

Notice of meeting and agenda

Planning Local Review Body (Panel 2)

10.00 am Wednesday, 20th January, 2021

Virtual Meeting - via Microsoft Teams

This is a public meeting and members of the public are welcome to watch the webcast live on the Council's website.

Contacts

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1. Appointment of Convener

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

2. Order of Business

- 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

- 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. Minutes

- 4.1 Minute of the Local Review Body (Panel 2) – 2 December 2020 – 7 - 20
submitted for approval as a correct record

5. Local Review Body - Procedure

- 5.1 Note of the outline procedure for consideration of all Requests for Review 21 - 24

6. Requests for Review

- 6.1 60 (4F) North Castle Street, Edinburgh – Removal of existing dormers and associated alterations to the roof – application no 20/02791/FUL. 25 - 134
- (a) Decision Notice and Report of Handling
- (b) Notice of Review and Supporting Documents

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

- 6.2** 10 (2F) Randolph Crescent Edinburgh – Alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area – application no 20/02744/FUL. 135 - 226

(a) Decision Notice and Report of Handling

(b) Notice of Review and Supporting Documents

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

- 6.3** 9 (3F4) Stewart Terrace Edinburgh – Form a roof dormer on tenement roof (in retrospect). – application no 20/02206/FUL. 227 - 254

(a) Decision Notice and Report of Handling

(b) Notice of Review and Supporting Documents

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

7. Extracts of Relevant Policies from the Edinburgh Local Development Plan

- 7.1** Extracts of Relevant Policies from the Edinburgh Local Development Plan for the above review cases

[Local Development Plan Online](#)

Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)

Edinburgh Local Development Plan Policy Env 3 (Listed Buildings - Setting)

Edinburgh Local Development Plan Policy Env 4 (Listed Buildings

- Alterations and Extensions)

Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)

8. Non-Statutory Guidance

8.1 [Guidance for Householders](#)

[Listed Buildings and Conservations Areas](#)

[The New Town Conservation Area Character Appraisal](#)

[Managing Change in the Historic Environment: Roofs - sets out Government guidance on the principles that apply to altering the roofs of listed buildings.](#)

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

Andrew Kerr

Chief Executive

Membership Panel

Councillor Chas Booth, Councillor Maureen Child, Councillor Hal Osler, Councillor Cameron Rose and Councillor Ethan Young

Information about the Planning Local Review Body (Panel 2)

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 LRB's remit 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 eleven members of the Planning Committee. The LRB usually meets every two weeks, with the members rotating in two panels of five Councillors.

This meeting of the LRB is being held virtually by Microsoft Teams.

Further information

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 Blair Ritchie, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4085, email blair.ritchie@edinburgh.gov.uk.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to the Council's online [Committee Library](#).

Live and archived webcasts for this meeting and all main Council committees can be viewed online by going to the Council's [Webcast Portal](#).

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

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Minutes

The City of Edinburgh Planning Local Review Body (Panel 2)

10.00am, Wednesday 2 December 2020

Present: Councillors Booth, Child, Osler and Rose.

1. Appointment of Convener

Councillor Osler was appointed as Convener.

2. Minutes

To approve the minute of the Local Review Body (LRB Panel 2) of 4 November 2020 as a correct record.

3. Planning Local Review Body Procedure

Decision

To note the outline procedure for consideration of reviews.

(Reference – Local Review Body Procedure, submitted)

4. Request for Review – 169 Bruntsfield Place, EDINBURGH

Details were submitted of a request for a review for the for refusal of planning permission for proposed alterations to existing takeaway and renew existing extract flue with new galvanized external duct terminated with cowl 1000mm above eaves at 169 Bruntsfield Place, Edinburgh. Application no. 20/01190/FUL .

Assessment

At the meeting on 2 December 2020, the LRB had been provided with copies of the notice of review submitted, including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were numbered 1-5, Scheme 1, being the drawings shown under the application reference number 20/01190/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.
Edinburgh Local Development Plan Policy Des 13 (Shopfronts)
Edinburgh Local Development Plan Policy Env 4 (Listed Buildings - Alterations and Extensions)
Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Businesses'
'Listed Buildings and Conservation Areas'
The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Whether there were any letters of comment, and confirmation that there was one letter from the Architectural Heritage Society for Scotland.
- If there was there enforcement action or deemed consent on the adjoining property, for the flue, as there was no consent granted.
- Clarification regarding the location of the current flue that used the chimney, as it was difficult to see on the plans.
- What kind of maintenance did these flues have, and was there any information on them from Environmental Protection?
- In accordance with Guidance, it was common practice to put flues internally into chimneys. Although there was nothing from Environmental Protection, it must have considered the issue of fire risk when preparing the guidance. Chimneys would have the appropriate safeguards.
- This was a listed building in a conservation area where the maintenance and care of the property should be paramount. This proposal would mean work on the rear of a listed building.
- The shops played a significant part in enhancing the character of the area. By improving the flue, the shop was facilitating it's use, although there were some safety issues.

- Although this was a listed building, the flue would be at the rear of the building, there were many listed buildings and buildings nearby where there were flues.

Having taken all the above matters into consideration, although one of the members was sympathetic to the proposal, the LRB was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Chief Planning Officer.

Decision

To issue a mixed decision:

- (A)** To uphold the decision by the Chief Planning Officer and to grant planning permission for the shopfront front and stallriser only.

Reason

In order to recognise the elements of the application which were compatible with the character of the listed building and conservation area.

The following informatives:

- (a) The development hereby permitted should be commenced no later than the expiration of three years from the date of the consent.
 - (b) No development should take place on the site until a 'Notice of Initiation of Development' had been submitted to the Council stating the intended date on which the development was to commence. Failure to do so constituted a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
 - (c) 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 have been given in writing to the Council.
- (B)** To uphold the decision by the Chief Planning Officer and to refuse planning permission for the proposed alterations on the rear elevation.

Reasons for Refusal

1. The proposal was contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed alterations would not be in keeping with the rest of the buildings, would cause unnecessary harm to the historic structure and diminution of its interest and were not justified.
2. The proposed external galvanized duct failed to preserve the character and setting of the listed building and failed to preserve or enhance the character and appearance of the conservation area.

(References – Decision Notice, Report of Handling and Notice of Review, submitted)

Dissent

Councillor Rose requested that his dissent be recorded in respect of the above item.

5. Request for Review – 5 Cluny Gardens, Edinburgh

Details were submitted of a request for a review for the for refusal of planning permission for amendment to permission (ref: 19/04488/FUL) relating to new vehicle entrance, boundary wall and changes to external stairs to lower garden at 5 Cluny Gardens, Edinburgh.

Assessment

At the meeting on 2 December 2020, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were numbered 01, 02, 03, 04, 05, Scheme 1, being the drawings shown under the application reference number 20/03062/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.
Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)
Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Householders'
'Listed Buildings and Conservation Areas'
The Morningside Conservation Area Character Appraisal
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Clarification was sought regarding the stepped access to the rear garden and what was in place and what was being proposed.

- It was advised that the steps went down to the back garden, the new steps would be subdivided so each property benefitted from a separate stepped access. The steps here had been granted consent and a wall would separate the two properties.
- A 3 metres wide section of low boundary wall and hedge would be lost to provide the proposed vehicular access.
- There were several driveways in the area and this one would not make much difference.
- The gate was a sliding cast iron gate painted black, to match the pedestrian gate, and was semi-transparent.
- This was an open street and regarding access drives, it would fit in and would not be detrimental to the character of the area.
- There was a hedge 3 metres high, which was a forbidding enclosure and to open it up with a gate would be beneficial.
- To allow the dwelling to have its own defined area and curtilage and access would not be unreasonable.
- There was a very strong theme that the stone base of the wall and hedge above, was an important part of the conservation area.
- That another break in the wall to give the amenity to both properties was not a negative proposal.
- There was already sufficient vehicular access and there was no need to add another one.

Having taken all the above matters into consideration, although some of the members were sympathetic to the proposals, the LRB was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Chief Planning Officer.

Motion

To uphold the decision by the Chief Planning Officer to refuse planning permission.

Reasons for Refusal:

The proposal would adversely impact on the character and setting of the villa property, and failed to preserve or enhance the character or appearance of the Morningside Conservation Area contrary to Edinburgh Local Development Plan policy Env 6 (Conservation Areas - Development) and policy Des 12 (Alterations and Extensions) and the non-statutory guidance.

- Moved by Councillor Osler, seconded by Councillor Booth.

Amendment

To not uphold the decision by the Chief Planning Officer to grant planning permission for the reason that the proposal would not adversely impact on the character and setting of the villa property, or fail to preserve or enhance the character or appearance of the Morningside Conservation Area. Therefore, it was not contrary to Edinburgh Local Development Plan policy Env 6 (Conservation Areas - Development) and policy Des 12 (Alterations and Extensions) and the non-statutory guidance.

- Moved by Councillor Rose, seconded by Councillor Child.

Voting

For the motion - 2 votes

(Councillors Booth and Osler.)

For the amendment - 2 votes

(Councillors Child and Rose.)

In the division, 2 members having voted for the motion and 2 members for the amendment, the Convener gave her casting vote for the motion.

Decision

To uphold the decision by the Chief Planning Officer to refuse planning permission.

Reasons for Refusal:

The proposal would adversely impact on the character and setting of the villa property, and failed to preserve or enhance the character or appearance of the Morningside Conservation Area contrary to Edinburgh Local Development Plan policy Env 6 (Conservation Areas - Development) and policy Des 12 (Alterations and Extensions) and the non-statutory guidance.

(References – Decision Notice, Report of Handling and Notice of Review, submitted)

6. Request for Review – 2 Cramond Crescent, Edinburgh

Details were submitted of a request for a review for the for refusal of planning permission for the conversion and extension of attic, replace conservatory walls with solid walls, move conservatory, create porch to front at 2 Cramond Crescent, Edinburgh. Application No. 20/03152/FUL.

Assessment

At the meeting on 2 December 2020, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents only. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were numbered Drawing numbers 01-11, Scheme 1, being the drawings shown under the application reference number 20/03152/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.
Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Householders'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Clarification that the existing porch was an open porch with a roof over.
- The proposed porch would have an enclosed element, with a larger roof over extending beyond the porch.
- According to the building line, the projection forward from the main wall was not excessive.
- This would not greatly exceed permitted development and it provided a more balanced look to the front of property.
- Permitted development allows for a small projection forward of the building line, up to 3 square metres. The proposal exceeded permitted development, because of the height and length of the pitched roof.
- The neighbouring property did not have a large development in front of it, only a small porch.
- The street seemed to be on a slight slope and consideration should be given to how would the proposals would look when ascending the street.
- The guidance was clear and stated that modest porches were acceptable. However, with this large roof extension, the proposals did not comply with guidance.
- In some neighbouring properties, the extensions were quite similar to the proposals, therefore, they were not out with the character with the area. This

was not a conservation area and the proposed porch did not protrude to a great extent and nearly complied with the criteria for permitted development.

- The neighbouring properties were mostly single dwellings, not semi-detached. It was difficult to approve this application, considering the guidelines.

Having taken all the above matters into consideration, although one of the members was sympathetic to the proposals, the LRB was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Chief Planning Officer.

Decision

To issue a mixed decision:

(A) To uphold the decision by the Chief Planning Officer and to grant planning permission for:

1. The one and a half storey rear extension which was acceptable and satisfied plan policy Des 12 and the non-statutory "Guidance for Householders".
2. The proposed rear dormer which was acceptable and satisfied plan policy Des 12 and the non-statutory "Guidance for Householders".

The following informatives:

- (a) The development hereby permitted should be commenced no later than the expiration of three years from the date of the consent.
 - (b) No development should take place on the site until a 'Notice of Initiation of Development' had been submitted to the Council stating the intended date on which the development was to commence. Failure to do so constituted a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
 - (c) 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 have been given in writing to the Council.
- (B)** To uphold the decision by the Chief Planning Officer and to refuse planning permission for the proposed porch.

Reasons for Refusal:

The proposed porch did not comply with development plan policy Des 12 or the non-statutory 'Guidance for Householders' and was not acceptable.

(References – Decision Notice, Report of Handling and Notice of Review, submitted)

Dissent

Councillor Rose requested that his dissent be recorded in respect of the above item.

7. Request for Review – 11 Grange Court, Edinburgh

Details were submitted of a request for a review of the refusal of planning permission for replacement windows and doors at 11 Grange Court, Edinburgh. Application No. 20/02900/FUL.

Assessment

At the meeting on 2 December 2020, the LRB had been provided with copies of the notice of review including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were numbered Drawing numbers 1-6, Scheme 1, being the drawings shown under the application reference number 20/02900/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.
Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)
Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Householders'
'Listed Buildings and Conservation Areas'
'The Grange Conservation Area Character Appraisal'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- Some adjacent properties appeared to have the same timber casement windows as this property. However, it was possible that some windows may have been changed to UPVC, but these replacement windows might not have consent.

- According to public comments, there had been no plastic windows or doors except for their French Windows. It seemed that there were some UPVC in the vicinity, but the LRB should make a decision based on policies, not precedent.
- These buildings were constructed in 1970's and used materials and styles that matched the adjacent historic buildings.
- It was unfortunate that there were no pictures for all of Grange Court, as the development was not characteristic of the wider conservation area.
- It was difficult to state which buildings had UPVC windows or doors, although the vast majority did not.
- UPVC windows were not appropriate in a listed building or a conservation area setting, but when drawing up boundaries for a conservation area, it was difficult to include old buildings and to exclude modern buildings.
- The building in question was built in the 1970s and not traditional. Policies should not be excessively rigid in such circumstances, to prevent residents from making energy saving alterations and timber framed windows were much more expensive than UPVC windows.
- In terms of maintenance and saving heat, there was sympathy for the applicant, but although the policies in relation to UPVC were too stringent, they should be applied.

Having taken all the above matters into consideration and although one of the members was opposed to granting the application, the LRB determined that the proposal was not detrimental to the character and appearance of the conservation area and not contrary to Edinburgh Local Development Plan policies Des 12 and Env 6.

It therefore overturned the decision of the Chief Planning Officer and granted planning permission.

Decision

To not uphold the decision by the Chief Planning Officer and to grant planning permission subject to:

The following informatives:

- (a) The development hereby permitted should be commenced no later than the expiration of three years from the date of this consent.
- (b) No development should take place on the site until a 'Notice of Initiation of Development' had been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constituted a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.

- (c) 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.

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

(References – Decision Notice, Report of Handling and Notice of Review, submitted)

Dissent

Councillor Rose requested that his dissent be recorded in respect of this item.

8. Request for Review – 3 Ladysmith Road, Edinburgh

Details were submitted of a request for a review of the refusal of planning permission for garden office and deck to rear of lower flat (part retrospective) (as amended) at 3 Ladysmith Road, Edinburgh. Application No. 20/00793/FUL.

Assessment

At the meeting on 2 December 2020, the LRB had been provided with copies of the notice of review, including a request that the review proceed on the basis of an assessment of the review documents and a site inspection. The LRB had also been provided with copies of the decision notice and the report of handling.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions.

The plans used to determine the application were numbered 01, 02B, Scheme 3, being the drawings shown under the application reference number 20/00793/FUL on the Council's Planning and Building Standards Online Services.

The LRB, having considered these documents, felt that they had sufficient information before it and agreed to determine the review using the information circulated.

The LRB in their deliberations on the matter, considered the following:

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.
Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Householders'
- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

The LRB considered all the arguments put before it in respect of the proposed planning application and discussion took place in relation to the following issues:

- There was some confusion about the nature of the proposals and clarification was provided. There was an office and bike store. This included steps down into the garden, access out at the upper level and steps to the roof of the garden office.
- With the potential for loss of privacy, the applicant offered to fully enclose the roof terrace which would prevent access to the roof of the office, thereby preventing it from being used for sitting out. These were the revised plans that were submitted.
- In the papers of the review that was submitted, there were images of the previous summerhouse that stood in this location.
- If this amended application was refused, the applicant could submit an alternative application which would address the issues.
- If the bike store was removed, the steps would come directly from the door into the garden. There would be no need for a landing area so close to the office building and no stepped access to the roof of the office.
- Whether there was a tenanted door and would there be access from this door into the garden to use the bike shed?
- Considering that the roofed terrace was intended as a green roof, how would maintenance access be anticipated with the removal of the steps?
- There was no issue with the steps coming down above the bike store, but the size of the garden office and bike shed was over development and there would be a loss of privacy.
- The only problem was the roof terrace. It did not seem that the building was out of character of the area and only some neighbours were objecting to the proposals.
- This was not a conservation area and the proposals provided amenity for owners with the bike shed and office.
- The amended proposals prevented the roof of the office being used for sitting out and addressed the majority of the issues. Only the extension of the stairs, into the garden had issues for neighbouring amenity and this was not significant.
- There was also the issue of overdevelopment. Individuals should be encouraged to use space, but this was not a good use of space. As this was retrospective, there was concern about late amendments at this stage.
- It would be beneficial that the applicant held discussions with officers and submitted a better proposal with a less negative impact.

Having taken all the above matters into consideration, although some of the members agreed with the proposals, the LRB was of the opinion that no material considerations had been presented in the request for a review which would lead it to overturn the determination by the Chief Planning Officer.

Motion

To uphold the decision by the Chief Planning Officer to refuse planning permission.

Reason for Refusal

The proposal was contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it was not compatible with the existing building and would be detrimental to the neighbourhood character.

- Moved by Councillor Osler, seconded by Councillor Child.

Amendment

To not uphold the decision by the Chief Planning Officer to refuse planning permission for the reason that the proposal was not contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it was not incompatible with the existing building and would not be detrimental to the neighbourhood character.

- Moved by Councillor Rose, seconded by Councillor Booth.

Voting

For the motion - 2 votes

(Councillors Child and Osler.)

For the amendment - 2 votes

(Councillors Booth and Rose.)

In the division, 2 members having voted for the motion and 2 members for the amendment, the Convener gave her casting vote for the motion.

Decision

To uphold the decision by the Chief Planning Officer to refuse planning permission.

Reason for Refusal

The proposal was contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it was not compatible with the existing building and will be detrimental to the neighbourhood character.

(References – Decision Notice, Report of Handling and Notice of Review, submitted)

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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 will only accept new information where there are exceptional circumstances as to why it was not available at the time of the planning application. The LRB will formally decide whether this new information should be taken into account in the review.

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. The LRB may decide it has insufficient information at any stage prior to the formal decision being taken.
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.
8. Whichever option the LRB selects, it shall comply with legislation set out in the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2013 (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, Chief Planning Officer 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 11 and 12 below.

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

Considering the Request for Review

10. Unless material considerations indicate otherwise, the LRB's determination must be made in accordance with the development plan that is legally in force. Any un-adopted development plan does not have the same weight but will be a material consideration. The LRB is making a new decision on the application and must take the 'de novo' approach.
11. The LRB will:
 - Identify the relevant policies of 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 planning 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;
 - take into account only those issues which are relevant planning considerations;
 - ensure that the relevant provisions of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 are assessed when the review relates to a listed building and/or conservation area; and
 - in coming to a determination, only review the information presented in the Notice of Review or that from further procedure.
12. 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;
 - determine the review in cases of non-determination.

Procedure after determination

13. The Clerk will record the LRB's decision.
14. 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.
15. The Decision Notice will comply with the requirements of regulation 22.
16. 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.

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Suzanne McIntosh Planning Limited.
45C Bath Street
Edinburgh
EH15 1HB

Mr Anderson
4F 60 North Castle Street
Edinburgh
EH2 3LU

**Decision date: 16 September
2020**

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

Removal of existing dormers and associated alterations to the roof.
At 4F 60 North Castle Street Edinburgh EH2 3LU

Application No: 20/02791/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 9 July 2020, 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;

Reasons for Refusal:

1 R LDP policy Env 3 and Env 4

The proposal is contrary to the Local Development Plan Policies Env 3 (Listed Building - Setting), policy Env 4 (Listed Building - Alterations and Extensions), as the roof alterations cause a diminution of the special interest of the listed building. The proposal would result in the erosion of the quality of the roofscape and an intervention to its established built form which is not in keeping with the character of the building or surrounding area and therefore fails to preserve it and its setting.

2 R LDP policy Env 6

The proposal is contrary to the Local Development Plan Policy Env 6 in respect to Conservation Areas - Development. The proposals fail to preserve or enhance the character of the conservation area, as the proposed works would form inappropriate interventions that would adversely affect the built form of the New Town.

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

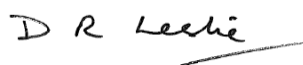
Drawings 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposals do not comply with the Local Development Plan. The proposed roof alterations and associated works are not acceptable as they fail to preserve the special character of the listed building, fail to preserve or enhance the character and appearance of the conservation area and adversely impact on the neighbourhood character.

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 Lewis McWilliam directly at lewis.mcwilliam@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The 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 www.eplanning.scot 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.

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 20/02791/FUL At 4F 60 North Castle Street, Edinburgh, EH2 3LU Removal of existing dormers and associated alterations to the roof.

Item	Local Delegated Decision
Application number	20/02791/FUL
Wards	B11 - City Centre

Summary

The proposals do not comply with the Local Development Plan. The proposed roof alterations and associated works are not acceptable as they fail to preserve the special character of the listed building, fail to preserve or enhance the character and appearance of the conservation area and adversely impact on the neighbourhood character.

Links

<u>Policies and guidance for this application</u>	LDPP, LEN03, LEN04, LEN06, LDES12, NSG, NSLBCA, NSHOU, OTH, CRPNEW, HES, HESROF,
---	--

Report of handling

Recommendations

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

Background

2.1 Site description

The proposal relates to an upper floor apartment on the fourth and fifth floor of a classical tenement property. The property is part of Category A Listed Building (LB29566 date added 03/03/1966), circa 1790.

The site lies within the Edinburgh World Heritage Site.

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

2.2 Site History

The site has the following planning history:

11 September 2020 - Listed Building Consent refused for removal of existing dormers and associated alterations to the roof. - (Ref: 20/02792/LBC)

18 October 2019 - Planning permission refused for extending 2 No dormers and formation of an external terrace area - (Ref: 19/03907/FUL)

18 October 2019 - Planning permission refused for internal alterations, extension to 2 No dormers and formation of an external terrace area. - (Ref: 19/03906/LBC)

5 January 2004 - Planning permission granted for alterations and additions to maisonette, glass conservatory, timber deck, glass balustrade, replacement windows (as amended). (Ref: 03/02919/LBC)

4 December 2003 - Planning permission granted for alterations to maisonette comprising new glass dormer, new timber deck to roof complete with glass balustrade and new roof windows (as amended). (Ref: 03/02919/FUL)

20 December 2000 - Planning permission granted for glass fronted dormer to existing roof terrace (amended application) - (Ref: 00/03114/LBC)

29 November 2000 - Planning permission granted for glazed dormer onto existing roof terrace (revised proposal) - (Ref: 00/03114/FUL)

Main report

3.1 Description Of The Proposal

The application proposes the following works;

- Adjustment to roof pitch on south and west-facing elevations to rear of property, and associated works including installation of rooflight on proposed flat roof section and alterations to position of existing dormer on the west elevation.
- Extension of existing dormer on north elevation.
- Removal of dormer on south-facing elevation to rear of property.
- Removal of rooflights on north, south and west elevations.

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

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 affect the character or setting of the listed building;
- b) The proposals will have an adverse impact on the character or appearance of the conservation area;
- c) The proposals are detrimental to the residential amenity of neighbours; and
- d) Any comments have been raised and addressed.

a) Character and Setting of Listed Building

HES's guidance on Managing Change - Roofs, states the significance of a historic roof is derived from a number of factors including its age, functional performance, shape and pitch profile and qualities of its supporting structure, covering materials and close matching of new materials.

Further, in considering how to alter a roof it is important to understand the impact of the building or street as a whole.

Policy Env 3 states that Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

Policy Env 4 of the adopted Edinburgh Local Development Plan (LDP) states that 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.

The external roof alterations and associated works would be discordant features in terms of the character of the listed building. The building has its original pitch roof constructed in slate, which is replicated on the adjacent listed buildings that form the terrace. The intervention to the roof form and loss of original fabric would change the character of the roof, an important part of the building's special interest. In addition, the enlarged dormer would dominate the roof, and by virtue of its obtrusive scale, result in the erosion of the original roofscape.

No details have been included on the plans regarding the material of external finishes.

The supporting statement states the proposal improves the structural safety and stability of the roof and brings the internal spaces to the standards for escape and building warrant. Although these matters are noted, the alterations result in a diminution of the buildings interest. The works would not be keeping with the existing building and would adversely affect its character..

The proposed removal of the dormer and rooflights is not justification for the scope of intervention to the roofscape and the resultant impact on the character of the listed building and its setting. The proposal is contrary to LDP Policies Env 3 Listed Building - Settings and Env 4 Listed Building - Alterations and Extensions..

b) Character and Appearance of the Conservation Area

Policy Env 6 Conservation Areas- States that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant character appraisal.

The New Town Conservation Area Character Appraisal (NTCACA) stress the following key elements;

Terminated vista within the grid layouts and the long distance views across and out of the Conservation Area are important features.

- The overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings, contributes significantly to the character of the area.
- There is a standard palette of traditional building materials including blonde sandstone, timber windows and pitched slated roofs.

In regard to assessing new development :-

Very careful consideration will be required for alterations and extensions affecting the roof of a property, as these may be particularly detrimental to the character and appearance of the Conservation Area.

In addition, the non-statutory Guidance on Listed Buildings and Conservation Areas states - The roof, which includes parapets, skewers, 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.

Further, the World Heritage Site (WHS), Management Plan sets out the key characteristics or attributes of the WHS. This includes the stepped/ pitched angled roofscapes articulated by various traditional features.

In terms of the appearance of the conservation area, there is an established built form and townscape. The steeply pitched roof of the site is typical of the pattern of development in the surrounding area. It is replicated on surrounding terraces dating from a similar period and is part of the character of the conservation area. Although the proposed alterations are not readily visible, even glimpsed views are important in terms of the overall character and appearance of the conservation area.

Although approved alterations (terrace, balustrade and dormer) have altered the original appearance of the roof, they were granted a considerable time ago, and do not form justification for additional works that may be unsympathetic in their own right.

The removal of two rooflights and a dormer are proposed to facilitate the roof additions. The existing dormers and rooflights are of limited scale and the proposed works to the roofslope and dormer extension is of significantly greater impact upon the character of the roofscape. In this respect, the removal of these features would not result in justification or an overall gain to the character or appearance of the conservation area.

The proposed alteration to the roof pitch would form an incongruous feature, disruptive to the uniformity of the terrace and the scale of the extended dormer would dominate the original roof form. The proposal would result in a significant and unacceptable intervention within the roofscape.

In addition, no detail has been included in regard to proposed materials and the plans appear inconsistent with the re-positioned dormer to the rear, not detailed on the side elevation plan. Updated information was requested in regard to this, although no plans were received.

The proposals would fail to either preserve or enhance the character and appearance of the conservation area. They would undermine the roofscape, a key characteristic of the New Town Conservation Area, to the detriment of its character and appearance.

The proposals do not comply with LDP Policy Env 6.

c) **Neighbouring Amenity**

In terms of neighbouring amenity, there are no concerns regarding the loss of daylight or privacy for neighbouring properties.

In respect of privacy, the enlarged dormer would face onto the existing decking and street. It would not overlook private gardens or neighbours' windows. Outlook from the re-positioned dormer would be consistent with the existing position. The rooflight in the flat roof is of an upward orientation that no overlooking would occur as a result. In view of this, the proposal raises no new privacy concerns. .

d) **Public comments**

No comments have been submitted.

Conclusion

The proposed development is not acceptable as it fails to preserve the special character of the listed building, fails to preserve or enhance the character and appearance of the conservation area and neighbourhood character.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policies Env 3 (Listed Building - Setting) policy Env 4 (Listed Buildings - Alterations and Extensions), as the roof alterations cause a diminution of the special interest of the listed building. The proposal would result in the erosion of the quality of the roofscape and an intervention to its established built form which is not in keeping with the character of the building or surrounding area and therefore fails to preserve it and its setting.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect to Conservation Areas - Development. The proposals fail to preserve or enhance the character of the conservation area, as the proposed works would form inappropriate interventions that would adversely affect the built form of the New Town.

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

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

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

Statutory Development**Plan Provision**

Policies - Edinburgh Local Development Plan - Urban Area

Date registered

9 July 2020

**Drawing
numbers/Scheme**

01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12,

Scheme 1

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer
E-mail: lewis.mcwilliam@edinburgh.gov.uk

Links - Policies

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

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

Other Relevant policy guidance

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.

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Roofs sets out Government guidance on the principles that apply to altering the roofs of listed buildings.

Appendix 1

Consultations

Historic Environment Scotland:

Thank you for your consultation which we received on 20 August 2020. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref

100018438,
LB29566,
GDL00367

Name

Edinburgh World Heritage Site Boundary,
60 QUEEN STREET AND 58A, 60 AND 62 NORTH CASTLE STREET,
THE NEW TOWN GARDENS

Designation Type

World Heritage Sites, Listed Building, Garden and Designed Landscape

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Michael Scott who can be contacted by phone on 0131 668 8913 or by email on Michael.Scott@hes.scot.

END



By email to:
lewis.mcwilliam@edinburgh.gov.uk

City of Edinburgh Council
Planning and Strategy
4 Waverley Court
East Market Street
Edinburgh
EH8 8BG

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300045579
Your ref: 20/02791/FUL
02 September 2020

Dear Sir/Madam

Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013
4F 60 North Castle Street Edinburgh EH2 3LU - Removal of existing dormers and
associated alterations to the roof

Thank you for your consultation which we received on 20 August 2020. We have
assessed it for our historic environment interests and consider that the proposals have
the potential to affect the following:

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Yours faithfully

Historic Environment Scotland



By email to:
lewis.mcwilliam@edinburgh.gov.uk

City of Edinburgh Council
Planning and Strategy
4 Waverley Court
East Market Street
Edinburgh
EH8 8BG

Longmore House
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Yours faithfully

Historic Environment Scotland



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100278782-004

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:	Suzanne McIntosh Planning Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Suzanne	Building Name:	
Last Name: *	McIntosh	Building Number:	45C
Telephone Number: *	07792230979	Address 1 (Street): *	Bath Street
Extension Number:		Address 2:	Portobello
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH15 1HB
Email Address: *	smcintoshplan@gmail.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="Lewis"/>	Building Number: <input type="text" value="60"/>
Last Name: *	<input type="text" value="Anderson"/>	Address 1 (Street): * <input type="text" value="North Castle Street"/>
Company/Organisation	<input type="text"/>	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="EH2 3LU"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

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="4F"/>
Address 2:	<input type="text" value="60 NORTH CASTLE STREET"/>
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 3LU"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="674051"/>	Easting	<input type="text" value="324885"/>
----------	-------------------------------------	---------	-------------------------------------

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)

Removal of Existing Dormers and Associated Alterations to the Roof

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.

A Full Grounds of Review Statement is provided

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)

A full list is provided in the submissions

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/02791/FUL

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

09/07/2020

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

16/09/2020

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)

A site visit will be required in order to view the roof internally at roof level, externally and from the street level

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

A virtual site visit of the interior could be an option

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 Suzanne McIntosh

Declaration Date: 04/11/2020

60 NORTH CASTLE STREET

PHOTOGRAPHIC CATALOGUE

STREET VIEWS



VIEW 1
QUEEN STREET FROM EAST



VIEW 2
QUEEN STREET FROM WEST



VIEW 3
NORTH CASTLE STREET FROM EAST



VIEW 4
YOUNG STREET NORTH LANE FROM SOUTH



VIEW 5
YOUNG STREET NORTH LANE FROM WEST



VIEW 6
YOUNG STREET NORTH LANE CAR PARK FROM EAST



VIEW 7
YOUNG STREET NORTH LANE CAR PARK FROM SOUTH



VIEW 10
YOUNG STREET NORTH FROM EAST



VIEW 8
HERIOT ROW FROM NORTH



VIEW 9
INDIA STREET FROM NORTH



VIEW 11
CURRENT ROOF TERRACE FACING NORTH

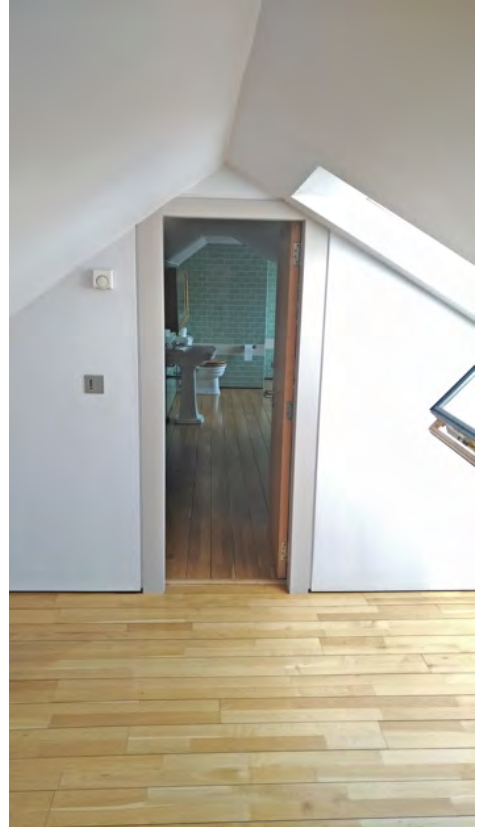


VIEW 12
CURRENT ROOF TERRACE FACING NORTH-EAST

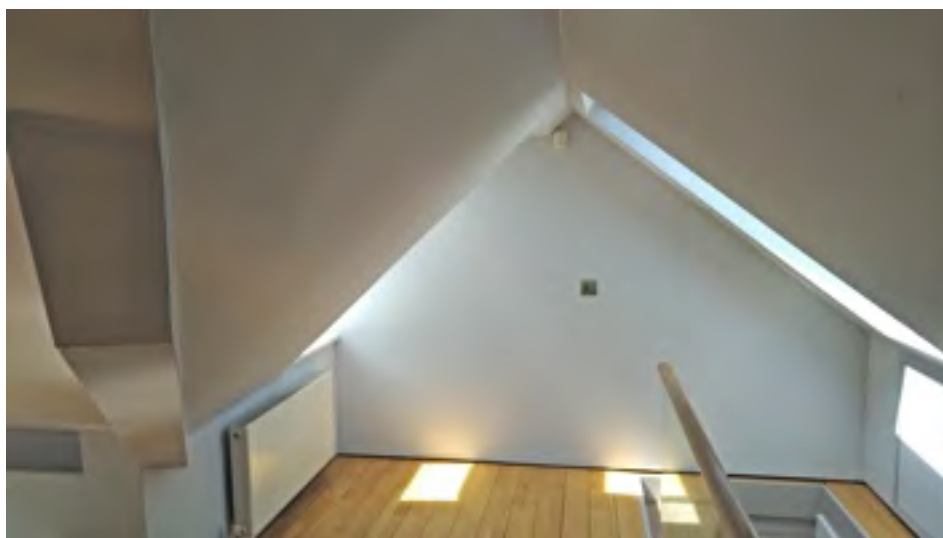
INTERNAL VIEWS



VIEW 13
Door 550 x 1650mm high



VIEW 14
Door 600 x 1750mm high



VIEW 15
Height to apex of ceiling 2m



VIEW 16
Existing Rear Dormer Windows



VIEW 17
Door 550 x 1650mm high



VIEW 18
Existing Sun Room



VIEW 19
Existing Sun Room



VIEW 20
Velux rooflight at roof terrace



VIEW 21
Internal view looking to rear dormer



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100278782-001

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)

Removal of existing dormers and associated alterations to the roof

Is this a temporary permission? *

☐ Yes ☒ No

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

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:	Suzanne McIntosh Planning Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Suzanne	Building Name:	
Last Name: *	McIntosh	Building Number:	45C
Telephone Number: *	07792230979	Address 1 (Street): *	Bath Street
Extension Number:		Address 2:	Portobello
Mobile Number:	07792230979	Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH15 1HB
Email Address: *	smcintoshplan@gmail.com		
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Lewis	Building Number:	60
Last Name: *	Anderson	Address 1 (Street): *	North Castle Street
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	Lothians
Mobile Number:		Postcode: *	EH2 3LU
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:

4F

Address 2:

60 NORTH CASTLE STREET

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH2 3LU

Please identify/describe the location of the site or sites

Northing

674051

Easting

324885

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

☐ Yes ☒ No

Site Area

Please state the site area:

308.00

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)

residential flat

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.

<p>Are you proposing any change to public paths, public rights of way or affecting any public right of access? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>	
<p>How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?</p>	<div style="border: 1px solid black; padding: 2px 10px;">0</div>
<p>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)? *</p>	<div style="border: 1px solid black; padding: 2px 10px;">0</div>
<p>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).</p>	
<h2 style="margin: 0;">Water Supply and Drainage Arrangements</h2>	
<p>Will your proposal require new or altered water supply or drainage arrangements? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Do your proposals make provision for sustainable drainage of surface water?? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No (e.g. SUDS arrangements) *</p> <p>Note:-</p> <p>Please include details of SUDS arrangements on your plans</p> <p>Selecting 'No' to the above question means that you could be in breach of Environmental legislation.</p>	
<p>Are you proposing to connect to the public water supply network? *</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No, using a private water supply</p> <p><input checked="" type="checkbox"/> No connection required</p> <p>If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).</p>	
<h2 style="margin: 0;">Assessment of Flood Risk</h2>	
<p>Is the site within an area of known risk of flooding? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p> <p>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.</p> <p>Do you think your proposal may increase the flood risk elsewhere? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Don't Know</p>	
<h2 style="margin: 0;">Trees</h2>	
<p>Are there any trees on or adjacent to the application site? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>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.</p>	
<h2 style="margin: 0;">Waste Storage and Collection</h2>	
<p>Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

If Yes or No, please provide further details: * (Max 500 characters)

waste collection as existing

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

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: Suzanne McIntosh

On behalf of: Mr Lewis Anderson

Date: 08/07/2020

☒ 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)

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: Mrs Suzanne McIntosh

Declaration Date: 08/07/2020

Report of Handling

Application for Planning Permission 20/02791/FUL At 4F 60 North Castle Street, Edinburgh, EH2 3LU Removal of existing dormers and associated alterations to the roof.

Item	Local Delegated Decision
Application number	20/02791/FUL
Wards	B11 - City Centre

Summary

The proposals do not comply with the Local Development Plan. The proposed roof alterations and associated works are not acceptable as they fail to preserve the special character of the listed building, fail to preserve or enhance the character and appearance of the conservation area and adversely impact on the neighbourhood character.

Links

<u>Policies and guidance for this application</u>	LDPP, LEN03, LEN04, LEN06, LDES12, NSG, NSLBCA, NSHOU, OTH, CRPNEW,
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Report of handling

Recommendations

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

Background

2.1 Site description

The proposal relates to an upper floor apartment on the fourth and fifth floor of a classical tenement property. The property is part of Category A Listed Building (LB29566 date added 03/03/1966), circa 1790.

The site lies within a World Heritage Site.

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

2.2 Site History

The site has the following planning history:

18 October 2019 - Planning permission refused for extending 2 No dormers and formation of an external terrace area - (Ref: 19/03907/FUL)

18 October 2019 - Planning permission refused for internal alterations, extension to 2 No dormers and formation of an external terrace area. - (Ref: 19/03906/LBC)

5 January 2004 - Planning permission granted for alterations and additions to maisonette, glass conservatory, timber deck, glass balustrade, replacement windows (as amended). (Ref: 03/02919/LBC)

4 December 2003 - Planning permission granted for alterations to maisonette comprising new glass dormer, new timber deck to roof complete with glass balustrade and new roof windows (as amended). (Ref: 03/02919/FUL)

20 December 2000 - Planning permission granted for glass fronted dormer to existing roof terrace (amended application) - (Ref: 00/03114/LBC)

29 November 2000 - Planning permission granted for glazed dormer onto existing roof terrace (revised proposal) - (Ref: 00/03114/FUL)

Main report

3.1 Description Of The Proposal

The application proposes the following works;

- Adjustment to roof pitch on south and west-facing elevations to rear of property, and associated works including installation of rooflight on proposed flat roof section and alterations to position of existing dormer on the west elevation.
- Extension of existing dormer on north elevation.
- Removal of dormer on south-facing elevation to rear of property.
- Removal of rooflights on north, south and west elevations.

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

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 have an adverse impact on the character or appearance of the conservation area;
- b) The proposals affect the character or setting of the listed building;
- c) The proposals are detrimental to the residential amenity of neighbours; and
- d) Any comments have been raised and addressed.

a) Character and Appearance of the Conservation Area

Policy Env 6 Conservation Areas- States that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant character appraisal.

The New Town Conservation Area Character Appraisal (NTCACA) stress the following key elements;

Terminated vista within the grid layouts and the long distance views across and out of the Conservation Area are important features.

- The overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings, contributes significantly to the character of the area.
- There is a standard palette of traditional building materials including blonde sandstone, timber windows and pitched slated roofs.

In regard to assessing new development :-

Development should be in harmony with, or complimentary to, its neighbours having regard to the adjoining architectural styles. The use of materials generally matching those which are historically dominant in the area is important, as is the need for the development not to have a visually disruptive impact on the existing townscape.

Very careful consideration will be required for alterations and extensions affecting the roof of a property, as these may be particularly detrimental to the character and appearance of the Conservation Area.

In addition, the non-statutory Guidance on Listed Buildings and Conservation Areas states - 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.

Further, the World Heritage Site (WHS), Management Plan sets out the key characteristics or attributes of the WHS. This includes the stepped/ pitched angled roofscapes articulated by various traditional features.

The roof alterations are not characteristic of these Georgian buildings. In terms of the appearance of the conservation area, there is an established built form and townscape. The steeply pitched roof of the proposal site is typical of the pattern of development in the surrounding area. It is replicated on surrounding terraces dating from a similar period and is part of the character of the conservation area. It is noted the position of the roof alterations is not in a readily visible location, however, aerial views of the New Town Conservation Area are also particularly important in terms of its overall character and location in a World Heritage Site.

The alteration to the roof pitch is at odds with the established built form of the surrounding area. Its form is incongruous, and disruptive to the uniformity of the terrace. Further, it is recognised that the enlarged dormer facing Queen Street is located on an elevation in which modern interventions (terrace, balustrade and dormer) have previously been consented. It is recognised that these additions have altered the original appearance of the property. However, these consents predate the Edinburgh Local Development plan and relevant non-statutory guidance and in this regard, are not considered to set precedence for this assessment.

Notwithstanding this, the scale of the extended dormer dominates the original roof form and is an inappropriate intervention in the context of the proposal site and surrounding terraced properties. The roofscape of these New Town buildings will be severely altered. As stated aerial views of the New Town are particularly important, and interventions of this scale and design undermine the value of a characteristic typical of the conservation area.

In addition, no detail has been included in regard to proposed materials, and the plans appear inconsistent with the re positioned dormer to the rear, not detailed on the side elevation plan. Updated information was requested in regard to this, however no plans were received.

Notwithstanding this, the proposals in form, scale and design fail to either preserve or enhance the character and appearance of the conservation area. The roof alterations including adjusted roof pitch and associated works, and extended dormer would undermine a key attribute; the traditional roofscapes, and by virtue of the cumulative impact smaller interventions can have on the overall qualities of the New Town.

The proposal includes removal of two rooflights and a dormer in order to implement the roof additions. As existing, the dormers and rooflights are of limited scale in the context of the roofscape. The scope of intervention to the roofslope in terms of the adjusted roof pitch, and dormer extension is of significantly greater impact upon the character of the roofscape, and disruption to the built form of the New Town buildings. In this respect, removal of these features does not result in justification, or an overall gain to the character or appearance of the conservation area.

The proposals do not comply with policy Env 6.

b) Character and Setting of Listed Building

Policy Env 3 states that Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

Policy Env 4 of the adopted Edinburgh Local Development Plan (LDP) states that 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.

The internal alterations are generally compatible with this policy and the statutory tests and would not compromise the integrity of the interior features.

However, the external roof alterations and associated works would be discordant features in terms of the character of the listed building. The building has its original pitch roof constructed in slate replicated on the adjacent listed buildings that form the terrace. The intervention to the roof form and loss of original fabric would fundamentally change the character of the roof, an important part of the building's special interest. In addition, the enlarged dormer would dominate the roof where it would be positioned, and by virtue of its obtrusive scale result in further attrition of the original roofscape.

As detailed above, no details have been included on the plans regarding the material of external finishes.

The supporting statement states the proposal improves the structural safety and stability of the roof and brings the internal spaces to the standards for escape and building warrant. These matters are noted however the alterations result in a diminution of the buildings interest. The alterations to the roof pitch are not in keeping with existing building or surrounding listed buildings. The dormer is a dominant addition that results in further attrition of the roofscape.

The proposed removals of the dormer and rooflights is not justification for the scope of intervention to the roofscape and the resultant impact on the character of the listed building and its setting. In light of this, LDP Policy Env 3 Listed Building -Settings, Env 4 Listed Building - Alterations and Extensions, is not complied with.

c) Neighbouring Amenity

LDP Policy Des 12 - Alterations and Extensions, states 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; and will not be detrimental to neighbourhood amenity and character.

As stated above, the roof alterations and associated works are not compatible with the character of the building or the area.

In terms of neighbouring amenity, there are no concerns regarding the loss of daylight or privacy for neighbouring properties.

In respect of privacy, the enlarged dormer would face onto the existing decking and street. It would not overlook private gardens or neighbour's windows. Outlook from the re-positioned dormer would be consistent with the existing position. The rooflight in the flat roof is of an upward orientation that no overlooking would occur as a result. In view of this, the proposal raises no new privacy concerns.

The scale, form, design and position of the roof alterations has an adverse impact on the character of the existing building and neighbourhood character. Therefore, LDP Policy Policy Des 12- Alterations and Extensions is not complied with.

d) Public comments

No comments have been submitted.

Conclusion

The proposed development is not acceptable as it fails to preserve the special character of the listed building, fails to preserve or enhance the character and appearance of the conservation area and neighbourhood character.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policies Env 3 (Listed Building - Setting) policy Env 4 (Listed Buildings - Alterations and Extensions), as the roof alterations cause a diminution of the special interest of the listed building. The proposal results in further attrition to the roofscape and an intervention to its established built form which is not in keeping with the character of the building or surrounding area and therefore fails to preserve it and its setting.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect to Conservation Areas - Development. The proposals fail to preserve or enhance the character of the conservation area which is particularly important in terms of its roofscapes as the adjusted roof pitch and associated works, and extended dormer are inappropriate interventions that affect the established built form of New Town buildings.
3. The proposal is contrary to the Local Development Plan Policy Env 12 (Alterations and Extensions). The design, form and position of the roof alterations and associated works will be detrimental to the character of the existing building and neighbourhood character.

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

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

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

Statutory Development**Plan Provision**

Policies - Edinburgh Local Development Plan - Urban Area

Date registered

9 July 2020

Drawing numbers/Scheme

01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12,

Scheme 1

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer
E-mail: lewis.mcwilliam@edinburgh.gov.uk

Links - Policies

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

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

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

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

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

Relevant Non-Statutory Guidelines

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

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

Other Relevant policy guidance

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

Historic Environment Scotland:

Thank you for your consultation which we received on 20 August 2020. We have assessed it for our historic environment interests and consider that the proposals have the potential to affect the following:

Ref

100018438,
LB29566,
GDL00367

Name

Edinburgh World Heritage Site Boundary,
60 QUEEN STREET AND 58A, 60 AND 62 NORTH CASTLE STREET,
THE NEW TOWN GARDENS

Designation Type

World Heritage Sites, Listed Building, Garden and Designed Landscape

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Please contact us if you have any questions about this response. The officer managing this case is Michael Scott who can be contacted by phone on 0131 668 8913 or by email on Michael.Scott@hes.scot.

END

[illegible]



Key

P1 - Essential Health and Safety (immediate action to make safe),

P2 – Urgent Maintenance (Wind & Watertight, Rot etc)

P3 – Routine/Planned Maintenance

Suggested Remedial Actions:

SUPPORTING PLANNING STATEMENT

**ACCOMPANYING APPLICATIONS FOR
PLANNING PERMISSION AND
LISTED BUILDING CONSENT**

**MR LEWIS ANDERSON
60 (4F) NORTH CASTLE STREET
EDINBURGH
EH2 3LU**

**SUZANNE MCINTOSH PLANNING LIMITED
29.6.20**

1. INTRODUCTION

This document provides the supporting planning statement for the applications for planning permission and listed building consent currently lodged with the City of Edinburgh Council in respect of flat 4F, 60 North Castle Street, Edinburgh.

The applications propose a number of architecturally appropriate, sympathetically designed alterations that will assist in restoring and maintaining the character and integrity of the listed building and provide a number of conservation gains. Alterations undertaken by previous owners have resulted in issues at the roof level, in particular, structural problems, issues regarding means of escape and circulation and physical exterior alterations that do not enhance the character of appearance of the building at roof level. The current applications essentially seek to actively address each of these issues in order to conserve the building in a viable way for the future.

2. THE APPLICATION SITE

The application site comprises the upper two floors of the corner block which is accessed through a shared entrance from North Castle Street, close to the corner with Queen Street. The entrance stair well leads to a substantially sized flat on each floor of the building.

The flat essentially turns the corner from North Castle Street into Queen Street and benefits from outlooks over both streets. The roof has a large hidden roof terrace onto Queen Street at present, not visible from street level. The flat is a private dwelling and will remain as such, permanently occupied by the applicant and his family

The application site - Flat 4F is entered from the fourth floor and has an internal stair within the flat leading to the 5th floor. It effectively appears as a spacious double upper flat on the fourth floor but on entering the 5th floor it is immediately apparent that there have been previous alterations which have attempted to create a workable layout; however obstructions, inadequate head heights, inadequate door heights and widths and unattractive dormer additions mean that the space created isn't particularly well laid out. This part of the interior space looks out onto Young Street Lane at the rear. By contrast part of the alterations undertaken previously to create the terrace onto the Queen Street side of the roof do work and create a pleasant interior lounge type space too.

Number 60 is part of a category B listed building dating from around 1790. It has been much altered historically and also in the more recent past. The site is also within the World Heritage Site and the New Town Conservation Area. Extensive photographs are provided with the applications in order to assist the Planning Officer. These deal with every aspect of the interior as well as exterior views. All are marked on the floor plans or location plan so that the point they have been taken from can be clearly seen. We appreciate that an interior site visit will likely not be possible under current Covid19 restrictions.

3. BACKGROUND

Over the past 20 years there have been a number of applications for planning permission and listed building consent at this property. Dormers added in 2000, a glass fronted roof terrace in 2000, new dormers in 2003 and roof windows, further alterations to the exterior and windows in 2004 – all of which have been granted. The quality of the workman ship has varied in these alterations and the poor quality work is clearly required to be addressed now.

Recent applications for planning permission and listed building consent in 2019 were refused. These applications were for extension to the dormers and creation of a terrace. The impact of these alterations at that time were a concern to the Planning Officer, resulting in the refusal. The applicant decided to go back to the drawing board in order to address the concerns expressed over the previous proposals. The current application represents a change in direction from the proposals that were refused by Planning last year. The applicant chose not to appeal the refusals but to reassess and redesign the proposals.

4. PROPOSALS

The revised proposals focus on three things:

- Firstly, improving the structural safety and stability of the roof at this important corner;
- Secondly, removing previous alterations that do not contribute positively to the character of the listed building eg dormers and roof lights that don't sit particularly well on the rear slope of the roof at present. These are visible from outwith the site, albeit in the lane to the rear; and
- Thirdly, bringing the internal spaces within the roof up to the standards required for means of escape and building warrant.

Specifically the revised proposals would alter the existing bathroom dormer that faces onto the rear area, utilise a hidden area of the roof that sits adjacent to the existing roof terrace and provide light to the upper floor space from there. The existing light solution comprises a series of smaller dormer and roof windows that don't relate particularly well to the overall design of the roof and effectively punctuate it in different ways. By adjusting the width of the existing roof ridge in order to enable the headroom internally to meet fire and warrant requirements a number of solutions to existing problems can be secured and with minimal impact on the overall character and appearance of the roof and its slope. The current situation internally does not comply with building warrant requirements, despite being a relatively recent alteration in 2002 (not undertaken by the applicant). The headroom height and width provides an unacceptable situation in safety terms at present and very poor use of the space. The internal photographs illustrate the existing situation where the headroom is 2m at the apex of the roof space; in addition the doorways are only 600mm wide and 1575/ 1800 mm high thereby not providing a safe passage out of the upper level of the flat in the event of a fire.

5. PLANNING POLICY CONSIDERATIONS

It is noted that the determining issues in these applications are set out in legislation and require an assessment of the impact of the proposals on the special architectural and historic interest of the listed building.

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out the requirement to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest that it possesses. This tends to mean preserving the building in its current state and allowing alterations that do not significantly impact upon its character and appearance. In addition, S64 of the same act requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of the conservation area. This site being both a listed building, in a conservation area is required to be considered in both these terms first and foremost.

In doing so we have also considered the relevant policies and guidance set out in the Edinburgh Local Development Plan (LDP) and supplementary guidance.

We note that the following policies set out in the LDP are of specific relevance in this regard: Env3, Env4 and Env6.

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 architectural character, appearance or historic interest of the building, or to its setting.

Policy Env4 Listed Buildings: Alterations and Extensions

Proposals to alter or extend a listed building will be permitted where:

- Those alterations or extensions are justified
- There will be no unnecessary damage to the historic structure or diminution of its interest; and
- Where any additions are in keeping with other parts of the building

Policy Env 6 Conservation Areas

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

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

6 MATERIAL CONSIDERATIONS

The applicant would like it noted that a great deal of thought has gone into addressing the concerns expressed in the previous applications by the Planning Officer. The criticisms of the previous scheme have been accepted and used to develop a much lower key, sensitive approach driven by the policy requirements set out in City of Edinburgh's LDP that require essentially a lighter touch, less impact on the listed building and conservation area. It is hoped that this is acknowledged and accepted as a better, more collaborative approach.

In reviewing the special characteristics of this category B listed building we have sought to fundamentally maintain the architectural character and seek to improve upon the previous alterations and remove those additions to the roof that have been approved in the past and are essentially on the most visible parts of the roof from outside the site (Young Street Lane) thereby producing the greatest impacts when viewed from outside the site. The other alterations are not visible from outside the site. The nature of the topography, position on the corner on the high side of the slope and distance to other streets to the north as shown in the photographic survey means that the existing roof terrace facing onto Queen Street isn't visible from outside the site.

In looking also at Historic Environment Scotland's guidance on managing change and the principles set out in roofs we have examined the roof structure, taken into account the structural integrity, the previous alterations and the scope to achieve the internal requirements without impacting negatively upon the existing roof. All alterations now proposed meet the requirements set out in the LDP and HES guidance.

The overall impact of the alterations is one of conservation gains and on balance can be achieved without impacting in the way the previous alterations proposals did or the alterations undertaken have done. To that end the proposals now comply with each of the relevant policies set out in the LDP above.

We have removed the proposals that concerned the Planning Officer in terms of the fourth floor alterations – that floor will now remain unchanged. A sensitive internal redecoration is all that is proposed at this level.

On the 5th floor there are now no large scale alterations to the roof proposed, these were of concern previously. However, existing single dormers and roof windows to the rear that punctuate the roof and are inappropriate in conservation terms are being removed. No alterations are proposed to the Castle Street elevation of the roof that were of a concern previously.

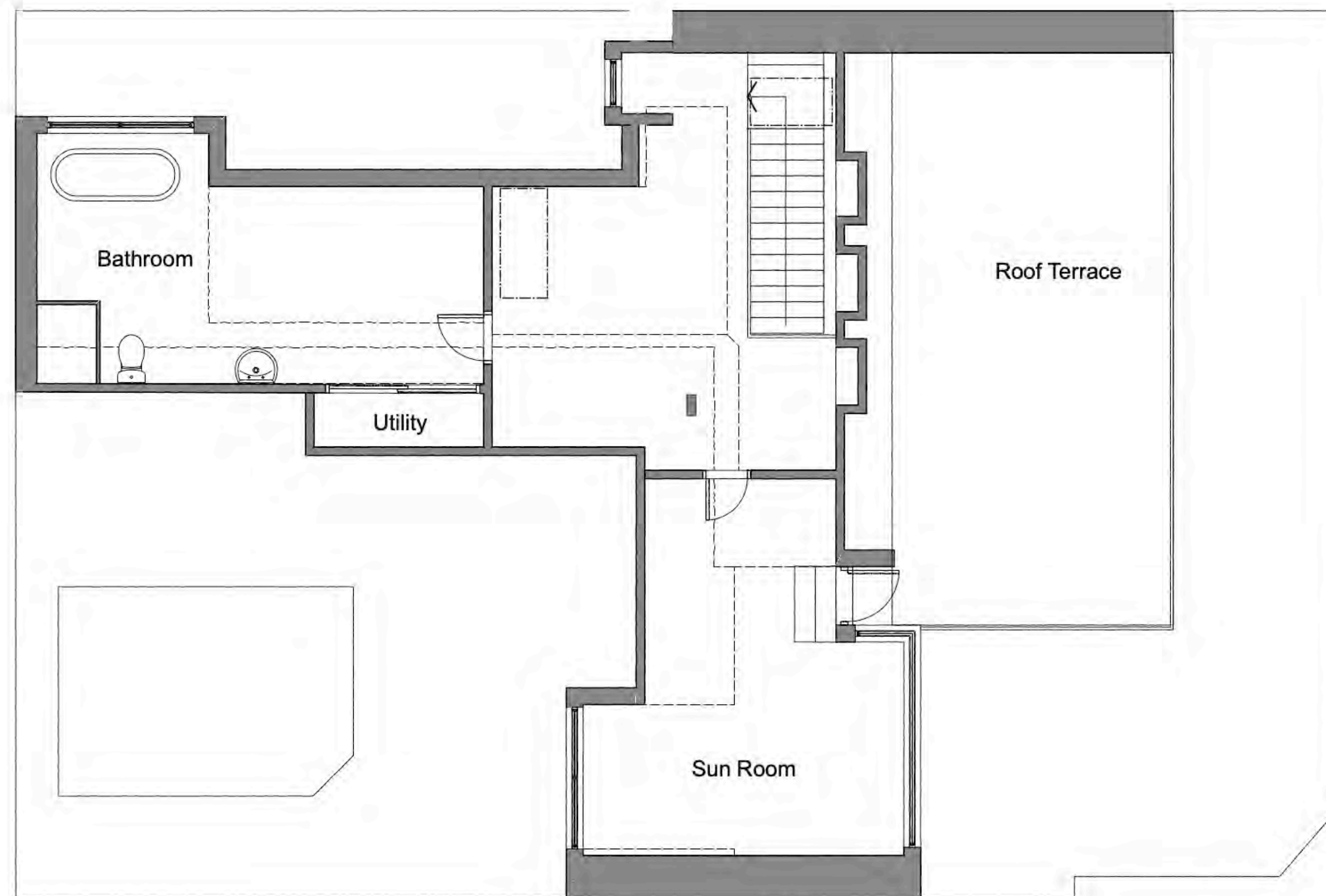
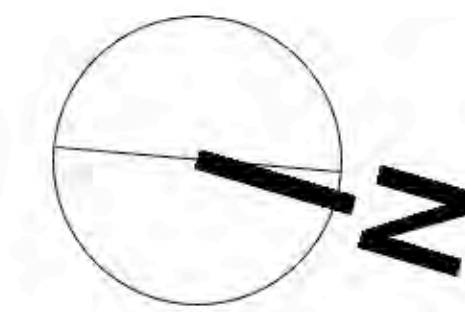
It is therefore hoped that after review of the drawings the Planning Officer will see that the proposals are much lower key, much more sensitive than the previous alterations and can be achieved without undermining the architectural importance of the building as a category B listed building.

7 CONCLUSION

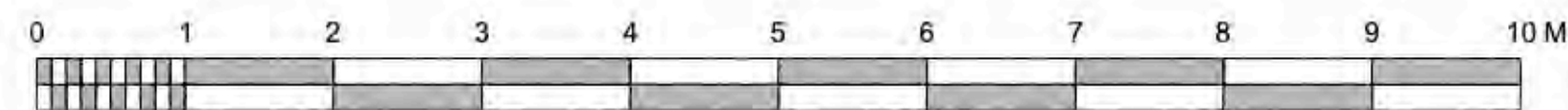
The proposals represent a new solution to the three problems listed in this document that exist at the site at present and require to be resolved. The status quo is not an option given the impact on the structural integrity of the roof and the safety implications in the event of a fire. The proposals detailed in the submissions address the issues in a way that is discrete and should be acceptable to Planning given that the solutions do not conflict with the policies in the Local Development Plan and respect the character and amenity of the building.


The applicant and their representatives would be delighted to show the Planning Officer around the site – virtually or otherwise and discuss the proposals further on the telephone or in a virtual meeting.

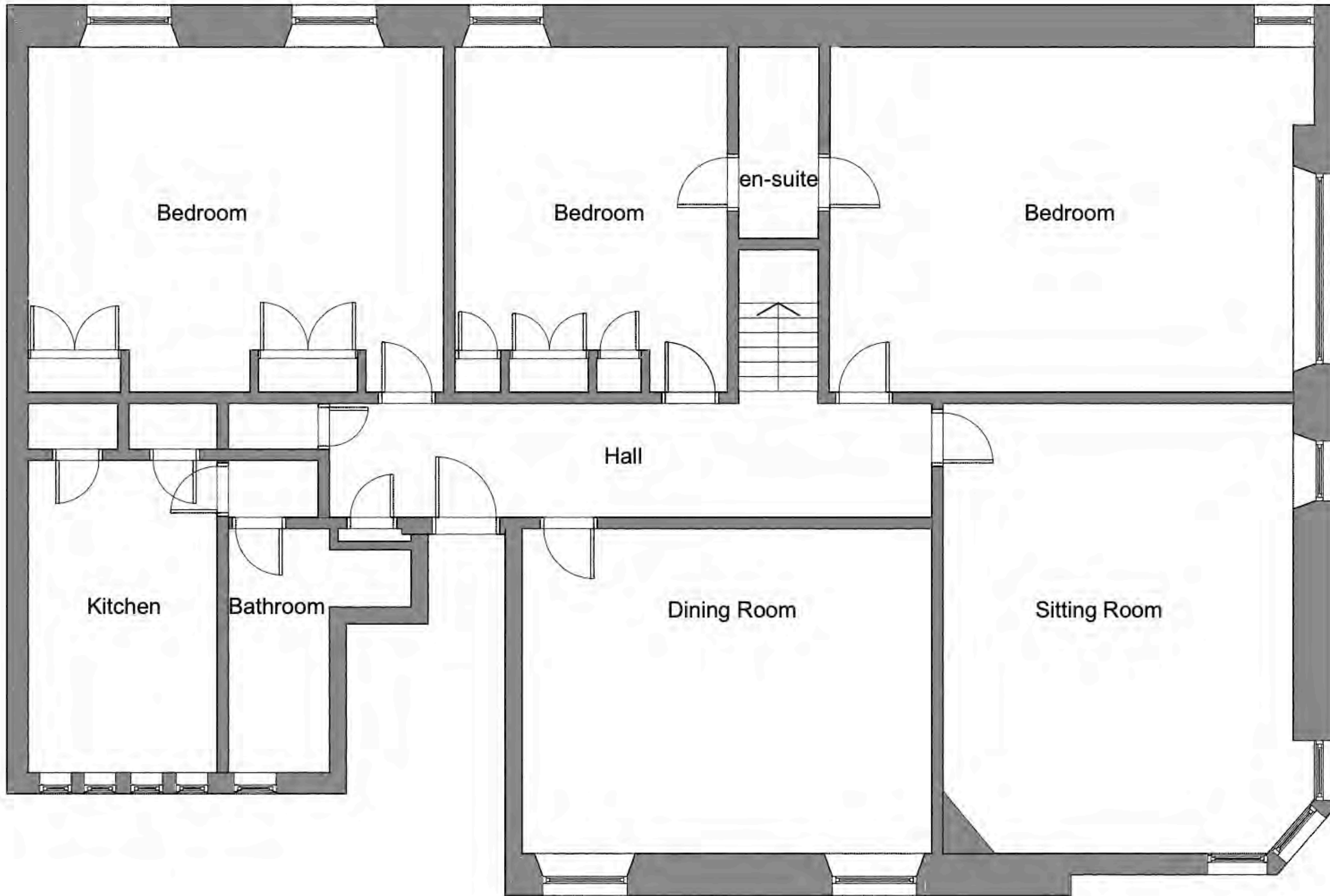
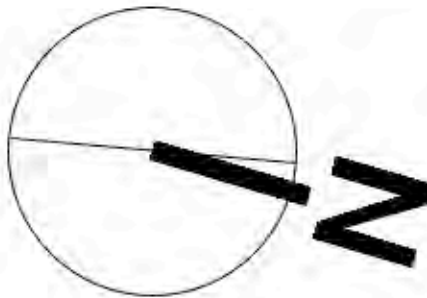
Suzanne C McIntosh MRTPI HonFRIAS



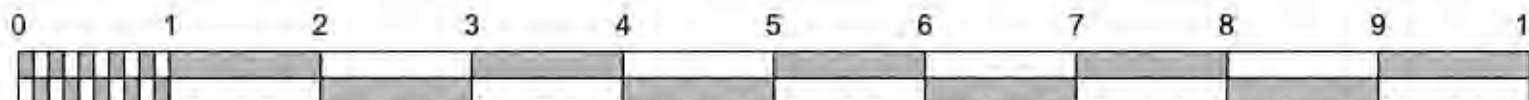
1 Existing Fifth Floor Plan
Scale: 1:50



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									Consultant:	PLANNING	Drawn By:	jb	Scale:	1:50 @ A1
											Revised By:		Sheet No.:	982.01
											Date:	August 2019	CAO File Name:	60 north castle street.vwx
No.	Date	Revision Notes		Zone	By	No.	Date	Issue Notes						



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Scale: 1:50

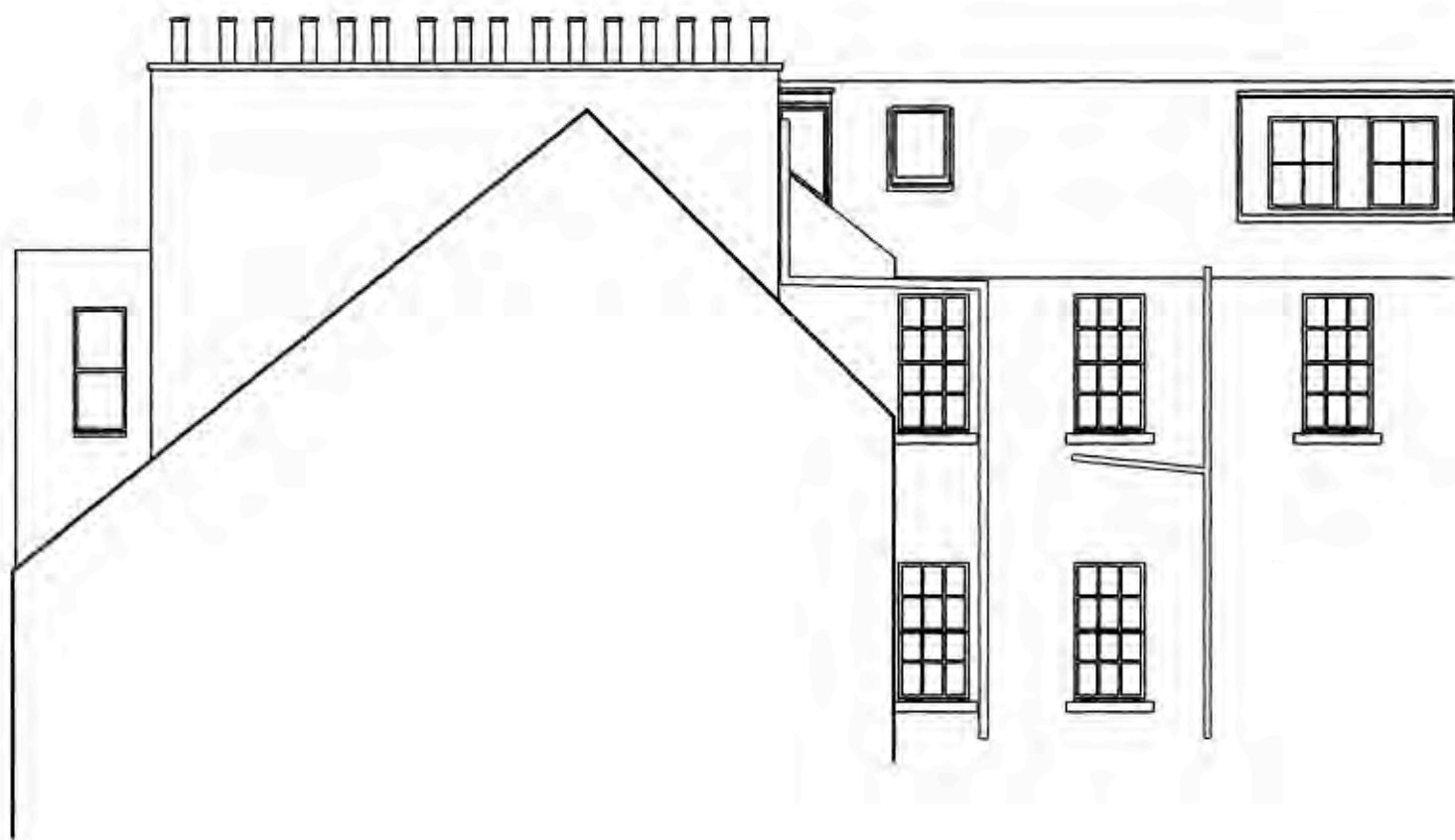
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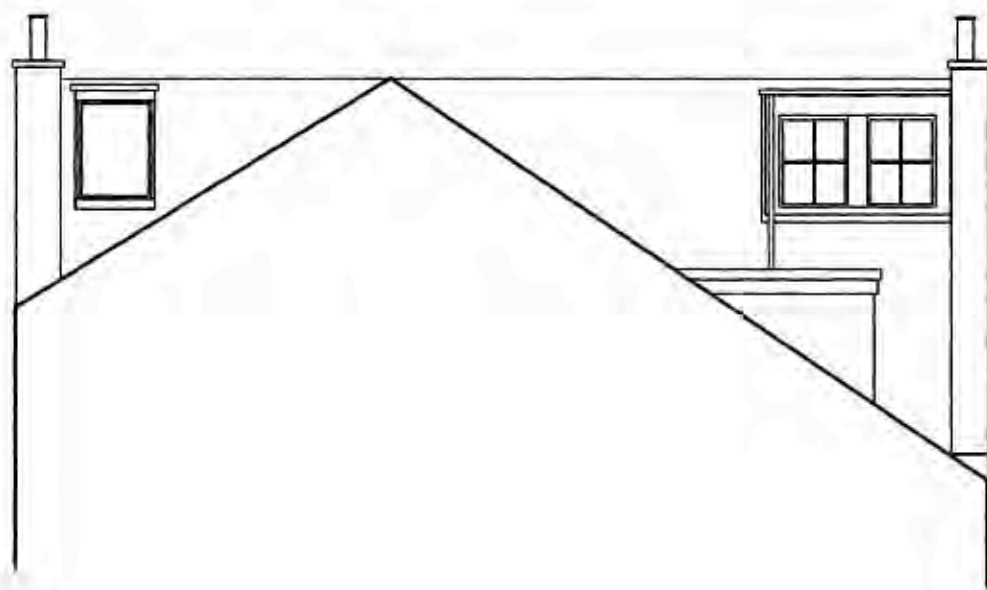
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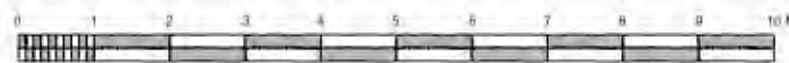
North Elevation



West Elevation



South Elevation



									Design Firm	b3a 4 Woodside Place Glasgow G3 7QF	Project Title	60 North Castle Street, Edinburgh	Project Manager		Project ID	980				
														Drawn By	jb	Scale	1:100 @ A1			
														Revised By		Sheet No.	982.05			
No.	Date	Revision Notes			Zone	By	No.	Date	Issue Notes			Consultant	PLANNING	Sheet Title	Existing Elevations			Date	August 2019	CAD File Name: 60 north castle street.vwx



Proposed Extensions + Alterations
60 North Castle Street, Edinburgh
Location Plan_ 982.11
1:1250 @ A4



674101

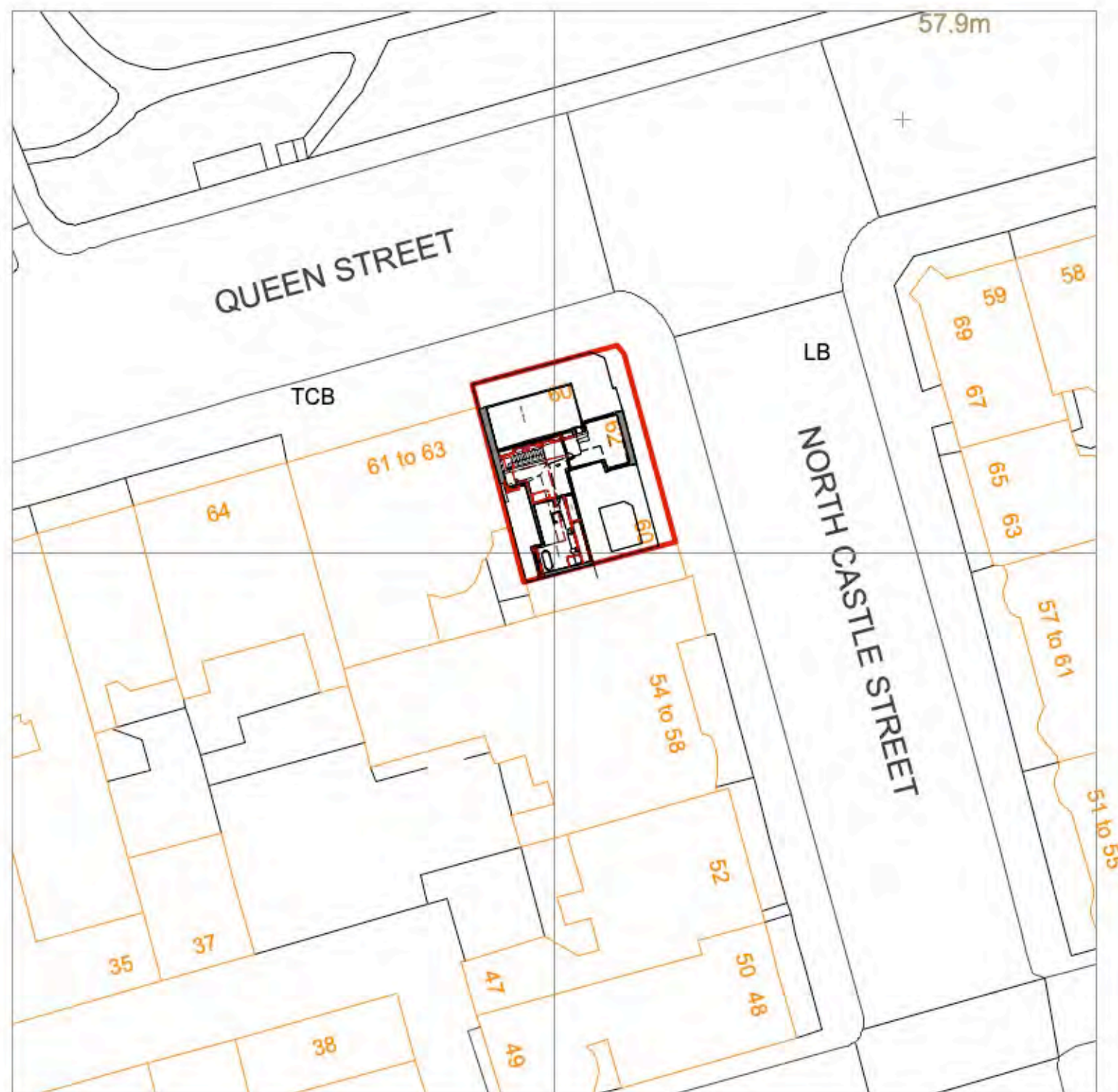
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57.9m

LB

QUEEN STREET

NORTH CASTLE STREET

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54 to 58

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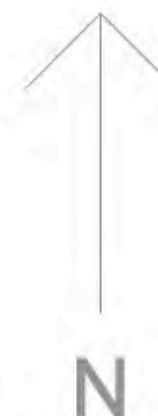
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69

57 to 61

54 to 55

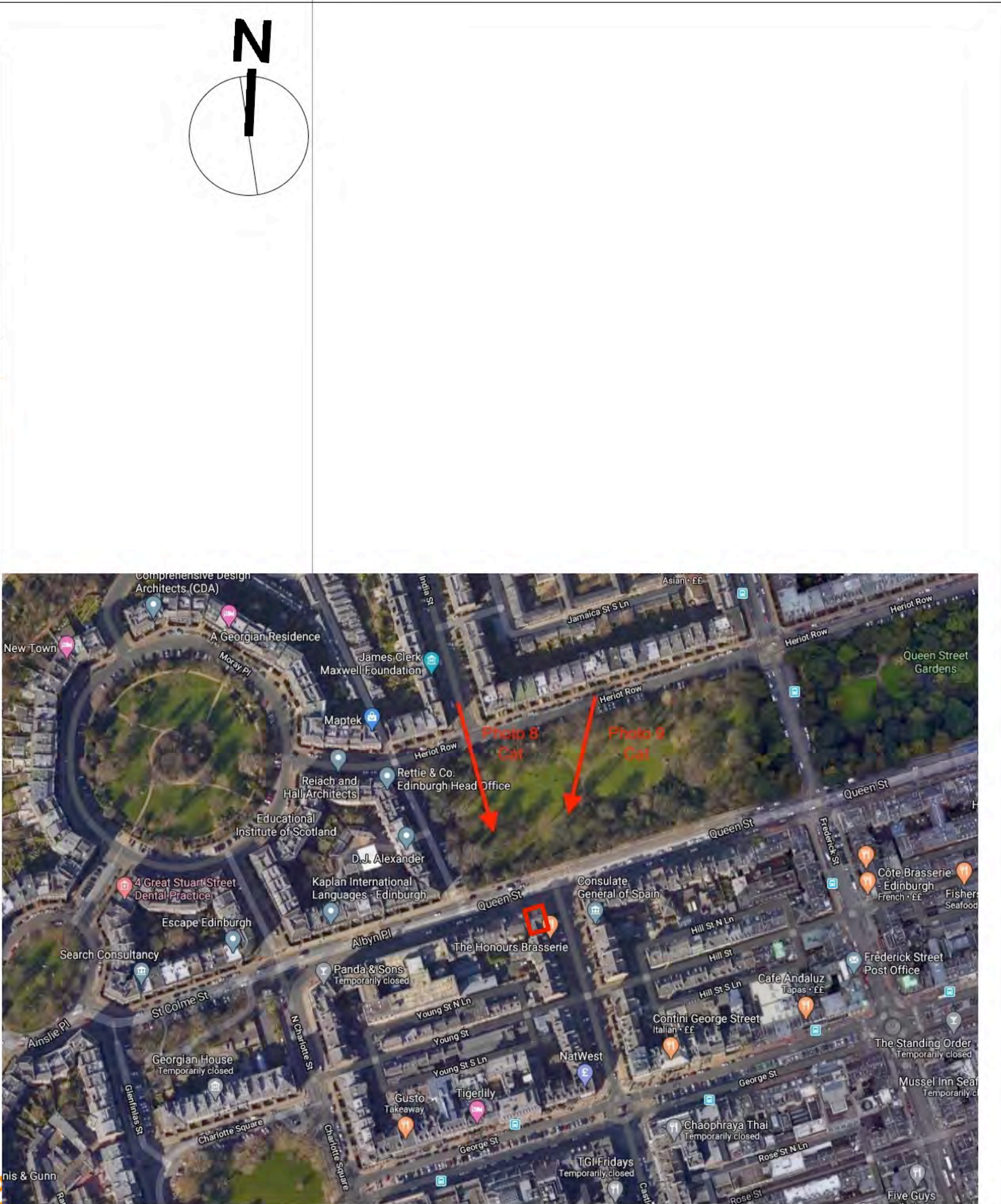
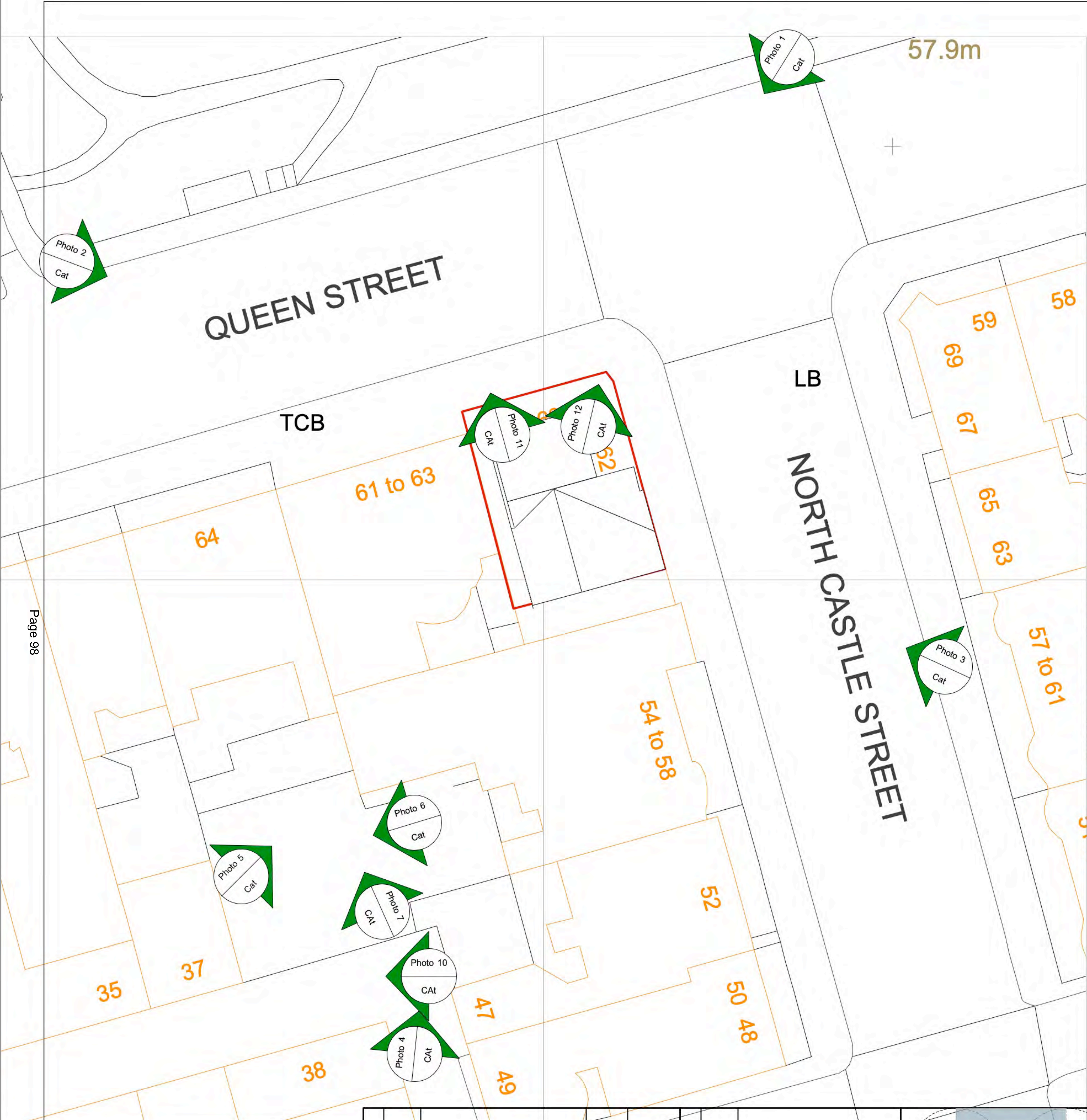


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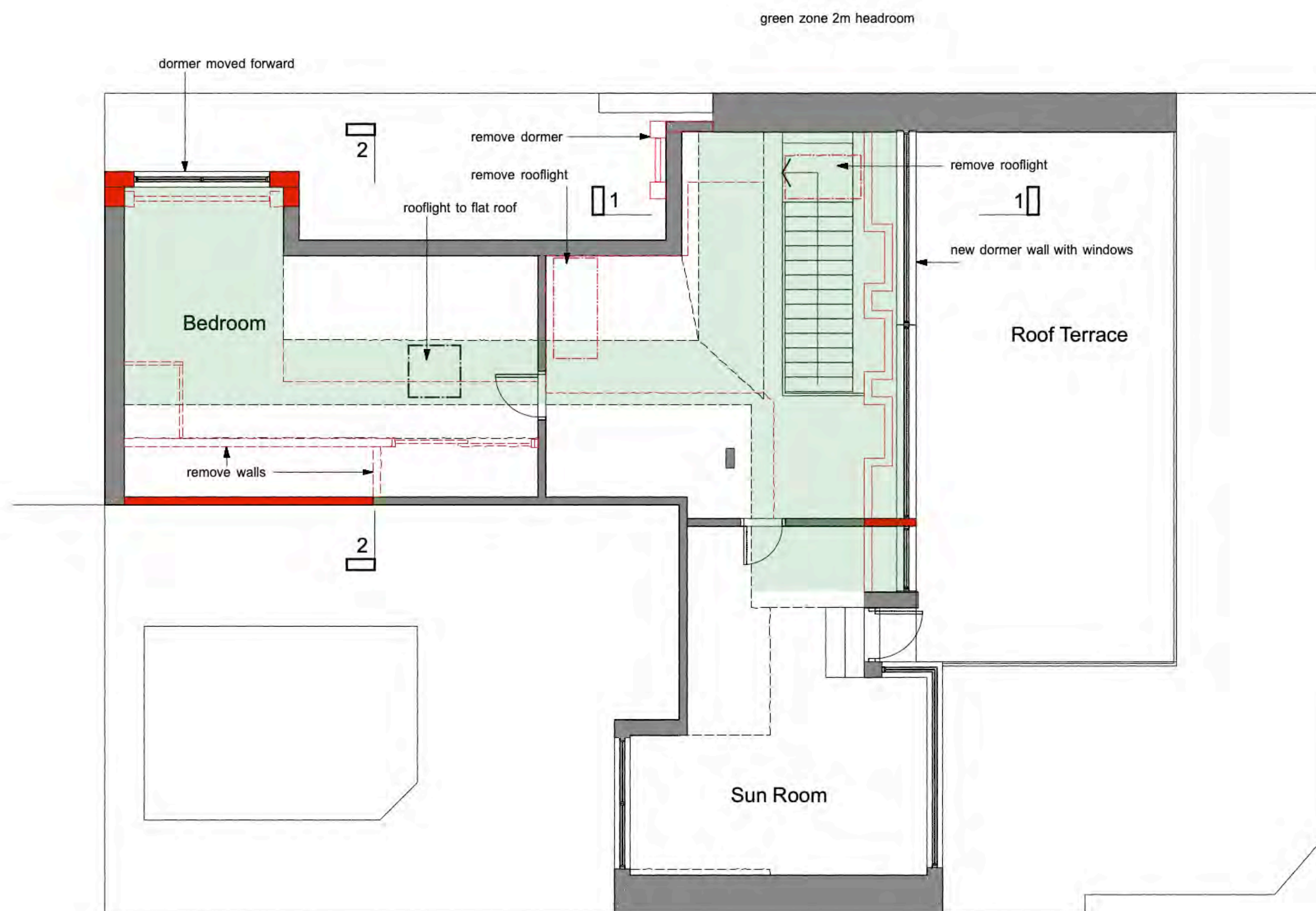
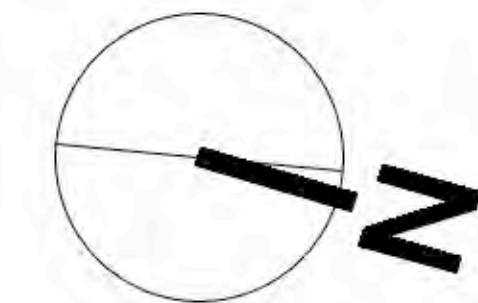
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Proposed Extensions + Alterations
60 North Castle Street, Edinburgh
Block Plan_ 982.12
1:500 @ A3

b3a

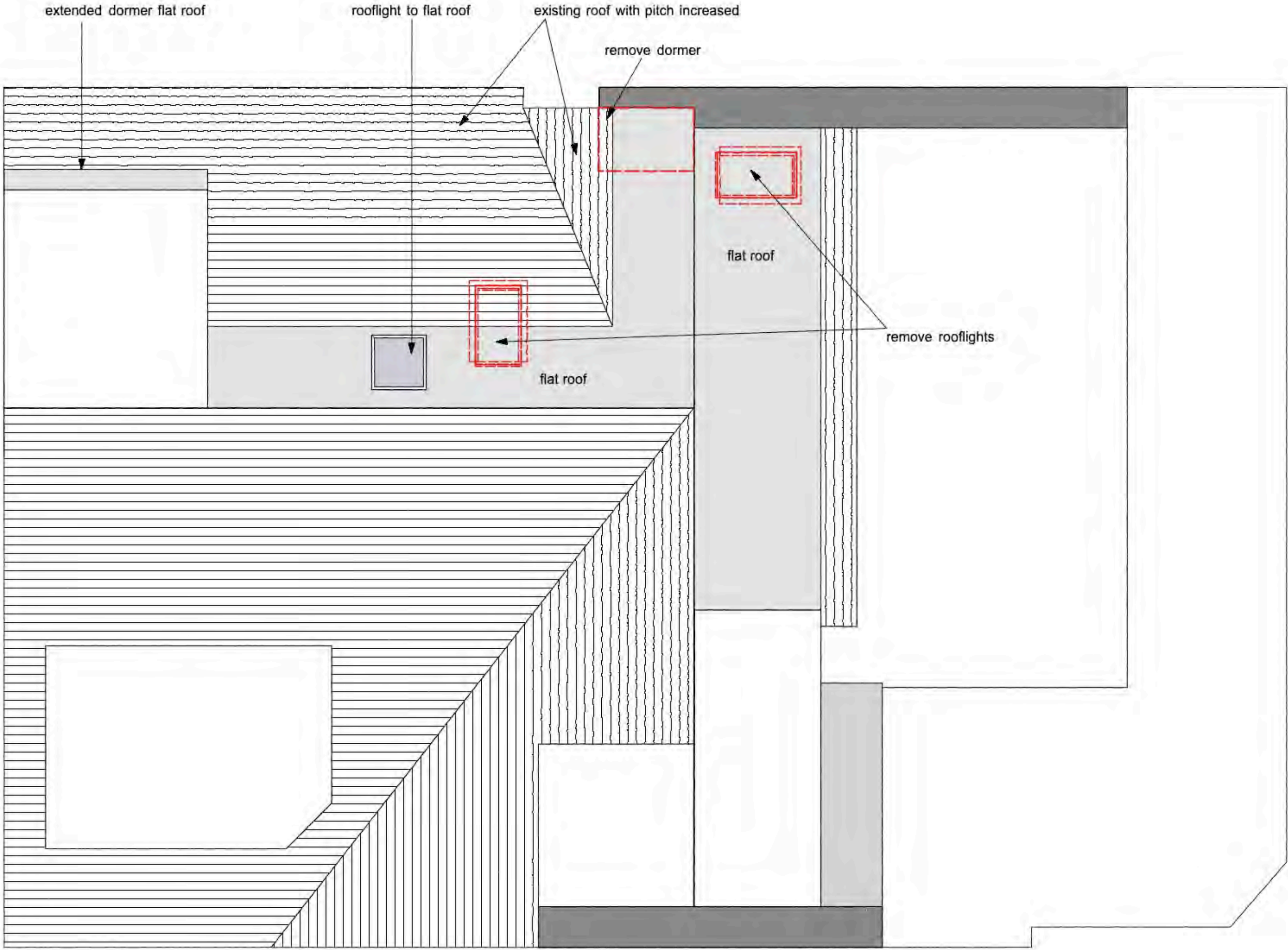
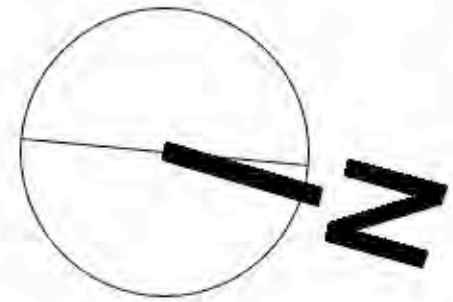


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1 Proposed Fifth Floor Plan
Scale: 1:50

									Design Firm	b3a 4 Woodside Place Glasgow G3 7QF	Project Title	60 North Castle Street, Edinburgh	Project Manager	980	
														Drawn By	Scale
														Reviewed By	Sheet No.
No.	Date	Revision Notes		Zone	By	No.	Date	Issue Notes			Consultant	PLANNING	Sheet Title	Date	982 25
													June 2020		
													CAD File Name		
													60 north castle street.vwx		



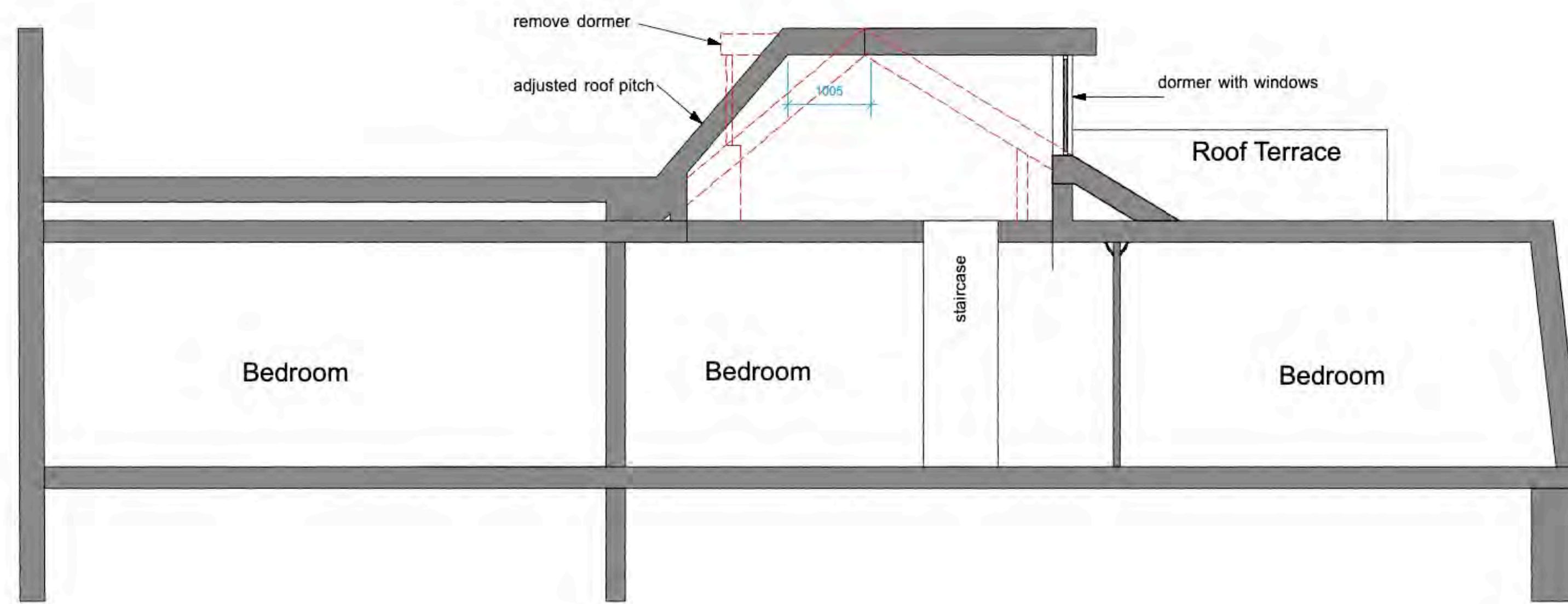
1 **Proposed Roof Plan**
Scale: 1:50

									Design Firm	b3a 4 Woodside Place Glasgow G3 7QF	Project Title	60 North Castle Street, Edinburgh	Project Manager	Project ID
													Drawn By	Scale
													jb	1:50 @ A1
													Reviewed By	Sheet No.
No.	Date	Revision Notes		Zone	By	No.	Date	Issue Notes	Consultant	PLANNING	Sheet Title	Proposed Roof Plan	Date	982 26
													August 2019	
													CAO File Name	
													60 north castle street.vwx	

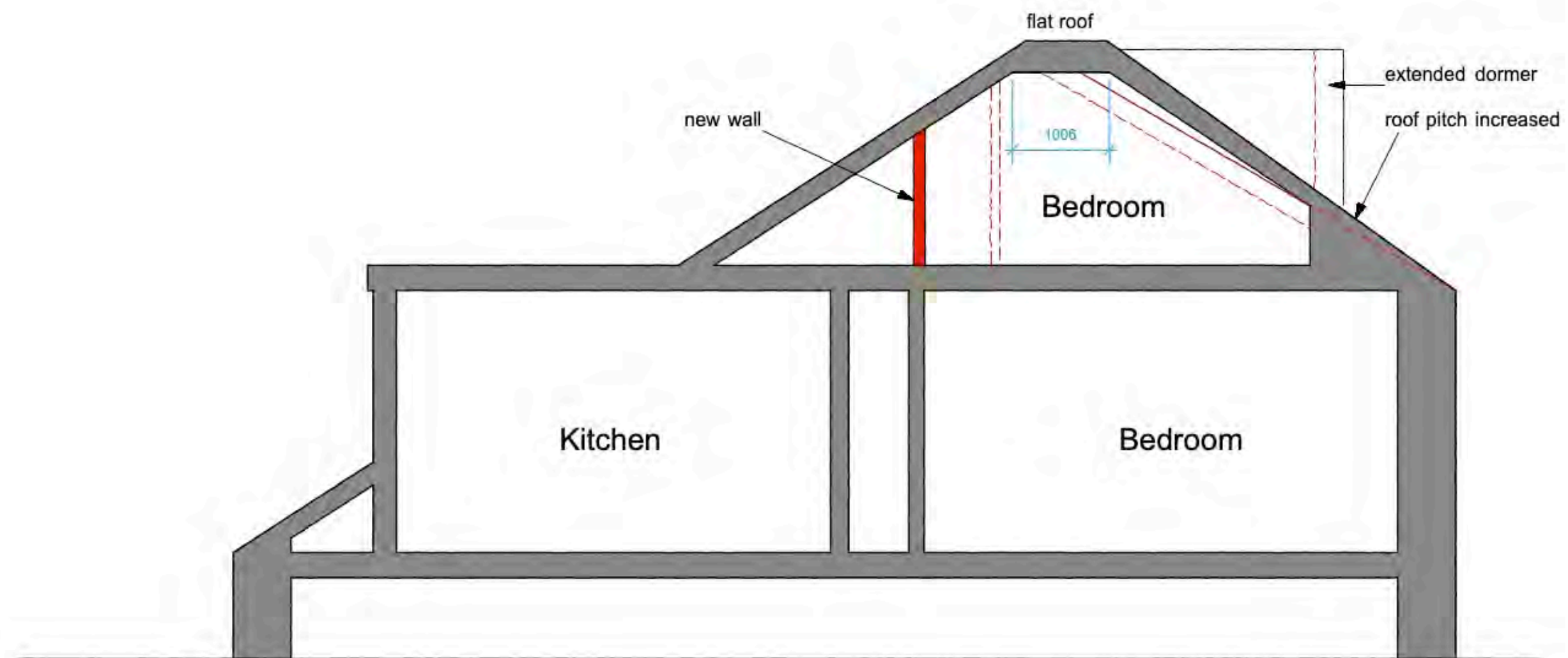
2 N Castle Street - Rear Elevation
Scale: 1:50

3 **Side Elevation**
Scale: 1:50

[illegible]

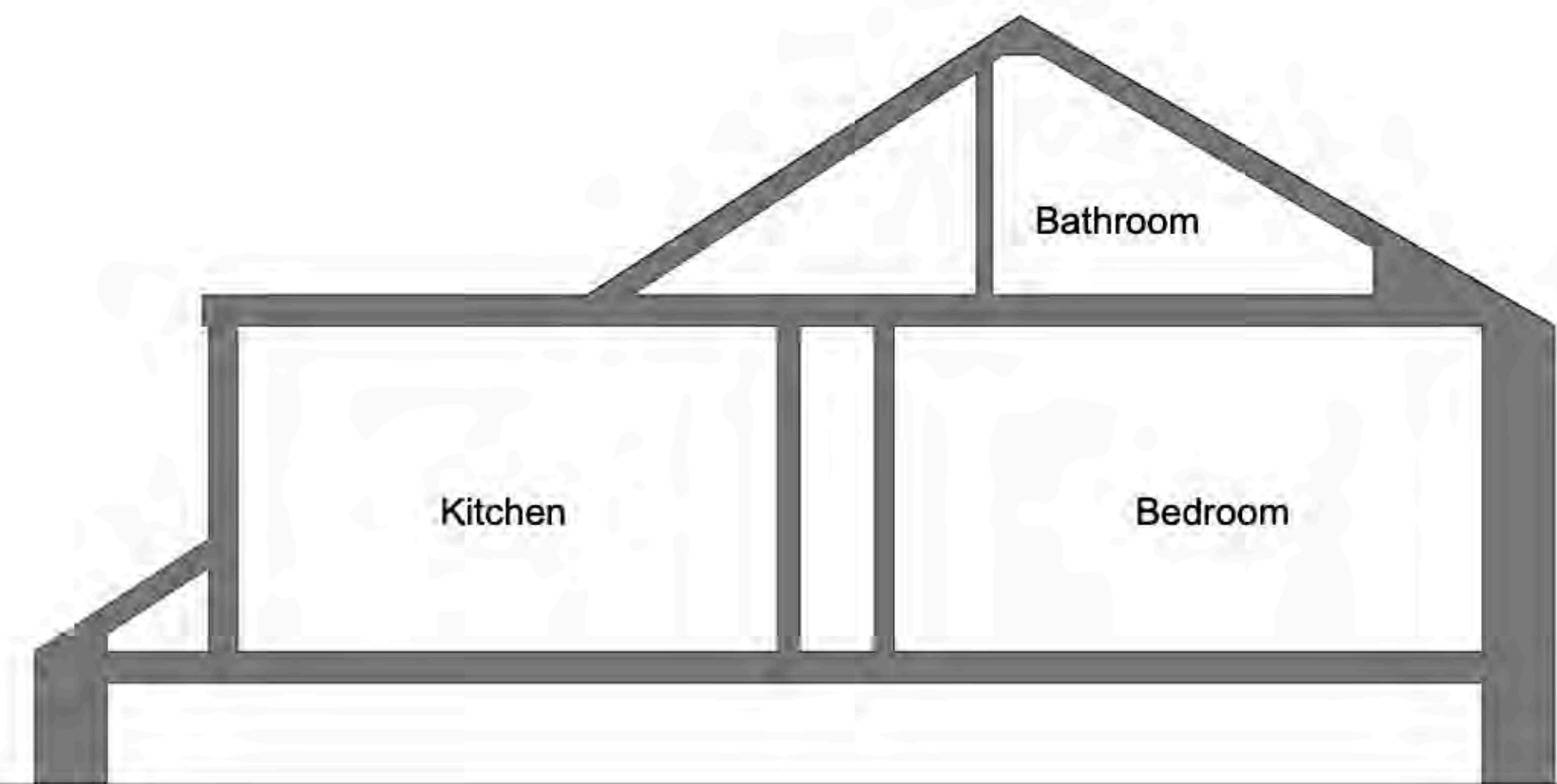


1 Section 1-1 at Staircase
Scale: 1:50

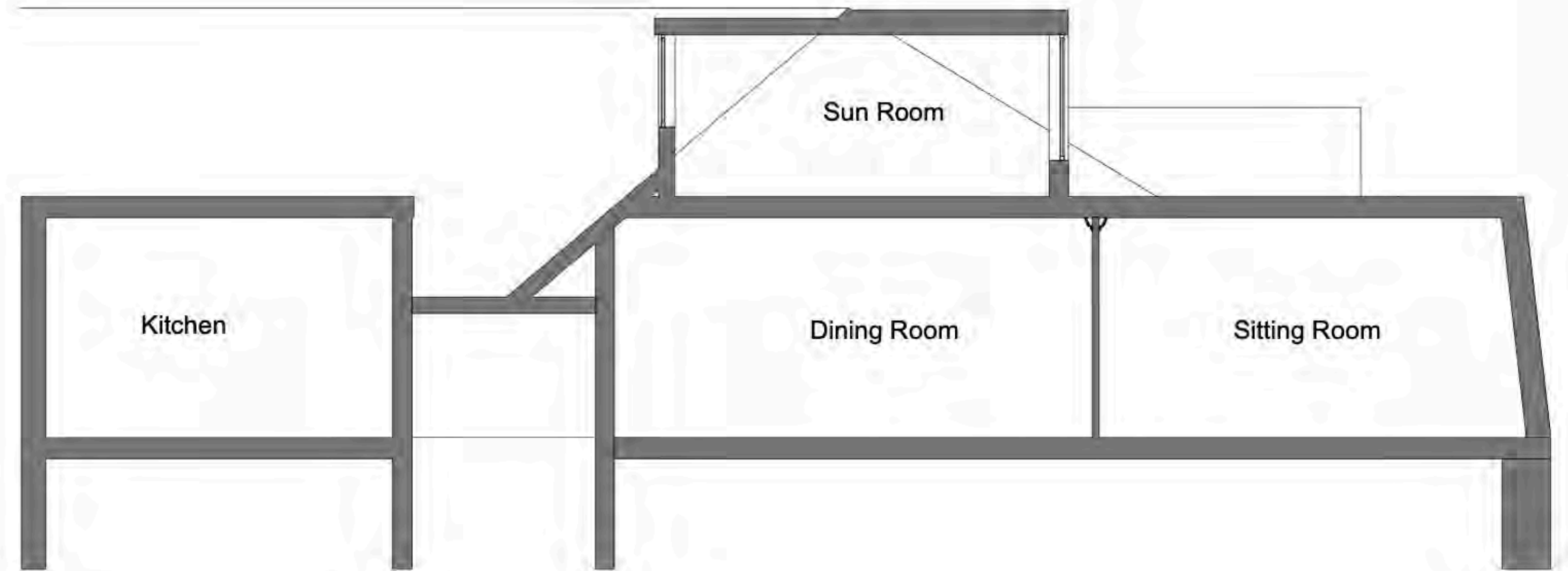
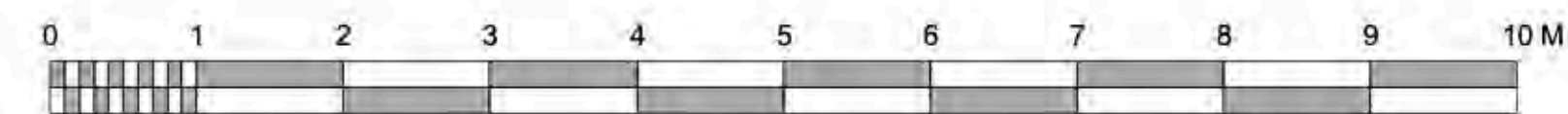


2 Section 2 - 2 at New Bedroom
Scale: 1:50

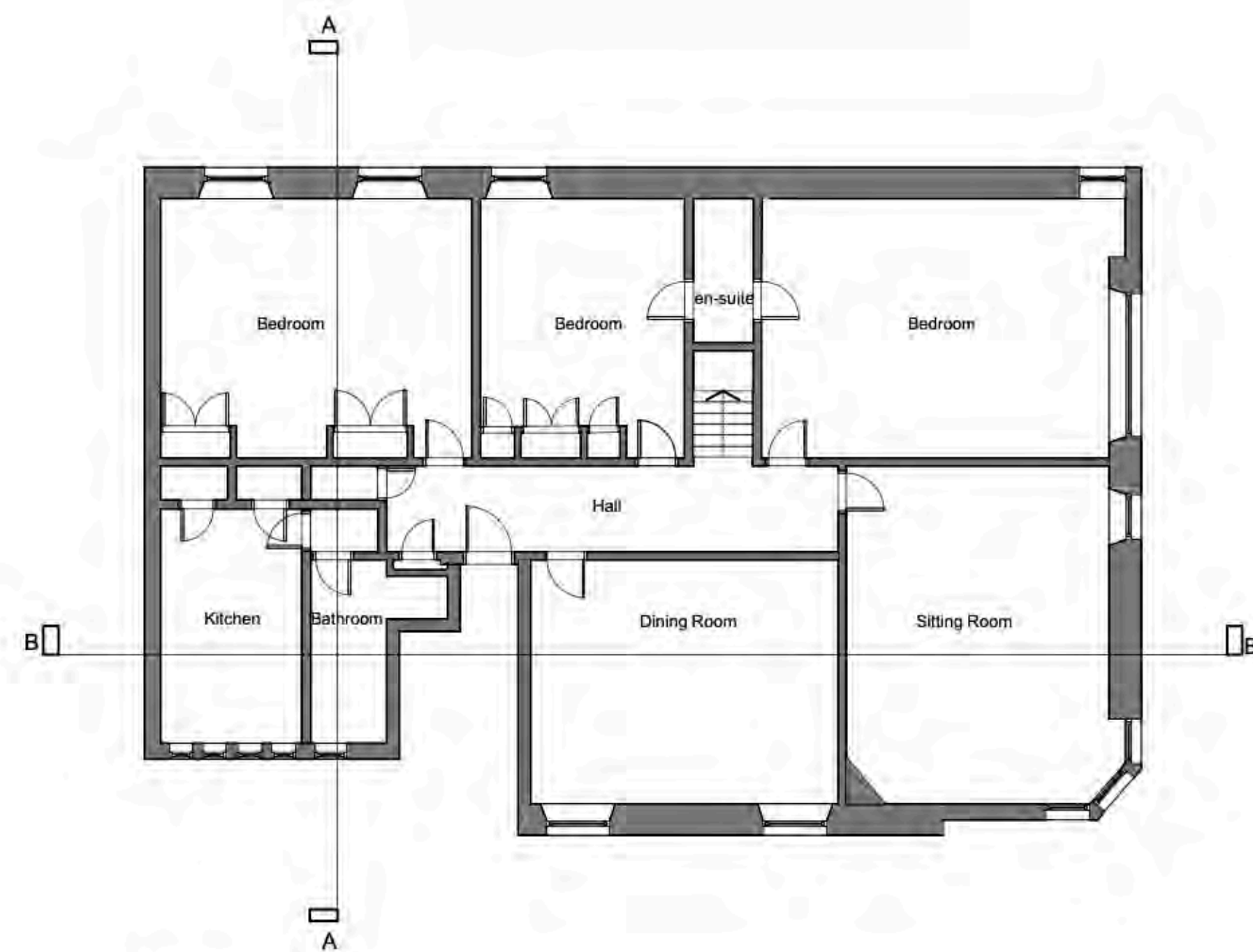
									<table><tr><td>Design Firm</td><td>b3a 4 Woodside Place Glasgow G3 7QF</td><td>Project Title</td><td>60 North Castle Street, Edinburgh</td><td>Project Manager</td><td>980</td></tr><tr><td></td><td></td><td>Drawn By</td><td>jb</td><td>Scale</td><td>1:50 @ A1</td></tr><tr><td></td><td></td><td>Reviewed By</td><td></td><td>Sheet No.</td><td>982 28</td></tr><tr><td>Consultant</td><td>PLANNING</td><td>Sheet Title</td><td>Proposed Sections</td><td>Date</td><td>August 2019</td></tr><tr><td></td><td></td><td></td><td></td><td>CAD File Name</td><td>60 north castle street.vwx</td></tr></table>	Design Firm	b3a 4 Woodside Place Glasgow G3 7QF	Project Title	60 North Castle Street, Edinburgh	Project Manager	980			Drawn By	jb	Scale	1:50 @ A1			Reviewed By		Sheet No.	982 28	Consultant	PLANNING	Sheet Title	Proposed Sections	Date	August 2019					CAD File Name	60 north castle street.vwx
Design Firm	b3a 4 Woodside Place Glasgow G3 7QF	Project Title	60 North Castle Street, Edinburgh	Project Manager	980																																		
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Consultant	PLANNING	Sheet Title	Proposed Sections	Date	August 2019																																		
				CAD File Name	60 north castle street.vwx																																		
No.	Date	Revision Notes	Zone	By	No.	Date	Issue Notes																																



1 Section A - A
Scale: 1:50



2 Section B - B
Scale: 1:50



3 Floor Plan
Scale: 1:100

									Design Firm	b3a 4 Woodside Place Glasgow G3 7QF	Project Title	60 North Castle Street, Edinburgh	Project Manager	Project ID				
													Drawn By	jb	Scale	1:50 @ A1		
													Reviewed By		Sheet No.	982.07		
													Date	August 2019				
No.	Date	Revision Notes			Zone	By	No.	Date	Issue Notes			Consultant	PLANNING	Sheet Title	Existing Sections		CAD File Name	60 north castle street.vwx

Proposal Details

Proposal Name	100278782
Proposal Description	Internal and External Alterations
Address	4F, 60 NORTH CASTLE STREET, EDINBURGH, EH2 3LU
Local Authority	City of Edinburgh Council
Application Online Reference	100278782-004

Application Status

Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
drawing register	Attached	A3
98211	Attached	A1
98212	Attached	A1
98205	Attached	A1
98707	Attached	A1
98202	Attached	A1
98201	Attached	A1
98227	Attached	A1
98228	Attached	A1
98226	Attached	A1
98225	Attached	A0
98222	Attached	A1
Photograph Catalogue	Attached	A1
Internal Photos	Attached	A1
Roof Inspection Report	Attached	A4
Report of Handling	Attached	A4
Decision Notice	Attached	A4
Planning Application Form	Attached	A4
HES Response	Attached	A4
Additional Photo 1	Attached	A4
Additional Photo 2	Attached	A4
Additional Photo 3	Attached	A4
Additional Photo 4	Attached	A4

Additional Photo 5	Attached	A4
Additional Photo 6	Attached	A4
Additional Photo 7	Attached	A4
Additional Photo 8	Attached	A4
Additional Photo9	Attached	A4
Additional Photo 10	Attached	A4
Additional Photo 11	Attached	A4
Videos 1 and 2 sent by link	Posted	Not Applicable
Supporting Planning Statement with application	Attached	A4
Grounds of Appeal	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-004.xml	Attached	A0

Suzanne McIntosh Planning Limited.
45C Bath Street
Edinburgh
EH15 1HB

Mr Anderson
4F 60 North Castle Street
Edinburgh
EH2 3LU

Decision date: 16 September 2020

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

Removal of existing dormers and associated alterations to the roof.
At 4F 60 North Castle Street Edinburgh EH2 3LU

Application No: 20/02791/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 9 July 2020, 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.

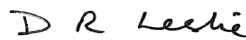
Drawings 01, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposals do not comply with the Local Development Plan. The proposed roof alterations and associated works are not acceptable as they fail to preserve the special character of the listed building, fail to preserve or enhance the character and appearance of the conservation area and adversely impact on the neighbourhood character.

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 Lewis McWilliam directly at lewis.mcwilliam@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The 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 www.eplanning.scot 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.

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.

[illegible]

GROUNDS OF REVIEW

AGAINST REFUSAL OF PLANNING PERMISSION

20/02791/FUL

CITY OF EDINBURGH COUNCIL

MR LEWIS ANDERSON
60 (4F) NORTH CASTLE STREET
EDINBURGH
EH2 3LU

SUZANNE MCINTOSH PLANNING LIMITED

November 2020

1. INTRODUCTION

1.1 This document provides the Grounds of Review against the refusal of Planning Permission by the City of Edinburgh Council in respect of alterations to flat 4F, 60 North Castle Street, Edinburgh.

1.2 Planning permission reference 20/02791/FUL was refused on 16th September 2020 for the following reason:

1. *The proposals do not comply with the Local Development Plan. The proposed roof alterations and associated works are not acceptable as they fail to preserve the special character of the listed building, fail to preserve or enhance the character and appearance of the conservation area and adversely impact on the neighbourhood character.*

1.3 The Grounds of Appeal and supporting documents will demonstrate that the application proposes: a number of architecturally, historically appropriate, sympathetically designed alterations that will assist in ensuring the survival of the listed building, in the conservation area; restoring and maintaining its character and integrity and on balance provide a number of conservation gains.

1.4 In addition, the proposal will not adversely impact upon the neighbourhood character as alleged in the reason for refusal. The over-riding objective with these proposals has been to provide alterations that are not only appropriate and comply with the policies and guidance set out in the local development plan and supplementary guidance but also ensure the stability and maintenance of the listed building for future generations.

1.5 Alterations consented by the City of Edinburgh Council and undertaken by previous owners of the property have resulted in a number of very serious issues at the roof level that cannot be left as they are. In particular, there are issues of structural stability and the roof weight being supported in some locations as well as means of escape and circulation/ health and safety issues on how the consented roof area is used. The status quo is not therefore an option in this case. A comprehensive survey of the roof has been undertaken by a suitably qualified specialist and is lodged as part of this appeal.

2. THE APPEAL SITE

2.1 The appeal site comprises the upper two floors of the corner block which is accessed through a shared entrance from North Castle Street, close to the corner with Queen Street. The entrance stair well leads to a substantially sized flat on each floor of the building.

2.2 The flat essentially turns the corner from North Castle Street into Queen Street and benefits from outlooks over both streets. The roof at present has a large hidden, north facing roof terrace onto Queen Street. This roof terrace is not visible from street level due to the angle of the available views from Queen Street. A small section of the glass balustrade can be glimpsed from street level and is seen from Queen Street – in certain light. The flat is a private dwelling and will remain as such, permanently occupied by the applicant and his family.

2.3 The appeal site - Flat 4F is entered from the fourth floor of the entrance stair serving all four flats and has an internal stair within the flat leading to the 5th floor. It effectively appears as a spacious double upper flat on the fourth floor but on entering the 5th floor it is immediately apparent that there have been previous alterations which have attempted to create a workable layout; however obstructions, inadequate head heights for the ceilings and door frame heights and widths and unattractive dormer additions mean that the space created in the entrance hall and bathroom isn't well laid out, capable of being used or accessed safely. (The Reporter is referred to the photographs and video footage lodged with the appeal to assist their understanding of the issues internally relating to these points.) This part of the interior space looks out onto Young Street Lane at the rear and maintains large areas of original roof slope interspersed by awkwardly positioned dormer windows of varying sizes – all recent additions with planning permission and listed building consent, consented by City of Edinburgh Council. However, these alterations result in 2 issues – the level of altered exterior roof slope; and the workmanship and creation of structural issues internally as a result of the work undertaken to achieve the upper floor internal spaces. By contrast part of the alterations undertaken previously to create the terrace onto the Queen Street side of the roof do work and create a pleasant interior lounge type space too with enough headroom in the room despite the access door to it being very restricted.

2.4 Number 60 is part of a category B listed building dating from around 1790. It has been much altered historically and also in the more recent past. The site is also within the World Heritage Site and the New Town Conservation Area. Extensive photographs and video footage are provided with the appeal in order to assist the Reporter. These deal with every aspect of the interior as well as exterior views. The client is also prepared to undertake a virtual site visit if the Reporter requires. All photographs are marked on the floor plans or location plan so that the point they have been taken from can be clearly seen.

3. BACKGROUND

3.1 Over the past 20 years or so there have been a number of applications for planning permission and listed building consent at this property. Dormers added in 2000, a glass fronted roof terrace in 2000, new dormers in 2003 and roof windows, further alterations to the exterior and windows in 2004 – all of which have been granted the appropriate consents. The quality of the workman ship has varied in these alterations and the resultant poor quality work is clearly required to be addressed now due to the severe impacts it is having on the structure and future of the roof, function of the interior and means of escape/ fire safety of the occupants.

3.2 Recent applications for planning permission and listed building consent in 2019 were refused. These applications were for an extension to the dormers and creation of a terrace. The impact of these alterations at that time were a concern to the Planning Officer, resulting in the refusal. The applicant decided to go back to the drawing board in order to address the concerns expressed over those previous proposals. The current application represents a change in direction from the proposals that were refused by Planning last year.

3.3 The applicant in re-designing the proposal has taken advice from their Architect, Planning Consultant, Structural Engineer and roofing contractor/ specialist. A Roof Inspection Report is provided with the appeal documents. A section in this document provides a summary of the findings of that report.

3.4 Each of these specialists are in agreement that the roof status quo is not an option. A solution must be found without delay to the most serious issues relating to the stability of the structure and the impact previous alterations (by way of cutting and splicing of the roof beams) have had on the stability of the roof structure and load bearing ability of the roof.

3.5 The inhibition of movement in the event of a fire by way of the internal roof slope, as well as the inadequate width and height of the internal door openings requires to be addressed through reconfiguration.

4. APPEAL PROPOSALS

4.1 The appeal proposals focus on three things:

- Securing the structural stability of the roof;
- Providing an adequate means of fire escape from the usable spaces in the roof space.
- Removing previous alterations that do not contribute positively to the character of the listed building.

4.2 Specifically the proposals would alter the existing bathroom dormer that faces onto the rear area, utilise a hidden area of the roof that sits adjacent to the existing roof terrace and provide light to the upper floor space from there. The existing light solution comprises a series of smaller dormer and roof windows that don't relate particularly well to the overall design of the roof and effectively punctuate it in different ways. By adjusting the width of the existing roof ridge and keeping the plane of the roof as close to existing as possible it will enable the headroom internally to meet fire and warrant requirements a number of solutions to existing problems can be secured and with minimal impact on the overall character and appearance of the roof and its slope.

4.3 The current situation internally does not comply with building warrant requirements, despite being a relatively recent alteration in 2002 (not undertaken by the applicant). The headroom height and width provides an unacceptable situation in safety terms as an escape route from the highest part of the building. The internal photographs illustrate the existing situation where the headroom is 2m at the apex of the roof space; in addition the doorways are only 600mm wide and 1575/ 1800 mm high thereby not providing a safe passage out of the upper level of the flat in the event of a fire.

4.4 In addition, the plane of the roof fronting Queen Street and hidden from view can also be utilised as previously consented to create more light into the stairwell and this part of the upper corridor/ room.

5. LOCAL DEVELOPMENT PLAN CONSIDERATIONS

5.1 It is noted that the determining issue in this appeal will be the effect of the proposed alterations on the character of the conservation area and listed building. We also note that the LRBs duty will require them 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 possesses. The property is located within the New Town Conservation Area where special attention will be paid to the desirability of preserving or enhancing the character or appearance of the area.

5.2 Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 sets out the requirement to have special regard to the desirability of preserving the building or its setting or any features of architectural or historic interest that it possesses. This tends to mean preserving the building in its current state and allowing alterations that do not significantly impact upon its character and appearance. In addition, S64 of the same act requires special attention to be paid to the desirability of preserving or enhancing the character and appearance of the conservation area. This site being both a listed building, in a conservation area is required to be considered in both these terms first and foremost. The Planning Act sets out the primacy of the local development plan in the consideration of such an application.

5.3 In doing so we therefore must consider the relevant policies and guidance set out in the Edinburgh Local Development Plan (LDP) and supplementary guidance.

5.4 We note that the following policies set out in the LDP are of specific relevance in this regard: Env3, Env4 and Env6.

5.5 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 architectural character, appearance or historic interest of the building, or to its setting.

5.6 Policy Env4 Listed Buildings: Alterations and Extensions

Proposals to alter or extend a listed building will be permitted where:

- Those alterations or extensions are justified
- There will be no unnecessary damage to the historic structure or diminution of its interest; and
- Where any additions are in keeping with other parts of the building

5.7 Policy Env 6 Conservation Areas

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

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

6 MATERIAL CONSIDERATIONS

6.1 In reviewing the special characteristics of this category B listed building we have sought to fundamentally maintain the special architectural features, character and seek to improve upon the previous alterations. We have also sought to remove inappropriate, highly visible dormer additions to the roof that have been approved in the past. These alterations have resulted in significant impacts to the architectural character and structural stability of the roof. The proposed alterations in this appeal seek to address both of these points.

6.2 The proposed roof alterations to the Queen Street elevation, are not visible from outside the site or from street level. The nature of the topography, position on the corner on the high side of the slope and distance to other streets to the north as shown in the photographic survey means that the existing roof terrace facing onto Queen Street isn't visible from outside the site. The proposed alterations are wholly contained within an enclosed part of the roof.

6.3 In looking also at Historic Environment Scotland's guidance on managing change and the principles set out in roofs we have examined the roof structure, taken into account the structural integrity, the previous alterations and the scope to achieve the internal requirements without impacting negatively upon the existing roof. All alterations now proposed meet the requirements set out in the LDP and HES guidance.

6.4 The overall impact of the alterations is one of a conservation gain and on balance can be achieved without impacting in the way the previous alterations proposals did or the alterations undertaken have done. To that end the proposals now comply with each of the relevant policies set out in the LDP above.

6.5 The existing single dormers and roof windows to the rear that punctuate the roof slope and are considered inappropriate in conservation terms are being removed. No alterations are proposed to the Castle Street elevation of the roof.

6.7 It is therefore hoped that after review of the submissions the Reporter will see that the proposals do not seek to undermine the architectural integrity or historic importance of the building as a category B listed building.

6.8 In addition, the need to comply with the forthcoming changes to the fire and smoke alarms regulations will be assisted by the proposed alterations in that a flat apex of the internal roof will be created with these proposals. Currently there is no way of complying with the siting requirements of fire, smoke and heat alarms with there being no internal apex to the roof.

7 ROOF ISSUES

7.1 The appellant has engaged MGF Roofing as roofing experts to produce a roof inspection report which has been lodged as a document in this appeal. MGF were asked to survey and report on the condition of the roof.

7.2 MGF's report categorises the current condition of the roof and the mitigation work required either as P1 – immediately essential for health and safety reasons ie to make the roof safe; P2 – urgent maintenance to make it wind and watertight and P3 – routine maintenance.

7.3 The most alarming and immediate issues requiring urgent attention are categorised as P1 Super Structure in the report, as follows:

1) Two 250mm x75mm x 5m joists have had substantial removal of material >30%. Additional supports have been removed to allow for the formation of dormers and roof windows which would greatly increase the load on these supporting timbers. Removal of material appears to have been removed to achieve 2m headroom as noted in the historic planning application. However, this has left the entire westerly side of the roof being inadequately supported due to substantial material removal of the primary structure and removal of a number of roof joists to form dormers and window opening. A SHS post has been installed adjacent to the area. I am unable to verify the configuration/tie-in to the existing roof structure due to coverings. It is suggested that this be investigated further with the intent of removal and replacement of adequate supports. In the meantime, supporting acrows should be installed immediately to prevent failure.

7.4 The report also requires the following urgent maintenance to be undertaken in P2

2) Valleys - Valleys are in poor condition and should be removed and replaced during scheduled maintenance.

3) Roof Windows - Further investigation required with consideration to item 1.

7.5 With regard to ongoing P3 routine maintenance the report requires the following to be done:

4) Projections - Removal and reinstatement of new flashings

5) Chimneys - Remove affected areas, repair using suitable lime-based mortar. Paint to match existing

6) Masonry - Rake-out affected areas, repair using suitable lime-based mortar

7.6 In Summary the report states:

General slate roof condition requires maintenance to address issues raised. Flat roof and abutments are in OK condition other than the areas identified all laps and edgings are in good condition. Structural integrity concerns in relation to alterations and material removal. Further investigation and advice should be sought regarding integrity and safety of current layout.

8. REASONS FOR REFUSAL

8.1 Reason for Refusal 1 states the following:

The proposals do not comply with the Local Development Plan. The proposed roof alterations and associated works are not acceptable as they fail to preserve the special character of the listed building, fail to preserve or enhance the character and appearance of the conservation area and adversely impact on the neighbourhood character.

8.2 Looking to the HES document on Managing Change in the Historic Environment we find that the document considers what makes a historic roof distinctive in character – height, shape, pitch, profile, materials, rainwater goods etc. The roofs on this corner building are predominantly pitched and slated although they have been much altered over the years to include dormers of varying styles, roof windows, contemporary glass openings and a glass balcony. The roof of number 60 is by no means a rare example of an intact, unaltered roof – it is much altered. The document also recognises the importance of the physical structure of the roof. There don't appear to be surviving original elements of this roof – it has been replaced, altered and changed over time. It is not a rare structural example in the new town nor is it typical of a style or nature of roof for this type of building. Each of the corners along Queen Street have been altered much over the years with many of the roofs having roof terraces or balconies to take advantage of the long, uninterrupted views towards Fife. The elevated nature of the buildings along Queen Street means that the alterations to the roofs to provide these terraces can't be seen from street level. Many have been granted recent permissions so it is difficult for the appellant to understand why the council will not accept their proposals. There appears to be little continuity in the application of the HES guidance with some officers being much more rigid in approach than others who will take an on balance approach. In this case an on balance approach is required.

8.3 With regard to the general requirements for alterations to roofs set out in the document and the issue of the proposal not respecting the 'traditional character of the roof' we would refer the LRB to the Planning Officer's Report of Handling which helpfully details the lengthy planning history associated with the building. The photos lodged and drawings also show the level of alterations that have been previously undertaken to this building. Had we been able to access the city archives we would have been able to source the historic drawings and alterations to the building and lodged these however with the covid restrictions these have not been available to us.

8.4 With regard to the character and interest the existing roof provides to the building and the areas of the roof that are more sensitive to alteration than others we would comment that the elevation of the roof plane to Queen Street has been much altered previously with the inclusion of the roof terrace. Further additions to the roof plane on this elevation will not be visible from outside the site and as such do not impact to any great degree on the integrity of the listed building. With regard to the rear elevation – the box dormers are visible at present from Young Street Lane – the proposal provides an improvement to the current situation when viewed from Young Street Lane. It will give the appearance of the same plane of roof but removal of the unsightly elements that exist at present. The added benefit will be the improvements to the internal fire safety, flow around the roof level of the building and

the long term survival of the roof structure. To enable each of those things to happen some limited alteration to the roof is required. It is the appellants contention that the limited level of alteration is necessary and on balance is acceptable given the arguments made for it in this report. The proposals do not result in a net loss to the architectural character and integrity of the building but a net conservation gain overall.

9. CONCLUSIONS

9.1 The proposals represent a sensitive solution to the problems listed in this document that exist at the site at present and require to be resolved as a matter of urgency.

9.2 The status quo is not an option given the impact on the structural integrity of the roof and the safety implications in the event of a fire from the previous alterations undertaken by others.

9.3 The proposals detailed in the submissions address the issues in a way that is discrete and we hope will be acceptable to the LRB, given that the solutions do not conflict with the policies in the Local Development Plan and respect the character and amenity of the listed building.

9.4 We are happy to assist the LRB in viewing the site in any way they see fit.

Suzanne C McIntosh MRTPI HonFRIAS



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

By email to:
lewis.mcwilliam@edinburgh.gov.uk

City of Edinburgh Council
Planning and Strategy
4 Waverley Court
East Market Street
Edinburgh
EH8 8BG

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

Enquiry Line: 0131-668-8716
HMConsultations@hes.scot

Our case ID: 300045579
Your ref: 20/02791/FUL
02 September 2020

Dear Sir/Madam

Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013
4F 60 North Castle Street Edinburgh EH2 3LU - Removal of existing dormers and
associated alterations to the roof

Thank you for your consultation which we received on 20 August 2020. We have
assessed it for our historic environment interests and consider that the proposals have
the potential to affect the following:

Ref	Name	Designation Type
100018438, LB29566, GDL00367	Edinburgh World Heritage Site Boundary, 60 QUEEN STREET AND 58A, 60 AND 62 NORTH CASTLE STREET, THE NEW TOWN GARDENS	World Heritage Sites, Listed Building, Garden and Designed Landscape

You should also seek advice from your archaeology and conservation service for matters
including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any comments to make on
the proposals. Our decision not to provide comments should not be taken as our support
for the proposals. This application should be determined in accordance with national and
local policy on development affecting the historic environment, together with related
policy guidance.

Historic Environment Scotland – Longmore House, Salisbury Place, Edinburgh, EH9 1SH

Scottish Charity No. **SC045925**

VAT No. XXXXXXXXXX



Further Information

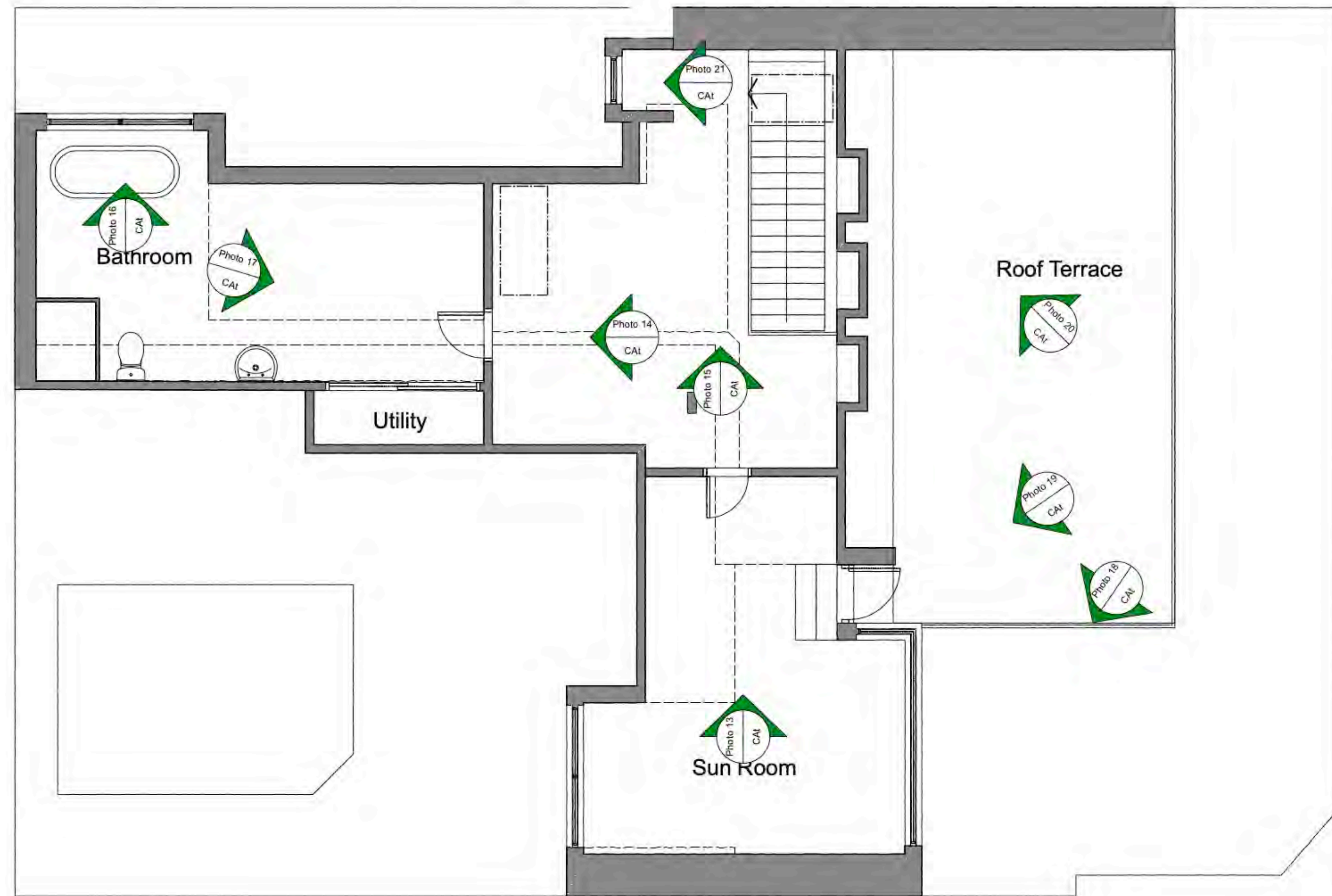
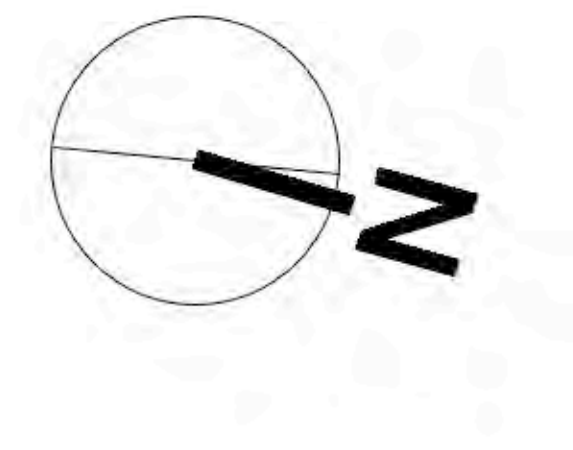
This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

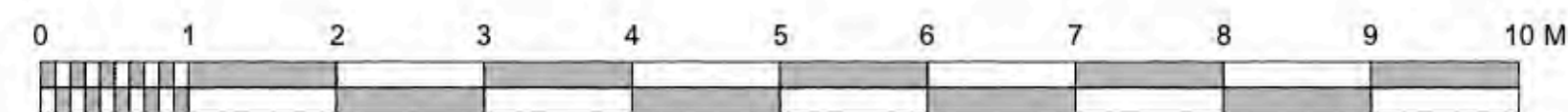
Please contact us if you have any questions about this response. The officer managing this case is Michael Scott who can be contacted by phone on 0131 668 8913 or by email on Michael.Scott@hes.scot.

Yours faithfully

Historic Environment Scotland



1 Existing Fifth Floor Plan
Scale: 1:50



									Design Firm	b3a 4 Woodside Place Glasgow G3 7QF	Project Title	60 North Castle Street, Edinburgh	Project Manager	980		
												Drawn By	jb	Scale	1:50 @ A1	
												Reviewed By		Sheet No.	982.23	
														Date		June 2020
														CAD File Name		60 north castle street.vwx
No.	Date	Revision Notes			Zone	By	No.	Date	Issue Notes							

















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QUEEN STREET

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THE CHA

Richard Murphy Architects.
Fao James Mason.
The Breakfast Mission
15 Old Fishmarket Close
Edinburgh
EH1 1RW

Dr Gundula Thiel.
10 Randolph Crescent
Edinburgh
EH3 7TT

Decision date: 21 October 2020

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

Alter existing roof access and provide permanent stair to new opening roof light.
Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area
At 2F 10 Randolph Crescent Edinburgh EH3 7TT

Application No: 20/02744/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 24 August 2020, 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.

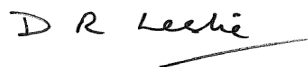
Drawings 01-03, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal does not comply with the Local Development plan or relevant associated guidance. The proposal is inappropriate in terms of scale and materials and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the conservation area. There are no material considerations which outweigh this decision.

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 Murray Couston directly at murray.couston@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The 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 www.eplanning.scot 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.

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 20/02744/FUL

At 2F, 10 Randolph Crescent, Edinburgh

Alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area

Item	Local Delegated Decision
Application number	20/02744/FUL
Wards	B11 - City Centre

Summary

The proposal does not comply with the Local Development plan or relevant associated guidance. The proposal is inappropriate in terms of scale and materials and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the conservation area. There are no material considerations which outweigh this decision.

Links

<u>Policies and guidance for this application</u>	LEN04, LEN06, NSLBCA, LDES12,
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Report of handling

Recommendations

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

Background

2.1 Site description

A listed, occupying the top two floors of a James Gillespie Graham, designed 1822, 3-storey with attic and basement. Listing date: 14/12/1970; listing reference: LB29601. Within the World Heritage Site.

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

2.2 Site History

16.09.2020 - Listed building consent refused for: Alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area (20/02745/LBC).

Main report

3.1 Description Of The Proposal

Planning permission is sought to alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area.

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

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 acceptable in principle;
- b) the proposals will impact on the character of the listed building;
- c) the proposal will preserve or enhance the character and appearance of the conservation area; and
- d) public comments have been addressed.

a) The proposal is to add a roof terrace to an A listed building. There are no similar developments in the surrounding area and the proposal would lead to an uncharacteristic and incongruous addition to the property. The proposal is not acceptable in principle.

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

HES *Managing Change in the Historic Environment guidance on Roofs* offers guidance on assessing proposals.

Policy Env 4 in the Edinburgh Local Plan (LDP) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result unnecessary damage to historic structures or result in a diminution of the buildings interest; and any additions would be in keeping with other parts of the building.

The Council's non-statutory Guidance for Listed Buildings and Conservation Areas sets out additional guidance.

HES Managing Change Guidance: Roofs states that *the interest of a historic roof is derived from a number of factors including its shape or form, structure, covering materials, and associated features. The roof can play an important part in the architectural design of a historic building. In terms of alterations, it states that new work should normally match the original as closely as possible. The alteration of a roof can create additional space to allow the building as a whole to remain in use and develop with the needs of the occupants. In considering how to alter a roof it is important to*

understand the impact of the works on the roof itself and the appearance of the building or street as a whole. The potential for cumulative effects of similar developments should also be considered

The proposed roof terrace would be a discordant feature creating a level of intervention to the roof area that is not characteristic of the building and surrounding similar buildings in this largely uniform terrace. The extent of the changes to the roofscape of the building and its functionality would fundamentally change the character of the roof and an important part of the building's special interest. The proposals are not required for the beneficial use of the building, are not justified and would result in a diminution of its interest.

The proposals are contrary to the policy guidance published by Historic Environment Scotland and the Council's non-statutory guidance.

c) Planning Advice Note 71 on Conservation Area Management recognises conservation areas need to adapt and develop in response to the modern-day needs and aspirations of living and working communities. Policy Env 6 of the Local Development Plan permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

In terms of the roof terrace, this is a discordant intervention which is not characteristic of these buildings. In terms of the appearance of the conservation area, the glass barrier will be evident in both long and short views and its reflective qualities will be apparent and be disruptive to the uniformity of the terrace. In addition, roof terraces are not traditional features of the New Town Conservation Area and whilst the roof terrace will not be visible from the street, the roofscape of these New Town buildings will be severely altered. Aerial views of the New Town are particularly important and radical interventions to traditional roofscapes such as this are unnecessary and unacceptable interventions. The proposals fail to either preserve or enhance the character and appearance of the conservation area.

d) One letter of objection has been received. Comments raised have been addressed in sections b) and c).

Conclusion

The proposal does not comply with the Local Development plan or relevant associated guidance. The proposal is inappropriate in terms of scale and materials and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the conservation area. There are no material considerations which outweigh this decision.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building and are not justified.
2. The proposals would result in an alteration that would not preserve the character and appearance of the conservation area.

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

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

One letter of representation has been received.

Background reading / external references

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

Statutory Development

Plan Provision

The site is within the Urban Area, World Heritage Site and New Town Conservation Area.

Date registered

24 August 2020

Drawing numbers/Scheme

01-03,

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Murray Couston, Planning Officer
E-mail:murray.couston@edinburgh.gov.uk

Links - Policies

Relevant Policies:

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

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

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

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

Appendix 1

Consultations

Historic Environment Scotland

10 Randolph Crescent forms part of a category A listed Georgian terrace designed by James Gillespie Graham in 1822. The application proposes to create an external roof terrace area by altering the existing roof structure and roof access.

The photographic evidence provided does suggest the original roof structure to the front has been replaced or altered, with the height of the ridge reduced. We therefore have no concerns with the further alteration of the roof now proposed, which we anticipate will be visually concealed.

The addition of a glass balustrade has the potential to be more impactful. This would be a non-traditional addition to the former townhouse that, if visible, would impact upon its appearance and character. We wouldn't expect any impact in close-up views of the building. However, No. 10 Randolph Crescent can be seen in some distant views. We would recommend that potential visual impacts are explored in more detail. If it is likely that the balustrade would be visible, we would recommend its location on the roof is re-considered to reduce its impact. The balustrade, as currently proposed, looks like it would be positioned on, or near, the ridge of the roof - if it was located further back would this reduce visual impact. A partial, instead of a full width balustrade, if appropriate, could help reduce its impact still further. We would also recommend metal would be a better choice of material for any balustrade.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

END



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100337330-001

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:	Ferguson Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Tim	Building Name:	Shiel House
Last Name: *	Ferguson	Building Number:	
Telephone Number: *	01896 668 744	Address 1 (Street): *	54 Island Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Galashiels
Fax Number:		Country: *	UK
		Postcode: *	TD1 1HR
Email Address: *	tim@fergusonplanning.co.uk		

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="Ms"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text" value="2F"/>
First Name: *	<input type="text" value="Gundula"/>	Building Number: <input type="text" value="10"/>
Last Name: *	<input type="text" value="Thiel"/>	Address 1 (Street): * <input type="text" value="Randolph Crescent"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text" value="Randolph Crescent"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH37TT"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

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="2F"/>
Address 2:	<input type="text" value="10 RANDOLPH CRESCENT"/>
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="EH3 7TT"/>

Please identify/describe the location of the site or sites

Northings	<input type="text" value="673933"/>	Easting	<input type="text" value="324425"/>
-----------	-------------------------------------	---------	-------------------------------------

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)

Alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area

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 supporting 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 prepared by Ferguson Planning Core Doc 1: 20/02744/FUL Decision Notice and Officers Report Core Doc 2: 20/02745/LBC Decision Notice and Officers Report Core Doc 3: Existing Plans Core Doc 4: Proposed Plans Core Doc 5: Additional Plan: Viewpoints Core Doc 6: Additional Plan: Roof plan

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/02744/FUL

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

24/08/2020

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

21/10/2020

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)

Site inspection to gain a full understanding of the proposal and its context.

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Applicant will provide access to the site upon request.

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: Ferguson Planning Tim Ferguson

Declaration Date: 01/12/2020



**APPEAL STATEMENT IN RELATION TO CITY OF
EDINBURGH COUNCIL REFUSAL OF: PLANNING
PERMISSION TO ALTER EXISTING ROOD ACCESS
AND PROVIDE PERMANENT STAIR TO NEW OPNING
ROOF LIGHT. REMOVE EXISTING LANTERN OVER
BATHROOM AND REPLACE WITH NEW, FLAT GLASS
ROOFLIGHT. ALTER INWARD FACING PITCHED ROOF
DACES TO GIVE ENLARAGED, ACCESSIBLE FLAT
ROOF AREA.**

2F, 10 RANDOLPH CRESCENT, EDINBURGH

APPLICANT: DR GUNGULA THIEL

NOVEMBER 2020

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2.	Site Context and Key Planning History	3
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4.	Refusal of Application by City of Edinburgh Council	7
5.	Planning Policy Context	8
6.	Grounds of Appeal and Case for the Appellant	14
7.	Conclusions	25

Appendices:

Appendix 1: Core Documents

Author	Date
Lucy Moroney	24/11/2020
Approved	Date

1. Introduction

- 1.1 This Appeal Statement is submitted on behalf of Dr Gundula Thiel against the decision of City of Edinburgh Council to refuse Planning Permission and Listed Building Consent for the alteration of the existing roof access and provision of permanent stair to new opening roof light, along with the removal of existing lantern over the bathroom and replaced with new, flat glass rooflight. The proposals also include the alteration of inward facing pitched roof faces to give enlarged, accessible flat roof area (application reference 20/02744/FUL and 20/02745/LBC). The Planning Application refusal was dated 21st October 2020 and the Listed Building Consent refusal was dated 16th September 2020. This Appeal Statement provides supporting information for the Appeal of both decisions.
- 1.2 The key reasons for the refusal of the Planning Application include:
- The proposal does not comply with the Local Development plan or relevant associated guidance.
 - The proposal is inappropriate in terms of scale and materials and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the conservation area. There are no material considerations which outweigh this decision.
- 1.3 The reason for the refusal of the Application for Listed Building Consent include the following:
- The proposed works fail to preserve the listed building and its setting and have an adverse impact on the character and appearance of the conservation area.
 - The proposals fail to preserve or enhance the character and appearance of the conservation area which is particularly important in terms of its roofscapes, as the introduction of the glass barriers and a roof terrace are incongruous interventions which affect the uniformity of New Town buildings.
- 1.4 Under three Grounds of Appeal, this Statement will demonstrate that the proposed development would not constitute adversely impacting the special architectural and historic interests of the listed building and that there would be no adverse impact on the conservation area.
- 1.5 The Applications for Planning Permission and Listed Building Consent included the following drawings and documents, which are re-supplied with this Appeal.
- Location Plan and Site Plan;
 - Existing Plans, Elevations, Sections and Downtakings;
 - Proposed Plans, Sections and Elevations
- 1.6 The Planning Officer's Report and Decision Notices relating to the refused applications are also included.

- 1.7 The remaining sections in this Appeal Statement summarise the planning history relating to the site, the Committees' refusals and planning policy, before providing the supporting case for the Appeals under three Grounds of Appeal. Key points are summarised in the conclusions section.
- 1.8 The Reporter, having considered the detail contained within the refused Planning Application and the refused application for Listed Building Consent, together with the information set out herein, will be respectfully requested to allow the Appeal to enable planning permission and listed building consent to be granted for the proposed development at 2F, 10 Randolph Crescent, Edinburgh.

2. Site Context and Key Planning History

- 2.1 This Appeal Statement against CEC decision to refuse Planning Permission and Listed Building Consent relates to the development of a roof terrace for residential enjoyment at 2F 10 Randolph Crescent, Edinburgh, EH3 7TT.

Site Context

- 2.2 10 Randolph Crescent forms part of a formal linked terrace of buildings designed by James Gillespie Graham in 1822, located in the Edinburgh New Town Conservation Area and World Heritage Zone and connecting the west end of Queens Street with Queensferry Street. The property is Grade A listed along with no.s 9-17 Randolph Crescent (inclusive) and 1 and 1A Randolph Cliff (including railings) under reference LB29601.
- 2.3 The property at no. 10 has been divided from its original townhouse form and now contains a number of private dwellings. The main door off Randolph Crescent provides access to a ground and basement apartment (10) with the former main stair leading a first-floor apartment (10 1F) and access to the two-storey application property (10 2F) above. Separate access to the rear leads to a two-storey garden level apartment. Recent Planning application ref 18_01668_FUL, seeking to combine the two lower apartments (10 GF & 10BF) was granted. 10B occupies the front half of the basement and is separately accessed from the lightwell off the street.
- 2.4 Access to the roof is entirely from within the application property 10 2F via an opening rooflight. Roof configuration to the crescent properties appears to vary, dependant on geometry.
- 2.5 Evidence of historic modification to the original roof profile can be seen on adjoining chimney stacks (as noted in Figure 4 within this statement). These modifications have resulted in a combination of low and high pitched slated roofs, ridge, monopitch and lantern rooflights and stepped lead valley guttering and flat roofing.

Planning History

- 2.6 Referring to the City of Edinburgh Council planning application search, the table below identifies seven historic planning application relating the to the subject site, including the two applications this Appeal Statement relates to.

LPA Ref	Proposal	Decision
08/02281/LBC	Internal alterations	Approved 26 th September 2008
09/00049/FUL	Change of use from wash house to residential dwelling	Withdrawn 6 th February 2009
09/00049/LBC	Internal alterations - wash house to residential dwelling	Withdrawn 6 th February 2009
09/00447/LBC	Internal alterations (revised)	Approved 27 th February 2009

19/03664/LBC	Upgrade of the existing timber sash and case windows.	Approved 16 th September 2019
20/02744/FUL	Alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area	Refused 21st October 2020 In which this Appeal Statement relates to.
20/02745/LBC	Alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area	Refused 16th September 2020 In which this Appeal Statement relates to

Neighbouring Applications of Interest

- 2.7 It is important to note there have recently been a number of approvals for rooftop developments within close proximity to the site. these are identified within the table below:

LPA Ref	Proposal	Address	Status
20/02782/FUL	A new dormer roof extension to an existing three storey townhouse to provide a small external recessed roof terrace, accessed via an extension to the existing internal stair. The dormer will provide access to the existing valley gutters.	35 Atholl Crescent Lane Edinburgh EH3 8ET	Granted 20/08/20
20/02243/LBC	Internal alterations to create new kitchen / dining room. Upgrades to existing sanitary facilities. Formation of larger living space on the attic floor with access to a new roof terrace. New dormers to the front and rear.	1F2 4 Clarendon Crescent Edinburgh EH4 1PT	Granted 11/08/20
20/00175/FUL	Proposed extended roof conversion to include forming a new rear dormer window	68 Meadowfield Terrace Edinburgh EH8 7NU	Granted 13/03/20

	and roof terrace (as amended).		
19/06102/FUL	Extension of existing building envelope within the parameters of the existing roof line; New lower and upper terraces to rear of property; New window on principal elevation and new glazed opening on upper level to rear.	8A Easter Belmont Road Edinburgh EH12 6EX	Granted 19/02/2020

3. Proposed Development

- 3.1 The Current roof access is by way of retractable loft ladder within the study/bedroom on the third floor up into the low roof void on the north side and subsequent out via an opening roof light onto the central valley gutter. Access is thus difficult and constrained.
- 3.2 The proposal seeks to provide permanent stair access out to a larger flat roof area via a proprietary glazed, low profile, rooflight (sky door) located in a former store accessed via a new opening off the hallway.
- 3.3 Since the division of the property, the upper apartment has no access to outdoor space. The proposal thus seeks to provide, in as inconspicuous a way as possible, private outdoor space for the apartment's use. It is clear from the recent lock-down and social isolation period that access to non-public, external space is a vital constituent of both physical and mental health and wellbeing.
- 3.4 The proposal aims to provide usable external space via the part removal of internal, valley facing sections of slate roofing and the incorporation of new flat roof construction and decking areas. Additionally, an existing poor quality, lantern rooflight structure is proposed to be replaced with a low profile, walk-on flat rooflight over the existing bathroom. Access into the remaining roof void area via hinged doors in the new vertical rain screen cladding allows any loose furniture to be put away and secured with ease, leaving the terrace free of any potentially visible structures when not in use. Finally, a minimal, frameless glass balustrade is proposed along the remaining low pitched roof edge to the south to provide an appropriate safely railing height yet set back sufficiently to be invisible from pavement level.

4. Refusal of Application by City of Edinburgh Council

4.1 The Planning Application was refused by a Local Delegated Decision by City of Edinburgh Council on 21st October 2020 on the bases set out below:

- 1. The proposal does not comply with the Local Development plan or relevant associated guidance.*
- 2. The proposal is inappropriate in terms of scale and materials and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the conservation area. There are no material considerations which outweigh this decision.*

4.2 The application for Listed Building Consent (LPA ref: 20/02745/LBC) was refused by a delegated decision by City of Edinburgh Council on 16th September 2020 on the bases set out below:

- 1. The proposed works fail to preserve the listed building and its setting and have an adverse impact on the character and appearance of the conservation area.*
- 2. The proposals fail to preserve or enhance the character and appearance of the conservation area which is particularly important in terms of its roofscapes, as the introduction of the glass barriers and a roof terrace are incongruous interventions which affect the uniformity of New Town buildings.*

5. Planning Policy Context

5.1 This section outlines the principle planning policy considerations which have informed the suitability of the development which provide the context for the consideration if this retrospective planning application.

5.1 The adopted Strategic Development Plan sets out the vision for the long-term development of the south east of Scotland area including the City of Edinburgh. The adopted Edinburgh Local Development Plan sets out policies and proposals to guide development and will be key for determining any proposals on the sites in questions.

City of Edinburgh Council Local Development Plan 2016

5.2 The Edinburgh Local Development Plan (LDP) was adopted in November 2016 and represents the most up to date development plan, containing planning policy against which applications are assessed by the Planning Authority.

5.3 City of Edinburgh Council is currently in the process of preparing City Plan 2030 which is intended to replace the currently Local Development Plan before the end of 2022. The Call for Sites consultation ran between January and April 2020.

5.4 SESPlan is a strategic document focused on the larger centres and developments. The scale of the proposal is considered to sit at a lower or more local level. Given many of the policy principles will be similar it is considered more relevant to assess the development against the LDP.

5.5 With reference to the adopted CEC Proposals Map, the Site is within New Town Conservation Area, adjoining the City Centre Boundary to the south. To the rear of the site to the north lies a Special Landscape Area and Local Natura Conservation Site within the gardens associated with the site. the City Centre Retail Core is to the south east.

5.6 The site itself is also Category A listed.

5.7 Relevant policies include:

- Policy Des 1: Design Quality and Context
- Policy Des 4: Development Design- Impact on Setting
- Policy Des 5: Development Design- Amenity
- Policy Des 7: Layout Design
- Policy Des 12: Alterations and Extensions
- Policy Env 3: Listed Buildings- Setting
- Policy Env 4 Listed Buildings- Alterations and Extensions

- Policy Env 6- Conservation Areas- Development
- Policy Env 7- Historic Gardens and Designated Landscapes
- Policy Env 11- Special Landscape Areas
- Policy Env 15- Sites of Local Importance

5.8 An extract of CEC adopted Proposals Map of the site is shown in Figure 1 below.

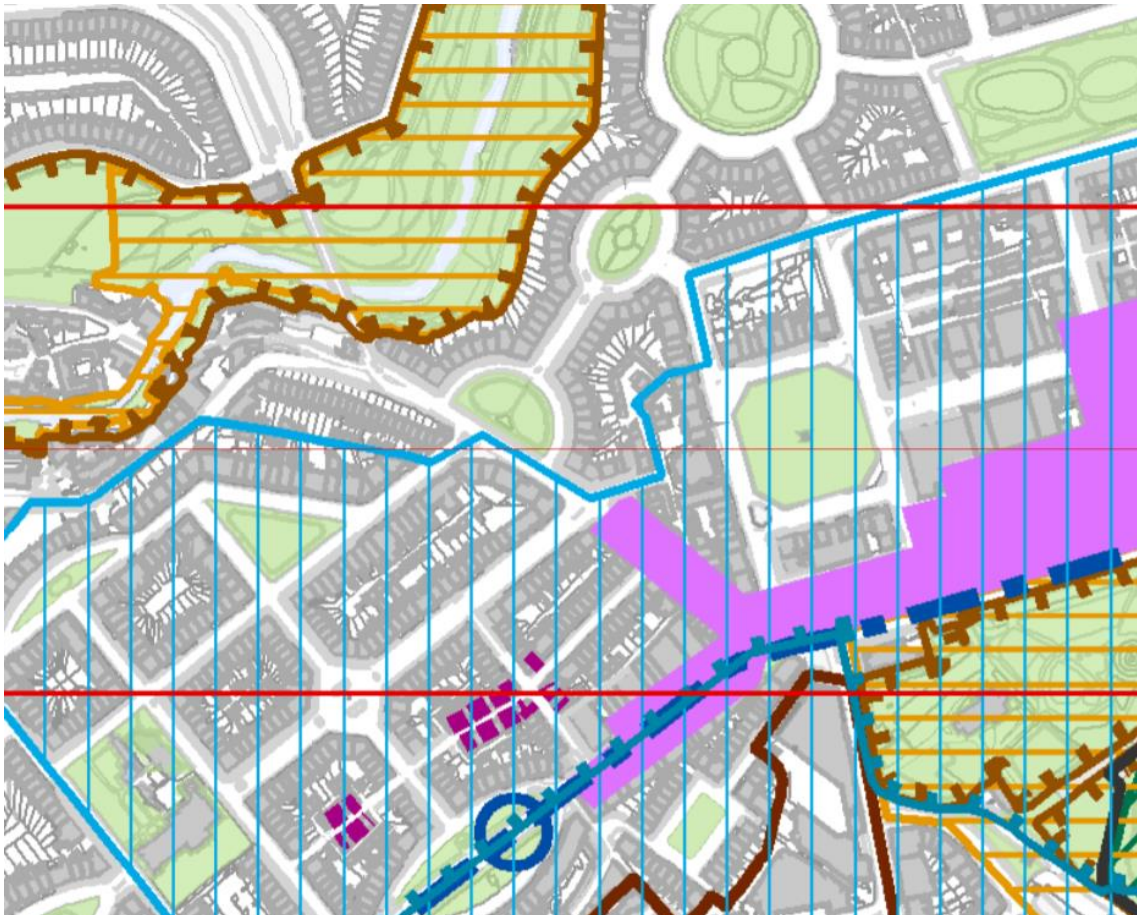


Figure 1 above CEC Proposals Map extract. Source: City of Edinburgh Council LDP.

- 5.9 Policy Env 4 states that proposals to alter a listed building will be permitted where those alterations are justified; will not result unnecessary damage to historic structures or result in a diminution of the buildings interest; and any additions would be in keeping with other parts of the building.
- 5.10 Policy Env 6 of the Local Development Plan permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

Material Considerations

Strategic Development Plan 2

- 5.11 The Strategic Development Plan 2 was submitted to the Scottish Ministers for examination on Monday 26th June 2017. The examination of the plan commenced in August 2017 which was then rejected by Scottish Ministers in May 2019. Once adopted that plan will replace the existing Strategic Development Plan and set out the vision for the long-term development of the south east of Scotland area including the City of Edinburgh.

City Plan 2030

- 5.12 The City Plan 2030 will set out policies and proposals for development within Edinburgh between 2020 and 2030 which went out for consultation earlier this year. A report on the responses to choices for the plan was considered by the Planning Committee on the 12th August 2020.

Planning (Listed Building and Conservation Areas) Scotland Act 1997

- 5.13 The Planning (Listed Building and Conservation Areas) Scotland Act 1997 seeks to consolidate certain enactments relating to special controls in respect of buildings and areas of special architectural or historic interest. The Act requests proposals for development to preserve the character and setting of listed buildings and preserve or enhance the character and appearance of conservation areas.

Historic Environment Policy for Scotland (HEPS)

- 5.14 The Historic Environment Policy for Scotland outlines how Local Planning Authorities should undertake the collective duty of care whenever a decision in the planning system will affect the historic environment.
- 5.15 HES Managing Change Guidance: Roofs states that the interest of a historic roof is derived from several factors including its shape or form, structure, covering materials, and associated features. The roof can play an important part in the architectural design of a historic building. In terms of alterations, it states that new work should normally match the original as closely as possible. The alteration of a roof can create additional space to allow the building as a whole to remain in use and develop with the needs of the occupants. In considering how to alter a roof it is important to understand the impact of the works on the roof itself and the appearance of the building or street as a whole. The potential for cumulative effects of similar developments should also be considered

Neighbouring Consents

- 5.16 As previously mentioned in Section 2 of this report, the approval of a number of rooftop developments within proximity to the site sets a precedent for the development proposals within a Conservation Area.
- 5.17 In comparison to the proposals this Appeal Statement relates to, the approvals identified above appear to be more exposed from public receptor points.
- 5.18 Figure 2 and 3 below identify the approved plans for the planning consent at 35 Atholl Crescent Lane (LPA ref: 20/02782/FUL).

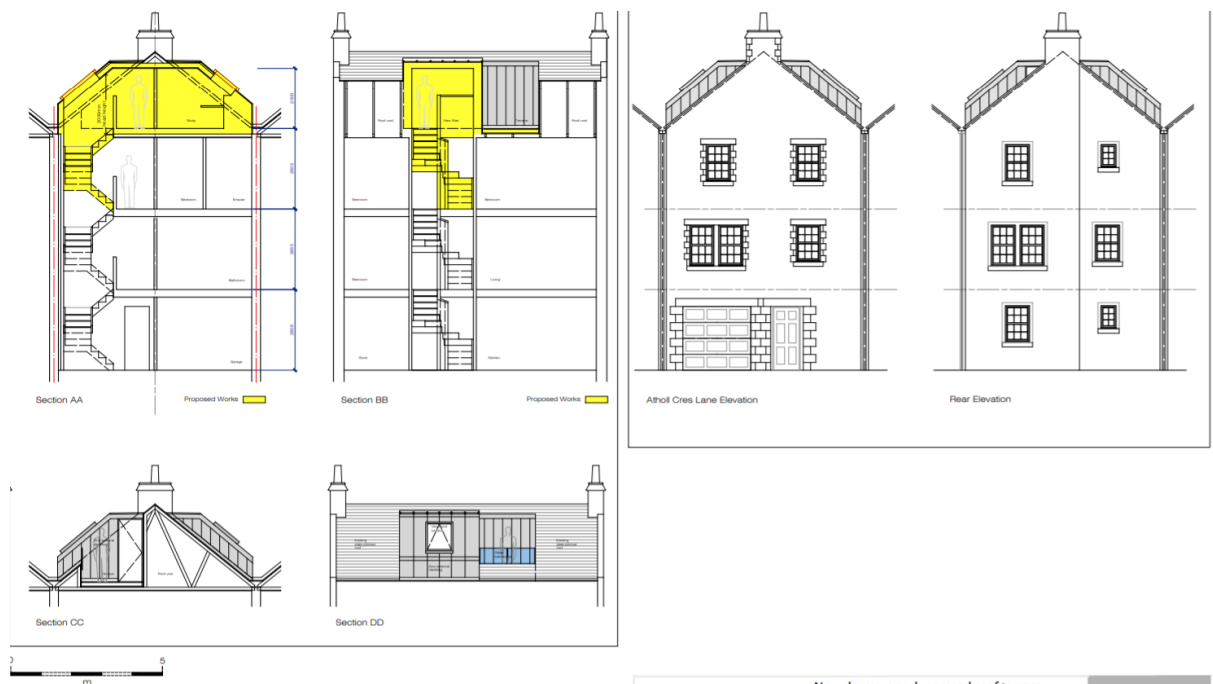


Figure 2 above: Approved Elevations of planning consent LPA ref: 20/02782/FUL.

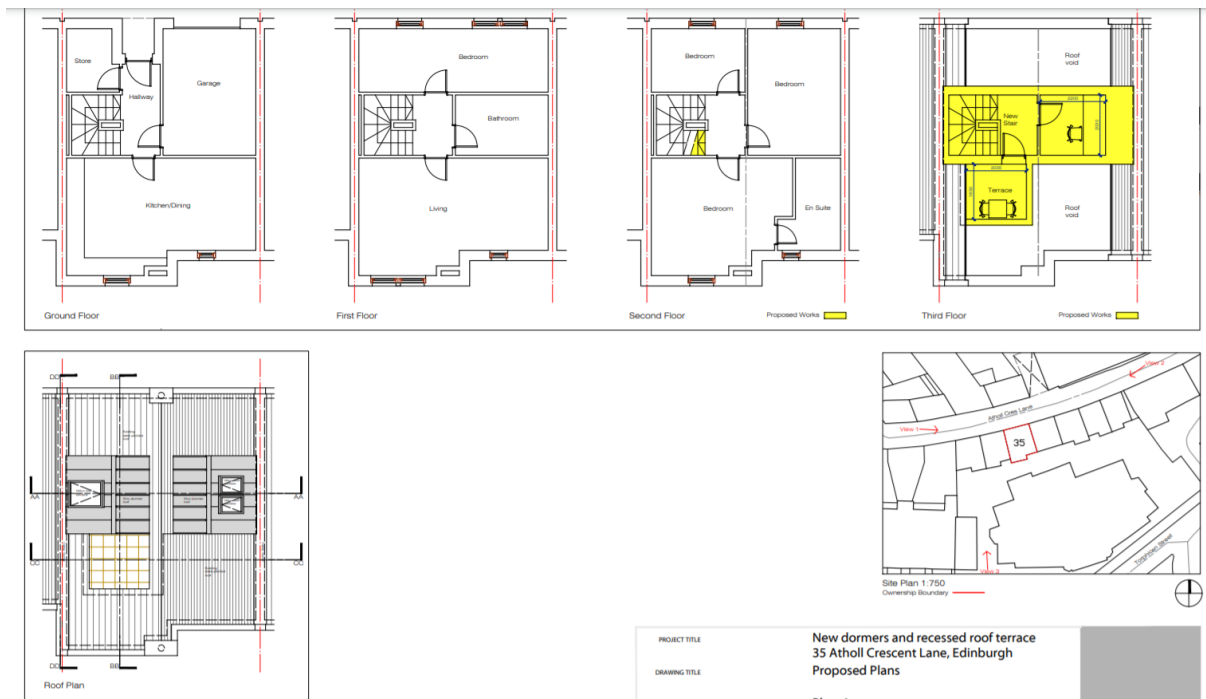


Figure 3 above: Approved floor plan for planning consent LPA ref: 20/02782/FUL.

- 5.19 In addition to the recent approval above, an application for a roof terrace has been approved at 1F2 4 Clarendon Crescent (LPA ref: 20/02243/LBC) setting a precedent for rooftop developments on a listed building. The approved plans are outlined below:



Figure 4: Approved roof plan for planning and listed building consent (LPA ref: 20/02243/LBC)

Consultee Responses

- 5.20 During the consultation period, Historic Environment Scotland raised no objections to both the Planning Application and the Listed Building Consent application. The full response is set out below:

“The photographic evidence provided does suggest the original roof structure to the front has been replaced or altered, with the height of the ridge reduced. We therefore have no concerns with the further alteration of the roof now proposed, which we anticipate will be visually concealed.

The addition of a glass balustrade has the potential to be more impactful. This would be a non-traditional addition to the former townhouse that, if visible, would impact upon its appearance and character. We wouldn't expect any impact in close-up views of the building. However, No. 10 Randolph Crescent can be seen in some distant views. We would recommend that potential visual impacts are explored in more detail. If it is likely that the balustrade would be visible, we would recommend its location on the roof is reconsidered to reduce its impact. The balustrade, as currently proposed, looks like it would be positioned on, or near, the ridge of the roof - if it was located further back would this reduce visual impact. A partial, instead of a full width balustrade, if appropriate, could help reduce its impact still further. We would also recommend metal would be a better choice of material for any balustrade.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.”

- 5.1 There were no further consultations received relating to this proposal.
- 5.2 There were two letters of support of neighbouring residents highlighting the minimal impact this proposal will have on the character of the area, as property owners within this area seek to maintain and enhance the significant heritage assets in which they are fortunate enough to be residents in.

6. Grounds of Appeal and Case for the Appellant

6.1 The Local Authority's decision to refuse the applications is challenged on the basis of three grounds set out below. It is asserted that the Proposals accords with the relevant policies and intentions of the Local Development Plan and Supplementary Planning Guidance and there are no material considerations which indicate that the Council's refusal of the applications should be upheld.

6.2 The Appellant sets out the following three Grounds of Appeal in respect of the refusals of the Planning Application and application for Listed Building Consent.

- **Ground 1:** The proposals would preserve the listed building and its setting and not have adverse impact on the character and appearance of the conservation area. The materials proposed would not affect the uniformity of the New Town Buildings.
- **Ground 2:** The Proposal is not inappropriate in terms of scale and materials and would not adversely impact the special architectural and historic interest of the listed building nor the character and appearance of the conservation area.
- **Ground 3:** There are no other material considerations which warrant refusal of the application.

Ground 1: The proposals would preserve the listed building and its setting and not have adverse impact on the character and appearance of the conservation area. The materials proposed would not affect the uniformity of the New Town Buildings.

6.3 As the building currently stands, the roof is in a dilapidated state, in desperate need of repair with tiles falling away, causing the roof to leak through to the ceiling which is evident in the images below.



Figure 5: Water damage at 2F, 10 Randolph Crescent due to leaking roof.



Figure 6 above: Water damage at 2F, 10 Randolph Crescent due to leaking roof.

- 6.4 The proposals will enable the essential maintenance of the roof, preserving and enhancing the Category A listed building.
- 6.5 In terms of uniformity of New Town Buildings, it is evident that although the front elevations of dwellings are fairly consistent in design and materiality, the rooftops of the neighbouring area do not mimic one another with a number of amendments to the original dwellings, making a unique and interesting skyline, enhancing the character of the area.



Figure 7 above: skyline looking over the rear (north) of the Site.



Figure 8 above: Aerial view of properties on Randolph Crescent



Figure 9 above: Skyline looking over to west of site



Figure 10 above showing alterations to the existing chimney of no. 10 Randolph Crescent



Figure 11 above alterations to the existing chimney of no. 10 Randolph Crescent

- 6.6 The figures above illustrate the fact that previous, higher roof structures, suggesting that the original roof had been altered already. As such, it is thought the design and materiality of the proposal are very much in keeping of the New Town Buildings and would not adversely impact the setting of the listed building nor the Conservation Area.

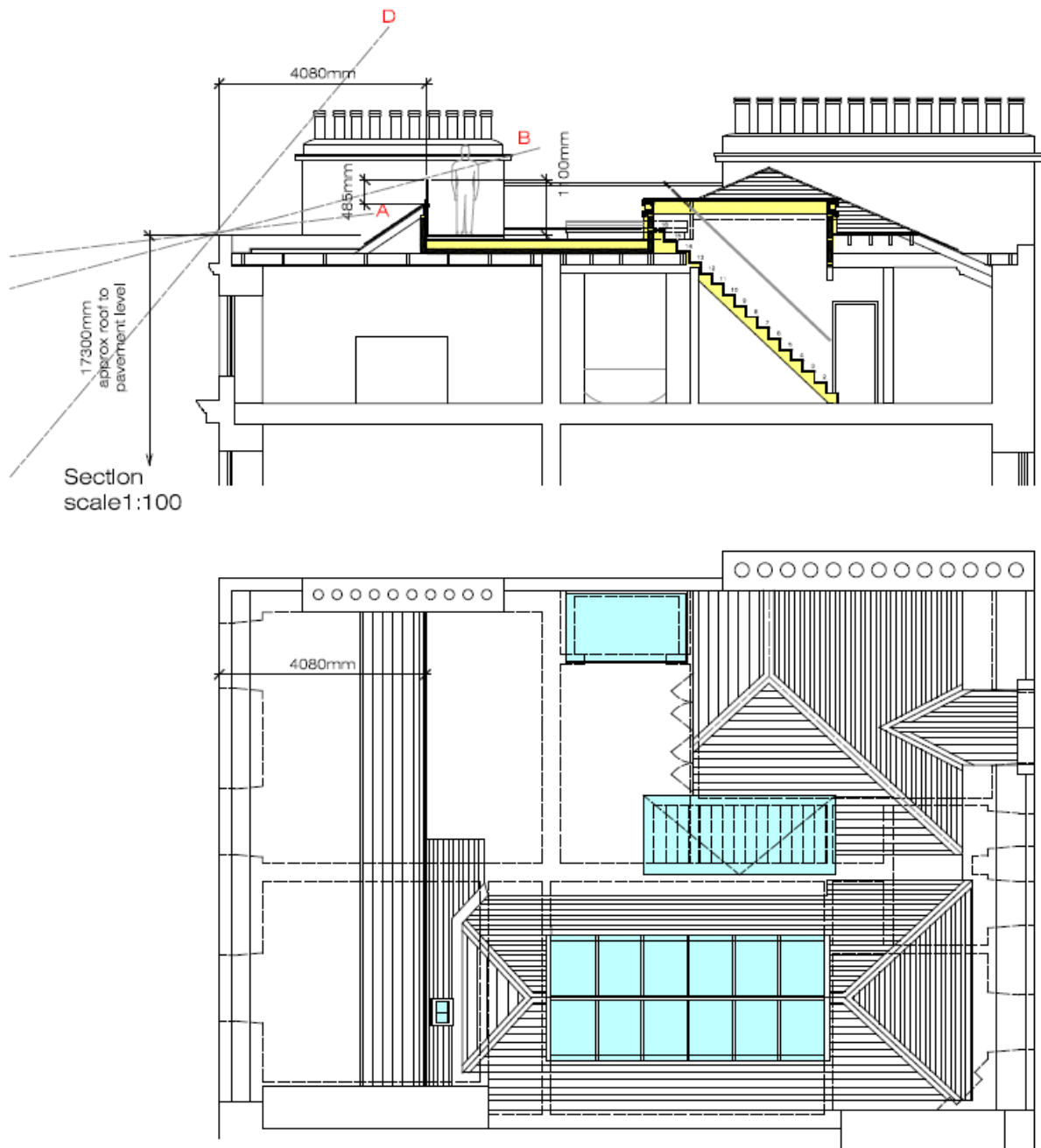


Figure 12: Proposed Roof Plan and Sections outlining distance from façade.

- 6.7 In addition, the existing ridge to the front of the site identified in Figure 13 below further reduces the visual impact the proposals may have on the neighbouring area as the proposed roof top will lie behind the existing ridge, resulting in the proposals being set back by 4080 mm from the front façade, this is illustrated in figure 12 above. As such, the proposals will not be visible from the majority of public receptor points. Figures 14 and 15 below identify the locations where segments of the proposal may be visual from, noting the impact will be minimal.



Figure 13 above: Existing ridge to the front of the site



Figure 14 above: North of Drumsheugh Gardens (nearest public receptor point the proposals may be visual from).

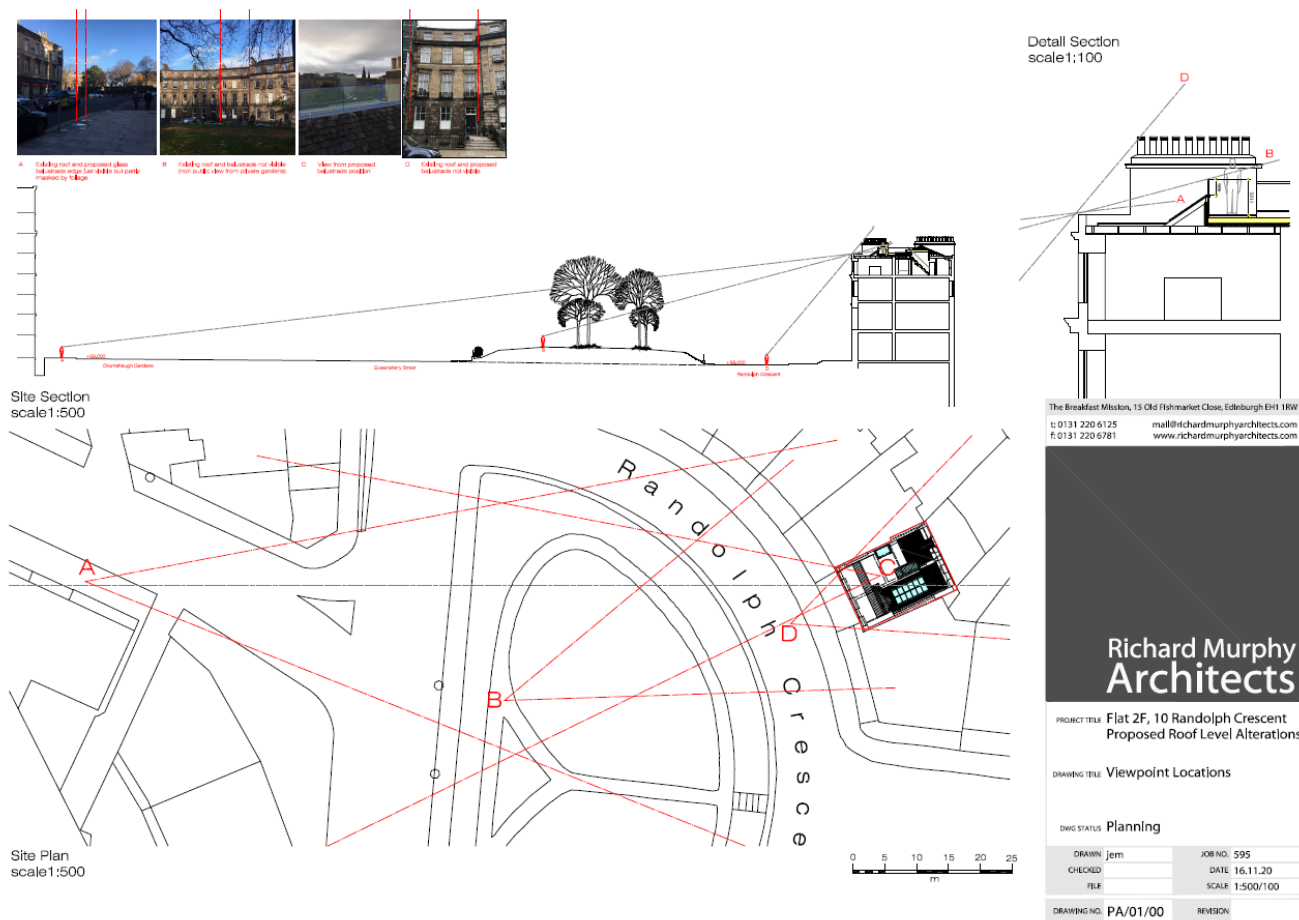


Figure 15 above: Viewpoint Locations

- 6.8 It is concluded the proposals would preserve the listed building through providing the essential maintenance of the roof to prevent further water damage to the property. It is thought the proposals will have less than substantial harm to the character and appearance of the conservation area as due to careful consideration within the design there will be minimal visual impact from public receptor points whilst respecting the character of the New Town Building.

Ground 2: The Proposal is not inappropriate in terms of scale and materials and would not adversely impact the special architectural and historic interest of the listed building nor the character and appearance of the conservation area.

- 6.9 The proposed materials include a frameless glass balustrade along the low-pitched roof edge to the south of the site to provide an appropriate safely railing height yet set back sufficiently to be invisible from pavement level, this is evident in figure 16 below.



Figure 16 above: Photo taken from the corner of Randolph Cres and Great Stuart Street.

- 6.10 The use of glass as a key material for this proposal creates a sense of permeability and not being a solid structure. As such, it is considered the townscape impact will be minimal and insignificant. Figure 17 below identifies as impact from Stockbridge looking towards the Site. It is evident that the proposal will not be visual from afar.



Figure 17: Picture taken from Dean Terrace, Stockbridge looking towards the site.

- 6.11 In terms of scale, the proposal is thought to be extremely modest in its approach. There is an existing poor quality, lantern rooflight structure which is proposed to be replaced with a low profile, walk-on flat rooflight over the existing bathroom, reducing the scale of development that is already present. The proposal also includes the provision of vertical rain screen cladding which allows any loose furniture to be put away and secured with ease, leaving the terrace free of any potentially visible structures when not in use.
- 6.12 As it is deemed the visual impact will be marginal from both afar and near, the scale and materials used would not adversely impact the special architectural and historic interest of the listed building nor the character and appearance of the conservation area.

Ground 3: There are no other material considerations which warrant refusal of the application.

- 6.13 It is noted Historic Environment Scotland made no objection to the proposals during the consultation periods of both (LPA ref: 20/02744/FUL and 20/02745/LBC). The comments received confirmed the photographic evidence provided does suggest the original roof structure to the front has been replaced or altered, with the height of the ridge reduced. Historic Scotland therefore have no concerns with the further alteration of the roof now proposed, which they anticipate will be visually concealed.
- 6.14 Concern was raised with regards to the visual impact the glass balustrade may have on distant views. As the proposed balustrade is set-back and due to the topography and vegetation of the surrounding area, figures 13 and 16 above indicates the proposal will not be visible from distant views.
- 6.15 There were no further consultations received relating to this proposal.
- 6.16 There were two letters of support of neighbouring residents highlighting the minimal impact this proposal will have on the character of the area, as property owners within this area seek to maintain and enhance the significant heritage assets in which they are fortunate enough to be residents in.
- 6.17 In terms of compliance with planning policy, Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposal will facilitate the essential maintenance of the roof to prevent further water damage to the Category A heritage asset which is deemed very much in line with policy. In addition to preserving the listed building, it is considered the sensitive design and set-back nature of the proposals would have no significant impact on the character or appearance of the conservation area.
- 6.18 The Historic Environment Policy for Scotland (HEPS) outlines the three key areas which define how the historic environment should be understood, recognised and managed to support participation and positive outcomes, including "Managing Change" under policies HEP2, HEP3 and HEP4. The proposal has recognised the significance of the historic nature of the Category A

Listed Building and its setting within the New Town Conservations Area through the sensitive used of design and materials, ensuring there is less than significant harm on historic environment in which the site lies.

- 6.19 HES Managing Change Guidance: Roofs states that “the interest of a historic roof is derived from a number of factors including its shape or form, structure, covering materials, and associated features. The roof can play an important part in the architectural design of a historic building. In terms of alterations, it states that new work should normally match the original as closely as possible. The alteration of a roof can create additional space to allow the building as a whole to remain in use and develop with the needs of the occupants. In considering how to alter a roof it is important to understand the impact of the works on the roof itself and the appearance of the building or street as a whole. The potential for cumulative effects of similar developments should also be considered”. The proposal can be seen from very minimal public receptor points as identified above, nor will it overlook or be overlooked by neighbouring properties resulting no adverse amenity impacts or visual impacts from surrounding properties or streets.
- 6.20 Policy Env 4 in the Edinburgh Local Plan (LDP) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result unnecessary damage to historic structures or result in a diminution of the buildings interest; and any additions would be in keeping with other parts of the building. As previously outlined, it is thought the proposals are in keeping with other parts of the dwelling as there have been many alterations to the roofscape since the original formation. The proposal will provide valuable outdoor amenity space in a city centre location which will be hugely beneficial for the health and wellbeing of the residents. This is also supported by Policy Env 6 of the Local Development Plan which seeks developments within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

7. Conclusions

- 7.1 The submitted Appeals, supported by this Statement, seeks the Council's decision to refuse Planning Permission for "alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area" to be overturned and consent be granted for the proposal, and likewise, the decision to refuse Listed Building Consent for "alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area" to be overturned and consent be granted for the proposal.
- 7.2 The proposal is solely for the enjoyment of the residential dwelling, providing necessary outdoor amenity space whilst having no detrimental impact upon neighbouring residential properties nor the setting of the Listed Building and Conservation Area.
- 7.3 Overall, the proposal complies with the adopted policy of the City of Edinburgh Council Local Development Plan and therefore the Reporter is respectfully requested to allow the appeal.

Appendix 1: Core Document

Core Doc 1: 20/02744/FUL Decision Notice and Officers Report

Core Doc 2: 20/02745/LBC Decision Notice and Officers Report

Core Doc 3: Existing Plans

Core Doc 4: Proposed Plans

Core Doc 5: Additional Plan: Viewpoints

Core Doc 6: Additional Plan: Roof plan

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10 Randolph Crescent
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Decision date: 21 October 2020

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

Alter existing roof access and provide permanent stair to new opening roof light.
Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter
inward facing pitched roof faces to give enlarged, accessible flat roof area
At 2F 10 Randolph Crescent Edinburgh EH3 7TT

Application No: 20/02744/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 24 August 2020, 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 01-03, 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 does not comply with the Local Development plan or relevant associated guidance. The proposal is inappropriate in terms of scale and materials and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the conservation area. There are no material considerations which outweigh this decision.

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 Murray Couston directly at murray.couston@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The 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 www.eplanning.scot 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.

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 20/02744/FUL

At 2F, 10 Randolph Crescent, Edinburgh

Alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area

Item	Local Delegated Decision
Application number	20/02744/FUL
Wards	B11 - City Centre

Summary

The proposal does not comply with the Local Development plan or relevant associated guidance. The proposal is inappropriate in terms of scale and materials and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the conservation area. There are no material considerations which outweigh this decision.

Links

<u>Policies and guidance for this application</u>	LEN04, LEN06, NSLBCA, LDES12,
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Report of handling

Recommendations

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

Background

2.1 Site description

A listed, occupying the top two floors of a James Gillespie Graham, designed 1822, 3-storey with attic and basement. Listing date: 14/12/1970; listing reference: LB29601. Within the World Heritage Site.

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

2.2 Site History

16.09.2020 - Listed building consent refused for: Alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area (20/02745/LBC).

Main report

3.1 Description Of The Proposal

Planning permission is sought to alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area.

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

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

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 acceptable in principle;
- b) the proposals will impact on the character of the listed building;
- c) the proposal will preserve or enhance the character and appearance of the conservation area; and
- d) public comments have been addressed.

a) The proposal is to add a roof terrace to an A listed building. There are no similar developments in the surrounding area and the proposal would lead to an uncharacteristic and incongruous addition to the property. The proposal is not acceptable in principle.

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

HES *Managing Change in the Historic Environment guidance on Roofs* offers guidance on assessing proposals.

Policy Env 4 in the Edinburgh Local Plan (LDP) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result unnecessary damage to historic structures or result in a diminution of the buildings interest; and any additions would be in keeping with other parts of the building.

The Council's non-statutory Guidance for Listed Buildings and Conservation Areas sets out additional guidance.

HES Managing Change Guidance: Roofs states that *the interest of a historic roof is derived from a number of factors including its shape or form, structure, covering materials, and associated features. The roof can play an important part in the architectural design of a historic building. In terms of alterations, it states that new work should normally match the original as closely as possible. The alteration of a roof can create additional space to allow the building as a whole to remain in use and develop with the needs of the occupants. In considering how to alter a roof it is important to*

understand the impact of the works on the roof itself and the appearance of the building or street as a whole. The potential for cumulative effects of similar developments should also be considered

The proposed roof terrace would be a discordant feature creating a level of intervention to the roof area that is not characteristic of the building and surrounding similar buildings in this largely uniform terrace. The extent of the changes to the roofscape of the building and its functionality would fundamentally change the character of the roof and an important part of the building's special interest. The proposals are not required for the beneficial use of the building, are not justified and would result in a diminution of its interest.

The proposals are contrary to the policy guidance published by Historic Environment Scotland and the Council's non-statutory guidance.

c) Planning Advice Note 71 on Conservation Area Management recognises conservation areas need to adapt and develop in response to the modern-day needs and aspirations of living and working communities. Policy Env 6 of the Local Development Plan permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

In terms of the roof terrace, this is a discordant intervention which is not characteristic of these buildings. In terms of the appearance of the conservation area, the glass barrier will be evident in both long and short views and its reflective qualities will be apparent and be disruptive to the uniformity of the terrace. In addition, roof terraces are not traditional features of the New Town Conservation Area and whilst the roof terrace will not be visible from the street, the roofscape of these New Town buildings will be severely altered. Aerial views of the New Town are particularly important and radical interventions to traditional roofscapes such as this are unnecessary and unacceptable interventions. The proposals fail to either preserve or enhance the character and appearance of the conservation area.

d) One letter of objection has been received. Comments raised have been addressed in sections b) and c).

Conclusion

The proposal does not comply with the Local Development plan or relevant associated guidance. The proposal is inappropriate in terms of scale and materials and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the conservation area. There are no material considerations which outweigh this decision.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building and are not justified.
2. The proposals would result in an alteration that would not preserve the character and appearance of the conservation area.

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

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

One letter of representation has been received.

Background reading / external references

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

Statutory Development

Plan Provision

The site is within the Urban Area, World Heritage Site and New Town Conservation Area.

Date registered

24 August 2020

Drawing numbers/Scheme

01-03,

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Murray Couston, Planning Officer
E-mail:murray.couston@edinburgh.gov.uk

Links - Policies

Relevant Policies:

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

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

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

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

Appendix 1

Consultations

Historic Environment Scotland

10 Randolph Crescent forms part of a category A listed Georgian terrace designed by James Gillespie Graham in 1822. The application proposes to create an external roof terrace area by altering the existing roof structure and roof access.

The photographic evidence provided does suggest the original roof structure to the front has been replaced or altered, with the height of the ridge reduced. We therefore have no concerns with the further alteration of the roof now proposed, which we anticipate will be visually concealed.

The addition of a glass balustrade has the potential to be more impactful. This would be a non-traditional addition to the former townhouse that, if visible, would impact upon its appearance and character. We wouldn't expect any impact in close-up views of the building. However, No. 10 Randolph Crescent can be seen in some distant views. We would recommend that potential visual impacts are explored in more detail. If it is likely that the balustrade would be visible, we would recommend its location on the roof is re-considered to reduce its impact. The balustrade, as currently proposed, looks like it would be positioned on, or near, the ridge of the roof - if it was located further back would this reduce visual impact. A partial, instead of a full width balustrade, if appropriate, could help reduce its impact still further. We would also recommend metal would be a better choice of material for any balustrade.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, together with related policy guidance.

END

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Dr Gundula Thiel.
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**Decision date: 16 September
2020**

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS
PLANNING (LISTED BUILDINGS AND CONSERVATION AREAS) (SCOTLAND) ACT
1997

Alter existing roof access and provide permanent stair to new opening roof light.
Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter
inward facing pitched roof faces to give enlarged, accessible flat roof area
At 2F 10 Randolph Crescent Edinburgh EH3 7TT

Application No: 20/02745/LBC

DECISION NOTICE

With reference to your application for Listed Building Consent registered on 7 July 2020, this has been decided by **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 works fail to preserve the listed building and its setting and have an adverse impact on the character and appearance of the conservation area.
2. The proposals fail to preserve or enhance the character and appearance of the conservation area which is particularly important in terms of its roofscapes, as the

introduction of the glass barriers and a roof terrace are incongruous interventions which affect the uniformity of New Town buildings.

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.

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

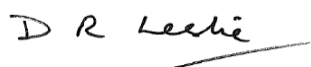
Drawings 01A-03A, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The development does not comply with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it fails to preserve the character and setting of the listed building and fails to preserve or enhance the character and appearance of the 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 Murray Couston directly at murray.couston@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

1. If the applicant is aggrieved by the decision of the planning authority to refuse listed building consent or conservation area consent for the proposed works, or to grant such consent subject to conditions, he may, by notice served within 3 months of the receipt of this notice, appeal to the Scottish Ministers (on a form obtainable at <https://eplanning.scotland.gov.uk/WAM/> or addressed to the Planning and Environmental Appeals Division, 4 The Courtyard, Callendar Business Park, FALKIRK FK1 1XR.) in accordance with section 18 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended, as also applied to buildings in conservation areas by section 66 of that Act.

2. If listed building consent or conservation area consent is refused, or granted subject to conditions, whether by the planning authority or Scottish Ministers 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 the carrying out of any works which have been or would be permitted, he may serve on the planning authority in whose district the land is situated, a listed building purchase notice requiring that authority to purchase his interest in the land in accordance with the provisions of section 28 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended, as also applied to buildings in conservation areas by section 66 of that Act.

Report of Handling

**Application for Listed Building Consent 20/02745/LBC
At 2F, 10 Randolph Crescent, Edinburgh
Alter existing roof access and provide permanent stair to
new opening roof light. Remove existing lantern over
bathroom and replace with new, flat glass rooflight. Alter
inward facing pitched roof faces to give enlarged, accessible
flat roof area**

Item	Delegated Decision
Application number	20/02745/LBC
Wards	B11 - City Centre

Summary

The development does not comply with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it fails to preserve the character and setting of the listed building and fails to preserve or enhance the character and appearance of the conservation area.

Links

<u>Policies and guidance for this application</u>	HES, LEN04, LEN06, NSLBCA,
---	----------------------------

Report of handling

Recommendations

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

Background

2.1 Site description

A listed, occupying the top two floors of a James Gillespie Graham, designed 1822, 3-storey with attic and basement. Listing date: 14/12/1970; listing reference: LB29601. Within the World Heritage Site.

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

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

Listed building consent is sought to alter the existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area.

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. 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.

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

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

3.3 Assessment

To address these determining issues, it needs to be considered whether:

- a) The proposals preserve the special interest of the listed building;
- b) The proposals preserve or enhance the character or appearance of the conservation area; and
- c) Any comments have been raised and addressed.

a) Listed Building

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

HES *Managing Change in the Historic Environment guidance on Roofs* offers guidance on assessing proposals.

Policy Env 4 in the Edinburgh Local Plan (LDP) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result unnecessary damage to historic structures or result in a diminution of the buildings interest; and any additions would be in keeping with other parts of the building.

The Council's non-statutory Guidance for Listed Buildings and Conservation Areas sets out additional guidance.

HES Managing Change Guidance: Roofs states that *the interest of a historic roof is derived from a number of factors including its shape or form, structure, covering materials, and associated features. The roof can play an important part in the architectural design of a historic building. In terms of alterations, it states that new work should normally match the original as closely as possible. The alteration of a roof can create additional space to allow the building as a whole to remain in use and develop with the needs of the occupants. In considering how to alter a roof it is important to understand the impact of the works on the roof itself and the appearance of the building or street as a whole. The potential for cumulative effects of similar developments should also be considered*

The proposed roof terrace would be a discordant feature, creating a level of intervention to the roof area that is not characteristic of the building and surrounding similar buildings in this largely uniform terrace. The extent of the changes to the roofscape of the building and its functionality would fundamentally change the character of the roof and an important part of the building's special interest. The proposals are not required for the beneficial use of the building, are not justified and would result in a diminution of its interest.

The proposals are contrary to the policy guidance published by Historic Environment Scotland and the Council's non-statutory guidance.

b) Character or Appearance of the Conservation Area

Planning Advice Note 71 on Conservation Area Management recognises conservation areas need to adapt and develop in response to the modern-day needs and aspirations of living and working communities. Policy Env 6 of the Local Development Plan permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

In terms of the appearance of the conservation area, the glass barrier will be evident in both long and short views and its reflective qualities will be apparent and be disruptive to the uniformity of the terrace. In addition, roof terraces are not traditional features of the New Town Conservation Area and whilst the roof terrace will not be visible from the street, the roofscape of these New Town buildings, where visible from more distant views, will be compromised. The proposals fail to either preserve or enhance the character and appearance of the conservation area.

c) Three letters of representation have been received, one objecting to the proposal and two in support. The comments raised have been addressed in section a) and b).

Conclusion

The proposals do not have special regard to the desirability of preserving the building or its setting and adversely affect the special architectural and historic interest of the listed building. In addition, the proposals do not preserve 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 proposed works fail to preserve the listed building and its setting and have an adverse impact on the character and appearance of the conservation area.
2. The proposals fail to preserve or enhance the character and appearance of the conservation area which is particularly important in terms of its roofscapes, as the introduction of the glass barriers and a roof terrace are incongruous interventions which affect the uniformity of New Town buildings.

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.

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

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

Three letters of representation have been received.

Background reading / external references

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

Statutory Development

Plan Provision

The site is within the Urban Area, World Heritage Site and New Town Conservation Area.

Date registered

7 July 2020

Drawing numbers/Scheme

01A-03A,

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Murray Couston, Planning Officer
E-mail:murray.couston@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant Government Guidance on Historic Environment.

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

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

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

Appendix 1

Consultations

Historic Environment Scotland

10 Randolph Crescent forms part of a category A listed Georgian terrace designed by James Gillespie Graham in 1822. The application proposes to create an external roof terrace area by altering the existing roof structure and roof access.

The photographic evidence provided does suggest the original roof structure to the front has been replaced or altered, with the height of the ridge reduced. We therefore have no concerns with the further alteration of the roof now proposed, which we anticipate will be visually concealed.

The addition of a glass balustrade has the potential to be more impactful. This would be a non-traditional addition to the former townhouse that, if visible, would impact upon its appearance and character. We wouldn't expect any impact in close-up views of the building. However, No. 10 Randolph Crescent can be seen in some distant views. We would recommend that potential visual impacts are explored in more detail. If it is likely that the balustrade would be visible, we would recommend its location on the roof is reconsidered

to reduce its impact. The balustrade, as currently proposed, looks like it would be positioned on, or near, the ridge of the roof - if it is located further back this would reduce its visual impact. A partial, instead of a full width balustrade, if appropriate, could help reduce its impact still further. We would also recommend metal would be a better choice of material for any balustrade.

Planning authorities are expected to treat our comments as a material consideration, and

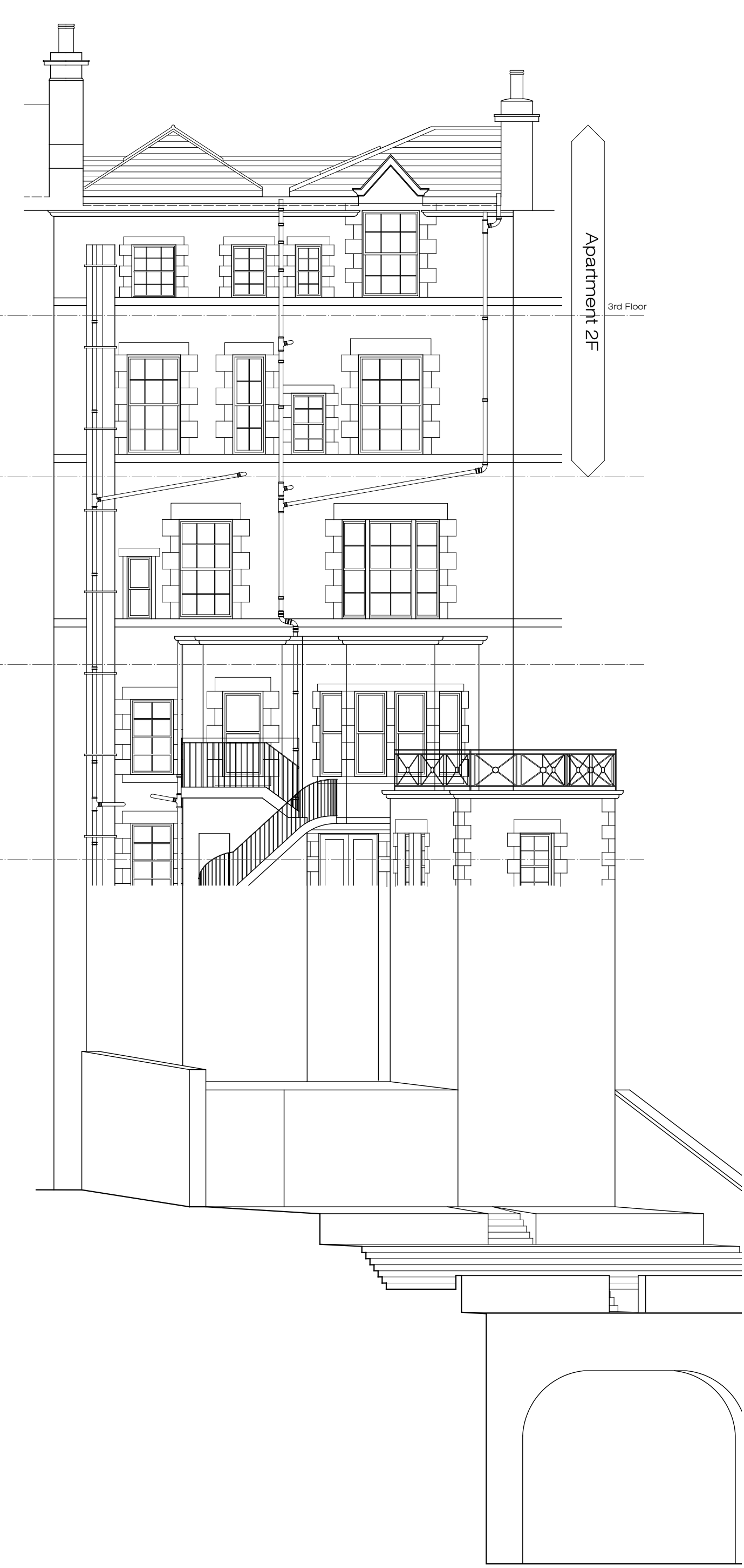
this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore

we do not object. However, our decision not to object should not be taken as our support

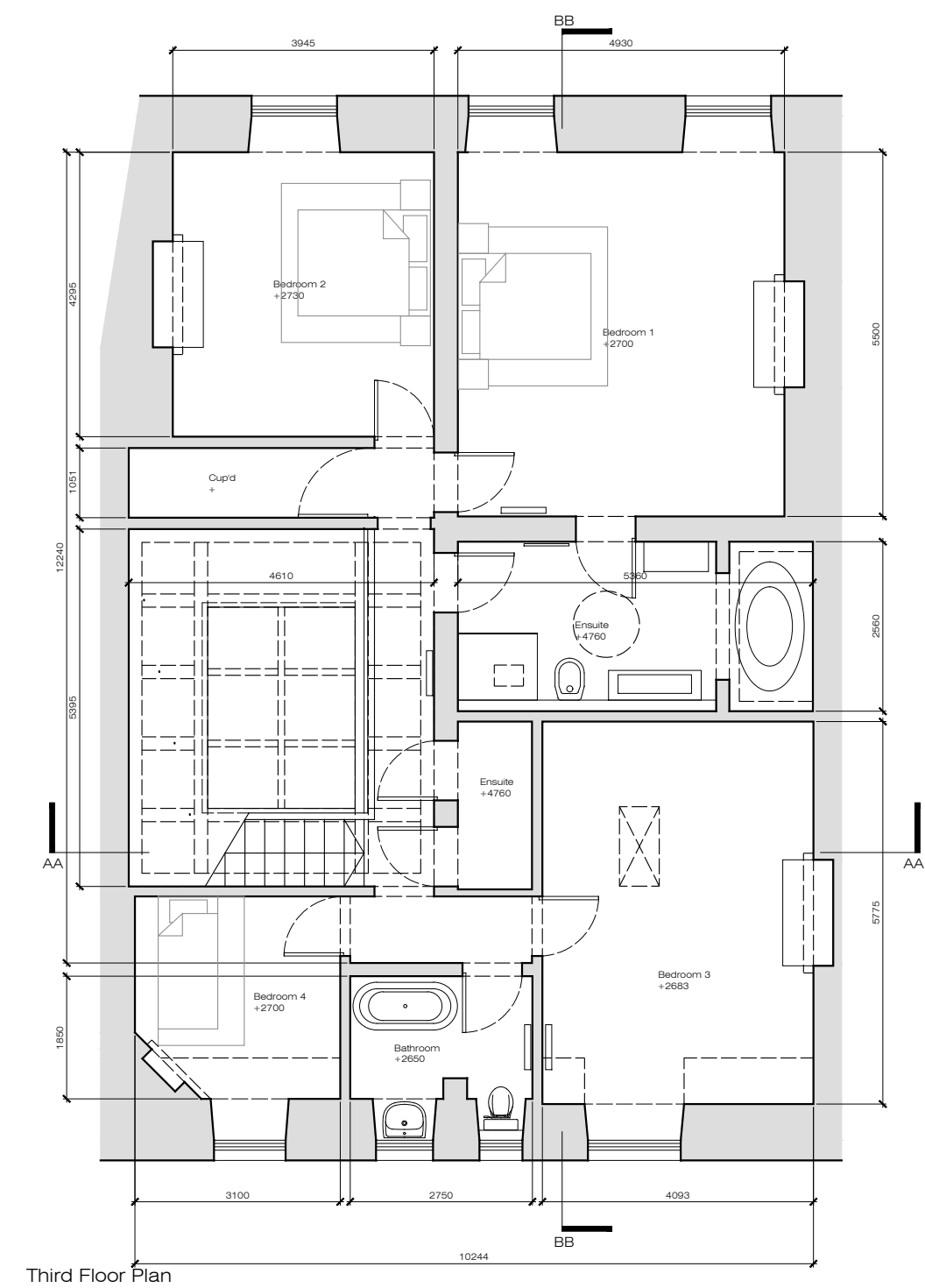
for the proposals. This application should be determined in accordance with national and

local policy on listed building/conservation area consent, together with related policy guidance.

END

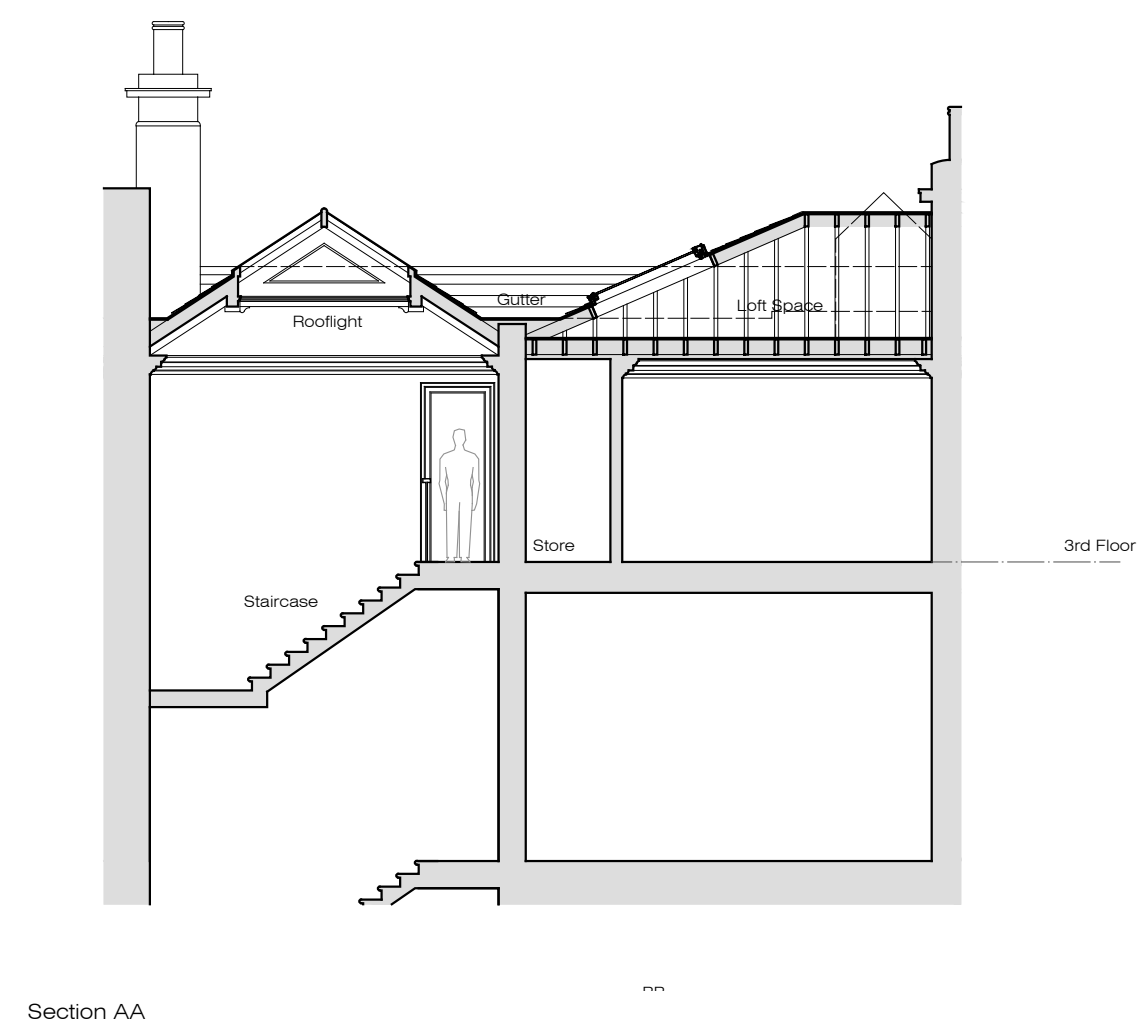


Garden (North) Elevation

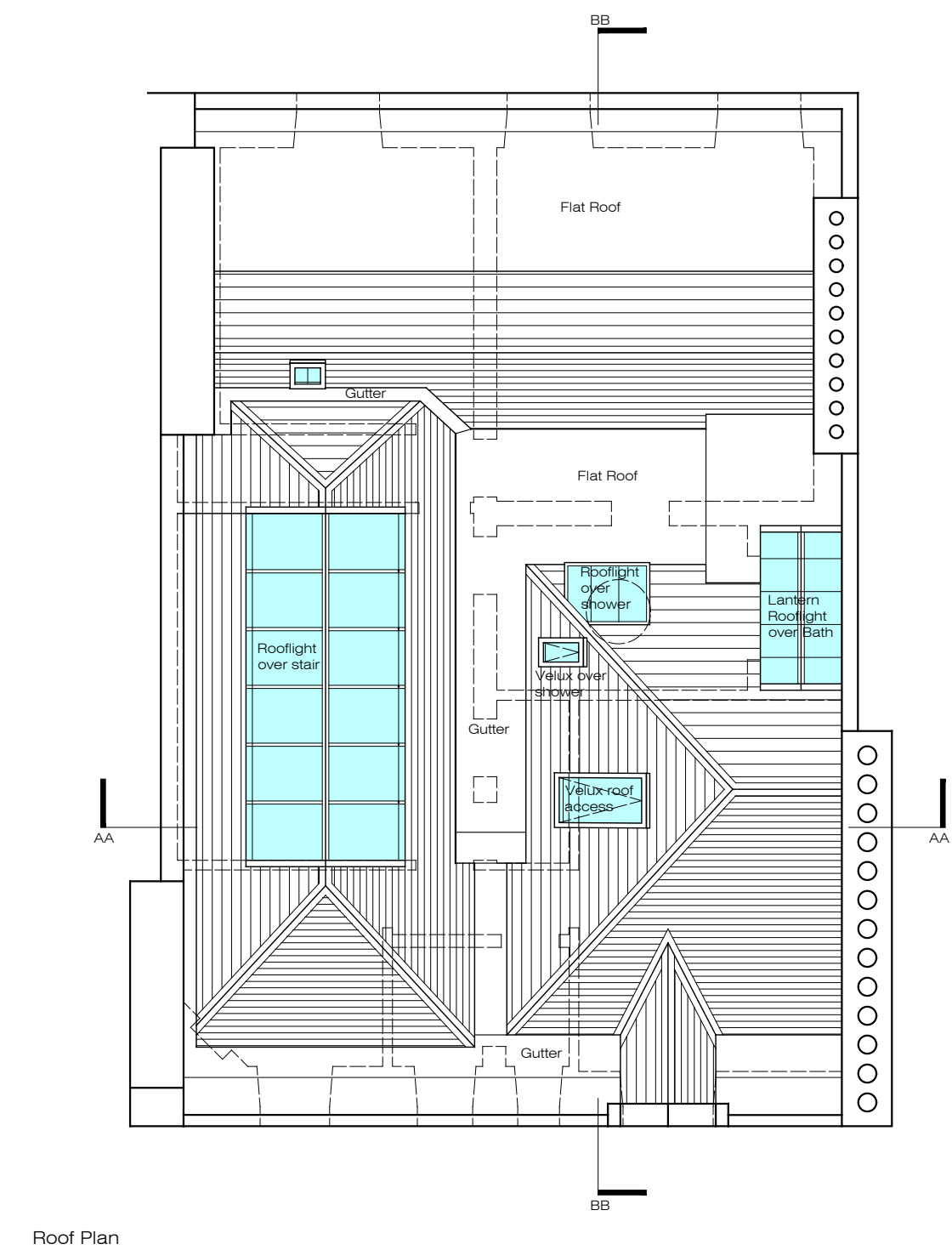
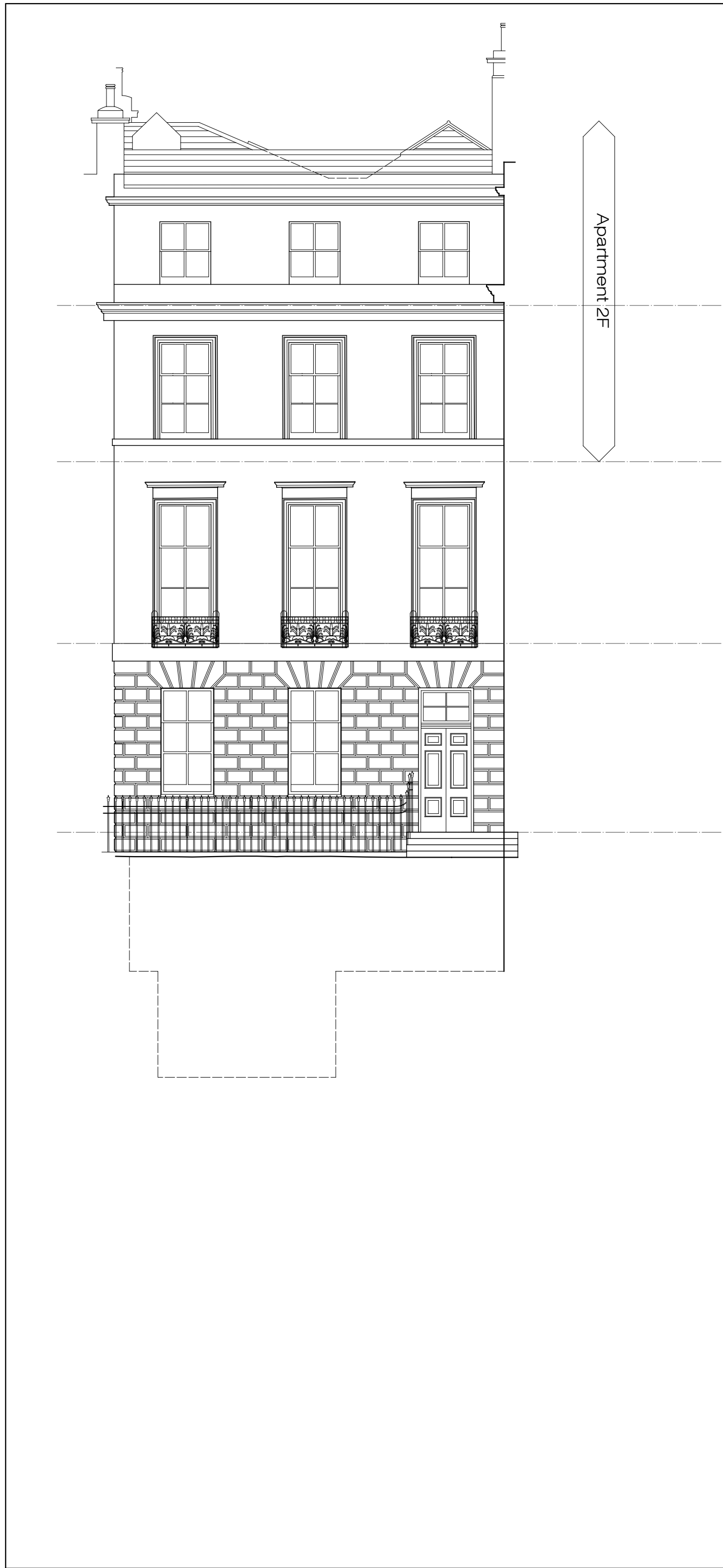


Third Floor Plan

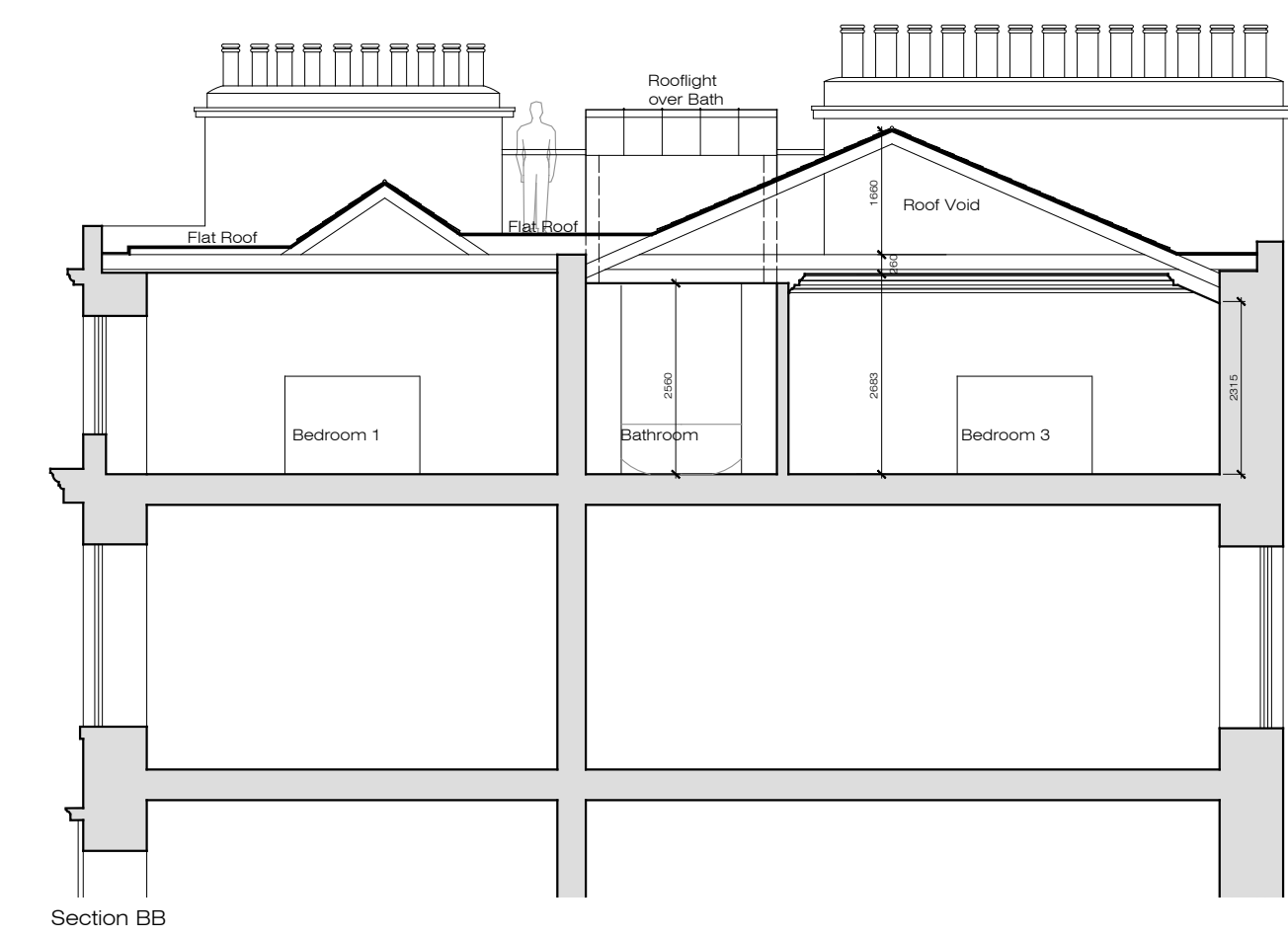
Existing Fabric
Slate Roof
Roof Glazing



Section AA



Roof Plan



Section BB

Scale 1:100
0 5
m

NOTES

Richard Murphy Architects Ltd.
Registered in Scotland No 255372

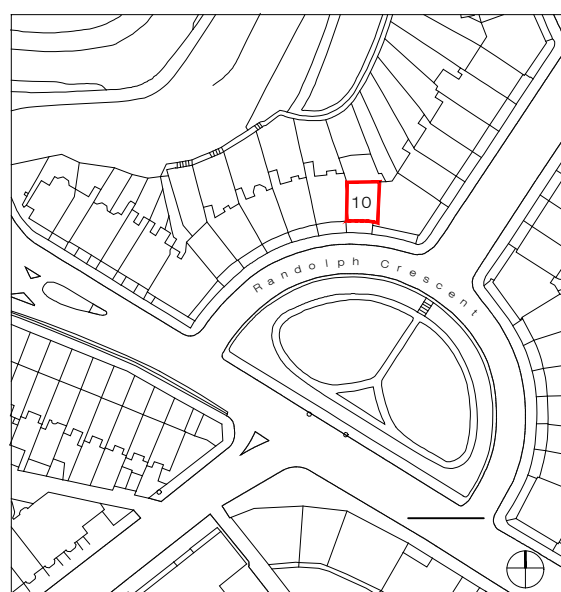
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Do not scale from this drawing: work from figured dimensions only.



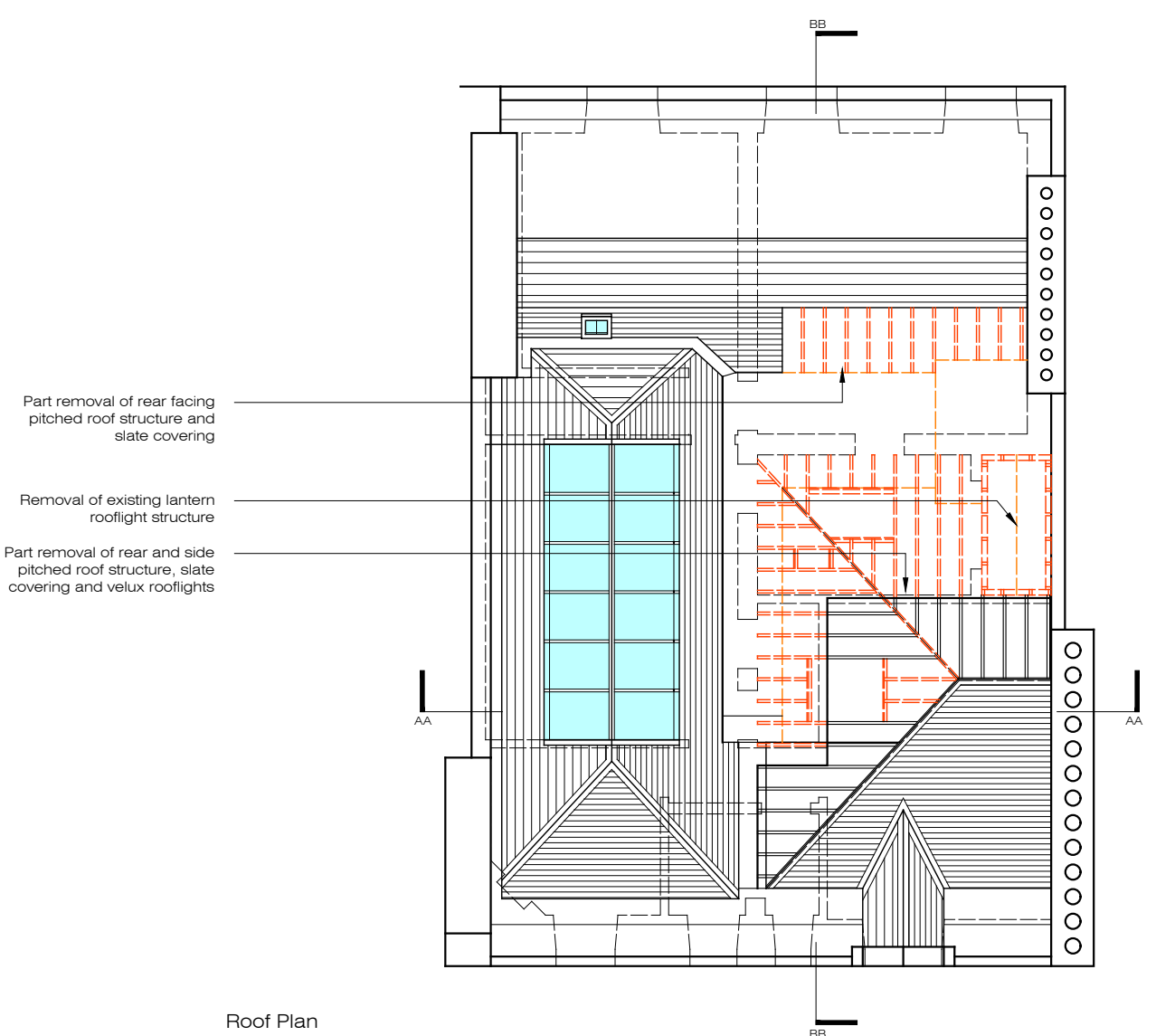
Street Elevation



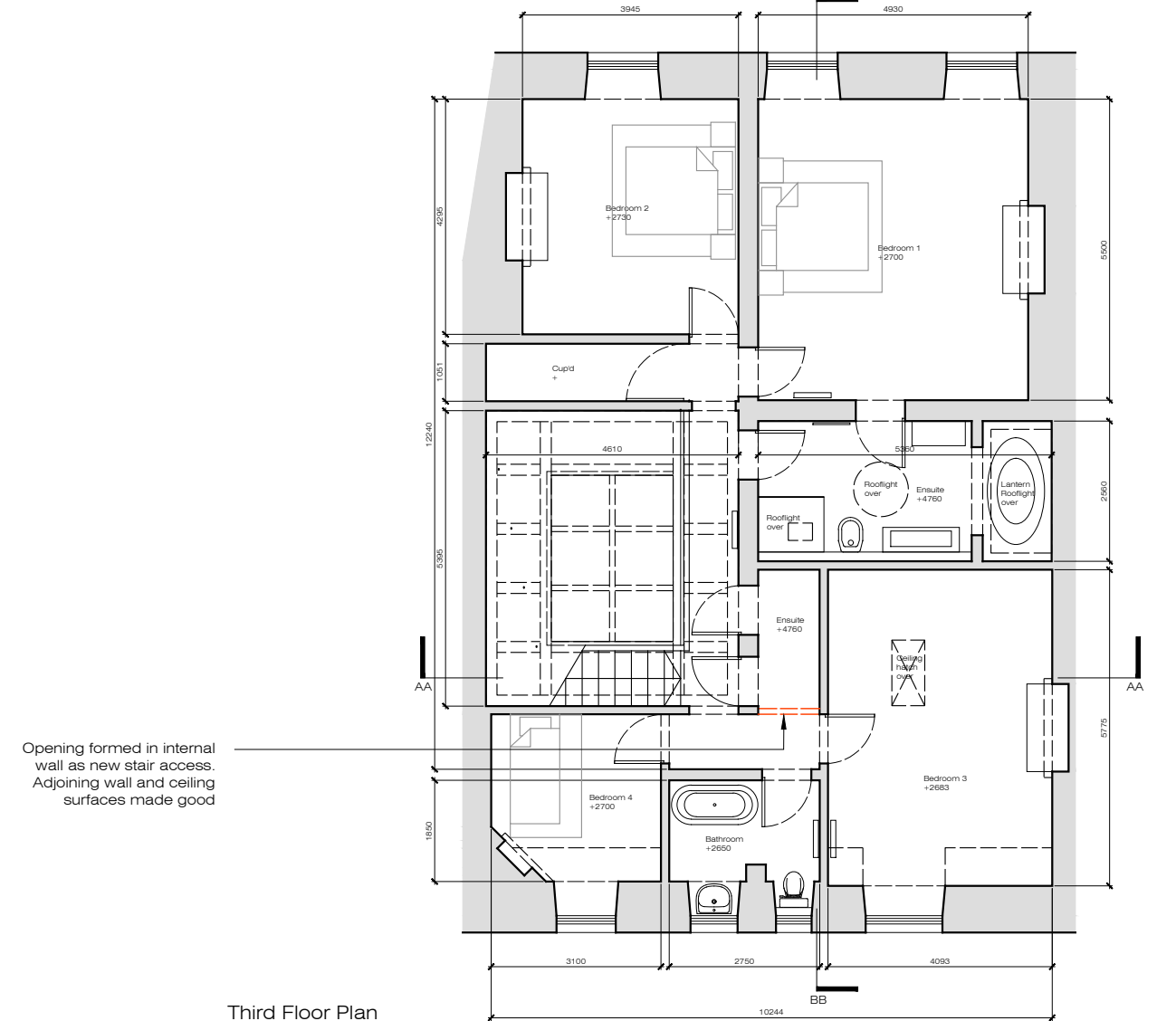
Aerial roofscape



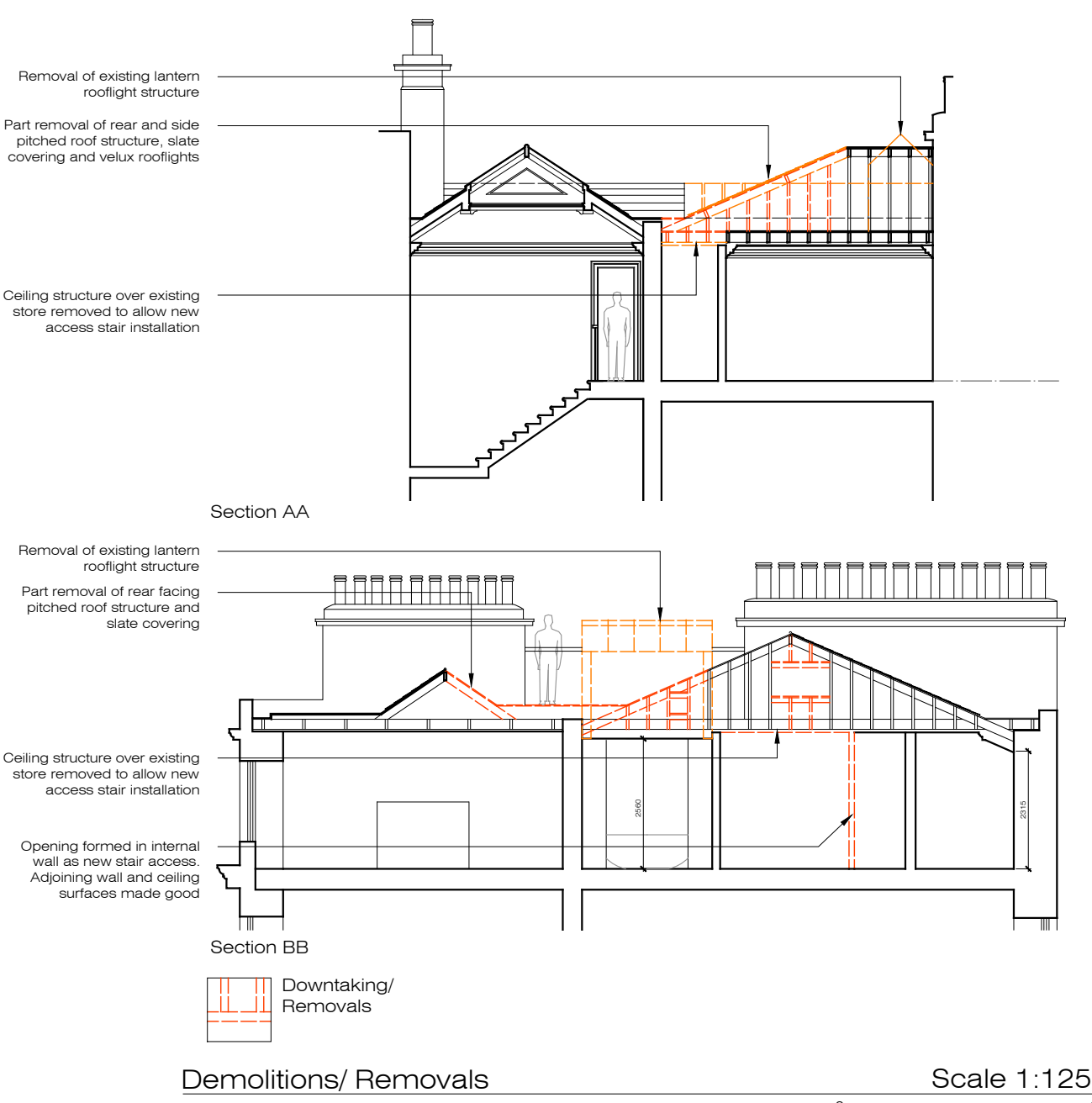
Site Plan
Application Site



Roof Plan



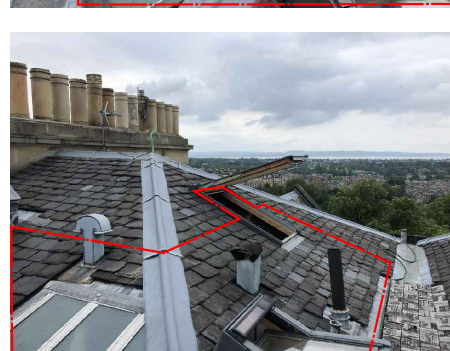
Third Floor Plan



Section AA
Section BB

Demolitions/ Removals

Scale 1:125



Existing roofscape showing proposed removals

A Planning Issue

01.07.2020

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Richard Murphy
Architects

PROJECT TITLE Flat 2F, 10 Randolph Crescent
Proposed Roof Level Extension

DRAWING TITLE Existing
Demolitions & Removals
Plans, Sections & Elevations

DWG STATUS Planning

DRAWN jem

CHECKED

FILE

JOB NO. 595

DATE 30.10.19

SCALE 1:100 & 125

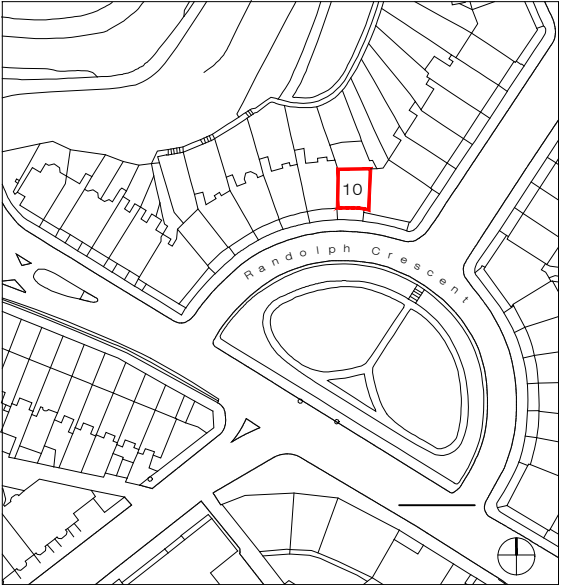
DRAWING NO. AL/01/01

REVISION A

NOTES

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Firm's 11 year set back sufficiently to be invisible from pavement

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Site Plan
Application Site



Walk-On Rooflight



Sky Door Rooflight



Sky Door Rooflight

Supporting Statement

Existing Building

10 Randolph Crescent forms part of a formal linked terrace of buildings designed by James Gillespie Graham in 1822, located in the Edinburgh New Town Conservation Area and World Heritage Zone and connecting the west end of Queens Street with Queensferry Street. The property is Grade A listed along with no 9-17 Randolph Crescent (inclusive) and 1 and 1A Randolph Cliff (including railings) under reference LB29601.

The property at no. 10 has been divided from its original townhouse form and now contains a number of private dwellings. The main door off Randolph Crescent provides access to a ground and basement apartment (10) with the former main stair leading a first floor apartment (10 1F) and access to the two storey application property (10 2F) above. Separate access to the rear leads to a two storey garden level apartment. Recent Planning application ref 18.01668_FUL, seeking to combine the two lower apartments (10 GF & 10Bf) was granted. 10B occupies the front half of the basement and is separately accessed from the lightwell off the street.

Existing Roof

Access to the roof is entirely from within the application property 10 2F via an opening rooflight.

Roof configuration to the crescent properties appears to vary, dependant on geometry and plan below.

Evidence of historic modification to the original roof profile can be seen on adjoining chimney stacks (as noted on the photo below). These modifications have resulted in a combination of low and high pitched slated roofs, stone masonry pitch and lantern rooflights and stepped lead valley gutters.



Line of original roof pitch and ridge along south facing roof

Poor detailing of existing lantern rooflight to parapet aboutment with minimal weathering upstand and gutter

Reasons for Development

The proposals is submitted in resolution of two principal issues.

Access - Current roof access is by way of retractable loft ladder within the study/bedroom on the third floor up into the low roof void on the north side and subsequent out via an opening roof light onto the central valley gutter. Access is thus difficult and constrained.

The proposal seeks to provide permanent stair access out to a larger flat roof area via a proprietary glazed, low profile, rooflight (sky door) located in a former store accessed via a new opening off the hallway.

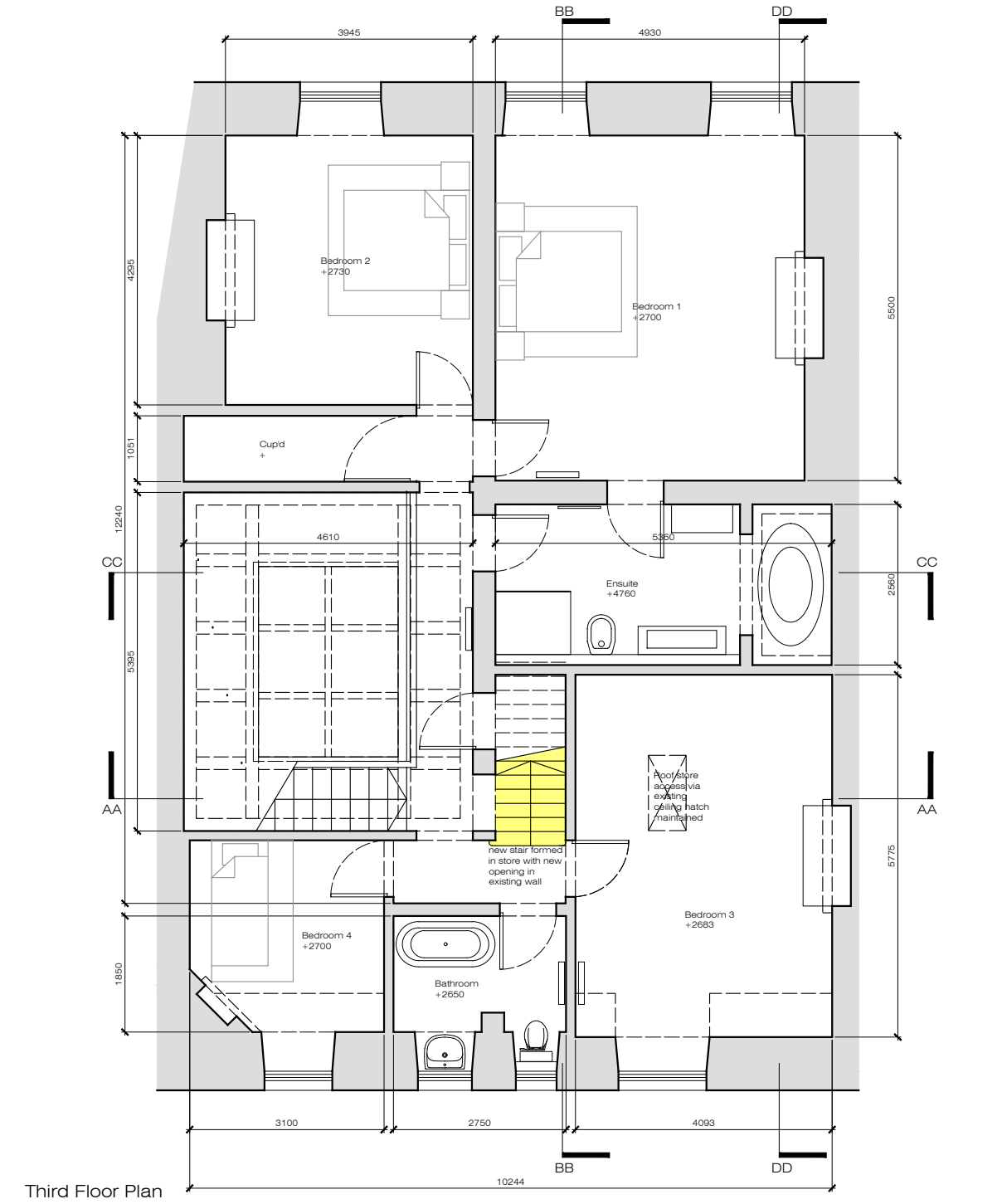
Outdoor Space - Since the division of the property, the upper apartment has no access to outdoor space. The proposal thus seeks to provide, in as inconspicuous a way as possible, private outdoor space for the apartments use. It is clear from the recent lock-down and social isolation period that access to non-public, external space is a vital constituent of both physical and mental health and well being. The proposal aims to provide useable external space via the part removal of internal, valley facing sections of slate roofing and the incorporation of new flat roof construction and decking areas. Additionally, an existing poor quality, lantern rooflight structure is proposed to be replaced with a low profile, walk-on flat rooflight over the existing bathroom. Access into the remaining roof void area via hinged doors in the new vertical rain screen cladding allows any loose furniture to be put away and secured with ease, leaving the terrace free of any potentially visible structures when not in use. Finally a minimal, frameless glass balustrade is proposed along the remaining low



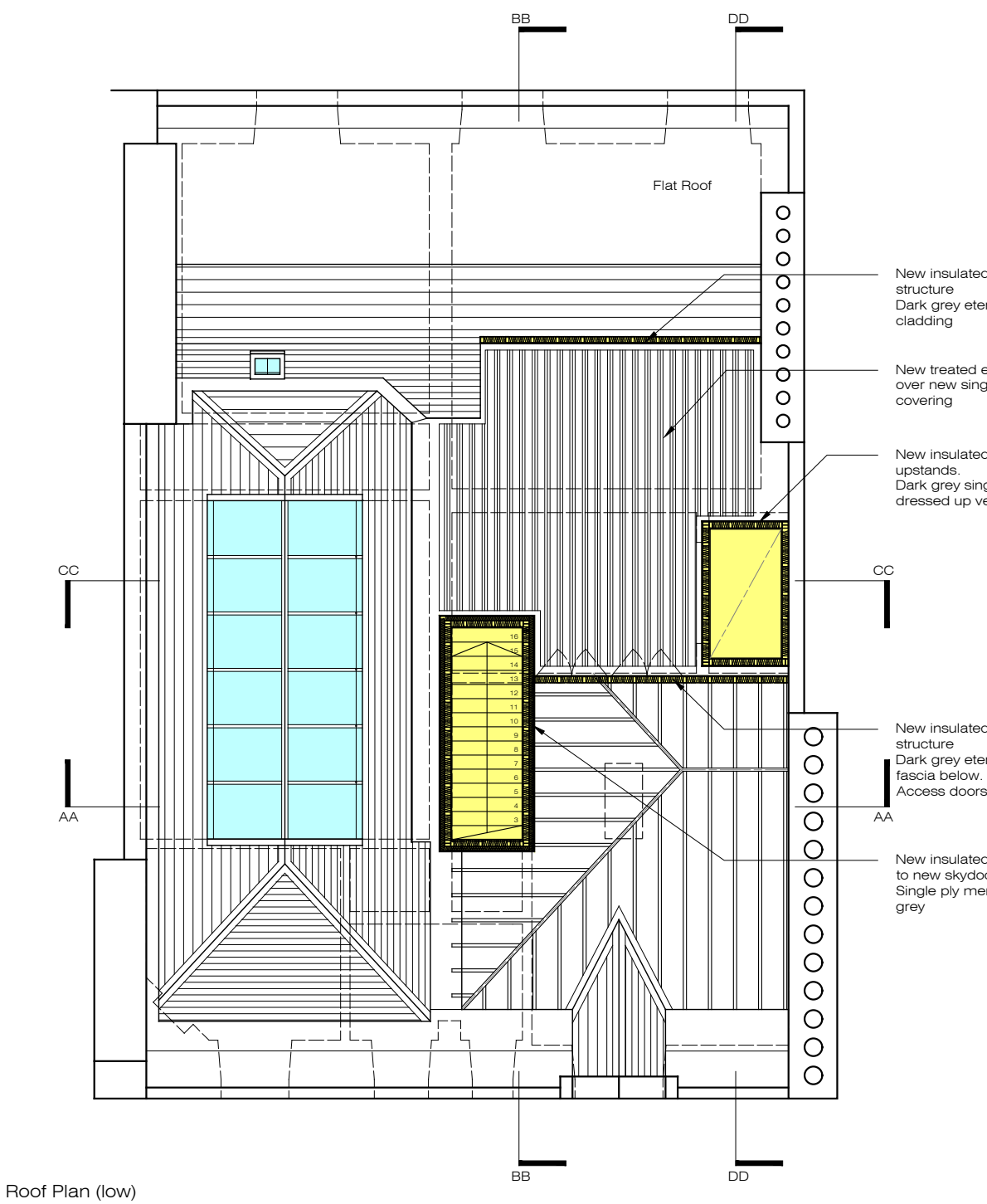
Garden (North) Elevation



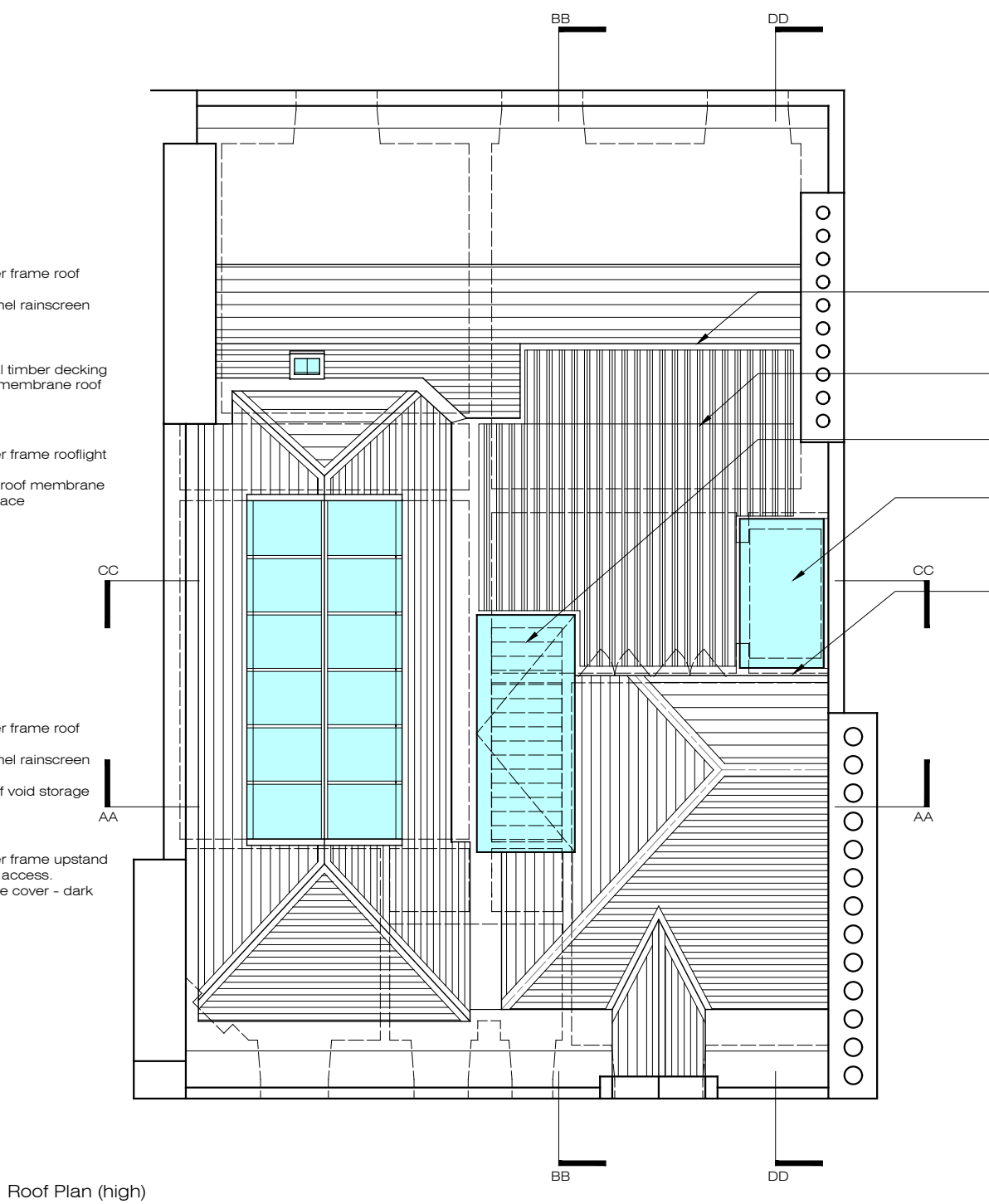
Street (South) Elevation



Third Floor Plan



Roof Plan (low)



Roof Plan (high)



Line of frameless toughened glass balustrade

New vertical dark grey etemit board fascia below

Step in new external timber decking

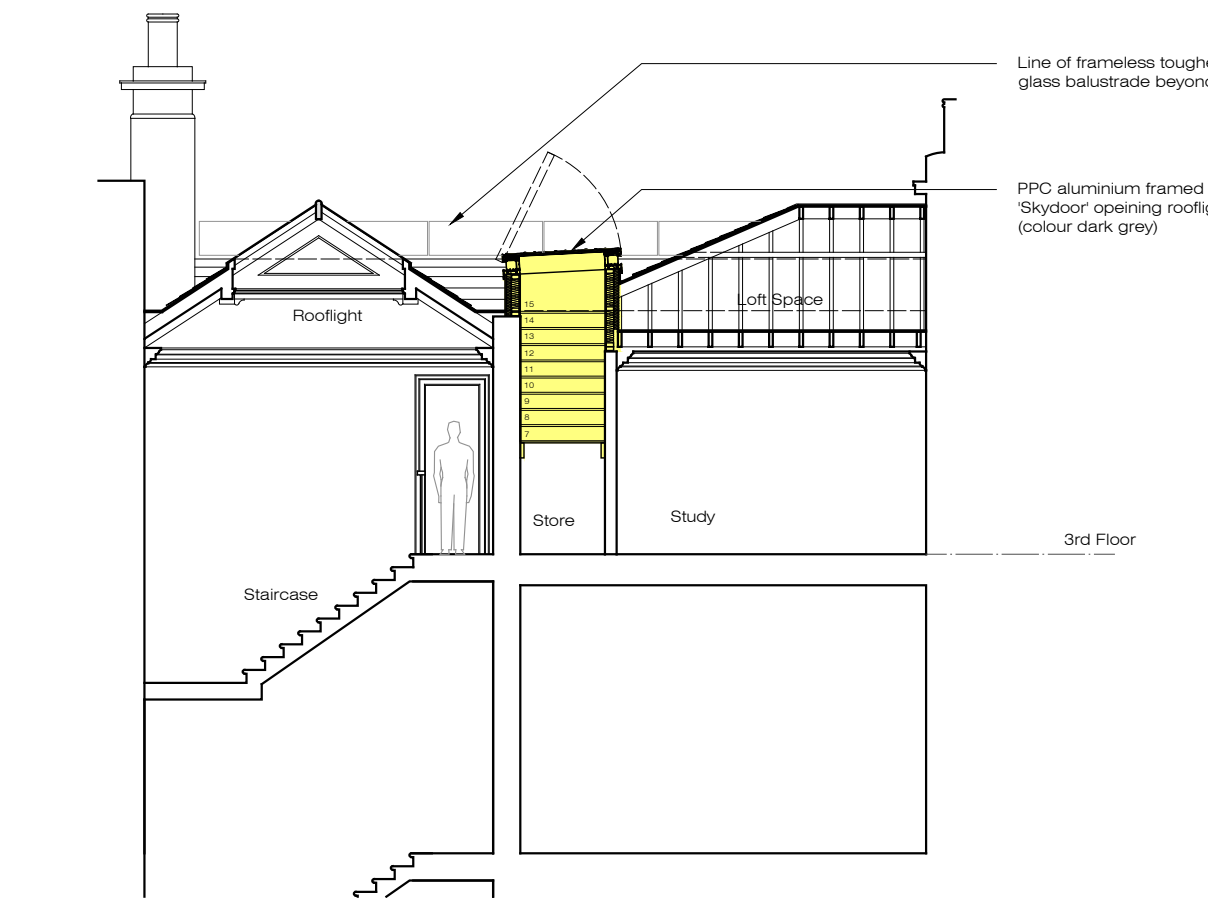
New dark grey single ply roof membrane below

PRC aluminium framed Skydoor opening rooflight (colour dark grey)

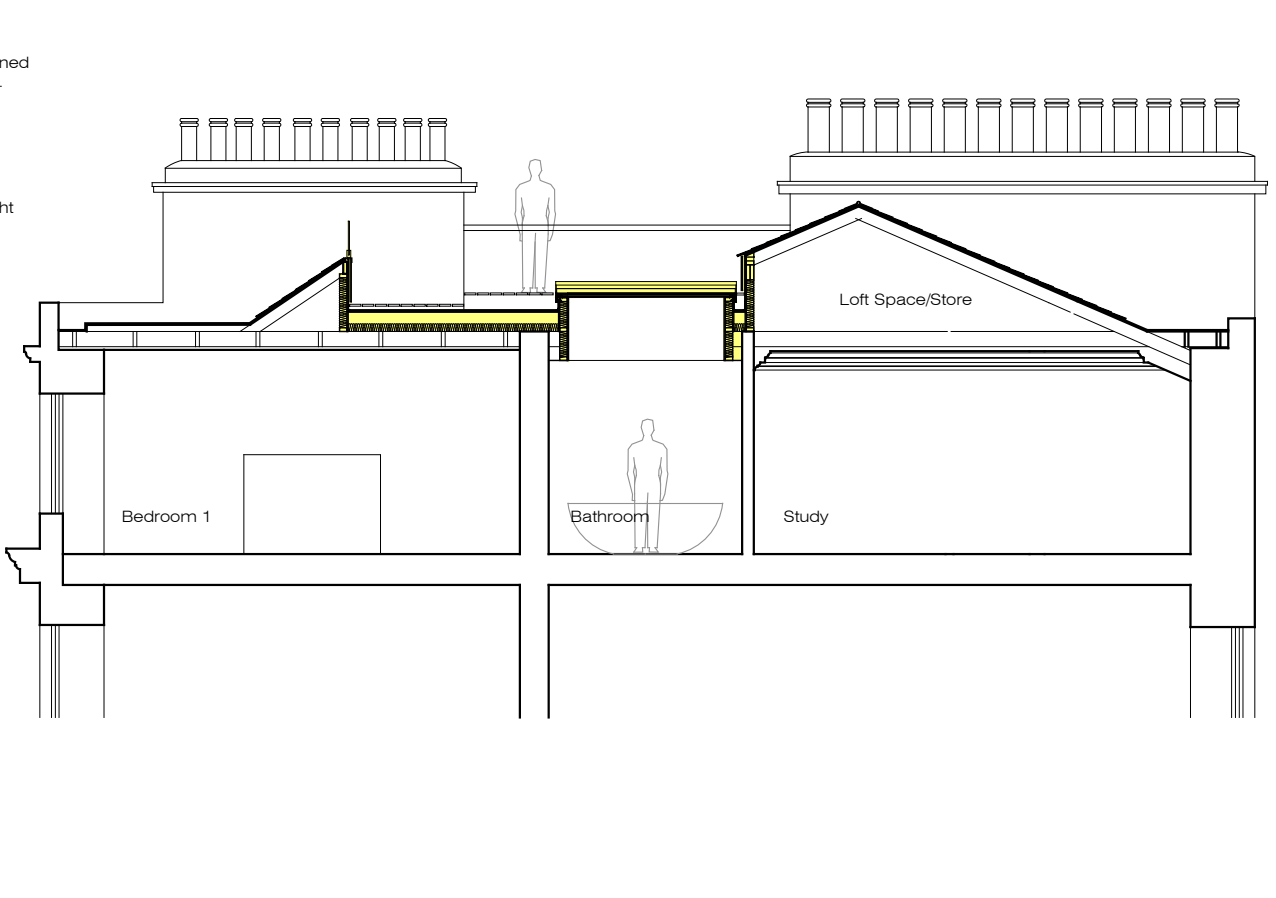
PRC aluminium framed Walk-on rooflight (colour dark grey)

Line of new external roof eaves with code 5 lead eaves flashing

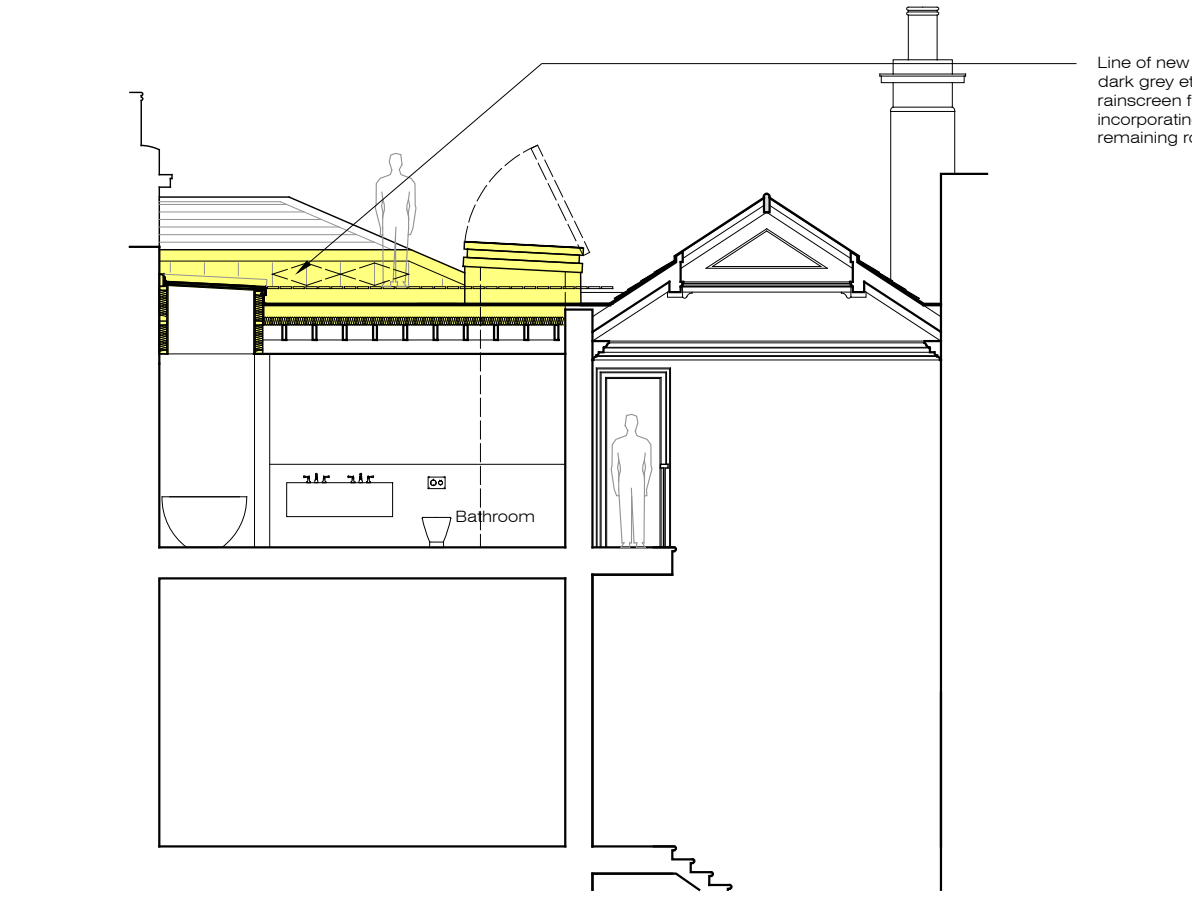
New vertical dark grey etemit board fascia below with hinged door access to roof void storage space



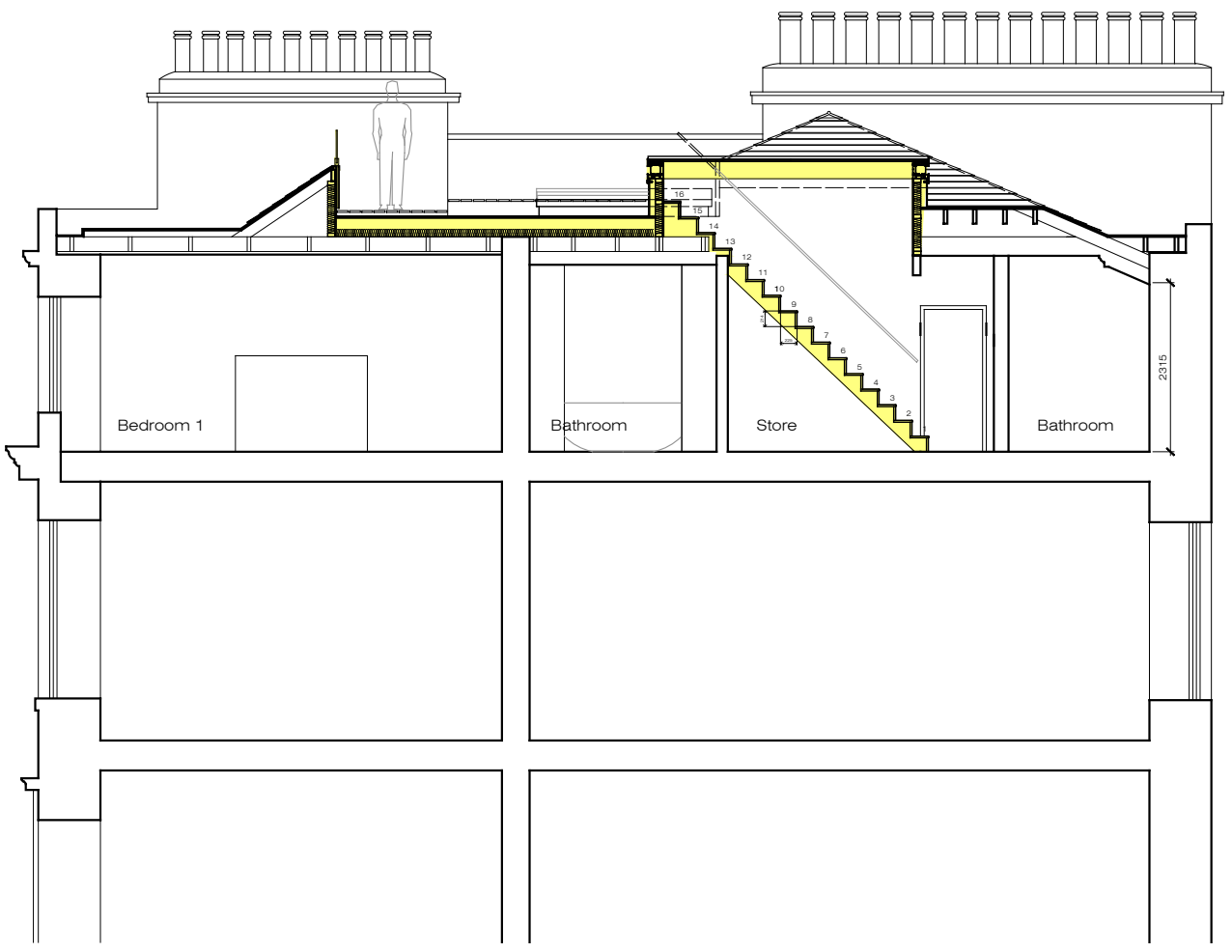
Section AA



Section BB



Section CC



Section DD

A Planning Issue

01.07.2020

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Richard Murphy Architects

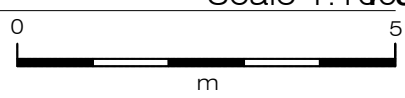
PROJECT TITLE Flat 2F, 10 Randolph Crescent
Proposed Roof Level Extension

DRAWING TITLE Proposed
Plans, Sections & Elevations

DWG STATUS Planning

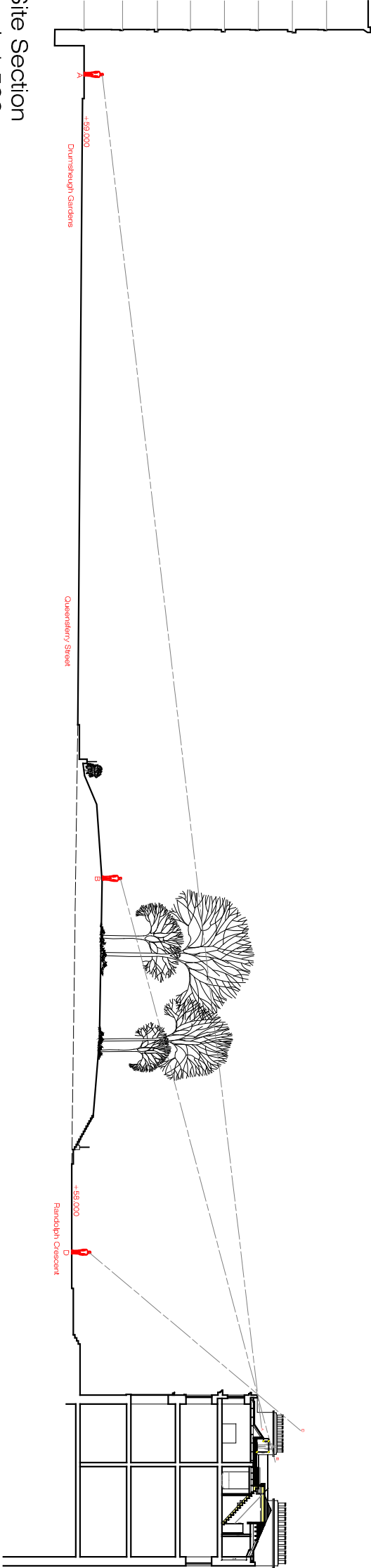
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CHECKED DATE 30.10.19
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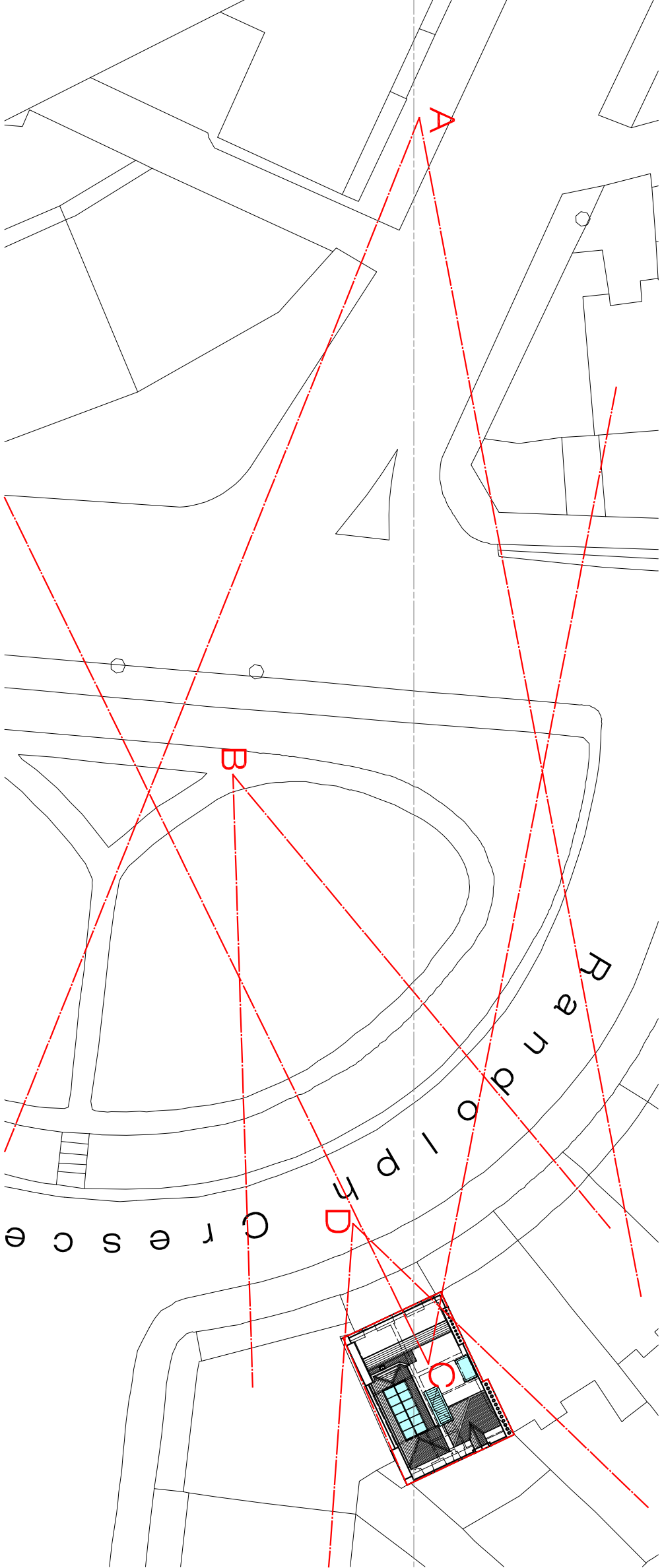




- A Existing roof and proposed glass balustrade edge just visible but partly masked by foliage
- B Existing roof and balustrade not visible (non public view from private gardens)
- C View from proposed balustrade position
- D Existing roof and proposed balustrade not visible



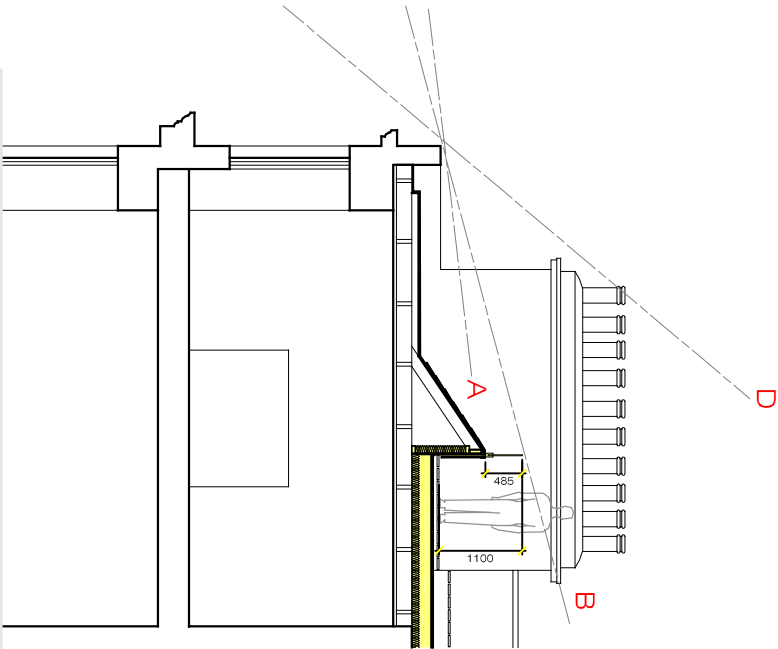
Site Section
scale 1:500



Site Plan
scale 1:500



Detail Section
scale 1:100



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Richard Murphy Architects

PROJECT TITLE
Flat 2F, 10 Randolph Crescent
Proposed Roof Level Alterations

DRAWING TITLE
Viewpoint Locations

DWG STATUS
Planning

DRAWN
j.em

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FILE

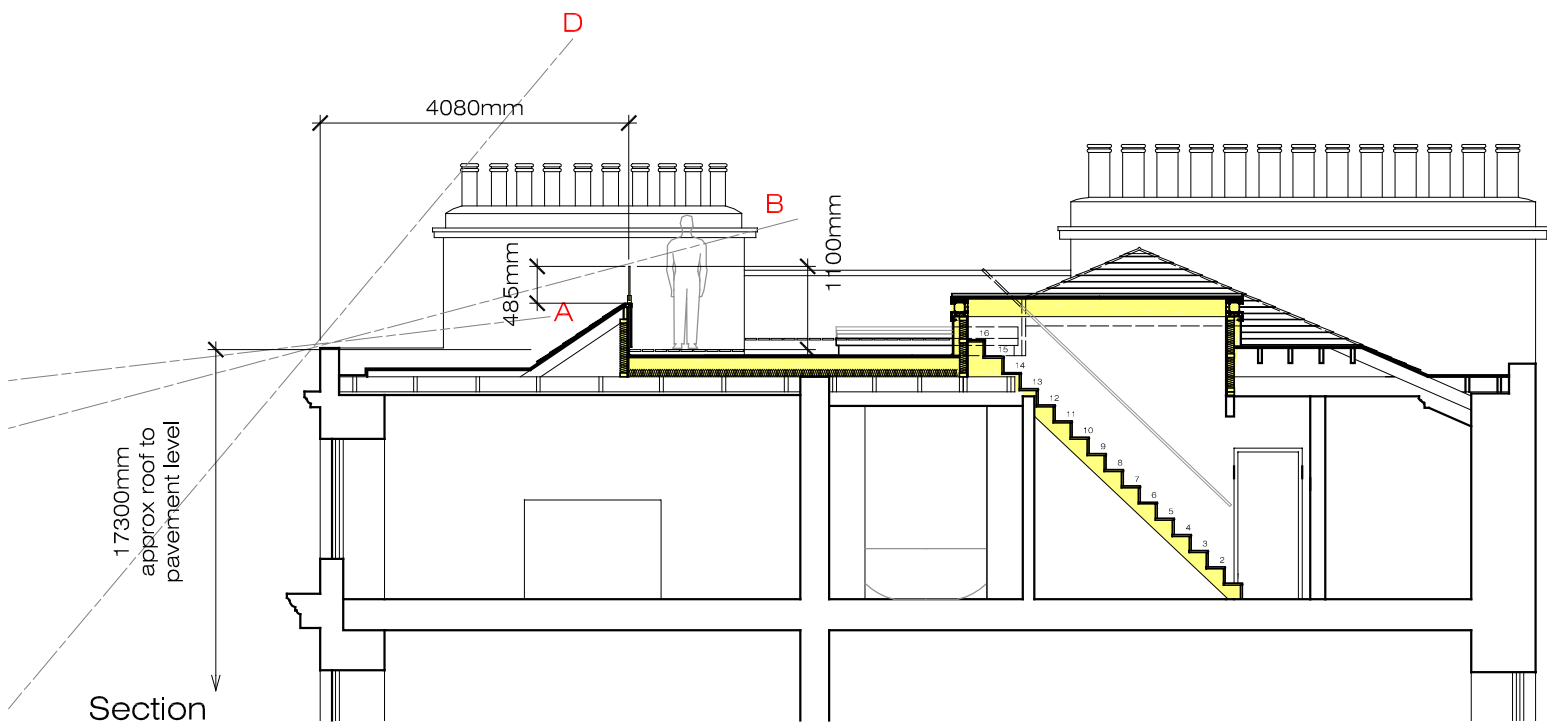
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DATE
16.11.20

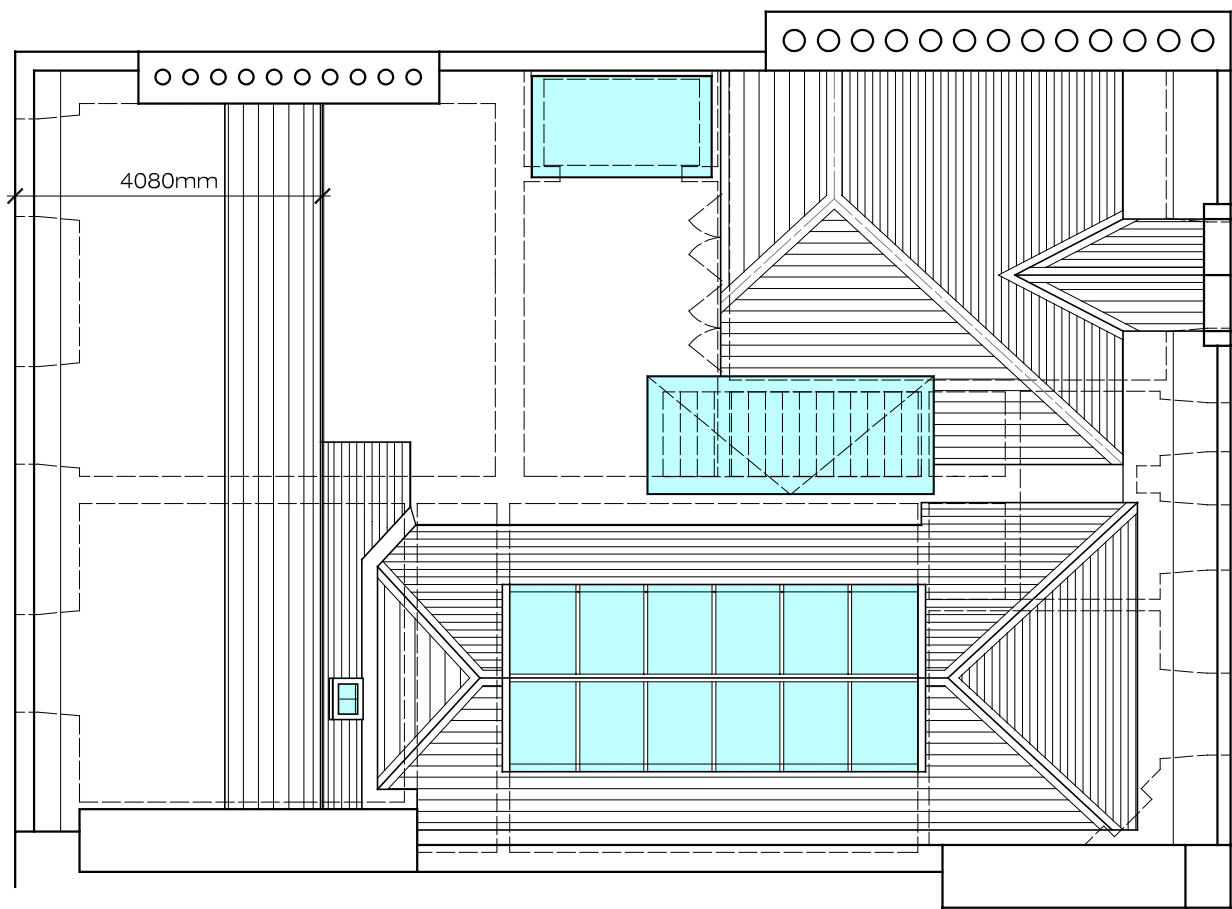
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PA/01/00

REVISION



Section
scale1:100



Roof Plan
scale1:100



Existing Aerial View

The Breakfast Mission, 15 Old Fishmarket Close, Edinburgh EH1 1RW

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Architects

PROJECT TITLE **Flat 2F, 10 Randolph Crescent
Proposed Roof Level Alterations**

DRAWING TITLE **Proposed Roofplan and Section**

DWG STATUS **Planning**

DRAWN	jem	JOB NO.	595
CHECKED		DATE	16.11.20
FILE		SCALE	1:500/100

DRAWING NO.	PA/01/01	REVISION	
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Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100275967-001

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)

Alterations to an existing upper floor and roof of a terraced townhouse to provide new, permanent stair access up to a central flat roof area via a new, opening glass roof light. Part removal of inward facing pitched roof structures and slate covering provides an enlarged flat roof area as a private external terrace forming the sole external space for the property. Removal of substandard glazed roof lantern over existing en suite and replacement with flush walk-on glass rooflight

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:	Richard Murphy Architects		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	James	Building Name:	
Last Name: *	Mason	Building Number:	15
Telephone Number: *		Address 1 (Street): *	Old Fishmarket Cloce
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	Scotland
		Postcode: *	EH1 1RW
Email Address: *			
Is the applicant an individual or an organisation/corporate entity? *			
<input checked="" type="checkbox"/> Individual <input type="checkbox"/> Organisation/Corporate entity			

Applicant Details

Please enter Applicant details

Title:	Other	You must enter a Building Name or Number, or both: *	
Other Title:	Dr	Building Name:	
First Name: *	Gundula	Building Number:	10
Last Name: *	Thiel	Address 1 (Street): *	Randolph Crescent
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EH3 7TT
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:

10 RANDOLPH CRESCENT

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

Please identify/describe the location of the site or sites

Northing

673933

Easting

324425

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: James Mason

On behalf of: Dr Gundula Thiel

Date: 01/07/2020

☒ 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 James Mason

Declaration Date: 02/07/2020

Page 219

Proposal Details

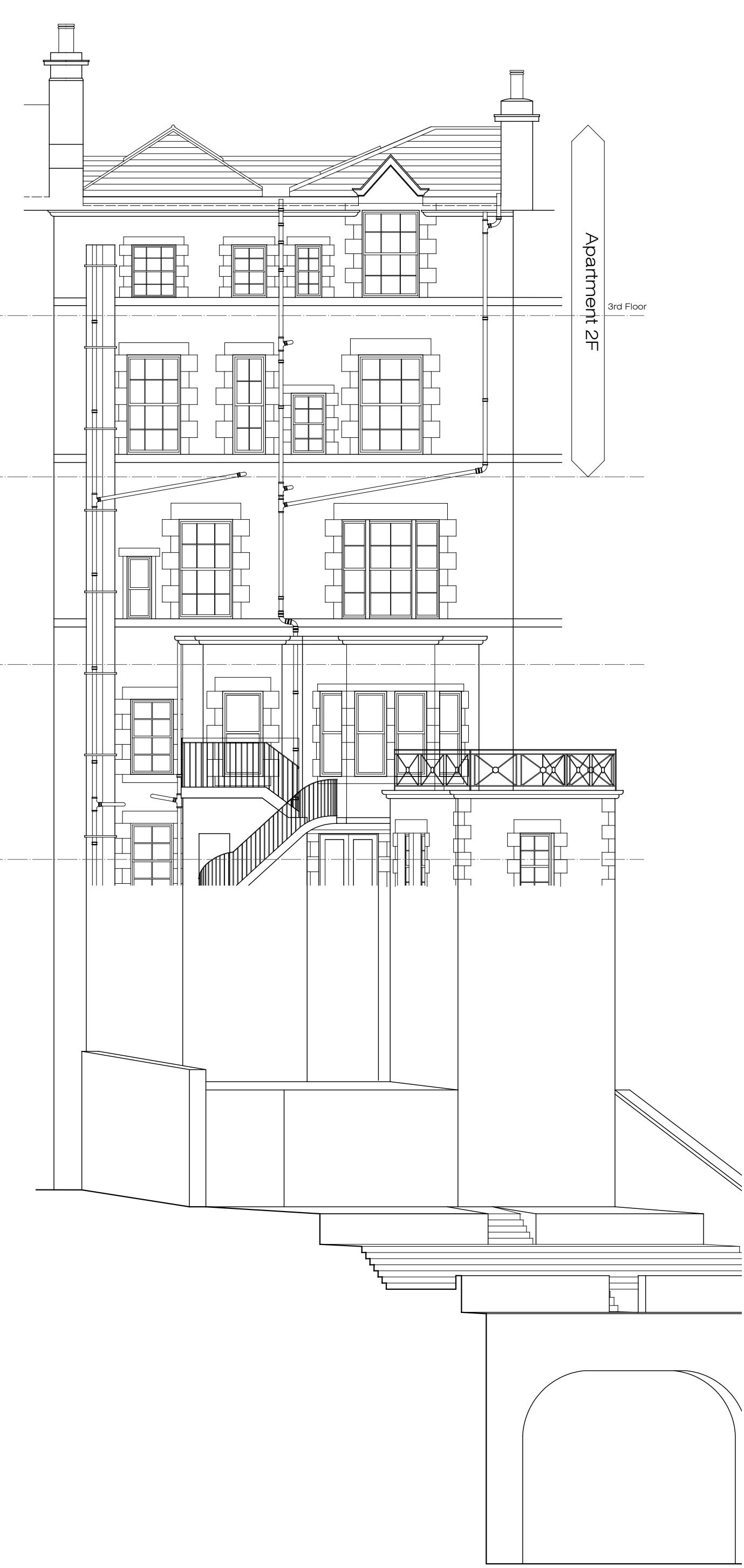
Proposal Name	100337330
Proposal Description	Alter existing roof access and provide permanent stair to new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof faces to give enlarged, accessible flat roof area
Address	2F, 10 RANDOLPH CRESCENT, EDINBURGH, EH3
Local Authority	City of Edinburgh Council
Application Online Reference	100337330-001

Application Status

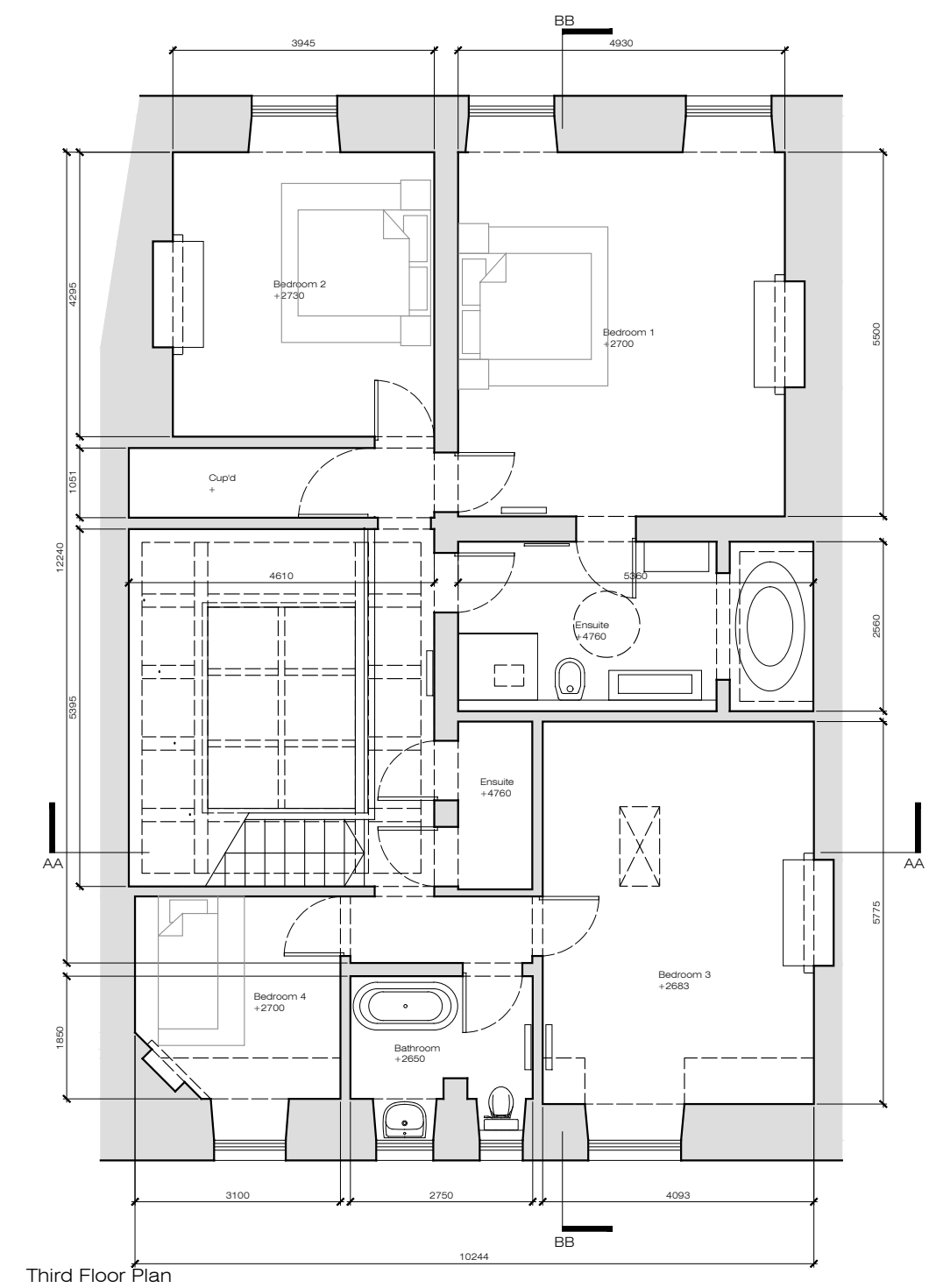
Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

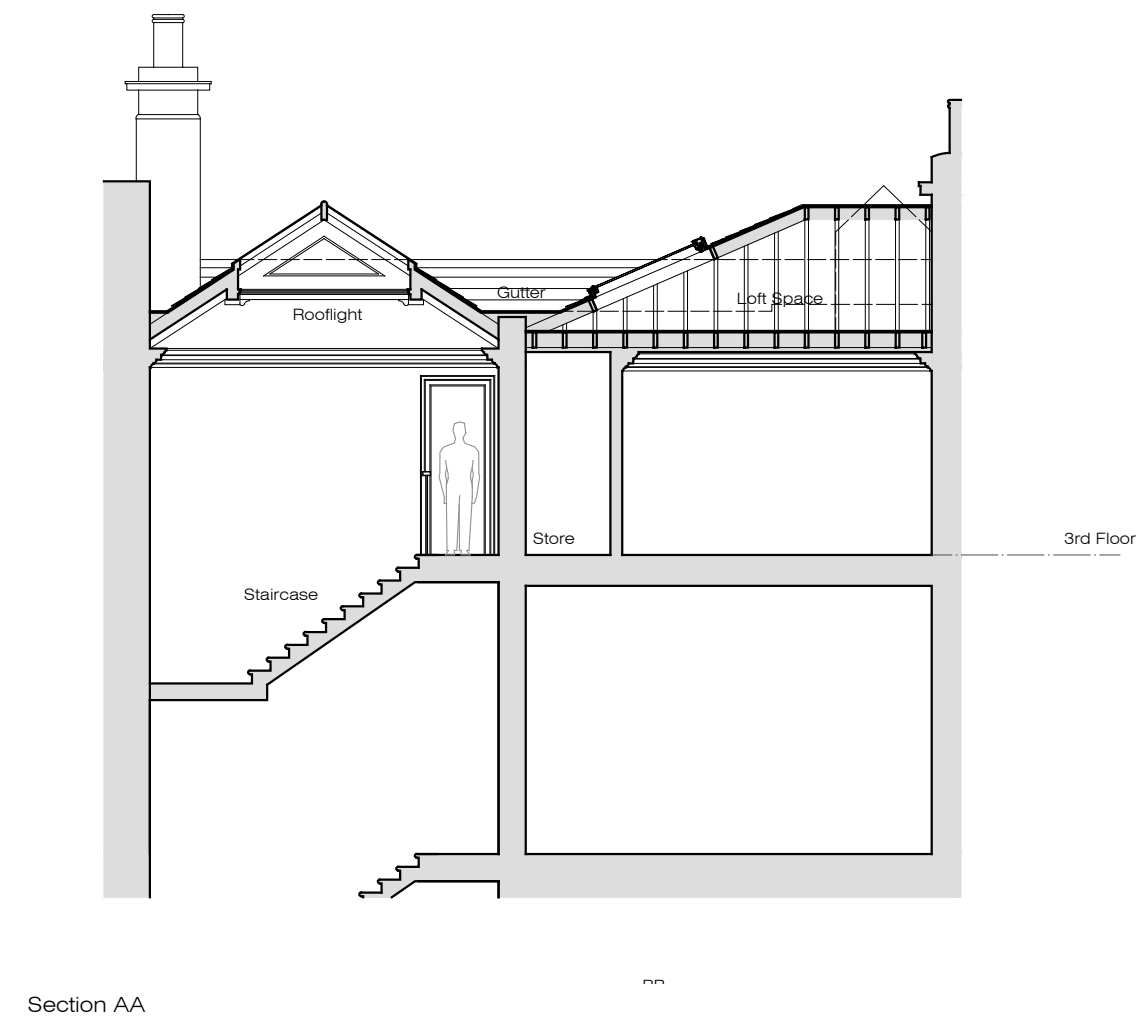
Notice of Review	System	A4
Appeal Statement	Attached	A4
20_012744_FUL_Handling Report	Attached	A4
Decision Notice	Attached	A4
Existing Plans	Attached	A4
Proposed Plans	Attached	A4
Viewpoint Location	Attached	A4
Roof Plan and sections	Attached	A4
Application Form	Attached	A4
Location Plan	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0



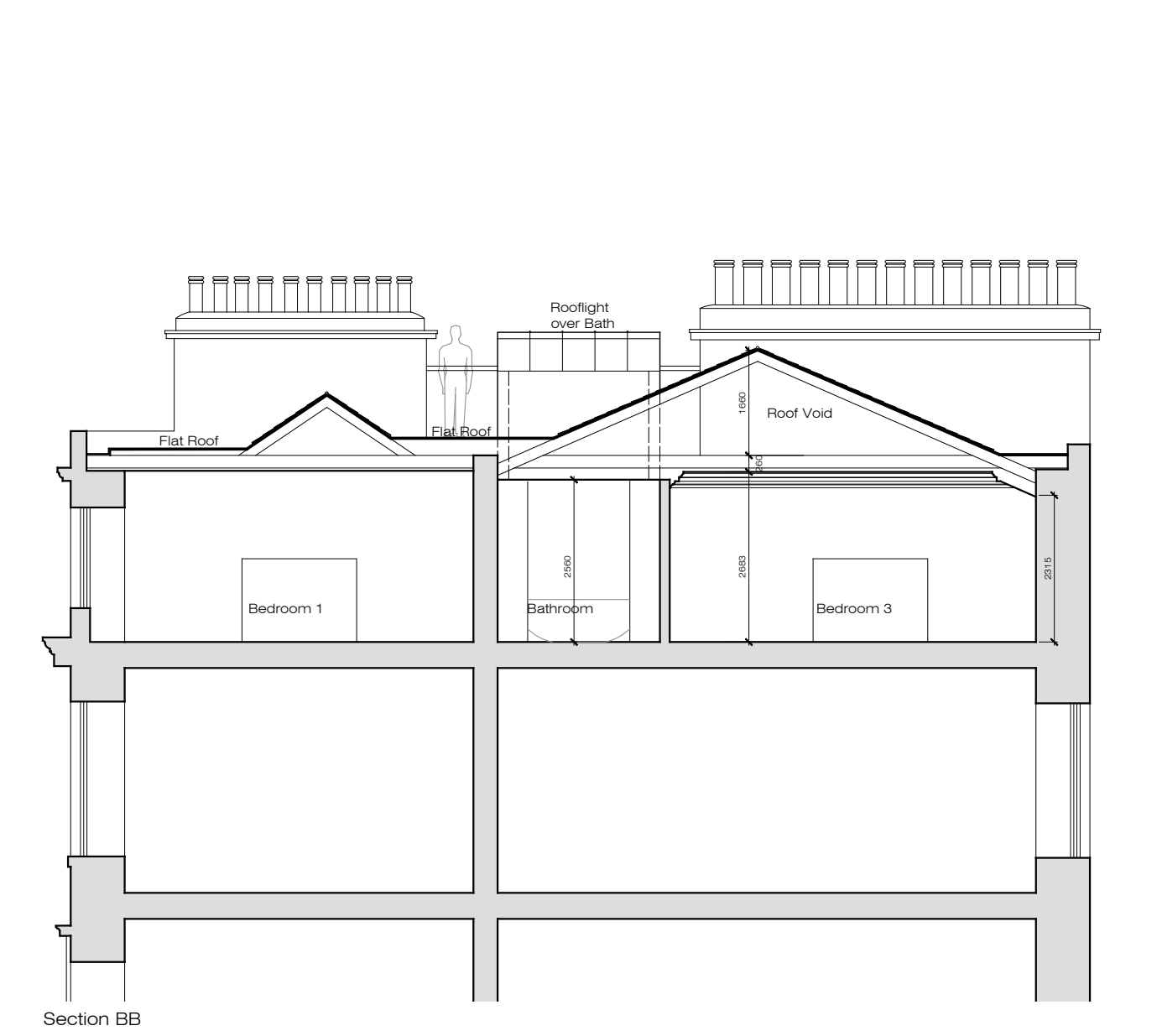
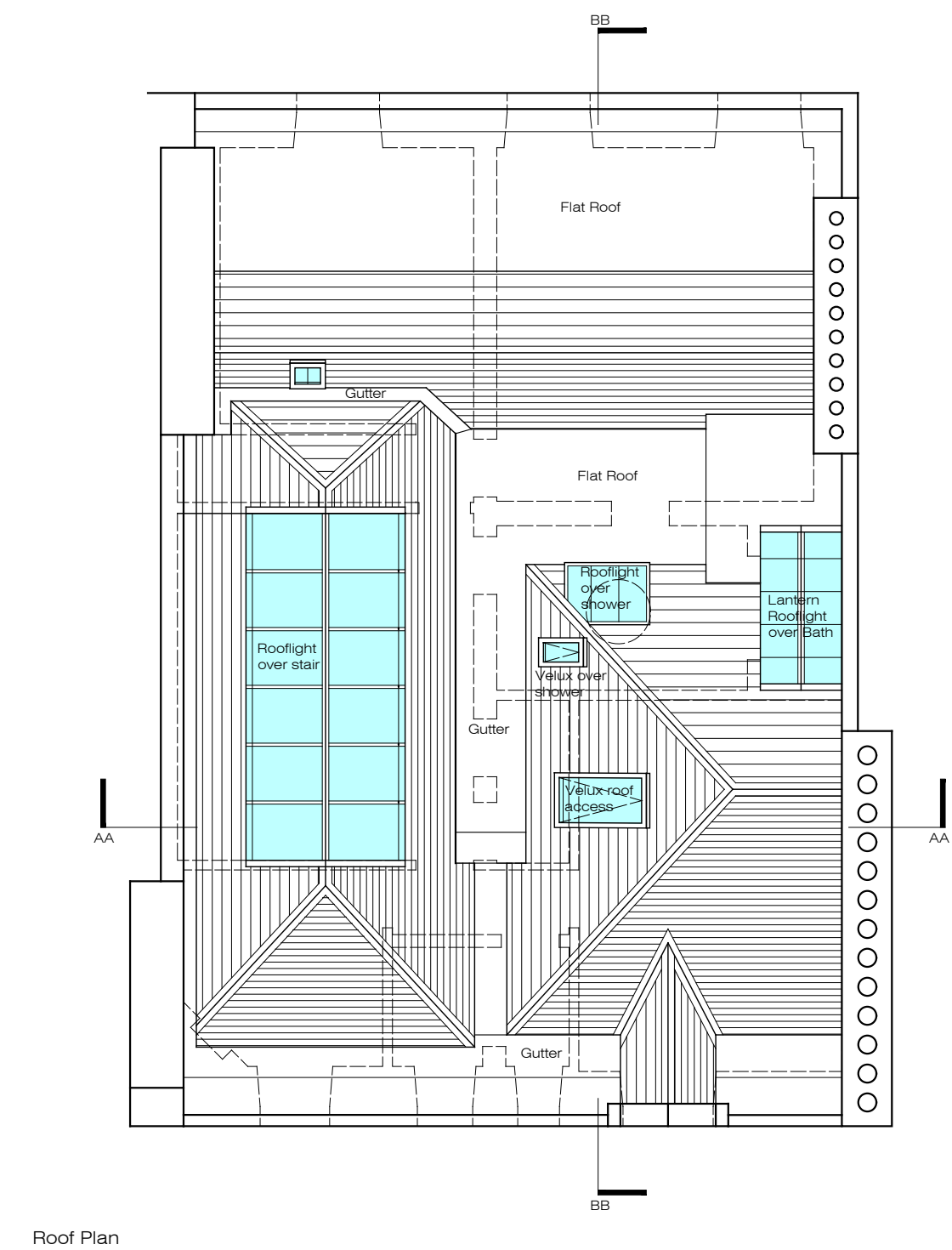
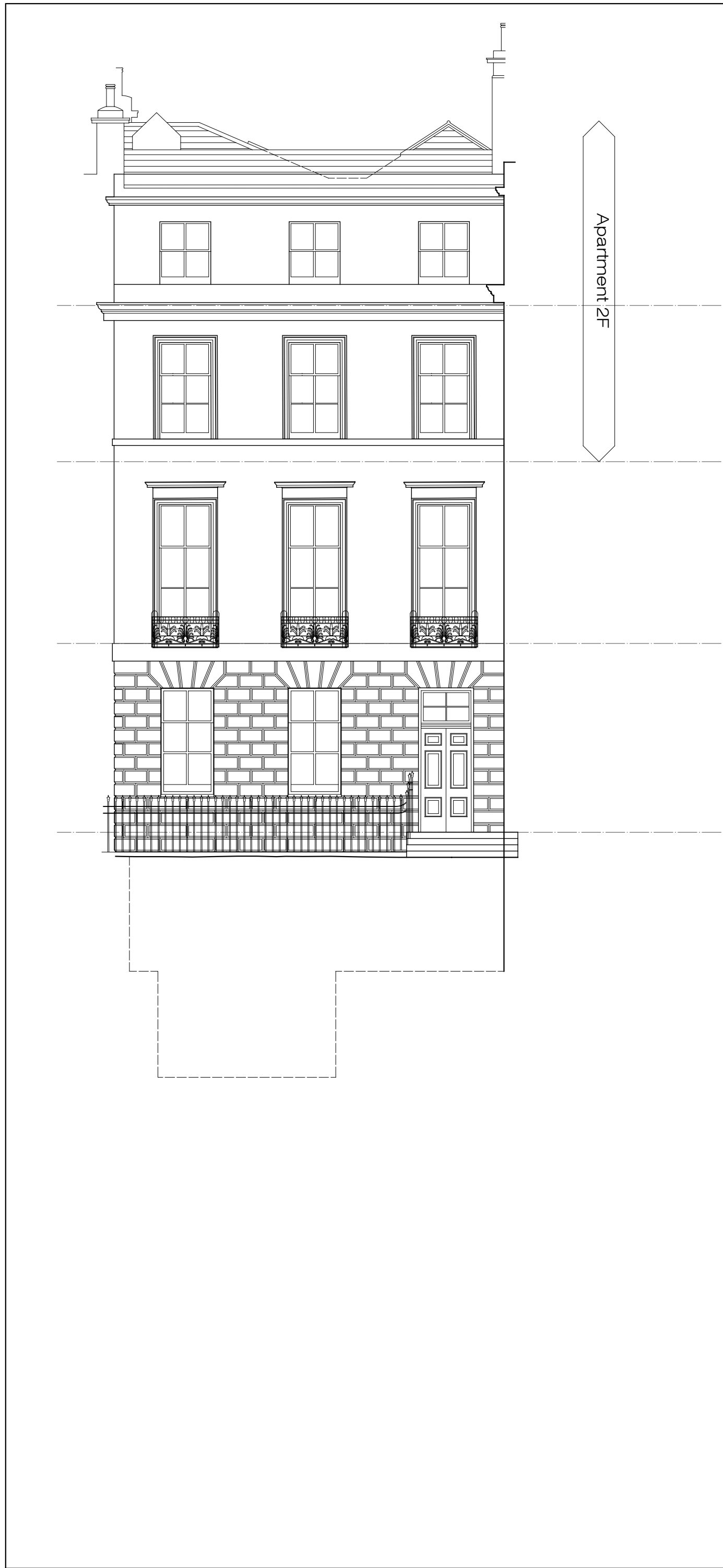
Garden (North) Elevation



Existing Fabric
Slate Roof
Roof Glazing



Section AA



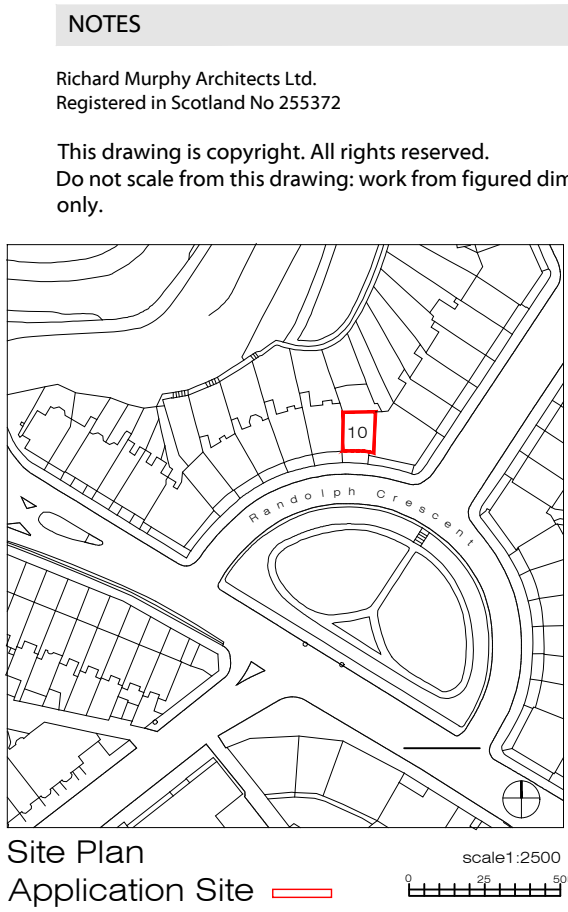
Section BB



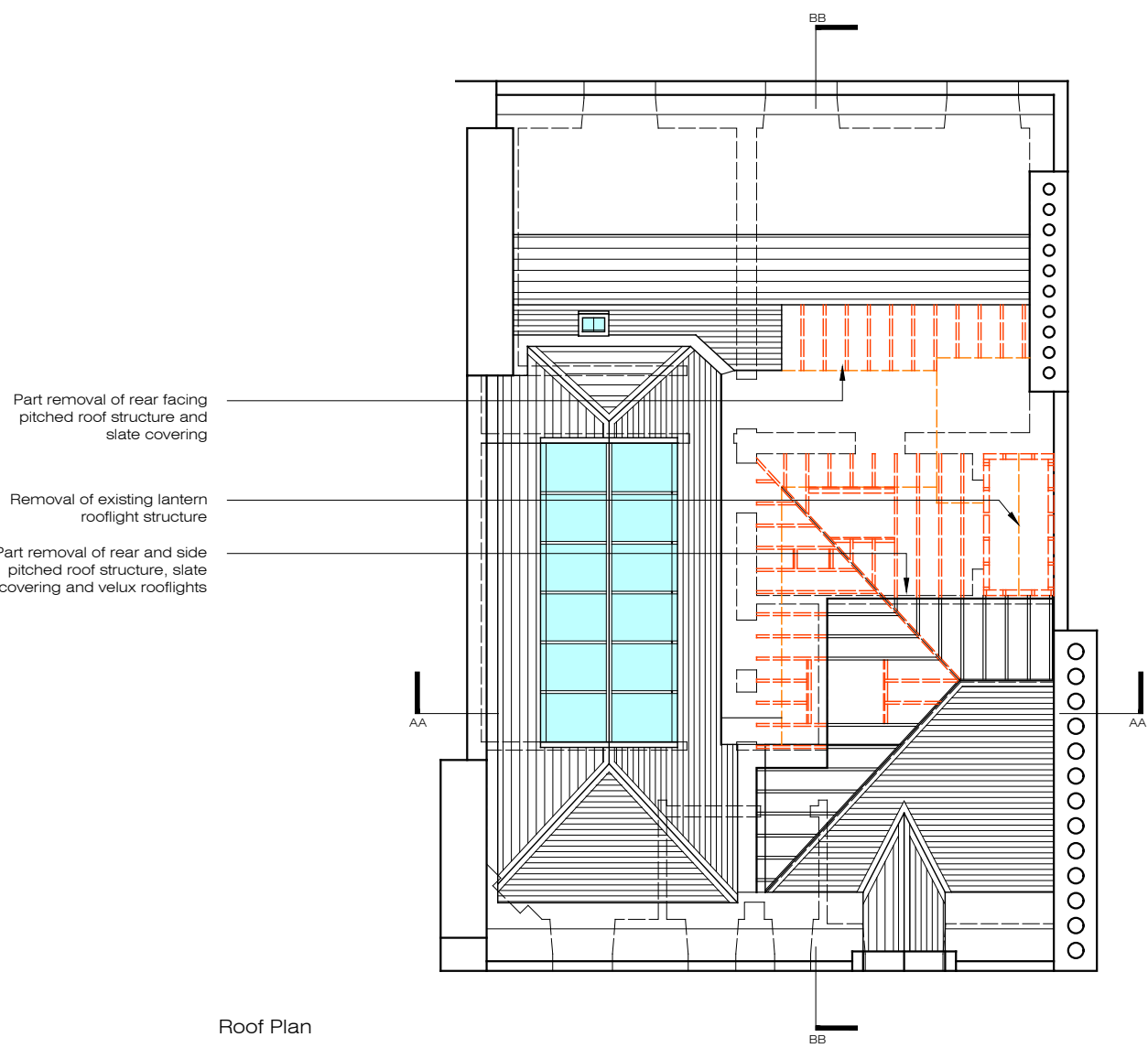
Street Elevation



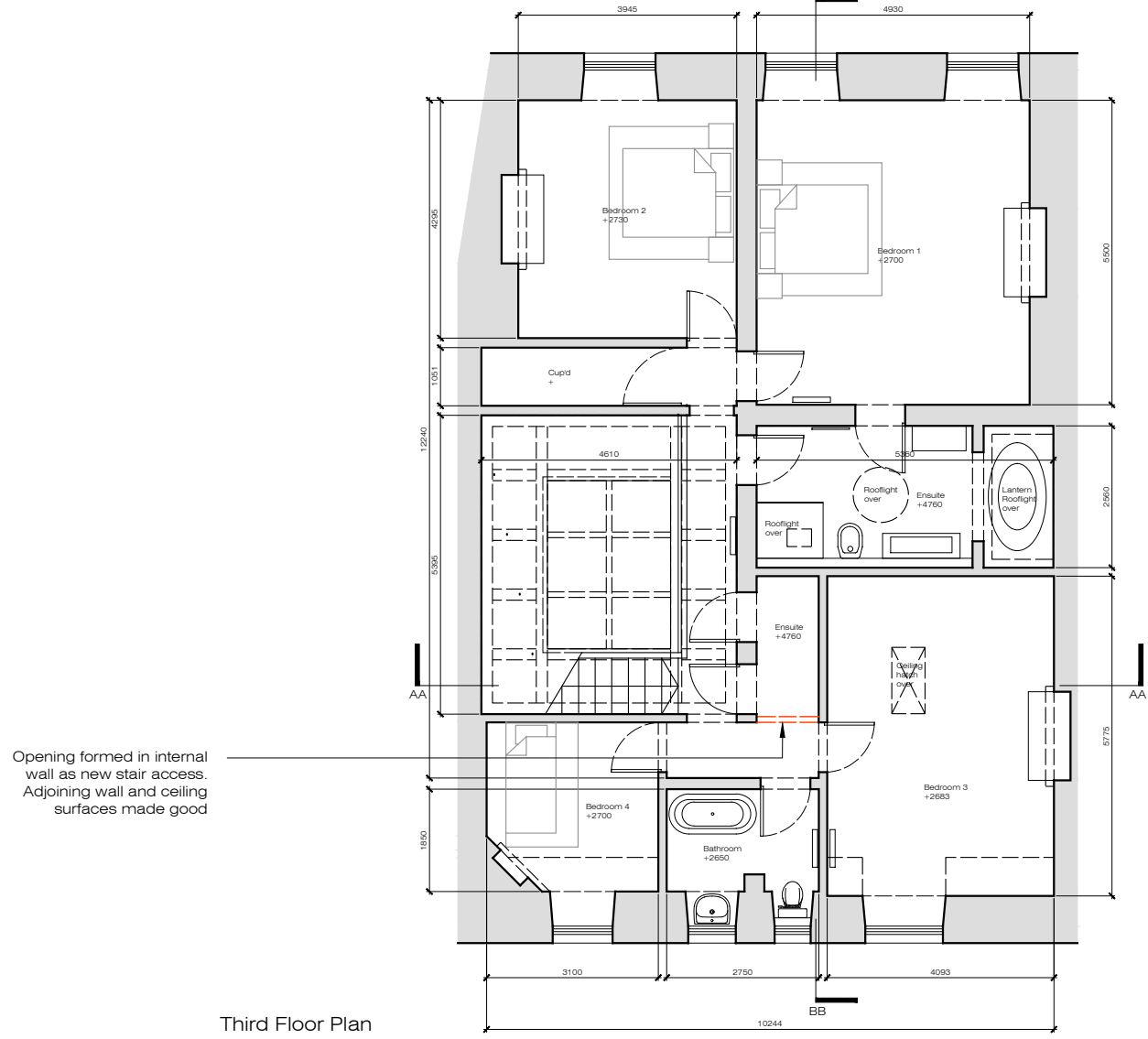
Aerial roofscape



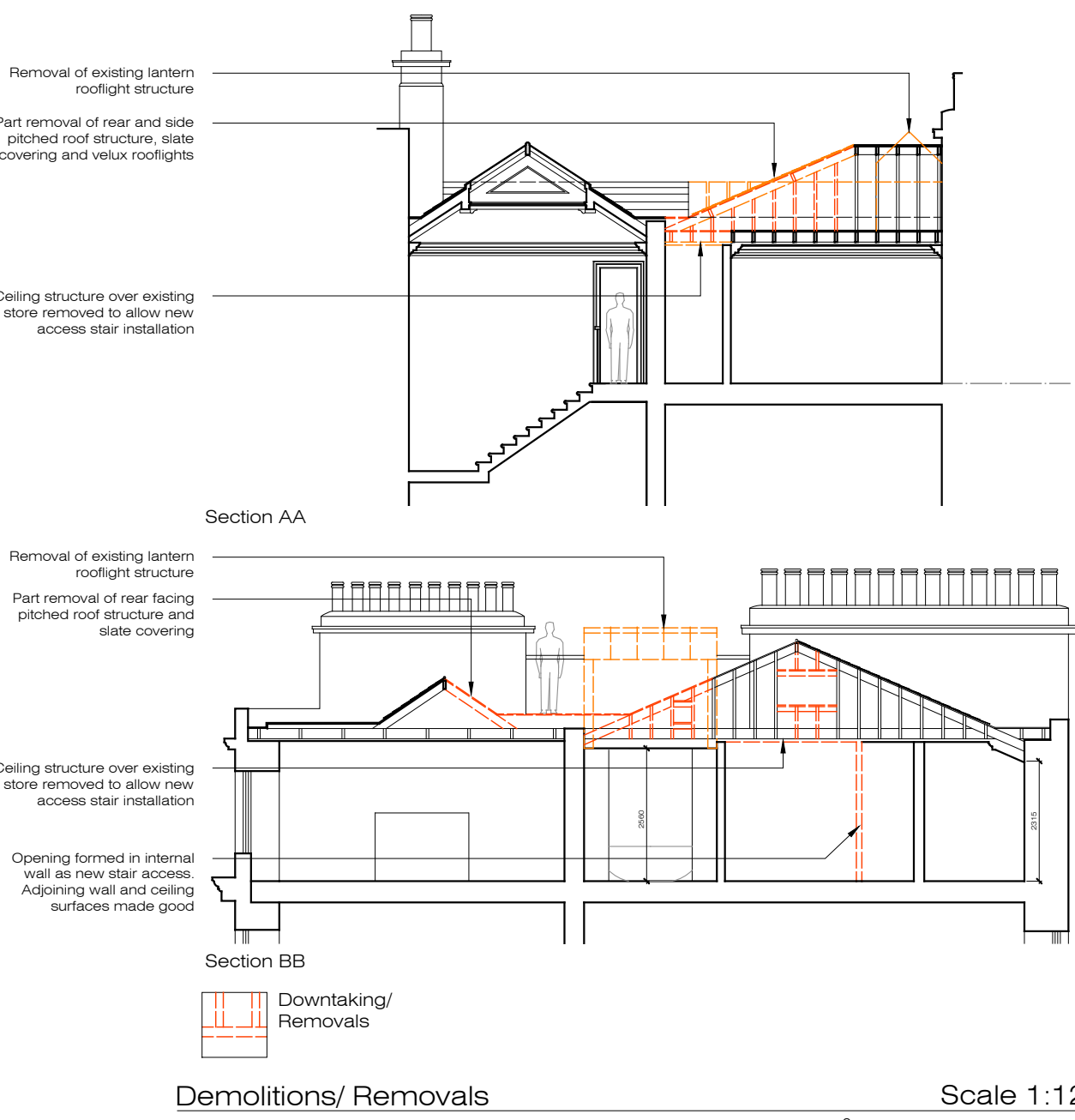
Site Plan
Application Site



Roof Plan



Third Floor Plan



Section AA
Section BB

Demolitions/ Removals

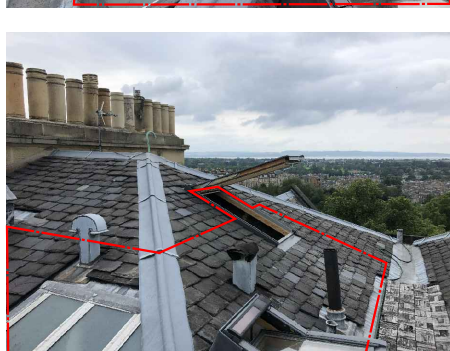
Scale 1:125



Existing roofscape showing proposed removals



Existing roofscape showing proposed removals



Existing roofscape showing proposed removals

A Planning Issue
01.07.2020

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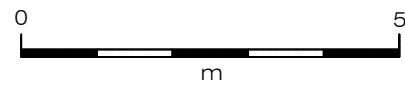
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Proposed Roof Level Extension

DRAWING TITLE Existing
Demolitions & Removals
Plans, Sections & Elevations

DWG STATUS Planning

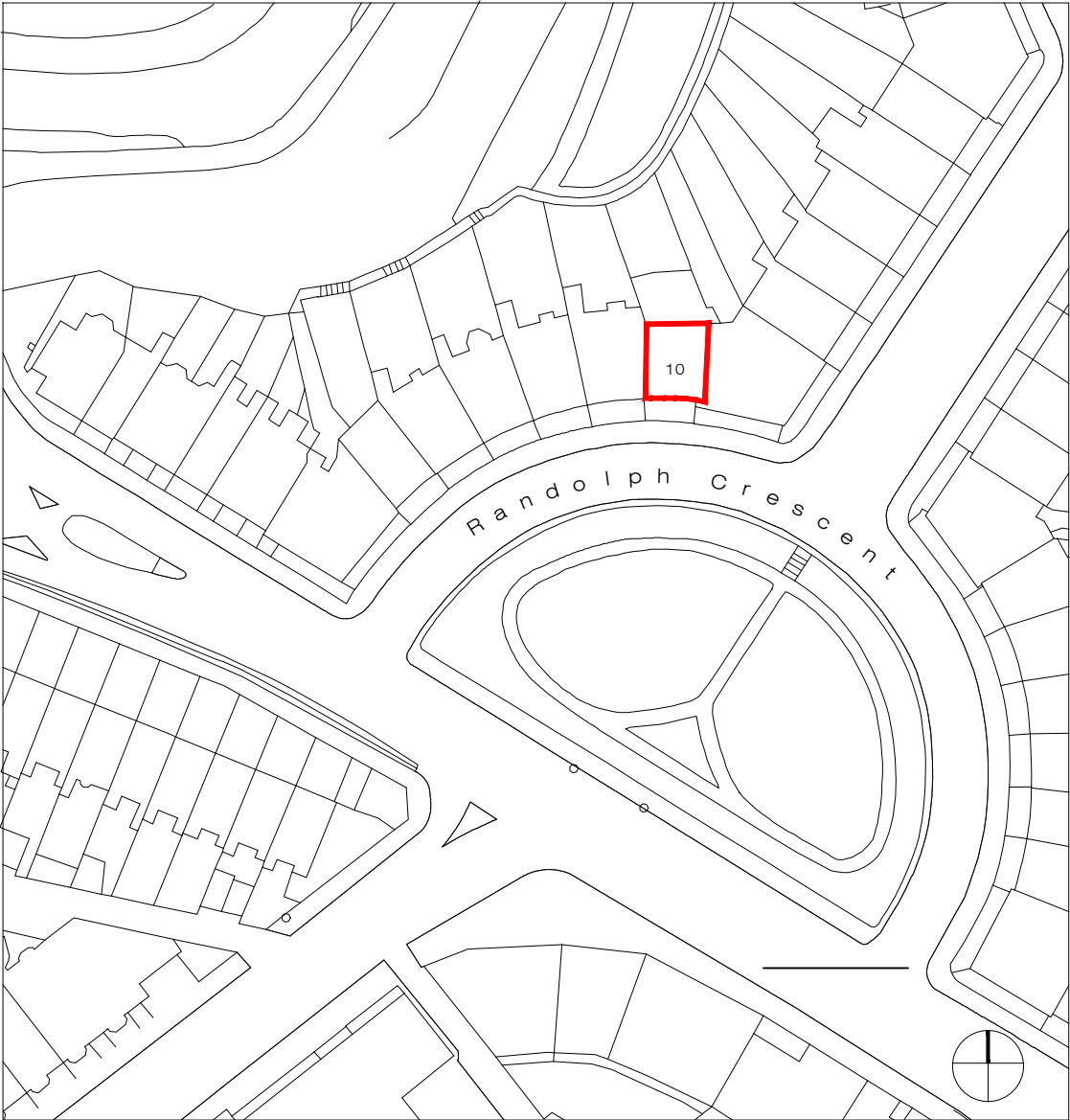
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JOB NO. 595
DATE 30.10.19
SCALE 1:100 & 125

DRAWING NO. AL/01/01
REVISION A





Aerial roofscape



Site Plan
Application Site

scale 1:1250
0 5 10 15 20 25
m

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PROJECT TITLE **Flat 2F, 10 Randolph Crescent
Proposed Roof Level Alterations**

DRAWING TITLE **Location Plan**

DWG STATUS **Planning**

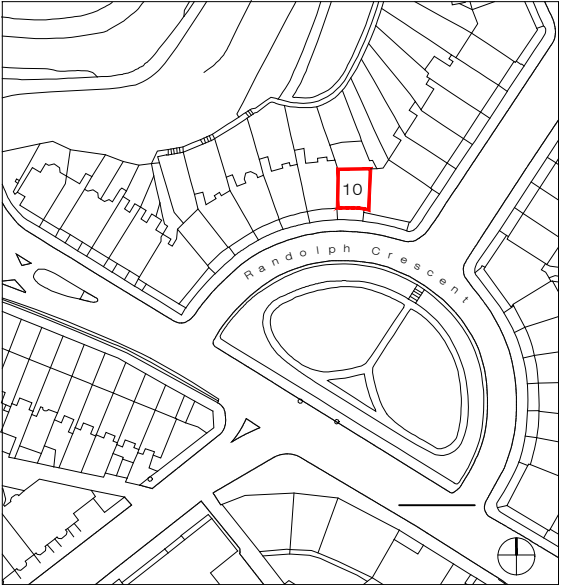
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FILE		SCALE	1:1250

DRAWING NO.	AL/01/00	REVISION	
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NOTES

Richard Murphy Architects Ltd.
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Firm's 11 year set back sufficiently to be invisible from pavement

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Site Plan

Application Site



Walk-On Rooflight



Sky Door Rooflight



Sky Door Rooflight

Supporting Statement

Existing Building

10 Randolph Crescent forms part of a formal linked terrace of buildings designed by James Gillespie Graham in 1822, located in the Edinburgh New Town Conservation Area and World Heritage Zone and connecting the west end of Queens Street with Queensferry Street. The property is Grade A listed along with no 9-17 Randolph Crescent (inclusive) and 1 and 1A Randolph Cliff (including railings) under reference LB29601.

The property at no. 10 has been divided from its original townhouse form and now contains a number of private dwellings. The main door off Randolph Crescent provides access to a ground and basement apartment (10) with the former main stair leading a first floor apartment (10 1F) and access to the two storey application property (10 2F) above. Separate access to the rear leads to a two storey garden level apartment. Recent Planning application ref 18.01668_FUL, seeking to combine the two lower apartments (10 GF & 10B) was granted. 10B occupies the front half of the basement and is separately accessed from the lightwell off the street.

Existing Roof

Access to the roof is entirely from within the application property 10 2F via an opening rooflight.

Roof configuration to the crescent properties appears to vary, dependant on geometry and plan below.

Evidence of historic modification to the original roof profile can be seen on adjoining chimney stacks (as noted on the photo below). These modifications have resulted in a combination of low and high pitched slated roofs, stone masonry pitch and lantern rooflights and stepped lead valley gutters.



Poor detailing of existing lantern rooflight to parapet aboutment with minimal weathering upstand and gutter.

Reasons for Development

The proposals is submitted in resolution of two principal issues.

Access - Current roof access is by way of retractable loft ladder within the study/bedroom on the third floor up into the low roof void on the north side and subsequent out via an opening roof light onto the central valley gutter. Access is thus difficult and constrained.

The proposal seeks to provide permanent stair access out to a larger flat roof area via a proprietary glazed, low profile, rooflight (sky door) located in a former store accessed via a new opening off the hallway.

Outdoor Space - Since the division of the property, the upper apartment has no access to outdoor space. The proposal thus seeks to provide, in as inconspicuous a way as possible, private outdoor space for the apartments use. It is clear from the recent lock-down and social isolation period that access to non-public, external space is a vital constituent of both physical and mental health and well being.

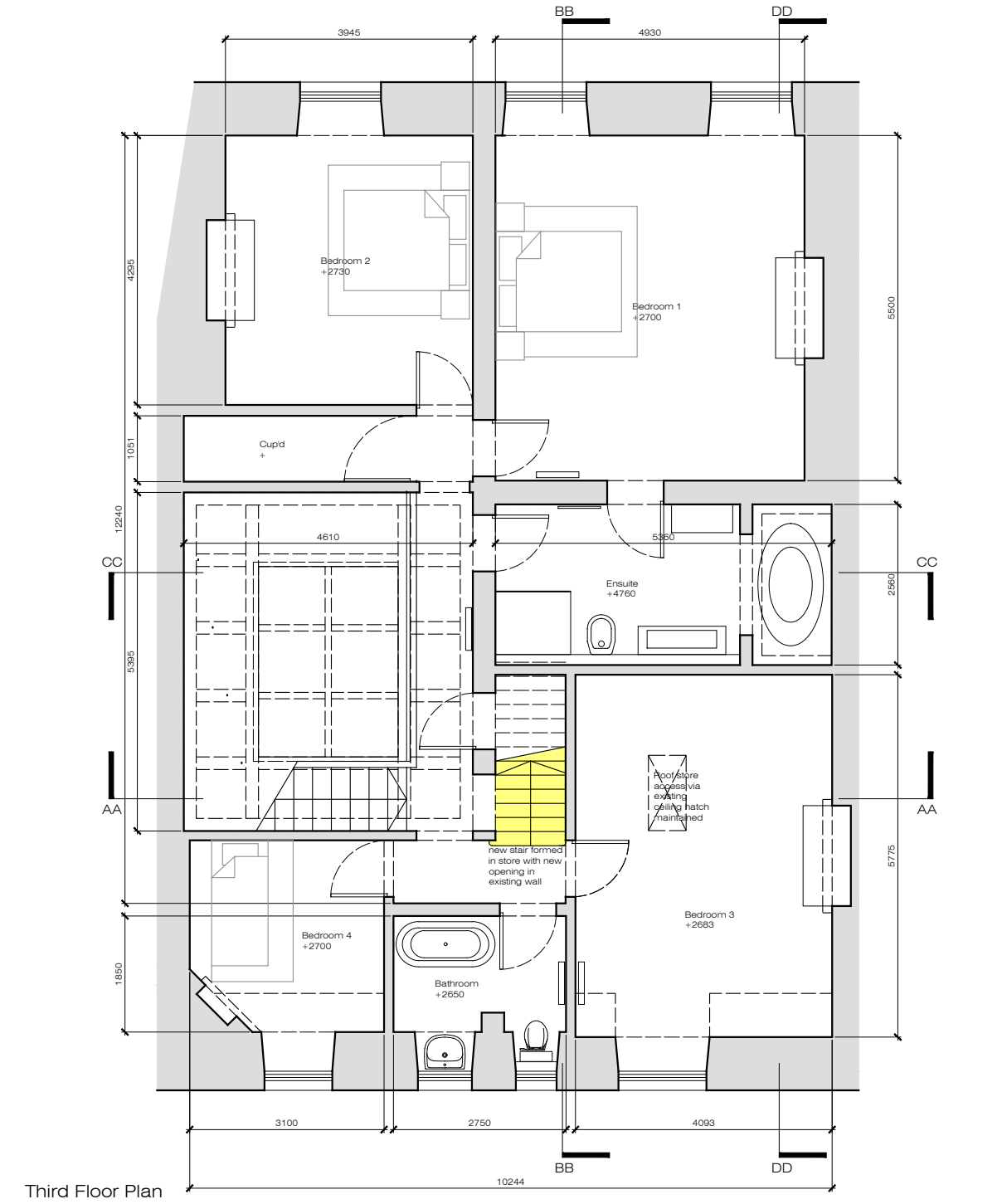
The proposal aims to provide useable external space via the part removal of internal, valley facing sections of slate roofing and the incorporation of new flat roof construction and decking areas. Additionally, an existing poor quality, lantern rooflight structure is proposed to be replaced with a low profile, walk-on flat rooflight over the existing bathroom. Access into the remaining roof void area via hinged doors in the new vertical rain screen cladding allows any loose furniture to be put away and secured with ease, leaving the terrace free of any potentially visible structures when not in use. Finally a minimal, frameless glass balustrade is proposed along the remaining low



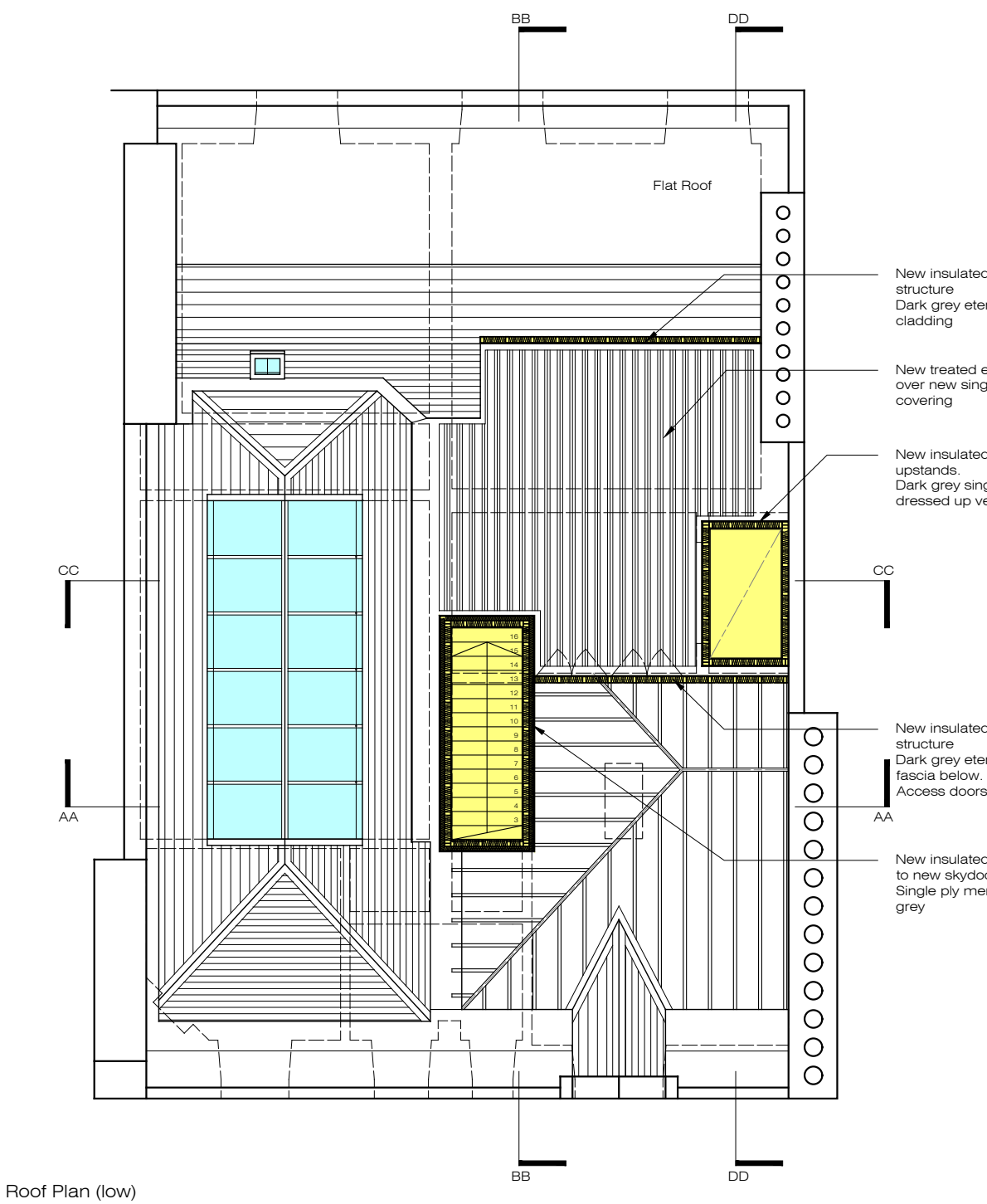
Garden (North) Elevation



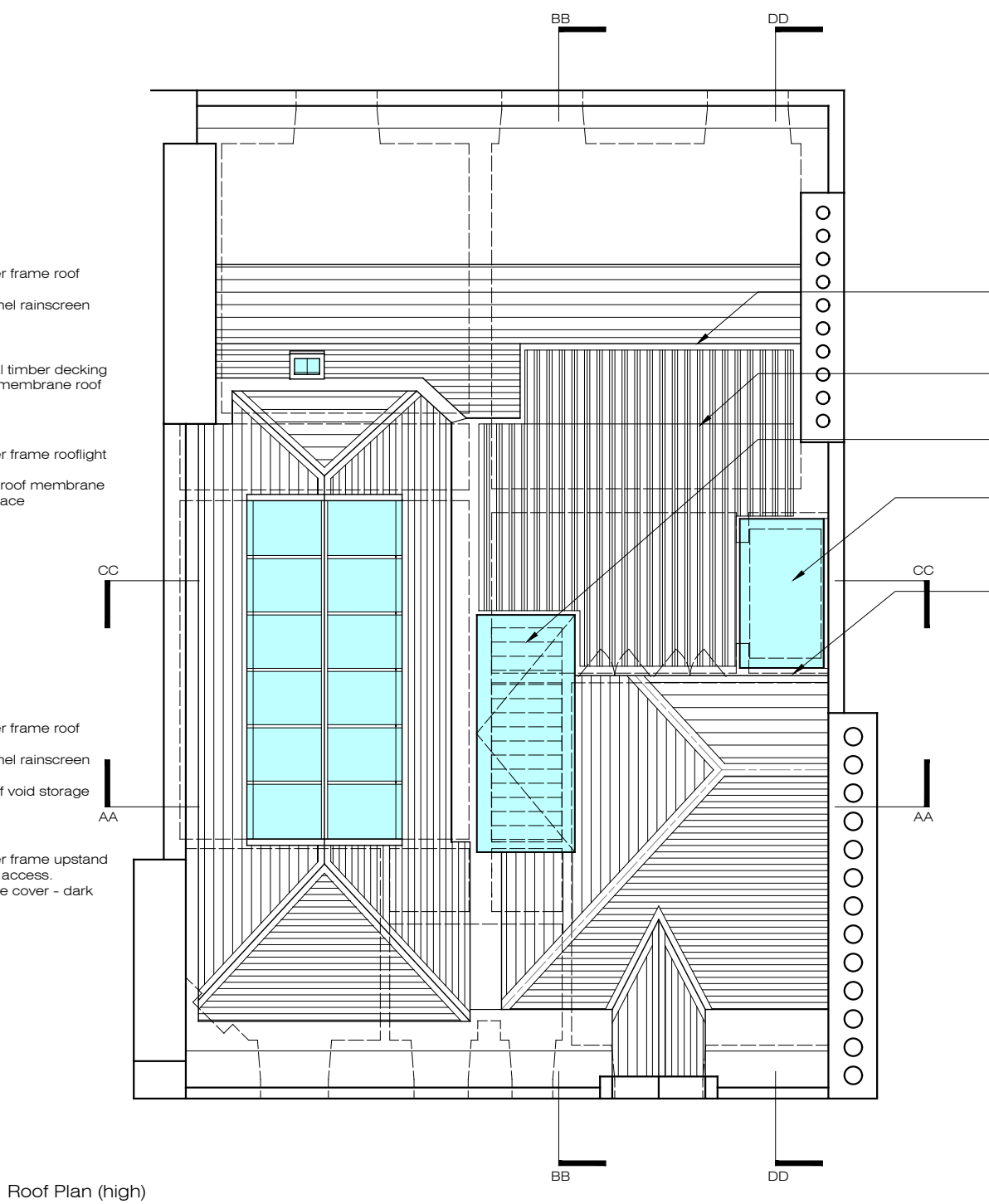
Street (South) Elevation



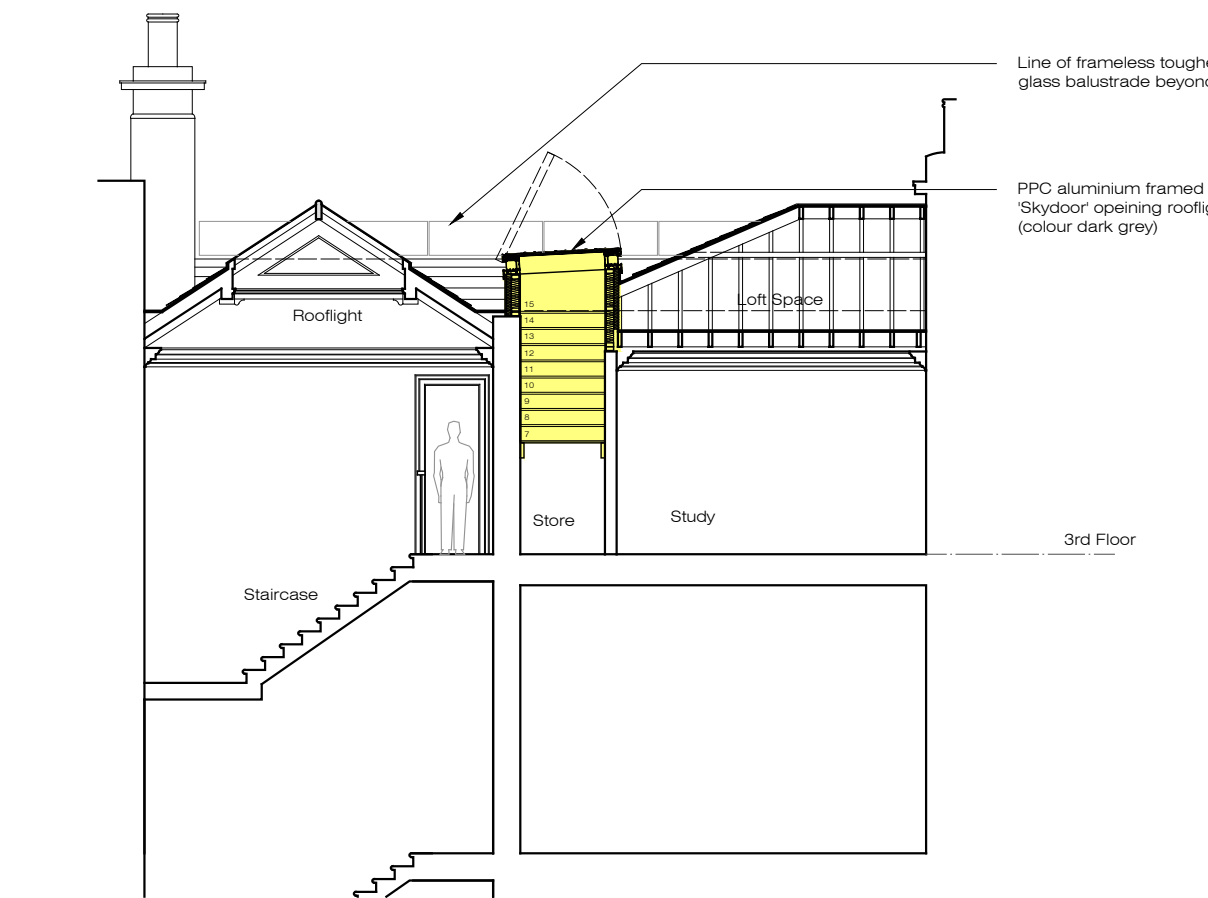
Third Floor Plan



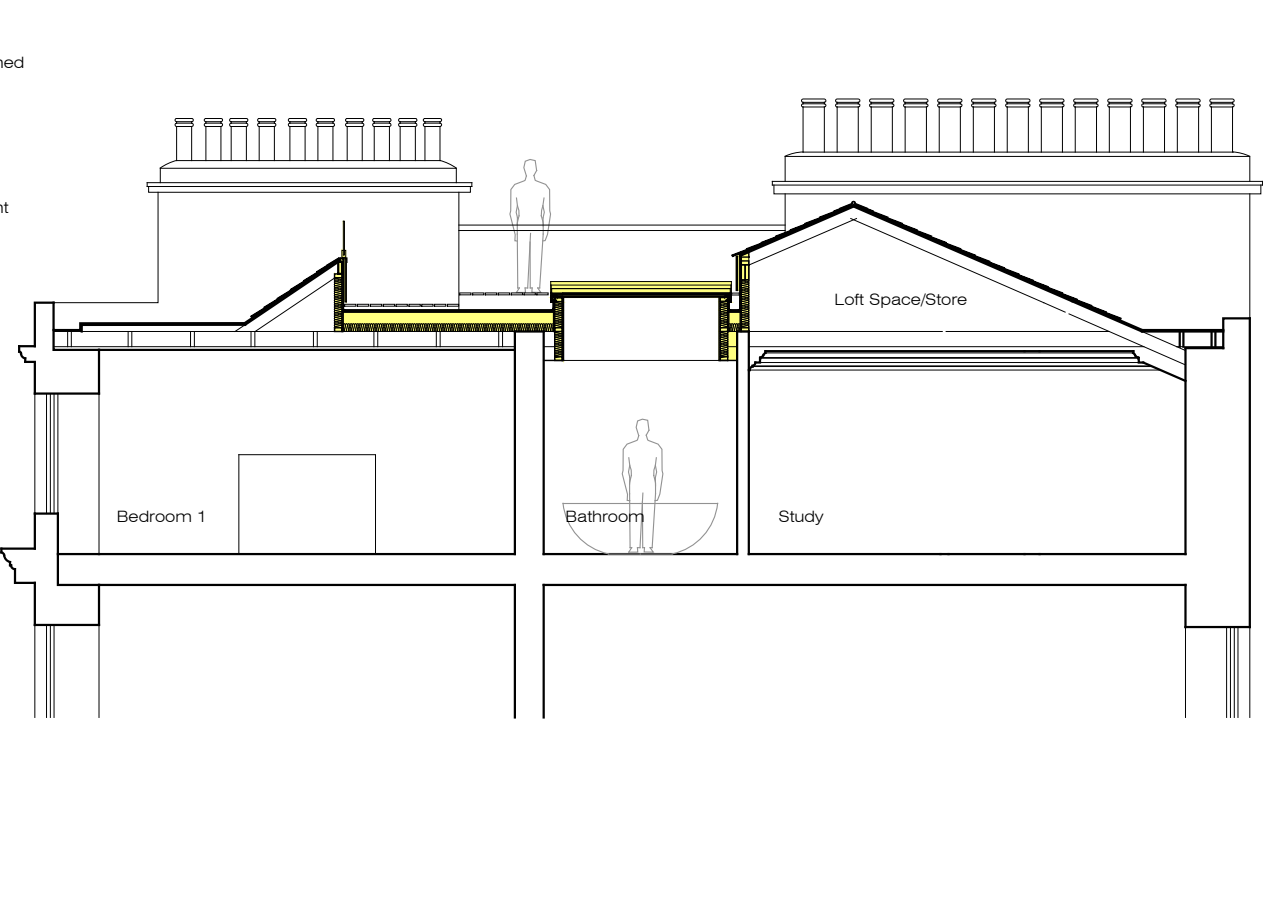
Roof Plan (low)



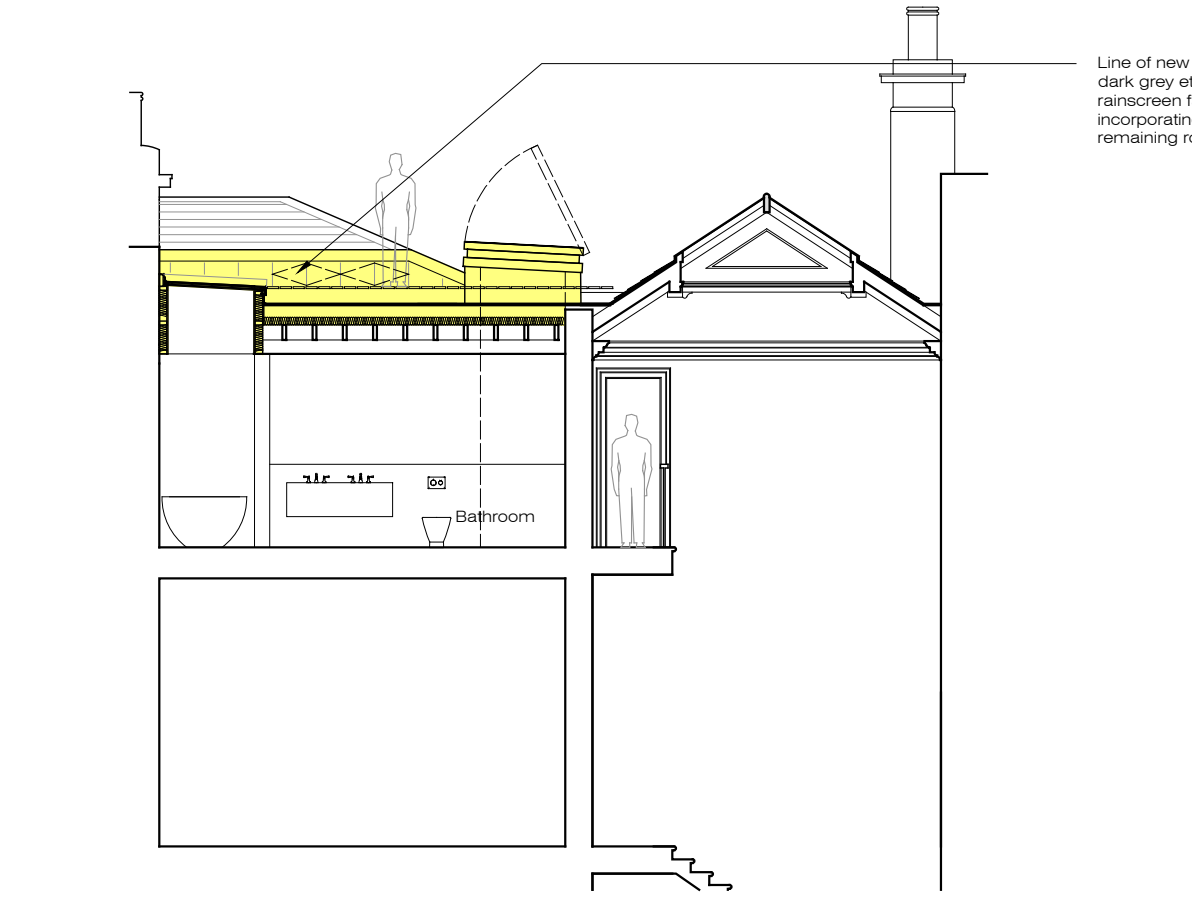
Roof Plan (high)



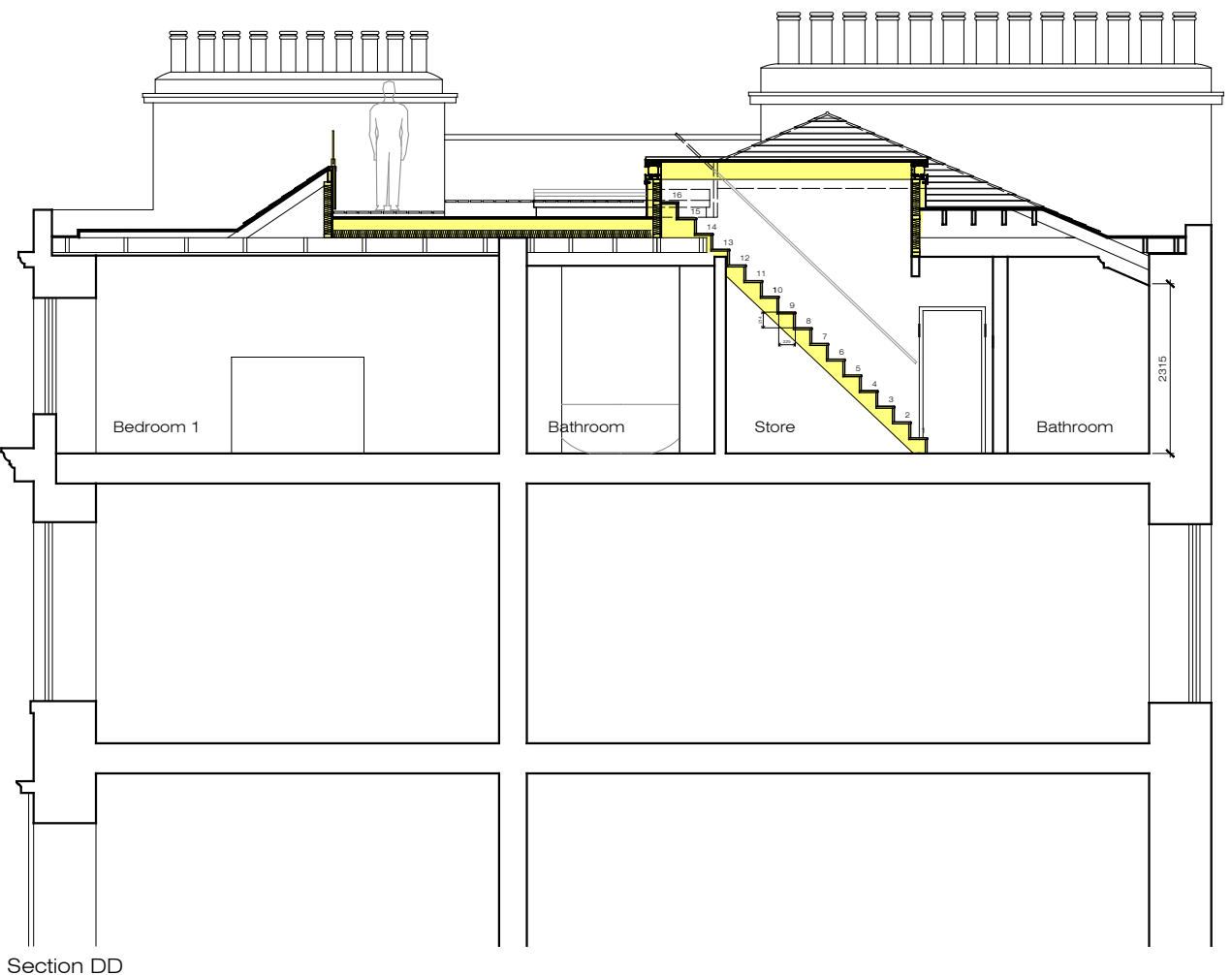
Section AA



Section BB



Section CC



Section DD

A Planning Issue

01.07.2020

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f 0131 220 6781 www.richardmurphyarchitects.com

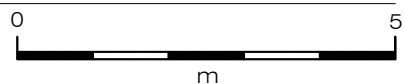
Richard Murphy
Architects

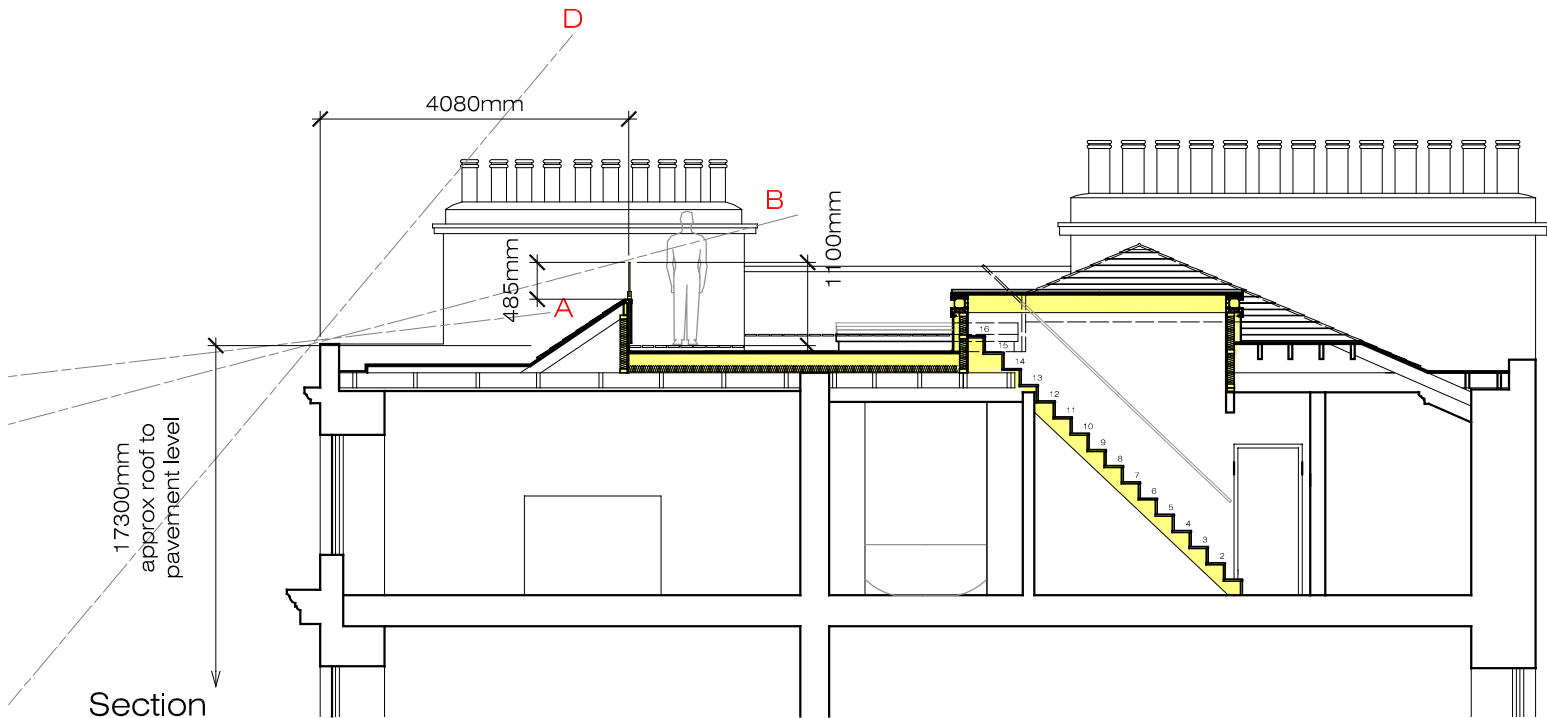
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Proposed Roof Level Extension

DRAWING TITLE Proposed
Plans, Sections & Elevations

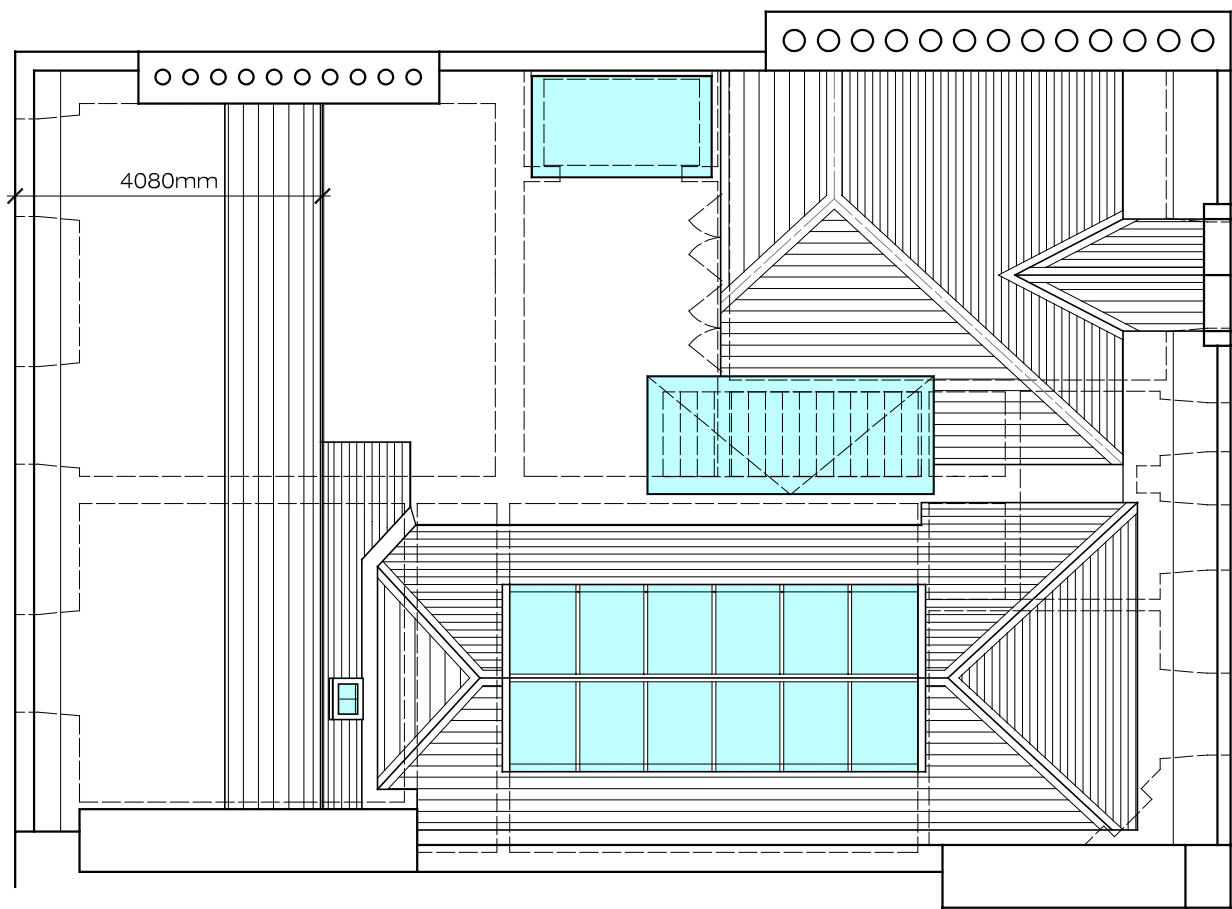
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DRAWING NO.	AL/02/01	REVISION	A





Section
scale1:100



Roof Plan
scale1:100



Existing Aerial View

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Architects

PROJECT TITLE **Flat 2F, 10 Randolph Crescent
Proposed Roof Level Alterations**

DRAWING TITLE **Proposed Roofplan and Section**

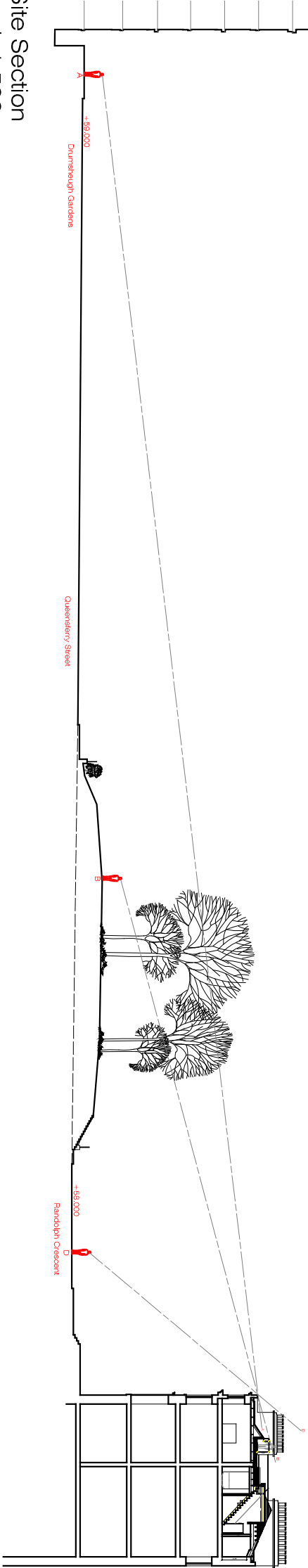
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FILE		SCALE	1:500/100

DRAWING NO.	PA/01/01	REVISION	
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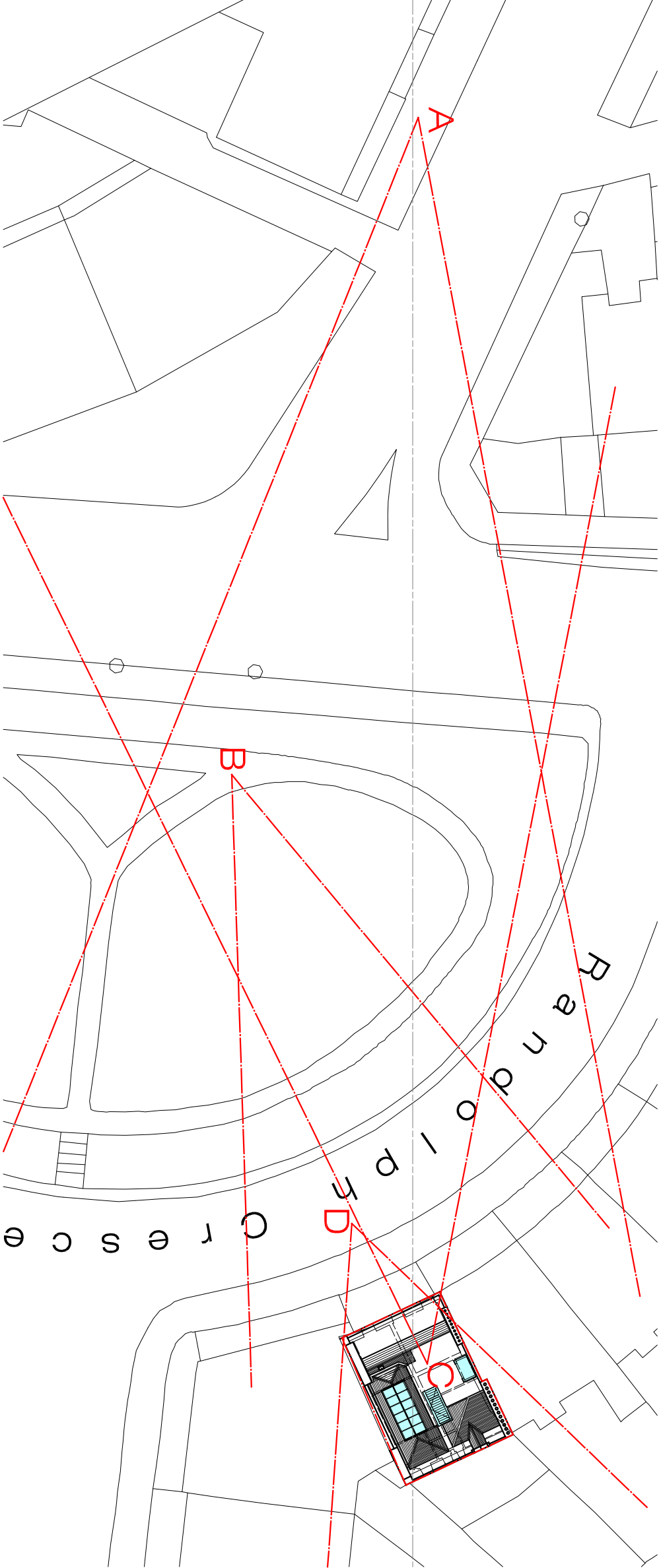
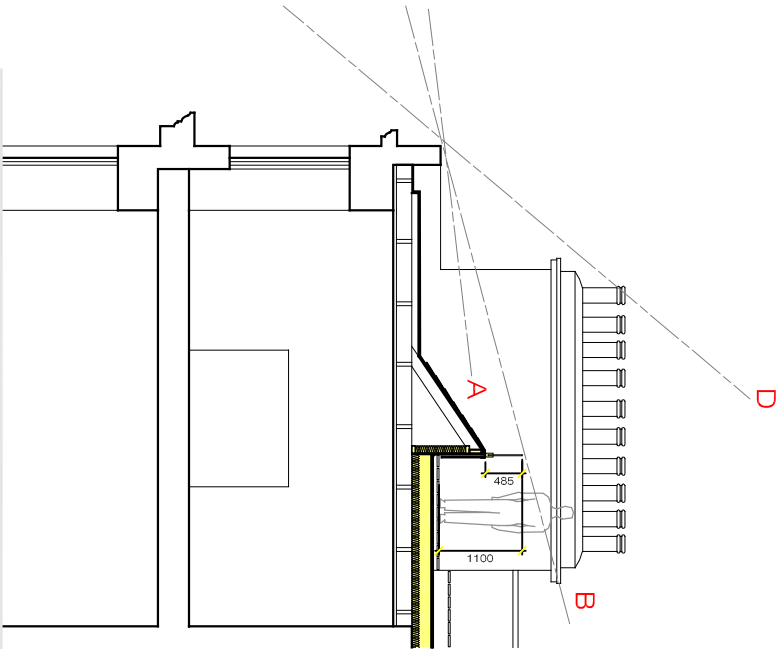


- A Existing roof and proposed glass balustrade edge just visible but partly masked by foliage
- B Existing roof and balustrade not visible (non public view from private gardens)
- C View from proposed balustrade position
- D Existing roof and proposed balustrade not visible



Site Section
scale 1:500

Detail Section
scale 1:100



Site Plan
scale 1:500



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Page 22 of 40

Richard Murphy Architects

PROJECT TITLE				Flat 2F, 10 Randolph Crescent			
DRAWING TITLE				Proposed Roof Level Alterations			
DRAWING TITLE				Viewpoint Locations			
DWG STATUS				Planning			
DRAWN		jem	JOB NO.		595		
CHECKED			DATE		16.11.20		
FILE			SCALE		1:500/100		
DRAWING NO.		PA/01/00		REVISION			

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FEM Building Design.
FAO: Dougie Mack
8 Plantain Grove
Lenzie
Glasgow
G66 3NE

Mr Darrell Hardy.
Flat 3f4 9 Stewart Terrace
Edinburgh
EH11 1UT

Decision date: 10 August 2020

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

Form a roof dormer on tenement roof (in retrospect).
At 3F4 9 Stewart Terrace Edinburgh EH11 1UT

Application No: 20/02206/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 2 June 2020, 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 and Enforced** 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:-

1. The scale and form of the dormer is overly dominant on the roofscape and an incongruous addition in the context of the tenement properties. It is therefore detrimental to the character and appearance of the existing property and neighbourhood character contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders.

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 scale, and form of the dormer is overly dominant on the roofscape and an incongruous addition in the context of the tenement properties. It is therefore detrimental to the character and appearance of the existing property and neighbourhood character contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders.

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 Lewis McWilliam directly at lewis.mcwilliam@edinburgh.gov.uk.

D R Leech

Chief Planning Officer
PLACE
The 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 www.eplanning.scot 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.

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 20/02206/FUL At 3F4 9 Stewart Terrace, Edinburgh, EH11 1UT Form a roof dormer on tenement roof (in retrospect).

Item	Local Delegated Decision
Application number	20/02206/FUL
Wards	B07 - Sighthill/Gorgie

Summary

The scale, and form of the dormer is overly dominant on the roofscape and an incongruous addition in the context of the tenement properties. It is therefore detrimental to the character and appearance of the existing property and neighbourhood character contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders.

Links

<u>Policies and guidance for this application</u>	LDPP, LDES12, NSG, NSHOU,
---	---------------------------

Report of handling

Recommendations

1.1 It is recommended that this application be Refused and Enforced subject to the details below.

Background

2.1 Site description

The proposal relates to an upper floor flat within a tenement building located on the north-east side of Stewart Terrace. The site lies in a primarily residential area.

2.2 Site History

The site has no planning history.

Main report

3.1 Description Of The Proposal

The application proposes the following works;

-Rear dormer (in retrospect)

An updated drawing (ref: 03) has been received by the agent showing mutual ownership on the location plan.

3.2 Determining Issues

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 not be detrimental to neighbourhood character;
- b) The proposal will cause an unreasonable loss to neighbouring amenity;
- c) Any comments raised have been addressed.

a) Scale, form, design and neighbourhood character

Policy Des 12 of the Edinburgh City Local Plan states that 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.

The non-statutory Guidance for Householders states in regard to dormers that they should be of a size that do not dominate the form of the roof and should leave visible expanses on all four sides. Further, that larger dormers maybe acceptable to the rear which are not readily visible from public viewpoints and where this fits with the character of the building and surrounding area.

The dormer is positioned on a tenement building to the rear of the site. The tenement is of a consistent scale, form and design to those evident in the surrounding area on Stewart Terrace, and neighbouring streets such as Wardlaw Place and Wardlaw Street.

The materials of the dormer are finished in slate which match the existing roofspace therefore raise no concern in this regard. However, the scale of the dormer does not leave visible expanses on all four sides and covers almost the entire roof space where it sits. In this respect, it is contrary to the above guidance, and is of a dominant and obtrusive form, harmful to the character of the existing property as viewed from the applicant's and neighbouring gardens to the rear of the site.

In respect of the surrounding area, such features are not characteristic of these tenement properties. The dormer by virtue of its dominant scale and form, appears incongruous in this wider context, at odds and detrimental to the character and appearance of the tenement properties.

The proposal is not of an acceptable scale, form and design and will be detrimental to the character of the existing building, and wider tenement properties in which these features are not commonplace. The proposal is therefore contrary to Local Plan Policy Des 12 and the non-statutory Guidance for Householders.

b) Neighbouring Amenity

In terms of privacy, the dormer looks onto communal garden space, which is already overlooked by neighbouring windows to the rear. In this regard no new privacy issues occur and an infringement of the guidance distance to boundaries is acceptable in this instance.

The development satisfies the 45 degree daylighting and sun lighting criterion in the non-statutory Guidance for Householders and therefore would have no impact on adjacent neighbouring windows or garden spaces in this regard.

In regard to the impact on daylight to the rear-facing windows on Wardlaw Place, given the presence of the existing trees, height of the tenement building and separation distance, the dormer is not considered to result in any unreasonable impact in this respect.

c) Public comments

Two representation have been received (one objection and one neutral comment) summarised as the following;

Material

-Impact on light - Addressed in section 3.3 b) of the above report.

-Trees not detailed on application form - The trees on-site are noted. The information submitted with the application was considered sufficient to determine the application.

Non-Material

-Management of trees during construction process - This area cannot be considered as part of assessing the merits of the proposal.

-Land Ownership - An updated location plan has been received by the agent showing mutual ownership and applicant's ownership. Land ownership issues are a private, civil, or legal matter which cannot be materially assessed as part of this planning application.

-Noise pollution - This matter is assessed under separate Environmental Protection legislation and does not form part of the assessment for a planning application of this nature.

It is recommended that this application be Refused and Enforced subject to the details below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The scale and form of the dormer is overly dominant on the roofscape and an incongruous addition in the context of the tenement properties. It is therefore detrimental to the character and appearance of the existing property and neighbourhood character contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders.

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

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

Two representations has been received.

Background reading / external references

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

Statutory Development**Plan Provision**

Policy - Edinburgh Local Development Plan - Urban Area

Date registered

2 June 2020

**Drawing
numbers/Scheme**

01, 03,

Scheme 1

David R. Leslie
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lewis McWilliam, Planning Officer
E-mail: lewis.mcwilliam@edinburgh.gov.uk

Links - Policies

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

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

Relevant Non-Statutory Guidelines

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

Appendix 1

Consultations

No Consultations received.

END

Comments for Planning Application 20/02206/FUL

Application Summary

Application Number: 20/02206/FUL

Address: 3F4 9 Stewart Terrace Edinburgh EH11 1UT

Proposal: Form a roof dormer on tenement roof

Case Officer: Lewis McWilliam

Customer Details

Name: Miss Nedelina Ilieva

Address: 11/16 Stewart Terrace Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I understand that the noise pollution will affect me, as I live at 11 Stewart Terrace, however I don't have any reasonable objection to this.

Comments for Planning Application 20/02206/FUL

Application Summary

Application Number: 20/02206/FUL

Address: 3F4 9 Stewart Terrace Edinburgh EH11 1UT

Proposal: Form a roof dormer on tenement roof

Case Officer: Lewis McWilliam

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Planning Application

Comment Reasons:

Comment: I understand that the noise pollution will affect me, as I live at 11 Stewart Terrace, however I don't have any reasonable objection to this.

Comments for Planning Application 20/02206/FUL

Application Summary

Application Number: 20/02206/FUL

Address: 3F4 9 Stewart Terrace Edinburgh EH11 1UT

Proposal: Form a roof dormer on tenement roof

Case Officer: Lewis McWilliam

Customer Details

Name: Ms Fiona Kelly

Address: 10 3f2 Wardlaw Place edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: There are statements made in the Application Form which are not reflective of the true position - firstly there are multiple trees within the garden of this property which are above the height of the third floor one of which directly touches the left hand side of this property. These trees are unstable and omitted from the planning application where there application states no to the question of trees. There has been no management of these trees on this property as part of this building works to reduce their height or improve the safety of this and adjacent properties. The second statement relates to land ownership - this is shared ownership / tenement building it is unclear from the application if the property owner has title of affect the changes to the property. The final note is that the extension height affects the light into the adjacent and opposite properties. The properties new height coupled with the trees over all affects the light into the adjacent / opposite properties. As this property is now actually built and that this is a retrospective application it is difficult to understand how the applicant or the builder thought that an extension to a third floor building into a fourth floor building wouldn't need these points of trees as per the application form or light addressed before the extension was built?

Comments for Planning Application 20/02206/FUL

Application Summary

Application Number: 20/02206/FUL

Address: 3F4 9 Stewart Terrace Edinburgh EH11 1UT

Proposal: Form a roof dormer on tenement roof

Case Officer: Lewis McWilliam

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

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Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: planning.support@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 100262652-002

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.

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: F.E.M Building Design

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

First Name: * Douglas Building Name:

Last Name: * Mack Building Number: 8

Telephone Number: * 07966201299 Address 1 (Street): * Plantain Grove

Extension Number: Address 2: Lenzie

Mobile Number: Town/City: * Glasgow

Fax Number: Country: * Scotland

Postcode: * G66 3NE

Email Address: * douglas@femdesign.co.uk

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" value="Flat 3f4"/>
First Name: *	<input type="text" value="Darrell"/>	Building Number: <input type="text" value="9"/>
Last Name: *	<input type="text" value="Hardy"/>	Address 1 (Street): * <input type="text" value="Stewart Terrace"/>
Company/Organisation	<input type="text"/>	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="EH11 1UT"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="REDACTED"/>	

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="3F4"/>
Address 2:	<input type="text" value="9 STEWART TERRACE"/>
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="EH11 1UT"/>

Please identify/describe the location of the site or sites

Northings	<input type="text" value="672208"/>	Easting	<input type="text" value="322991"/>
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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)

Form a roof dormer on tenement roof (in retrospect)

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 attached document 'Planning 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 Planning Drawings Photos

Application Details

Please provide the application reference no. given to you by your planning authority for your previous application.

20/02206/FUL

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

02/06/2020

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

10/08/2020

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

If there are reasons why you think the local Review Body would be unable to undertake an unaccompanied site inspection, please explain here. (Max 500 characters)

Access to the shared rear garden is through a communal stair which has a secure entryphone access

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 Douglas Mack

Declaration Date: 09/11/2020

The reason we are seeking a review of the refusal of Planning Permission is that the reason for refusal, that the proposed roof dormer is overly dominant on the roofscape and an incongruous addition in the context of the tenement properties is, in our opinion not substantiated. It was also suggested that the dormer would be detrimental to the character and appearance of the existing property and neighbourhood character, which, also we are not in agreement with, our reasoning outlined below. We would suggest that a precedence has been set in central Edinburgh with various roof dormers being permitted on the roof of tenement buildings in the recent past. We would highlight a recently approved dormer extension in the Leith Walk area as a comparison.

The roof dormer at 9 Stewart Terrace will not, in our opinion cause any detrimental affect to the existing roof space of the area. The dormer is to the rear of the property, facing onto another tenement roof more than 18m across the rear tenement gardens. The 18m distance is relevant for privacy between rear facing windows, although not an issue in this particular instance. We would suggest that the design of the front elevation of the dormer has been carried out sympathetically with regards to the impact on the immediate roofscape. Photo 2 submitted indicates the front face of the dormer being set at an angle away from the 90 degrees of the front elevation of the main tenement. The fact that the front aspect slopes away from the wallhead would suggest that the dormer might not even be considered a traditional dormer construction which would normally have it's front elevation at 90 degrees to the wall head. The use of Velux rooflights rather than traditional vertical face windows is also sympathetic to the original pitched roof. That the front face of the dormer is at an angle and is finished with a traditional slate front, along with the use of Velux rooflights on the angle is, in our opinion allows the dormer to sit comfortably in the original roofscape of the area. Numerous tenement properties In Edinburgh have Velux rooflights installed on the front and rear pitched roof areas and although this dormer does sit a steeper pitch than is normal, it doesn't cause any greater visual impact than those rooflights seen on many traditional Edinburgh tenement roofs. Photo number 1 provides an aspect on how little impact this slated dormer has on the roofscape of the tenement and in, fact the surrounding roofscape. Photo 3 is a (slightly blurred) outlook from the roof of the opposite tenement on Wardlaw Place indicating no visual impact from the opposite side of the rear gardens due to the mature trees in the garden. Photo 4 is a photo taken from the rear shared garden of the tenement looking upwards to the roof dormer. We would suggest that if anyone were to look up to the roof (doubtful if this were happen on any regular basis) the dormer does in fact blend in with the original roofscape with it's traditional materials.

Following from the paragraph above, we would suggest that the inference that the roof dormer is detrimental to the neighbourhood character is unfounded. It has long been known that rear gardens and rear elevations of tenements (of course, outwith Listed Buildings and Conservation areas) haven't been noted for any particular neighbourhood character, in fact, many are seen as neglected and unkempt. The rear garden of this tenement and the one opposite are relatively tidy and maintained by the residents and it is our opinion that the roof dormer addition would retain the neat, well kept character of the rear of the building.

With regards to precedence being set in conversion of tenement roofspaces in central Edinburgh, you will be aware that numerous developments in this manner

have taken place in the last 15- 20 years with what seems, an endless variation of design. As stated previously, it is our opinion that the rear elevation with its pitched roof and Velux rooflight arrangement is similar to many tenement conversions in Edinburgh. One similar tenement roof conversion with a similar sized roof dormer was approved by City of Edinburgh Council Planning last year in the Leith Walk area of Edinburgh (see Planning application 19/02850/FUL). The rear facing roof dormer is similar in size to that proposed in our application for 9 Stewart Terrace. Although on opposite sides of the periphery of Edinburgh city centre, we would suggest that approval does, in fact set a precedence for the erection of a roof dormer just outwith the city centre. Application 19/02850/FUL was approved with no objections raised by City Of Edinburgh Council.

To summarise, it is our opinion that this rear dormer would cause no greater impact on the character or roofscape of this tenement in the Gorgie area of Edinburgh than that which is visible at present. We also suggest that, due to the high volume of roofspace developments in traditional Edinburgh tenements and their varying design, this dormer would not cause any detrimental impact to the building or area than other roof developments carried out in central Edinburgh and would request that you consider this during review of our case.

Proposal Details

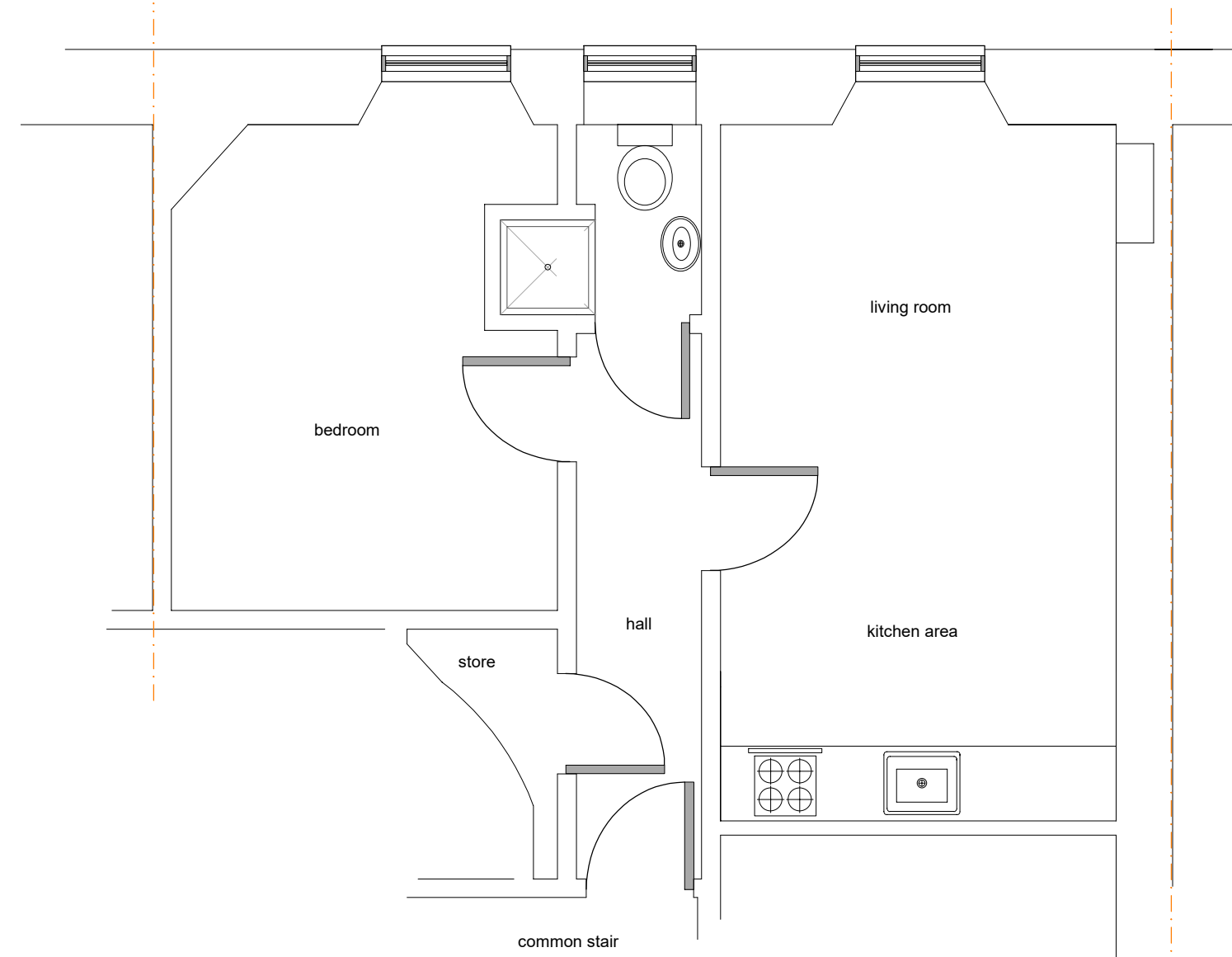
Proposal Name	100262652
Proposal Description	Alter flat
Address	3F4, 9 STEWART TERRACE, EDINBURGH, EH11 1UT
Local Authority	City of Edinburgh Council
Application Online Reference	100262652-002

Application Status

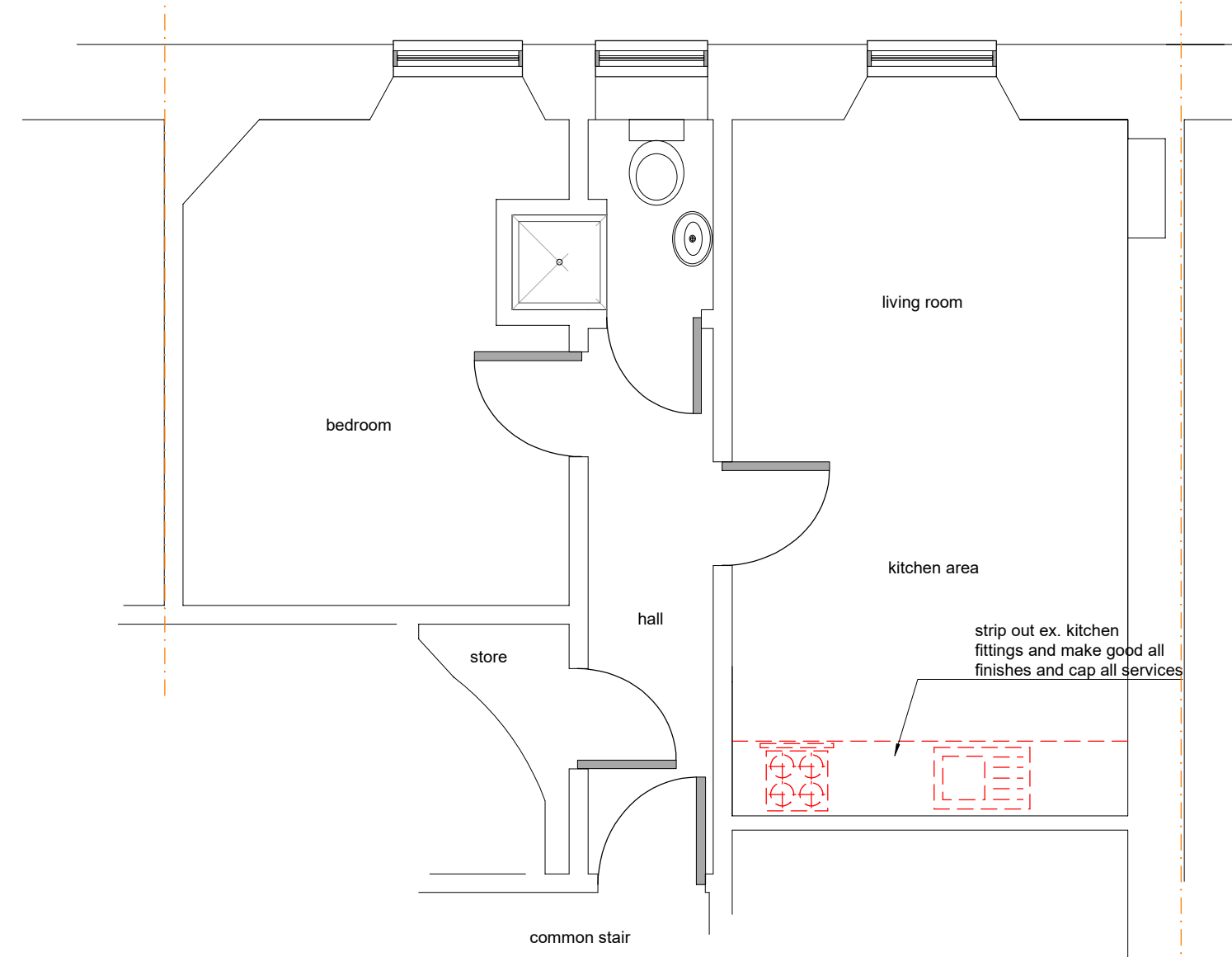
Form	complete
Main Details	complete
Checklist	complete
Declaration	complete
Supporting Documentation	complete
Email Notification	complete

Attachment Details

Notice of Review	System	A4
Existing and proposed floor plans and elevations	Attached	A1
Planning Appeal Statement	Attached	Not Applicable
Photo of side of dormer from adjacent tenement roof	Attached	Not Applicable
Front of dormer indicating angled front face	Attached	Not Applicable
View from opposite facing tenement roof	Attached	Not Applicable
View of dormer on rear elevation from back garden	Attached	Not Applicable
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-002.xml	Attached	A0



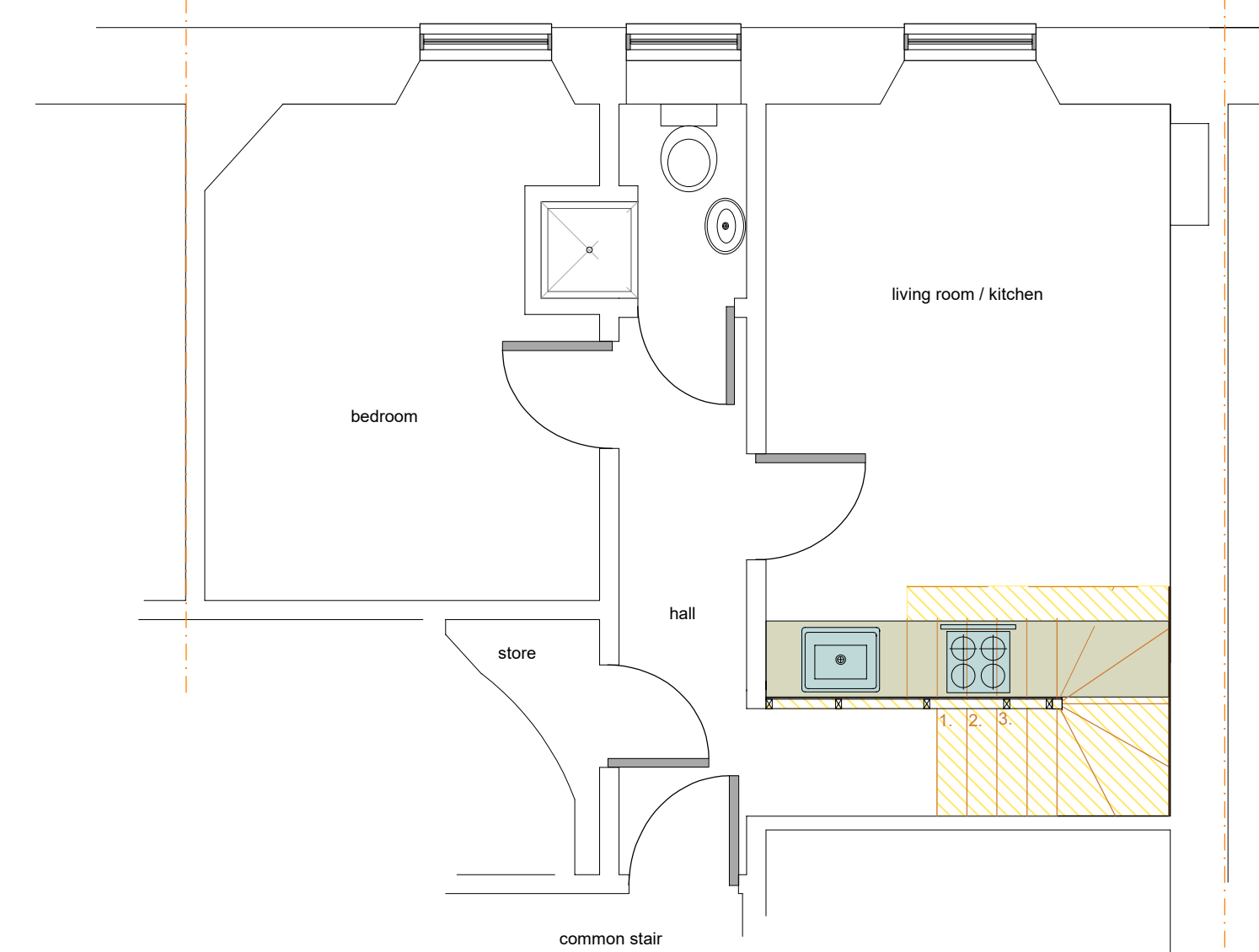
PART THIRD FLOOR PLAN AS EXISTING (1:50)



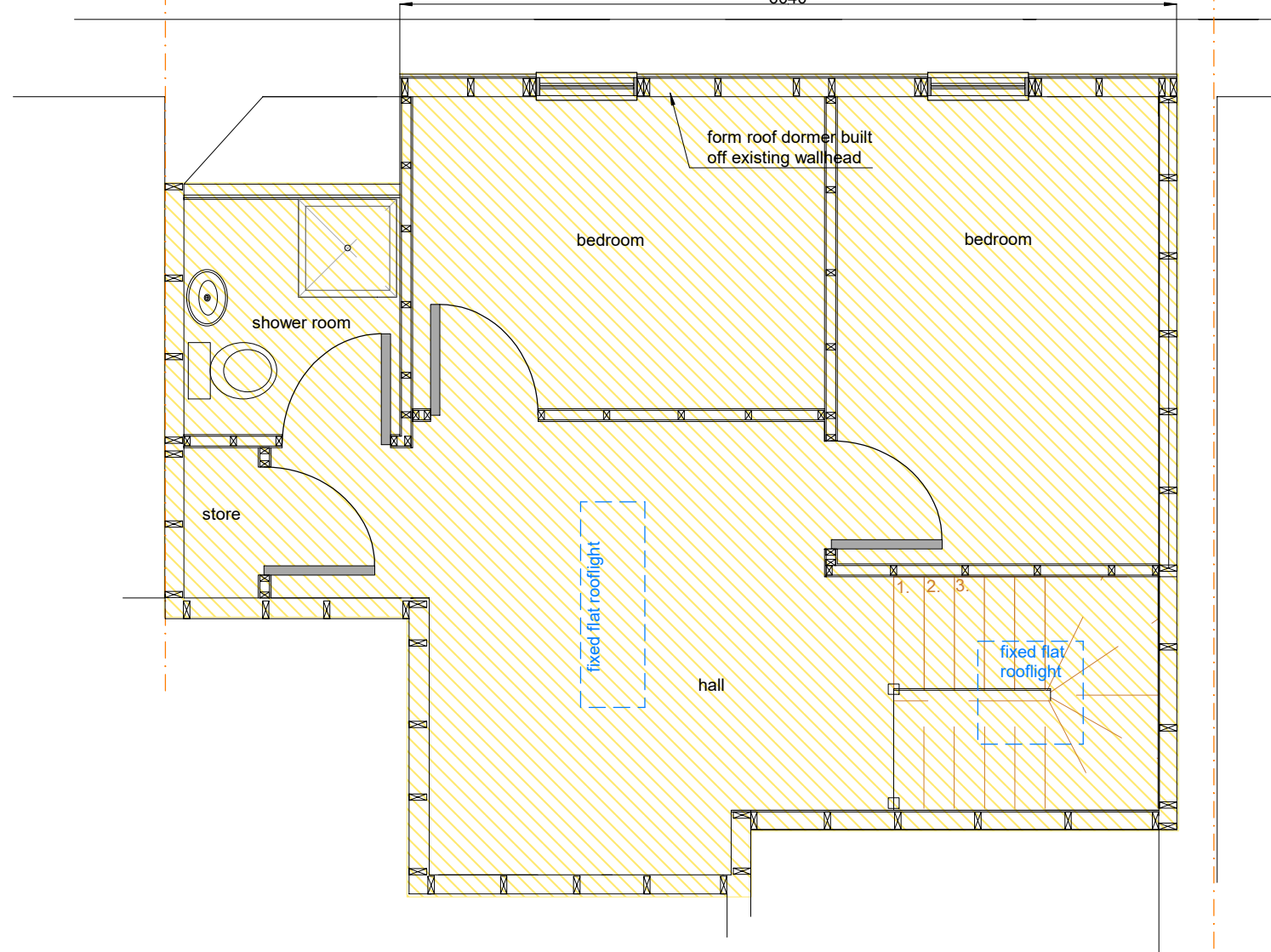
PART THIRD FLOOR PLAN INDICATING REMOVALS (1:50)



EXISTING REAR ELEVATION (1:100)



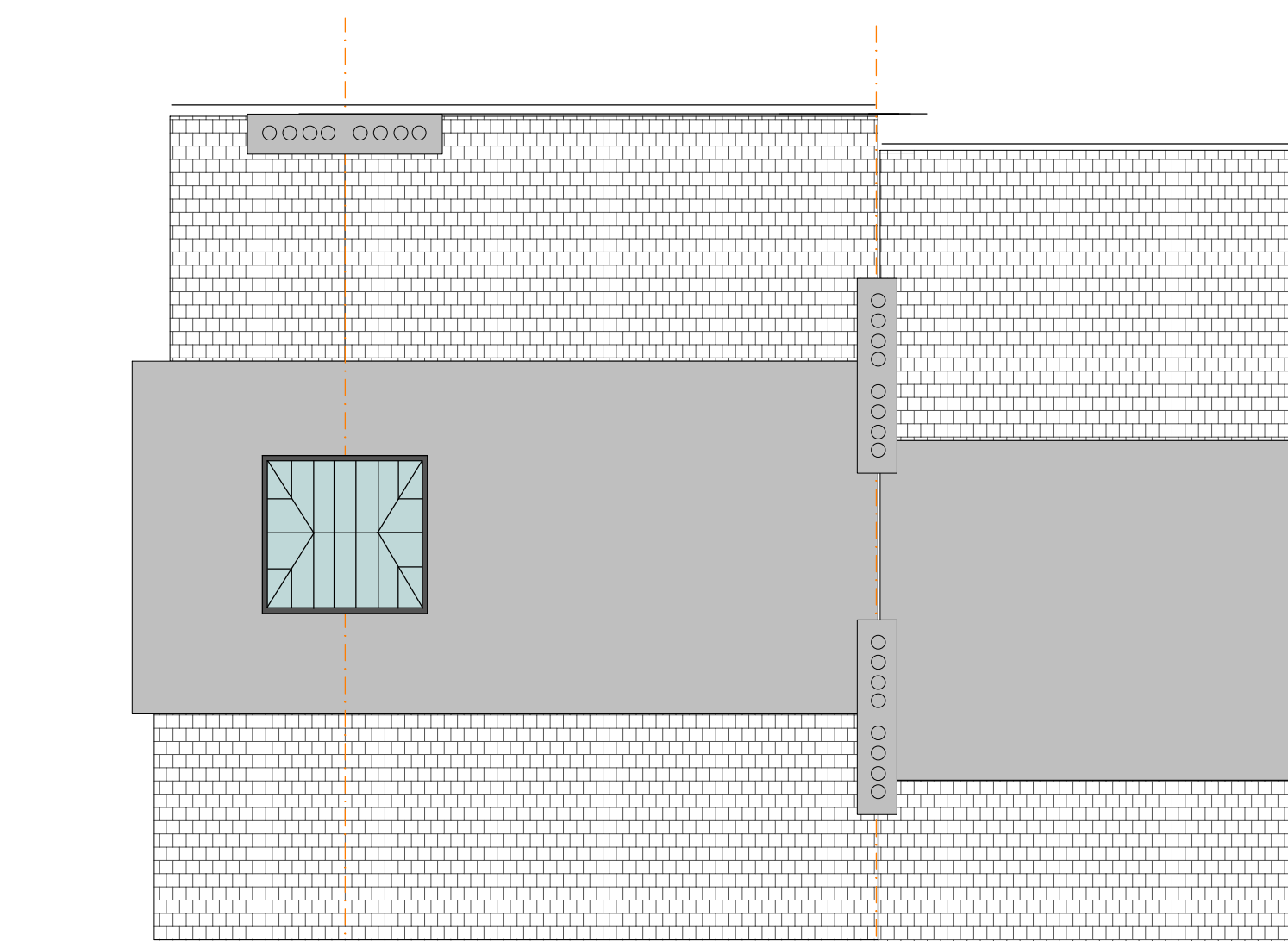
PROPOSED THIRD FLOOR PLAN (1:50)



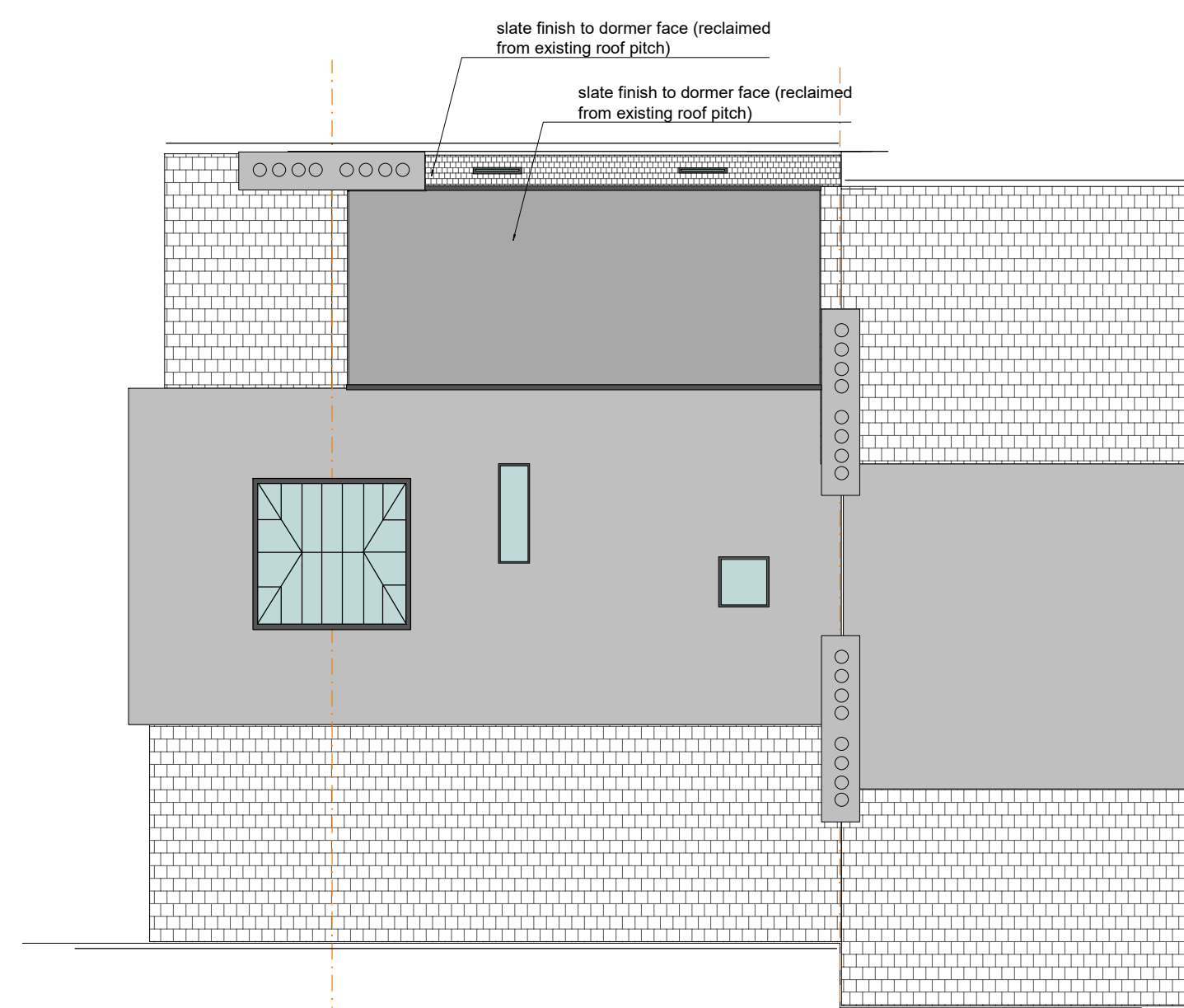
PROPOSED ATTIC FLOOR PLAN (1:50)



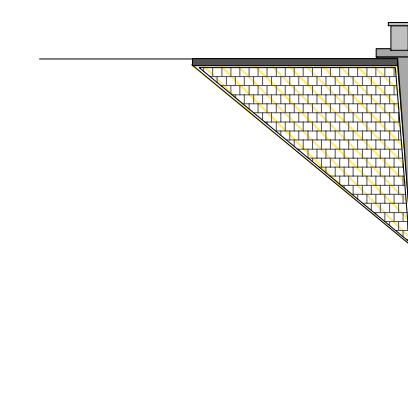
PROPOSED REAR ELEVATION (1:100)



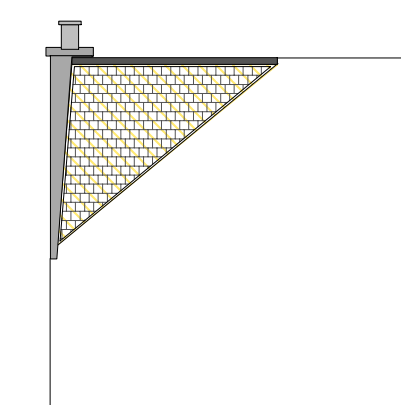
EXISTING ROOF PLAN (1:100)



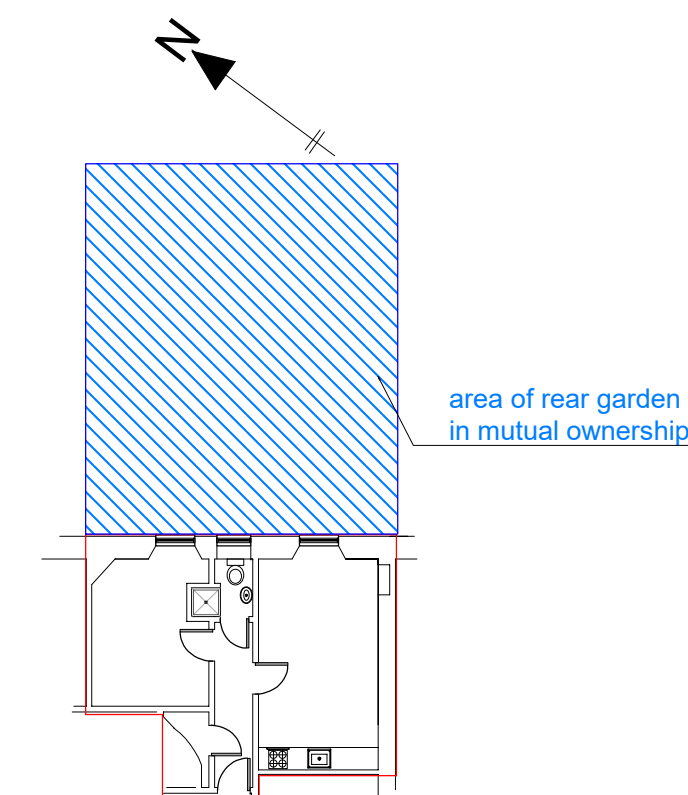
PROPOSED ROOF PLAN (1:100)



PROPOSED SIDE ELEVATION (1:100)



PROPOSED SIDE ELEVATION (1:100)



SITE BLOCK PLAN (1:200)



Scale 1:1250

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- The Construction (Design and Management) Regulations 2015(CDM2015) requires all contractors to have the skills, knowledge and experience to identify, reduce and manage health and safety risks. Principal contractor to plan , manage and monitor construction work carried out either by all contractors or by workers under the contractors control, to ensure that, as far as is reasonably possible, is carried out without risks to health and safety. If the design/contractor does not out the works themselves, it is classed as DIY and CDM 2015 does not apply)
- All dimension to be checked on site prior to works commencing
- Drawings must not be scaled. All dimensions are to be checked by contractor

Client:
Darrell Hardy
9 (3F4) Stewart Terrace
Edinburgh

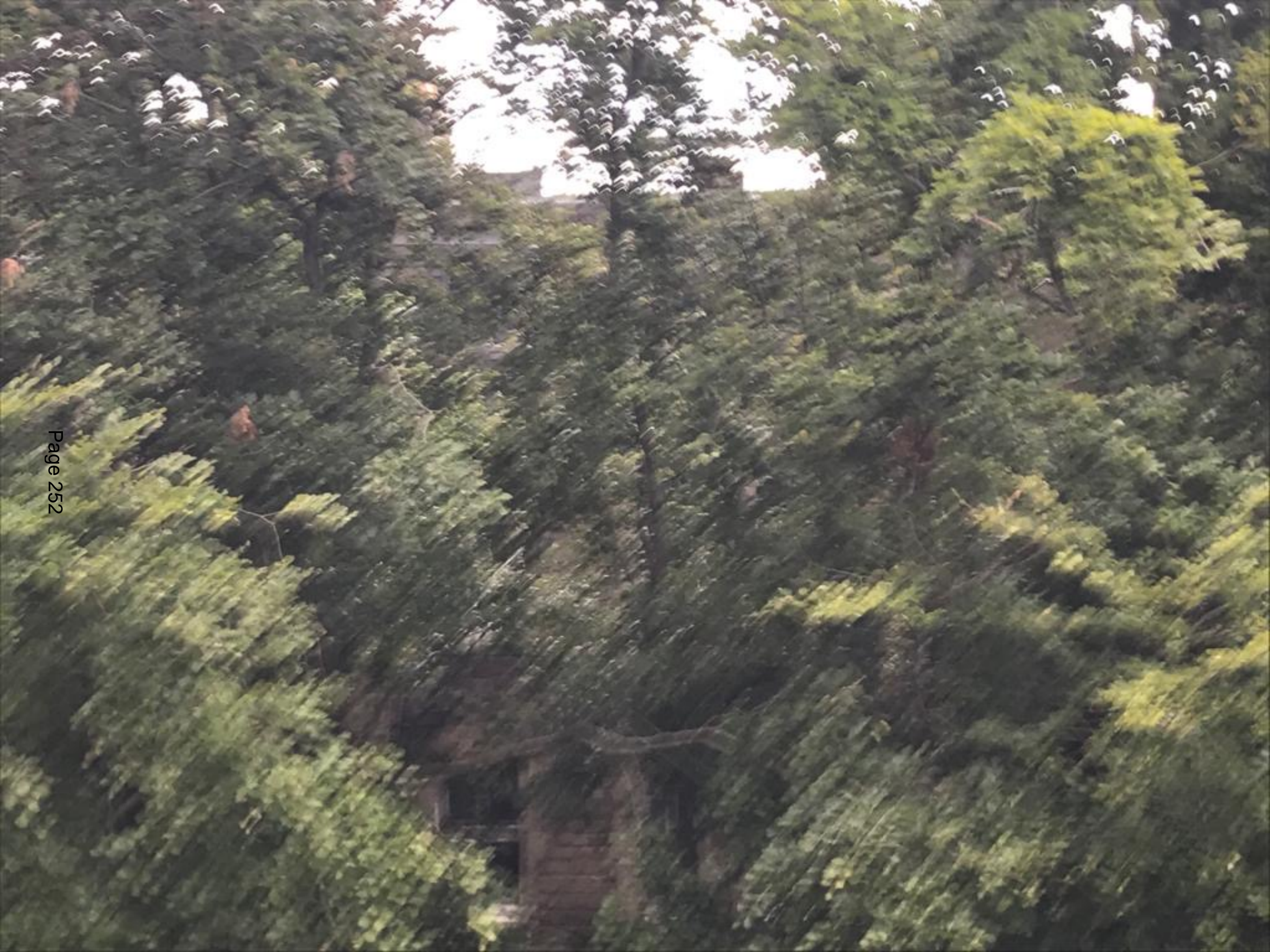
<p>Project : Alter flat and convert attic</p>	<p>10/1/2018</p>
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Drawing Number:
20/Hardy/PP/001(--)











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