefore be a presumption against the stone cleaning of buildings within conservation areas. Stone cleaning will not be considered acceptable on any street where cleaning has not commenced.



Where cleaning of a street has commenced, the issue of reinstating architectural unity will be a material consideration in assessing the merits of individual applications.

Specialist professional skills should be sought to undertake analysis and, where acceptable, design a suitable cleaning method and undertake work.

### 1. Fabric Survey

A full drawing and photographic survey should be submitted. This should identify the types of stone on the building and the extent and nature of any current defects, including previous mortar or plastic repairs and the condition of pointing. The photographic survey should illustrate the frontage in relation to neighbouring properties and streetscape. This will allow an assessment of the impact of a 'clean' building within its wider environmental context. For comparative purposes, the fabric survey should also include a record of 'colour value' measured either by chromatic or Kodak colour strip.

### 2. Laboratory Analysis

To assess the most appropriate method of stone cleaning, applicants will be required to ascertain geological characteristics through laboratory tests. These tests should be carried out on uncleaned and trial area cleaned samples. The tests should include:

- (i) depth profiling
- (ii) petrological analysis
- (iii) stone permeability

These may reveal the presence of potentially damaging salts, the types of density of mineral grains and the stone's resistance to surface water penetration.

Applicants will also be asked to provide photographs to allow assessment of surface texture and roughness, both before and after trial cleaning.

The extent of laboratory analysis required may vary, subject to the architectural and historic importance of the building.

### 3. Trial Cleaning Samples

Paint removal methods should be tested on an inconspicuous trial area of two or three stones. A photographic survey should be carried out of the pre and post cleaning samples and the visual and chemical effects recorded. This enables an assessment of the technique's effectiveness. Applicants may be asked for further samples.

The number of samples should reflect the nature of the specific building being tested; all varieties of stone should be tested.

### 4. Post-Cleaning

If acceptable, post-cleaning photographic records should be submitted and should be documented for research purposes.

It is expected that most necessary repairs will be identified at the initial application stage. Therefore, consent would be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to stonecleaning.

### Stone Cleaning Methods

The following are the most common stone cleaning methods. Their inclusion in this guideline is for information only and does not imply their acceptability.

#### 1. Mechanical - Carborundum Disc

This method comprises a hand-held rotary disc with a carborundum pad. The surface layer of stone is removed along with the dirt, often creating contours as the disc hits hard and soft areas. This produces an uneven surface and causes the loss of fine detail.

#### 2. Air and Water Abrasive

These methods comprise grits carried by jets of air and/or water. The impact of the particles on the surface of the stone removes both dirt and stone and relies upon the skill of the operative to ensure that not too much stone is lost. The results of this method vary, but the pitting of the surface of the stone and the loss of fine detail are common. Dry grit blasting is usually more aggressive than wet grit washing.

#### 3. Chemical Cleaning

This method comprises the application of chemicals and a high pressure water wash. The balance of chemicals varies with the type of stone and surface deposit to be removed. Poultices can also be used; these are more gentle but damage still occurs.

After chemical cleaning, most stones retain the chemicals, even after pressure washing. This then increases decay.

#### 4. Water

When water pressure is used as part of the cleaning method, water is forced into the stone to a depth where natural evaporation will not take place. The water can then percolate down through the fabric of the wall and cause accelerated

weathering at lower levels in the building. High pressure water can also cause damage to the stone.

A water wash, pressurised or not, remains an alternative stone cleaning technique. It is likely that a low pressure water wash remains the least aggressive method of stone cleaning. However, it will not remove dirt which has combined with the surface to form an insoluble compound. High pressure and/or excessive water can cause surface erosion, pointing wash-out, staining and force water into the core of the wall. Due to the dangers of thermal expansion, water washing should be avoided in frosty conditions.

## Painting

Planning permission will be required to paint or render a previously untreated surface or change the colour of a building.

Paint which matches the existing in colour and uses traditional materials and methods will not require planning permission.

External stonework must not be painted or rendered, unless the surface was originally painted or rendered.

In basements, painting the underside of the entrance platt will be considered exceptions. Coping stones and the edge of steps should not be painted.

Walls covered with smooth cement render or a harled finish should generally be painted in earth colours or neutrals (grey, cream or beige). Rendered bands to windows should generally be in stone colours.



Information on painting a shop or other commercial premises is included within the **Guidance for Businesses**.

Doors should be painted in an appropriate dark and muted colour. Windows should normally be painted white or off-white. All areas of dormer windows, other than the window frames, should be painted to tone in with the roof.

Railings, balconies, other ornamental ironwork and downpipes should be painted black gloss, although other very dark colours may be appropriate for railings, such as dark green for railings around gardens.

## Paint Removal

Paint removal will require planning permission.

The restoration of the original surface through the removal of paint can improve the character and appearance of a building. Where surfaces have been previously painted, the removal of paint will be supported in principle, provided that the proposed removal method does not adversely affect the original surface.

The removal of paint requires chemical and/or abrasive cleaning to re-expose the stone beneath. Abrasive methods can cause severe damage to the surface and will be unlikely to remove all traces of paint from coarse, porous sandstone. In certain circumstances, a minimally abrasive method may be appropriate to remove the outermost paint layers not in contact with the stone surface. Chemical paint removal varies from paint stripper to a proprietary poultice (a substance placed on the stone to draw

out the paint). Each requires extreme caution due to their potentially damaging effects and trial samples should be carried out.

Previous painting could have disguised the poor condition or appearance of the surface so repair work may be required following paint removal. Therefore, consents will be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to paint removal.

Where paint removal is not appropriate, the property should be repainted in a matt finish stone coloured paint to tone with the adjoining stonework.

Specialist professional skills should be sought to undertake analysis, design a suitable treatment method and undertake any work.

### 1. Fabric Survey

A full drawing and photographic survey should be submitted. This should identify the types of stone on the building and the extent and nature of any current defects, including previous mortar or plastic repairs and the condition of pointing. The photographic survey should illustrate the frontage in relation to neighbouring properties and streetscape. This will allow an assessment of the impact of paint removal within its wider environmental context. For comparative purposes, the fabric survey should also include a record of 'colour value' measured either by chromatic or Kodak colour strip.

### 2. Trial Paint Removal Samples

Paint removal methods should be tested on an inconspicuous trial area of two or three stones. A photographic survey should be carried out of the pre and post painting samples and the visual

and chemical effects recorded. This enables an assessment of the technique's effectiveness. Applicants may be asked for further samples.

The number of samples should reflect the nature of the specific building being tested; all varieties of stone should be tested.

## Telecommunications including Satellite Dishes

Planning permission will be required for a satellite dish on a building within a conservation area.

The installation of cable television equipment in conservation areas requires planning permission. Equipment should be sensitively sited to minimise the affect on the special character and appearance of the conservation area.

Satellite dishes in conservation areas should not be easily visible from public view.

They should be located in inconspicuous locations, such as behind a parapet wall, within a roof valley or concealed behind by a chimney. They may also be acceptable on modern extensions to the rear, providing no part is higher than the main building.

To prevent a multiplicity of satellite dishes, the Council may refuse consent for additional dishes, even if this may prevent some properties from receiving satellite television. The sharing of dishes on buildings will be encouraged.

Where acceptable, satellite dishes should blend in with the background; this may require it to be painted. All fixings should be non-ferrous.

## Gas Pipes and Meter Boxes

Planning permission is only required where the guidelines below cannot be complied with.

A maximum of a 450mm of supply pipe should be visible on the front wall. External pipes which are both horizontal and vertical must have the horizontal section within the basement areas (where applicable) and not be visible from the street.

Holes in stonework must be kept to a minimum and should be made through stone joints, except in the case of “V” jointing or rubble where holes should be in the stonework. Non-ferrous fixings must be used.

All redundant surface-run pipe work must be removed and the surfaces made good and painted to match existing materials and colour.

Meter boxes should not be fitted to the front or any conspicuous elevation of buildings.

Pipe work and meter boxes should be painted to match adjacent stone.

## Flues

Balanced flues will only be permitted where it is not possible to line an existing chimney to form an internal flue.

Balanced flues will not normally be acceptable on the front or conspicuous elevations of listed buildings.

## Air Conditioning and Refrigeration

Planning permission will normally be required to install air conditioning and refrigeration units on the exterior of buildings.

The preferred location for units within conservation areas is:

- Free standing within garden or courtyard areas, subject to appropriate screening and discreet ducting.
- Within rear basement areas.
- Inconspicuous locations on the roof (within roof valleys or adjacent to existing plant). However, aerial views will also be considered.
- Internally behind louvres on inconspicuous elevations. This should not result in the loss of original windows.

Where it is not practicably possible to locate units in any of the above locations, it may be acceptable to

fix units to the wall of an inconspicuous elevation, as low down as possible; they should not be located on the front elevation.

Units should be limited in number, as small as practicably possible and painted to tone with the surrounding stonework or background.

Ducting must not detract from the character and appearance of the building and area.

## Adaptation for Accessibility

Planning permission may be required to install ramps, handrails, indicators and lifts and for alterations to doors.

While the Equality Act 2010 requires service providers to take “reasonable” steps to make their buildings and services accessible, there is also a statutory duty to protect the character of the historic environment. The provision of access for the less able to historic buildings will therefore require careful consideration and design.

Full access for everyone via the principal entrance may not be appropriate. Alternative access arrangements which preserve the character of the listed building may be required.

Solutions should be tailored to the particular building through the use of innovative design and high quality materials.

Apply for planning permission or a certificate of lawfulness at [www.eplanning.scot](http://www.eplanning.scot).

apply

## Ramps

The placing of a ramp on a building should have minimal impact on the historic fabric.

The symmetry of existing elevations and the rhythm of the street as a whole should be respected, and where relevant, care should be taken to protect the relationship between railings, property and basement.

Where appropriate, consideration should be given to regrading the ground at the entrance in order to overcome the need for larger ramps and minimise the visual impact on the building. If this will cause a footway hazard, a ramp inside the building may be appropriate; the removal of steps and the lengthening of doors can sometimes accommodate this.

Ramps on the public footway will not generally be supported. Where acceptable, ramps must leave sufficient clear footway for pedestrians. This will vary according to the volume of pedestrian traffic. In general, this is 2metres for residential areas, 3metres for main roads and 5-6metres for busy shopping streets.

Where a ramp is acceptable, high quality materials, such as stone to match the existing building, will be encouraged. In some circumstances, high quality design in modern materials may be more appropriate.

## Handrails

Where required, handrails should be carefully designed and sensitively located to avoid being visually intrusive.

Appropriate contrast with the background material can be achieved with high quality traditional or contemporary materials.

## Tactile Indicators

Historic flooring materials should not be replaced with standard tactile paving. A tactile grid can be achieved by using materials that match those of the surrounding area, and which have been textured with ridges or dimples. More information is available in [Edinburgh Street Design Guidance](#).

## Visual indicators

Brightly coloured high-visibility strips should be avoided, unless their use helps to avoid other more visually intrusive works.

## Doors

There may be cases (particularly in the case of historic buildings) where it is less damaging to seek alternative access routes than to widen or alter a doorway. Historic doors are often an integral part of the design of the building, and should be retained wherever possible.

Where historic doors are heavy or difficult to operate, it is normally possible to adapt them by re-hanging and/or introducing opening mechanisms or visual indicators to make the handles more prominent.

## Lifts

External chair and platform lifts can have a significant impact on the architectural character of a building, and should only be proposed where no other option is suitable. The resting position of any

external lift should be as low as possible, and the design of the platform and restraints should be as transparent as possible. Metal cages are unlikely to be acceptable as they are disruptive to the streetscape and can seem intimidating to the user.



**HAPPY TO TRANSLATE**

ترجمہ کنستراکٹر آن لائن کے ساتھ آن لائن کرنا

بسمند تولى الترجمة MOŻEMY PRZETŁUMACZYĆ 很快会翻译

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