

Notice of meeting and agenda

Planning Local Review Body (Panel 1)

10.00 am Wednesday, 15th December, 2021

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 1) of 13 October 2021 – 7 - 12
submitted for approval as a correct record.

5. Local Review Body - Procedure

- 5.1 Note of the outline procedure for consideration of all Requests for Review 13 - 16

6. Requests for Review

- 6.1** 2 (3F3) Barony Street, Edinburgh – Attic conversion and new dormer window to the rear and new velux roof light – application no. 20/05120/FUL. 17 - 62
- (a) Decision Notice and Report of Handling
 - (b) Notice of Review and Supporting Documents
- Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents and a site inspection.
- 6.2** 14 Columba Road, Edinburgh - Proposed pitched roof side and front dormers (material variation from previous consent), alterations to existing property – application no. 21/02694/FUL. 63 - 118
- (a) Decision Notice and Report of Handling
 - (b) Notice of Review and Supporting Documents
- Note: The applicant has requested that the review proceed on the basis of an assessment of the review documents only.

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

- 7.1** Extracts of Relevant Policies from the Edinburgh Local Development Plan for the above review cases
- [Local Development Plan Online](#)
- Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)
- Edinburgh Local Development Plan Policy Env 1 (World Heritage Sites)
- Edinburgh Local Development Plan Policy Env 3 (Listed Buildings - Setting)
- Edinburgh Local Development Plan Policy Env 4 (Listed Buildings - Alterations and Extensions)

8. Non-Statutory Guidance

- 8.1 [Guidance for Householders](#) 119 - 138
- [The New Town Conservation Area Character Appraisal](#)
- [Listed Buildings and Conservations Areas](#)
- [Edinburgh Design Guidance](#)
- Historic Environment Scotland's Guidance on Managing Change – Roofs

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.

Nick Smith

Service Director, Legal and Assurance

Membership Panel

Councillor George Gordon, Councillor Max Mitchell, Councillor Joanna Mowat, Councillor Alex Staniforth and Councillor Lezley Marion Cameron

Information about the Planning Local Review Body (Panel 1)

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.

This page is intentionally left blank

Minutes

The City of Edinburgh Planning Local Review Body (Panel 1)

10.00am, Wednesday 13 October 2021

Present: Councillors Cameron, Gordon, Mitchell, Mowat, and Staniforth.

1. Appointment of Convener

Councillor Staniforth was appointed as Convener.

2. Minutes

To approve the minute of the Local Review Body (LRB Panel 1) of 15 September 2021 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 – 10 Belmont Drive, Edinburgh

Details were submitted of a request for a review of proposals to erect a new garage with office above to be erected in the grounds at 10 Belmont Drive, Edinburgh. Application no. 21/02367/FUL.

At the meeting of the Local Review body of 15 September 2021, the Panel agreed to continue consideration of the request for review in order to:

1. Allow for a site visit to be conducted safely under social distancing measures.
2. Provide the Panel with the opportunity to view the site and the surrounding area.
3. Confirm the impact of the proposed loss of trees.

Note: The site was visited by the Panel on 30 September 2021

The request was considered by the City of Edinburgh Planning Local Review Body (LRB) at a meeting on Wednesday 13 October 2021.

Assessment

At the meeting on 13 October 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 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 being the drawings shown under the application reference number 21/02367/FUL on the Council's Planning and Building Standards Online Services.

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

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

- 1) The development plan, including the relevant policies of the Edinburgh Local Development Plan.
Edinburgh Local Development Plan Policy Des 12 (Alterations and Extensions)
Edinburgh Local Development Plan Policy Env 6 (Conservation Areas - Development)
Edinburgh Local Development Plan Policy Env 12 (Trees)
- 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:

- Whether discussion had taken place with the applicant about bridging the tree roots as opposed to felling the trees.
- It was confirmed that no discussions regarding this issue had taken place. Additionally, one of the trees was located in the centre of the development and would be required to be removed regardless. Also, due to the topography of the site, evacuation into the embankment would be necessary. Therefore, it was probable that bridging the tree roots would not be feasible.
- The discussion with the applicant that should have taken place had not done so, because this application had not been processed timeously. There had been a response from the Arboricultural Officer, who stated that trees made a contribution to the wood cover of Corstorphine Hill. However, it could be argued that the proposed development was on the edge of Corstorphine Hill.
- Regarding the part they played in wider tree cover, it should be determined if the trees were so integral to this that they deserved a higher rating, or were they medium to low value and it would not be in breach of policy to remove them.

- There was sympathy with the applicant that the removal of the trees would not have a massive impact on the Conservation Area. If it was possible to condition the replacement of trees, rather than remove them, the application could be granted, but with a condition for tree replacement.
- It was confirmed that it would be possible to impose a condition if it was reasonable, necessary and enforceable. It should be decided if the replacement trees were necessary to make this development feasible or could it take place without replacing the lost trees.
- At a previous application, it was necessary to impose an informative, rather than a condition, regarding the replanting of trees.
- This might be referring to a construction on Princess Street to the entrance to the Galleries. Because it was outside the site, in that instance it was not possible to impose a condition.
- That the site visit confirmed the opinion of the officer, that the trees in question, formed part of the overall character of Corstorphine Hill and it would damage the Conservation Area if the trees were removed. Replanting would not be the solution as it would take a considerable length of time for the replacement trees to grow and be a feasible replacement. The application should therefore be refused on the grounds of LDP Policy Env 6 and Env 12.

Having taken all the above matters into consideration, although one of the members was in disagreement, the LRB determined that if a condition on replacement trees was imposed, it made the application acceptable and the exact placement of trees was not as relevant as the extent of the tree cover. Therefore, the proposals were not contrary to Edinburgh Local Development Plan Policies Des 12 (Alterations and Extensions), Env 6(Conservation Areas - Development) and Edinburgh Local Development Plan Policy Env 12 (Trees).

It therefore overturned the decision of the Chief Planning Officer and granted planning permission, subject to a condition regarding replacement trees.

Decision

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

Condition

1. Only the trees shown for removal on the approved drawing/s should be removed. A landscape plan, showing details of the three replacement trees should be submitted to and approved in writing by the Planning Authority before work was commenced on site; the approved landscape plan should be implemented within 6 months of the completion of the development.

Reason

1. In order to protect the character and appearance of the conservation area and ensure that a high standard of landscaping was achieved, appropriate to the location of the site.

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 was to commence. Failure to do so constituted a breach of planning control under section 123(1) of the Town and Country Planning (Scotland) Act 1997.
- (c) As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a Notice of Completion of Development must be given in writing to the Council.

(References – The City of Edinburgh Planning Local Review Body, 15 September 2021 (item 4); Notice of Review and Supporting documents, submitted)

Dissent

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

5. Request for Review – 2 Roseburn Avenue, Edinburgh

Details were submitted of a request for a review of proposals to create a driveway in front garden (amended) at 2 Roseburn Avenue, Edinburgh. Application No. 21/01281/FUL.

Assessment

At the meeting on 13 October 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, the report of handling, a further letter of representation and a reply from the Appellant.

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 01B, 02B, Scheme 3 being the drawings shown under the application reference number 21/01281/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 Tra 2 (Private Car Parking)

- 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:

- If the only issue was that the proposed driveway would occupy an area greater than 25% of the front garden there would be material reason for allowing this development to take place, because the garden was not a significant amount of green space or provide substantial garden amenity. But on the grounds of safety, and neighbouring amenity, it should be refused.
- That the applicant might only park overnight in the proposed driveway, as intended, and this would not affect residential amenity. However, they might move to a new dwelling house in the future and the new resident might park during the day, and regular use of this area as a driveway would have an impact to neighbouring amenity both in terms of neighbouring outlook and disturbance from vehicular usage.

Having taken all the above matters into consideration and although there was some sympathy for 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 proposed development did not meet the minimum size requirements in terms of depth as recommended by the Roads Authority and highlighted in the non-statutory Guidance for Householders. The proposal would also have a significant impact on neighbouring amenity. Therefore, the proposal was not in accordance with LDP policies Des 12, Tra 2 and, the non-statutory Guidance for Householders and was not acceptable.

(References – Decision Notice, Report of Handling, Notice of Review, supporting documents and further correspondence, submitted).

This page is intentionally left blank

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.

This page is intentionally left blank

Studio Dub.
Fao Gordon Duffy.
17a/2 West Crosscauseway
Edinburgh
EH8 9JW

Ms Rebecca Wober.
3F3 2 Barony Street
Edinburgh
EH3 6PE

Decision date: 20 August 2021

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

Attic conversion and new dormer window to the rear and new velux roof light.
At 3F3 2 Barony Street Edinburgh EH3 6PE

Application No: 20/05120/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 20 November 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:-

1. The alterations fail to preserve the character and appearance of both the conservation area and listed building, contrary to policies Env4 and Env6.

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

Drawings 1-3, 4A, 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 alterations fail to preserve the character and appearance of both the conservation area and listed building, contrary to policies Env4 and Env6.

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
The City of Edinburgh Council

NOTES

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

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

Report of Handling

Application for Planning Permission
3F3 2 Barony Street, Edinburgh, EH3 6PE

Proposal: Attic conversion and new dormer window to the rear and new velux roof light.

Item – Local Delegated Decision
Application Number – 20/05120/FUL
Ward – B11 - City Centre

Recommendation

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

Summary

The alterations fail to preserve the character and appearance of both the conservation area and listed building, contrary to policies Env4 and Env6.

SECTION A – Application Background

Site Description

Top floor flat within 4-storey and basement terraced tenement on corner site (1 of mirrored pair), with 5-storey, 3-bay circular corner tower breaking eaves; tower flanked by 2-bay splayed sections, flanked in turn by 3-bay straight sections, Thomas Bonnar, 1829-34.

Category A listed, listed 12.12.1974, LB Ref 30071.

The site is located in the New Town Conservation Area.

Description Of The Proposal

It is proposed to form a dormer and velux window on the rear elevation of the roof.

Relevant Site History

20/05119/LBC

Attic conversion with new spiral stair and opening from hall to rear bedroom; Form new dormer window to the rear and velux roof light; Form new opening to connect two front rooms with sliding-folding doors.

Consultation Engagement

Historic Environment Scotland

Publicity and Public Engagement

Date of Neighbour Notification: 30 November 2020

Date of Advertisement: 4 December 2020

Date of Site Notice: 4 December 2020

Number of Contributors: 1

Section B - Assessment

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?

Assessment

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

a) the proposals will adversely affect the character and appearance of the conservation area;

- b) the proposals will have an adverse impact on the character of the listed building;
- c) the proposal will result in an unreasonable loss of neighbouring amenity;
- d) any impacts on equalities and human rights are acceptable; and
- e) any comments received are addressed.

a) Character and appearance of conservation area

The New Town Conservation Area Character Appraisal states that *the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions*

Although the dormer would not be excessive in terms of scale and siting, its location, within the context of part of the conservation area where the rear roofscapes have largely been unaffected by significant alterations, would have an adverse impact on the character of the conservation area. It would introduce a feature that has been restricted to the front of buildings and would erode an important part of the character of the immediate area.

Historic Environment Scotland has concerns with regard to the proposed development and has commented on both the applications for listed building and planning permission.

Furthermore, the New Town Conservation Area character appraisal stresses the importance of protecting the fifth dimension of the World Heritage Site and the proposed structure would set an undesirable precedent for similar dormer windows which do not respect the traditional roof forms. The cumulative effects of similar developments is also considered.

The proposal would therefore be contrary to Policy Env 6, Env 1, and Des 12 of the Edinburgh Local Development Plan and non-statutory guidance for listed buildings and conservation areas.

b) Impact on the Listed Building

HES's guidance on *Managing Change - Roofs* set out the principles that apply and how they should inform planning policies. The Council's non-statutory guidance on Listed Buildings and Conservation Areas provides further advice in respect of works to listed buildings and conservation areas.

The rear roofscape of the building and its neighbours, which form a relatively enclosed central space created by the buildings in Barony Street, Broughton Street and London Street, is largely unaltered and benefits from its original character and appearance. The introduction of a dormer, albeit on a relatively inconspicuous location, being close to the junction between Barony Street and Broughton Street, would create an intrusive addition to a part of the building that has avoided significant alterations to its original form. It would have a considerable and detrimental impact on an important architectural element within the overall composition of the building and would fail to respect its

historical and architectural quality. The formation of the rooflight, in isolation, would be acceptable.

The proposals fail to comply with the non-statutory guidance in relation to listed buildings and fail to preserve the character and setting of the listed building.

c) Residential Amenity

The rear gardens of this corner site are already heavily overlooked by neighbouring windows. The proposal would not result in any worsening of this existing situation.

d) Equalities and human rights

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

e) Public Comments

One representation was received, objecting to the impact of the dormer on the roofscape of the building and the slapping on the plan form of the building, both to the detriment of its character.

The proposed alterations to the interior are assessed in the concurrent application for listed building consent.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

1. The alterations fail to preserve the character and appearance of both the conservation area and listed building, contrary to policies Env4 and Env6.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 20 November 2020

Drawing Numbers/Scheme

1-3, 4A

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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

Consultations

NAME: Historic Environment Scotland

COMMENT: This application proposes a new dormer window to the rear of 2 Barony Street, part of an A-listed corner tenement by Thomas Bonnar of 1829-34.

The addition of a dormer window would have an impact on the appearance and significance of the listed building. A key external feature of this building is the shallow pitched roofs to both the front and rear. The addition of a dormer window would give the roofscape more prominence than it was intended to have. While we accept that the visibility of any dormer would be limited (and the impact would not therefore be significant), it would still appear as an incongruous addition and for this reason we would caution against the addition of dormer windows on this listed building.



By email to:
diana.garrett@edinburgh.gov.uk

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

Longmore House
Salisbury Place
Edinburgh
EH9 1SH

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

Our case ID: 300047751
Your ref: 20/05120/FUL
14 December 2020

Dear City of Edinburgh Council

Town and Country Planning (Development Management Procedure) (Scotland)
Regulations 2013

3F3 2 Barony Street Edinburgh EH3 6PE - Attic conversion and new dormer window to the rear and new velux roof light

Thank you for your consultation which we received on 01 December 2020. We have assessed it for our historic environment interests and consider that the proposals affect the following:

Ref	Name	Designation Type
LB30071	42-48A (EVEN NOS) BROUGHTON STREET, AND 2, 4 BARONY STREET, INCLUDING RAILINGS	Listed Building

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

Our Advice

This application proposes a new dormer window to the rear of 2 Barony Street, part of an A-listed corner tenement by Thomas Bonnar of 1829-34.

The addition of a dormer window would have an impact on the appearance and significance of the listed building. A key external feature of this building is the shallow pitched roofs to both the front and rear. The addition of a dormer window would give the roofscape more prominence than it was intended to have. While we accept that the



visibility of any dormer would be limited (and the impact would not therefore be significant), it would still appear as an incongruous addition and for this reason we would caution against the addition of dormer windows on this listed building.

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

Further Information

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

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

Please contact us if you have any questions about this response. The officer managing this case is Ian Thomson who can be contacted by phone on 0131 668 8076 or by email on ian.thomson@hes.scot.

Yours faithfully

Historic Environment Scotland

Comments for Planning Application 20/05120/FUL

Application Summary

Application Number: 20/05120/FUL

Address: 3F3 2 Barony Street Edinburgh EH3 6PE

Proposal: Attic conversion and new dormer window to the rear and new velux roof light.

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: The AHSS Forth & Borders Cases Panel has examined the proposals for alterations to this listed building and we object to two aspects of the application as follows:

- 1) The proposed addition of a dormer window to the rear elevation would materially alter the character of this category A listed building. Designed by Thomas Bonnar in 1829-34, this corner tenement site forms part of the Edinburgh New Town A Group, one of the most important and best-preserved examples of urban planning in Britain. The proposed dormer window would be visible from Barony Place, from which point it would clearly project above the existing roofline. We object to the impact that the proposed addition would have on the appearance and significance of this building.
- 2) The proposed slapping between the two principal rooms would have a significant impact on the historic interior, causing the loss of a large section of original cornice. We would prefer to see a smaller slapping with traditional doors rather than the proposed sliding door, which would be an inappropriate addition to the interior of this listed building.

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 100333858-004

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Studio DuB		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Gordon	Building Name:	
Last Name: *	Duffy	Building Number:	17A-2
Telephone Number: *	07843564420	Address 1 (Street): *	West Crosscauseway
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	EDINBURGH
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH8 9JW
Email Address: *	studiodub@mac.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="3f3"/>
First Name: *	<input type="text" value="R"/>	Building Number:	<input type="text" value="2"/>
Last Name: *	<input type="text" value="Wober"/>	Address 1 (Street): *	<input type="text" value="Barony Street"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="UK"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH3 6PE"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="3F3"/>
Address 2:	<input type="text" value="2 BARONY STREET"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH3 6PE"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="674564"/>	Easting	<input type="text" value="325790"/>
----------	-------------------------------------	---------	-------------------------------------

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)

Attic conversion and new dormer window to the rear and new velux roof light

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 Grounds of Appeal attached

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

Yes No

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

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

Householder_Application-2 Planning and LBC design statement 3f3 2 Barony St 01_1 Existing drawings 02_1 Downtaking drawings 05_1 Proposed 2 drawings Location Plan 05-1 Proposed 2 drawings 151220 Post_Submission_Additional_Docum-2 Grounds of Appeal

Application Details

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

20/05120/FUL

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

20/11/2020

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

20/08/2021

Review Procedure

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

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

Yes No

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

Please select a further procedure *

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

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

To properly understand the Grounds of Appeal attached hereto

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Gordon Duffy

Declaration Date: 11/11/2021



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 100333858-001

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

Description of Proposal

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

Form new opening in third floor flat from hall to rear bedroom and new spiral stair and enclosure to attic space. Form new dormer window at rear of property facing gardens. Form new opening to connect two front rooms of property to be linked with sliding-folding solid-panel doors.

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

No Yes - Started Yes – Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Studio DuB		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Gordon	Building Name:	
Last Name: *	Duffy	Building Number:	17A-2
Telephone Number: *	07843564420	Address 1 (Street): *	West Crosscauseway
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	EDINBURGH
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH8 9JW
Email Address: *	studiodub@mac.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	3F3 2 Barony street
First Name: *	Rebecca	Building Number:	
Last Name: *	Wober	Address 1 (Street): *	3F3 2 Barony street
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	EH3 6PE
Fax Number:			
Email Address: *	[REDACTED]		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

3F3

Address 2:

2 BARONY STREET

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH3 6PE

Please identify/describe the location of the site or sites

Northing

674564

Easting

325790

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Trees

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

Yes No

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

Access and Parking

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

Yes No

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Gordon Duffy

On behalf of: Ms Rebecca Wober

Date: 19/11/2020

Please tick here to certify this Certificate. *

Checklist – Application for Householder Application

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

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

Continued on the next page

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

You can attach these electronic documents later in the process.

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

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

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

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

Declare – For Householder Application

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

Declaration Name: Mr Gordon Duffy

Declaration Date: 20/11/2020

Payment Details

Online payment: [REDACTED]
[REDACTED]

Created: [REDACTED]

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 100333858-003

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

Site Address Details

Planning Authority:

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

Address 1:

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

Post Code:

Please identify/describe the location of the site or sites

Northing

Easting

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:	Studio DuB		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Gordon	Building Name:	
Last Name: *	Duffy	Building Number:	17A-2
Telephone Number: *	07843564420	Address 1 (Street): *	West Crosscauseway
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	EDINBURGH
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH8 9JW
Email Address: *	studiodub@mac.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	3f3
First Name: *	R	Building Number:	2
Last Name: *	Wober	Address 1 (Street): *	Barony Street
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	UK
Mobile Number:		Postcode: *	EH3 6PE
Fax Number:			
Email Address: *	[REDACTED]		

Proposal/Application Details

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

Was the original application part of this proposal? *

Yes No

Application Details

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

Application: *

100333858-002, application for Listed Building Consent, submitted on 20/11/2020

Document Details

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

Revised fenestration (only) of proposed dormer window per further discussion with neighbours

Checklist – Post Submission Additional Documentation

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

The additional documents have been attached to this submission. *

Yes No

Declare – Post Submission Additional Documentation

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

Declaration Name: Mr Gordon Duffy

Declaration Date: 16/12/2020

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

a) Whether the proposals will have an adverse impact on the character or appearance of the Conservation Area?

The proposal is located in the Northern New Town and while there is no specific mention of the subjects or the street within the text of the New Town Conservation Area Character Appraisal, in general terms, the document tells us that when assessing development, the General Criteria include,

“the appropriateness of the overall massing of development, its scale...its proportions and its relationship with its context i.e. whether it sits comfortably. Development should be in harmony with, or complimentary to, its neighbours having regard to the adjoining architectural styles. The use of materials generally matching those which are historically dominant in the area is important, as is the need for the development not to have a visually disruptive impact on the existing townscape.” P51

“Proposals for the alteration or extension of properties in the Conservation Area will normally be acceptable where they are sensitive to the existing building, in keeping with the character and appearance of the particular area and do not prejudice the amenities of adjacent properties.” p52

The local townscape contains many examples of dormer windows in various formations as pictured in the Design Statement to the Application. It is true to say that above eaves level the local character displays a wide range of different, original treatments of roof and dormers. The character of the local area also includes locations where a special emphasis is placed on the design of a corner.

Amongst the local dormers one example could hardly be any closer, it is in the adjoining tenement at 6 Barony Street, already pictured in the Design Statement 3d: an array of historic zinc-clad dormer windows to the front elevation of a similar double hipped roof on Barony Street. For dormers to the rear of local tenements a local example can be noted on the same urban corner to the rear of the tenement near the corner of Broughton Street and Broughton Place, circled A:



There are also several A Listed buildings in the local area which have historic dormer windows in the rear elevation including those at: Albany Street, B and at York Place, circled C & D:



View C,
York Place rear view, from Dublin Street Lane:

View D,
York Place rear view, from York Lane:



As can be seen from these examples and those in the Design Statement, a variety of dormer windows provide a natural punctuation to the language of the Conservation Area and can amplify the character of the elevation, providing visual interest and detail to the eye.



pic.3d: array of historic zinc-clad dormer windows, various forms, to the front elevation double hipped roof 4,6,8, Barony St.

View B, Albany Street rear view,
from Dublin Street Lane



Design Statement 3e, Albany Street front view
turret and bay window dormer formations



Finally, from Gayfield Street Lane one can look up towards the direction of the subjects at 2 Barony Street and see another dormer in the rear slope of a roof, to the building on Broughton Place Lane, the front facade of which is viewed in the vista from the single window front room of the subjects at 2 Barony Street:



The proposal to which this appeal relates is for a dormer window, consistent with the character and appearance of these similar examples in the Conservation Area which, and very similar to the above example, occurs at the back of a building, in the context of an internal corner and sits directly in line with the existing windows to all the lower storeys of the rear elevation.



Photomontage of proposal as shown in Design Statement, above. Note that this is a “zoomed in” view, made to look larger than what meets the eye at the distance of Barony Place, (at approximately 7 tenements distance: more than 50 metres from the proposal, see “rear photo as existing” on following pages. Also note that adjacent tenement 52 Broughton Street (to the left in this image) protrudes from the rear facade of this proposal such that the proposed dormer appears below the adjacent roof ridge lines on both sides:

For these reasons the proposal would not have an adverse impact on the character or appearance of the CA:

- The scale of the proposal is in proportion to its context
- The location of the proposal sits comfortably within the location,
- The design is in harmony with other examples of historic dormer windows both in the front and rear facades of local Listed buildings, occurring in single and in double hipped roofs
- The particular treatment given to the corner location is in keeping with particular treatments given to corner locations in the local area.
- The proposed materials match those in similar examples in the neighbouring tenement

Therefore any minor impact that proposal may be seen to have is in keeping with the character and appearance of the Conservation Area.

b) Whether the proposals affect the character or setting of the listed building?

The setting of the proposal is in an A Listed building which forms the corner of Broughton St and Barony Street corner. When standing up Broughton Street looking towards the subjects the handsome “Corner Tower” from which the tenement largely derives its listing is prominent, and from this viewpoint the setting also includes dormer windows in nearby buildings with similar double hipped roofs in the same view, for example along Broughton Place.



The proposed dormer is not located in a place which can be seen from the front elevations of this corner tenement on Barony Street or Broughton street. Equally it would be impossible from the rear elevation to view the proposal simultaneously with the Corner Tower on the street frontage (at adjacent flat 3f2) which is the most obviously distinctive feature noted in the Listing for the tenement. The rear facade of the building can only be viewed at a distance of several metres from a side street and has no features noted in the Listing.

Rear facade of 2 Barony Street as existing, (below right) highlighting two windows belonging to flat 3f3, just visible at a distance of 53 metres from the small portion of Barony Place which affords a mere glimpse of the rear facade of the subjects. Modern House at 4 Barony Place (below left) which obscures the partial view of the rear facades of Barony Street and Broughton Street.



Please note that the side street, Barony Place, (below left) has a later era of tenement construction to one side (also photographed in the Design Statement 3b) and to the other side is terminated by a modern house at 4 Barony Place (formerly a garage and known as 2 Barony Place). At the end of Barony Place the most dominant element of the vista is a modern mews arrangement of residential buildings which introduce visual clutter of an irregular assembly of roof levels and a clashing palate of materials: thin stone facade, timber cladding, glazed balconies, profiled aluminium cladding, render, below right.



In stark contrast to this jumble of forms and materials, all incongruous to the surroundings, the subject of this appeal is designed to make every effort to fit in to the vernacular of the 1837 terrace. Barony Place is a narrow street of about 45 metres in length, there is only approximately 5 metres on one side of the pavement from which the rear facade of Barony Street may be seen, (marked **x**) at a distance of approximately 53 metres, narrowly behind the modern house (4 Barony Place), and the area of roof in question is nestled in the internal corner and hard to see, recessed back a few metres from the neighbouring facades. For these reasons the proposal, while it is designed to be in keeping with the character and setting of its Listed context, would have a very negligible impact on the character or appearance of the Conservation Area as it is only seen at a distance, from 4% of an unexceptional side street and recessed from the main facades.

In stark contrast, in the local area, a short walk from this location, there is to be a new addition to the roof of an A Listed tenement at 16 Abercromby Place. In full sight from the street frontage a new “Glass pod” can be seen under construction. HES assessed this as follows, “*we consider it unlikely that this proposal will have a significant visual impact on Abercromby Place*”. These photos, taken from Abercromby Place, show what HES consider unlikely to have a visual impact:



HES added, “*Your Council may wish to investigate this in more detail to ensure any impacts are indeed kept to a minimum*”. The CEC has stated that “*The glazed pod would be set back from the principle facade and would have limited visibility from the surrounding area.*” The drawings show that the glazed pod is a hefty 6.7 metres wide and 6.2 metres deep, (considerably larger than the Planning standard for a “studio” flat of 32m²). This can be seen clearly when looking at the front elevational composition of Abercromby Place and the higher part of Dublin Street by any passer by who has no idea that the rear facade ever had any past interventions from other more modern eras. The proposed materials do not match the surroundings. Yet at 16 Abercromby Place the CEC writes that “*The proposal would...protect and enhance the appearance of the conservation area and protect the qualities of the world heritage site.*” Bearing this in mind, by comparison, the subject of this Appeal at 2 Barony Street is not seen from the front facade, and can only be seen from a narrow side street, at a distance of over 50 metres, and is literally set back from the surrounding rear facades owing to its corner location. The proposed dormer is only visible from this distant viewpoint and takes up just 3.5 square metres plan area of the roof, unlike the example just discussed which adds a whopping 41.5 square metres to the accommodation to that property at Abercromby Place, which has been given approval.

Moreover, the proposal being appealed here at 2 Barony Street presents a window balanced exactly in line over windows in the storeys below and given that the form, material and location of the dormer is seen in local examples cited here, this proposal is being appealed on the basis that it does not have an adverse impact on the character or appearance of the Conservation area but is in fact designed to be sensitive to the existing building, with very modest massing appropriate to the context. Therefore what minor impact the proposals may have appears to be consistent with the character and setting of the Listed building.

c) Whether the proposals are detrimental to the residential amenity of neighbours?

The proposals do not cause detriment to the residential amenity of neighbours in that they do not block any vistas, cause any overshadowing, or overlooking or in any other way take up any space relating to the amenity of neighbours.

On the other hand, the applicant has owned the flat for over 20 years and during this time the applicant has taken a lead on conducting common repairs and general maintenance amongst the joint owners. The proposal answers the need to locate bedrooms on the quiet side of the property, unimpeded by traffic noise and noise from social gathering around licensed premises which is a feature of the area. The other alternatives for the family to achieve the space for living room would entail moving out of the city centre and seeking space in the suburbs of Edinburgh which would detract from the social balance and inclusiveness of the city centre. Historically families lived in city centre tenements and there are distinct benefits when the city centre maintains a balance inclusive of families who want to stay, these include the 20 minute city, a family remaining in the city centre is less reliant on the car, and economies linked to families being included amongst the social mix. It is clear that in the absence of families living in city centre tenements the property would be attractive for rental including long lets and short lets and may lie empty for prolonged periods instead of being occupied. At present, the property is occupied by an owner with a profound knowledge of the maintenance of the building, respect for the Listed status and an application designed to be in keeping with the character and setting of the building, therefore contributing positively to the amenity of the area.

d) Whether any comments have been raised and addressed?

The Consultation period for this proposal ended 19th December. The proposals LBC and FUL each have one objection received, from the AHSS, with identical text copied and pasted from one application to the other. The AHSS point 1 states that *“the proposed addition of a dormer window to the rear elevation would materially alter the character of this category A Listed building.”*, which statement ignores the fact that the Rear Elevation is not seen and therefore not described in the Listing. It has been stated in this appeal that the features specific to the listing, *“swept down cornices”* and, *“corner tower breaking the eaves [both on the North East/ Principal Elevation]”*, are both not visible in the same view as the Rear Elevation and therefore this proposal which appears exclusively on the rear elevation does not materially alter the character of the features which make this tenement exceptional. The only material reason the AHSS give for this claim is that *“the proposed dormer window would be visible from Barony Place, from which point it would clearly project above the existing roofline”*. This is at odds with the fact that the proposed West Elevation shows that the dormer clearly does not project above the existing roofline. The AHSS have not explained that Barony Place is a small side street made up of later tenements and incongruous twentieth century additions most unlike this modest proposal. The AHSS also have not noted that there is only about a metre or so of pavement on Barony Place from which this proposed dormer could be visible at all, at a distance of seven tenement widths, 53 metres, from the proposal. Importantly the AHSS have not noted that the rear facade of the subjects is set back from the two neighbouring tenements to such an extent that the proposed dormer would appear to sit neatly *below* the roof line of both adjacent tenements, therefore projecting less than the local example of a rear dormer shown here located on Broughton Place Lane, as seen from Gayfield Lane. So, while the AHSS write, *“We object to the impact that the proposed addition would have on the appearance and significance of this building”*, this contradicts the statement of HES who have already written that *“we accept that the visibility of any dormer would be limited (and the impact would not therefore be significant).”* AHSS make no comment at all on whether the proposal preserves or enhances the Character or Appearance of the Conservation Area, presumably because the proposals have a negligible effect on the Conservation Area owing to their location and their sympathetic materials and design, both in keeping with local examples in the Conservation Area as demonstrated in this appeal.

The AHSS point 2, copied and pasted from their Listed Building comments, deals with the proposed internal opening between the two front rooms, which point is pertinent to the Listed Building application and not the Planning Application and therefore is dealt with in the Listed Building appeal document and not here.

During the Consultation period the applicant received an informal message from a neighbour requesting for the proposed rear window to have astragals, three astragaled alternatives were then sketched out and shown to the neighbour in discussion which enabled her to agree to a proposal for an astragal window with 3 over 6 panes. The drawing for this was issued to the Planning department, Diana Garrett, on 16th December, (email sent by Gordon Duffy, Studio DuB) and the neighbour had proposed to write to the Council in support of the application when the drawing was uploaded to the Portal. This drawing was not uploaded by the CEC onto the Planning Portal. This drawing does form part of the proposal. Therefore while the original application was consistent with some existing examples of local historic dormers (which owing to their small size have sash windows with single panes of glass), this proposal now incorporates an astragal window in response to comments and in harmony with the surrounding fenestration.

Having read the Historic Environment Scotland report we learn that,

1. HES neither object nor support the proposal, "*Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals.*"

2. HES have commented about the gradient of the existing roof pitch, "*A key external feature of this building is the shallow pitched roofs to both the front and rear*" however on thorough reading of the Listing please note that the pitch of the roof is not mentioned anywhere, not in the text of the Description nor in the Statement of Significance for the Listing, hence the pitch of the roof does not appear to be considered as enough of a "*key external feature*" to be mentioned at all in the Listing.

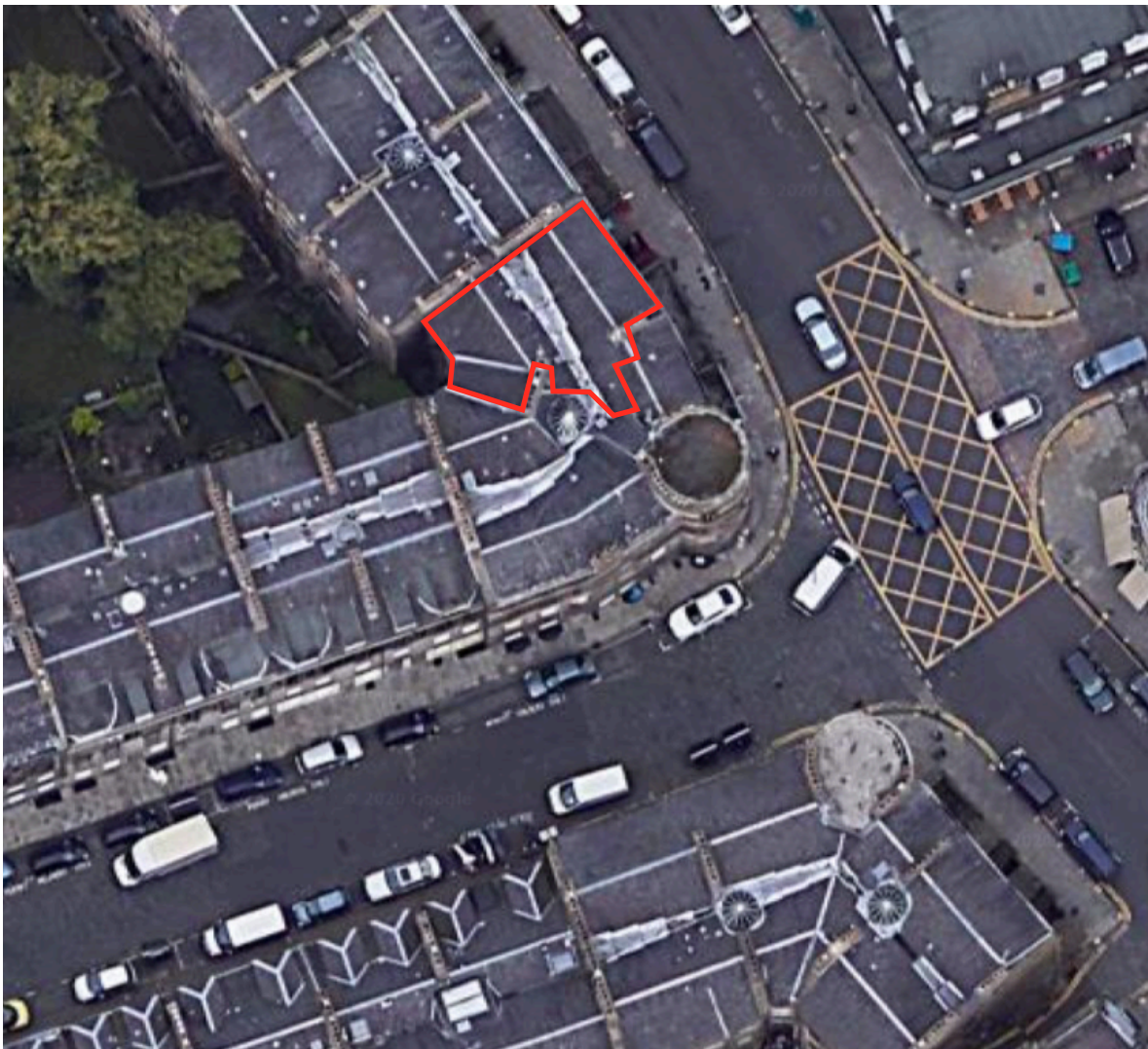
3. HES have commented that a dormer window "*would have an impact on the appearance and significance of the Listed building*" however the text of the Listing makes no mention of the rear elevation of the building where this proposal is located at all, stating simply, "REAR ELEVATION: not seen". The fact that the rear elevation can hardly be seen from any streetscape at all is recognised by HES, "*While we accept that the visibility of any dormer would be limited (and the impact would not therefore be significant).*" which acceptance seems to directly contradict the opening statement of the same paragraph. It is hard to tell how a dormer window to a rear facade which was not significant enough to be viewed for the Listing in a pitched roof which was not significant enough to be mentioned in the Statement of Significance for the Listing and which can only be narrowly viewed at a great distance from a lane off a side street could make much of an impact on the building at all.

4. HES have stated that the proposed dormer window "*would still make an incongruous addition*". Given the several local examples of dormer windows, on rear elevations of roofs, including double hipped roofs and particular examples of dormer windows at corner locations, it is difficult to substantiate how this proposal could appear "*incongruous*" since it is consistent with and sympathetic to these local, historic examples. Moreover, this proposal is far less incongruous than the unsympathetic modern additions of new housing as seen from Barony Place and of new glazed roof pod on Abercromby Place.

5. HES states that "*The addition of a dormer window would give the roofscape more prominence than it was intended to have*", yet because the area can hardly be seen "*the impact would not be significant*". It is hard to understand how a proposal which "*would not have a significant impact*" could be capable of giving a roofscape "*more prominence*". Since the prominent Corner Tower to the front facade is mentioned in the Description of the Listing it is clear that in a corner situation a particular design feature occurs in this Conservation Area, therefore, in the same spirit, a proposal located in a corner location at the rear, and of a scale suited to its context could be seen to fit with the character and appearance of the Conservation Area in general.

1. Existing building

The subjects are located on the third floor of the stone built tenement which creates the corner of Broughton Street and the north flank of Barony Street. The tenement, built in 1827, can be seen as part of a pair along with the tenement on the south flank of Barony Street, corner of Broughton Street as both buildings have a “turret” (corner tower) which pronounces the corner. This feature and the nuanced stonework of the front elevation of the building is noted in the A Listing of the property, (LB30071). Each tenement floor has two large flats off the communal stair but the top floor has three smaller flats, owing to the different division of space afforded by the extra floor of the turret to the central flat of the three. The subject of this application, flat 3f3, 2 Barony Street is the property adjacent to the turret flat, to the north. As such, the front elevation of this property is of ashlar stone facing onto Broughton Street and the rear elevation is of rubblework masonry facing the tenement gardens to the rear of Barony Street. The existing roof is slate on timber rafters, double hipped with a central lead valley which runs above the circulation corridor of the flat. Flat 3f3, 2 Barony Street does not have an elevation onto Barony Street itself and owing to the corner plot there is no tenement garden or back green leading from the communal stair. The adjoining terrace of 50-54A Broughton Street is flush with the street elevation and yet deeper in plan therefore the rear elevation of 2 Barony Street is effectively recessed into the corner.



2. Proposed design

Flat 3f3 contains 4 “apartments”, that is, two principal rooms which face onto Broughton Street and two smaller rooms arranged around the internal corner at the rear of the tenement. This design concerns the rear of the flat only, that is, one of the smaller rooms which lie below the pitched roof of the rear elevation. As the proposal concerns the rear slope of the roof only, the proposed changes would not be seen from Barony St or Broughton St as this area faces the tenement back gardens. Please note that owing to being in a corner and the projecting elevations of the adjacent tenement, this area of roof is naturally tucked away and quite hard to see from the street: it can only narrowly be seen at a distance of more than 50 metres from the adjacent street of Barony Place, from where the rubblework masonry rear elevation of 2 Barony Street is just visible, please see photo 1:



The proposed design would modify the room at the rear of the tenement which is already an a-typical room. Owing to the angles of the internal corner of the tenement this room is non-square in plan. This room does not form part of the principal rooms of the flat which have original features such as ceiling mouldings or original fire place surrounds, instead this room has a slight coombed ceiling and no original ceiling moulding or fire surround.



The proposal forms an opening into this room from the existing hallway and tucks a spiral stair in the corner of this room to access an attic room. The design proposal is for a new dormer window in traditional materials to be located centrally above the existing window of the rear room. The proposed wc is located so that it can drain into the existing stack. The height from floor finish level to underside of roof is proposed be shared between the third floor and the proposed attic room such that the height of the proposed dormer roof is set just below the existing roof ridge. In this way the layout has been designed to nestle within the grain of the existing building and not to detract from the original features from which the Listing is derived, please refer to photomontage 2:



3. Design precedents

Please refer to attached photos showing some of the wide variety in the design of other dormer windows in the local area.

There are two rear dormers in the same city block as the subjects at 2 Barony Street, seen here on the rear elevation of Drummond Place, photo 3a:



Also local and seen from the rear window of flat 3f3, 2 Barony Street are more dormer windows, for example on tenements from the later Victorian era along Barony Place, photo 3b:

In the distance the roofs of Dublin Street can also be seen with dormer window just visible on the left.



Just adjacent to those dormers on Dublin Street are these mansard bay windows on Dublin Street seen from closer up, photo 3c:



As for Barony St itself, the neighbouring tenements at numbers 4,6 &8, have a row of dormers on their front elevation, clad in sheet material of zinc, photo 3d:



On Albany St, one street south of Barony St, almost every building has a dormer window and these examples cover a range of different styles including turret and bay window, photo 3e:



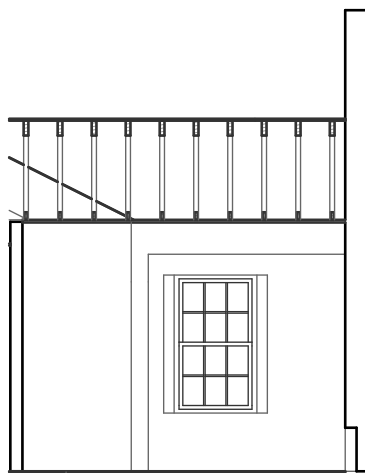
4. Summary

The proposal in this application is for a bay window version, clad in zinc as seen along Barony Street and in form somewhat like some of the examples on Albany Street which show an angled bay, the reason being that this appears best suited to the roof profile of the existing corner tenement. Broughton Street itself also has many examples of dormer windows with a similar angled bay window arrangement.

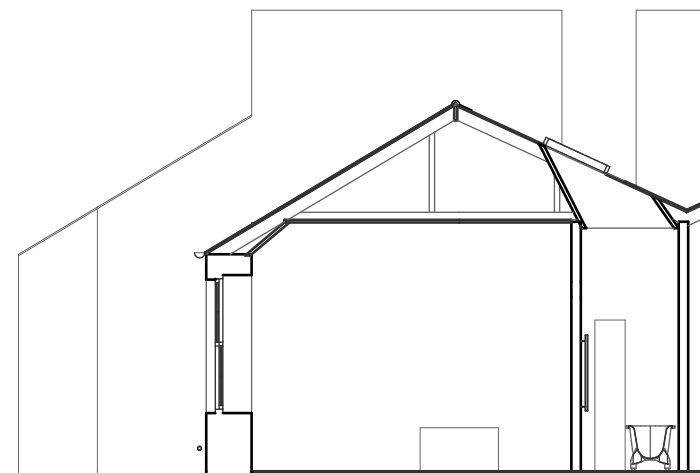
To conclude, a photo showing the rear of the subjects at flat 3f3, 2 Barony Street just seen from inside the locked garden at Barony Place, bedroom window is partially obscured by the projecting tenement along Broughton Street and proposed dormer would not be visible from this angle. The “juliette balcony” proposed for the dormer window recalls a similar metal railing balcony on the window directly below flat 3f3 2 Barony Street, at level 2. Meanwhile along the rear elevations of Barony Street other lightweight metal “juliette balconies” can also be seen.



“juliette” balcony to rear elevation of flat 2f2, 2 Barony Street, directly below flat 3f3.



Section A



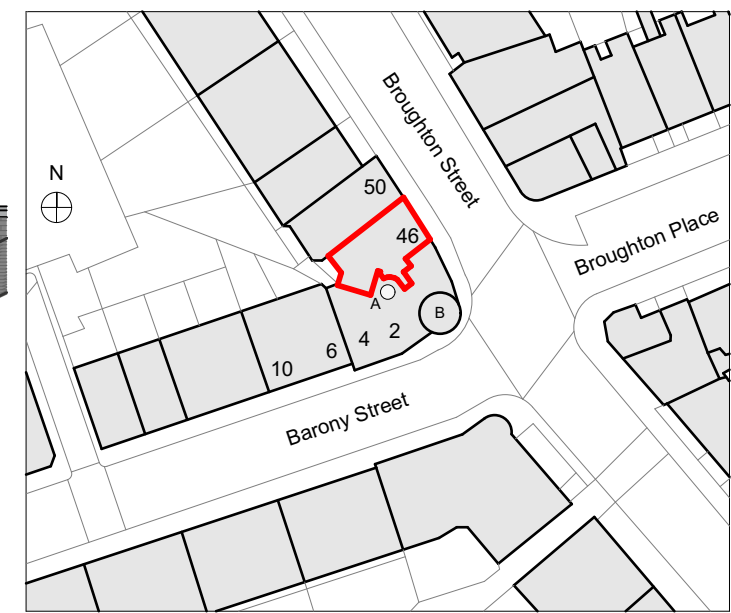
Section B



Section C

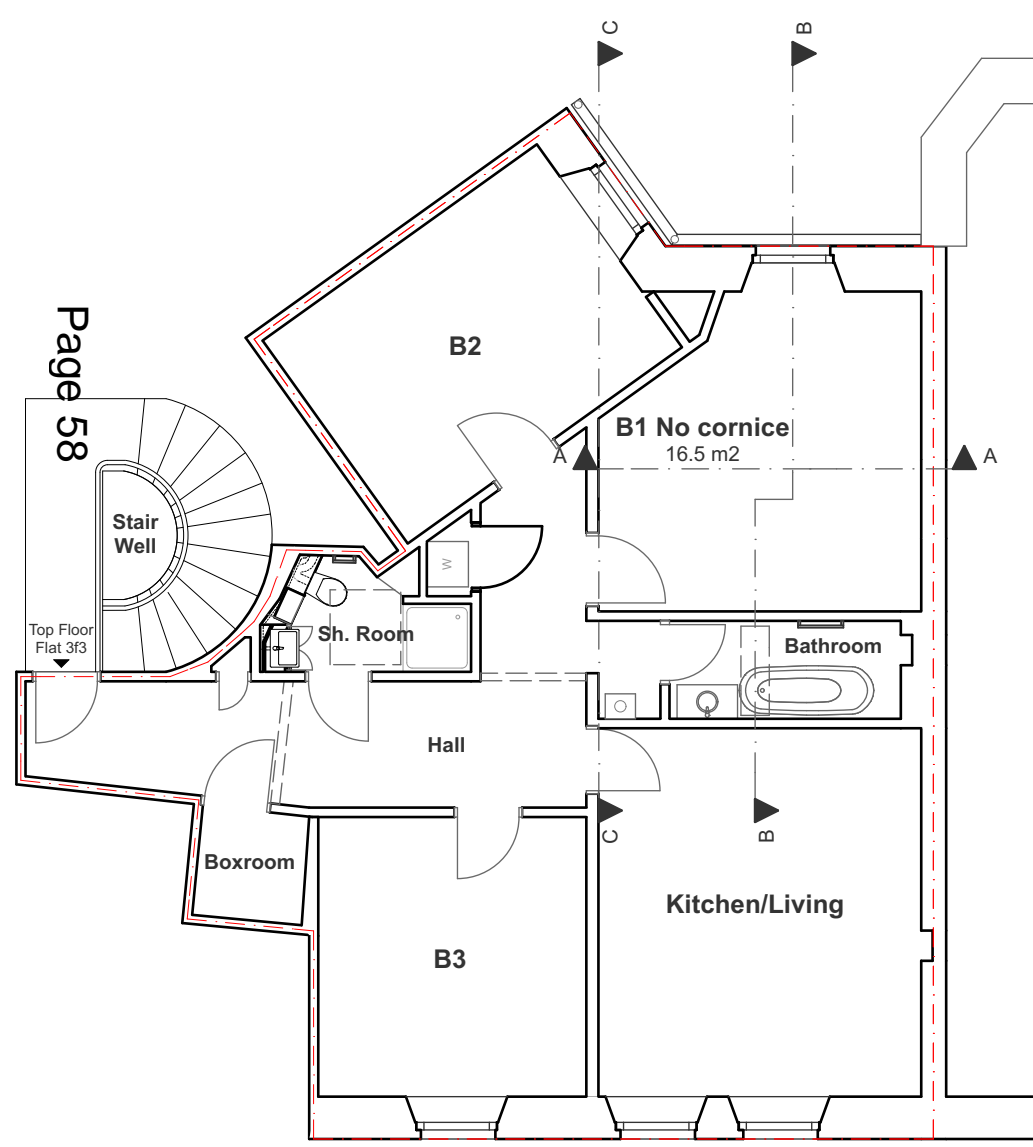


West Elevation old

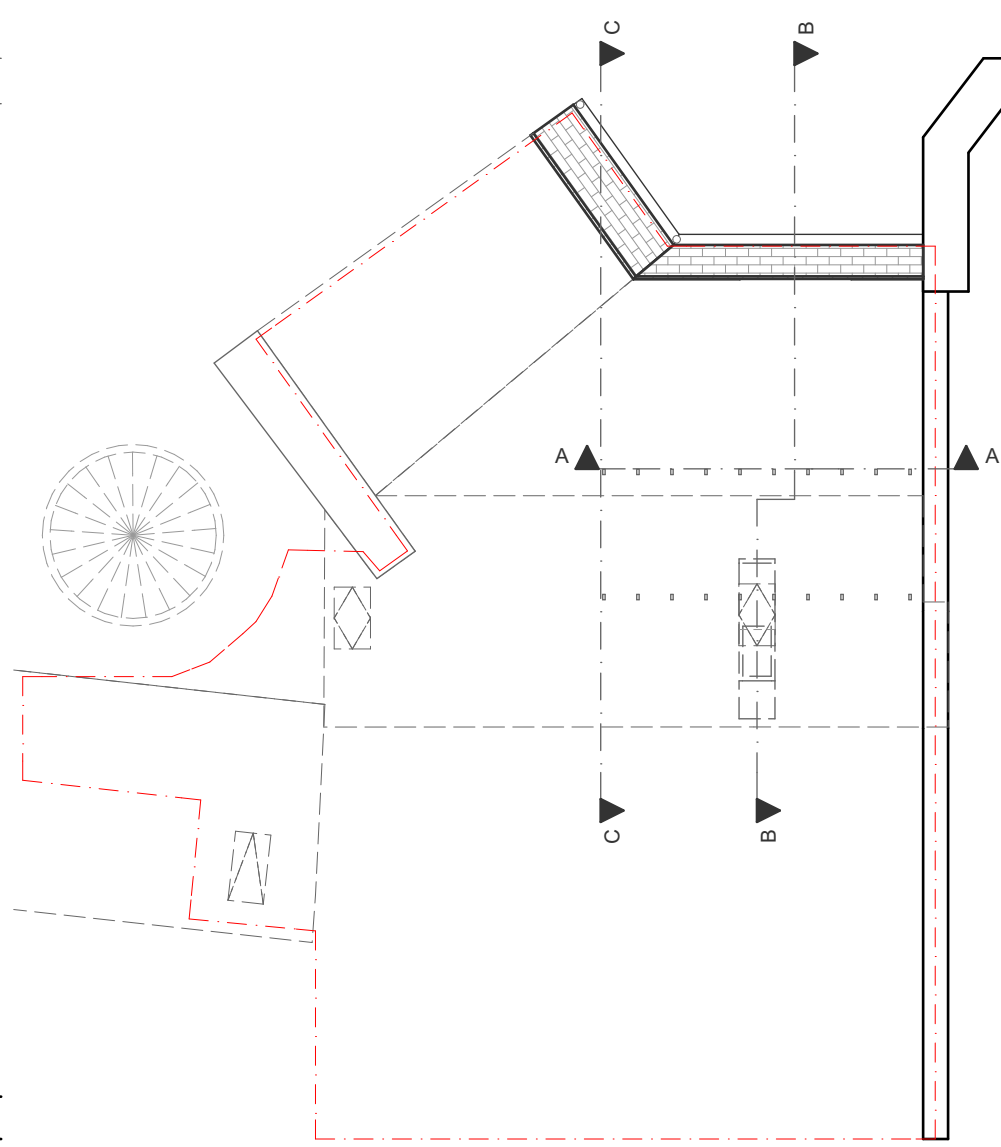


3f3, 2 Barony Street is located within the A listed corner tenement dating from 1827 shown with red line flat 3f3

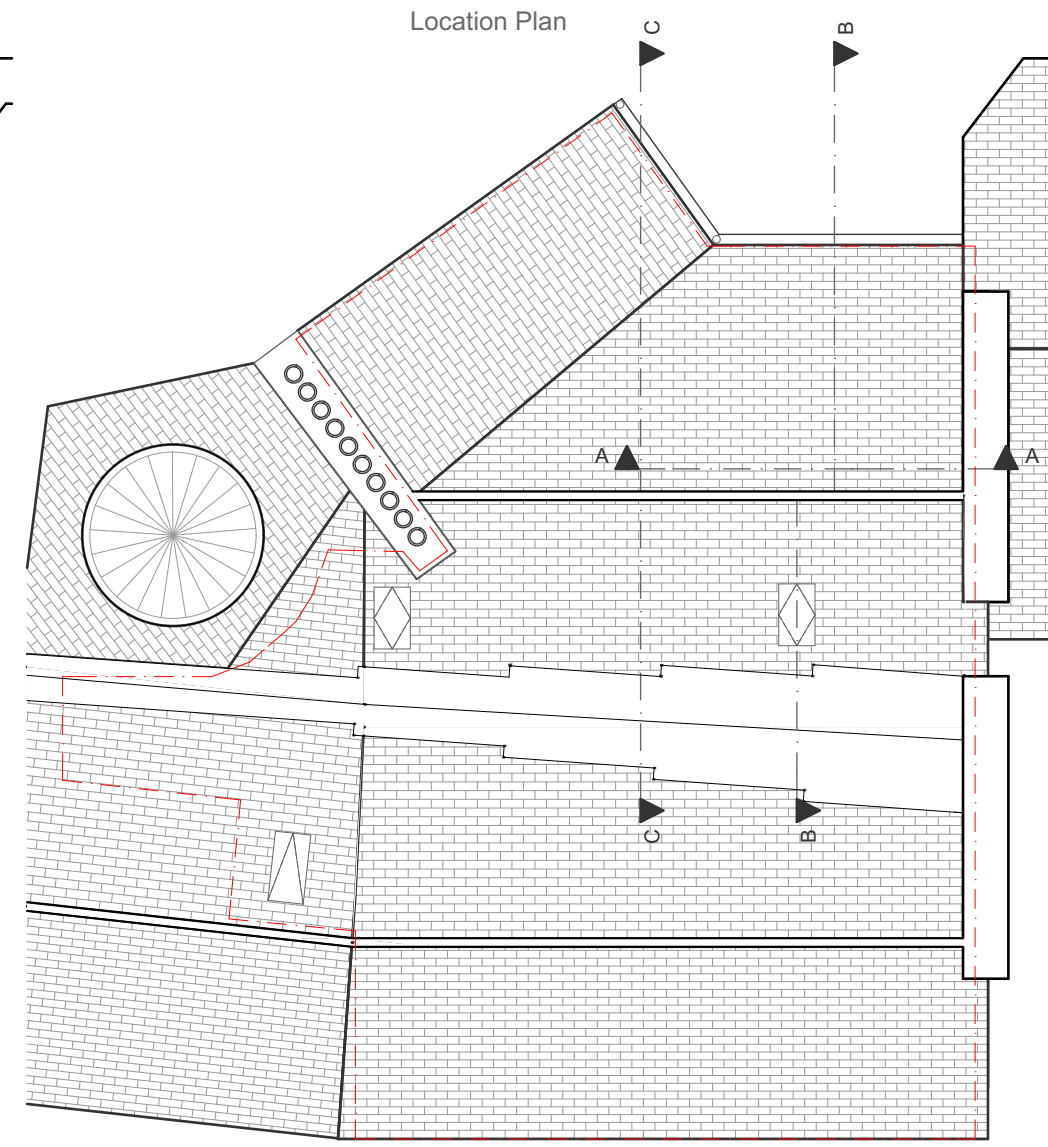
A= Cupolla
B= Turret



Third Floor



Attic Floor



Roof Plan

Page 58



Studio DUB
17a/2 West Crosscauseway
Edinburgh
EH8 9JW
0131 668 1536
studiodub@mac.com

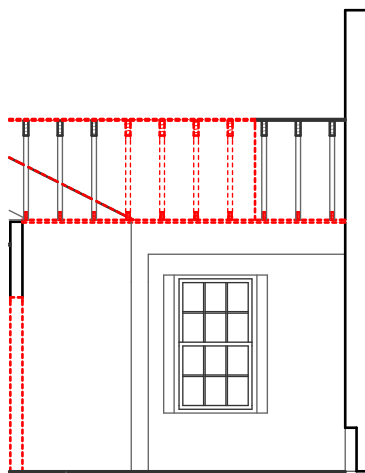
3f3/2 Barony St
EH3 6PE
Rebecca Wober

Existing drawings
904.01.1

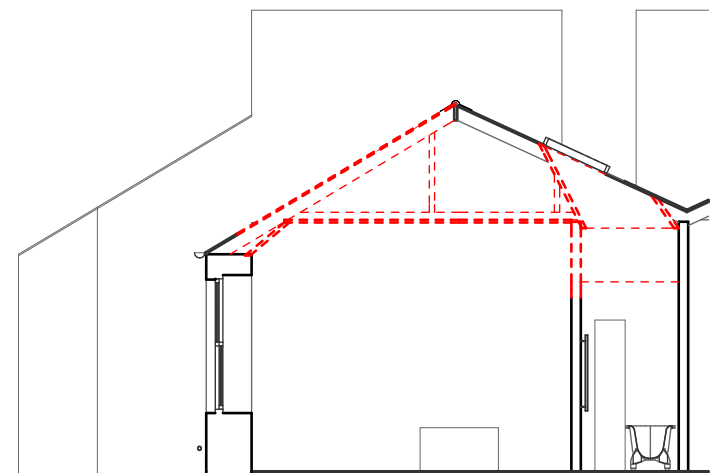
Scale:
1:1250, 1:100
Drawing Status:
Planning

Drawn by: Angela & Remi
Checked by: Gordon Duffy
Date: 23/10/2020

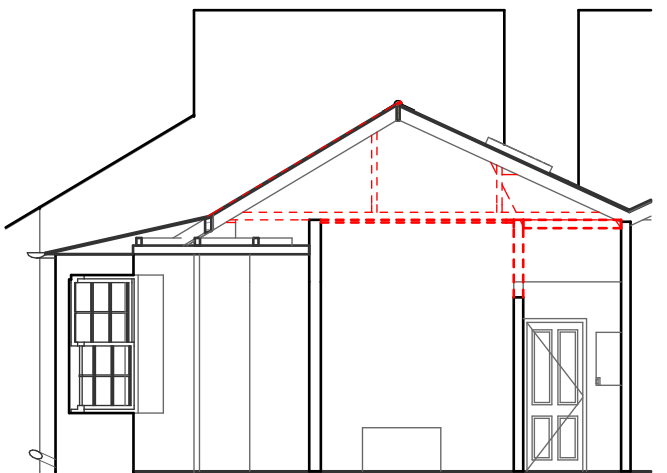
3 cm ACTUAL
IF THE ABOVE DIMENSION DOES NOT MEASURE THREE CENTIMETERS (3 cm) EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.



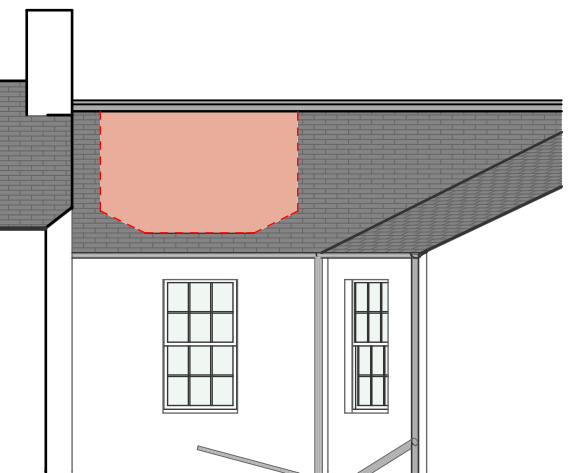
Downtaking Section A



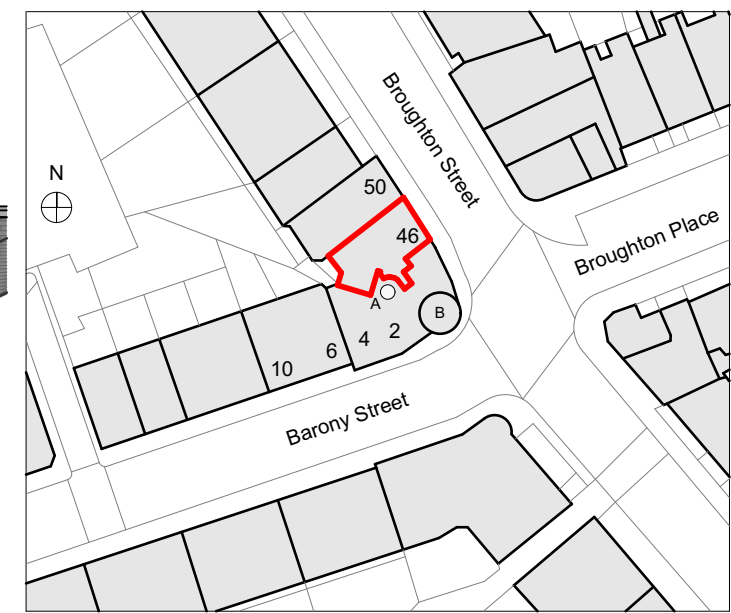
Downtaking Section B



Downtaking Section C

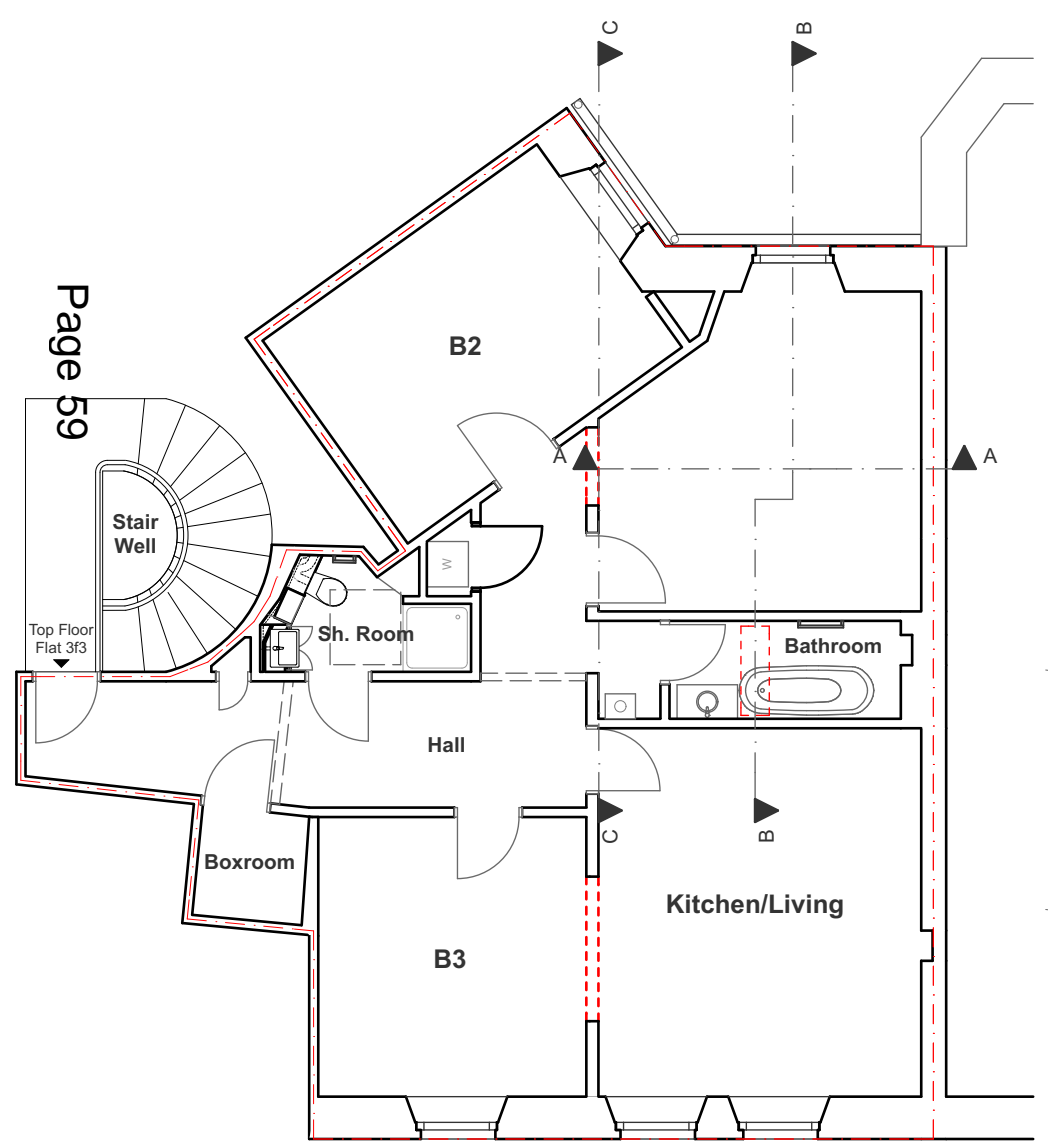


Downtaking West Elevation

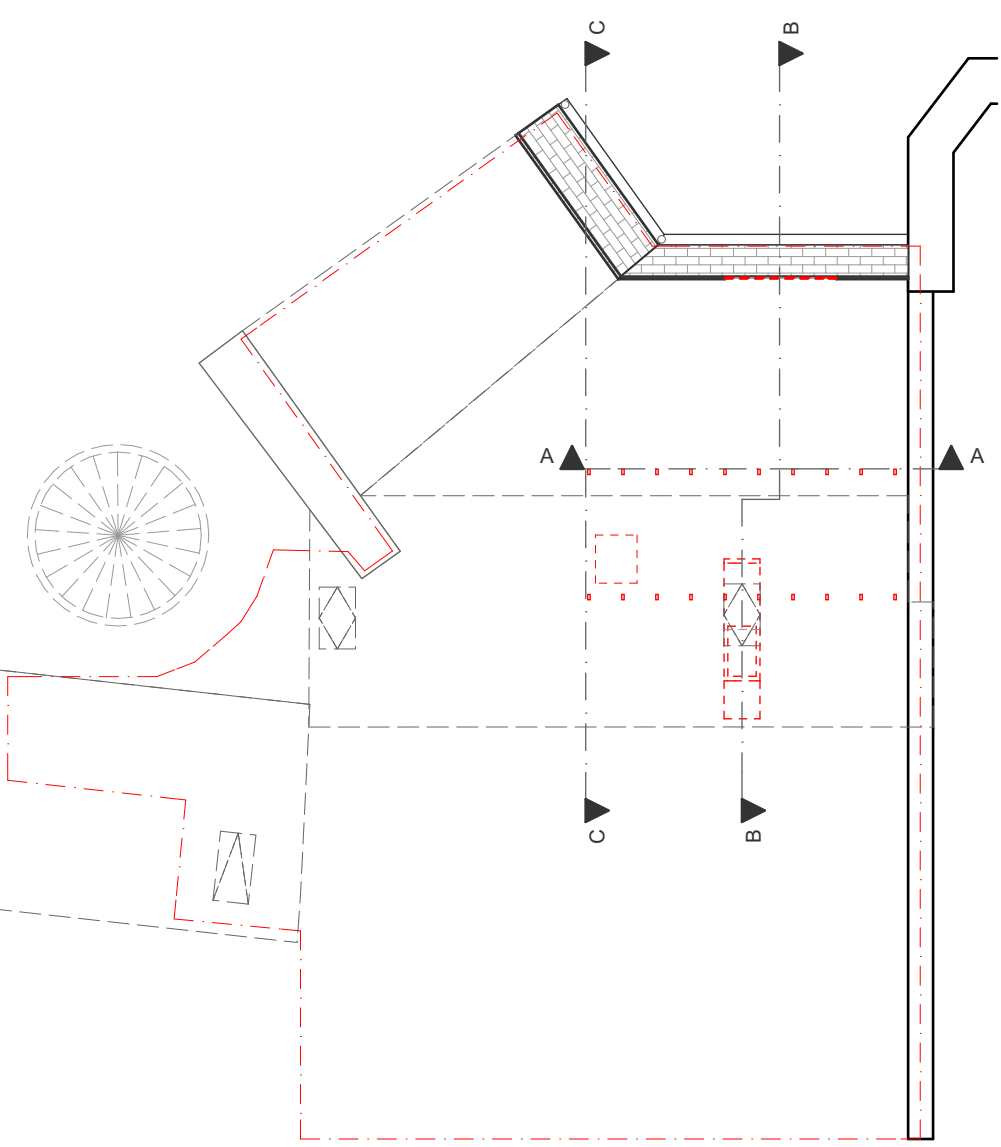


3f3, 2 Barony Street is located within the A listed corner tenement dating from 1827 shown with red line flat 3f3

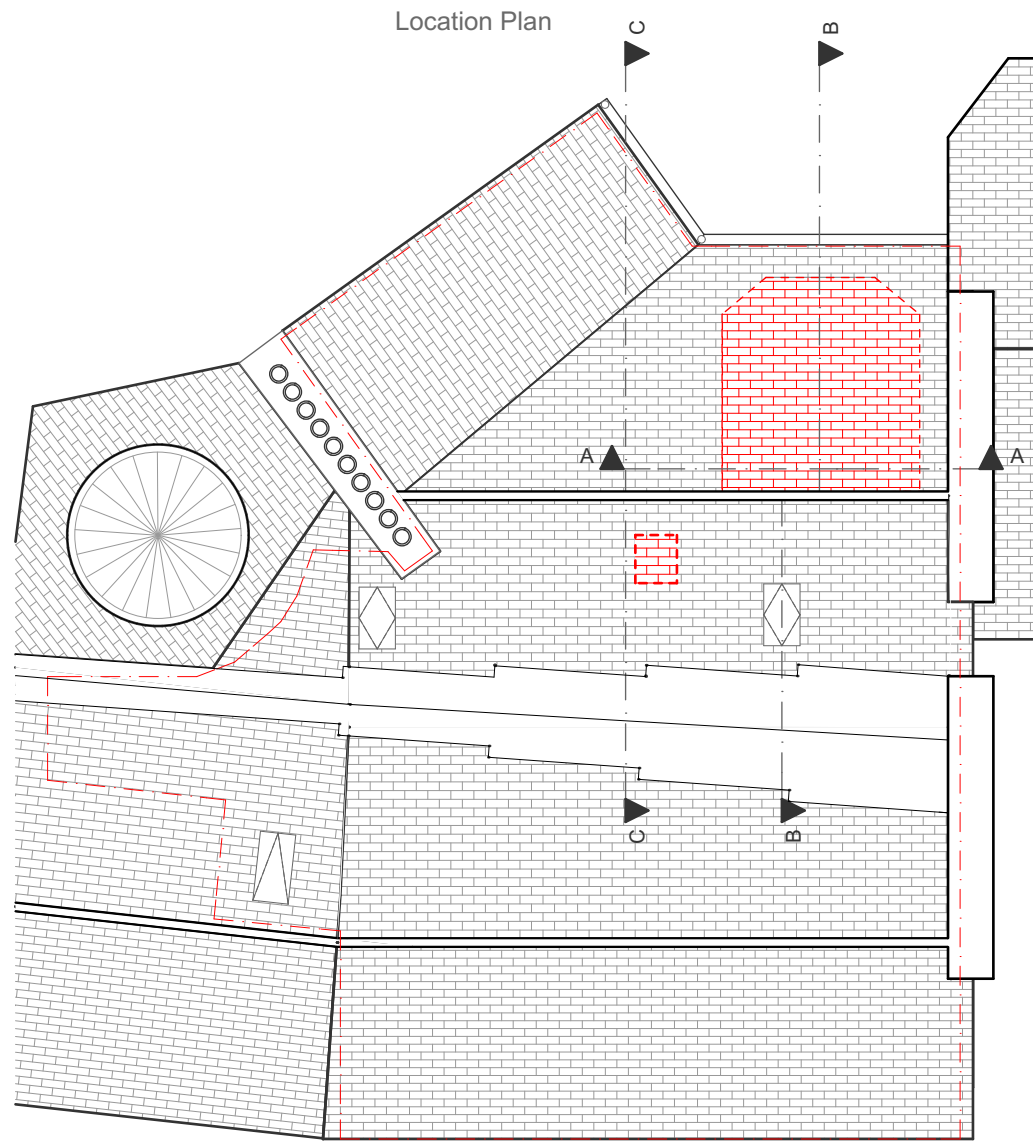
A= Cupolla
B= Turret



Downtaking Third Floor



Downtaking Attic Floor



Downtaking Roof Plan

Page 59



Studio DUB
17a/2 West Crosscauseway
Edinburgh
EH8 9JW
0131 668 1536
studiodub@mac.com

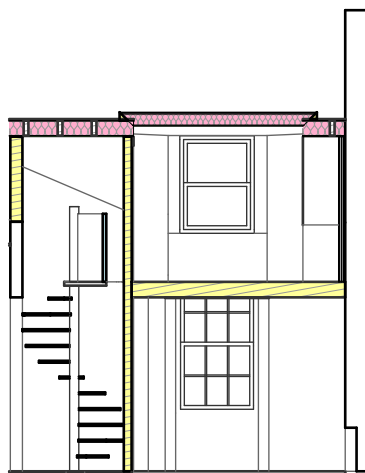
3f3/2 Barony St
EH3 6PE
Rebecca Wober

Downtaking drawings
904.02.1

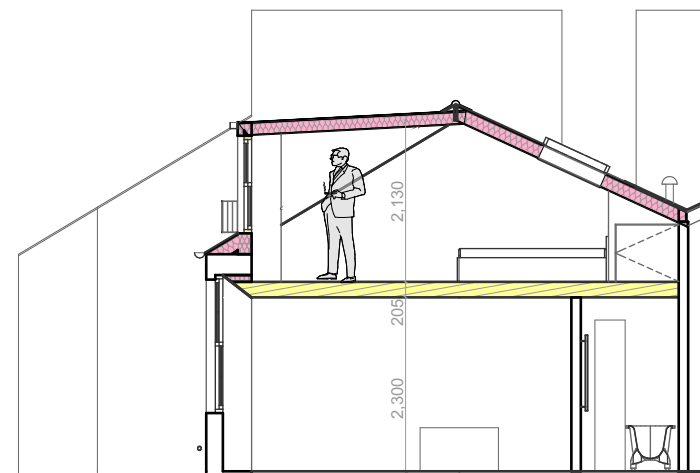
Scale:
1:1250, 1:100
Drawing Status:
Planning

Drawn by: **Angela & Remi**
Checked by: **Gordon Duffy**
Date: 13/11/2020

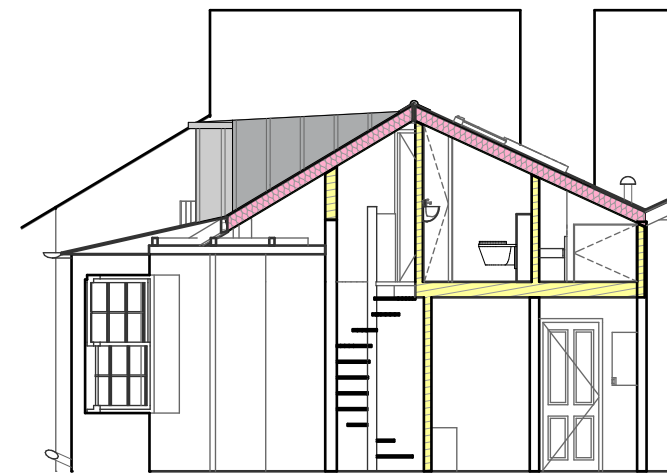
3 cm ACTUAL
IF THE ABOVE DIMENSION DOES NOT MEASURE THREE CENTIMETERS (3 cm) EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.



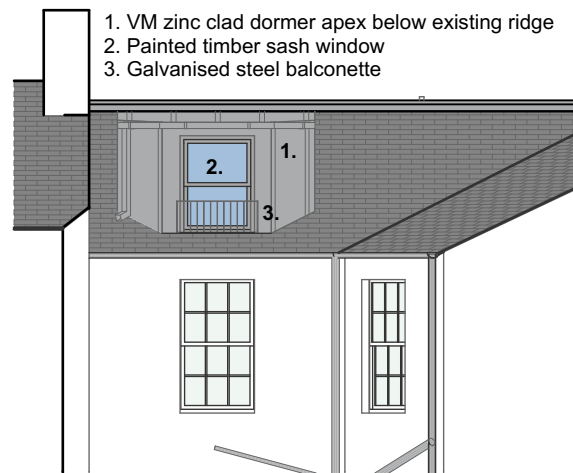
Section A



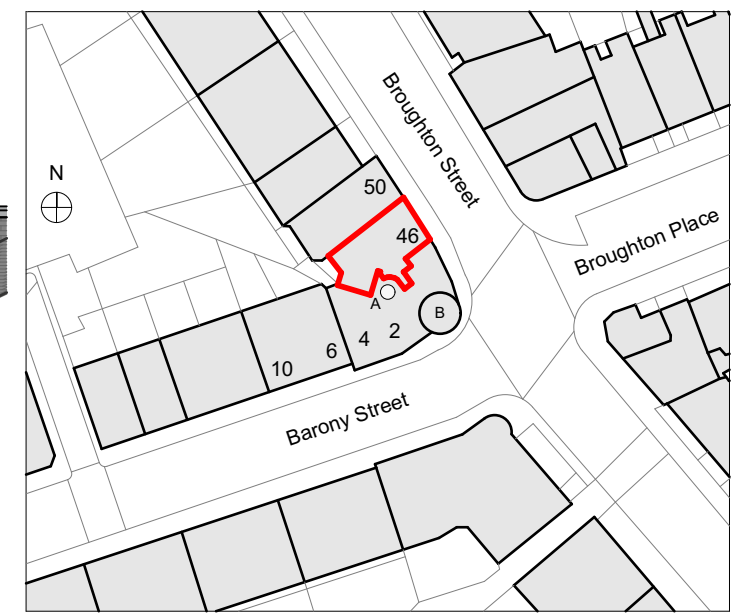
Section B



Section C

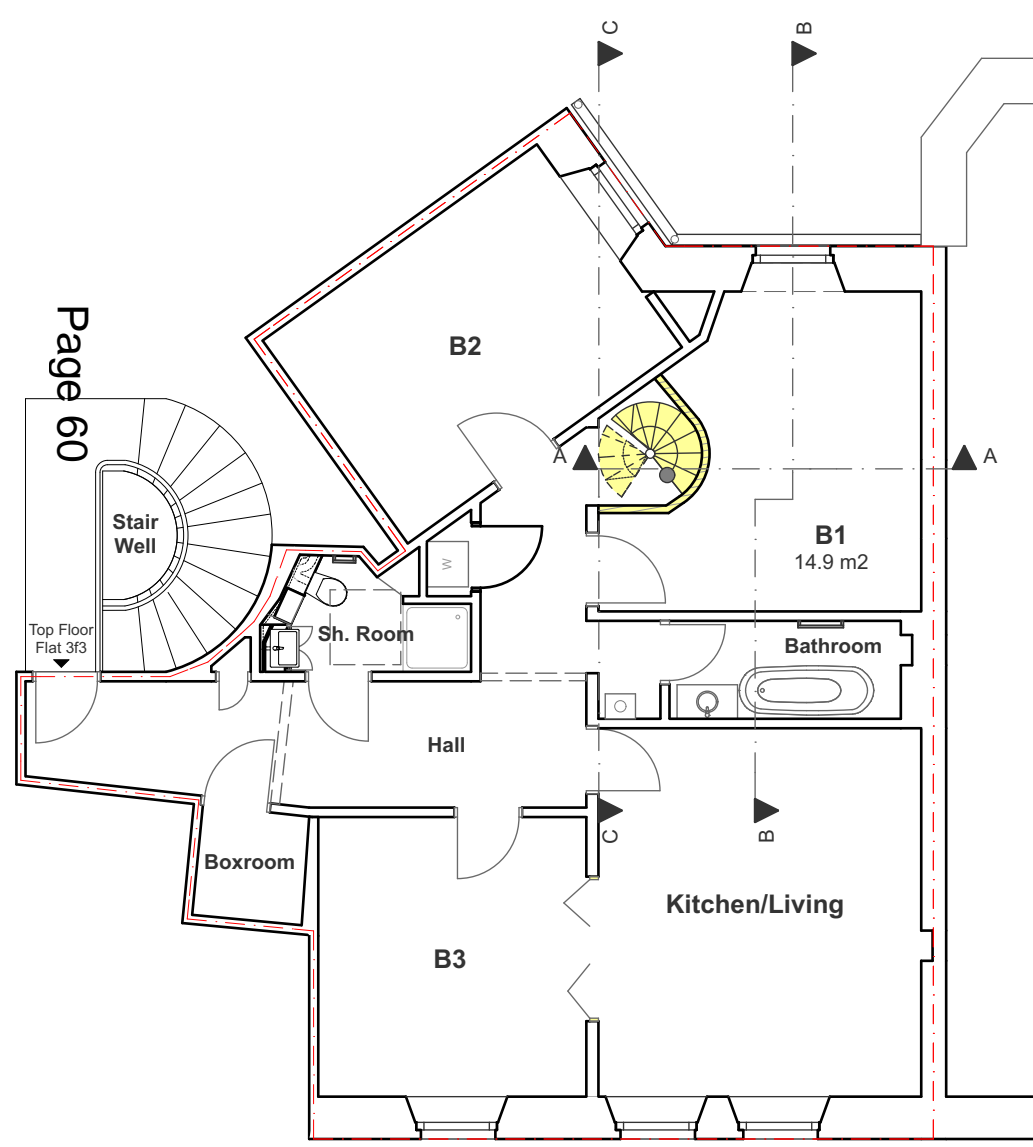


West Elevation

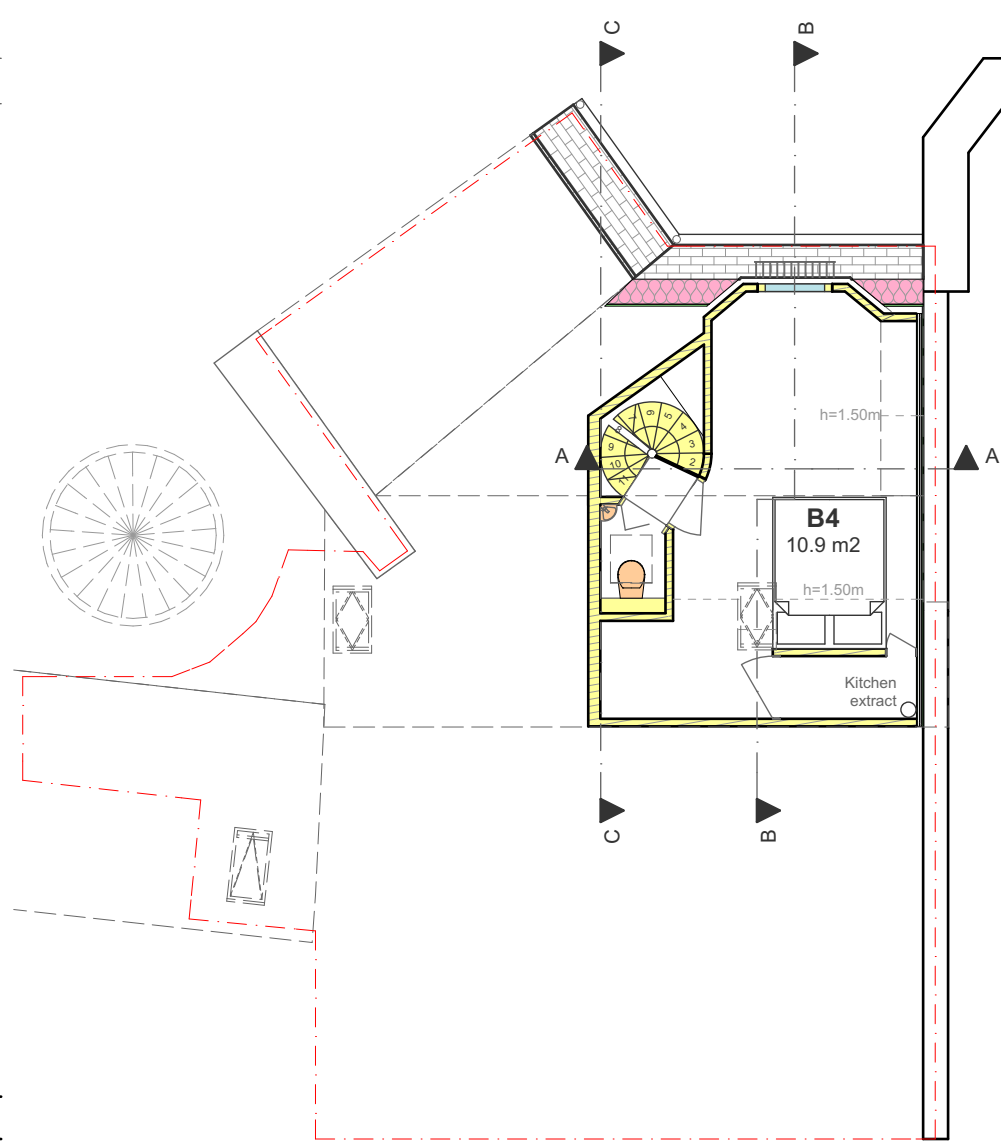


3f3, 2 Barony Street is located within the A listed corner tenement dating from 1827 shown with red line flat 3f3

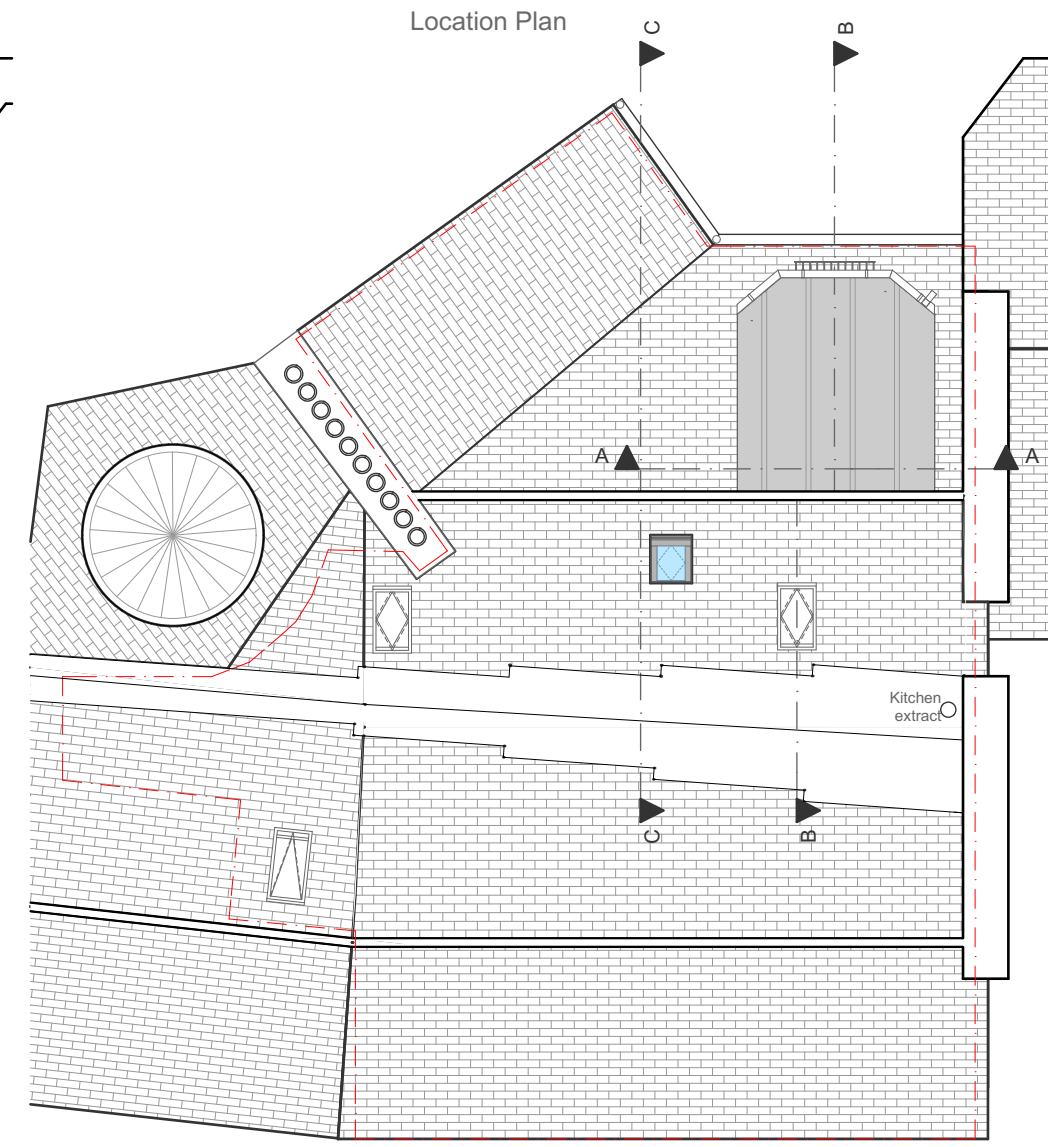
A= Cupolla
B= Turret



Proposed Third Floor



Proposed Attic



Proposed Roof Plan

Page 60



Studio DUB
17a/2 West Crosscauseway
Edinburgh
EH8 9JW
0131 668 1536
studiodub@mac.com

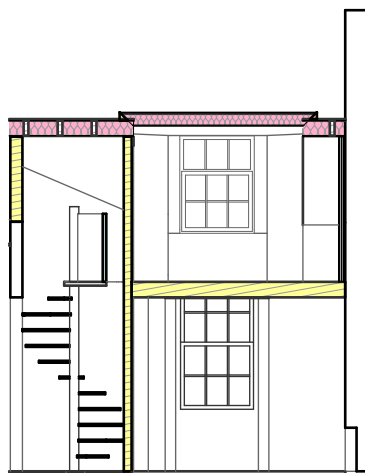
3f3/2 Barony St
EH3 6PE
Rebecca Wober

Proposed 2 drawings
904.05.1

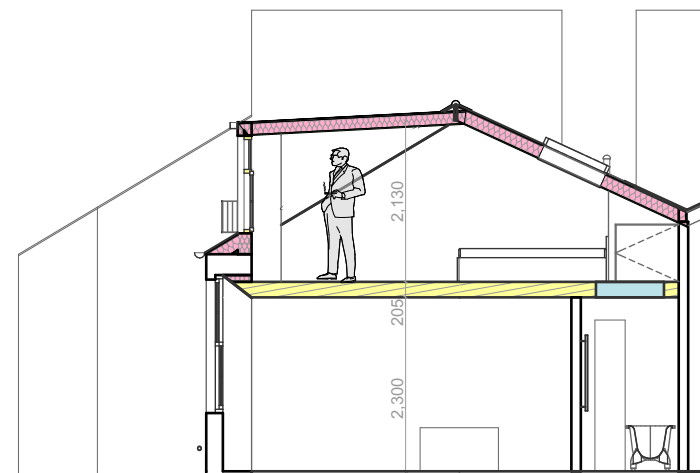
Scale:
1:100, 1:1250
Drawing Status:
Planning

Drawn by: Angela & Remi
Checked by: Gordon Duffy
Date: 13/11/2020

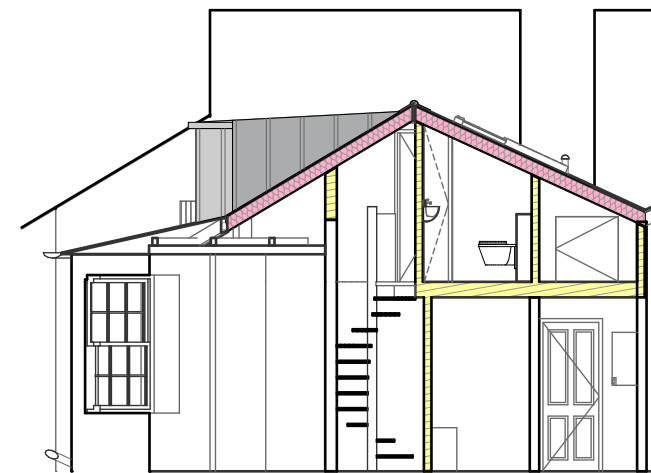
3 cm ACTUAL
IF THE ABOVE DIMENSION DOES NOT MEASURE THREE CENTIMETERS (3 cm) EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.



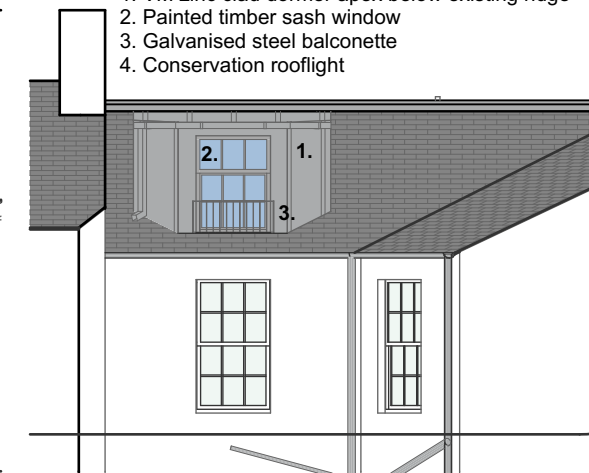
Section A



Section B

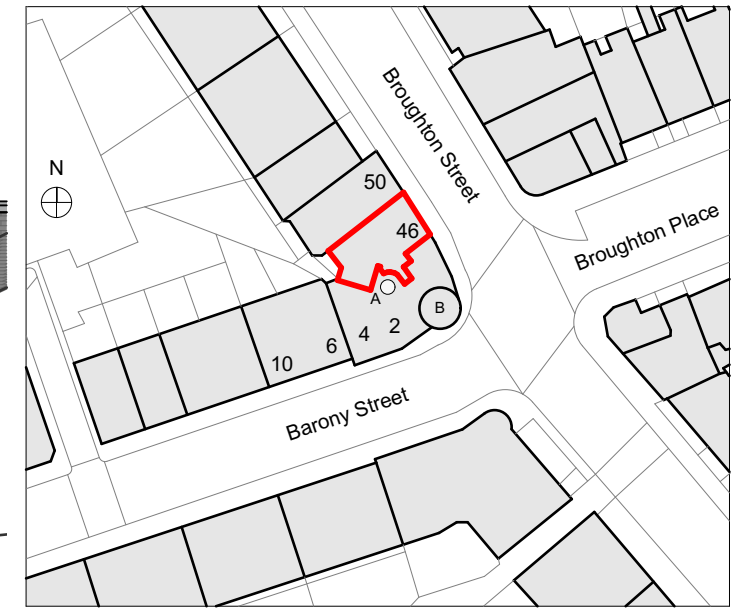


Section C



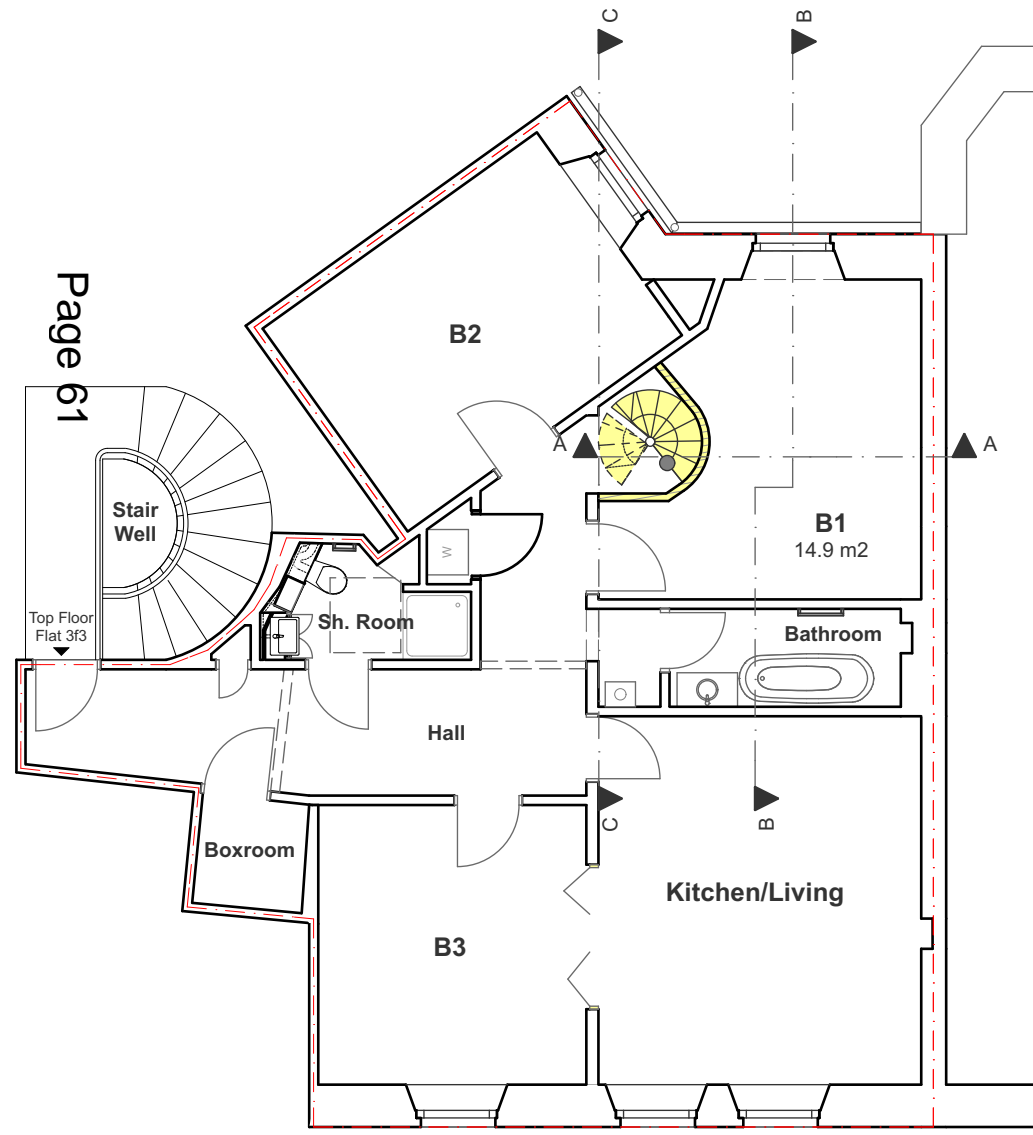
West Elevation

1. VM zinc clad dormer apex below existing ridge
2. Painted timber sash window
3. Galvanised steel balconette
4. Conservation rooflight

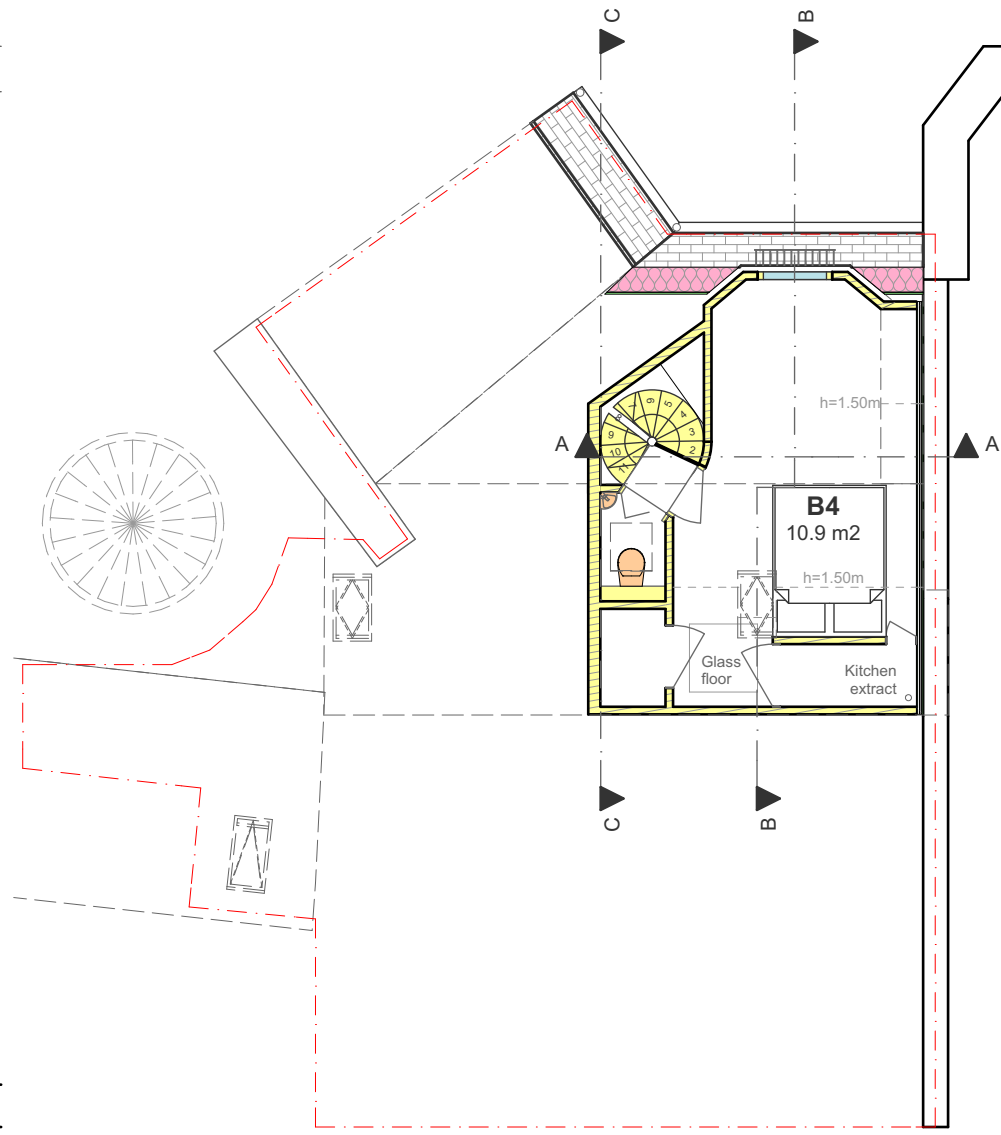


3f3, 2 Barony Street is located within the A listed corner tenement dating from 1827 shown with red line flat 3f3

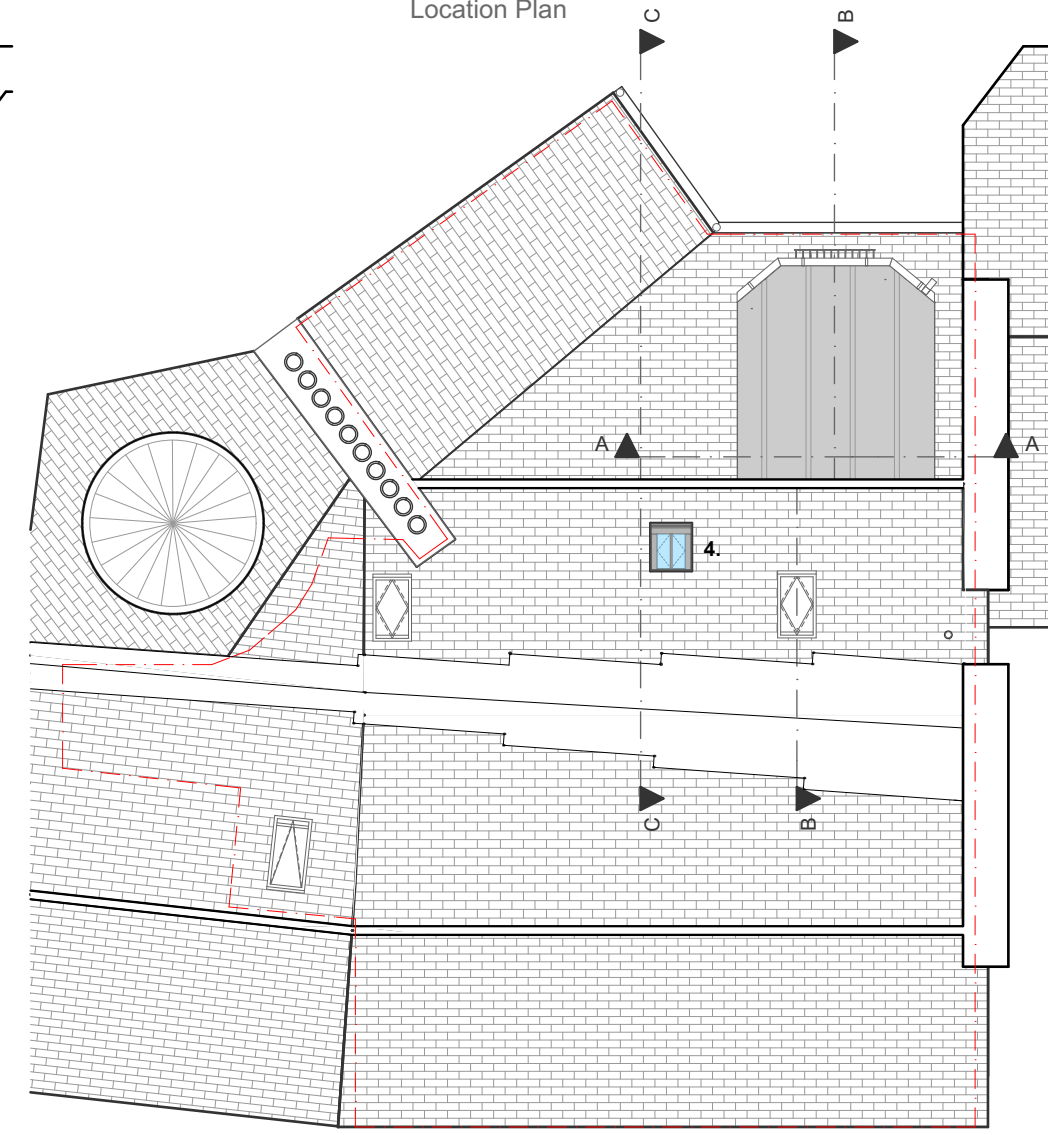
A= Cupolla
B= Turret



Proposed Third Floor



Proposed Attic



Proposed Roof Plan

Page 61



Studio DUB
17a/2 West Crosscauseway
Edinburgh
EH8 9JW
0131 668 1536
studiodub@mac.com

3f3/2 Barony St
EH3 6PE
Rebecca Wober

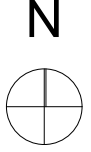
Proposed 2 drawings
904.05.1

Scale:
1:100, 1:1250
Drawing Status:
Planning

Drawn by: Angela & Remi
Checked by: Gordon Duffy
Date: 15/12/2020

3 cm ACTUAL
IF THE ABOVE DIMENSION DOES NOT MEASURE THREE CENTIMETERS (3 cm) EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

2 Barony Street is located within A listed corner tenement dating from 1827 shown with red line flat 3f3, 2 Barony Street is located approximately above property no. 46 Broughton Street



Page 62



Studio DUB
17a/2 West Crosscauseway
Edinburgh
EH8 9JW
0131 668 1536
studiodub@mac.com

3f3/2 Barony St
EH3 6PE
Rebecca Wober

Location Plan
904.0

Scale:
1:500
Drawing Status:
Planning

Drawn by: Angela & Remi
Checked by: Gordon Duffy
Date: 21/03/2019

← 3 cm ACTUAL →
IF THE ABOVE DIMENSION DOES NOT MEASURE THREE CENTIMETERS (3 cm) EXACTLY, THIS DRAWING WILL HAVE BEEN ENLARGED OR REDUCED, AFFECTING ALL LABELED SCALES.

One Foot Square.
FAO: Craig Proudfoot
129-4 Lindsay Road
Edinburgh
EH6 4UD

Mr Cherry
14 Columba Road
Edinburgh
EH4 3QS

Decision date: 10 August 2021

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

Proposed pitched roof side and front dormers (material variation from previous consent), alterations to existing property.
At 14 Columba Road Edinburgh EH4 3QS

Application No: 21/02694/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 14 May 2021, this has been decided by **Countersign**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposed side dormer in scale, form and position would fail to respect the established form of the existing bungalow property which would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The proposal is therefore contrary to Edinburgh Local Development Plan policy Des 12 (Alterations and Extensions) and the Guidance for Householders.

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

Drawings 01-06, 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:

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

Should you have a specific enquiry regarding this decision please contact Lewis McWilliam directly at lewis.mcwilliam@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

Report of Handling

**Application for Planning Permission
14 Columba Road, Edinburgh, EH4 3QS**

Proposal: Proposed pitched roof side and front dormers (material variation from previous consent), alterations to existing property.

**Item – Countersign
Application Number – 21/02694/FUL
Ward – B05 - Inverleith**

Recommendation

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

Summary

The proposal is contrary to the Edinburgh Local Development Plan Policy Des 12 - Alterations and Extensions.

The scale, form and position of the proposal would fail to respect the established form of the existing property and would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character.

SECTION A – Application Background

Site Description

The proposal site is a detached bungalow located on the north-east side of Columba Road in a residential area.

Description Of The Proposal

-Proposed front and side dormers

-Alterations to infill front section of the existing single storey side extension.

Permitted Development

-Installation of new window on existing side extension and rooflights on side and rear elevation.

-Removal of the existing front dormer

The above works are permitted development under class 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No assessment of their merits is therefore required.

Relevant Site History

21/00161/FUL

New front and side dormer windows, alterations to existing side extension (as amended).

Granted

24 March 2021

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 21 May 2021

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 4

Section B - Assessment

Determining Issues

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

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

Assessment

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

a) the proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;

b) the proposal will cause an unreasonable loss to neighbouring amenity;

c) any impacts on equalities or human rights are acceptable; and

d) any comments raised have been addressed.

a) Scale, form, design and neighbourhood character

Edinburgh Local Development Plan (LDP) policy Des 12 (alterations and extensions) states that permission will be granted for alterations and extensions that in design, form, material and position are compatible with the character of the existing building and will not be detrimental to the neighbourhood character.

The Guidance for Householders states, that bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance. Extensions must not imbalance the principal elevation of the property.

In regard to dormers, visible expanses should be retained on all four sides of the roof slope. On principle elevations a single dormer should be no greater than one third of the average roof width.

Dormers on side elevations will be considered acceptable where it can be demonstrated that the proposal fits in well with the character of the surrounding area.

The proposed side dormer is of a similar scale, form and position to that originally proposed for planning application 21/00161/FUL. Concern was expressed in respect to this side dormer in terms of its scale, form and position in disrupting the symmetry of the existing hipped roof of the bungalow. This proposal was revised and the scale of the side dormer reduced in height in order to adequately address this aspect of the scheme.

The side dormer raises similar concern to the previous original scheme. In regard to the above guidance, it projects from the ridge of the existing eaves height and its outward projecting width is consistent with the top section of the existing roof slope. It is not set down from the existing property and therefore fails to retain visible roof expanse on all four sides.

In support of the proposals, the applicant has submitted photos of properties near the proposal site. Larger roof additions detailed on Hillhouse Road were constructed in advance of current policy and guidance and do not set precedence for assessment of this application.

Properties detailed on Colomba Road nearby show existing front dormers and roof forms that differ to the proposal site. These examples do evidence change that has occurred to the form of bungalows in the immediate area. Predominantly, alterations to the side of bungalows are set back from the property's frontage and set down from the roof ridge which reduce the level of impact on the balance of the principal elevation and symmetrical hipped roof character of the bungalow. These are aspects of design that the present guidance seeks to protect as detailed above.

The side dormer proposed is inappropriate here as its overall height and width (lack of set down or set back from the existing roof slope) in tandem with its form and location on this side gable is disruptive to the symmetry of the existing hipped roof of the bungalow. As viewed from the street; the property's frontage, it would appear as a

disjointed and incongruous addition that fails to adequately respect the original uniform character.

Side dormers of the scale, form and design proposed are not characteristic of the surrounding area. It is recognised there is some varying forms to bungalow properties evident on the street. This notwithstanding the scale, form and position of this addition would result in a conspicuous and incongruous intervention that fails to respect the established form of this bungalow property type. It is therefore an incompatible addition that would be detrimental to the existing neighbourhood character contrary to LDP policy Des 12 and the non-statutory guidance.

The proposed front dormers are identical to those approved as part of previous planning application 21/00161/FUL. They are of a width that exceeds the above guidance however are set down from the existing roof slope, of a form and centralised position in relation to the existing dwelling that that do not adversely impact on its character or streetscene. Further, alterations to infill the existing side extension are minor in scale and appropriate form therefore are acceptable.

b) Neighbouring amenity

The proposals have been assessed against requirements set out in the non-statutory Guidance for Householders to ensure there is no unreasonable loss to neighbouring amenity with respect to privacy, overshadowing and loss of daylight or sunlight.

The side dormer will face the existing side gable of the adjacent property which is not protected under the guidance in terms of privacy. Windows to this side, will face primarily onto adjacent roof, and therefore will not result in direct overlooking of the neighbour's garden, or a material loss of privacy to neighbouring occupiers.

In regard to neighbouring amenity, the proposals comply with Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders.

c) Equalities and human rights

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

d) Public comments

Four supporting comments have been received summarised as the following;

Material

-Design of pitched dormer more ascetically pleasing and in keeping with those in area - Design of proposal addressed in section 3.3 a) of the above report.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposed side dormer in scale, form and position would fail to respect the established form of the existing bungalow property which would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The proposal is therefore contrary to Edinburgh Local Development Plan policy Des 12 (Alterations and Extensions) and the Guidance for Householders.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 14 May 2021

Drawing Numbers/Scheme

01-06

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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

Appendix 1

Consultations

No consultations undertaken.

Comments for Planning Application 21/02694/FUL

Application Summary

Application Number: 21/02694/FUL

Address: 14 Columba Road Edinburgh EH4 3QS

Proposal: Material variation to existing consent. Change flat roof on side dormer window to pitched roof.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Daniel Harris

Address: 11 Columba Road Edinburgh

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: In my view a pitched roof on the side dormer window of our neighbour's house will be aesthetically more pleasing than a flat roof on the side dormer window. There are already a number of pitched roof dormer windows in the area.

Comments for Planning Application 21/02694/FUL

Application Summary

Application Number: 21/02694/FUL

Address: 14 Columba Road Edinburgh EH4 3QS

Proposal: Material variation to existing consent. Change flat roof on side dormer window to pitched roof.

Case Officer: Lewis McWilliam

Customer Details

Name: Miss Olivia Gorrie

Address: 10/2 Murrayfield Avenue Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: Having looked at the planning application surely it makes sense to have pitched roof over a flat roof to align with other projects in the area. A pitch roof is also far more aesthetically pleasing.

Comments for Planning Application 21/02694/FUL

Application Summary

Application Number: 21/02694/FUL

Address: 14 Columba Road Edinburgh EH4 3QS

Proposal: Material variation to existing consent. Change flat roof on side dormer window to pitched roof.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Andrew Peters

Address: 3 Walker Street Edinburgh

Comment Details

Commenter Type: Member of Public

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I feel a pitched roof will look far better for onlooking neighbours and passers by, in fact, there are many examples of the pitched roof detail in the area, I hope it is amended as requested

Comments for Planning Application 21/02694/FUL

Application Summary

Application Number: 21/02694/FUL

Address: 14 Columba Road Edinburgh EH4 3QS

Proposal: Material variation to existing consent. Change flat roof on side dormer window to pitched roof.

Case Officer: Lewis McWilliam

Customer Details

Name: Mr Ronald McNab

Address: 15 Columba Road Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer made comments in support of the Planning Application

Comment Reasons:

Comment: I wish to support the application for pitched roof on dormer. This is more in keeping with the property's main roof and the majority of dormer extensions on Columba road.

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 100411960-005

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:	One Foot Square		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Craig	Building Name:	
Last Name: *	Proudfoot	Building Number:	129-4
Telephone Number: *	07936184056	Address 1 (Street): *	Lindsay Road
Extension Number:		Address 2:	Newhaven
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	UK
		Postcode: *	EH6 4UD
Email Address: *	craig@onefootsquare.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="Gavin"/>	Building Number:	<input type="text" value="14"/>
Last Name: *	<input type="text" value="Cherry"/>	Address 1 (Street): *	<input type="text" value="Columba Road"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Edinburgh"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Scotland"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH4 3QS"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="REDACTED"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="14 COLUMBA ROAD"/>
Address 2:	<input type="text"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH4 3QS"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="674644"/>	Easting	<input type="text" value="321782"/>
----------	-------------------------------------	---------	-------------------------------------

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)

Material Variation to existing consent. Change flat roof on side dormer window to pitched roof.

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

There are a large number of dormer extensions in the area that express the same form of construction/ architectural language as that of the proposal with the ridge heights matched and the roof planes aligned – a number of these are on the principal elevation. See photographs. It is submitted that the proposals at 14 Columba Road demonstrate a similar mass and scale to that of the surrounding roof extensions and are therefore consistent with the character of the area.

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)

Supporting Statement, all submitted drawings, Application, Decision Notice, Handling Report

Application Details

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

21/02694/FUL

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

14/05/2021

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

10/08/2021

Review Procedure

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

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

Yes No

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

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

Yes No

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

Yes No

Checklist – Application for Notice of Review

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

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

Yes No

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

Yes No

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

Yes No N/A

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

Yes No

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

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

Yes No

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

Declare – Notice of Review

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

Declaration Name: Mr Craig Proudfoot

Declaration Date: 08/11/2021

Planning Appeal – Supporting Statement

05 November 2021

Ref. 1095/C03-CEC-CP

14 Columba Road, Edinburgh, EH4 3QS – Appeal for Material Variation from Flat Roof to Pitched Roof on Side Dormer (21/00161/FUL)

NB Side dormer extension already consented with a flat roof.

The proposals seek to vary the existing consent for the side dormer window from a flat roof to a pitched roof – tiled with traditional Double Roman tiles to match the existing main roof.

The property is a detached bungalow within an area predominantly comprising detached bungalows, most of which have converted the roof space and/ or extended the building footprint.

The property is not in the Conservation Area, nor is it a Listed Building.

The material palette has been chosen to reflect the existing aesthetic of the dwelling so that the extension to the roof reads as a compatible and harmonious addition to the character of the property with a cohesive architectural language throughout.

For this scheme to work well and provide a suitable internal space for quality modern living, the ridge of the proposed pitched roof has to align with the ridge of the main roof. This lends itself to a more rationalised form of construction detailing. The proposed dormer has a more deliberate form and doesn't appear to clumsily crash through the main roof unlike the language of traditional dormer construction. If the ridge height of the proposed dormer roof was to be dropped below the ridge height of the main roof, it would significantly reduce the width between the dormer cheeks, giving a much-reduced internal space that wouldn't justify the works to the property. The overall width of the side dormer remains relatively unchanged between the consented scheme and the refused scheme.

There were no neighbour objections to the proposals, though it received four letters of support from neighbours, mainly in favour of the pitched roof over the flat roof.

The profile of the proposed side dormer, as shown on the proposed Front Elevation, is only visible for approximately 15 meters from approach along Columba Road from the West and is partly blocked by a tree. On approach from the East, it can only be glimpsed briefly.

The scale and massing of the street in the immediate vicinity is somewhat unbalanced with the property next door to the East at 12 Columba Road being a two-storey villa.

It is our view that the addition of a flat roof protrusion to the main roof will present an incongruous form of architecture that detracts from the traditional style of pitched tile and slate roofs, prevalent in the immediate and wider roofscape.

The aesthetic form of a tiled pitched roof is more in-keeping with the architectural style of the traditional bungalow and presents a more sympathetic addition to the immediate and surrounding roofscape.

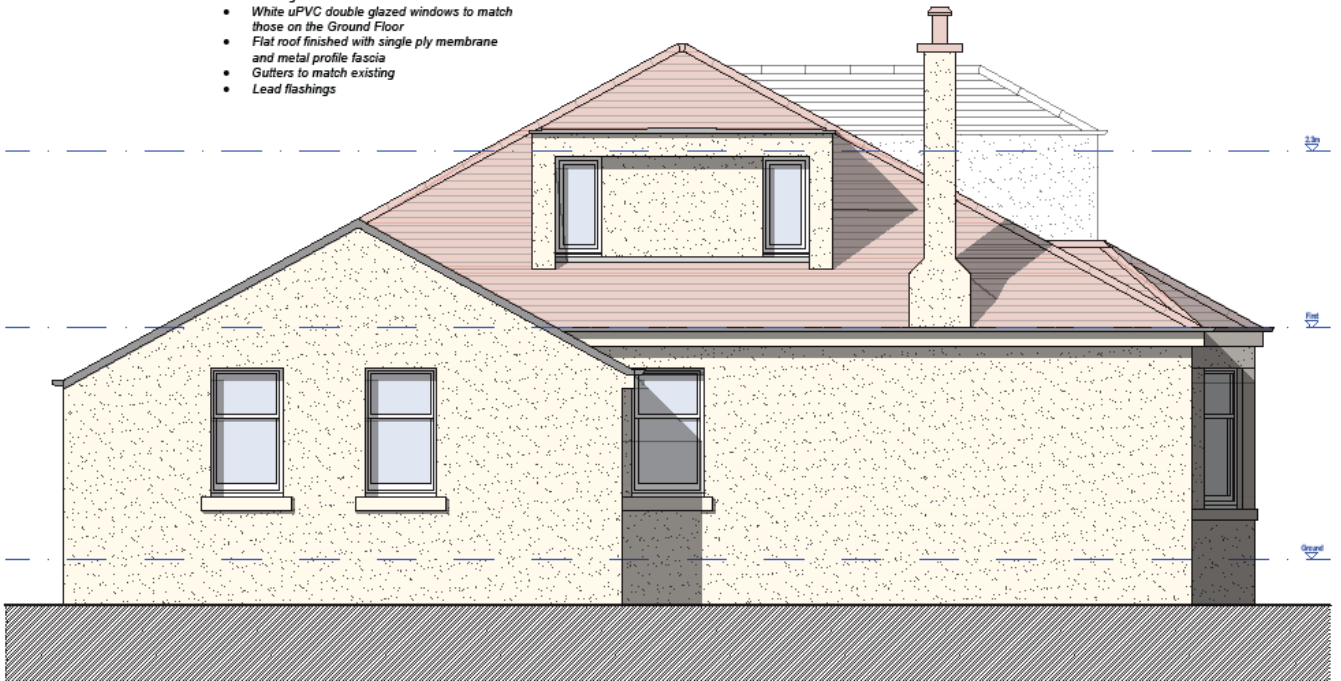
There are a large number of dormer extensions in the area that express the same form of construction/ architectural language as that of the proposal with the ridge heights matched and the roof planes aligned – a number of these are on the principal elevation. See photographs.

It is submitted that the proposals at 14 Columba Road demonstrate a similar mass and scale to that of the surrounding roof extensions and are therefore consistent with the character of the area.

We respectfully request that you consider the above with a view to approving the Planning Application for a Material Variation to change the flat roof of the side dormer to a traditional pitched roof.

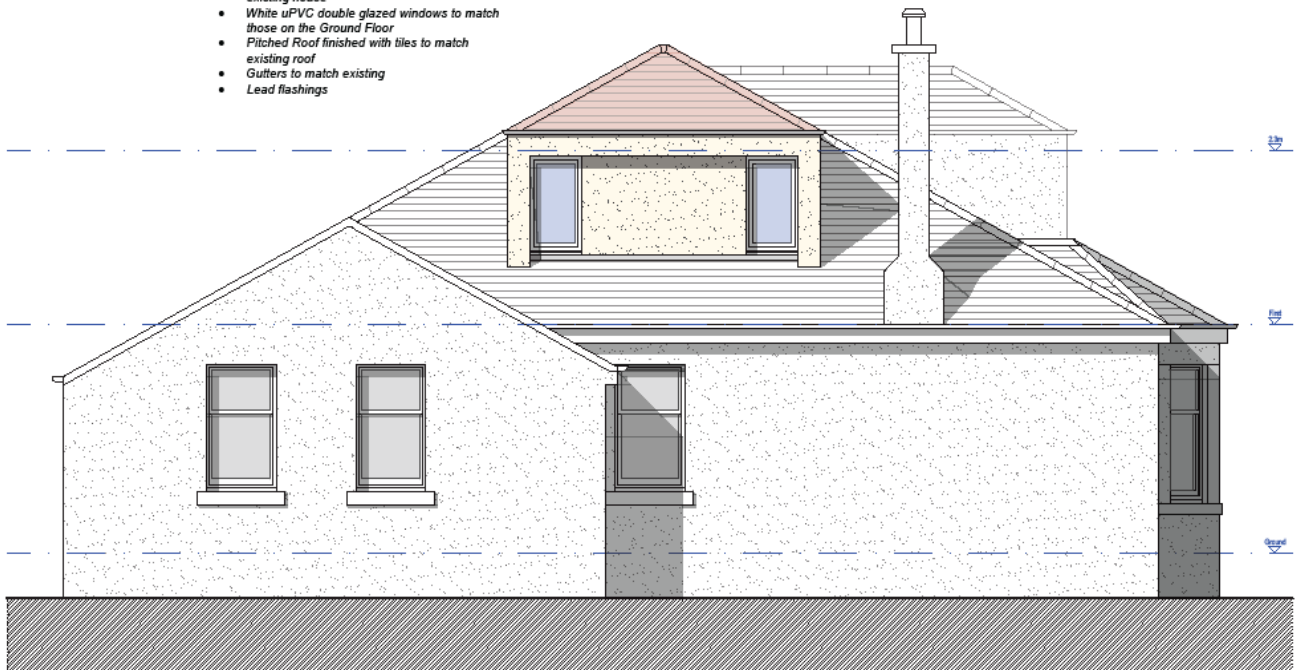
Craig Proudfoot
onefootsquare

- New Side Dormer Window*
- Cheeks and frontage rendered to match existing house
 - White uPVC double glazed windows to match those on the Ground Floor
 - Flat roof finished with single ply membrane and metal profile fascia
 - Gutters to match existing
 - Lead flashings



Consented Side Elevation

- New Side Dormer Window*
- Cheeks and frontage rendered to match existing house
 - White uPVC double glazed windows to match those on the Ground Floor
 - Pitched Roof finished with tiles to match existing roof
 - Gutters to match existing
 - Lead flashings



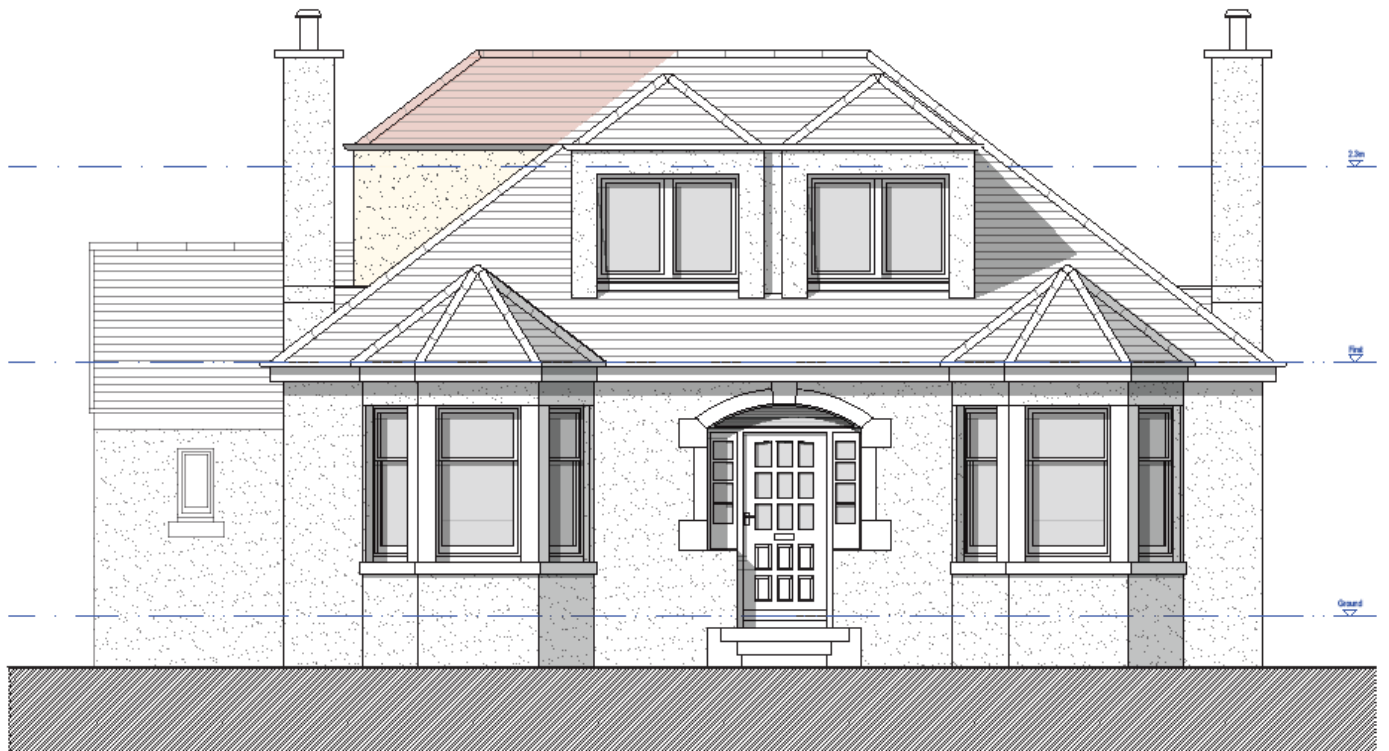
Proposed Side Elevation

New Front Dormer Window

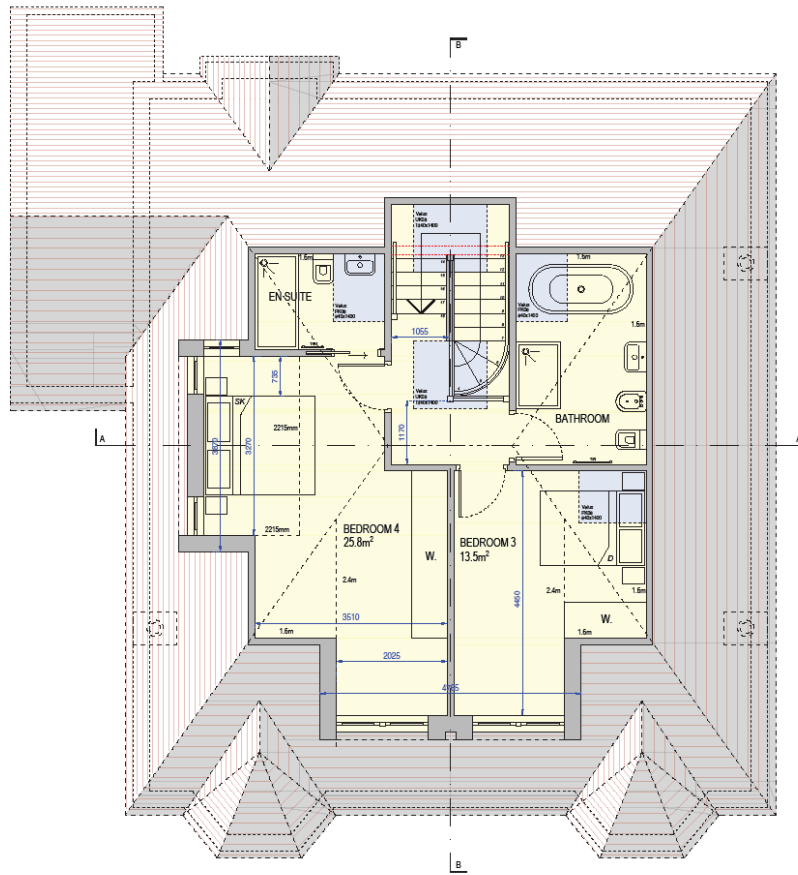
- Cheeks and frontage rendered to match existing house
- White uPVC double glazed windows to match those on the Ground Floor
- Pitched Roof finished with tiles to match existing roof
- Gutters to match existing
- Lead flashings



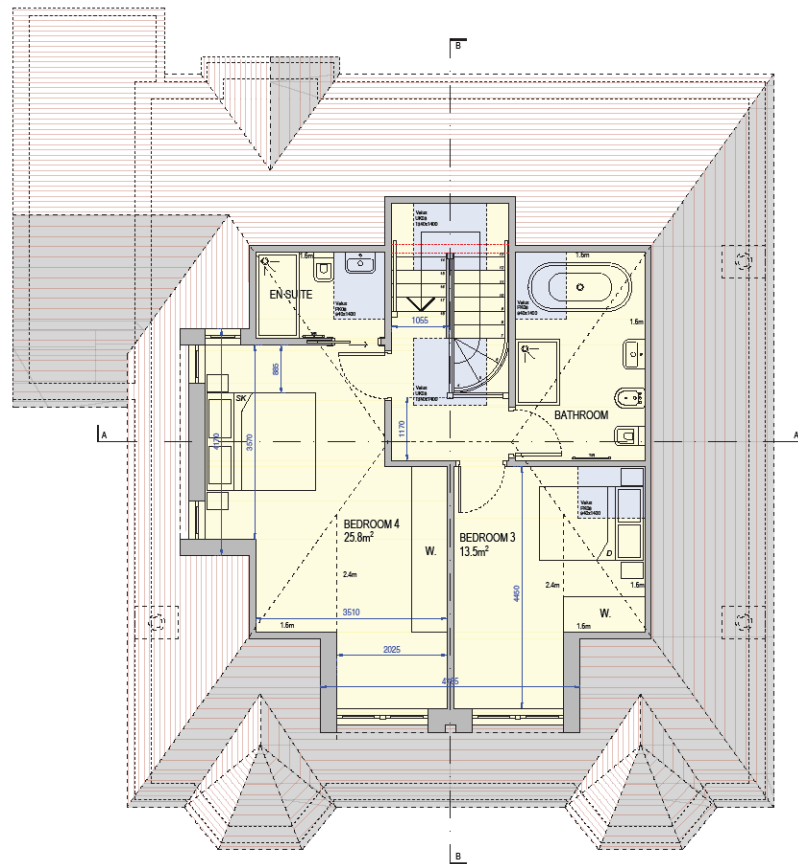
Consented Front Elevation



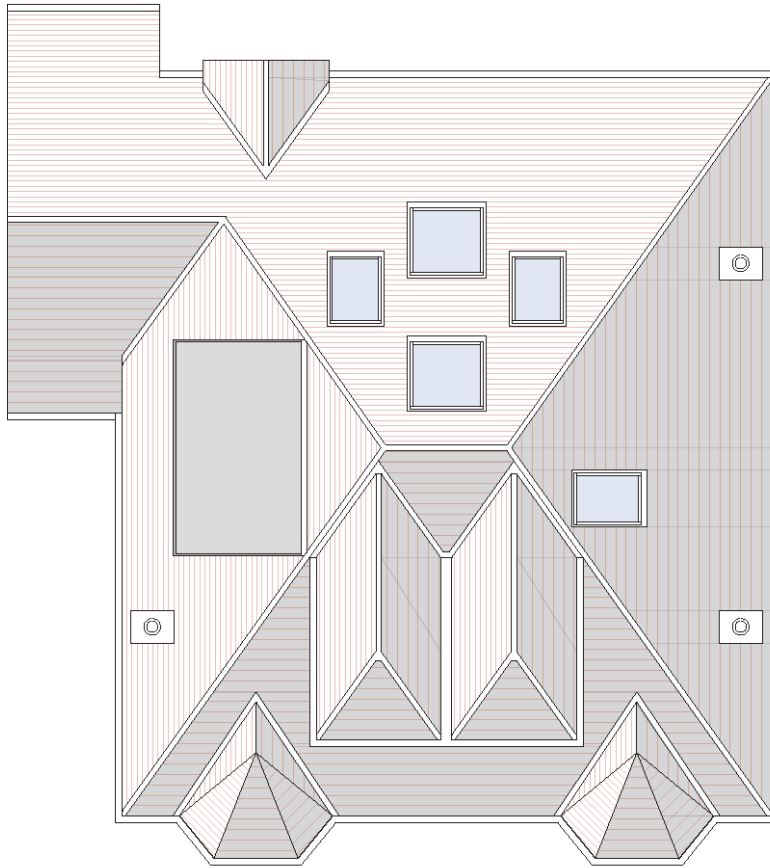
Proposed Front Elevation



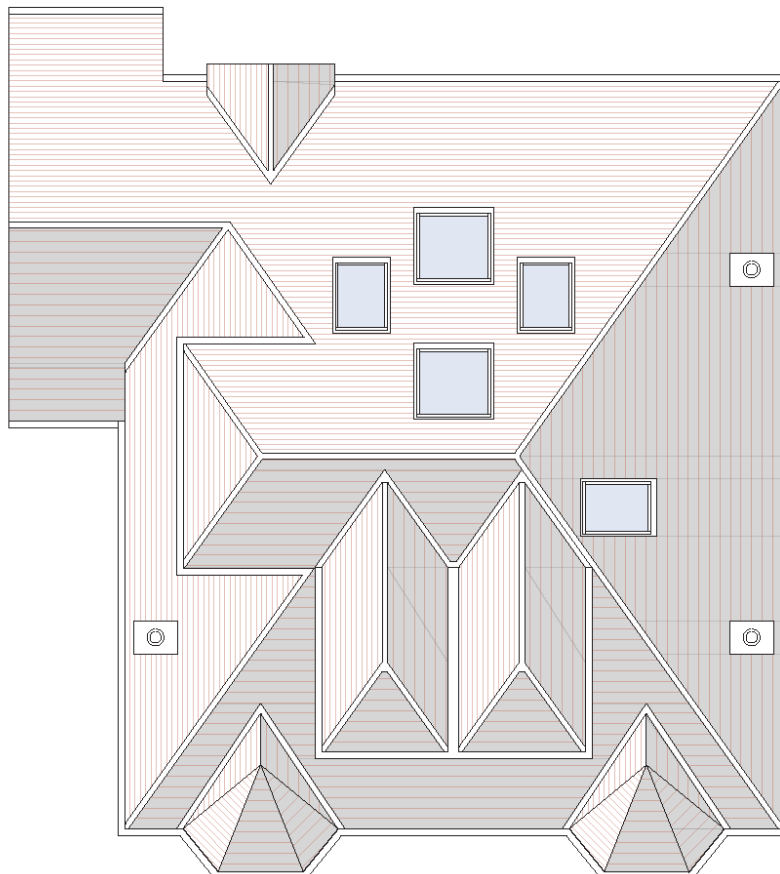
Consented Attic Floor Plan



Proposed Attic Floor Plan



Consented Roof Plan



Proposed Roof Plan

Photographs

The following set of photographs is intended as a snapshot of the immediate neighbouring properties to demonstrate the prevalence of side dormer windows with pitched roofs in the area.

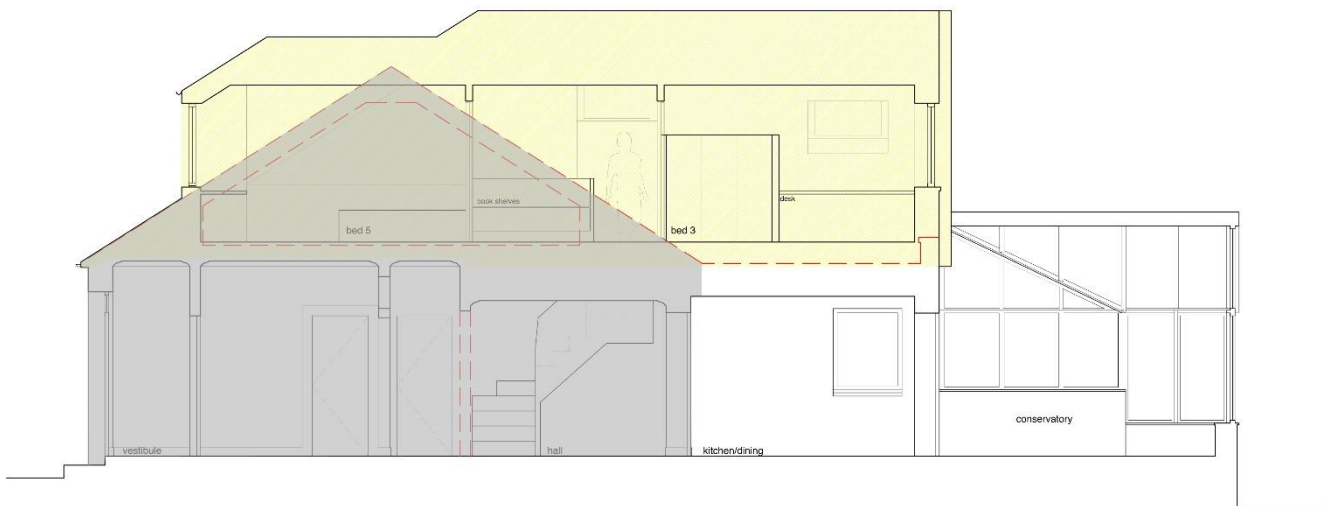


Map of area showing location of photographic examples in proximity to the application property



9 Strachan Road

Recently consented with front elevation dormer ridge at same height as main roof ridge



42 Columba Road

Planning consented in 2021: old roof profile shaded grey and new consented roof profile shown in yellow



14 Columba Road

View towards proposed side elevation for dormer window, approached from the West along Columba road – view partially obscure by tree.



14 Columba Road adjacent to 12 Columba Road (two-storey villa)



12 Columba Road (two-storey villa)



2A Belford Avenue



7 Strachan Road



19a Hillhouse Road – rear of application site



23 Blinkbonny Gardens



Blinkbonny Grove West



Carfrae Gardens



Carfrae Gardens 2



Carfrae Gardens 3



Craigcrook Road



Craigcrook Road 2



Carfrae Gardens 4



Carfrae Road



Queensferry Road 2



4 Columba Avenue



Craigcrook Road 3



Craigcrook Square



March Road



Queensferry Road



19a Hillhouse Road – rear of application site



37 Orchard Road South (Principal Elevation)



3 Hillhouse Road



4 Columba Avenue (Principal Elevation)



9 Columba Road – directly opposite application site



33 Orchard Road South (Principal Elevation)

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 100411960-001

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

Type of Application

What is this application for? Please select one of the following: *

- Application for planning permission (including changes of use and surface mineral working).
- Application for planning permission in principle.
- Further application, (including renewal of planning permission, modification, variation or removal of a planning condition etc)
- Application for Approval of Matters specified in conditions.

Please provide the application reference no. given to you by your planning authority for your previous application and the date that this was granted.

Application Reference No: *

21/00161/FUL

Date (dd/mm/yyyy): *

24/03/2021

Description of Proposal

Please describe the proposal including any change of use: * (Max 500 characters)

Material Variation to existing consent. Change flat roof on side dormer window to pitched roof.

Is this a temporary permission? *

Yes No

If a change of use is to be included in the proposal has it already taken place?

Yes No

(Answer 'No' if there is no change of use.) *

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	One Foot Square		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Craig	Building Name:	
Last Name: *	Proudfoot	Building Number:	129-4
Telephone Number: *	07936184056	Address 1 (Street): *	Lindsay Road
Extension Number:		Address 2:	Newhaven
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	UK
		Postcode: *	EH6 4UD
Email Address: *	craig@onefootsquare.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	Mr	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	
First Name: *	Gavin	Building Number:	14
Last Name: *	Cherry	Address 1 (Street): *	Columba Road
Company/Organisation		Address 2:	
Telephone Number: *		Town/City: *	Edinburgh
Extension Number:		Country: *	Scotland
Mobile Number:		Postcode: *	EH4 3QS
Fax Number:			
Email Address: *	[REDACTED]		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

Address 1:

14 COLUMBA ROAD

Address 2:

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH4 3QS

Please identify/describe the location of the site or sites

Northing

674644

Easting

321782

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

852.00

Please state the measurement type used:

Hectares (ha) Square Metres (sq.m)

Existing Use

Please describe the current or most recent use: * (Max 500 characters)

Detached Dwelling House

Access and Parking

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

Yes No

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

Are you proposing any change to public paths, public rights of way or affecting any public right of access? * Yes No

If Yes please show on your drawings the position of any affected areas highlighting the changes you propose to make, including arrangements for continuing or alternative public access.

How many vehicle parking spaces (garaging and open parking) currently exist on the application Site?

How many vehicle parking spaces (garaging and open parking) do you propose on the site (i.e. the Total of existing and any new spaces or a reduced number of spaces)? *

Please show on your drawings the position of existing and proposed parking spaces and identify if these are for the use of particular types of vehicles (e.g. parking for disabled people, coaches, HGV vehicles, cycles spaces).

Water Supply and Drainage Arrangements

Will your proposal require new or altered water supply or drainage arrangements? * Yes No

Do your proposals make provision for sustainable drainage of surface water?? * Yes No
(e.g. SUDS arrangements) *

Note:-

Please include details of SUDS arrangements on your plans

Selecting 'No' to the above question means that you could be in breach of Environmental legislation.

Are you proposing to connect to the public water supply network? *

Yes

No, using a private water supply

No connection required

If No, using a private water supply, please show on plans the supply and all works needed to provide it (on or off site).

Assessment of Flood Risk

Is the site within an area of known risk of flooding? * Yes No Don't Know

If the site is within an area of known risk of flooding you may need to submit a Flood Risk Assessment before your application can be determined. You may wish to contact your Planning Authority or SEPA for advice on what information may be required.

Do you think your proposal may increase the flood risk elsewhere? * Yes No Don't Know

Trees

Are there any trees on or adjacent to the application site? * Yes No

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

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? * Yes No

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013 * Yes No Don't Know

If yes, your proposal will additionally have to be advertised in a newspaper circulating in the area of the development. Your planning authority will do this on your behalf but will charge you a fee. Please check the planning authority's website for advice on the additional fee and add this to your planning fee.

If you are unsure whether your proposal involves a form of development listed in Schedule 3, please check the Help Text and Guidance notes before contacting your planning authority.

Planning Service Employee/Elected Member Interest

Is the applicant, or the applicant's spouse/partner, either a member of staff within the planning service or an elected member of the planning authority? * Yes No

Certificates and Notices

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

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

Are you/the applicant the sole owner of ALL the land? * Yes No

Is any of the land part of an agricultural holding? * Yes No

Certificate Required

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

Certificate A

Land Ownership Certificate

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

Certificate A

I hereby certify that –

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

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

Signed: Craig Proudfoot

On behalf of: Mr Gavin Cherry

Date: 13/05/2021

Please tick here to certify this Certificate. *

Checklist – Application for Planning Permission

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

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

a) If this is a further application where there is a variation of conditions attached to a previous consent, have you provided a statement to that effect? *

Yes No Not applicable to this application

b) If this is an application for planning permission or planning permission in principle where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

c) If this is an application for planning permission, planning permission in principle or a further application and the application is for development belonging to the categories of national or major development (other than one under Section 42 of the planning Act), have you provided a Pre-Application Consultation Report? *

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013

d) If this is an application for planning permission and the application relates to development belonging to the categories of national or major developments and you do not benefit from exemption under Regulation 13 of The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013, have you provided a Design and Access Statement? *

Yes No Not applicable to this application

e) If this is an application for planning permission and relates to development belonging to the category of local developments (subject to regulation 13. (2) and (3) of the Development Management Procedure (Scotland) Regulations 2013) have you provided a Design Statement? *

Yes No Not applicable to this application

f) If your application relates to installation of an antenna to be employed in an electronic communication network, have you provided an ICNIRP Declaration? *

Yes No Not applicable to this application

g) If this is an application for planning permission, planning permission in principle, an application for approval of matters specified in conditions or an application for mineral development, have you provided any other plans or drawings as necessary:

Site Layout Plan or Block plan.

Elevations.

Floor plans.

Cross sections.

Roof plan.

Master Plan/Framework Plan.

Landscape plan.

Photographs and/or photomontages.

Other.

If Other, please specify: * (Max 500 characters)

Provide copies of the following documents if applicable:

- | | | |
|--|---|---|
| A copy of an Environmental Statement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Design Statement or Design and Access Statement. * | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> N/A |
| A Flood Risk Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Drainage Impact Assessment (including proposals for Sustainable Drainage Systems). * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Drainage/SUDS layout. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Transport Assessment or Travel Plan | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Contaminated Land Assessment. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| Habitat Survey. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |
| A Processing Agreement. * | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> N/A |

Other Statements (please specify). (Max 500 characters)

Declare – For Application to Planning Authority

I, the applicant/agent certify that this is an application to the planning authority as described in this form. The accompanying Plans/drawings and additional information are provided as a part of this application.

Declaration Name: Mr Craig Proudfoot

Declaration Date: 13/05/2021

One Foot Square.
FAO: Craig Proudfoot
129-4 Lindsay Road
Edinburgh
EH6 4UD

Mr Cherry
14 Columba Road
Edinburgh
EH4 3QS

Decision date: 10 August 2021

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

Proposed pitched roof side and front dormers (material variation from previous consent), alterations to existing property.
At 14 Columba Road Edinburgh EH4 3QS

Application No: 21/02694/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 14 May 2021, this has been decided by **Countersign**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposed side dormer in scale, form and position would fail to respect the established form of the existing bungalow property which would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The proposal is therefore contrary to Edinburgh Local Development Plan policy Des 12 (Alterations and Extensions) and the Guidance for Householders.

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

Drawings 01-06, 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:

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

Should you have a specific enquiry regarding this decision please contact Lewis McWilliam directly at lewis.mcwilliam@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

Report of Handling

**Application for Planning Permission
14 Columba Road, Edinburgh, EH4 3QS**

Proposal: Proposed pitched roof side and front dormers (material variation from previous consent), alterations to existing property.

**Item – Countersign
Application Number – 21/02694/FUL
Ward – B05 - Inverleith**

Recommendation

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

Summary

The proposal is contrary to the Edinburgh Local Development Plan Policy Des 12 - Alterations and Extensions.

The scale, form and position of the proposal would fail to respect the established form of the existing property and would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character.

SECTION A – Application Background

Site Description

The proposal site is a detached bungalow located on the north-east side of Columba Road in a residential area.

Description Of The Proposal

-Proposed front and side dormers

-Alterations to infill front section of the existing single storey side extension.

Permitted Development

-Installation of new window on existing side extension and rooflights on side and rear elevation.

-Removal of the existing front dormer

The above works are permitted development under class 2B of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended). No assessment of their merits is therefore required.

Relevant Site History

21/00161/FUL

New front and side dormer windows, alterations to existing side extension (as amended).

Granted

24 March 2021

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 21 May 2021

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 4

Section B - Assessment

Determining Issues

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

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

Assessment

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

a) the proposed scale, form and design is acceptable and will not be detrimental to neighbourhood character;

b) the proposal will cause an unreasonable loss to neighbouring amenity;

c) any impacts on equalities or human rights are acceptable; and

d) any comments raised have been addressed.

a) Scale, form, design and neighbourhood character

Edinburgh Local Development Plan (LDP) policy Des 12 (alterations and extensions) states that permission will be granted for alterations and extensions that in design, form, material and position are compatible with the character of the existing building and will not be detrimental to the neighbourhood character.

The Guidance for Householders states, that bungalow extensions should be designed in a way that retains the character of the original property and is subservient in appearance. Extensions must not imbalance the principal elevation of the property.

In regard to dormers, visible expanses should be retained on all four sides of the roofslope. On principle elevations a single dormer should be no greater than one third of the average roof width.

Dormers on side elevations will be considered acceptable where it can be demonstrated that the proposal fits in well with the character of the surrounding area.

The proposed side dormer is of a similar scale, form and position to that originally proposed for planning application 21/00161/FUL. Concern was expressed in respect to this side dormer in terms of its scale, form and position in disrupting the symmetry of the existing hipped roof of the bungalow. This proposal was revised and the scale of the side dormer reduced in height in order to adequately address this aspect of the scheme.

The side dormer raises similar concern to the previous original scheme. In regard to the above guidance, it projects from the ridge of the existing eaves height and its outward projecting width is consistent with the top section of the existing roofslope. It is not set down from the existing property and therefore fails to retain visible roof expanse on all four sides.

In support of the proposals, the applicant has submitted photos of properties near the proposal site. Larger roof additions detailed on Hillhouse Road were constructed in advance of current policy and guidance and do not set precedence for assessment of this application.

Properties detailed on Colomba Road nearby show existing front dormers and roof forms that differ to the proposal site. These examples do evidence change that has occurred to the form of bungalows in the immediate area. Predominantly, alterations to the side of bungalows are set back from the property's frontage and set down from the roof ridge which reduce the level of impact on the balance of the principal elevation and symmetrical hipped roof character of the bungalow. These are aspects of design that the present guidance seeks to protect as detailed above.

The side dormer proposed is inappropriate here as its overall height and width (lack of set down or set back from the existing roofslope) in tandem with its form and location on this side gable is disruptive to the symmetry of the existing hipped roof of the bungalow. As viewed from the street; the property's frontage, it would appear as a

disjointed and incongruous addition that fails to adequately respect the original uniform character.

Side dormers of the scale, form and design proposed are not characteristic of the surrounding area. It is recognised there is some varying forms to bungalow properties evident on the street. This notwithstanding the scale, form and position of this addition would result in a conspicuous and incongruous intervention that fails to respect the established form of this bungalow property type. It is therefore an incompatible addition that would be detrimental to the existing neighbourhood character contrary to LDP policy Des 12 and the non-statutory guidance.

The proposed front dormers are identical to those approved as part of previous planning application 21/00161/FUL. They are of a width that exceeds the above guidance however are set down from the existing roof slope, of a form and centralised position in relation to the existing dwelling that that do not adversely impact on its character or streetscene. Further, alterations to infill the existing side extension are minor in scale and appropriate form therefore are acceptable.

b) Neighbouring amenity

The proposals have been assessed against requirements set out in the non-statutory Guidance for Householders to ensure there is no unreasonable loss to neighbouring amenity with respect to privacy, overshadowing and loss of daylight or sunlight.

The side dormer will face the existing side gable of the adjacent property which is not protected under the guidance in terms of privacy. Windows to this side, will face primarily onto adjacent roof, and therefore will not result in direct overlooking of the neighbour's garden, or a material loss of privacy to neighbouring occupiers.

In regard to neighbouring amenity, the proposals comply with Local Development Plan Policy Des 12 and the non-statutory Guidance for Householders.

c) Equalities and human rights

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

d) Public comments

Four supporting comments have been received summarised as the following;

Material

-Design of pitched dormer more ascetically pleasing and in keeping with those in area -
Design of proposal addressed in section 3.3 a) of the above report.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposed side dormer in scale, form and position would fail to respect the established form of the existing bungalow property which would be harmful to its character and appearance. It would be an incompatible and incongruous addition on the street scene detrimental to the existing neighbourhood character. The proposal is therefore contrary to Edinburgh Local Development Plan policy Des 12 (Alterations and Extensions) and the Guidance for Householders.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 14 May 2021

Drawing Numbers/Scheme

01-06

Scheme 1

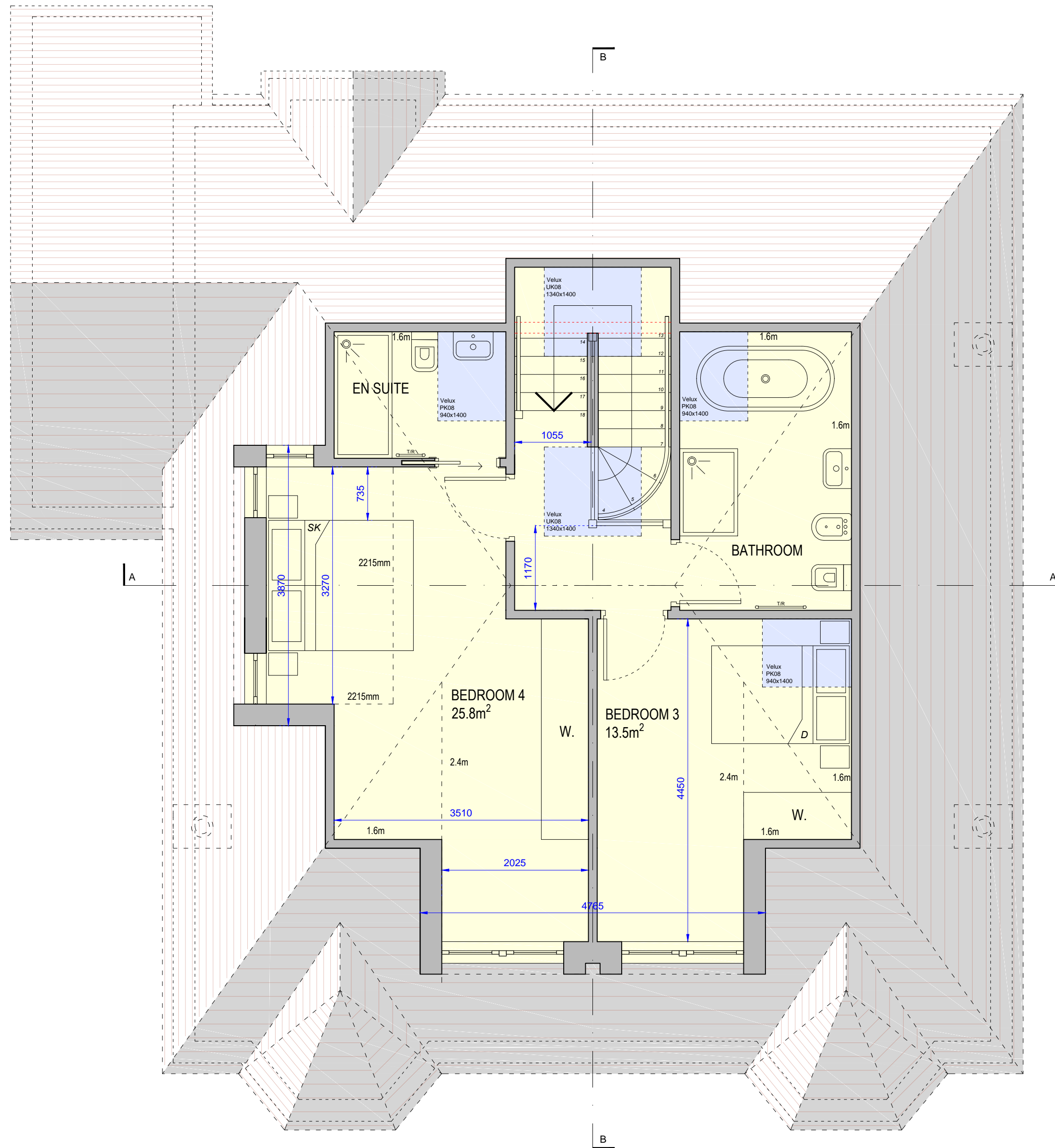
David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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

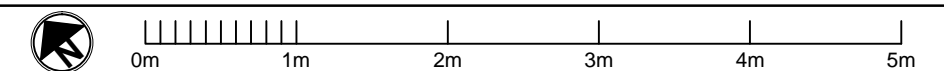
Appendix 1

Consultations

No consultations undertaken.



CONSENTED ATTIC FLOOR PLAN
1:50 @ A2

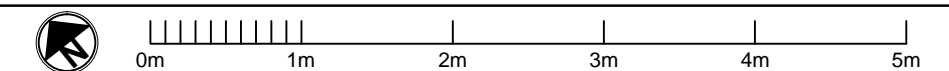


Drawing CONSENTED ATTIC FLOOR PLAN		Client Mr and Mrs Cherry		<small>THIS DRAWING IS FOR PLANNING PURPOSES ONLY. ALL LEVELS & DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION/ FABRICATION AND ANY DISCREPANCIES IMMEDIATELY REPORTED © 2021 ONE FOOT SQUARE</small>	
Scale 1:50 @ A2	Date 04 JAN 2021	By CP	Project 14 Columba Road Edinburgh EH4 3QS	REV	DATE
Job No. 1095-COL	Drawing No. (P)005	Rev. B		A	04/03/21
				B	17/03/21
				NOTES Dormer sizes reduced & moved off of ridge/ hip line. Front dormer roof divided into 2 pitched roofs matching language/ scale of property opposite. Side dormer changed to flat roof with modified framing to frontage	
				onefootsquare Craig Proudfoot 3/9 Trinity Crescent Edinburgh, EH5 3ED 07936 184056 craig@onefootsquare.co.uk	

- New Front Dormer Window*
- Cheeks and frontage rendered to match existing house
 - White uPVC double glazed windows to match those on the Ground Floor
 - Pitched Roof finished with tiles to match existing roof
 - Gutters to match existing
 - Lead flashings



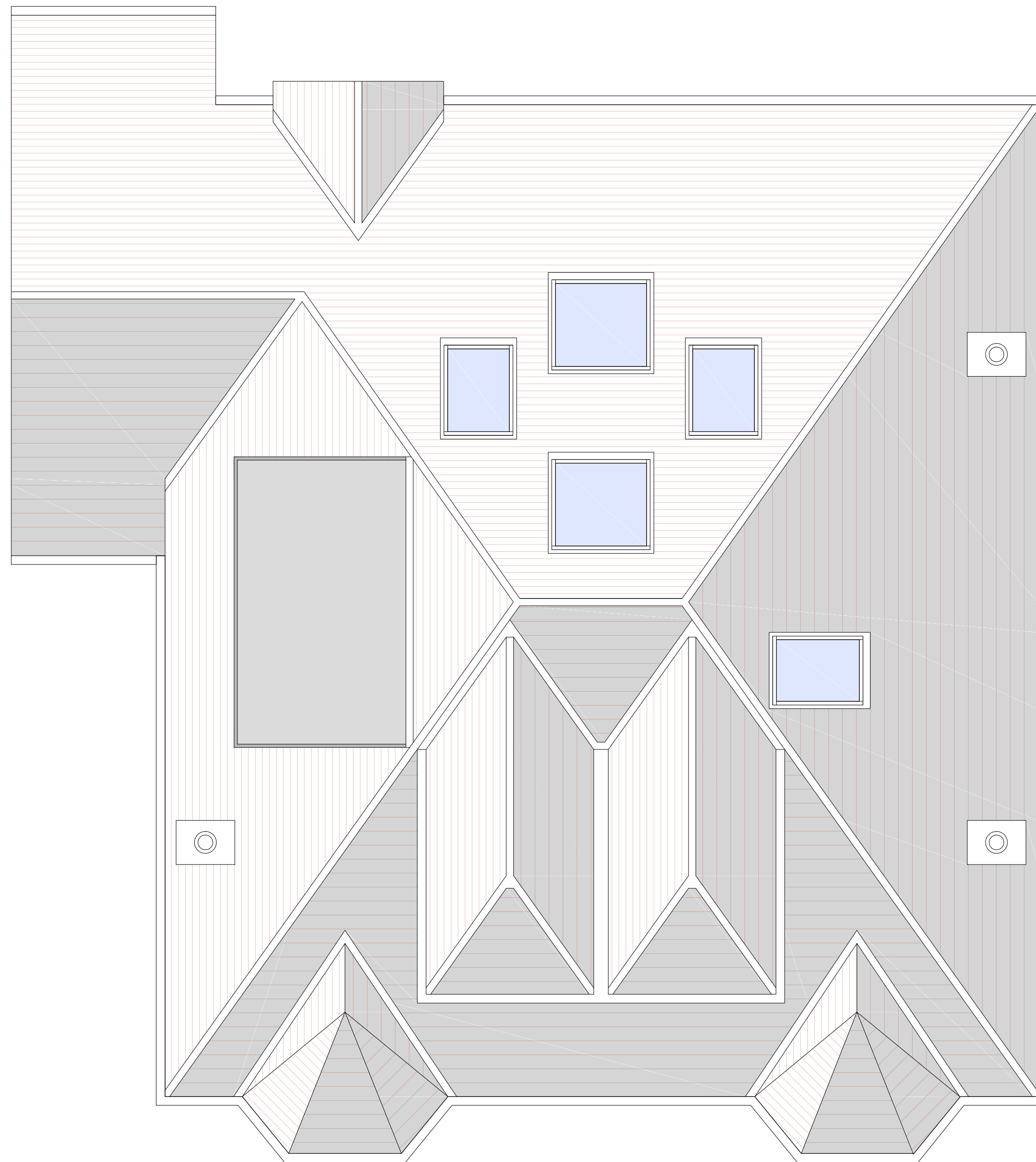
CONSENTED FRONT ELEVATION
1:50 @ A2



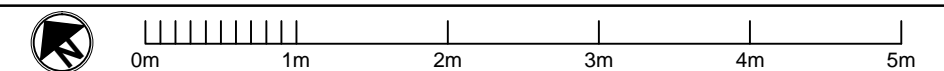
Drawing CONSENTED FRONT ELEVATION			Client Mr and Mrs Cherry		THIS DRAWING IS FOR PLANNING PURPOSES ONLY. ALL LEVELS & DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION/ FABRICATION AND ANY DISCREPANCIES IMMEDIATELY REPORTED © 2021 ONE FOOT SQUARE		
Scale 1:50 @ A2	Date 04 JAN 2021	By CP	Project 14 Columba Road Edinburgh EH4 3QS		REV	DATE	NOTES
Job No. 1095-COL	Drawing No. (P)007	Rev. D			B	03/02/21	Minor illustrative alteration
					C	04/03/21	Dormer sizes reduced & moved off of ridge/ hip line. Front dormer roof divided into 2 pitched roofs matching language/ scale of property opposite.
					D	17/03/21	Side dormer changed to flat roof with modified framing to frontage

onefootsquare
 Craig Proudfoot
 3/9 Trinity Crescent
 Edinburgh, EH5 3ED
 07936 184056
craig@onefootsquare.co.uk

onefootsquare
 archiTecture&dEsign
www.onefootsquare.co.uk

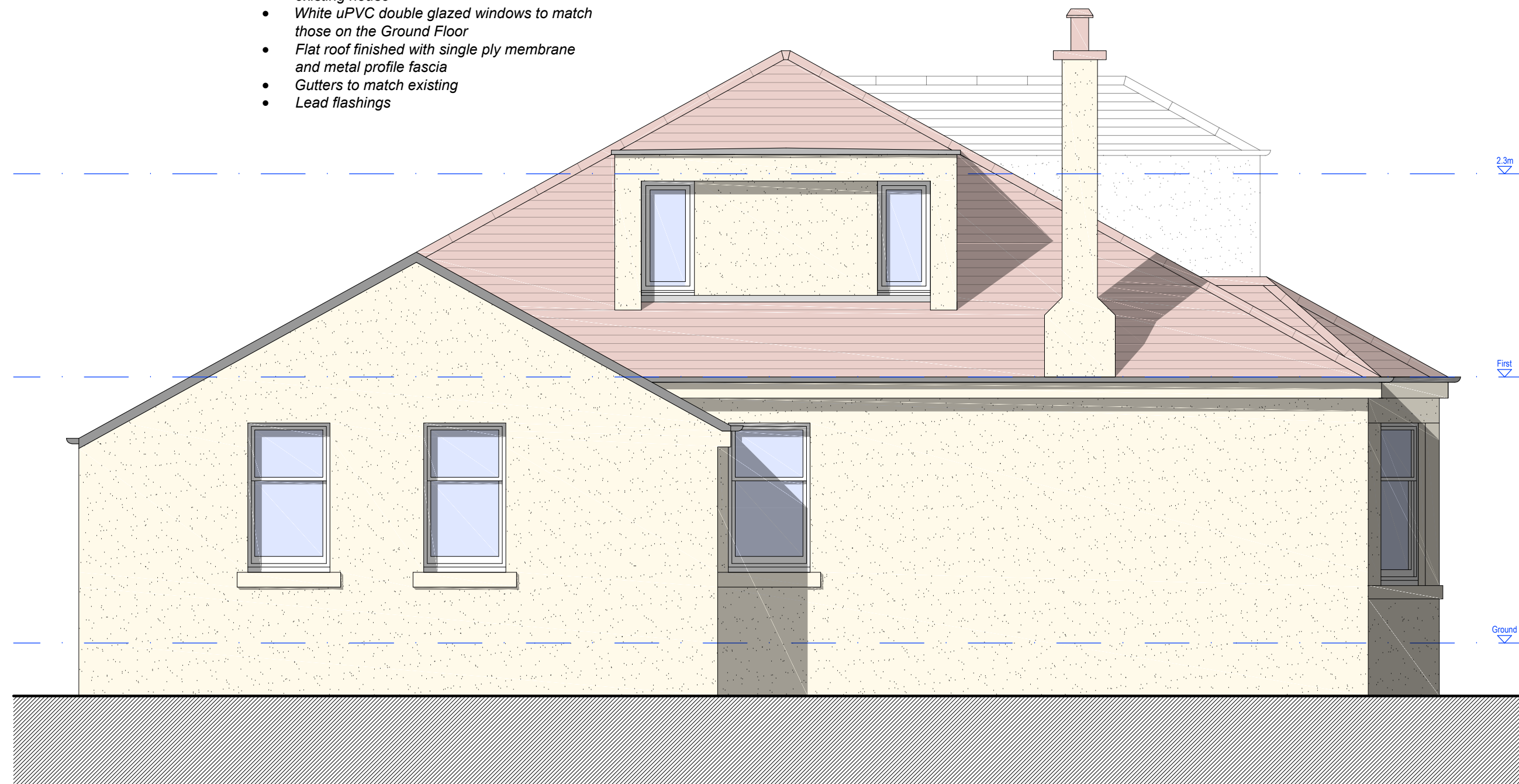


CONSENTED ROOF PLAN
1:50 @ A2

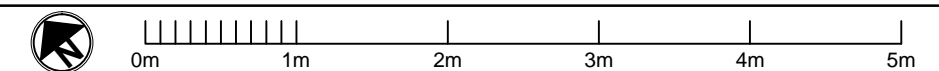


Drawing CONSENTED ROOF PLAN			Client Mr and Mrs Cherry		<small>THIS DRAWING IS FOR PLANNING PURPOSES ONLY. ALL LEVELS & DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION/ FABRICATION AND ANY DISCREPANCIES IMMEDIATELY REPORTED. © 2021 ONE FOOT SQUARE</small>			onefootsquare archiTeCture&dEsig <small>www.onefootsquare.co.uk</small>	
Scale 1:50 @ A2	Date 04 JAN 2021	By CP	Project 14 Columba Road Edinburgh EH4 3QS	REV A					
Job No. 1095-COL	Drawing No. (P)009	Rev. A					Craig Proudfoot 3/9 Trinity Crescent Edinburgh, EH5 3ED 07936 184056 craig@onefootsquare.co.uk		

- New Side Dormer Window**
- Cheeks and frontage rendered to match existing house
 - White uPVC double glazed windows to match those on the Ground Floor
 - Flat roof finished with single ply membrane and metal profile fascia
 - Gutters to match existing
 - Lead flashings



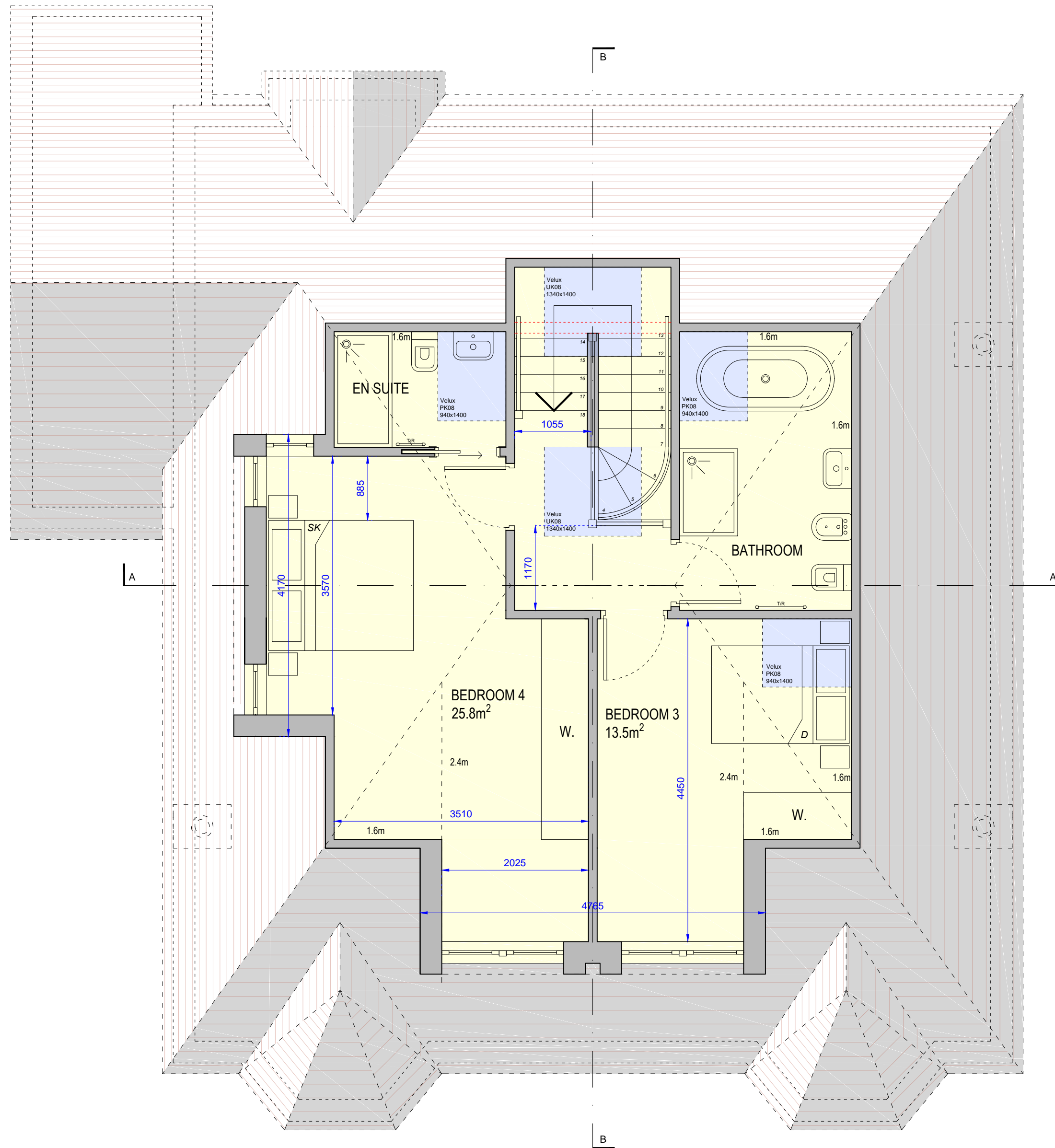
CONSENTED SIDE ELEVATION
1:50 @ A2



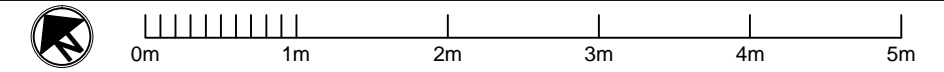
Drawing CONSENTED SIDE ELEVATION		Client Mr and Mrs Cherry		THIS DRAWING IS FOR PLANNING PURPOSES ONLY. ALL LEVELS & DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION/ FABRICATION AND ANY DISCREPANCIES IMMEDIATELY REPORTED © 2021 ONE FOOT SQUARE		
Scale 1:50 @ A2	Date 04 JAN 2021	By CP	Project 14 Columba Road Edinburgh EH4 3QS	REV	DATE	NOTES
Job No. 1095-COL	Drawing No. (P)008	Rev. C		A	03/02/21	Minor amendment to existing side extension
				B	04/03/21	Dormer sizes reduced & moved off of ridge/ hip line. Front dormer roof divided into 2 pitched roofs matching language/ scale of property opposite.
				C	17/03/21	Side dormer changed to flat roof with modified framing to frontage

onefootsquare
archiTecture&dEsign
www.onefootsquare.co.uk

Craig Proudfoot
3/9 Trinity Crescent
Edinburgh, EH5 3ED
07936 184056
craig@onefootsquare.co.uk



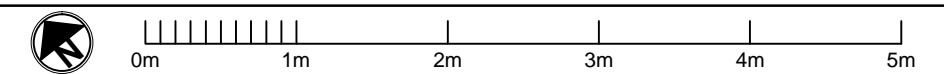
PROPOSED ATTIC FLOOR PLAN
1:50 @ A2



Drawing PROPOSED ATTIC FLOOR PLAN		Client Mr and Mrs Cherry		<small>THIS DRAWING IS FOR PLANNING PURPOSES ONLY. ALL LEVELS & DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION/ FABRICATION AND ANY DISCREPANCIES IMMEDIATELY REPORTED © 2021 ONE FOOT SQUARE</small>	
Scale 1:50 @ A2	Date 04 JAN 2021	By CP	Project 14 Columba Road Edinburgh EH4 3QS	REV	DATE
Job No. 1095-COL	Drawing No. (P)005	Rev. C		NOTES Dormer sizes reduced & moved off of ridge/ hip line. Front dormer roof divided into 2 pitched roofs matching language/ scale of property opposite. Side dormer changed to flat roof with modified framing to frontage Side dormer roof changed from flat roof to pitch roof	
			onefootsquare onefootsquare archiTecture&dEsign www.onefootsquare.co.uk Craig Proudfoot 129/4 Lindsay Road Newhaven Edinburgh, EH6 4UD 07936 184056 craig@onefootsquare.co.uk		



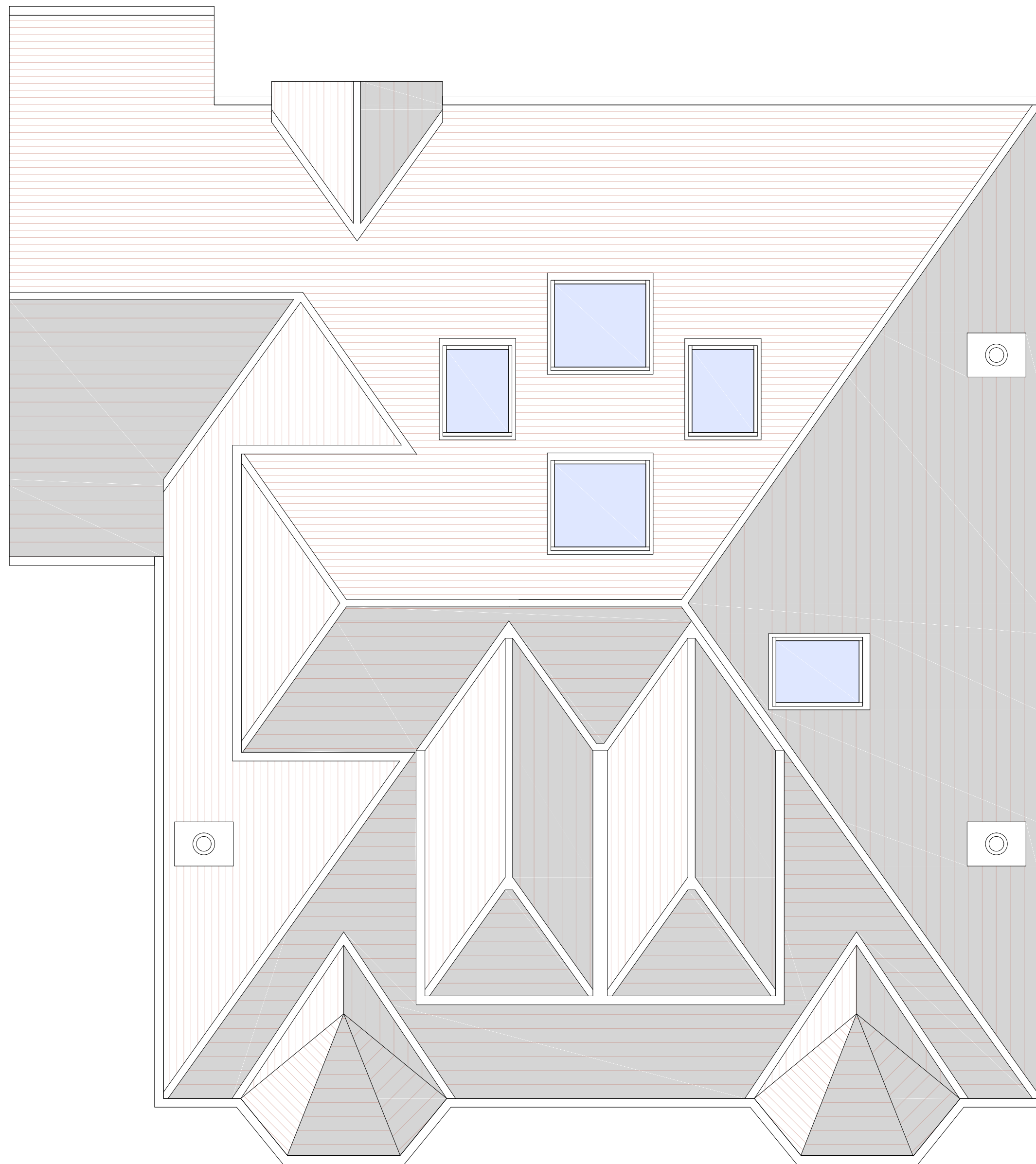
PROPOSED FRONT ELEVATION
1:50 @ A2



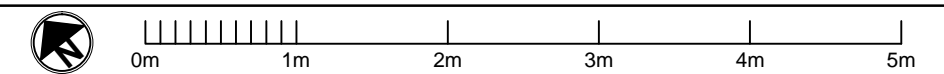
Drawing PROPOSED FRONT ELEVATION			Client Mr and Mrs Cherry		<small>THIS DRAWING IS FOR PLANNING PURPOSES ONLY. ALL LEVELS & DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION/ FABRICATION AND ANY DISCREPANCIES IMMEDIATELY REPORTED © 2021 ONE FOOT SQUARE</small>		NOTES D: Dormer sizes reduced & moved off of ridge/ hip line. Front dormer roof divided into 2 pitched roofs matching language/ scale of property opposite. E: Side dormer changed to flat roof with modified framing to frontage F: Side dormer roof changed from flat roof to pitch roof
Scale 1:50 @ A2	Date 04 JAN 2021	By CP	Project 14 Columba Road Edinburgh EH4 3QS		REV	DATE	
Job No. 1095-COL	Drawing No. (P)007	Rev. E			C	04/03/21	
					D	17/03/21	
					E	12/05/21	

onefootsquare onefootsquare
 architecture & design
 www.onefootsquare.co.uk

Craig Proudfoot
 129/4 Lindsay Road
 Newhaven
 Edinburgh, EH6 4UD
 07936 184056
 craig@onefootsquare.co.uk



PROPOSED ROOF PLAN
1:50 @ A2

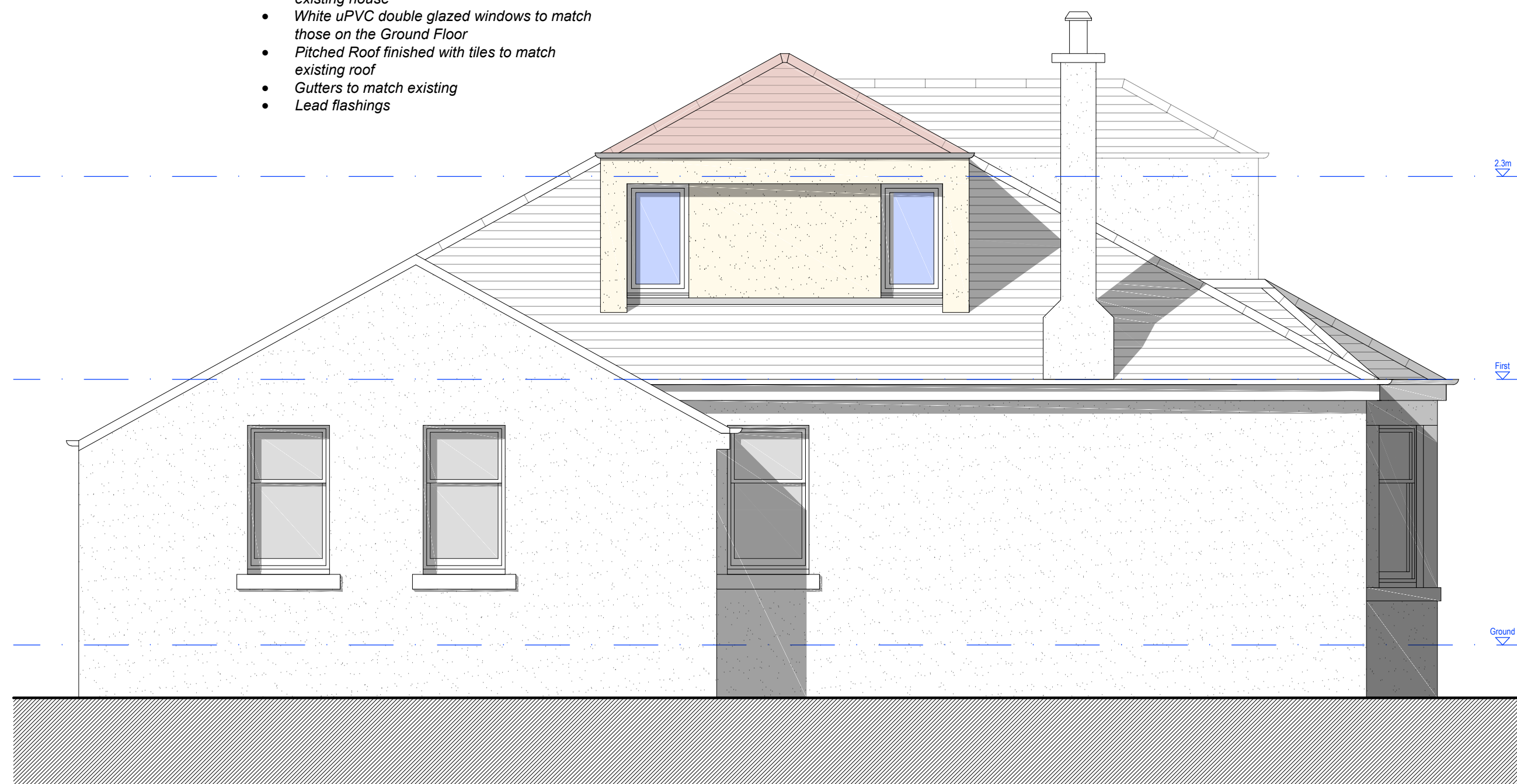


Drawing PROPOSED ROOF PLAN			Client Mr and Mrs Cherry		THIS DRAWING IS FOR PLANNING PURPOSES ONLY. ALL LEVELS & DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION/ FABRICATION AND ANY DISCREPANCIES IMMEDIATELY REPORTED. © 2021 ONE FOOT SQUARE		
Scale 1:50 @ A2	Date 04 JAN 2021	By CP	Project 14 Columba Road Edinburgh EH4 3QS		REV	DATE	NOTES
Job No. 1095-COL	Drawing No. (P)009	Rev. B			A	17/03/21	
					B	12/05/21	Side dormer roof changed from flat roof to pitch roof

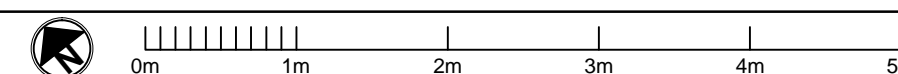
onefootsquare onefootsquare
 architecture & design
 www.onefootsquare.co.uk

Craig Proudfoot
 129/4 Lindsay Road
 Newhaven
 Edinburgh, EH6 4UD
 07936 184056
craig@onefootsquare.co.uk

- New Side Dormer Window**
- Cheeks and frontage rendered to match existing house
 - White uPVC double glazed windows to match those on the Ground Floor
 - Pitched Roof finished with tiles to match existing roof
 - Gutters to match existing
 - Lead flashings



PROPOSED SIDE ELEVATION
1:50 @ A2



Drawing PROPOSED SIDE ELEVATION			Client Mr and Mrs Cherry		THIS DRAWING IS FOR PLANNING PURPOSES ONLY. ALL LEVELS & DIMENSIONS TO BE CHECKED ON SITE PRIOR TO CONSTRUCTION/ FABRICATION AND ANY DISCREPANCIES IMMEDIATELY REPORTED © 2021 ONE FOOT SQUARE		NOTES Dorman sizes reduced & moved off of ridge/ hip line. Front dormer roof divided into 2 pitched roofs matching language/ scale of property opposite. Side dormer changed to flat roof with modified framing to frontage Side dormer roof changed from flat roof to pitch roof
Scale 1:50 @ A2	Date 04 JAN 2021	By CP	Project 14 Columba Road Edinburgh EH4 3QS		REV	DATE	
Job No. 1095-COL	Drawing No. (P)008	Rev. D			B	04/03/21	
					C	17/03/21	
					D	12/05/21	

onefootsquare onefootsquare
 architecture & design
 www.onefootsquare.co.uk

Craig Proudfoot
 129/4 Lindsay Road
 Newhaven
 Edinburgh, EH6 4UD
 07936 184056
 craig@onefootsquare.co.uk

HISTORIC ENVIRONMENT POLICY FOR SCOTLAND



CONTENTS

Introduction	3	Principles and policies.....	12
Words and phrases used in this policy..	4	Understanding and recognition	13
What is the status of HEPS?.....	6	Managing change	14
What is HEPS for?.....	8	Working together	16
How has HEPS been developed?	8	Delivery and monitoring	17
Policies for managing the historic environment	9	Sources of further information and guidance	18
What are the challenges and opportunities for the historic environment?	10		



© Historic Environment Scotland 2019

You may re-use this information (excluding logos and images) free of charge in any format or medium, under the terms of the Open Government Licence v3.0 except where otherwise stated.

To view this licence, visit <http://nationalarchives.gov.uk/doc/open-government-licence/version/3/> or write to the Information Policy Team, The National Archives, Kew, London TW9 4DU, or email: psi@nationalarchives.gov.uk

Where we have identified any third party copyright information you will need to obtain permission from the copyright holder to reproduce it.

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.



C
OP

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
© Historic Environment Scotland