

Notice of meeting and agenda

Planning Local Review Body (Panel 2)

10.00 am Thursday, 25th February, 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

Email: blair.ritchie@edinburgh.gov.uk

Tel: 0131 529 4085

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) – 20 January 2021 – submitted for approval as a correct record 7 - 14

5. Local Review Body - Procedure

- 5.1 Note of the outline procedure for consideration of all Requests for Review 15 - 18

6. Requests for Review

- 6.1 23 Minto Street Edinburgh – Extension to first floor above existing extension to create additional family bedrooms with shower rooms – application no 20/01975/FUL 19 - 96

- (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 97 - 100

[Local Development Plan Online](#)

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 [Listed Buildings and Conservations Areas](#) 101 - 148

The Historic Environment Policy for Scotland 2019

The Blacket Conservation Area Character Appraisal

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 20 January 2021

Present: Councillors Booth, Child, Osler, Rose and Young.

1. Appointment of Convener

Councillor Booth was appointed as Convener.

2. Minutes

To approve the minute of the Local Review Body (LRB Panel 2) of 2 December 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 – 60 (4F) North Castle Street Edinburgh

Details were submitted of a request for a review for the refusal of planning permission for the removal of existing dormers and associated alterations to the roof at 60 (4F) North Castle Street Edinburgh. Application no 20/02791/FUL.

Assessment

At the meeting on 20 January 2021, 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, 02, 03, 04, 05, 06, 07, 08, 09, 10, 11, 12, Scheme 1, being the drawings shown under the application reference number 20/02791/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 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)
- 2) Relevant Non-Statutory Guidelines.
'Guidance for Householders'
'Listed Buildings and Conservation Areas'
- 3) Other Relevant policy guidance
'The New Town Conservation Area Character Appraisal'
- 4) 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.
- 5) The procedure used to determine the application.
- 6) 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:

- That there had been previous alterations to the roof, to provide a glazed conservatory and terrace. However, changing the pitch of the roof would alter the structure of building, including the original beams, which had been damaged by the previous alterations.
- Considering the rear of the property; there was already a dormer on the rear elevation, which was being enlarged, but this elevation was not highly visible.
- Clarification regarding the roof pitch and the level to which this would be altered.
- That consideration should be given to the impact the alterations would have on the integrity of the building and the effect on the wider conservation area.
- There was a variety of different roof types in the area.

- That the officer recommendation was that LDP Policies Env 3, Env 4 and Env 6 were being breached as the roof alterations would cause discordance, excessive height, dominance and erosion of the original roofscape and fabric.
- That the Building Standards requirements were out with the scope of the LRB and members should consider the appeal from a purely planning perspective.
- If the LRB upheld the decision, it diluted the reasons for these policies. It was important protect buildings in a conservation area, however, considering the level of damage to the existing roof, this was not a straightforward case.
- The visual impact was very modest as the proposed dormer was not much bigger and the view of this would be restricted and to the rear of the property.
- There was limited structural change in the pitch of the roof. This remedied the previous alterations and improved living space.
- Previous alterations meant that the joists had been weakened and there were concerns about the structural integrity of the roof. There were some concerns about the proposed materials, but this could be conditioned.

Having taken all the above matters into consideration, the LRB determined that the proposals were not contrary to the Local Development Plan Policies Env 3, Env 4, Env 6 and Des 12, or to non-statutory guidelines on Listed Buildings and Conservation Areas.

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:

Conditions:

- 1) A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work was commenced on site; Note: samples of the materials might be required.

Reasons:

- 1) In order to enable the planning authority to consider this/these matter/s in detail.

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 constitutes 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.

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

5. Request for Review – 10 (2F) Randolph Crescent, Edinburgh

Details were submitted of a request for a review, for the refusal of planning permission 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 at 10 (2F) Randolph Crescent Edinburgh. Application no. 20/02744/FUL.

Assessment

At the meeting on 20 January 2021, 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 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 01-03, being the drawings shown under the application reference number 20/02744/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 4 (Listed Buildings - Alterations and Extensions)
Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
- 2) Relevant Non-Statutory Guidelines.
'Listed Buildings and Conservation Areas'
- 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:

- Why there were two different dates of assessment for the planning application and the listed building consent.
- That the Panel were only considering the planning application and that the listed building consent would be dealt with by the DPEA.
- Despite concerns by Historic Environment Scotland, the appellant had not made any alterations to their application. The appellant had provided information to demonstrate potential views to the development, which suggested the balustrade would be set so far back that it would not have a significant impact.
- Historic Environment Scotland might be more amenable to the proposals if the balustrade was moved slightly, was a bit shorter and was of a different material.
- Clarification was sought regarding the positioning of the balustrade on top of the ridge of the roof and why it needed to extend the full width of the roof, when the terrace was not the full width of the roof.
- It was explained that the pitched roof at the front of the property was quite small and the balustrade would sit on top of this. The balustrade was there as a safety measure.
- There was currently water damage from a leak in the roof and the appellant wanted to make better use of roof space, but this was insufficient reason to justify the proposed works.
- However, there was sympathy for the appellant wanting to create access to outdoor space.
- The appellant cited four other applications where something similar had been carried out, however, these were different types of properties and differing proposals.
- Every application was unique and there were different reasons for applications being granted. When a thorough investigation was undertaken, each application had to be taken on its own merits.
- The proposals were contrary to Env 6 and listed building consent guidance.

- There was sympathy for the applicant wanting to improve the premises and living area. Historic Environment Scotland did not have any objections except for the balustrade.
- Clarification was sought regarding mixed decisions and whether it would be feasible to grant the alterations and the roof terrace, but not the balustrade. It was advised that this course of action would not be suitable for this application as the balustrade was an integral part of the roof terrace proposals.
- The roof terrace was well-designed, and the balustrade was not excessively impactful. However, the need for these proposals had not been demonstrated.
- An opposing view was that the balustrade was not particularly intrusive, there had already been interventions in the roof and the owners should be allowed to make better use of living space.

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.

Decision

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

Reasons for Refusal:

- 1) The proposals did not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building and were not justified.
- 2) The proposals would result in an alteration that would not preserve 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.

6. Request for Review – 9 (3F4) Stewart Terrace, Edinburgh

Details were submitted of a request for a review, for the refusal of planning permission to form a roof dormer on tenement roof (in retrospect) at 9 (3F4) Stewart Terrace, Edinburgh. Application no. 20/02206/FUL.

Assessment

At the meeting on 20 January 2021, 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, 03, Scheme 1, being the drawings shown under the application reference number 20/02206/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 was sought as to whether there had been any enforcement action taken regarding the dormer.
- It was explained that planning officers may have invited the individual to submit an application to rectify the situation.
- The appellant alleged that the roof dormer was obscured because of trees.
- It was inappropriate for the applicant to proceed without planning permission, and this was not really a dormer, but a roof intervention.
- The dormer was overly dominant.
- It provided an improvement to the housing stock and made it more suitable for residents.
- The roof works represented a change to the building, but at a high level, they were not especially visible, because of the trees and was at the rear of the premises. Therefore, it was not detrimental to the character of the property.
- This was not in a conservation area, nor was it a historic building. It was not clear that LDP policies precluded residents making these interventions.

- There was some sympathy with the applicant as they wanted to expand their living space, however, the dormer was contrary to LDP policies. It was regrettable that the individual had not submitted a planning application.

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.

Decision

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

Reasons for Refusal:

The scale and form of the dormer was overly dominant on the roofscape and an incongruous addition in the context of the tenement properties. It was 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.

(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.

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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Alan Hardie Architect.
 FAO: Alan Hardie
 Suite 4 Dundas House
 Westfield Park
 Eskbank
 EH22 3FB

Mr Mohamad Yamin.
 23 Minto Street
 Edinburgh
 EH9 1RQ

Decision date: 23 October 2020

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

Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

At 23 Minto Street Edinburgh EH9 1RQ

Application No: 20/01975/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 13 May 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:-

Reasons:-

1. The proposals will introduce an extension of an inappropriate size, position and design that encloses the remaining original rear facade of the listed building with an incongruous mansard roofed extension which would adversely impact on the special architectural and historical interest of the listed building and its setting within the Blacket Conservation Area, the character or appearance of which it is desirable to preserve. The proposed works therefore fail to comply with sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they do not preserve the special interest of the listed building or preserve or enhance the character and appearance of the conservation area.

2. The proposals are contrary to the Edinburgh Local Development Plan Policies Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development' as they 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.

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

Drawings 1-7, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

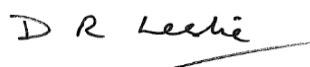
The reason why the Council made this decision is as follows:

The proposals are contrary to the Edinburgh Local Development Plan Policies Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development' as they 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.

The proposed works therefore fail to comply with sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they do not preserve the special interest of the listed building or 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 Diana Garrett directly at diana.garrett@edinburgh.gov.uk.



**Chief Planning Officer
PLACE**

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 20/01975/FUL At 23 Minto Street, Edinburgh, EH9 1RQ Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Item	Local Delegated Decision
Application number	20/01975/FUL
Wards	B15 - Southside/Newington

Summary

The proposals are contrary to the Edinburgh Local Development Plan Policies Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development' as they 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.

The proposed works therefore fail to comply with sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they do not preserve the special interest of the listed building or preserve or enhance the character and appearance of the conservation area.

Links

<u>Policies and guidance for this application</u>	LDPP, LEN06, LEN03, LEN04, NSG, NSLBCA, OTH, HEPS, HESEXT, CRPBLA,
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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 application site comprises an earlier 19th century Georgian townhouse with later alterations. The property is one of two near symmetrical classical houses constructed from cream sandstone ashlar, rusticated at ground; coursed rubble to sides and rear.

The property is a Category 'B' Listed building - listed on 14.12.1970 (ref: 29353).

This application site is located within the Blasket Conservation Area.

2.2 Site History

Planning history

04/03956/ADV - permission granted for 'Erection of an externally illuminated sign displaying the name of guest house (as amended)' 17.12.2004
05/00651/FUL - permission granted for 'Alteration to Minto guest house to form kitchen + extension to rear + side to form dayroom + bedrooms (as amended)' 10.06.2005
05/04211/FUL/LBC - application withdrawn to 'Build owners private residence plus parking for 5 cars (guest house)' 03.03.2006
06/01410/FUL/LBC - application withdrawn to 'Build owners private residence plus parking for 2 cars' 23.06.2006
07/04533/FUL/LBC - build owners private residence plus parking for 2 cars. Granted 17.04.2008 (FUL) and 13.05.2008 (LBC).
07/04533/VARY - non material variation - amendments to stone and slate details, dormer and window design, and removal of garage. Granted 17.09.2013.
12/02916/FUL and 2917/LBC - formation of new basement room and lightwell below existing dining room and create new vehicular access. Withdrawn October 2012.
14/01006/LBC - Proposed single storey extension to rear of property - granted 07.04.2014
15/01821/LBC & FUL - Erect single storey 'flat' roof extension to rear of property - granted 26.06.2015
19/02395/FUL and 19/02398/LBC - Extension to first floor above existing extension - refused 17.07.2019
20/01976/LBC - Extend at first floor level over existing ground floor extension to create three family bedrooms with showers - refused 22.10.2020

Enforcement history

04/00690/E29 - enforcement enquiry for 'Unauthorised Guest House Use' closed 10.11.2004
10.11.2004/05/00067/E01 - enforcement enquiry for 'Advertisements hanging in window of property and one attached to the stone work at the front' closed 08.02.2005
08/00165/ENCOMP - enforcement enquiry closed for 'Position of extension (in front of building line)' closed 31.03.2008
13/00056/ELBB - enforcement enquiry closed 15.03.2013
13/00250/ENCOMP - closed 26.09.2013

Main report

3.1 Description Of The Proposal

It is proposed that the existing flat roofed single storey extension to the rear be extended to create first floor level accommodation. The additional storey will form an additional 3 bedrooms and a bathroom.

The application is a resubmission of the 2019 scheme. The materials have been revised for this current application..

The extension will be located over the footprint of the ground floor extension and take the form of a mansard roof with dormer windows finished in stone and slate.

Supporting Statement

The agent has provided a Supporting Statement.

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 preserve or enhance the special character and/or appearance of the conservation area;
- (b) the proposals will adversely affect the special architectural or historic interest of the listed building;
- (c) public comments have been addressed;
- (d) the proposals will adversely affect neighbouring residential amenity; and
- (e) there are any equalities or human right implications.

(a) Impact on the special character and appearance of the conservation area

The Blasket Conservation Area Character Appraisal emphasises *the mix of substantial villas and terraces, the unified architectural form and materials, the sense of spaciousness derived from the generously proportioned gardens and large mature trees, and the predominance of residential uses*

The rear of the townhouse is clearly visible from the west end of Mayfield Terrace. Mayfield Terrace comprises one of the Blasket Conservation Area's five core streets and as a result is extremely sensitive to changes within its setting. The proposed extension, by virtue of its size, position, design and materials will adversely impact upon its strong setting and the conservation area by introducing a highly visible incongruous form of extension that encloses and as a result, obscures a significant part of the original random rubble sandstone elevation of the townhouse.

Although the property has been substantially altered and extended to a similar extent as many of the properties to the west side of Minto Street, the alterations and extensions have been designed using traditional subservient building forms, designs and materials to preserve views and the appreciation of the original townhouses to the rear.

The proposals are contrary to the Edinburgh Local Development Plan Policy Env 6 'Conservation Areas - Development' as they do not preserve the special character or appearance of the conservation area.

(b) Impact on special interest of listed building

Historic Environment Scotland *Managing Change in the Historic Environment Guidance on 'Extensions'* states that proposed extensions:

- must protect the character and appearance of the building;
- should be subordinate in scale and form;
- should be located on a secondary elevation; and
- must be designed in a high quality manner using appropriate materials.

Furthermore, the Edinburgh City Local Plan Policies relating to proposals affecting listed buildings states that they will be permitted where:

- those alterations or extensions are justified;
 - there will be no unnecessary damage to historic structures or diminution of its interest;
- and

- where any additions are in keeping with other parts of the building

The building is a classically detailed Georgian semi-detached villa that has been altered and extended to a significant degree. This is similar to many of the properties to east of Minto Street where large extensions and back-land development within the rear gardens of many of the villas have been developed over time.

The proposals comprise a further extension to an already substantially altered and extended townhouse and involve the addition of accommodation at first floor level over a previous flat roofed rear extension - the design of which was modified to a flat-roof from an earlier approval for a hipped roof to tie in and balance up with a similar form of extension on the adjoining townhouse. Both of the adjoining properties existing extensions retain the prominence of the sandstone walls of their original rear elevations.

The proposals would add further accommodation to what is already an intensely used site and amounts to excessive and inappropriate over-development of the listed building. The rear of the townhouse is clearly visible from both within and out-with the site. The extension, by virtue of its extent, form, position will combine to impact on the special architectural interest of the Georgian sandstone townhouse to an unacceptable detrimental effect.

The proposals are contrary to the Historic Environment Scotland 'Managing Change' guidance on 'Extensions' and the Edinburgh Local Development Plan Policy Env 4 'Listed Buildings - Alterations and Extensions' as they will adversely affect the special architectural and historic interest of the listed building to an unacceptable degree.

(c) Public comments

Objection

Material

- Impact on special interest of listed building: addressed in section 3.3 (b)
- Impact on special character and/or appearance of conservation area: addressed in section 3.3 (a)
- impact on amenity, intensification of use of site addressed in section 3.3 (d)

Non material

- increase in noise from guest house, addressed by separate legislation.
- impact on views, this is not a material planning matter

Support

- three letters in support of the application were received.

Community Council

- overdevelopment of site, addressed in section 3.3 (a) and (b)

- change of material to stone does not mitigate harm to listed building and conservation area, addressed in section 3.3 (a) and (b)

(d) Residential amenity

Given the position of the extension and the existence of higher extensions along the northern and southern boundaries of the semi-detached villa, any overshadowing or loss of daylight would fall upon the roof of the adjoining property's extension or be negligible. The proposals will not adversely affect the neighbouring residential amenity presently enjoyed by the occupants of the neighbouring property. The intensification and use of the property is not the subject of this application.

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.

The proposals are unacceptable.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposals will introduce an extension of an inappropriate size, position and design that encloses the remaining original rear facade of the listed building with an incongruous mansard roofed extension which would adversely impact on the special architectural and historical interest of the listed building and its setting within the Blasket Conservation Area, the character or appearance of which it is desirable to preserve. The proposed works therefore fail to comply with sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they do not preserve the special interest of the listed building or preserve or enhance the character and appearance of the conservation area.
2. The proposals are contrary to the Edinburgh Local Development Plan Policies Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development' as they 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.

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

The application was advertised on the 13 May 2020.

A total of fifteen letters were received, 12 objecting and 3 supporting, including letters from three residents associations; an amenity body; neighbours and a Community Council. The letters of support were from neighbours.

A full assessment of the representations can be found in the main report in the Assessment section

Background reading / external references

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

Statutory Development

Plan Provision Urban Area within the Edinburgh Local Development Plan.

Date registered 13 May 2020

Drawing numbers/Scheme 1-7,
Scheme 1

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

Contact: Diana Garrett, Planning officer
E-mail: diana.garrett@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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.

Relevant Non-Statutory Guidelines

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

Other Relevant policy guidance

The Historic Environment Policy for Scotland 2019 outlines Government policy on how we should care for the historic environment when taking planning decisions.

Managing Change in the Historic Environment: Extensions sets out Government guidance on the principles that apply to extending listed buildings.

The Blacket Conservation Area Character Appraisal emphasises the mix of substantial villas and terraces, the unified architectural form and materials, the sense of spaciousness derived from the generously proportioned gardens and large mature trees, and the predominance of residential uses.

Appendix 1

Consultations

No consultations undertaken.

END

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing to lodge my objection to this extension. We live next door, which is a listed building and have windows facing south. The loss of sunlight and daylight and privacy will be significantly affected by a second floor extension by 23 Minto Street. In addition to the change to the appearance of the area for Grantully place, the impact on the conservation area, we work from home so will also be affected by any noise and disruption.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Mrs Patricia Santelices

Address: 22 Minto Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: I am writing to lodge my objection to this extension. We live next door, which is a listed building and have windows facing south. The loss of sunlight and daylight and privacy will be significantly affected by a second floor extension by 23 Minto Street. In addition to the change to the appearance of the area for Grantully place, the impact on the conservation area, we work from home so will also be affected by any noise and disruption.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Mrs Wendy Regaard

Address: Flat 1 22 Minto Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Application location 23 Minto Street, Edinburgh EH9 1RQ

I am the owner of flat 1, 22 Minto Street. I wish to object to this application on the following grounds:

- 1 All the proposed bedrooms are en-suite, leading to the question of whether this development is for a permanent family home, or whether there will be a future change of use to a guest house. A guest house involves noise, with taxis drawing up and much coming and going in front of number 22.
- 2 The applicant has mentioned a former planning decision to permit brick-built houses in Grantully Place behind number 22. This is of no relevance, since planning rules are now different. The historic built heritage of Edinburgh has suffered many indignities in the past - the situation is much better now.
- 3 The applicant has mentioned the glass atrium joining the two fine villas, which formerly formed part of the Minto Hotel. I would like to point out that a glass structure cannot be described as fully permanent - it is a vast improvement on the previous built structure, as it does not impair the integrity of the two adjacent villas.
- 4 The proposed development will have an adverse effect on the rear aspect of number 22. At present there is a pleasing view of the buildings from Mayfield Terrace and further erosion of the historic heritage of these listed houses is to be regretted. The street scene does not apply solely to the fronts of the buildings. Once a precedent is set, further applications are may follow. Minto Street is a fine, distinguished street, albeit now very busy, and is part of Edinburgh's social history.
- 5 A previous nearby development by this applicant has given rise to dissatisfaction; I believe that it was not consistent with the guidance policy for the Conservation Area. 6 I hope that the Council will not approve this application as I feel that Minto Street should be protected and has already suffered enough from insensitive changes.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Application location 23 Minto Street, Edinburgh EH9 1RQ

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- 5 A previous nearby development by this applicant has given rise to dissatisfaction; I believe that it was not consistent with the guidance policy for the Conservation Area. 6 I hope that the Council will not approve this application as I feel that Minto Street should be protected and has already suffered enough from insensitive changes.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Ms Anna Regaard

Address: 21 Blasket Place Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. There is already over development of this site

2. There is potential in the future to use the new development for further guest accommodation (all rooms planned are ensuite) causing further noise, parking pressures and inconvenience to neighbouring properties. There is not sufficient parking in the area.

3. Recent development by the applicant in Mayfield Terrace has not been consistent with detailing and use of materials in guidance policy for the Conservation area.

4. The development will cause significant reduction to light levels affecting the neighbouring properties.

5) The development will negatively affect the skyline/view from the rear of the neighbouring properties with the obstruction of the line of sight from Mayfield Terrace, Grantully Place and Minto Street properties

6) The development will have a negative impact on the character of the Conservation area/ building heritage and is inappropriate and unattractive visually. It sets a precedent for further development of neighbouring listed properties.

7) The development will overlook other properties resulting in a lack of privacy.

8) Previous development in Grantully Place was undertaken at a time prior to the controls appropriate for Conservation areas/Listed buildings so are of no relevance. The Minto Street Hotel conversion glass atrium is neither accommodation or permanent structure so is of no relevance.

Minto Street contains of some of the oldest and most important listed buildings in the south of Edinburgh which make them inappropriate for this type of development.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment:1. There is already over development of this site

2. There is potential in the future to use the new development for further guest accommodation (all rooms planned are ensuite) causing further noise, parking pressures and inconvenience to neighbouring properties. There is not sufficient parking in the area.

3. Recent development by the applicant in Mayfield Terrace has not been consistent with detailing and use of materials in guidance policy for the Conservation area.

4. The development will cause significant reduction to light levels affecting the neighbouring properties.

5) The development will negatively affect the skyline/view from the rear of the neighbouring properties with the obstruction of the line of sight from Mayfield Terrace, Grantully Place and Minto Street properties

6) The development will have a negative impact on the character of the Conservation area/ building heritage and is inappropriate and unattractive visually. It sets a precedent for further development of neighbouring listed properties.

7) The development will overlook other properties resulting in a lack of privacy.

8) Previous development in Grantully Place was undertaken at a time prior to the controls appropriate for Conservation areas/Listed buildings so are of no relevance. The Minto Street Hotel conversion glass atrium is neither accommodation or permanent structure so is of no relevance.

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Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Mrs Anne Henderson

Address: 4 Mayfield Terrace Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We are concerned about the impact of this extension on the local area. There is considerable traffic and parking problems in the street already due to the business run from the building in the grounds that was initially supposed to be a garage. It seems likely that this will just be used to extend the bed and breakfast business.

The modern look of the extension is not in keeping with the character of the surrounding area

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: We are concerned about the impact of this extension on the local area. There is considerable traffic and parking problems in the street already due to the business run from the building in the grounds that was initially supposed to be a garage. It seems likely that this will just be used to extend the bed and breakfast business.

The modern look of the extension is not in keeping with the character of the surrounding area

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Mrs Marie Ogilvie

Address: 62/3 Blasket Place Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The older development in Grantully Place already blocks out the view from my ground and garden flat across to 23 Minto Street and beyond to Blackford Hill. However, my car is garaged directly opposite the proposed development at the rear of no 23, where the entrance to their parking area is, at the west end of Mayfield Terrace. Hence I am all too aware of the increased traffic already exiting Mayfield Terrace on to Minto Street, and the lack of any additional space for parking in that area.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: The older development in Grantully Place already blocks out the view from my ground and garden flat across to 23 Minto Street and beyond to Blackford Hill. However, my car is garaged directly opposite the proposed development at the rear of no 23, where the entrance to their parking area is, at the west end of Mayfield Terrace. Hence I am all too aware of the increased traffic already exiting Mayfield Terrace on to Minto Street, and the lack of any additional space for parking in that area.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Miss Iqra Khan

Address: 6 Minto Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Having looked at the application, it seems to be a reasonable way to support a local family, whilst appreciating the need for them to live on site to run their business. The changes to the current extension would improve its appearances in terms of the conservation area.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Having looked at the application, it seems to be a reasonable way to support a local family, whilst appreciating the need for them to live on site to run their business. The changes to the current extension would improve its appearances in terms of the conservation area.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Ms Nora Wilson

Address: Blossom Guest House 8 Minto Street Edinburgh

Comment Details

Commenter Type: Neighbour-Commercial

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have looked at this application and as I am a guest house owner I completely support it. I understand how important it is to have comfortable private living accommodation for your family, given that work and home are at the same place. I wish them all the success.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Commercial

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I have looked at this application and as I am a guest house owner I completely support it. I understand how important it is to have comfortable private living accommodation for your family, given that work and home are at the same place. I wish them all the success.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Mr Tony Harris (Grange/Prestonfield Community Council)

Address: 21 Mentone Terrace Edinburgh

Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Summary of Applications: 20/01975/FUL & 20/01976/LBC are to provide at first floor level on top of an existing rear extension a mansard roofed addition to provide 3 additional bedrooms, stated to be for family use. That part of 23 Minto Street shown on the drawings as family dwelling has 4 bedrooms, which these proposals would increase to 7. The rest of 23 Minto Street is in the ownership of the applicant and is in use as a guesthouse. Also shown as being in the ownership of the applicant is the separate dwelling to the east now referred to as 1b Mayfield Terrace with adjoining it another building incorporating 3 lock-up garages.

Site: The application site is shown as the footprint of the owner's family accommodation plus a small enclosed yard and the garden ground between the existing rear extension and 1b Mayfield Terrace. Adjoining 23 Minto Street to the south are 23a and 23b, the other part of this B Listed semi-detached villa pair (Listing reference LB 29353), 23b being a "lodge" flat with a separate entrance off Mayfield Terrace.

Changes from last year: These new applications are similar to 19/02395/FUL and 19/02398/LBC refused by Notifications of Decision dated 17 July 2019, with the following changes:-

- (i) The mansard roof gable ends are now to be in natural stone, previously in facing brick.
- (ii) The 3 additional bedrooms are now to be part of the owner's accommodation, whereas previously the intention was to create 3 similar additional bedrooms for the guesthouse, the application site then being the whole of 23 Minto Street.

GPCC Comments: Grange/Prestonfield Community Council (GPCC) objected to last year's applications and agreed with the reasons for refusal by CEC, as set out in the Reports of Handling and Notifications of Decision of 17th July 2019. GPCC considers that the changes made in these

new applications do not support different conclusions and decisions, for the following reasons:-

(i) The change to sandstone for the mansard roof gable ends, although a small beneficial change in proposed materials, still does not mitigate other adverse impacts referred to in the Reports of Handling, such as "The proposals would add further accommodation to what is already an intensely used site and amounts to excessive and inappropriate over-development of the listed building". We consider that the change to sandstone for the gable ends alone would not remove the detrimental effect on the special architectural and historic interest of the listed building, caused by a massive and incongruous mansard roofed extension and dormers at first floor level. This proposed scheme would not preserve or enhance the special character or appearance of the Blacket Conservation Area.

(ii) There is no greater justification for the 3 additional bedrooms in the mansard roofed first floor extension to be part of the owner's family accommodation than to be part of the guesthouse, as proposed last year. We consider that the "Client Supporting Statement" with the application documents add nothing new in planning terms and should be disregarded. The planning history of the whole 23 Minto Street site shows varying approaches to the division between guesthouse and owner's accommodation. When what is now referred to as 1b Mayfield Terrace was in course of development as owner's private residence, being granted planning consent for that purpose in April 2008 as part of 23 Minto Street, a further application 14/01801/FUL was made for change of use of this separate dwelling from residential to Class 7 guesthouse. This was ruled as not development as it was "not a separate planning unit. It is therefore concluded that the application concerns the reallocation of use within the same site and that no change of use is occurring", so planning permission was not required. The site of the present applications is part of 23 Minto Street and separating this for planning application purposes from what in the past has been part of the same site and describing it as family dwelling should not now be used to justify yet further development of an already over-developed site.

Conclusion: For the reasons set out above GPCC, considers that these new applications are no more justified than those refused last year. The reasons for refusal were then set out in detail in the Reports of Handling and need not be repeated in these comments. GPCC objects to these new applications and requests that they be refused.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Community Council

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Summary of Applications: 20/01975/FUL & 20/01976/LBC are to provide at first floor level on top of an existing rear extension a mansard roofed addition to provide 3 additional bedrooms, stated to be for family use. That part of 23 Minto Street shown on the drawings as family dwelling has 4 bedrooms, which these proposals would increase to 7. The rest of 23 Minto Street is in the ownership of the applicant and is in use as a guesthouse. Also shown as being in the ownership of the applicant is the separate dwelling to the east now referred to as 1b Mayfield Terrace with adjoining it another building incorporating 3 lock-up garages.

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Conclusion: For the reasons set out above GPCC, considers that these new applications are no more justified than those refused last year. The reasons for refusal were then set out in detail in the Reports of Handling and need not be repeated in these comments. GPCC objects to these new applications and requests that they be refused.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Mrs Iram Shakeel

Address: 47 Minto street Edinburgh

Comment Details

Commenter Type: Neighbour-Commercial

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I think its a lovely idea, I know them personally and it's for the families residence. I see no issue with this.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Commercial

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I think its a lovely idea, I know them personally and it's for the families residence. I see no issue with this.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Org Doric House and Grantully Place Residents Association

Address: 21 Minto Street Edinburgh

Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Residents Association - On behalf of our residents and owners.

No Neighbour Notification received

- 1) Potential in future to use the new development for further guest house accommodation (all the rooms are en-suite) providing further noise, parking pressures and inconvenience to neighbouring properties. There is not sufficient parking in area.
- 2) There is already an over-development of their site.
- 3) Recent development by the applicant in Mayfield Terrace has not been consistent with detailing and use of materials in guidance policy for the conservation area.
- 4) Development will cause significant reduction to light levels affecting neighbouring properties.
- 5) Development will negatively affect the skyline/view from the rear of the neighbouring properties with the obstruction of the line of site from Mayfield Terrace and Minto Street properties.
- 6) The development will have a negative impact on the character of the Conservation area and building heritage. It sets a precedent for further development of neighbouring listed properties.
- 7) The development will overlook other properties resulting in a lack of privacy.
- 8) Previous development in Grantully Place was undertaken at a time prior to the controls appropriate for Conservation areas/Listed buildings so are of no relevance.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Residents Association - On behalf of our residents and owners.

No Neighbour Notification received

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Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Mr Kenneth Merriman

Address: 21/3 Minto Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: No Neighbour Notification received

- 1) Potential in future to use the new development for further guest house accommodation (all the rooms are en-suite) providing further noise, parking pressures and inconvenience to neighbouring properties. There is not sufficient parking in area.
- 2) There is already an over-development of their site.
- 3) Recent development by the applicant in Mayfield Terrace has not been consistent with detailing and use of materials in guidance policy for the conservation area.
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Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

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Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: No Neighbour Notification received

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Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Mr Richard Scothorne for the Blasket Association

Address: 7 Alfred Place Edinburgh

Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: On 20th June 2019 The Blasket Association strongly objected to Applications 19/02395/FUL and 19/02398/LBC for the development of a new second floor development within a Mansard roof at 23 Minto Street. This application was subsequently refused.

This new planning application appears to be almost identical with the exception of the intended use by the owners and the change of material on the side wall from brick to stone.

Neither of these changes alters our view of this development.

The rear of this building is highly visible on the route out of Mayfield Terrace onto Minto Street, to the extent that its contribution to local amenity and appearance should be considered as a frontage would be.

The building has already been substantially altered and this application fails to add any coherence to the appearance of the B listed building and will hide a significant part of its original rear stone wall. The development will enclose the original rear of 23 Minto Street and have an adverse impact on the special architectural and historical interest of the listed building and its setting within the Blasket Conservation Area. The use of a near vertical rear elevation is inappropriate and fails to have any relationship to the original buildings around it.

The proposed works therefore fail to comply with sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they do not preserve the special interest of the listed building or preserve or enhance the character and appearance of the conservation area.

The proposals are contrary to the Edinburgh Local Development Plan Policies Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development'. They 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.

In addition, the proposed development will directly overlook the private garden of the adjacent property at 21 Minto Street and for part of the day block the direct sunlight, as the development is on its south side.

The proposal therefore adversely affects the amenity of the Conservation Area and the appearance of the B Listed building. We hope you will refuse it.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: On 20th June 2019 The Blacket Association strongly objected to Applications 19/02395/FUL and 19/02398/LBC for the development of a new second floor development within a Mansard roof at 23 Minto Street. This application was subsequently refused.

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Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: Thank you for the opportunity to comment on the above planning applications. The proposals concern a B listed

semi-detached villa within the boundaries of the Blacket conservation area in Edinburgh. The Forth & Borders

Cases Panel of the AHSS has considered the proposal and wishes to make the following comments.

The applicant proposes to erect a mansard roof over an existing single-storey extension to create additional family bedrooms with shower rooms. We note that this is a revised application (Ref: 19/02395/FUL was refused on 17 July 2019 due to inappropriate size, position and design). The AHSS considers that the proposed works are still of inappropriate size as they would obscure the rear façade of the original building which would result in further loss of historic fabric to an already altered and compromised property. Not only does the overall massing of the proposed extension breach the guidelines on subservience to existing structures, but the proposed work neither preserves nor enhances the historic interest of the building nor the character and appearance of the conservation area.

The Development Quality Handbook policy on Villa Areas and the Grounds (page 5):

"Proposals should avoid the appearance of miniaturisation e.g. the effect of smaller modern storey heights

leading to reduced window proportions. Where development is in the grounds of an existing villa it should

be subservient to the main villa and of simpler detail to avoid competing with it."

Blacket Conservation Area Character Appraisal (page 21)

"Any development should be restricted in height and scale in order to protect the character of the surrounding area. New design must respect the existing spatial pattern, massing and traditional materials."

Accordingly, the AHSS wishes to object to this proposal.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

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Case Officer: Diana Garrett

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Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

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Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Amenity Body

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Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Mr Juan Santelices

Address: 22 Minto Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 20/01975/FUL and 20/01975/LBC - 23 Minto Street, EH9 1RQ

Firstly, we are not sure why we were only informed of the application 20/01975/FUL and not of the almost identical application 19/02398/LBC for the development of a new second floor development within a Mansard roof at 23 Minto Street which we never received?

The building next door to ours has already been substantially altered. It appears to continue submitting extension proposal after extension proposal rather than make it clear from the very initial application what they were intending to do with the property. It is likely that if they had done this it would have contravened Plan Policies for Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development' and would have been rejected. Instead, the owners appear to be changing its appearance step by step in a bid to get it through planning permissions.

It is clear that this application fails to add any coherence to the appearance of the B listed building and will hide a significant part of its original rear stone wall. The proposed works do not preserve the special interest of the listed building or preserve or enhance the character and appearance of the conservation area.

Finally, living next door to the proposed development, we are also concerned about negative impact on noise, privacy and direct sunlight during and after the works are completed. It will block direct sunlight for private gardens and windows in both Grantully Place and 22 Minto Street that are on the south side.

Comments for Planning Application 20/01975/FUL

Application Summary

Application Number: 20/01975/FUL

Address: 23 Minto Street Edinburgh EH9 1RQ

Proposal: Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

Case Officer: Diana Garrett

Customer Details

Name: Not Available

Address: Not Available

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

Comment: 20/01975/FUL and 20/01975/LBC - 23 Minto Street, EH9 1RQ

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Finally, living next door to the proposed development, we are also concerned about negative impact on noise, privacy and direct sunlight during and after the works are completed. It will block direct sunlight for private gardens and windows in both Grantully Place and 22 Minto Street that are on the south side.

WEST BLACKET ASSOCIATION

Head of Planning & Transport, PLACE
4 East Market Street
Edinburgh EH8 8BG
Waverley Court fao Diana Garrett

Bartholomew House Flat 3
12 Duncan Street
Edinburgh EH9 1SZ
5 June 2020

Dear Diana,

Re 20/01975/FUL & 20/01976/LBC 23 Minto St, Edinburgh EH9 1RQ

- 1. STRONGLY OBJECT:** The West Blacket Association (WBA) objects strongly to approval for this latest proposal for adding a mansard first floor extension onto a 2015-approved extension. The 2015 approval was cut back to a shorter extension than had been requested. Applications 19/02395/FUL & 19/02398/LBC sought to add an almost identical mansard roof to that currently proposed and those were refused. The only significant difference with these new applications is facing the upper level 'party wall' in stone. Other arguments are not material and are addressed below. **We would therefore argue that the current applications should not have been accepted as they replicate a recent & previously rejected proposal.**
- 2. INACCURACIES:** Contrary to the assertions in the client supporting statement document this guest house has been subjected to successive extension over recent years, as is accepted in the 2019 report of handling. Other claims in the client statement comparing his proposal with surrounding properties are irrelevant, as is the request for additional family accommodation when the former 'owners accommodation' approved in 2007 has been left out of the 'application site boundary'. **The property boundary shown in the location plan remains inaccurate, as similarly but not identically was that for the 2019 applications, as the red line does not enclose the entire footprint of 23 Minto Street, and the blue line at the rear wrongly encloses the 3 lock-up garages in private ownership to the east, but omits the 'owners accommodation' (which we believe may be rented out).** I drew attention to this error in my objection of 18 June 2019 to the 2019 applications, and also then drew attention to the need to update the Planning records to properly address separate property ownerships.
- 3. DOES NOT COMPLY WITH PLANNING POLICIES:** Over & above the accuracy of the information, & our argument that these represent repeat applications which should have not been accepted, **we believe the proposal fails to comply with Planning Policies Env 3, Env 4, Env 6 and the Blacket Conservation Area Character Appraisal and should therefore be refused.** We also request that Planning retrospectively review their records to address the separate property ownerships involved to avoid continuing confusion. That should be 23, 23A and 23B with the (owners' accommodation) cottage as part of 23 & not given a contrived separate address.

The planning history of this site is complicated but has been made more so by a lack of continuity due to different agents being employed over time, and by the submission of ambiguous or even inaccurate information. The quality of drawings is now satisfactory but, as indicated above, there are errors which have not been picked up and corrected, & which the owner is probably happy to leave unclear.

Yours faithfully

Ian Carter for West Blacket Association

Copies to Grange Prestonfield Community Council, Blacket Association, and Councillors Burgess, Orr, Perry and Rose.

Douglas and Rosemary Currie
21/2 Minto Street
EDINBURGH EH9 1RQ
(0131 - 667 6494)
douglascurrie@btinternet.com

9th June 2020

Dear Diana Gerratt,
(see others)

I receive a photo copy from an email sent to me yesterday by our resident committee representative. As you will see from my address, I live in the Drive/Gravelly Place complex. Our designated parking space is near the wall adjoining 23 Winton St.

I don't understand why we were not informed of this planning application at the correct time.

I feel this objection will mean some loss of privacy for them of us in Wn. 21 + 22 especially if there are to be windows in the north + east walls.

It would also inevitably cast a shadow over our car park at certain times in the sun; couple of car spaces time are would find our car difficult to de-ice, even with the protection we currently use for the windows.

The garden area behind no 22, which is very well maintained, has Mrs Evans, the resident with an immediate contact. But she + her husband have been caught in USA by the

lockdown restrictions + she will not know about this application.

I fear the objection might also be being + should the family decide to use it for their 5th guests there could be problems with car parking.

As I am not at all confident using online communication other than email, I phoned the office today but was told only emergency calls were being taken.

I have no wish to upset my neighbour in no. 23, but because I have no idea what others are thinking, I am emboldened to write.

If I am the only person questioning the application, I will withdraw my complaint.

Yours sincerely

[Redacted Signature]

Application no: 20/01975/FOL
20/01976/LBC

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 100340788-001

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:	Alan Hardie Architect		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Alan	Building Name:	
Last Name: *	Hardie	Building Number:	5
Telephone Number: *	07706 270072	Address 1 (Street): *	Mitchell Street
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	DALKEITH
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH22 1JQ
Email Address: *	alan@alanhardie.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"/>
First Name: *	<input type="text" value="Mohamad"/>	Building Number:	<input type="text" value="23"/>
Last Name: *	<input type="text" value="Yamin"/>	Address 1 (Street): *	<input type="text" value="Minto Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text" value="██████████"/>	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="EH9 1RQ"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="██"/>		

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="23 MINTO STREET"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH9 1RQ"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="671904"/>	Easting	<input type="text" value="326722"/>
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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)

Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

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.

Refer to Request for Review Letter in "Supporting Documents" section.

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)

Request for Review letter and Client supporting statement for Review.

Application Details

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

20/01975/FUL

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

18/05/2020

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

23/10/2020

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

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)

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 Alan Hardie

Declaration Date: 17/12/2020

Proposal Details

Proposal Name	100340788
Proposal Description	Notice of Review
Address	23 MINTO STREET, EDINBURGH, EH9 1RQ
Local Authority	City of Edinburgh Council
Application Online Reference	100340788-001

Application Status

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

Attachment Details

Notice of Review	System	A4
Request for Review letter	Attached	A4
Client supporting statement for Review	Attached	A4
Decision Notice for Application No 20_01975_FUL	Attached	A4
Decision Notice for Application No 19_02395_FUL	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

City of Edinburgh Planning Local Review Body,
G.2, Waverley Court,
4 East Market Street,
Edinburgh, EH8 8BG

Dear Sirs,

Application for Review: reference 20/01975/FUL & 20/01976/LBC Extension to first floor above existing extension to create additional family bedrooms with shower rooms at 23 Minto Street Edinburgh EH9 1RQ

I am writing in support of my request for review of the decision to refuse planning consent with respect of my application number 20/01975/FUL and 20/01976/LBC. I previously submitted a design which involved the use of brick and a mansard roof; this new application is an attempt to create a design which better complements the conservation area whilst meeting the needs of my family. I was disappointed to find that the council's response to the amended application was to copy and paste the text from the previous refusal. I believe this was done without due attention as you will find when you review the plans that the report made reference to elements of the original design which are not present in this application. As a result I am requesting to appeal the decision and I am grateful for your time and attention to this proposal.

The proposal is for an extension to the three bedroom family residence attached to the Georgian townhouse currently used as a guest house. It is the home for a growing family which at present includes seven adults and a new born baby. It is of critical importance to the ongoing physical and mental wellbeing of my family that we are able to have adequate owner's living space without using the part of the building required for the business. The unprecedented events of this year have meant we have all had to re-evaluate our long term plan and I believe this extension is the only way that my wife and I can retire and continue to live in our home whilst the business is run by the next generation.

The refusal of the application made some statements about the nature of the proposal which I feel are inaccurate/ do not take into consideration the precedents set by other developments in the area. I would be grateful if you would consider the points below which are in response to the areas detailed in Section 3 of the Report of Handling.

(A) Impact on special interest of a listed building

I understand that the Historic Environment Guidance on Extensions states that the proposal must be subordinate in scale and form, and as such the council has determined that development should retain the prominence of the sandstone walls of the original rear elevations. Although a very small part of the building is visible from outwith the site, the

development will be seen against the backdrop of the large development of Grantully place which is built entirely in brick and does not bear any resemblance to the surrounding Georgian buildings. Please see below which is a picture of the back of my property showing the place where my proposed extension would be and the property directly next door which has already been far more significantly extended (and finished in sandstone).



(B) Impact on the special character of the conservation area

As previously noted, many of the properties in east Minto Street have made significant developments in the rear gardens, including the recent conversion of the old Minto Hotel just a few doors up the road which also involved a glass fronted extension which is certainly not in keeping with any Georgian architectural interest. Please see the following pictures which show the rear of 19 Minto Street, the entire rear prominence of which has been obscured by a brick extension, and the large new building erected 2 years ago on the site of the old Minto Hotel. My previous application for a mansard roof was refused although the travel lodge build just a few years ago involved significant extension of a Georgian townhouse on our road, including a large mansard roof.



In the interest of fairness and consistency it seems that my proposal, which will be far smaller than other extensions in the area and will leave the original building intact, deserves further consideration. Some adaptation to these buildings is necessary in order to meet the demands of an age where their use is vastly different from when they were originally designed and I believe that my proposal is not detrimental to the historical value of the property.

In a time when self employed families such as mine are drowning in debt and unable to compete with the big hotels, I believe the council is unfairly disadvantaging us by allowing big developers such as Travel lodge, Minto Hotel or Northumberland hotel to build massive extensions for commercial gain, while local families such as ourselves are refused adequate space to live. As such I would be grateful for your further consideration regarding this application and would be pleased to work constructively to make whatever adjustments to the design deemed necessary to best complement the conservation area.

Yours Sincerely,

M. Yamin

Alan Hardie Architect.
FAO: Alan Hardie
Suite 4 Dundas House
Westfield Park
Eskbank
UK
EH22 3FB

Mr Mohamad Yamin.
23 Minto Street
Edinburgh
Scotland
EH9 1RQ

Decision date: 17 July 2019

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

Erect mansard roof on existing extension to create additional bedrooms at first floor level.

At 23 Minto Street Edinburgh EH9 1RQ

Application No: 19/02395/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 21 May 2019, 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:-

Reason for Refusal:-

1. The proposals will introduce an extension of an inappropriate size, position and design that encloses the remaining original rear facade of the listed building with an incongruous brick-built mansard roofed extension to adversely impact on the special architectural and historical interest of the listed building and its setting within the Blacket Conservation Area the character or appearance of which it is desirable to

preserve . The proposed works therefore fail to comply with sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they do not preserve the special interest of the listed building or preserve or enhance the character and appearance of the conservation area.

2. The proposals are contrary to the Edinburgh Local Development Plan Policies Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development' as they 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.

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

Drawings 01 - 08, 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 are contrary to the Edinburgh Local Development Plan Policies Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development' as they 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.

The proposed works therefore fail to comply with sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they do not preserve the special interest of the listed building or 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 Daniel Lodge directly on 0131 529 3901.

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.

Alan Hardie Architect.
FAO: Alan Hardie
Suite 4 Dundas House
Westfield Park
Eskbank
EH22 3FB

Mr Mohamad Yamin.
23 Minto Street
Edinburgh
EH9 1RQ

Decision date: 23 October 2020

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

Extension to first floor above existing extension to create additional family bedrooms with shower rooms.

At 23 Minto Street Edinburgh EH9 1RQ

Application No: 20/01975/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 13 May 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:-

Reasons:-

1. The proposals will introduce an extension of an inappropriate size, position and design that encloses the remaining original rear facade of the listed building with an incongruous mansard roofed extension which would adversely impact on the special architectural and historical interest of the listed building and its setting within the Blacket Conservation Area, the character or appearance of which it is desirable to preserve. The proposed works therefore fail to comply with sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they do not preserve the special interest of the listed building or preserve or enhance the character and appearance of the conservation area.

2. The proposals are contrary to the Edinburgh Local Development Plan Policies Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development' as they 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.

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

Drawings 1-7, 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 are contrary to the Edinburgh Local Development Plan Policies Env 4 'Listed Buildings - Alterations and Extensions' and Env 6 'Conservation Areas - Development' as they 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.

The proposed works therefore fail to comply with sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as they do not preserve the special interest of the listed building or 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 Diana Garrett directly at diana.garrett@edinburgh.gov.uk.

D R Leech

Chief Planning Officer
PLACE

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.

Alan Hardie Architect

5 Mitchell Street,
Dalkeith,
EH22 1JQ

17/12/2020
2019-022A.08.AH.01

City of Edinburgh Planning Local Review Body,
G.2, Waverley Court,
4 East Market Street,
Edinburgh, EH8 8BG

Dear Sirs

**Request for Review: reference 20/01975/FUL & 20/01976/LBC
Extension to first floor above existing extension to create additional family
bedrooms with shower rooms at 23 Minto Street Edinburgh EH9 1RQ**

With reference to the Decision for the above, dated 23rd October 2020, my clients have requested that this be submitted to the Local Review Body. They believe that the reason for refusal was based on a subjective opinion and, they are also of the view that this Decision was not properly assessed, for reasons explained below and in their accompanying letter (enclosed).

BACKGROUND

The present arrangement comprises a flat roofed stone-faced single storey extension (14/00233/FUL amended from hipped to flat roof 15/01821/FUL) which is used as the family's private lounge. This is accessed from an earlier extension comprising kitchen and first floor bedrooms (05/00651/FUL) which are used by the client and his family. The rest of the house – the Listed Townhouse, is run as a Guest House. The façade of the original house to Minto Street and to the rear garden remain unaltered.

DESIGN PROPOSALS

As my client explains in his accompanying statement, the current layout is now no longer fit for purpose for use as a family home and also operate as a viable business. The purpose of the application was to provide the family with much-needed additional bedrooms and toilet facilities at first floor level by building over the ground floor lounge. Following an earlier

Application Refusal (19/02395/FUL and 19/02398/LBC) the client accepted that as brick was specifically referred to as a Reason for Refusal, the use of stone to the gable was preferable to brick and the design amended accordingly and re-submitted in the belief that this addressed a principle concern.

REASONS FOR REQUEST FOR REVIEW

1. A review of the decision is sought, as it is my client's opinion that in the Reasons for Refusal in the Decision Notice it states that the proposals "*would adversely impact on the special architectural and historical interest of the listed building and its setting within the Blacket Conservation Area*" is a purely subjective opinion. It could be easily argued that this is simply not the case - and that the proposal has no impact on the "*special architectural and historical interest of the listed building*" as it is proposed to build over an existing modern extension and abuts another modern extension and the proposal utilises traditional stone and slate.

Furthermore, it can be readily argued that the proposed extension does not impact the Listed Building's "*setting within the Blacket Conservation Area*" as the proposed extension can only be briefly viewed from Mayfield Terrace and the proposed natural stonework and slate roof would only be seen against a backdrop of brick and facing block of the neighbouring extension and flats. Refer photo below – client's single story extension bottom left, upon which a stone and slate upper floor is proposed, with the backdrop of brick and facing block developments against which the stone and slate extension would be viewed. My client also explains in his letter why he feels that there are recent new-builds in the immediate vicinity which easily have far greater impact on the Conservation area than his modest proposals – refer photos included in my client's supporting statement.



Alan Hardie Architect

5 Mitchell Street,
Dalkeith,
EH22 1JQ

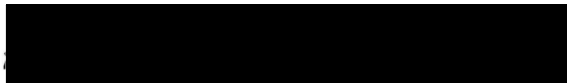
17/12/2020
2019-022A.08.AH.01

2. My client also feels that the Case Officer, regrettably, did not properly assess the revised application. Whilst he understands that Case Officers are under pressure with home working due to the Covid restrictions, it does rather appear that her reasons for refusal appear to be no more than a "copy and paste" of the previous refusal, as she did not take cognisance of the change of material from brick to stone. Also, for the record, the critical dates are as follows:
 - Applications for Planning Consent and Listed Building Consent registered on 18th May 2020 with target dates of 12th July 2020.
 - The Case Officer was emailed by me on 26th August with an enquiry as to progress. I received neither acknowledgment nor reply.
 - The Case Officer was emailed by me on 8th September with another enquiry and again, I received neither acknowledgment nor reply.
 - Rather reluctantly, I emailed the Planning Department office email address on 16th October (five months after Registration) advising that I had received neither replies nor acknowledgments from the Case Officer and stressing that my client's own family and business circumstances was being made ever more difficult with the lock-down and restrictions - and requesting notification as to when a decision might be made.
 - Because of that email it seems, the Decision letters were received one week later. As mentioned, the Refusal does seem to have been "copied and pasted" using identical wording to the original refusal and still reference brick, not stone as proposed. It does appear to have been rushed, without much thought despite it being over three months beyond the target date of 12th July 2020.

My client does not wish to apportion blame to an individual officer, he merely asks for assurances that his application has been properly assessed, his efforts to address earlier concerns about materials have been acknowledged, and that cognisance has been taken of his plea in the original supporting statement about his family's circumstances.

As such, I would ask that you now refer to his letter accompanying this Request for Review.

Yours sincerely

A solid black rectangular redaction box covering the signature of Alan Hardie.

Alan Hardie Architect

Enc.

3 Caring for the Environment

170 Protection of the historic and natural environment for the benefit of future generations is an important role of the planning system. The purpose and context of Edinburgh's most important environmental designations including the World Heritage Site, Conservation Areas and Green Belt are explained in Part 1 of the plan. Policies Env 1 – Env 22 will be used in assessing planning applications to meet the following objectives;

Objectives

- To ensure that the unique qualities of the city, its historic environment and the character of its urban areas are safeguarded for the future
- To protect important landscape and natural features of the environment, including the city's Green Belt setting
- To protect and enhance the nature conservation and biodiversity interest of the city
- To protect natural resources



The Historic Environment

171 Policies Env 1 – Env 6 will be used to assess proposals affecting Edinburgh's world heritage sites, conservation areas and listed buildings. The Council's guidance on Conservation Areas and Listed Buildings provide further advice. Policy Env 7 relates to historic landscapes and policies Env 8 and 9 cover archaeological resources.

Policy Env 1 World Heritage Sites

Development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted.

172 This policy requires development to respect and protect the outstanding universal values of the World Heritage Sites and their settings. Setting may include sites in the immediate vicinity, viewpoints identified in the key views study and prominent landscape features throughout the city.

Policy Env 2 Listed Buildings - Demolition

Proposals for the total or substantial demolition of a listed building will only be supported in exceptional circumstances, taking into account:

- a) the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value to be derived from its continued use
- b) the adequacy of efforts to retain the building in, or adapt it to, a use that will safeguard its future, including its marketing at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.
- c) the merits of alternative proposals for the site and whether the public benefits to be derived from allowing demolition outweigh the loss.

Policy Env 3 Listed Buildings - Setting

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

Policy Env 4 Listed Buildings – Alterations and Extensions

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

- a) those alterations or extensions are justified;
- b) there will be no unnecessary damage to historic structures or diminution of its interest; and
- c) where any additions are in keeping with other parts of the building.

Page 98
17 In determining applications for planning permission or listed building consent, the Council is required to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest that it possesses. Applications for the demolition or substantial alteration of a listed building must be accompanied by a thorough structural condition report demonstrating that the proposals are necessary or justified. Information must be provided on the proposed replacement building; these should be of comparable quality in terms of construction and design. The loss of a listed building will only be justified in exceptional circumstances. Scottish Historic Environment Policy (SHEP) and Council guidance provide further advice for applications relating to Listed Buildings.

Policy Env 5 Conservation Areas – Demolition of Buildings

Proposals for the demolition of an unlisted building within a conservation area but which is considered to make a positive contribution to the character of the area will only be permitted in exceptional circumstances and after taking into account the considerations set out in Policy Env 2 above.

Proposals for the demolition of any building within a conservation area, whether listed or not, will not normally be permitted unless a detailed planning application is approved for a replacement building which enhances or preserves the character of the area or, if acceptable, for the landscaping of the site.

Policy Env 6 Conservation Areas - Development

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

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

Planning applications should be submitted in a sufficiently detailed form for the effect of the development proposal on the character and appearance of the area to be assessed.

174 The purpose of the above policies is to protect and, where possible, enhance the character and appearance of Edinburgh's many conservation areas. By controlling the demolition of buildings and ensuring new development is of appropriate design and quality, their aim is to protect the City's heritage for future generations.

175 Applications for demolition will be permitted only where this does not erode the character and appearance of the conservation area. The general presumption will be in favour of retaining buildings that make a positive contribution to the conservation area, particularly where it can be demonstrated that the building is able to support a new viable use, or might be capable of such in the future. Conservation Area Consent may be subject to conditions or a legal agreement to link demolition works to the

provision of the proposed replacement building or, in exceptional circumstances, to require temporary landscaping.

- 176 Design statements are required for new developments in a conservation area. This statement should include reference to the relevant Conservation Area Character Appraisal and Council guidance on Conservation Areas and Listed Buildings and show how these have informed the proposed design.

Policy Env 7 Historic Gardens and Designed Landscapes

Development will only be permitted where there is no detrimental impact on the character of a site recorded in the Inventory of Gardens and Designed Landscapes, adverse effects on its setting or upon component features which contribute to its value. Elsewhere, adverse effects on historic landscape features should be minimised. Restoration of Inventory sites and other historic landscape features is encouraged.

- 177 This policy aims to protect sites included in the national Inventory of Gardens and Designed Landscapes (shown on the Proposals Map) and other historic landscape features elsewhere across the Council area. An understanding of how the landscape has evolved can help inform a development proposal. A historical landscape appraisal may be requested from applicants to allow full assessment of the implications of development and identify restoration opportunities.

Policy Env 8 Protection of Important Remains

Development will not be permitted which would:

- a) adversely affect a scheduled monument or other nationally important archaeological remains, or the integrity of their setting
- b) damage or destroy non-designated archaeological remains which the Council considers should be preserved in situ.

Policy Env 9 Development of Sites of Archaeological Significance

Planning permission will be granted for development on sites of known or suspected archaeological significance if it can be concluded from information derived from a desk-based assessment and, if requested by the Council, a field evaluation, that either:

- a) no significant archaeological features are likely to be affected by the development or
- b) any significant archaeological features will be preserved in situ and, if necessary, in an appropriate setting with provision for public access and interpretation or
- c) the benefits of allowing the proposed development outweigh the importance of preserving the remains in situ. The applicant will then be required to make provision for archaeological excavation, recording, and analysis, and publication of the results before development starts, all to be in accordance with a programme of works agreed with the Council.

- 178 The objective of the above policies is to protect and enhance archaeological remains, where possible by preservation in situ in an appropriate setting. In some cases, depending on the nature of the remains and character of the site, the Council may require provision for public access and interpretation as part of the proposed development. When preservation in situ is not possible, recording and/or excavation followed by analysis and publication of the results will be required.

- 179 Developers should seek early advice from the Council's Archaeologist for sites where historic remains are known or thought likely to exist. Where a development may affect a scheduled monument or its setting, early contact should be made with Historic Environment Scotland.

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HISTORIC ENVIRONMENT POLICY FOR SCOTLAND



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Any enquiries regarding this document should be sent to us at:

Historic Environment Scotland
Longmore House
Salisbury Place
Edinburgh
EH9 1SH
+44 (0) 131 668 8600
www.historicenvironment.scot

You can download this publication from our website at www.historicenvironment.scot

Published May 2019

INTRODUCTION

The historic environment is our surroundings as they have been shaped, used and valued by people in the past, and continue to be today. It is central to our everyday lives and our sense of place, identity and wellbeing.

It is wide-ranging – including natural and built features – and it can be valued for both its tangible and intangible aspects.

The principles and policies that make up the Historic Environment Policy for Scotland (HEPS) help us to care collectively for this precious resource as we work towards a shared vision:



Scotland's historic environment is understood and valued, cared for and protected, enjoyed and enhanced. It is at the heart of a flourishing and sustainable Scotland and will be passed on with pride to benefit future generations”

OUR PLACE IN TIME

WORDS AND PHRASES USED IN THIS POLICY

These are definitions of terms and phrases as they are used in this policy, to ensure that we are all using them in the same way. Some of the following definitions have been adopted from other sources (named in brackets).

asset

An asset (or 'historic asset' or 'heritage asset') is a physical element of the historic environment – a building, monument, site, place, area or landscape identified as having cultural significance.

community

A community is a group of people connected by location or by a common interest.

community of place

A community of place, or place-based community, is a group of people connected because of where they live, work, visit or otherwise spend a large amount of time. It can also refer to a group of people connected to a particular geographic location.

communities of practice and interest

Communities of practice are groups of people who share a concern or a passion for a place or something they do. A community of interest is a group of people who identify with or share a similar interest or experience.

cultural heritage

Cultural heritage is an expression of the ways of living developed by a community and passed on from generation to generation. It can include customs, practices, places, objects, artistic expressions and values, aesthetic, historic, scientific, social or spiritual aspects. (ICOMOS 2002)

cultural significance

Cultural significance means aesthetic, historic, scientific or social value for past, present or future generations. Cultural significance can be embodied in a place itself, its fabric, setting, use, associations, meanings, records, related places and related objects. (Australia ICOMOS Burra Charter 2013)

decision-maker

A decision-maker for the historic environment is anyone who has a role or interest in making decisions that might affect it. In this context the term often refers to planning authorities, but it could also mean individuals, public- or private-sector organisations, Ministers, communities or developers. The decisions might be about land use, funding, alterations to a building, site or place, or long-term strategies.

historic environment

The historic environment is ‘the physical evidence for human activity that connects people with place, linked with the associations we can see, feel and understand’. (*Our Place in Time, the Historic Environment Strategy for Scotland*)

impact

The effect of changes on the historic environment is often referred to as the impact. This can be neutral, positive or negative. There can be impact on the physical elements of a place or on its setting, if its surroundings are changed so that our understanding, appreciation or experience is altered. Changes in the historic environment can also affect people’s associations with a place or its setting, and their responses to it.

mitigation

Mitigation refers to ways in which we can minimise the impact on the historic environment, avoid it, or make it less damaging. Sometimes it is possible to offset the impact, compensating for it through positive actions.

place

Place can refer to the environment in which we live, the people that inhabit these spaces and the quality of life that comes from the interaction of people and their surroundings. Architecture, public space and landscape are central to this. (*Creating Places: A Policy Statement on Architecture and Place for Scotland*)

planning system

The planning system is the process by which local and national government bodies make decisions about how and where development should take place. Change to some designated sites and places is also managed through separate consent regimes.

sustainable development

Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs. (*World Commission on Environment and Development*)

WHAT IS THE STATUS OF HEPS?

HEPS is a policy statement directing decision-making that affects the historic environment. It is non-statutory, which means that it is not required to be followed as a matter of law or statute. It is relevant to a wide range of decision-making at national and local levels. It is supported by detailed policy and guidance.

HEPS should be taken into account whenever a decision will affect the historic environment. This includes in plans and policies that deal with funding decisions or estate management, or other specific topics such as agriculture or energy. It is also a material consideration for planning proposals that might affect the

historic environment, and in relation to listed building consent and scheduled monument consent ('material consideration' means that decision-makers should take it into account when coming to a decision). Decisions on scheduled monument consent are made in line with Historic Environment Scotland's policy for determining consents at scheduled monuments (see 'Sources of further information and guidance').

The Scottish Government produces national policies for addressing land use matters and decisions. HEPS sits alongside these policies, and should be used with them.



WHAT IS HEPS FOR?

HEPS is designed to support and enable good decision-making about changes to the historic environment. Good decision-making takes into account all aspects of the historic environment and the different ways people value it. Good decision-making is transparent and open to challenge, and recognises that a wide range of factors can affect the historic environment in different ways. Changes might support its long-term survival, impact on its current management or even give us new information to improve our understanding of it.

HEPS sets out a series of principles and policies for the recognition, care and sustainable

management of the historic environment. It promotes a way of understanding the value of the historic environment which is inclusive and recognises different views. It encourages consistent, integrated management and decision-making to support positive outcomes for the people of Scotland. It also supports everyone's participation in decisions that affect the historic environment.

By doing these things, HEPS helps to deliver the vision and aims of *Our Place in Time*. It takes into account principles that the UK and Scottish governments have agreed to in international charters and conventions on cultural heritage and landscape.

HOW HAS HEPS BEEN DEVELOPED?

HEPS is for everyone who cares about decisions that affect the historic environment. This includes the people who make the decisions, as well as the people affected by or interested in them.

The policy has been developed using current research as well as established views about how to care for the historic environment. It also draws upon previous policy documents and related policy areas that affect or are affected by the historic environment.

HEPS has also been informed by work undertaken by HES to understand what the historic environment means to the people of Scotland. HES did this by listening to people's views on how to look after and manage the historic environment. These conversations have shaped this policy document.

POLICIES FOR MANAGING THE HISTORIC ENVIRONMENT

HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

WHAT ARE THE CHALLENGES AND OPPORTUNITIES FOR THE HISTORIC ENVIRONMENT?

There are a number of challenges and opportunities that affect how we understand, manage and care for the historic environment.

Decision-making has to be sufficiently flexible and adaptable to deal with wide-ranging and ongoing changes in society and the environment.

Good decisions will aim to achieve the best possible outcome for the historic environment and maximise its benefits.

LAND MANAGEMENT

Land management affects much of the historic environment. Changes to agricultural and land use policies and practice can have a significant impact.

CREATING AND MAINTAINING PLACES

The changing places where we live, work and play, and the ways we understand and relate to them, are among the wide range of factors that affect our wellbeing. The historic environment plays a key part in making good places.

DIVERSITY, EQUALITY AND ACCESS

Established ways of recognising and managing the historic environment haven't always reflected our whole society. It is important to talk about the past in a way that recognises its diversity. The historic environment should be accessible and inclusive, providing a source of inspiration, enjoyment and learning for all.

ROLES AND RESPONSIBILITIES

Taking care of the historic environment is a shared responsibility. Sometimes the interests of different groups and individuals overlap, and this can cause confusion and tension about roles and responsibilities.

FUNDING

Some historic places and sites will rely on external funding. There are difficult choices to be made about where to spend available money, and opportunities to think creatively about approaches to funding.

SUSTAINABLE TOURISM

Tourism brings huge benefits to the wider economy and can provide financial resources for looking after historic sites and buildings. High visitor numbers can also affect the sites themselves, sometimes creating management challenges.



CLIMATE CHANGE

Climate change and the effort required to mitigate and adapt to its effects have a significant impact on the historic environment. We are still working as a society to understand this impact.

SOCIETAL CHANGE

Our communities and lifestyles are changing; our population is ageing and shifting. This can have an impact on the historic environment, changing how we interact with it and value it.

INTANGIBLE CULTURAL HERITAGE

Established ways of managing the historic environment are often based around physical structures such as buildings and monuments – but the historic environment is made up of both intangible and tangible cultural elements.

A HOLISTIC APPROACH TO THE ENVIRONMENT

All of our landscapes – rural and urban – are part of the historic environment. Established ways of managing them don't always recognise that natural and cultural benefits and outcomes are often interdependent.

ECONOMIC CHANGE

Changes to the economy, whether positive or negative, have an impact on the historic environment and how it is looked after and managed. The historic environment contributes to our economy and can be a source of sustainable growth.

COMMUNITY PARTICIPATION AND EMPOWERMENT

Decisions about the historic environment have an impact on people and communities. Empowering communities and broadening participation improves outcomes for people and for the historic environment.

REGULATORY CHANGE

Changes to a wide range of laws and regulations can affect the management of the historic environment. It can be hard to predict and fully understand the impact of these changes.

SKILLS AND CAPACITY

Good management relies on decision-makers having access to the right skills, expertise and capacity to look after the historic environment and make informed decisions.

CHALLENGES AND OPPORTUNITIES

POLICIES AND PRINCIPLES

The following policies and core principles set out HES’s understanding of how the historic environment should be managed and how to apply these principles.

The principles in this document are the fundamental ideas that underpin desirable and positive outcomes for the historic environment. These principles are the basis for the policies outlined here. The policies describe how the principles should be implemented.

UNDERSTANDING AND RECOGNITION: POLICIES AND PRINCIPLES

Policy on understanding and recognition

HEP1

Decisions affecting any part of the historic environment should be informed by an inclusive understanding of its breadth and cultural significance.

Core principles on understanding and recognition

- **Recognising the cultural significance of sites and places supports good decision-making.**
- **A place must be understood in order for its cultural significance to be identified.**
- **A wide range of factors contribute to cultural significance.**
- **Knowledge and information about the historic environment is critical to our understanding of our past, present and future.**
- **The historic environment changes over time, and so does how it is understood and appreciated.**
- **Research, discussion and exchange of ideas can all contribute to our understanding of the historic environment.**
- **Understanding will improve when information is made widely available and everyone has the opportunity to contribute to knowledge of the historic environment.**

How these principles are applied

People have created the character, diversity and distinctiveness of the historic environment over time. It is fundamental to people's sense of belonging; it provides tangible links with the past, helps to define who we are, and shapes our lives today. The qualities an asset or place has and expresses may be rare, finite and vulnerable to change. Sometimes the value of a place becomes apparent only through the process of change.

Decisions affecting the historic environment should be based on careful consideration of cultural significance. This helps to ensure that the historic environment can be appreciated today and passed on with confidence for the future.

To understand a place's cultural significance, we have to understand the place itself. This involves thinking about its physical and material elements – how much of it has survived or how much of it has changed through time, as well as its wider context and setting. Elements of places which may not have a physical presence but which contribute to cultural significance need to be recognised. These intangible qualities include the knowledge and associations people have with a particular place; they might involve elements such as language and poetry, stories and song, and skills and traditions.

Different individuals and groups of people value places in different ways. Understanding this helps us to understand the cultural significance of places for past, present and future generations. Recognising why places are culturally significant helps to fulfil a range of social, environmental and economic needs.

Access to as much information and knowledge as possible is essential for understanding cultural significance. This knowledge should be shared. An inclusive approach takes account of different ways of looking at things and valuing them, and diverse interpretations of our past and heritage.

As a society, we recognise value in many different ways: in records in archives, pieces in museum collections or the legal protection given to some of our most valued historic places. Many other ways of recognising value are part of our everyday lives. We share local knowledge, cultural practices, the language we use and the stories we tell. The diversity of Scotland's rich cultural heritage should be celebrated in all its forms. People should have the opportunity to contribute to our understanding, and influence decision-making for the historic environment.

MANAGING CHANGE: POLICIES AND PRINCIPLES

Policies on managing change

HEP2

Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secured for present and future generations.

HEP3

Plans, programmes, policies and strategies, and the allocation of resources, should be approached in a way that protects and promotes the historic environment.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

HEP4

Changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate.

If detrimental impact on the historic environment is unavoidable, it should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

Core principles on managing change

- **Some change is inevitable.**
- **Change can be necessary for places to thrive.**
- **Caring for the historic environment benefits everyone, now and in the future.**
- **Good decisions take a long-term view.**
- **Good decisions reflect an understanding of the wider environment.**
- **Good decisions are well-informed, transparent, robust, consistent and proportionate.**
- **Good decisions make sure that nothing is lost without considering its value first and exploring options for avoiding its loss.**
- **To manage the historic environment in a sustainable way, its cultural significance and the cultural significance of elements within it have to be understood.**

How these principles are applied

The historic environment enhances our quality of life and is a hugely valuable social, cultural, economic and environmental resource. It is finite and much of it can't be replaced. Good management maintains the quality of this resource and secures its benefits, making sure that nothing is lost without considering its value and exploring options for avoiding its loss.

Cultural significance should be considered in order to manage change through national and local policies as well as other land use management systems. If a place has cultural significance or has the potential for important new discoveries, decision-makers need to consider this when making decisions. In the planning system, this is called a 'material consideration'.

When decisions are made that affect places of cultural significance, the focus should be on avoiding or minimising adverse impact. Wherever possible, special characteristics and qualities should be protected, conserved or enhanced. Lots of actions can contribute to this, including:

- conservation
- effective maintenance
- restoration and conversion
- land management
- sensitive use of materials
- building techniques and high-quality new design
- creative and informed approaches to new development
- robust and proportionate regulation

These principles apply to the whole of the historic environment. In some cases, sites are given legal protection through formal designations, which can bring more formal obligations. In the case of listed buildings, scheduled monuments and conservation areas, consent is required for many works.

Understanding the development of the environment through time helps to inform management decisions. It offers a longer-term perspective on issues affecting the historic environment – issues like the effect of past climate change and land management. The historic environment has to be managed in a sustainable way so that it can be understood and appreciated, and so that it can benefit present and future generations.

Before decisions are made, their impact should be understood. If there is no way of being confident about what the impact of an action will be, the only way to be certain that there will be no damage is to avoid the action. This is referred to as the precautionary principle.

Sometimes the best actions for the historic environment will not be the best actions for other interests. There will be occasions where decision-makers need to manage conflicting needs. Potential conflicts should be identified and reduced as much as possible.

When decision-makers are considering potential changes, whether as a result of a development proposal or arising from environmental processes, they should use this general approach:

Understand the historic environment

- Understand and analyse the historic environment, context, asset or place.
- Understand the cultural significance of any affected assets or places.

Understand the background for the change

- Identify and understand the nature of and reasons for the change.

Understand the likely impact of proposed actions or decisions

- Assess and predict the likely level of the impact of proposals on the historic environment, context, asset or place.
- Make the level of impact clear so that it can inform decision-making.

Making decisions about impact

- Avoid negative impact where possible.
- Minimise any impact that cannot be avoided.
- Keep intervention to a minimum.
- Ensure changes to a site or place are proportionate to its cultural significance.
- Consider less detrimental alternatives if they can deliver the same objectives.
- Identify opportunities for mitigation throughout, and as early as possible.
- Identify opportunities for furthering our knowledge and understanding where possible.

Monitoring

- Put monitoring measures in place to make sure that any mitigation has been implemented.
- Make sure measures are in place to identify any unforeseen or unintended consequences.
- Monitor the outcome and impact of the decision to provide a sound knowledge base for future policy and decision-making.

WORKING TOGETHER: POLICIES AND PRINCIPLES

Policies on working together

HEP5

Decisions affecting the historic environment should contribute to the sustainable development of communities and places.

HEP6

Decisions affecting the historic environment should be informed by an inclusive understanding of the potential consequences for people and communities. Decision-making processes should be collaborative, open, transparent and easy to understand.

Core principles on working together

- **Everyone has a stake in the historic environment and how it is looked after.**
- **Effective management is a collective effort.**
- **Effective management takes wider interests into account.**
- **Good management empowers and involves communities.**
- **Early dialogue and close collaboration lead to better outcomes.**

How these principles are applied

Changes to our society, climate and economy create significant challenges for the historic environment. Resources need to be managed sustainably to balance competing demands. The different ways communities and individuals place value on the historic environment should be recognised.

Effective management of the historic environment is a shared endeavour involving individuals and organisations who own, use, manage or care about heritage. People should be empowered to use their heritage to develop their communities and places in a sustainable way. We all need to work collaboratively to respond to the challenges and opportunities we are facing, to make sure the outcome is as fair as possible.

When making decisions about the historic environment, different interests need to be taken into account. Decision-makers need to consider the consequences of decisions for a range of people. In doing this, tensions and conflicts can arise. Interrelationships and areas of common ground should be identified to encourage dialogue and collaboration, rather than focusing on competing views.

DELIVERY AND MONITORING

Good decision-making balances current circumstances with long-term aspirations. This is central to the sustainable management of the historic environment. It is a collective responsibility to ensure that we are all striking that balance.

Decision-makers should understand and monitor decisions affecting the historic environment to learn from experience and to improve future decisions. Historic Environment Scotland will monitor this policy in collaboration with other interested parties over a ten-year period until 2029.

SOURCES OF FURTHER INFORMATION AND GUIDANCE

Strategy, policy and procedure

Our Place in Time:
The Historic Environment
Strategy for Scotland

Historic Environment Scotland:
Designation Policy and
Selection Guidance
<https://www.historicenvironment.scot/designation-policy>

Designations application from
[historicenvironment.scot/
designation-application](http://historicenvironment.scot/designation-application)

Historic Environment Scotland:
Scheduled Monument
Consents Policy
<https://www.historicenvironment.scot/smc-policy>

Historic Environment Circular 1:
Process and Procedures
<https://www.historicenvironment.scot/circular>

Scotland's Archaeology Strategy
<http://archaeologystrategy.scot>

Guidance

Managing Change in the Historic
Environment guidance series

Managing Change Demolition of
Listed Buildings
<https://www.historicenvironment.scot/demolition>

Managing Change Use and
Adaptation of Listed Buildings
<https://www.historicenvironment.scot/use-and-adaptation>

HES case studies
<https://www.historicenvironment.scot/adaptation-case-studies>

HES Technical advice notes
(TANs), Short Guides, Inform
Guides, and Practitioners Guides
<https://www.historicenvironment.scot/archives-and-research/publications>

Scottish Government Planning
Advice Note (PAN) 2/2011:
Planning and Archaeology
[www.gov.scot/publications/pan-2-
2011-planning-archaeology](http://www.gov.scot/publications/pan-2-2011-planning-archaeology)

Scottish Government Planning
Advice Note (PAN) 71:
Conservation Area Management
[www.gov.scot/publications/
conservation-management-
planning-advice](http://www.gov.scot/publications/conservation-management-planning-advice)

Online resources

Historic Environment
Scotland website -
[www.historicenvironment.scot/
advice-and-support](http://www.historicenvironment.scot/advice-and-support)

Designation records
and decisions -
[www.portal.
historicenvironment.scot](http://www.portal.historicenvironment.scot)

Canmore: National Record
of the Historic Environment
www.canmore.org.uk



HISTORIC
ENVIRONMENT
SCOTLAND

ÀRAINNEACHD
EACHDRAIDHEIL
ALBA

Historic Environment Scotland
Longmore House, Salisbury Place
Edinburgh EH9 1SH
T. 0131 668 8600

Scottish Charity No: SCO45925
VAT Number: GB 221 8680 15
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Blacket 保護區性質評估

تفہیم المستظفہ علی ملامح منطقة (بلدات) Blacket

تفہیم المستظفہ علی ملامح منطقة (بلدات) Blacket

برائے علاقے Blacket کی خصوصی تفہیم

BLACKET CONSERVATION AREA CHARACTER APPRAISAL

*THE BLACKET CONSERVATION AREA
CHARACTER APPRAISAL WAS APPROVED BY THE
PLANNING COMMITTEE
ON 4TH OCTOBER 2001*

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INTRODUCTION

Conservation Areas

Section 61 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, describes conservation areas as “...areas of special architectural or historic interest, the character or appearance of which is desirable to preserve or enhance”. The Act makes provision for the designation of Conservation Areas as distinct from individual buildings, and planning authorities are required to determine which parts of their areas merit Conservation Area status. There are currently 38 Conservation Areas in Edinburgh, including city centre areas, Victorian suburbs and former villages. Each Conservation Area has its own unique character and appearance.

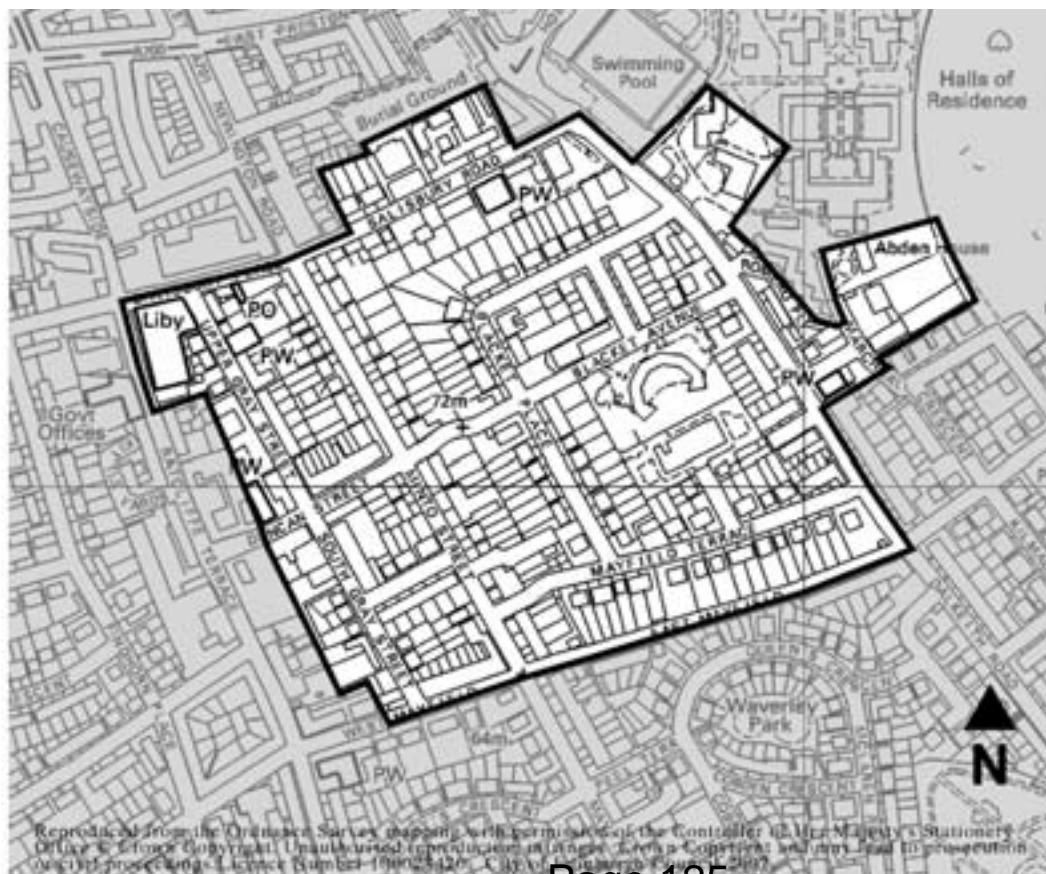
Character Appraisals

The protection of an area does not end with conservation area designation; rather designation demonstrates a commitment to positive action for the safeguarding and enhancement of character and appearance. The planning authority and the Scottish Ministers are obliged to protect conservation areas from development that adversely affect their special character. It is, therefore important that the authorities, other groups who have an interest in the conservation area and residents are aware of those elements that must be preserved or enhanced. A Character Appraisal is seen as the best method of defining the key elements that contribute to the special historic and architectural character of an area. It is intended that Character Appraisals will guide the local planning authority in making planning decisions and, where opportunities arise, preparing enhancement proposals. The Character Appraisal will be a material consideration when considering applications for development within the conservation area and applications for significant new developments should be accompanied by a contextual analysis that demonstrates how the proposals take into account of the essential character of the area as identified in this document. NPPG 18: Planning and the Historic Environment states that Conservation Area Character Appraisals should be prepared when reconsidering existing conservation area designations, promoting further designations or formulating enhancement schemes. The NPPG also specifies that article 4 Direction Orders will not be confirmed unless a Character Appraisal is in place.

Conservation Area Details

The Blacket Conservation Area lies approximately a mile south east of the centre of Edinburgh and falls within the Newington Ward. The Conservation Area was designated on 13 January 1972 and is considered 'Outstanding' for grant purposes.

The Conservation Area is bounded on its southern side by a line running from the corner of Dalkeith Road/East Mayfield along East & West Mayfield to South Gray Street. The boundary then turns from the Western edge to encompass the back gardens on South/Upper Gray Street. The National Map Library on the corner of Causewayside/Salisbury Place is included within the Conservation Area and forms its north west corner. The boundary then follows a line along Salisbury Place and Salisbury Road where it is drawn out to include the properties on its northern side. The boundary follows Dalkeith Road south taking in the historic buildings of Edinburgh University Pollock Halls of Residence before meeting up with East Mayfield.



HISTORICAL ORIGINS & DEVELOPMENT

Between 1586 and 1795, the lands of Newington in which the Blacket area is located consisted of open countryside and a few small farms. Located in Edinburgh's Burgh Muir the lands of Newington were a large flat expanse of land to the west of Arthur's Seat.

By the second half of the 18th century, Edinburgh was experiencing severe problems of overcrowding in the Old Town, which were initially alleviated by the construction of Edinburgh's New Town. The South Bridge Act of 1785 facilitated Edinburgh's expansion towards the south and by 1788 the Old and New Towns had an effective connection with Nicolson Street and the Lands of Newington.



The first notable development in the Blacket area, built in 1805, was Newington House, located within a site of eight and a half acres. Newington House was to provide the focus around which the Blacket area was developed. A smaller mansion at Salisbury Green predated Newington House. Built in 1780, this mansion was extended in 1820, and in 1860 turreted Baronial towers were added. The first villa developments within the Conservation Area adopted a sequential linear form along Minto Street, and by 1817 there were a number of villas on the east side of Minto Street. There was also considerable development on Upper and South Gray Street, with the beginning of a terrace at Middleby Street. The villas along Salisbury Road were largely complete, with March Hall having been constructed on the eastern edge of the Conservation Area.

The development of the core Blacket area was initiated by Benjamin Bell of Hunthill, a distinguished Edinburgh surgeon. In 1803, when he bought the lands of Newington, he started the planning of Edinburgh's first large-scale development to the south. However, he died in 1806 before his plans were realised. His son, George Bell, commissioned James Gillespie Graham to draw up plans for development, starting with Blacket Place. Under the feuing conditions, the value of the houses erected was not to be less than £600. The feuing conditions for the whole area illustrate the concern the Bells had to conserve amenity throughout the estate.



Benjamin Bell

In 1825, the stone pillars and gates, at the Minto Street and Dalkeith Road ends of Blacket Place, Blacket Avenue and Mayfield Terrace were erected. A porter's Lodge was planned at each gate to ensure seclusion and safety in this select development.



Gateposts

The land was further subdivided into smaller lots, according to James Gillespie Graham's feuing plan. By 10 October 1825, the new feus were advertised in the Edinburgh Evening Courant: "These lands command the best access and drainage and are supplied with water from public pipes...(they are) within the bounds of police, and are well watched and lighted. For the benefit of the feuars it has been resolved to keep present approaches and porters' lodges in Minto Street and Dalkeith Road which will secure to the several



Gatehouse Lodge

lots within the gates all the privacy and convenience of country residencies and will render them more desirable than any yet offered to the public. Advantageous terms will be given to the Builders in respect of the period of entry, advances of money, if required, and other points."

The northern part of Blacket Place was developed around the 1830s and contained semi-detached and individual properties, each with their own columned doorway, high gates and railings. The area towards the west of Blacket was largely completed in the 1830s. Kirkwood's 1834 map of Edinburgh shows the villas of Upper Gray Street, the terraced streets of Middleby Street and Duncan Street.



Map Circa. 1830

The introduction of horse drawn buses and the opening of Newington Railway Station in the mid 19th century accelerated development in the area. The properties towards the southern part of Blacket Place were developed and the majority of the large Victorian villas on Mayfield Terrace were built. In 1907, Dr J G Bartholomew, of the map-making firm, moved into Newington House and was the last private owner. In 1915 the house was bought and used as a centre for the Scottish National Institute for the War Blinded. After lying empty for several years and succumbing to dry rot, Newington House was eventually demolished in 1966. The ground now houses student flats for Edinburgh University.

One of the chief attractions of the Blacket development was the privacy afforded by the high walls and restricted entry controlled by gate keepers. The streets were private to the feuars, and the superiors pledged “to keep gate keepers in each of the five lodges, for all time coming”.

The original plans show lodges for all five entrances, although only the three lodges on Dalkeith Road remain (the lodge at the Minto Street end of Blacket Avenue was demolished in the 1920s).



Synagogue at Salisbury Road

There was little major change in the overall grain of the area during the 20th century. However, there were a number of significant new developments around the periphery: the Synagogue on Salisbury Road was built in 1932, the former Longmore Hospital on Salisbury Place was completed in 1947, Newington House was demolished in 1966 and developed for student flats, and the National Library extension was built on the site of the former Middlemass biscuit factory at the corner of Causewayside and Salisbury Place in 1995.



Longmore House



National Library extension

ANALYSIS & ESSENTIAL CHARACTER

Site Context and Views

The Blacket Conservation Area lies on a gentle south facing slope and is dissected by Dalkeith Road and Minto Street, two of the principal north-south routes leading into the city centre from Gilmerton and Dalkeith. These principal north-south gateway routes effectively divide the Conservation Area into three sections. The core Blacket area which is separated from the University of Edinburgh's Pollock Halls of Residence/Marchhall Place area to the east, and the Duncan Street/Gray Street area to the west.

The western edge of the Conservation Area includes all the properties lying on the west side of Upper and South Gray Streets, deviating to the north to include the prominent National Library building on the corner of Ratcliffe Terrace and Salisbury Road.



View to Arthurs Seat

Within the core of the Conservation Area, there are significant views out of the area. The dominating mass of Arthur's Seat rises to the east and is clearly visible from Blacket Place and Avenue. Views to the south are only present from Dalkeith Road and Minto Street, where the southern boundary of the city and the countryside beyond are visible. The views to the north are also limited, due to the gradient of the land which blocks out the city centre skyline.



View up
Minto Street



View down
Minto Street



View up
Dalkeith Road



View down
Dalkeith Road

Essential Character: Site Context & Views

- *The Conservation Area is divided by the two principal north south gateway routes of Dalkeith Road and Minto Street that effectively dissect the area into three distinct elements.*
- *There are prominent views of Arthur's Seat from Dalkeith Road and the core Blacket area.*

Spatial Structure

The area contains three distinct elements resulting from its division by Minto Street and Dalkeith Road. Both of these roads are principal routes into the City Centre.



House on Minto Street



Upper Gray Street

West Blacket

This area is generally rectangular in shape, formed by the western strip of the Conservation Area which is bounded by Minto Street, West Mayfield, the rear of the western boundaries of the properties on South Gray Street and Upper Gray Street and Salisbury Place. There are more connections with the surrounding areas (especially Minto Street) than in the Core Blacket Area. The main thoroughfare of Minto Street is lined by large detached and semi-detached Georgian and Victorian housing, while to the west the principal development form is Georgian single storey cottages and villas interrupted by former industrial buildings and offices. Duncan Street provides a classical Georgian Terrace on its northern side. There is little public open space and the small front gardens provide a compact urban environment in this area. There are also substantial private rear gardens to most properties.

Essential Character

- *The development pattern consists of single and two storey Georgian terraces and villas interspersed with former Victorian commercial buildings.*
- *The narrow internal street layout allied to small front gardens gives a secluded introverted character to the area.*

Blacket Core Area

The Core Blacket Area is clearly delineated on its east and west sides by the busy arterial routes of Dalkeith Road and Minto Street. The entrances at Blacket Place, Blacket Avenue and Mayfield Terrace are relatively narrow and are visually restricted by the lodge buildings and high stone walls. The seclusion is further emphasised by the restricted views to the surrounding area. This area is largely square in shape with a grid layout, and follows the original plan provided by James Gillespie Graham in 1825.

This formerly gated estate is characterised by standard plot sizes, occupied by a mix of detached, semi-detached, and small groups of terraced houses. These properties have mature garden areas to the front and large gardens to the rear. The area is scattered with mature trees and these, with the gardens, give a pleasant garden suburb feel to this area. Subsequent alterations and extensions to the height and width of some of the properties have partially changed the spatial structure. A number of the villas have ground floor extensions that have linked neighbouring properties; this blocks views into the rear gardens and results in a terraced appearance.



Kerbside planting

There is little communal open space within the area. Blacket Avenue, the principal road through the area has a narrow fringe of shrubs and trees on either side. The front gardens of all the villa properties have an abundance of mature planting and are of generous proportions, which give the street considerable width

and a sense of openness. The majority of open space is located in private rear gardens and is shielded by the buildings themselves. These private back gardens constitute a large area that is not apparent from the streets. The back gardens generally back on to adjacent gardens creating substantial areas of open space.

The grounds around the Edinburgh University halls of residence and the former Nursing Home on Alfred Place form an extensive area of open space. The properties on the margins of this area generally follow the same format as those described above, with the exception of East Mayfield on the southern boundary, where a long stone wall contains the rear gardens of Mayfield Terrace. The northern boundary spans both sides of Salisbury Place and here there is a diverse mix of Georgian residential properties interspersed with a former 1930s nurses' home and a synagogue.



Tree in Blacket Place

Essential Character

- *The predominant development form comprises Georgian and Victorian properties occupying large plots.*
- *The perpendicular street layout.*
- *The gardens, abundant mature planting within private gardens and in communal areas which make a significant contribution to the character of the area.*

East Blacket

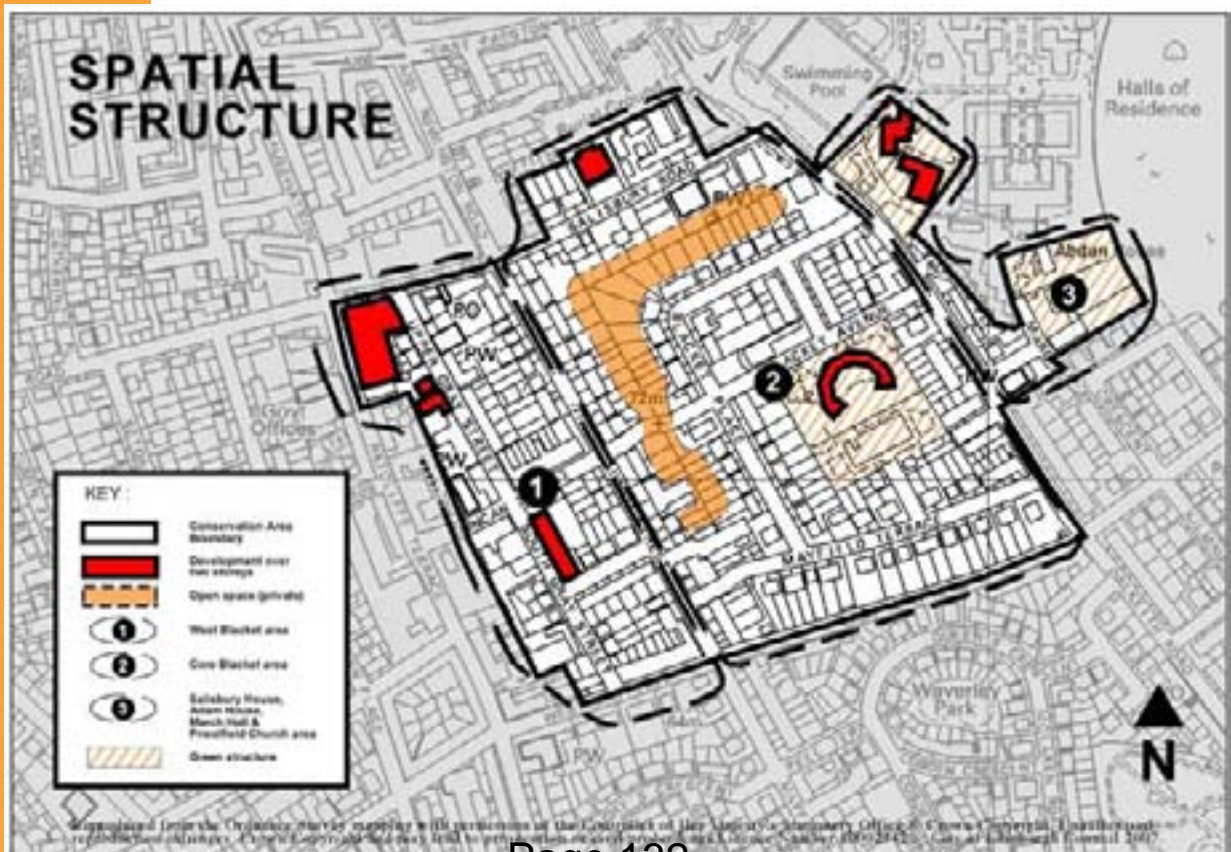
This area extends to the east of Dalkeith Road and includes the three historic mansions contained in the grounds of the University’s Pollock Halls of Residence and the adjacent NHS Trust. These are distinctive and stand in large grounds. A small group of Georgian villas front onto Dalkeith Road just to the north of Priestfield Parish Church which acts as a significant local landmark and impressive focal point to the eastern edge of the Conservation Area. The spatial structure is characterised by the extensive adjacent area of parkland at the foot of Arthur’s Seat which dramatically overlooks the area. The general quiet atmosphere of this area contrasts with the busy Dalkeith Road.



Pollock Halls

Essential Character

- *Large garden grounds allied to the visual proximity of Arthur’s Seat give an open landscaped feeling to this area.*



Townscape

Dalkeith Road and Minto Street are wide gateway routes into the city centre from the south containing large Georgian and Victorian villas. The buildings are set back with garden frontages, the majority of which have now been converted into car parking to cater for the numerous guesthouses. There have been successive additions and alterations to some of these villas over the years that have had a negative impact on



Dalkeith Road

the townscape of the area. Minto Street (A7) is lined with two storey villas, some with extensions and alterations effectively linking properties, thereby blocking spaces and disturbing their massing. The wide front gardens accentuate the feeling of width and space. Dalkeith Road (A68) curves towards the west and is characterised on its western side by villa properties. Spence Street is a small cul-de-sac containing a terrace of Victorian houses. On the eastern side, the area encompasses the tall turreted buildings of Edinburgh University and the surrounding spaces.



Guesthouses on Dalkeith Road

West Blacket

This area contains a varied range of townscape elements and is less formally planned than the Core Area. Georgian residential development predominates, generally fronted by private gardens bounded by low stone walls. The former Edinburgh Geographical Institute, which fronts Duncan Street, and the former coach works on Upper Gray Street represent examples of recent residential conversion.

Non-residential development is interspersed with mainly residential uses. The stone masonry yard located behind one of the villas and the saw mill beside the Duncan Street Dental School consist of cast iron sheds and work yards that are visually out of context with the historic townscape of the area. The site at the corner of Duncan Street/Upper Gray Street contains a number of timber garages and workshops. Along Duncan Street over the Upper/South Gray Street crossroads, there is a cluster of non-residential buildings (dental school, Baptist church and telephone exchange). St Columba's, a RC Church, stands towards the northern end of Upper Gray Street.



Corner Site

The National Library building, situated at the corner of Causewayside and Salisbury Place is a major landmark feature in the Conservation Area in terms of its scale, form and materials, Salisbury Place consists of a mixture of modern and Victorian houses with a small row of local shops.

Essential Character

- *The West Blacket area demonstrates a diverse mix of building types given coherence by the limited range of traditional materials.*
- *Front and back gardens of terraced and villa properties provide open space relief.*
- *A grouping of public and commercial buildings helps bring a diversity of townscape features to this otherwise residential area.*

Core Blacket Area

The entrances into the Core Blacket Area, the most unified of the three areas, are defined by enclosed gateways. Four of these entrances, three off the Dalkeith Road and one off Minto Street, are very restricted and those on Dalkeith Road have gate-piers and lodge houses, whose original purpose was to provide security within this select area. These entrance features are of townscape interest to the area and symbolise its exclusive character.



entrances to Blacket area



Street sign

The area has a successful mix of single villas and terraces of large houses, that are shielded from the surrounding city. There are clear views to Arthur's Seat from the eastern end of Blacket Place and Blacket Avenue. The proportions of the houses and mature planting give the area an air of maturity. This is a tribute to the original guidelines set out in the feu charters, stating that plot sizes were to be uniform, building lines respected and that the height of buildings should

not exceed 2 storeys. The character of the area stems from these original guidelines and gives the area a defined unity, without diminishing the individual characteristics that give each property its charm.

The Georgian villas at the north end of Blacket Place are collectively very similar in terms of height, building line and materials. Their individual character is derived from subtle variations in architectural detailing. There have been a number of ground floor extensions that have resulted in the linking of neighbouring properties. This has resulted in restricted views of gable walls and rear gardens and gives these villas a terraced feel. One of the most distinctive townscape features of the villas is their elevation to incorporate basement levels.

Edinburgh University Halls of Residence on Blacket Avenue are located on a sizeable piece of land, with trees and plants effectively blocking views to it from the surrounding area. Belleville Lodge on Blacket Avenue is one of the largest villas in the Blacket area. Set within extensive gardens, it is situated between the back gardens of Blacket Place and Dryden Place. A band of shrubs and small trees line the entire northern side of Blacket Avenue, which contrasts with the more intensively developed Blacket Place.

The northern side of Mayfield Terrace from the Dalkeith Road end to the corner of Alfred Place, consists of villas that have been aligned to minimise views from neighbouring properties on the western side and possibly to improve views of Arthur's Seat. The adjoining side of the street follows a more consistent alignment, with the rest of the area and consists of large villa properties with more variation than is apparent in the rest of the area. These villas are the largest in the Core Area and are set back from the street, with substantial private gardens to the rear.



view out of the Conservation Area

The road curves into a narrow gap when leaving Mayfield Terrace and entering Minto Street. The back gardens of Mayfield Terrace are bounded by a high stone wall that runs virtually the whole length of the street. There is also no pavement on the wall's side. Salisbury Road includes a number of two storey semi-detached Victorian villas with front gardens. The former Nurses' Home at No. 31 is a good example of 1930's architecture. This five storey building with modern extension on the top floor is of

impressive proportions and dominates the area. It is set back a considerable distance from the road with a high boundary wall. The Salisbury Centre,



Ground floor extension



Belleville Lodge



Former Nurses' Home



Boundary Wall

a Victorian villa, is set in a large plot of land with high boundary walls. The red brick walls and dome of the Synagogue contribute to the mixed nature of this street, providing another interesting feature in the townscape of this area.

Essential Character

- *Unified architectural form and materials.*
- *Mix of villas and terraces of substantial houses.*
- *Planting provides an air of maturity.*

East Blacket

This area contains a small number of fine Georgian and Victorian mansion houses now occupied by institutional uses and situated in their own grounds. New halls of residence partly occupy and disrupt the space between these mansions and Dalkeith Road. The effect of this modern development is to detract from the townscape qualities of openness and quiet solitude, by providing an intrusive element in terms of height, materials and massing. The northern part of the Dalkeith Road frontage is defined by the high stone wall of Salisbury Green, shielding the University's Halls of Residence and reducing their impact. A short terrace of Georgian houses set back from the road occupies the southern part. The Priestfield Parish Church designed in an Italian renaissance style punctuates the southern corner of this area and provides a major landmark for the whole Conservation Area. The backcloth of Holyrood Park, Salisbury Crags and Arthur's seat dominates this eastern section of the Conservation Area, which can be viewed from most locations.



*Edinburgh University
Halls of Residence*



Georgian Villa on Dalkeith Road



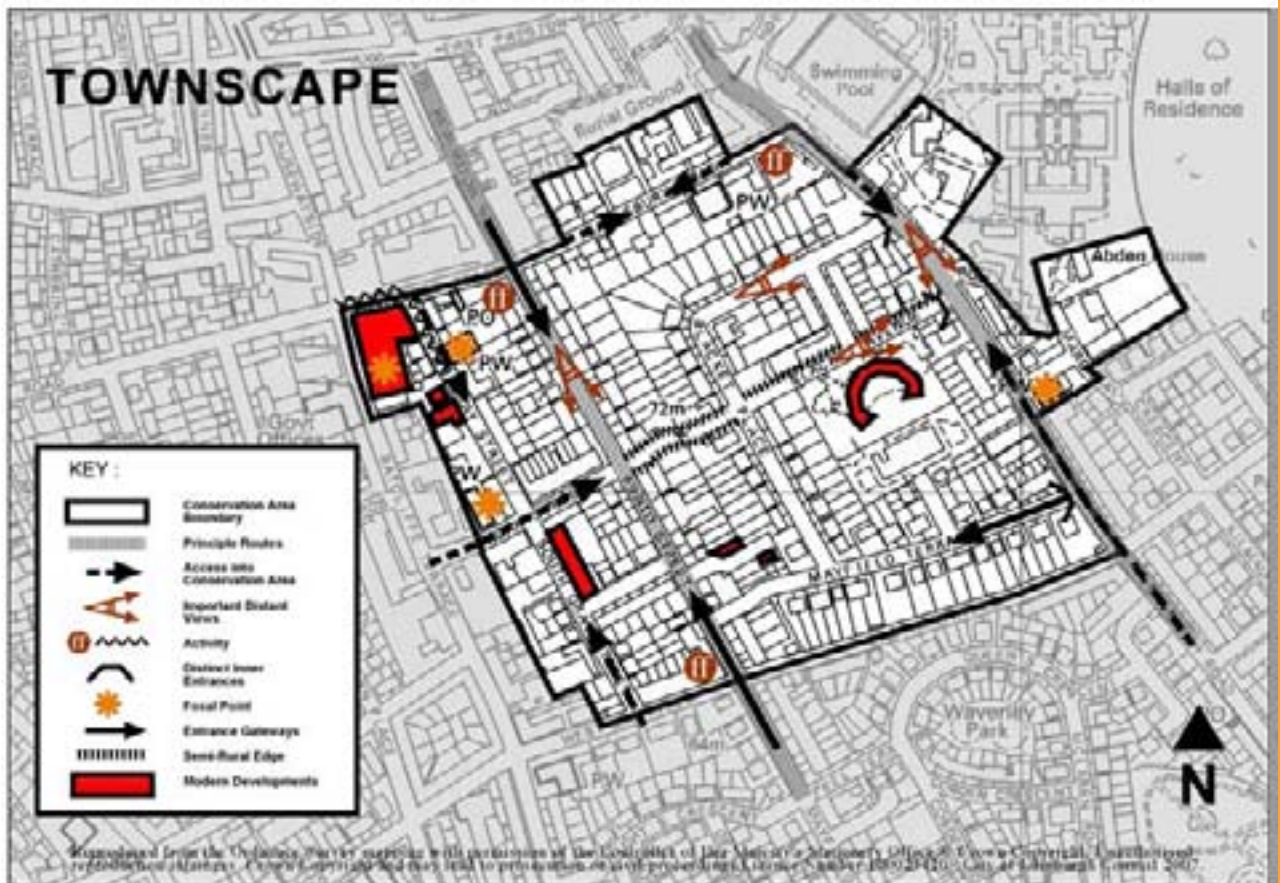
Priestfield Parish Church



View to Arthur's Seat

Essential Character

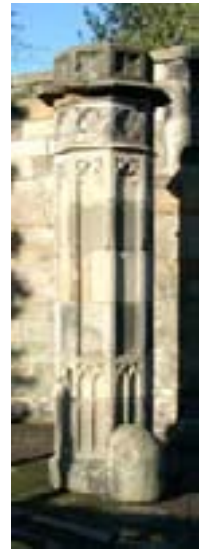
- *The varied Georgian and Victorian mansions with their associated open grounds.*
- *The stone walling of the Halls of Residence on Dalkeith Road, allied with a fine Georgian terrace.*
- *The Priestfield Parish Church which punctuates the area.*
- *Holyrood Park which visually dominates the area.*



Architectural Character

The Conservation Area contains a wealth of architectural heritage with over 90 buildings identified as being of historic or architectural importance. The overall character of the Blacket Conservation Area derives from its development as an early suburb of detached and semi-detached Georgian and Victorian villas, now enhanced by mature gardens and street planting. Whilst there are variations in character within the area, the predominant use of local sandstone for buildings and natural slate roofs contributes to a significant degree of architectural unity.

The density of development is also low, due to the rigorous enforcement of the feuing plans which ensured separation between properties and allowed for garden spaces to the front and the rear. Roofs are uniformly slated, with the later Victorian properties having steeper pitches with decorated eaves projections and dormer windows of varying design. The majority of properties have timber sash and case windows with the Victorian properties having fewer astragals than their Georgian predecessors. Distinct architectural features of the Conservation Area are the picturesque Tudor Gothic octagonal gate piers and gate lodges which provide a clearly identifiable boundary to the Core Area.



The Edinburgh University Hall of Residence on Blacket Avenue, built on the site of the former Newington House, contrasts with the more unified and traditional architecture of the surrounding area. However, this four-storey semi-circular 1980's development is set in a large plot of land with an abundance of mature trees and planting that effectively shields it from general view.



23-25 Blacket Place

A category "A" listed two storey and attic double villa is at 23-25 Blacket Place. Designed by Sir James Gowans, its distinctive frontage reflects the architect's design principles in the use of polychromatic random stonework based on a 2 foot square modular grid. The mosaic of polychromatic masonry is prominently used on the quoins, a deep centre belt, chimneys and crow stepped gables. The round arched dormers, crow steps and decorative iron cresting to the mansard roof all contribute to the building's picturesque skyline.

Arthur Lodge at 60 Dalkeith Road is one of the most distinguished buildings in the area. The building is attributed, on stylistic grounds, to Thomas Hamilton who designed the former Royal High School. Arthur Lodge was built between 1827 and 1830 by Robert Mason, an Edinburgh builder. It is designed in a classical Greek style with distinctively incised polished ashlar.



Arthur Lodge

West Blacket is characterised by a diversity of architectural styles and densities. The terraced streets of Duncan Street, Middleby Street,



Bartholomew House

Upper Gray Street and West Mayfield predate the majority of villas in the Core Blacket area. The former Edinburgh Geographical Institute, now in residential use as ‘Bartholomew House’ on Duncan Street, was built in 1909 and incorporates a Corinthian columned portico salvaged from Falcon Hall. The modern residential development located behind the front façade reflects the building height of the original building. There a been a similar union between the old and the new on Upper Gray Street, where at No. 30-34 the three storey cream sandstone former L-plan commercial coachworks has been extended to



Middleby Street

form a residential development. The original building height and massing are taken from the original building, which does not reflect the general character of the area.



Duncan Street

There are few public buildings in this substantially residential Conservation Area. One of the landmark buildings of note is the National Library Map Annexe located on the corner of Causewayside and Salisbury Place in the north west corner of the Conservation Area. This modern iconic piece of architecture with its high cornered peaks dominates the predominantly two storey buildings within the Conservation Area.

The small scale pedimented St Columba’s RC Church on Upper Gray Street sits comfortably within the terrace. The Synagogue on Salisbury Road adds an interesting and diverse architectural dimension to the Street. This two storey building is constructed in red and purple brick and was built by James Miller between 1929 –1932. Priestfield Parish Church, on the corner of Dalkeith Road/Marchhall Place, is a key building in the Conservation Area. The Lombardic Romanesque, Latin cross-plan church was built by Sutherland and Walker between 1877-79 and is an interesting focal point on the eastern edge of the Conservation Area.



Priestfield Parish Church

Essential Character: Architectural Character

- *Rich variety of architectural styles evident throughout the Conservation Area, which are given homogeneity through the feu charter which controlled heights (two storey and half storeys), building lines and massing.*
- *Properties are characterised by the predominant use of stone construction, slated roofs and timber sash and case windows.*

Natural Heritage

There is no publicly accessible open space in the Conservation Area, but there is a sense of spaciousness derived from the generously proportioned gardens and large mature trees. Trees and shrubs are fundamental to the character of the Conservation Area, contributing to landscape quality and amenity and complementing the built environment. Their presence helps to dampen the noise from surrounding streets and provide shelter for houses and gardens against wind and frost, as well as acting as “green lungs” and a habitat for wildlife. The Conservation Area relies very much on the vegetation and mature trees within gardens for its leafy character and robust landscape structure. In addition, there are sizeable trees within the grounds of the University properties at Pollock Halls and the former Newington House. There has been some successful roadside planting on verges in Blacket Place and Blacket Avenue, which have contributed to the amenity and wildlife value of the area.

The mature trees along Blacket Avenue make a particularly significant contribution to the character of the conservation area. There can be conflict between larger tree species and shade within a garden, but wherever possible it is important to accommodate large species replacement trees to reinforce the robust landscape framework. Where space is limited, consideration should be given to more fastigate and less densely foliated species.



There are several Tree Preservation Orders within the Conservation Area, in Salisbury Road, Blacket Place and Blacket Avenue. These preceded the Conservation Area designation and were largely due to development pressures.

Views from the Conservation Area are important and provide it with both a context within the city and visual links to contrasting landscape of more open Green Belt areas. There are fine views along the east-west orientated streets to Arthur's Seat. Views along the north-south orientated streets are urban in character and associated with the approach roads to the city centre.

Essential Character: Natural Heritage

- *Sense of spaciousness derived from the generously proportioned gardens and large mature trees.*
- *Important vistas to Arthurs Seat.*
- *The contribution of private open spaces at Pollock Halls and the Blacket Avenue University Halls of Residence to the character of the area.*

Activities And Uses



Shops at Salisbury Place

The predominant use within the Conservation Area is residential, with detached and semi-detached villas and terraces constituting the vast majority of properties. There are also a small number of flatted properties throughout the Conservation Area. There are limited local amenities within the area. There are two small groups of shops, one of which is located at the north-east quadrant of Minto Street and West Mayfield. The other group forms part of a local shopping centre at the north end of Minto Street, along Salisbury Place. There is a large public house on the north east corner of the Conservation Area, at the corner of Salisbury Road/Dalkeith Road.



Shops at Minto Street

The predominant uses along the gateway routes of Minto Street and Dalkeith Road are hotels, guesthouses and bed and breakfast accommodation. These two roads constitute the main tourist routes from the south into the city centre and their uses comply with Council



Hotel on Minto Street

policy. There is a stone masonry yard and a saw mill within the Duncan Street/Upper & South Gray Street area. A telephone exchange and Baptist Church complete this diverse area.

There are two churches within the Conservation Area: St Columba's RC Church on Upper Gray Street and Priestfield Parish Church on the corner of Dalkeith Road and Marchhall Place. The National Map Library located on the corner of Causewayside and Salisbury Place constitutes another public use within the Conservation Area.

Essential Character: Activities and Uses

- *Predominance of residential uses, with hotels and guest houses on arterial routes.*

OPPORTUNITIES FOR ENHANCEMENT

New Development

Development has been strictly controlled since the time of the original feuing plans. New development needs to be treated with great sensitivity in order to enhance the Conservation Area and reinforce the sense of cohesion and unity. Any development should be restricted in height and scale in order to protect the character of the surrounding area. New design must respect the existing spatial pattern, massing and traditional materials. Open space should be preserved and existing buildings of value should be retained. The site at the corner of Duncan Street and Upper Gray Street presently contains a number of timber structures which do not relate well to the surrounding environment. Appropriate redevelopment of this site is encouraged.



Modern Development

Boundaries

Cast iron railings once enclosed the front gardens of many properties within the Conservation Area providing an attractive secure edge to the properties. However, many of these railings were removed during the Second World War and boundary treatment subsequently became a mixture of hedges and modern railings. This has resulted in a lack of unity and cohesion which has been compounded by the creation of off-street parking. The reinstatement of railings would result in a significant improvement to the historic fabric of the area.



*Railings at
Blacket Place*

Boundary Changes

No changes to the existing boundaries of the Conservation Area are proposed.

GENERAL INFORMATION

Statutory Policies

The Blacket Conservation Area lies wholly within the area of the Central Edinburgh Local Plan. The majority of the Conservation Area is covered by an area of 'Housing and Compatible Uses' in which the existing residential character and amenities are to be safeguarded.

Within the Conservation Area the existing architectural character, historic and landscape character is to be preserved and enhanced.

Minto Street and Dalkeith Road are identified as main tourist approach routes where limited hotel/guest house use will be allowed, provided that the commercial uses do not exceed 40% of the frontage of the street block. Minto Street is also safeguarded as a route for a light rapid transit system.

The Development Quality Handbook policy on Villa Areas and the Grounds of Villas applies to the Conservation Area. This policy aims to achieve the following:

- To enhance the predominantly stone built character of villa areas.
- To respect spatial character and setting and to locate buildings appropriately on sites.
- To encourage appropriate building forms, their quality and design.
- To maintain the general low-density of built form and retain the high percentage of garden area on sites.

Supplementary Guidance

The Council also produces supplementary planning guidance on a range of development control issues. These are contained within the Development Quality Handbook.

Implications of Conservation Area Status

Designation as a conservation area has the following implications:

- Permitted development rights under the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 are restricted. Planning permission is, therefore, required for stone cleaning, external painting, roof alterations and the formation of hard surfaces. The area of extensions to dwelling houses which may be erected without consent is also restricted and there are additional control over satellite dishes.
- Under Article 4 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992, the planning authority can seek approval of the Scottish Executive for Directions that restrict permitted development rights. The Directions effectively control the proliferation of relatively minor alterations to buildings in conservation areas that can cumulatively lead to erosion of character and appearance. Development is not precluded, but such alterations will require planning permission and special attention will be paid to the potential effect of proposals. The Blacket Conservation Area has Article 4 Directions covering the following classes of development:
 - 1 enlargement, improvement or other alteration of a dwelling house
 - 3 provision or alteration of buildings or enclosures within the curtilage of a dwelling house
 - 6 installation, alteration or replacement of satellite antennae
 - 7 construction or alteration of gates, fences, walls or other means of enclosure
 - 30 development by local authorities
 - 38 water undertakings

39 development by gas suppliers

40 development by electricity undertakers

41 development by tramway or road transport undertakings

67 development by telecommunications undertakers

- Special attention must be paid to the character and appearance of the conservation area when planning controls are being exercised. Most applications for planning permission for alterations will, therefore, be advertised for public comment and any views expressed must be taken into account when making a decision on the application.
- Buildings which are not statutorily listed can normally be demolished without approval under the planning regulations. Within conservation areas the demolition of unlisted buildings requires conservation area consent.
- Alterations to windows are controlled in terms of the Council's policy.
- Trees within a conservation area are covered by the Town and Country Planning (Scotland) Act 1997. The act applies to uprooting, felling or lopping of a tree having a diameter exceeding 75mm at a point 1.5m above ground level, and concerns the lopping of trees as much as removal. The planning authority must be given six weeks notice of the intention to uproot, fell or lop trees. Failure to give notice render the person liable to the same penalties as for contravention of a Tree Preservation Order (TPO).

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