

Notice of meeting and agenda

Planning Local Review Body (Panel 2)

10.00 am Wednesday, 23rd February, 2022

Virtual Meeting - via Microsoft Teams

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

Contacts

Email: natalie.le.couteur@edinburgh.gov.uk

1. Appointment of Convener

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

2. Order of Business

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

3. Declaration of Interests

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

4. Minutes

- 4.1 Minute of the Local Review Body (Panel 2) -19 January 2022- submitted for approval as a correct record 7 - 16

5. Local Review Body - Procedure

- 5.1 Note of the outline procedure for consideration of all Requests for Review 17 - 18

6. Requests for Review

- 6.1 1 North Bughtlin Neuk, Edinburgh – Remove and replace the existing timber boundary fence on the front elevation with a new taller timber fence – application no 21/04625/FUL 19 - 38
- (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.

- 6.2 2F 10 Randolph Crescent, Edinburgh - Alteration of the existing roof 39 –

access and provide permanent stairs to the new opening roof light. 140
Remove existing lantern over bathroom and replace with new, flat
glass rooflight. Alter inward facing pitched roof daces to give enlarged,
accessible flat roof area – application no - 21/04427/FUL

- (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.

6.3 77A George Street, Edinburgh -Change of use from class 1 retail to 141 -
class 3 restaurant, installation of extract duct (as amended) – 242
application no 21/02872/FUL

- (a) Decision Notice and Report of Handling
- (b) Notice of Review and Supporting Documents
- (c) Letter from appellant's agent

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

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 11 (Tall Buildings –
Skyline and Key Views)

Edinburgh Local Development Plan Des 12 (Alterations and
Extensions)

Edinburgh Local Development Plan Policy Des 13 (Shopfronts)

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

Edinburgh Local Development Plan Policy Ret 9 (Alternative Use of Shop Units in Defined Centres)

Edinburgh Local Development Plan Policy Ret 10 (Alternative Use of Shop Units in Other Locations)

Edinburgh Local Development Plan Policy Ret 11 (Food and Drink Establishments)

8. Non-Statutory Guidance

8.1	Listed Buildings and Conservation Areas Guidance	243 - 272
8.2	New Town Conservation Area Character Appraisal	273 - 328

Nick Smith

Service Director, Legal and Assurance

Committee Members

Councillor Chas Booth, Councillor Maureen Child, Councillor Hal Osler and Councillor Cameron Rose.

Information about the Planning Local Review Body (Panel 2)

The City of Edinburgh Planning Local Review Body (LRB) has been established by the Council in terms of the Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008. The LRB's remit is to determine any request for a review of a decision on a planning application submitted in terms of the Regulations. The LRB comprises a panel of five Councillors drawn from the eleven members of the Planning Committee. The LRB usually meets every two weeks, with the members rotating in two panels of five Councillors.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Natalie Le Couteur, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 529 4085, email natalie.le.couteur@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.

Webcasting of Council meetings

Please note this meeting may be filmed for live and subsequent broadcast via the Council's internet site – at the start of the meeting the Convener will confirm if all or part of the meeting is being filmed.

The Council is a Data Controller under the General Data Protection Regulation and Data Protection Act 2018. We broadcast Council meetings to fulfil our public task obligation to enable members of the public to observe the democratic process. Data collected during this webcast will be retained in accordance with the Council's published policy including, but not limited to, for the purpose of keeping historical records and making those records available via the Council's internet site.

Any information presented by individuals to the Council at a meeting, in a deputation or otherwise, in addition to forming part of a webcast that will be held as a historical record, will also be held and used by the Council in connection with the relevant matter until that matter is decided or otherwise resolved (including any potential appeals and other connected processes). Thereafter, that information will continue to be held as part of the historical record in accordance with the paragraphs above.

If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial

damage or distress to any individual, please contact Committee Services
(committee.services@edinburgh.gov.uk).

Minutes

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

10.00am, Wednesday 19 January 2022

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

1. Appointment of Convener

Councillor Osler was appointed as Convener.

2. Minutes

To approve the minute of the Local Review Body (LRB Panel 2) of 1 December 2021 as a correct record, subject to the correction of the repetition of words at item 6 of the minutes.

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 – 4 Harbour Lane, Edinburgh

Details were submitted of a request for review for internal alterations and enlargement of existing house at 4 Harbour Lane, Edinburgh. Application number 21/01809/FUL.

At the meeting of 1 December 2022, the Panel agreed to continue consideration of the request for review in order to allow for a site visit to be conducted safely under social distancing measures.

Assessment

At the meeting on 19 January 2022, the LRB had been provided with copies of the notice of review submitted, including a request that the review proceed on the basis of an assessment of the review documents and a request for a site visit.

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 21/01809/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 that a site visit was necessary to determine the review.

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), Des 3 (Development Design), Env 6 (Conservation Areas – Development)

- 2) Relevant Non-Statutory Guidelines.

Guidance for Householders

The Queensferry Conservation Area Character Appraisal

- 3) The procedure used to determine the application.
- 4) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

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

- That the retention of the Scottish grey slate was preferred for the purposes of durability.
- That the applicant's agent advised at the site visit, that as much of the existing slate would be recycled where possible.
- That if the application was approved, there was scope to apply a condition requiring materials to be approved by the Chief Planning Officer prior to works commencing.
- That a member was unclear whether Scottish slate was available as a material.
- That a member had concluded that this was an upgrade and enhancement of the accommodation, and that there was a mixture of old and modern housing and roofing in the context of the conservations area, the interventions were not highly visible in the conservation area, there had been a wide variety of interventions in the conservation area elsewhere and there had been no local objections to this particular application.
- That good quality materials were being proposed for the development and the site was hardly visible.
- That slate was understood to be the preferred material of use by the applicant and clarification was sought on conditioning the use of Scottish slate.
- That a member was not sure whether it was required to applying a condition specifying the use of a particular origin of slate.
- That the materials condition referred to could be included with the decision letter issued to the appellant.

It therefore overturned the decision of the Chief Planning Officer and granted planning permission as the proposals were not contrary to Edinburgh Local Development Plan Policies Des 3 (Development Design), Des 12 (Alterations and Extensions) and Env 6 (Conservation Areas – Development); the Panel considered that the proposals would

upgrade and enhance the accommodation and noted that there was a mixture of old and modern housing and roofing in the context of the Queensferry Conservation Area, the interventions were not highly visible from public viewpoints, there had been a wide variety of modern interventions in the vicinity of the site and elsewhere in the Conservation Area, and there were no local objections to the scheme.

Decision

To overturn the decision by the Chief Planning Officer and to grant planning permission.

Reasons :

The proposals were not contrary to Edinburgh Local Development Plan Policies Des 3 (Development Design), Des 12 (Alterations and Extensions) and Env 6 (Conservation Areas – Development); the Panel considered that the proposals would upgrade and enhance the accommodation and noted that there was a mixture of old and modern housing and roofing in the context of the Queensferry Conservation Area, the interventions were not highly visible from public viewpoints, there had been a wide variety of modern interventions in the vicinity of the site and elsewhere in the Conservation Area, and there were no local objections to the scheme.

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

5. Request for Review – 30 Corbiehill Road, Edinburgh

Details were submitted of a request for review f to demolish the existing house and erect a new flatted development with 10 units at 30 Corbiehill Road, Edinburgh - application number 21/02591/FUL.

Assessment

At the meeting on 19 January 2021, the LRB had been provided with copies of the notice of review submitted by you including a request that the review proceed on the basis of an assessment of the review documents.

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 21/02591/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 statutory development plan, including the relevant policies of the adopted Edinburgh Local Development Plan. These included Policy Des 1 (Design Quality and Context), Policy Des 4 (Design - Setting) and Policy Hou 4 (Density);
- 2) the Council's non-statutory Edinburgh Design Guidance;
- 3) the procedure used to determine the application; and
- 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:

- A member wanted to understand more about the overlooking on Vivian Terrace and it was advised that the lounge of the bedroom of the top floor of the development presented an overlooking issue and was highlighted in the report of handling, for impeding garden privacy.
- That the application site had been granted planning permission in May 2020 for alterations and a roof extension to the existing detached house to form five flats.
- That the basis of refusal for the ten units was its scale and proportions would have an unacceptable impact on the quality and character of the local residential environment and townscape.
- That the proposed use in an established residential area was acceptable in principle and would contribute to the housing land supply, but it was not acceptable for design and density reasons.
- That an LRB member advised that where there were many representations a site visit was perhaps suitable, to demonstrate to the community that the panel were giving full consideration to the views of those making representations.
- That another LRB member did not consider a site visit required.
- That another two members agreed that there was ample information to determine the application.
- That there were other issues such as the comments from environmental health, impact on trees and road safety.
- The reasons for the officers' refusal were considered and deemed to be robust.

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 and to refuse planning permission

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

6. Request for Review – Flat 8 50 Minto Place, Edinburgh

Details were submitted of a request for a review for extensions to enlarge existing windows to doors including protective barrier at Flat 8 50 Manor Place, Edinburgh. Application number 21/01794/FUL.

Assessment

At the meeting on 19 January 2021, the LRB had been provided with copies of the notice of review submitted by you including a request that the review proceed on the basis of an assessment of the review documents. The Panel had also been provided with a copy of the DPEA decision notice which granted listed building consent on appeal for the same proposals.

The LRB heard from the Planning Adviser who summarised the issues raised and presented the drawings of the development and responded to further questions. He also explained the reporter's reasoning as set out in the listed building consent decision notice.

The plans used to determine the application being the drawings shown under the application reference number 21/01794/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) Relevant parts of the Listed Buildings & Conservation Areas Act and Historic Environment Scotland's Managing Change – Windows & External Features guidance
- 2) The development plan, including the relevant policies of the Edinburgh Local Development Plan:
 - Policy Env 4 (Listed Buildings - Alterations and Extensions)
 - Policy Env 6 (Conservation Areas - Development)
- 3) Council's relevant Non-Statutory Guidelines:
 - New Town Conservation Area Character Appraisal
- 4) The procedure used to determine the application.
- 5) The reasons for refusal and the arguments put forward in the request for a review.

Conclusion

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

- That a site visit was requested as the DPEA reporter had a difference of opinion to the Council's Chief Planning Officer.
- That a site visit was not considered required by another member of the panel.
- That a member noted the decision from the DPEA reporter, and the original refusal was on the impact of the built environment and sought clarity on whether the refusal on the basis of the reasons offered in the report of handling the Council's Chief Planning Officer which differed from the reasons for refusal highlighted by the reporter was problematic.
- That it was advised that it was procedurally competent for a scheme to be granted listed building consent but not planning permission but that the applicant could not proceed with the scheme without both approvals.
- That a member commented that the arguments of the DPEA were compelling and in parallel and proposed to not uphold the decision by the Chief Planning Officer and to grant planning permission for the reasons that the DPEA reporter had highlighted.
- That the application was considered detrimental.
- That Councillor Dixon had viewed the premises prior to deliberation on this request for review and this visit had affirmed in his mind that the most appropriate decision was to uphold the decision by the Chief Planning Officer and to Refuse planning permission.

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.

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

7. Request for Review – Land at Peniel Road, Edinburgh

Details were submitted of a request for a review for refusal of planning permission for the erection of a detached dwelling house, application number 21/01376/FUL.

Assessment

At the meeting on 19 January 2021, the LRB had been provided with copies of the notice of review submitted, including a request that the review proceed on the basis of an assessment of the review documents.

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 21/01376/FUL nm 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 relevant policies of the Edinburgh Local Development Plan which included:
 - Edinburgh Local Development Plan Policy Env 10 (Development in the Green Belt and Countryside)
 - Edinburgh Local Development Plan Policy Des 5 (Development Design)
 - Edinburgh Local Development Plan Policy Tra 2 (Private Car Parking)
 - Edinburgh Local Development Plan Policy Env 21 (Flood Protection)
 - Edinburgh Local Development Plan Policy Des 1 (Design Quality and Context)
 - Edinburgh Local Development Plan Policy Des 4 (Development Design)
- 2) Relevant Non-Statutory Guidelines.
 - Development in the Countryside and Green Belt
 - Edinburgh Design Guidance
- 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:

- That a member felt that the state of the land was an issue and felt if appropriate a site visit could be undertaken.
- That members felt they could consider the application without the requirement for a site visit.
- That three members considered there was not a requirement for a site visit.
- It was queried that if the panel was minded to overturn the Chief Planning Officer's recommendation and to grant planning permission; several conditions would be recommended to include: details of boundary treatment next to the railway line, details of materials and finishes, details of glazing and the acoustic barrier which environmental protection had asked for, an amendment to the parking provision, which the Council's Roads team had requested, a surface water management plan and informatives for coal mining and network rail.
- That the land was designated as Countryside within the Local Development Plan and Env 10 applied.

- That a piece of land in the Countryside may not meet the tests to be included in the Edinburgh Green Belt, for example contributing to the landscape setting of the city, but still merit the same level of protection.
- That there were certain circumstances under Env 10 when a new dwelling would be permitted, most usually this was in instances where it was connected to a rural land use. It was queried whether the appellant provided any justification for this dwelling on the basis of Env 10, recreation or agricultural. It was advised there had not been any justification provided by the appellant.
- That a member had sympathy for the appellant, but a member was in favour of upholding the decision by the Chief Planning Officer to refuse planning permission.
- That there was justification for departing from the guidance. It provided a house for somebody and this was significant. In terms of it being considered countryside, it had defensible boundaries, it was adjacent to other houses and the land was not productive agricultural land and would enhance the appearance of the area.

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.

Motion

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

Reasons for Refusal:

- 1) The proposal was contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it was not compatible with the character of the existing building and the neighbourhood character.
- 2) The proposals were contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they were not compatible with the character of the existing building and would affect the neighbourhood character.

Moved by Councillor Osler, seconded by Councillor Child.

Amendment

To overturn the decision of the Chief Planning Officer and grant permission for the reason that:

The proposals were not contrary to Edinburgh Local Development Plan Policy Env 10 (Development in the Green Belt and Countryside) as the proposal would provide a dwelling, it had defensible boundaries, was adjacent to a settlement of three dwellings, the land was not productive agricultural land and the proposal would enhance the appearance of the area. The approval would be subject to several conditions to include: details of boundary treatment next to the railway line, details of materials and

finishes, details of glazing and the acoustic barrier which environmental protection had asked for, an amendment to the parking provision, which the Council's Roads team had requested, a surface water management plan and informatives for coal mining and network rail.

Moved by Councillor Rose, seconded by Councillor Dixon.

Voting

For the motion - 3 votes
For the amendment - 2 votes

For the Motion: Councillors Booth, Child and Osler.

(For the Amendment: Councillors Dixon and Rose.

Decision

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

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

This page is intentionally left blank

Procedures for Local Review Body Virtual Meetings

The virtual meeting will be conducted as follows

- 1) The Clerk will take the register of members in attendance by roll call to ensure the meeting is quorate and to note members in attendance.
- 2) Members should advise the Clerk before the meeting if they intend to have substitute member attending for them or to give their apologies.
- 3) The Clerk will advise Members that they should be in attendance at the beginning of consideration of each request for review, all the way through to enable them to partake in decision making.
- 4) Due to the risk of decisions being legally challenged if there is doubt regarding members that are in attendance for each request for review, and to provide clarity on members that have declared interests and left the meeting, the Clerk will take the register at the beginning of consideration of each request for review to ensure that a record is taken of all members present, and again at the end. The Clerk will also ask members to confirm their declarations of interest before consideration of each request for review at the same time as taking the register. Members are advised that if they declare an interest they should leave the meeting by ending the Skype call and not take part in decision-making on the item(s) they have declared an interest in. The Clerk will advise members when they can re-join the meeting to consider the next request for review by email or text.
- 5) Should members and/or officers experience issues with their connectivity and drop out of the meeting, they should text the Clerk to advise when they have dropped out on 07936317620 and the Clerk will advise the LRB.
- 6) LRB Members must be present for every aspect of the presentation and determination of the request for review if they are to participate in the decision. If Member(s) drop out of the virtual meeting, the LRB can decide either to:
 - a. adjourn the meeting to allow time for the Member(s) to re-join, with no presentation or deliberation taking place during this period of adjournment, or
 - b. proceed to determine the request for review without the Member(s) participating any further.

If the Member(s) are unable to re-join, the LRB should proceed to determine the request for review without that Member participating further. This applies only if the LRB is quorate (three members present).

Member(s) and officer(s) should text the Clerk to advise when they have re-joined the meeting and the Clerk will advise the LRB.

- 7) Members also have the option to opt out of participating in the decision on a request for review if they have been unable to re-join the meeting for a significant period of time. This opt-out applies only if the LRB would otherwise be quorate (three members present). Members can advise the Clerk by text and the Clerk will advise the LRB.
- 8) Should the Convener drop out of the meeting, the procedure at (6) above should be followed. If the Convenor is unable to re-join, a member of the LRB should be appointed Convenor, subject to the meeting remaining quorate.
- 9) If members wish to ask a question, make a comment, raise a point of order or have an amendment (see paragraph 14 below), they should do so using the text box. Members should say 'Question', 'Comment' 'Point of Order' or 'Amendment'. The text box should not be used for anything else as this will be visible to the public on the webcast.
- 10) Members and officers should mute their microphones when they are not speaking to reduce the interference from background noise.
- 11) In the interests of openness and transparency, members and officers (who are involved in the request for review being determined) should have their cameras on at all times.
- 12) There will be a short adjournment between each request for review to allow officers time to prepare the slides for the next item.
- 13) Members wishing to submit an amendment should do so using the text box to alert the Convener when the meeting has reached the formal stage and questions to officers have concluded. Members will be given a few minutes to propose an amendment after the motion has been proposed and seconded.
- 14) If an amendment or motion is proposed by Members to (a) uphold the Officer's determination subject to amendments or additions to the reasons for refusal; or (b) to grant planning permission, imposing or varying conditions, then a short adjournment may be held to allow the planning adviser to provide assistance with the framing of conditions or with the amended reasons for refusal. The Convenor will advise the LRB accordingly and at the resumption of the meeting, Members will then have the opportunity to consider the advice provided and adjust their motion prior to any vote to determine the request for review.
- 15) Votes will be taken by roll call in accordance with paragraph 21.1 of the Interim Standing Orders. The motion and amendment(s) will be read out by the clerk who will then ask each member to state if they are voting for the motion or amendment(s). The clerk will announce the numbers and the decision taken.

Ms Neivetha Thiruchelvam.
1 North Bughtlin Neuk
Edinburgh
EH12 8XG

Decision date: 18 November 2021

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

Remove and replace the existing timber boundary fence on the front elevation with a new taller timber fence.

At 1 North Bughtlin Neuk Edinburgh EH12 8XG

Application No: 21/04625/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 21 September 2021, 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 proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as it is not compatible with the character of the existing building and will be detrimental to neighbourhood character.
2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they would have a detrimental impact upon the character and appearance of the host property and the.

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

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

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

The proposal is contrary to Policy Des 12 and the Guidance for Householders as it would create an unsympathetic boundary treatment which would have an adverse visual impact on the character and appearance of the existing house and would be detrimental to neighbourhood character.

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

Should you have a specific enquiry regarding this decision please contact Weronika Myslowiecka directly at weronika.myslowiecka@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
1 North Bughtlin Neuk, Edinburgh, EH12 8XG**

Proposal: Remove and replace the existing timber boundary fence on the front elevation with a new taller timber fence.

**Item – Local Delegated Decision
Application Number – 21/04625/FUL
Ward – B03 - Drum Brae/Gyle**

Recommendation

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

Summary

The proposal is contrary to Policy Des 12 and the Guidance for Householders as it would create an unsympathetic boundary treatment which would have an adverse visual impact on the character and appearance of the existing house and would be detrimental to neighbourhood character.

SECTION A – Application Background

Site Description

The application site is a detached property, located on North Bughtlin Neuk.

Description Of The Proposal

The application proposes to erect a 1.5 metre high fence to the front.

Relevant Site History

93/02275/FUL
Extension to dwelling house
Permitted Development
15 October 1993

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 23 September 2021

Date of Advertisement: Not Applicable

Date of Site Notice: Not Applicable

Number of Contributors: 0

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

In considering these proposals, the key issues are whether the timber fence is appropriate in relation to the application property and whether it is detrimental to neighbourhood character.

In terms of the application property, the current boundary treatment to the front garden is a dwarf timber fence of approximately less than 1 metre in height. This boundary treatment allows view to the application property front garden and creates a sense of openness in terms of the streetscape and between the neighbouring properties.

The installed 1.5 metre front garden solid timber gate and fence represent a departure from the Guidance for Householders which states that 'front walls and fences should not be more than 1 metre in height unless there is a prevailing size already established

in the neighbourhood'. The wall and gate form a visual boundary which undermines the previously open and more permeable character of the front garden and creates a solid barrier to the house.

Within the street, the boundary treatments are well established and there are no boundary fence to the front that are higher than 1 metre. They are all of a similar height and are all generally 1 metre or less. There are a number of hedges that are higher than 1 metre but these are not controlled in planning terms. They also present a softer green edge to the street as well as wider environmental benefits.

The boundary treatments are therefore either limited in height, permeable or create a green character to the streetscape. The installed 1.5 metre solid timber and solid gate are out of character with the surrounding boundary treatments and impact on the visual amenity of the area. They create an unsympathetic and imposing boundary treatment to the detriment of the character and appearance of the application property and the surrounding area.

The boundary treatment to the front garden is contrary to LDP Policy Des 12 and the non-statutory Guidance for Householders and it will adversely impact on the character of the existing house and the neighbourhood character due to its height and materials.

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 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

No comments were received.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

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

2. The proposals are contrary to development plan policy on extensions and alterations as interpreted using the non-statutory Guidance for Householders as they would have a detrimental impact upon the character and appearance of the host property and the.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 21 September 2021

Drawing Numbers/Scheme

01-03

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Weronika Myslowiecka, Planning Officer
E-mail: weronika.myslowiecka@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

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 100519711-001

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

Applicant or Agent Details

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

Applicant Agent

Applicant Details

Please enter Applicant details

Title:	Ms	You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	North Bughtlin Neuk
First Name: *	Neivetha	Building Number:	1
Last Name: *	Thiruchelvam	Address 1 (Street): *	1 North Bughtlin Neuk
Company/Organisation		Address 2:	
Telephone Number: *	[REDACTED]	Town/City: *	Edinburgh
Extension Number:		Country: *	scotland
Mobile Number:		Postcode: *	EH12 8XG
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:

1 NORTH BUGHTLIN NEUK

Address 2:

BUGHTLIN

Address 3:

Address 4:

Address 5:

Town/City/Settlement:

EDINBURGH

Post Code:

EH12 8XG

Please identify/describe the location of the site or sites

Northing

674261

Easting

318511

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)

Remove and replace the existing timber boundary fence on the front elevation with a new taller timber fence. We are looking to: -
Remove the existing timber fence. The current height of this fence is 600mm (60cm). - Put in place a new, taller, treated timber fence. The proposed height of the new fence is 1500mm (150cm). - The width of the fence will remain unchanged and will run from one end of the boundary to the other, as the existing fence does.

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.

We proposed to replace our existing fence (current height: 600mm) and increase the height to become 1500mm fence. The main reason for the height was to prevent people from jumping over our existing fence and walking through our driveway, hence the increase was proposed. A full appeal statement has been added to the supporting documents section.

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

Yes No

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

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

Additional documents attached: providing evidence of other fences in the neighbourhood, being above 1500mm in height and facing the main road. A statement has been attached with the reason behind the application. A proposed plan, alongside existing fence has also been attached - 21/04625/FUL_01_APPEAL_STATEMENT - 21/04625/FUL_02_NEIGHBOURHOOD_FENCE_IMAGES - 21/04625/FUL_03_EXISTING_ELEVATIONS_AND_FENCE_IMAGES - 21/04625/FUL 04 PROPOSED GARDEN FENCE DETAILS - 21/04625/FUL 05 LOCATION PLAN

Application Details

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

21/04625/FUL

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

21/09/2021

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

18/11/2021

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: Ms Neivetha Thiruchelvam

Declaration Date: 14/01/2022

Appeal Statement: 21/04625/FUL

We proposed to replace an existing fence (current height: 600mm) and increase the height to become 1500mm, the width will remain unchanged. The main reason for the height was to prevent people walking on the footpath from jumping over the existing fence and walking through our driveway. From the point of view of privacy, I believe you would rightly understand that this is not acceptable and makes us very uncomfortable, especially as they are walking through private land. We have witnessed this happen on multiple occasions, hence we made a proposal for a taller fence.

If a safety concern was noted by extending the height of the fence or a reduced height was proposed by the case handler - if they believed the one we proposed was too tall, we would have been understanding of the decision to reject our application. However, it was stated that the alteration is not compatible with the character of the house and 'detrimental to neighbourhood character'. The neighbourhood and other parts of the estate has a countless number of fences, with many being 1800mm in height, much taller than what we proposed (1500mm), and facing the main road, which is also what we proposed.

I believe you will understand where our confusion is coming from with the reasoning behind the decision to reject our application. It seems unfair that our application was rejected on the basis of character when others have fences facing the main road, extensively taller than what we proposed.

I am aware that no neighbours in the neighbourhood rejected this application when we applied. We would be ever so grateful if you could reconsider this application's decision and allow us to replace the fence with a taller one.



From North Bugtlin Road



From North Bugtlin Road

Page 32

Image 1 - Existing fence facing main road
(10 North Bugtlin Nuek's Fence - height: 1800mm)

Image 2 - Existing fence facing main road (height: 1800mm)



From North Bugtlin Road

Image 3 - Existing boundary wall facing main road, next to 1 North Bugtlin Neuk



From North Bugtlin Field

Image 4 - Existing fences facing main road



From North Bughtlin Field



From North Bughtlin Field

Image 5 - Existing fences facing main road (height: 1800mm and 1700mm)

Image 6 - Existing fence facing main road (height: 1800mm and 1700mm)



From Maybury Dr

Image 7 - Existing fences facing main road (height: 1800mm)



From Maybury Dr

Image 8 - Existing fences facing main road - please note the first fence to the left is much taller than the sequential fences that are 1800mm in height.



From Hayfield facing Maybury Dr



From Maybury Dr

Image 9 - Existing fence facing main road
(height: 1800mm)

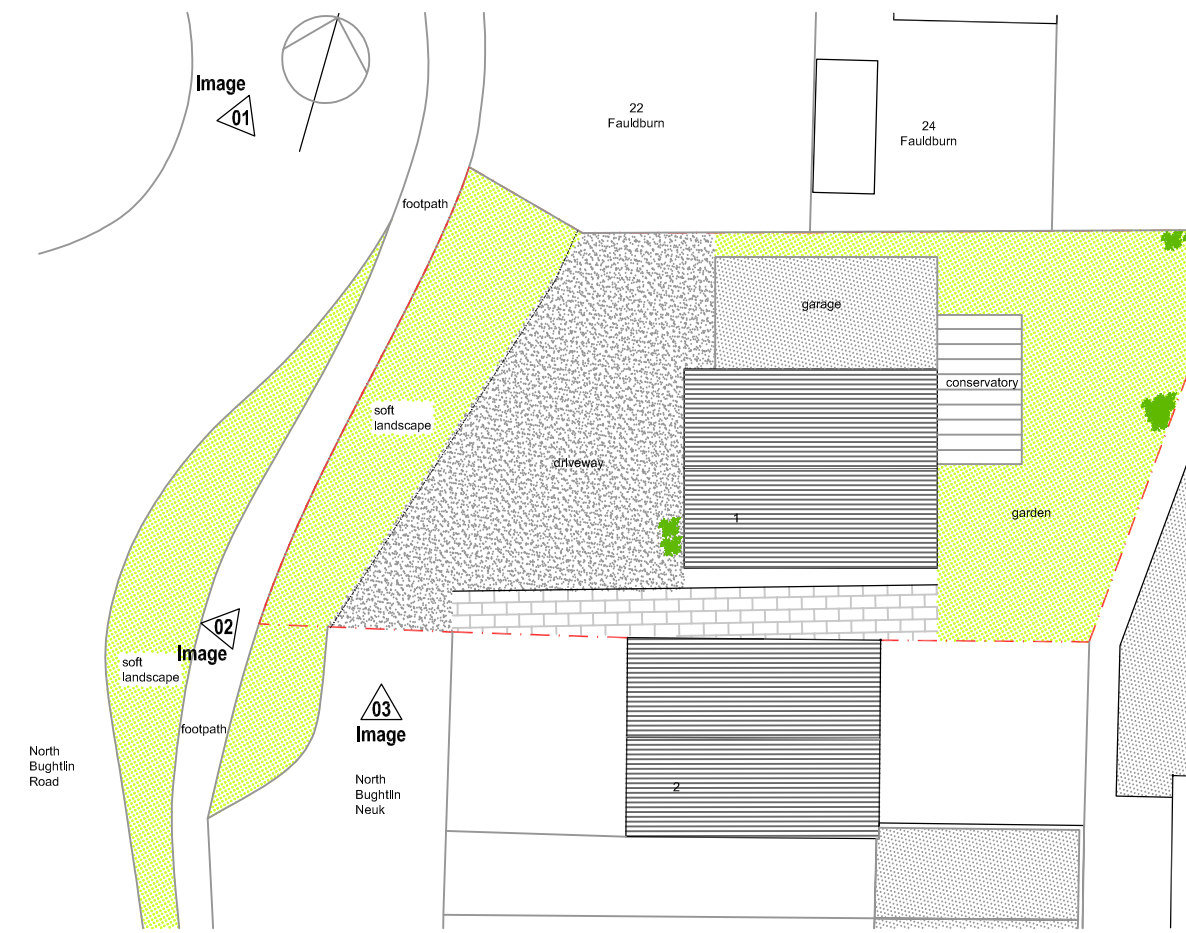
Image 10 - Existing fences facing main road



**Existing Fence - Image 03
Driveway from North Bughtlin Neuk**



**Existing Front Elevation
Scale 1:100**



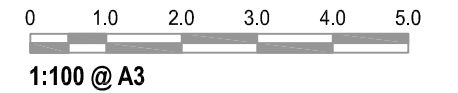
Images Location Plan



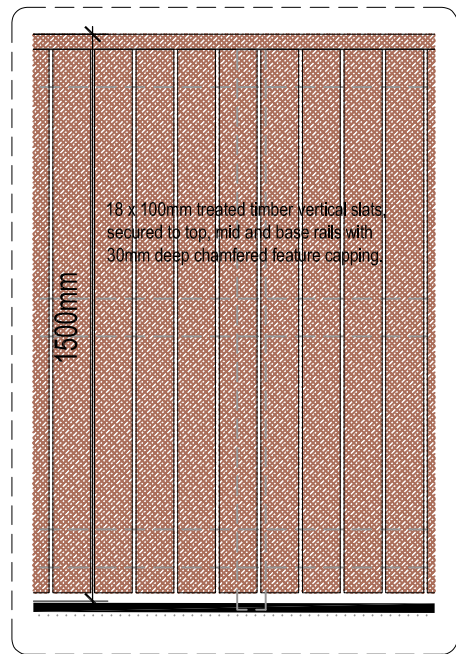
**Existing Fence - Image 01
from Road North Bughtlin Road**



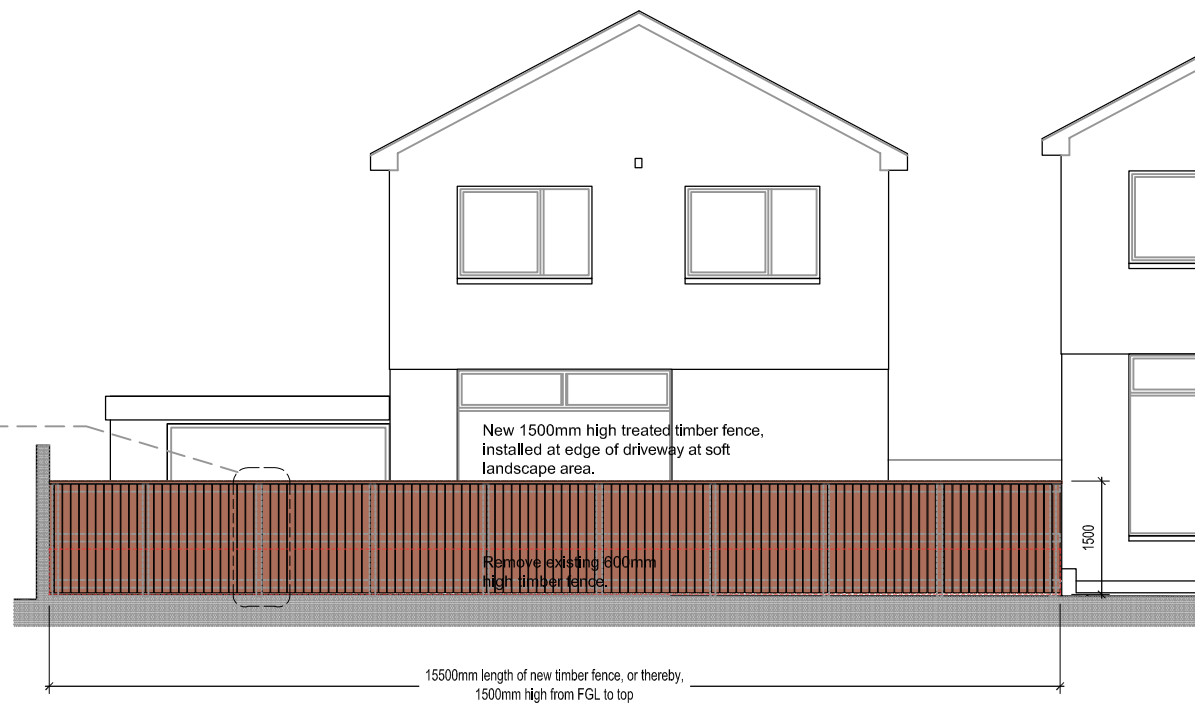
**Existing Fence - Image 02
from footpath North Bughtlin Road**



Drawing revisions		Revision Date	
Drawing Number : 1 NBNE_SK02		Date : September 2021.	
Scale : Noted @ A3		Revision : -	
Revision : -		Date: 01/09/2021	
<p>Proposed Front Garden Fence 1 North Bughtlin Neuk, Edinburgh. EH12 8XG for Ms N Thiruchelvam</p>			
<p>Existing Elevations and Fence Images</p>			



Typical Fence Arrangement
Scale 1:20



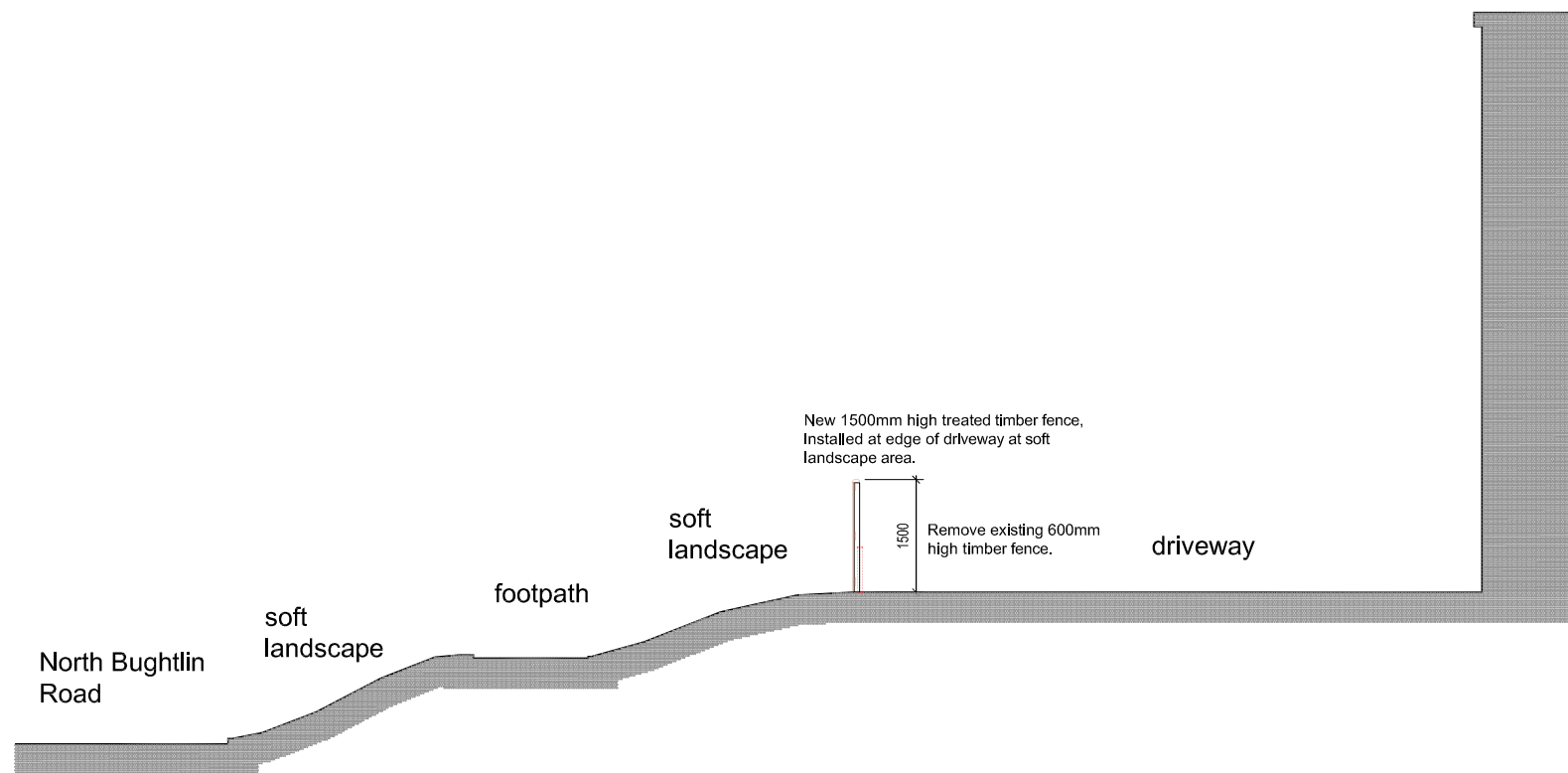
Front Elevation
Scale 1:100



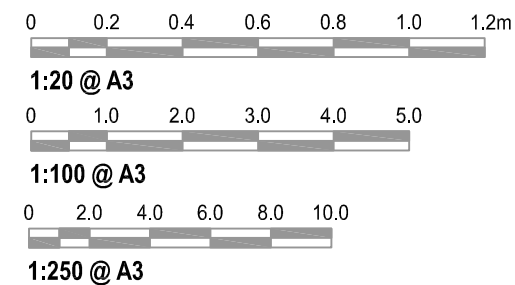
Site Plan
Scale 1:250

General Notes.

- Existing 600mm high timber fence to be removed.
- Erect new 1500mm high treated timber fence.
- Form fence using 70 x 70mm treated timber posts at 1500mm ctrs, installed into concrete bases.
25 x 100mm treated timber top, mid and base rails fixed to posts.
18 x 100mm treated timber vertical slats, secured to top, mid and base rails with 30mm deep chamfered feature capping.



Section Through Driveway
Scale 1:100



Drawing revisions		Revision Date	
Drawing Number : 1 NBNE_SK01		Date : September 2021.	
Scale : Noted @ A3		Revision : -	
Date: 01/09/2021			
<p>Proposed Front Garden Fence 1 North Bughtlin Neuk, Edinburgh. EH12 8XG for Ms N Thiruchelvam</p>			
<p>Garden Fence Details</p>			

1, North Bughtlin Neuk, Edinburgh, City Of Edinburgh, EH12 8XG



Site Plan shows area bounded by: 318427.93, 674172.76 318569.35, 674314.18 (at a scale of 1:1250), OSGridRef: NT18497424. The representation of a road, track or path is no evidence of a right of way. The representation of features as lines is no evidence of a property boundary.

Produced on 5th Mar 2021 from the Ordnance Survey National Geographic Database and incorporating surveyed revision available at this date. Reproduction in whole or part is prohibited without the prior permission of Ordnance Survey. © Crown copyright 2021. Supplied by www.buyaplan.co.uk a licensed Ordnance Survey partner (100053143). Unique plan reference: #00607527-49A98D

Ordnance Survey and the OS Symbol are registered trademarks of Ordnance Survey, the national mapping agency of Great Britain. Buy A Plan logo, pdf design and the www.buyaplan.co.uk website are Copyright © Pass Inc Ltd 2021

This page is intentionally left blank

Ferguson Planning.
FAO: Lucy Moroney
54 Island Street
Galasheils
TD1 1NU

Ms Gundula Thiel.
C/o Agent

Decision date: 21 October 2021

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

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

Application No: 21/04427/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 19 August 2021, 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 proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building and are not justified. The works are therefore contrary to Policy Env 4 of the Local Development Plan.
2. The proposals would result in an alteration that would not preserve the character and appearance of the New Town Conservation Area. The works are therefore contrary to Policy Env 6 of the Local Development Plan.

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

Drawings 01-04, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is inappropriate in terms of its principle and design and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the New Town Conservation Area. The proposals fail to comply with Policies Env 4 (Listed Buildings - Alterations and Extensions) and Env 6 (Conservation Areas - Development) of the Local Development Plan. There are no material considerations which outweigh this decision.

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

Should you have a specific enquiry regarding this decision please contact Rachel Webster directly at rachel.webster@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
2F 10 Randolph Crescent, Edinburgh, EH3 7TT

Proposal: Alteration of the existing roof access and provide permanent stairs to the new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass roof light. Alter inward facing pitched roof daces to give enlarged, accessible flat roof area.

Item – Local Delegated Decision
Application Number – 21/04427/FUL
Ward – B11 - City Centre

Recommendation

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

Summary

The proposal is inappropriate in terms of its principle and design and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the New Town Conservation Area. The proposals fail to comply with Policies Env 4 (Listed Buildings - Alterations and Extensions) and Env 6 (Conservation Areas - Development) of the Local Development Plan. There are no material considerations which outweigh this decision.

SECTION A – Application Background

Site Description

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

This application site is located within the New Town Conservation Area and the World Heritage Site.

Description of the Proposals

Planning permission is sought to alter existing roof access and provide permanent stair to new opening roof light (skydoor) via a new staircase at top floor level of the property.

Works will also include the removal of the existing lantern over bathroom and replacement with new, flat glass rooflight.

These will allow access to a new roof terrace be formed by removal of internal valley sections of slate roof with a new flat roof section formed, to be finished in decking. The terrace will be enclosed to the front by removing an existing low pitched roof and formation of a new mono-pitched roof form extending the full width of the property. The new roof shape will be finished in slate facing Randolph Crescent.

Relevant Site History

20/02744/FUL

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

Refused

21 October 2020

20/02745/LBC

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

Refused

16 September 2020

21/04428/LBC

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

Refused

18 October 2021

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 21 October 2021

Date of Advertisement: 10 September 2021

Date of Site Notice: 10 September 2021

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

Policy Env 6 of the Local Development Plan permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The Conservation Area Character Appraisal for the New Town advises that the retention of the buildings in their original design form contributes significantly to the character of the area. The Appraisal advises that "Very careful consideration will be required for alterations and extensions affecting the roof of a property, as these may be particularly detrimental to the character and appearance of the Conservation Area."

In terms of the principle of the roof terrace, this is a discordant intervention which is not characteristic of these buildings. In addition, roof terraces are not traditional features of the New Town Conservation Area and whilst the roof terrace will not be visible from the

street, the roofscape of these New Town buildings will be detrimentally altered. Aerial views of the New Town are particularly important and interventions to traditional roofscapes such as this are unnecessary and unacceptable interventions. The proposals fail to either preserve or enhance the character and appearance of the conservation area and fail to comply with Policy Env 6.

b) Impact on the Listed Building

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

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

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

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

The proposed roof terrace would be a non-traditional feature creating a level of intervention to the roof area that is not characteristic of the building and surrounding similar buildings in this largely uniform terrace. Particularly on this crescent, blank pitched roofs to the front are seen at the bookend blocks and the application site is one of three adjoining blocks where the top floor has a visible flat roof shape from the front.

Although noted in the information submitted with the application, that the existing roof shape may not be entirely original, the current roof shape does form part of the special interest of the terrace. The roof took this form at the time of listing of the building, and the roof outlines shown on the chimney may also not have been the original intended design.

The extent of the changes to the roofscape of the building and its functionality would fundamentally change the character of the roof and an important part of the building's special interest. The proposals are not required for the beneficial use of the building, are not justified and would result in a diminution of its interest. The proposed roof terrace, although modest in scale, would introduce a feature that would form an unsympathetic addition that would fail to respect the original roofscape of the building, resulting in a loss of character.

Details have been submitted relating to the poor condition of the existing roof. However, appropriate repairs to the existing fabric could be carried out without the need to form a roof terrace.

The proposals are contrary to the policy guidance published by Historic Environment Scotland and the Policy Env 4 of the Local Development Plan.

c) Residential Amenity

The proposals will have no impact on neighbouring amenity in terms of privacy, daylight and sunlight.

d) Equalities and human rights

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

e) Public Comments and Consultations

One objection has been received which raised concerns relating to the formation of the roof terrace and associated clutter visible on the skyline and its visibility. These issues have been addressed above.

Historic Environment Scotland raised no comment in their consultation response to this application.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building and are not justified. The works are therefore contrary to Policy Env 4 of the Local Development Plan.
2. The proposals would result in an alteration that would not preserve the character and appearance of the New Town Conservation Area. The works are therefore contrary to Policy Env 6 of the Local Development Plan.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 19 August 2021

Drawing Numbers/Scheme

01-04

Scheme 1

**David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council**

Contact: Rachel Webster, Planning Officer
E-mail: rachel.webster@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

Comments for Planning Application 21/04427/FUL

Application Summary

Application Number: 21/04427/FUL

Address: 2F 10 Randolph Crescent Edinburgh EH3 7TT

Proposal: Alteration of the existing roof access and provide permanent stairs to the new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass roof light. Alter inward facing pitched roof daces to give enlarged, accessible flat roof area.

Case Officer: Rachel Webster

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 and Borders Cases Panel has examined the proposal and objects to the proposed compromise of views from within the conservation area and World Heritage Site by provision of a roof terrace.

The subdivision of the property's impact on garden access is not a material planning concern, and properties in the New Town are usually able to access private outdoor gardens on payment of a subscription. The issues with roof access and safety, which seem exaggerated, can be readily addressed without these invasive works.

DPEA reporters have made clear that people and other roof terrace clutter - furniture, umbrellas and so on - are not appropriate at this level in the New Town World Heritage Site on A-listed buildings. Movement, in particular, draws attention, and so use of visible New Town townhouse roofs as roof terraces is not appropriate.

This would be widely visible from the rear, both people and clutter using the roof, and the blocky access solution, which also appears similar to that on another New Town site fitted in 2017 which recently had an application for complete replacement with an even bulkier solution due to its complete failure. That location was entirely hidden between roof pitches, unlike this.

We therefore object to this application.

This page is intentionally left blank

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 100520257-001

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

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Ferguson Planning		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Lucy	Building Name:	
Last Name: *	Moroney	Building Number:	54
Telephone Number: *	01896 668 744	Address 1 (Street): *	Island Street
Extension Number:		Address 2:	Galasheils
Mobile Number:		Town/City: *	Scottish Borders
Fax Number:		Country: *	Scotland
		Postcode: *	TD1 1NU
Email Address: *	lucy@fergusonplanning.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Ms"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text" value="c/o Agent"/>
First Name: *	<input type="text" value="Gundula"/>	Building Number:	<input type="text"/>
Last Name: *	<input type="text" value="Thiel"/>	Address 1 (Street): *	<input type="text" value="c/o Agent"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text" value="c/o Agent"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="c/o Agent"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="c/o agent"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="c/o agent"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="lucy@fergusonplanning.com"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="2F"/>
Address 2:	<input type="text" value="10 RANDOLPH CRESCENT"/>
Address 3:	<input type="text" value="NEW TOWN"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH3 7TT"/>

Please identify/describe the location of the site or sites

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

Description of Proposal

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

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

Type of Application

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

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

What does your review relate to? *

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

Statement of reasons for seeking review

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

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

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

Please see Appeal Statement

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

Yes No

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

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

Appeal Statement prepared by Ferguson Planning Core Doc 1: 21/04427/FUL Decision Notice and Officers Report Core Doc 2: 21/04428/LBC Decision Notice and Officers Report Core Doc 3: Existing Plans Core Doc 4: Proposed Plans

Application Details

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

21/04427/FUL

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

19/08/2021

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

21/10/2021

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

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

Access to the roof is provided through no. 10 Randolph Crescent

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: Miss Lucy Moroney

Declaration Date: 17/01/2022



APPEAL STATEMENT

PLANNING PERMISSION TO ALTER EXISTING ROOF ACCESS AND PROVIDE PERMANENT STAIR TO NEW OPENING ROOF LIGHT. REMOVE EXISTING LANTERN OVER BATHROOM AND REPLACE WITH NEW, FLAT GLASS ROOFLIGHT. ALTER INWARD FACING PITCHED ROOF FACES TO GIVE ENLARGED, ACCESSIBLE FLAT ROOF AREA.

2F, 10 RANDOLPH CRESCENT, EDINBURGH

APPLICANT: DR GUNDULA THIEL

JANUARY 2022

CONTENTS

1.	Executive Summary	2
2.	Grounds of Appeal and Case for the Appellant	5
3.	Conclusions	26

Appendices:

Appendix 1: Core Documents

Author	Date
Lucy Moroney	17/01/2021
Approved	Date
Tim Ferguson	17/01/2021

1. Executive Summary

- 1.1 This Appeal Statement is submitted on behalf of Dr Gundula Thiel against the decision to refuse Planning Permission and Listed Building Consent for the alteration of the existing roof access and provision of permanent stair to new opening roof light, along with the removal of existing lantern over the bathroom and replaced with new, flat glass rooflight. The proposals also include the alteration of inward facing pitched roof faces to give enlarged, accessible flat roof area (application reference 21/04427/FUL and 21/04428/LBC).
- 1.2 The Planning Application refusal was dated 21st October 2021 and the Listed Building Consent refusal was dated 18th October 2021. This Appeal Statement provides supporting information for the Appeal of both decisions.
- 1.3 The key reasons for the refusal of the planning application were that:
- The proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interest of the building and are not justified. The works are therefore contrary to Policy Env 4 of the Local Development Plan.
 - The proposals would result in an alteration that would not preserve the character and appearance of the New Town Conservation Area. The works are therefore contrary to Policy Env 6 of the Local Development Plan.
- 1.4 The reason for the refusal of the Listed Building Consent were that:
- The proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interest of the building and are not justified.
 - The proposals would fail to preserve or enhance the character and appearance of the conservation area, which is particularly important in terms of its roofscapes, as the introduction of a roof terrace does not form part of the special character of New Town buildings.
- 1.5 This section sets out an executive summary of the key changes that have been made within the revised proposal and to why we consider this appeal should be allowed.

Previous Refusal & Reasoning

- 1.6 Before coming onto the current Appeal, it is worth briefly touching upon the previous application and LRB refusal (ref: 20/00103/REVREF). The proposals were considered against LDP policies Des 12 (Alterations and Extensions), Env 4 (Listed Buildings – Alterations and Extensions) and Policy Env 6 (Conservation Areas – Development).
- 1.7 On balance, whilst Members were sympathetic to the proposals, it was considered the proposals did not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building. A great deal of the debate was focused upon the glass balustrade running along the front of the roofline.

1.8 The Reporter dismissed the appeal against the Listing Building Consent (ref: LBA-230-2207) for the following reasons:

- The glass balustrade and creation of a roof terrace would result in diminution of the building's interest and would not be in keeping with the overall architectural composition of the building.
- Fails to preserve or enhance the character of the New Town Conservation Area, would not be consistent with the New Town Conservation Area Character Appraisal and the design and principal material of the balustrade would not be appropriate to the conservation area.

Key Changes to the Revised Scheme

1.9 The original application (application reference 20/02744/FUL and 20/02745/LBC) incorporated a glass balustrade running along the full façade of the roof top. In response to the comments raised by councillors at the LRB and DPEA, the glass balustrade has been replaced by a line of extended natural slate mono-pitched roof.

1.10 This enables the rooftop to be further set back from the front façade, whilst replicating the existing materials on the site roofline, thus minimising any visual impact of the rooftop from public receptor points in the vicinity. To be clear, the works will go unnoticed from any public footpath. No other works are proposed to the buildings core front façade.

1.11 In addition, the proposed alteration will recreate a previously existing roof silhouette. Drawings prepared by Richard Murphy Architects illustrating the changes can be found in **figures 10-13** of this report. So again, this revised proposal takes due influence of the original roof line and orientation.

1.12 Within the Officer's Report, the Planning Officer confirms the proposal is no longer visible from street view as a result of the amendments made following on from the previous application. This has then led to our disappointment on the reasons then stated to refuse the application which, in our opinion, are contradictory.

1.13 It is considered important to highlight that Historic Environment Scotland (HES) raised **no objection** to both the Planning Application and the Listed Building Consent application, suggesting there is no concern with the possible impact the proposal would have on the character of the listed building and conservation area in which it lies.

1.14 Upon submission of the revised Planning Application and Listed Building Consent application, the applicant sought and was more than willing to work with the Case Officer to overcome any remaining concerns that may be raised. Ferguson Planning approached the Case Officer a number of times throughout the two-month determination period to arrange a discussion to run through the proposals, providing an opportunity for further revision to be made should it be needed.

1.15 We were extremely disappointment therefore, when the first correspondence received from Case Officer was on a Friday evening on the 15th October 2021 with the decision notice then issued on Monday Morning on the 18th October 2021. The level of engagement with our client on this

application has been substandard and not considered to be in line with the Council's own approach to consultation.

- 1.16 In summary, it is considered the revised proposal has taken on board previous comments from members of the LRB and the Planning Officer during the previous planning application. The Case Officer, in our opinion, has failed to appropriately engage and consult during the consultation process which we consider a significant shortcoming. That aside, the proposal is considered not to have any significant heritage impact given it is not visible from any public receptor and given that HES have made no objection.
- 1.17 The roof in question has been significantly altered over time and the proposal relates back to some of its original features. The majority of the roof designs on the entire crescent have been altered over time and thus have no redeeming heritage value or uniform structure that could reason a refusal. Said changes can only be noticed from aerial views, which would not be afforded as the area is not within a commercial flightpath. Otherwise, neighbours might be able to view the rooftop from their own private roof garden, which is not a public receptor point.
- 1.18 Further to this, the proposal is necessary as part of essential ongoing roof maintenance and to enable an appropriate escape route in case of a fire. A small element of that proposed would also enable or allow some modest outside space for the occupants.
- 1.19 The report to follow will seek to demonstrate how the proposal has changed, taking on board the important comments previously raised by both the LRB and Scottish Government Reporter and why on balance the Appeal should be allowed.

2. Grounds of Appeal and Case for the Appellant

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

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

- **Ground 1:** The proposal does give special regard to the desirability of preserving the building and its setting and would not diminish the historic interests of the building in accordance with Policy Env 4. The proposed works are largely not visible from Core Receptor points, so cannot be deemed to have a significant impact. This is verified by HES having no objection.
- **Ground 2:** The proposal would result in an alteration that would preserve the character and appearance of the New Town Conservation Area which is particularly attention is paid to the varied nature of the roofscapes in accordance with Policy Env 6.
- **Ground 3:** There are no other material considerations which warrant refusal of the application. The proposal would enable ongoing essential roof repairs as well as offering a suitable fire exit to the property. It would also afford the occupants some modest outdoor space.

Ground 1: The proposal does give special regard to the desirability of preserving the building and its setting and would not diminish the historic interests of the building in accordance with Policy Env 4. The proposed works are largely not visible from Core Receptor points so, cannot be deemed to have a significant impact. This is verified by HES having no objection.

HES Listing Description

2.3 The HES listing description describes the buildings as follows:

“James Gillespie Graham, designed 1822. 3-storey with attic and basement, 26-bay, polished ashlar sandstone classical terrace with concave curved frontage. The building comprises an 18-bay linking terrace flanked by 4-bay end pavilions with Doric pilasters. Ashlar steps and entrance platts over-sailing basement. V-jointed ashlar at the principal floor level. Flagstone basement wells with predominantly timber boarded cellar doors”.

“Part of the Edinburgh New Town A Group. A significant surviving part of one of the most important and best-preserved examples of urban planning in Britain”.

“The Moray Estate was designed for the 10th Earl of Moray (1771-1848). He inherited the 13-acre site from his father, after it was acquired from the Heriot Trust in 1782, and decided to feu the property for development in 1822. The complicated plan, with the crescent, oval and polygon of Randolph Crescent, Ainslie Place and Moray Place respectively, conjoins the New Town with the Second New Town. Building was completed in 1830-31. Charles Baillie, Lord Jerviswood, lived at No 14”.

Appellants Response

- 2.4 The building in question has remarkable historic character and is undoubtedly an important asset to the Conservation Area in which it lies. It is however noted that following a review of the HES description as set out above, the historic merits fall within the front façade and the basement of the building, both of which are not proposed to be altered.
- 2.5 As the building currently stands, the roof is in a dilapidated state, in desperate need of repair with tiles falling away, causing the roof to leak through to the ceiling (refer to Figures 7 and 8 below).
- 2.6 It is considered that the proposals do give special regard to the desirability of preserving the building and its setting within the Conservation Area and would certainly not diminish the historic interest of the building. The proposals will enable the essential maintenance of the roof, preserving and enhancing the Category A listed building. The key features of the listing are not being changed and thus cannot be deemed to impacted upon. We consider the case officer has failed to fully justify the conclusions reached on heritage matters.
- 2.7 There have been many alterations to the roofscape both relevant to the subject property and neighbouring townhouses since their original formation. This can be seen in Figures 1-6 below. A review of the Council’s online planning records clearly indicates there are several properties within the neighbouring area that have rooftop developments, setting a precedent for similar developments of this nature. It is evident that although the front elevations of dwellings are consistent in design and materiality, the rooftops of the neighbouring area do not mimic one another. Several amendments to the original form exist throughout the Moray Feu, creating a unique and interesting, yet not uniform, skyline, enhancing the character of the area as shown in Figure 1.
- 2.8 The proposed alterations are not visible at ground level and largely will be similar to that which currently exist. We have seen no evidence to suggest that this can be deemed to have a negative impact on the core building listing or the conservation area given the works are unseen from any public receptor point.

Figure 1: Aerial view of properties on Randolph Crescent



Figure 2: skyline looking over the rear (north) of the Site

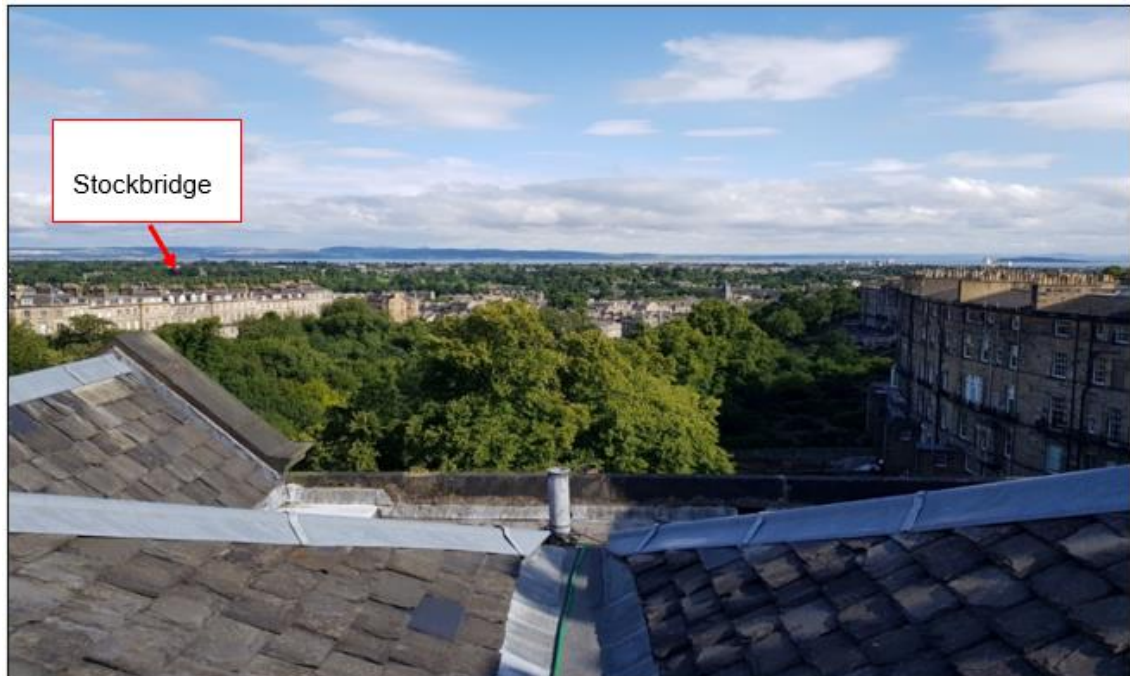


Figure 3: previous alterations to the original roof of no. 10 Randolph Crescent facing rear (north), as evidenced on chimney stack.



Figure 4: Skyline looking over to west of site.



Figure 5: previous alterations to the original roof of no.10 Randolph Crescent facing front (southeast)



Figure 6: showing alterations to the existing chimney of no. 10 Randolph Crescent, noting further revisions to the existing roof



- 2.9 The Planning (Listed Buildings and Conservation) (Scotland) Act 1977 sets out the general duties with regards to applications affecting a listed building and within conservation areas in exercise of planning functions.
- 2.10 Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states that, “in considering whether to grant planning permission for development which affected a listed building or its setting, a planning authority... shall have special regard to the desirability of preserving the building or historic interest which it possesses”.
- 2.11 Section 59 (3) defines “preserving” as “preserving it either in its existing state or subject only to such alterations of extensions as can be carried out without serious detriment to its character”.
- 2.12 Section 64 (1) requires that, “with respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.
- 2.13 Despite regular maintenance, the roof of no 10 is in a dilapidated state, causing the roof to leak through to the ceiling which is evident in the images below (Figures 7 and 8). The proposal is considered to be sympathetic to the character of the historic asset, not touching the key features within the listing description, causing no harm to the character whilst providing access the roof space for essential maintenance to take place and ensure the listed building will be preserved for many years to come.

Figure 7: Water damage at 2F, 10 Randolph Crescent due to leaking roof.



Figure 8: Buckets catching water from the leaking roof.



- 2.14 This assertion is also supported by the Scottish Government’s Reporter, in the appeal decision, relating to the previous application for LBC. The Reporter stated that, “*the proposed internal staircase, ‘skydoor’, replacement rooflight and physical alterations required to create a sitting area would be acceptable*”. He acknowledges that “*the roof structure and already been modified” and the existing roof is non-original in structure and therefore these elements of the proposal would be, “an acceptable change to the listed building”*”.
- 2.15 HES also agreed with this, stating they “*have no concerns with the further alteration of the roof proposed*” given the original roof structure has already been replaced or altered.
- 2.16 The Reporter’s concerns focus upon the impact of the proposed balustrade and concern that a “*glass balustrade would disrupt the unified façade of this important A-listed ensemble*”, noting that it “*would be visible in certain long views*”.
- 2.17 During the consultation period, Historic Environment Scotland raised no objections to both the Planning Application and the Listed Building Consent application. There were no other consultee responses received.
- 2.18 Whilst HES did not object on the previous applications, they noted similar concerns that, “a glass balustrade has the potential to be more impactful...and metal would be a better choice of material for any balustrade”. They suggested that the balustrade could be located further back and reduced in width to reduce its visual impact.
- 2.19 Following this feedback, the glass balustrade has been removed and replaced with an alteration to the existing slate mono-pitched roof, as illustrated below and shown in the accompanying drawings within Core Document 4. Extending the height of the existing ridge in comparison to the

previous application reduces the visual impact the proposals may have on the neighbouring area. It also restores the roof to its previous silhouette as shown in Figure 5.

2.20 The proposed roof terrace will lie behind the existing ridge, resulting in the proposal being set back 4080mm from the front façade. As such, the proposals will not be visible from most public receptor points.

Figure 9: Roof Form as Existing (Richard Murphy Architects. Drawing No. AL/02/02)



Figure 10: 3D Visual of Proposed Rooftop (Richard Murphy Architects Drawing no. AL/02/02)

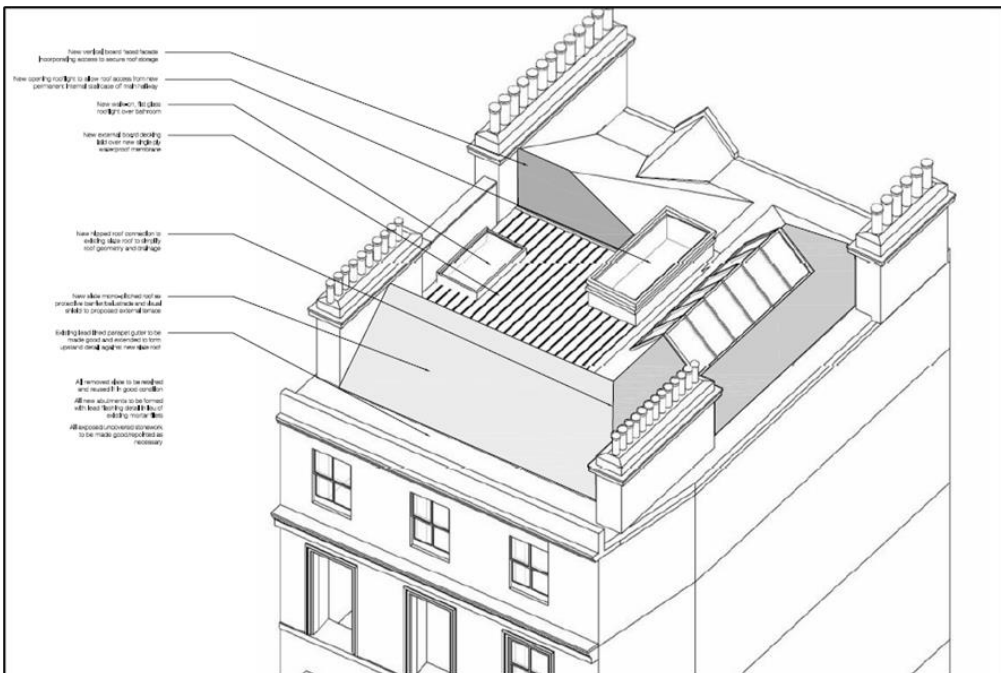
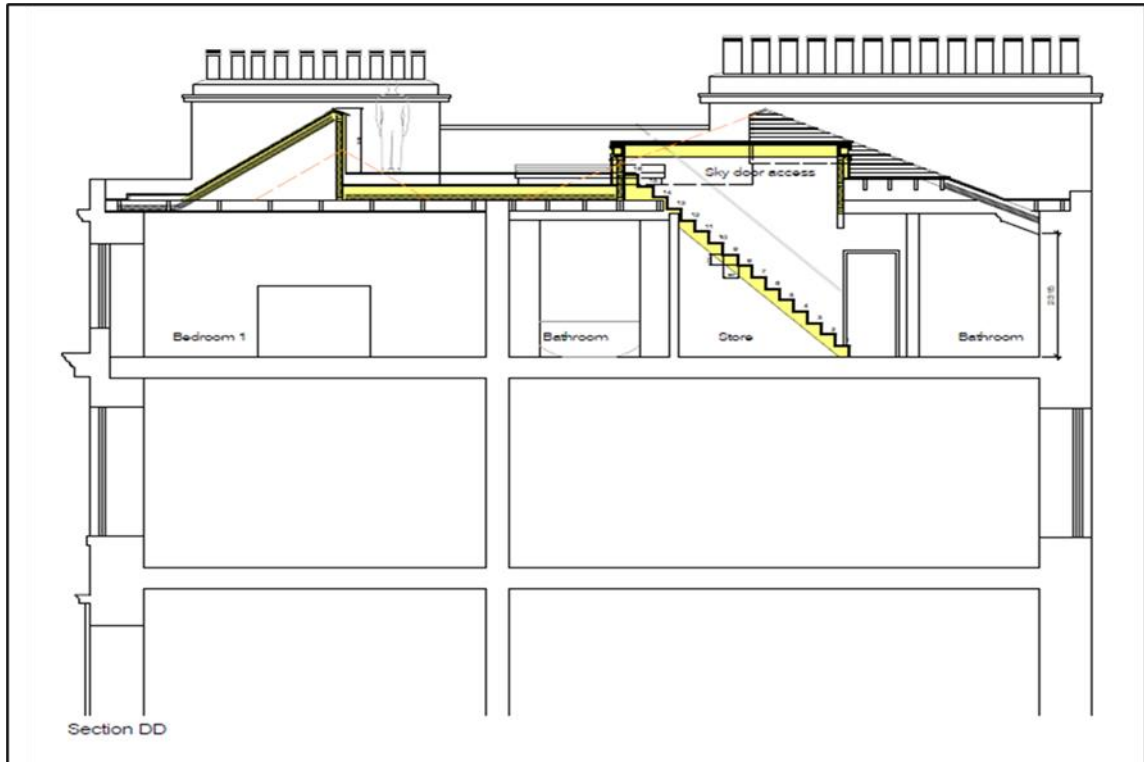
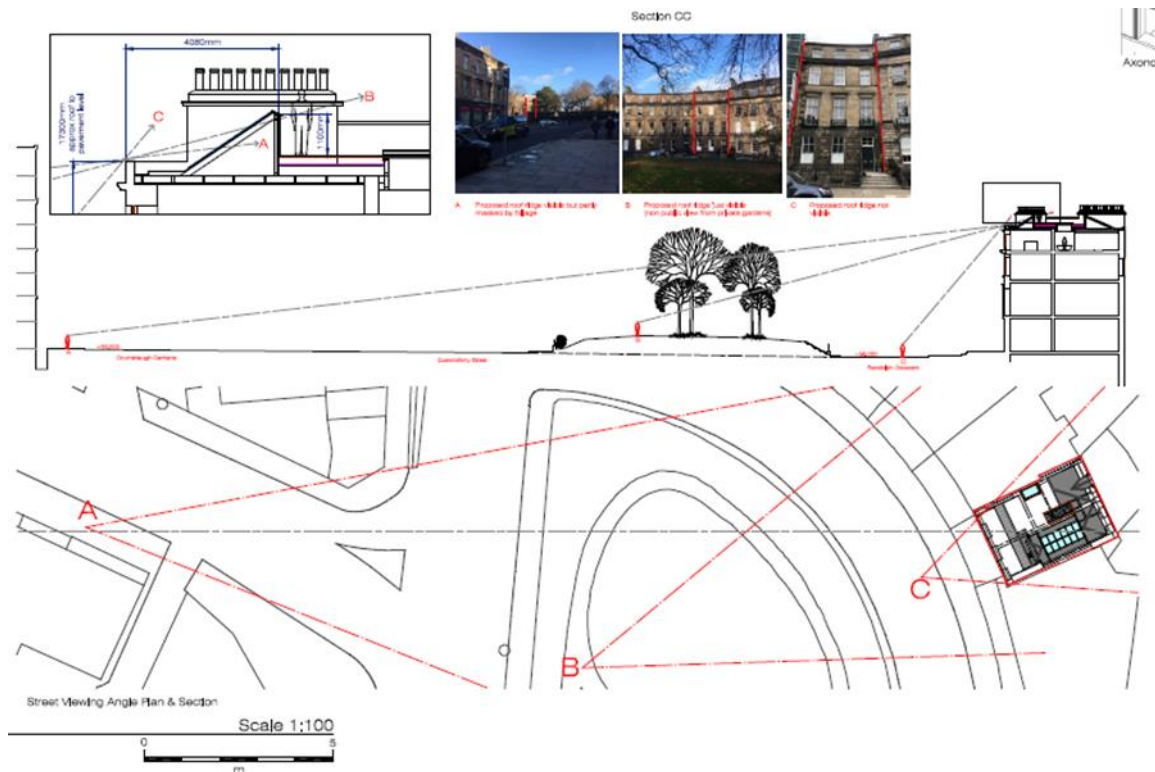


Figure 11: Proposed Sections (Richard Murphy Architects, Drawing No. AL/02/01)



- 2.21 Drawings lodged with the application and replicated in Figure 12 below (prepared by Richard Murphy Architects) identifies locations where segments of the proposal may be visible from including Drumsheugh Gardens, Queensferry Street and Randolph Crescent.
- 2.22 The proposal is not visible in immediate views from Randolph Crescent. Whilst just visible in long views from Drumsheugh Gardens, it will be masked by existing foliage and the proposed slate roof.
- 2.23 In all cases, the impact will be minimal and would largely not be visible from public receptor points.

Figure 12 below: Viewpoint Locations (Richard Manson Architects) – Please refer to supporting information for full scale plan and image.



- 2.24 The Reporter also noted concerns that the use of the outdoor recreation space and introduction of garden furniture would lead to change to the character of the roof.
- 2.25 At present, access to the roof is entirely from within the application property 10 2F by way of a retractable loft ladder within the study/bedroom via an opening rooflight. Access is thus difficult and constrained and not suitable for the current owners to undertake regular inspection and maintenance. It does not provide a safe fire escape.
- 2.26 The new extension to the roof pitch allows for the provision of additional storage facilities, over the original proposal. The new vertical roof face will incorporate rain screen cladding and an access door, which allows any furniture to be put away and secured with ease. The proposal will provide valuable outdoor amenity space in a city centre location which will be hugely beneficial for the health and wellbeing of the residents. Such provision of amenity space on the roof is becoming increasingly popular and acceptable, as is evidenced by the number of planning applications which have been consented for similar proposals in similar settings.
- 2.27 As previously mentioned, the proposal will facilitate the essential maintenance of the roof which is currently in a dilapidated state as shown in Figures 7, 8 and 9 above to prevent further water damage to the Category A heritage asset. It will also provide safe access for future roof maintenance and fire escape.
- 2.28 On the above basis, it is concluded the proposals would preserve the listed building through providing the essential maintenance of the roof to prevent further water damage to the property.

It is thought the proposals will have less than substantial harm to the character and appearance of the conservation area. Due to careful consideration within the design there will be minimal visual impact from public receptor points whilst respecting the core character of the New Town building.

Ground 2: The proposal would result in an alteration that would preserve the character and appearance of the New Town Conservation Area which is particularly attention is paid to the varied nature of the roofscapes in accordance with Policy Env 6.

- 2.29 In terms of uniformity of New Town Buildings, it is evident that although the front elevations of dwellings are fairly consistent in design and materiality, the rooftops of the neighbouring area do not mimic one another with a number of amendments to the original dwellings, making a unique and interesting, yet not uniform, skyline, enhancing the character of the area as illustrated in figures 1 and 2 above.
- 2.30 Roof configuration to the crescent properties is variable (Figure 1). Historic modifications have resulted in a combination of low- and high-pitched slated roofs, ridges, mono-pitched roof as well as lantern rooflights and stepped lead valley guttering and flat roofing. Evidence of historic modification to the original roof profile of No 10 can be seen on adjoining chimney stacks (as shown in Figures 1- 6.
- 2.31 The roof structures are not deemed to be of significant note within the listing nor the core heritable asset of the building(s). The style and materiality is considered the more core consideration regarding alterations and to which the proposal adheres to.
- 2.32 It is important to note, that there have recently been several approvals for rooftop developments within the city, and several affecting other listed buildings and conservation areas. We have identified several of these within the table below:

LPA Ref	Proposal	Address	Status
20/02782/FUL	A new dormer roof extension to an existing three storey townhouse to provide a small external recessed roof terrace, accessed via an extension to the existing internal stair. The dormer will provide access to the existing valley gutters.	35 Atholl Crescent Lane Edinburgh EH3 8ET	Granted 20/08/20 Site is within the Conservation Area and World Heritage Area
20/02243/LBC	Internal alterations to create new kitchen / dining room. Upgrades to existing sanitary facilities. Formation of larger living space on the attic floor with access to a new roof terrace. New dormers to the front and rear.	1F2 4 Clarendon Crescent Edinburgh EH4 1PT	Granted 11/08/20 Site is within the Conservation Area, World Heritage Area and designated

			Historic Garden and Designed Landscape site.
20/00175/FUL	Proposed extended roof conversion to include forming a new rear dormer window and roof terrace (as amended).	68 Meadowfield Terrace Edinburgh EH8 7NU	Granted 13/03/20
19/06102/FUL	Extension of existing building envelope within the parameters of the existing roof line; New lower and upper terraces to rear of property; New window on principal elevation and new glazed opening on upper level to rear.	8A Easter Belmont Road Edinburgh EH12 6EX	Granted 19/02/2020 Site is within the Conservation Area
19/01744/FUL	Attic conversion and rooftop extension on rear flat roof. Erection of garden room building (incidental to use of main dwelling) in rear garden., (as amended)	21 Grange Terrace Edinburgh EH9 2LE	Granted 05/06/2019 Site is within the Conservation Area
18/00003/FUL	Attic conversion with rooftop extension to rear	26 Relugas Road Edinburgh EH9 2ND	Granted 23/02/ 2018
99/03579/FUL	Erection of two mews houses - amendment to consent granted (under reference 98/837) to form basement accommodation	17B Circus Lane Edinburgh EH3 6SU	Granted 08/03/00 Site is within the Conservation Area, World Heritage Area and designated Historic Garden and Designed Landscape site.

2.33 It is considered the above schemes set a precedent for rooftop development within Edinburgh City Centre. There are again further commercial/hotel related developments that can be referenced, such as the new Johnny Walker roof terrace on Princes Street and the Glass House Hotel at Greenside Place.

- 2.34 With regards to application 19/01744/FUL at 21 Grange Terrace, the officer concluded planning approval for the rooftop extension preserved the character and appearance of the conservation area and would not have a detrimental impact on residential amenity.
- 2.35 Again, officers concluded the proposed roof terrace associated with application 20/02782/FUL at 35 Atholl Crescent would preserve the character of the conservation area, according with the local plan. Planning consent at Circus Lane (LPA Ref: 99/03579/FUL) features a hidden roof terrace which we consider to be a similar approach to which this appeal relates to as illustrated in Figure 13 below.

Figure 13: Circus Lane (LPA Ref: 99/03579/FUL)



- 2.36 It is our assessment, with the revised designs, the impact of the development on the character and appearance of the conservation area is minimal. Due to careful consideration, the proposal will have no detrimental impact on the historic environment, as the discrete design means it will not be visible from long or short distance views and public receptor points as illustrated in the drawings and Figures 9 to 12 above, in accordance with part a) of Policy Env 6.
- 2.37 In terms of scale, the proposal is thought to be extremely modest in its approach. There is an existing poor quality, lantern rooflight structure which is proposed to be replaced with a low profile, walk-on flat rooflight over the existing bathroom, reducing the scale of development that is already present. The proposal also includes the provision of vertical rain screen cladding which allows any loose furniture to be put away and secured with ease, leaving the terrace free of any potentially visible structures when not in use. The design and material proposed are therefore of the highest standard and will complement the surrounding historic environment as illustrated further within Core Document 6.
- 2.38 The Case Officer acknowledges the proposal is not visible from street view. Therefore, the original concerns of the previous application have been addressed. The Case Officer does however note that the proposal will be visible from aerial views, which arguably does not affect the character or appearance of the conservation area in anyone's day-to-day experience walking around the New Town. Those viewpoints are ordinarily not at all perceived by the public.
- 2.39 As stated above, the proposed design and materials have now been addressed through rebuilding a roofscape to historic precedent, using original material.
- 2.40 Any visual impact arising from furniture was also addressed by the provision of additional storage facilities as part of the revised application. The impact of the roof terrace, given its form and minimal visibility, is negligible and this was confirmed by HES and the lifting of their previous objection.
- 2.41 Again, comments made by the Councillors at the LRB did allude to the proposal possibly being acceptable if the balustrade amendments were made, which are addressed in the revised proposals.
- 2.42 As it is deemed the visual and heritage impact will be minimal. Design and materials used will be in keeping with the existing roof and would not adversely impact the character and appearance of the listed building nor the character and appearance of the conservation area.

Ground 3: There are no other material considerations which warrant refusal of the application. The proposal would enable ongoing essential roof repairs as well as offering a suitable fire exit to the property. It would also afford the occupants some modest outdoor space.

- 2.43 It is noted Historic Environment Scotland made no objection to the proposals during the consultation periods of both (LPA ref: 21/04428/LBC and 21/04427/FUL). Referring back to the previous applications, Historic Environment again, made no objection. The comments received confirmed the photographic evidence provided does suggest the original roof structure to the front has been replaced or altered, with the height of the ridge reduced. Historic Scotland therefore have no concerns with the further alteration of the roof now proposed, which they anticipate will be visually concealed.
- 2.44 Concern was raised with regards to the visual impact the glass balustrade may have on distant views. The proposal has replaced the proposition of a glass balustrade with an alteration to the existing front elevation, restoring it to its original height.
- 2.45 There were no further statutory consultations received relating to this proposal.
- 2.46 There were two letters of support from neighbouring residents during the previous planning application. They highlighted the minimal impact this proposal would have on the character of the area, as property owners within this area seek to maintain and enhance the significant heritage assets in which they are fortunate enough to be residents in.
- 2.47 In terms of compliance with planning policy, Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposal will facilitate the essential maintenance of the roof to prevent further water damage to the Category A heritage asset which is deemed very much in line with policy. In addition to preserving the listed building, it is considered the sensitive design and set-back nature of the proposals would have no significant impact on the character or appearance of the conservation area.
- 2.48 The Historic Environment Policy for Scotland (HEPS) outlines the three key areas which define how the historic environment should be understood, recognised and managed to support participation and positive outcomes, including "Managing Change" under policies HEP2, HEP3 and HEP4. The proposal has recognised the significance of the historic nature of the Category A Listed Building and its setting within the New Town Conservations Area through the sensitive of design and materials, ensuring there is less than significant harm on the historic environment in which the site lies.
- 2.49 HES Managing Change Guidance: Roofs states, that "the interest of a historic roof is derived from a number of factors including its shape or form, structure, covering materials, and associated features. The roof can play an important part in the architectural design of a historic building". In terms of alterations, it states that "new work should normally match the original as closely as possible. The alteration of a roof can create additional space to allow the building as a whole to

remain in use and develop with the needs of the occupants. In considering how to alter a roof it is important to understand the impact of the works on the roof itself and the appearance of the building or street as a whole. The potential for cumulative effects of similar developments should also be considered”.

- 2.50 The alteration of the roof would recreate a previous structure and match the original in the materials used. It would create an additional space to allow the building and roof to be maintained and would allow much needed outdoor space for current and future occupants which is supported by the Draft NPF4.
- 2.51 It is clear from the recent lock-down and social isolation period that access to non-public, external space is a vital constituent of both physical and mental health and wellbeing. In addition, the proposal will enhance the habitability of the property through the provision of a safe fire escape in the event of fire. The impact on the roof and its maintenance would be positive.
- 2.52 Policy Env 4 in the Edinburgh Local Plan (LDP) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result in unnecessary damage to historic structures or result in a diminution of the buildings interest; and any additions would be in keeping with other parts of the building.
- 2.53 As previously outlined, it is thought the proposals are in keeping with other parts of the dwelling as there have been many alterations to the roofscape since the original formation. The proposal will provide valuable outdoor amenity space in a city centre location which will be hugely beneficial for the health and wellbeing of the residents. This is also supported by Policy Env 6 of the Local Development Plan which seeks developments within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.
- 2.54 Additionally, an existing, poor quality, lantern rooflight structure is proposed to be replaced with a low profile, walk-on flat rooflight over the existing bathroom. Again, it was deemed by the DPEA that the replacement of the roof light and the proposed roof access would be acceptable.
- 2.55 Through this document, it has been demonstrated that the proposals are modest and in keeping with the listed building and wider conservation area. They will have no adverse impact upon the special interest of the listed building or character of the wider conservation area. The proposed development therefore complies with the LDP and SPP guidance in this regard.
- 2.56 As part of proving proof that there are no other material considerations, we thought it useful to highlight the Reporter’s previous comments and how the proposal now adheres to them.

Reporters Findings of Appeal Decision Ref: LBA-230-2270

- 2.57 A summary of the response to the reporters’ findings in the Appeal Decision Notice of the previous Listed Building Consent (Ref: LBA-230-2270) is set out below:

Reporters Comment 1

2.58 Construction of a new internal staircase would entail creating openings in the wall and ceiling of a third-floor storage room. This work would not affect the principal rooms or the original plan form of the listed building. Where I minded to uphold the appeal and grant listed building consent, I consider that the detailing of any works required to make good adjoining wall and ceiling surfaces could be controlled satisfactorily through the use of a condition.

Our Response

2.59 Noted. This element of the proposal remains the same and the applicant will or would accept a suitably worded condition.

Reporters Comment 2

2.60 The proposed staircase would lead to a new 'skydoor' roof access. This would have a flat profile and would be constructed of glazed aluminium with a dark grey finish. The proposed 'skydoor' would project above the level of the flat roof but would sit below the level of the surrounding ridges. Although this would alter the existing roof structure, photographs provided by the appellant show that the roof structure has already been modified. This is acknowledged by Historic Environment Scotland in its consultation response. I consider that this element of the proposals would constitute an unobtrusive addition to the roof which would not compromise the original architecture of the listed building.

Our Response

2.61 Noted. This element of the proposal remains the same.

Reporters Comments 3

2.62 The existing lantern rooflight over the third-floor bathroom would be replaced by a 'walk-on', flat-profile, aluminium rooflight with a dark grey finish, utilising the existing opening in the roof. For the same reasons that I find the proposed roof access to be acceptable, I also consider that the replacement of the existing rooflight would be acceptable.

Our Response

2.63 Noted. This element of the proposal remains the same.

Reporters Comments 4

2.64 The remaining part of the proposed development would entail the partial removal of the inward facing, slated, pitched roof structure to create an extended, decked area for recreational use. This would include a frameless glass balustrade on its south side and two storage cupboards built into the roof void on the north side.

2.65 The representation from the Architectural Heritage Society of Scotland expresses concern about the loss of roof fabric resulting from creation of the terrace. However, given the non-original structure of the existing roof and the fact that the timber decking area and associated storage

space would be visually self-contained within the roof area, I consider these elements of the proposals would, in themselves, be an acceptable change to the listed building.

Our Response

2.66 Noted. This element of the proposal remains the same.

Reporters Comments 5

2.67 The appellant advises that the proposed balustrade would be set back from the front elevation of the listed building and, 'in its majority', would be located behind the retained slate roof and, therefore, would not be visible from a point, described as viewpoint 'D', on the footway on Randolph Crescent, or from the rear of the listed building. From my site inspection, I accept that this is a reasonable appraisal.

Our Response

2.68 Balustrade has now been removed as illustrated in figure 9-11 above.

Reporters Comments 6

2.69 The appellant also highlights that visibility in long views is very restricted with it being most obvious from a point towards the north end of Drumsheugh Gardens, described as viewpoint 'A'. From my site inspection, I noted that, as well as being visible from viewpoint 'A', the proposed balustrade would be visible in views a short distance to the north-east and south-west of viewpoint 'A' and from Queensferry Street for a short distance to the northwest and south-east of its junction with Drumsheugh Gardens.

Our Response

2.70 Balustrade has now been removed as illustrated in figure 9-11 above. The Case Officer confirmed the proposal is no longer visible from public receptor points.

Reporters Comments 7

2.71 The appellant also advises that the proposed balustrade would not be visible from a point in the Randolph Crescent private gardens, described as viewpoint 'B'. From my site inspection, I consider that to be accurate but consider that it would be visible in a view from the south-east corner of the gardens.

Our Comments

2.72 Balustrade has now been removed as illustrated in figure 9-11 above. The Case Officer confirmed the proposal is no longer visible from public receptor points.

Reporters Comments 8

2.73 The council's non-statutory guidance, Listed Buildings and Conservation Areas, 2019, which is a material consideration in this appeal, describes category A listed buildings as 'buildings of national

or international importance, either architectural or historic, or fine little altered examples of some particular period, style or building type'. I consider that the building at 10 Randolph Crescent meets all aspects of this definition. Randolph Crescent is also situated in the world heritage site. Consequently, I am of the view that the statutory test I set out in paragraph 1 above must be interpreted strictly in this case. On that basis, I have concerns about the potential impact of the proposed balustrade.

Our Comments

- 2.74 Balustrade has now been removed as illustrated in figure 9-11 above. The Case Officer confirmed the proposal is no longer visible from public receptor points and is therefore considered to have no impact on the historic setting in which it lies.

Reports Comments 9

- 2.75 Firstly, the architectural character of the existing roofscape is derived from the combination of nineteenth century pitched and flat roof structures, chimney stacks and pots, rooflights and rainwater goods. The proposed balustrade would introduce a discordant, contemporary element amongst these Georgian architectural features. This opinion is supported by the representation made by the Architectural Society of Scotland which says that the 'incongruous glass balustrade would disrupt the unified façade of this important Alisted ensemble'.

Our Comment

- 2.76 Balustrade has now been removed as illustrated above. The Case Officer confirmed the proposal is no longer visible from public receptor points and is therefore considered to have no impact on the historic setting in which it lies.

Reporters Comments 10

- 2.77 Secondly, the construction of the balustrade would involve a modern use of glass, which would be out of character with the much more limited use of glass in Georgian architecture. This would be particularly apparent in a roofscape dominated by use of traditional materials such as cast iron, clay, lead, slate, stone and wood. Furthermore, because of the south-facing aspect of the principal elevation of the listed building, it is possible that the glass balustrade would catch the sunlight, emphasising the incongruity of the proposed structure. I note that Historic Environment Scotland recommends that metal would be a better choice of material for any balustrade.

Our comments

- 2.78 Balustrade has now been removed as illustrated in figures 9-11 above.

Reports Comments 11

- 2.79 Additionally, I am concerned that the use of this outdoor recreation space may lead to the introduction of large items of garden furniture, such as sun-shades, play equipment, clothes drying equipment or large structures to support plants, that would appear incongruous on the roof of a

Georgian town house. I note that provision would be made for storage, which would potentially limit the impact of some such items to when they were actually in use, but the council would have no control over whether items were actually stored away and it is likely that a change to the character of the roof area would result.

Our Comment

- 2.80 The new extension to the roof pitch allows for the provision of additional storage facilities, over the original proposal. The new vertical roof face will incorporate rain screen cladding and an access door, which allows any furniture to be put away and secured with ease. The proposal will provide valuable outdoor amenity space in a city centre location which will be hugely beneficial for the health and wellbeing of the residents.

Reporters Comment 12

- 2.81 HES has not objected to the proposals in its consultation responses on the listed building application and this appeal. However, the agency expresses concern that the proposed glass balustrade would be a non-traditional addition to the listed building which, if visible, would impact upon its appearance and character. HES is of the view that it would not expect any impact in close-up views. My site inspection bears that out. The consultation response also offers the observation that the appeal site is visible in some distant views and recommends these are explored in more detail. As I have concluded above that the balustrade would be visible in certain long views, I consider that my conclusions are consistent with HES's opinion that the proposals would impact upon the appearance and character of the listed building.
- 2.82 If the balustrade is found to be visible in distant views, HES advises that positioning it further back on the roof, reducing its width and using metal rather than glass would reduce its visual impact. As the proposed balustrade would be visible and none of these mitigating adjustments have been made by the appellant, I consider that the consultation response supports my conclusions.
- 2.83 I conclude that, whilst the proposed internal staircase, 'skydoor', replacement rooflight and physical alterations required to create a sitting area would be acceptable, the proposed design and materials of the proposed balustrade and visual impact arising from the use to which the sitting area could be put would not be appropriate. On balance, I consider that the proposals would not meet the statutory test of preserving the building or its setting or any features of special architectural or historic merit which it possesses.

Our Comment

- 2.84 Balustrade has now been removed as illustrated above. The Case Officer confirmed the proposal is no longer visible from public receptor points and is therefore considered to have no impact on the historic setting in which it lies.

Reporters Comments 12

- 2.85 The council refers to Scottish Government Planning Advice Note 71 Conservation Area Management (PAN 71) and notes that it recognises the need for conservation areas to adapt and

develop in response to modern-day needs and aspirations. PAN 71 also says that physical change does not necessarily need to replicate its surroundings. Considered by themselves, I accept that these statements are supportive of the appellant's case. However, PAN 71 also states that change must respect, enhance and have a positive impact on the area and must be founded on a detailed understanding of the historic and urban design context. Taking the overall policy approach of PAN 71 into account, I consider that my conclusions are consistent with Scottish Government policy advice on conservation areas.

Our Response

- 2.86 It is considered the revised proposed respects, enhances and has a positive impact on the area through careful consideration in the design to provide much needed outdoor private amenity space, improving the habitability of the property with the provision of a safe fire exist and access for essential maintenance of the listed building.
- 2.87 The orientation of the slated roof will largely replicate the original both in style and materiality.

3. Conclusions

- 3.1 The submitted Appeals, supported by this Statement, seeks the Council's decision to refuse Planning Permission be overturned and consent granted for the proposal.
- 3.2 The proposal has considered and addressed all comments received by the Planning Officer, Historic Environment Scotland, LRB and Scottish Government's Reporter, during the previous application and appeals to this site.
- 3.3 The glass balustrade has been replaced by a line of new extended slate mono-pitched roof. This enables the rooftop to be further set back from the front façade whilst replicating the existing materials on the site and respecting the character of the listed building and setting within the conservation area in accordance with Policies Des 12, Env 4, 6 and 7. The visual impact has been tested in long- and short-range views and is minimal. The alterations will not be visible from public receptor points and will have no adverse impact upon the listed buildings or the wider conservation area. The Case Officer confirmed within the Officers Report that the proposal is no longer visible from the street. We do not consider private or aerial view impacts to be a significant material consideration. That said, those views are not significantly altered. There is no rooftop uniformity on this or neighbouring properties.
- 3.4 The proposal is solely for the enjoyment of the residential dwelling, providing necessary outdoor amenity space and facilitating the long-term maintenance and repair of the roof. It will have no detrimental impact on the amenity of neighbouring properties.
- 3.5 Overall, the proposal complies with the adopted policy of the City of Edinburgh Council Local Development Plan, and we therefore respectfully requested that the appeal be allowed.

Appendix 1: Core Document

Core Doc 1: 21/04427/FUL Decision Notice and Officers Report

Core Doc 2: 21/04428/LBC Decision Notice and Officers Report

Core Doc 3: Existing Plans

Core Doc 4: Proposed Plans

Core Doc 5: Planning Statement



PLANNING STATEMENT

2F, 10 RANDOLPH CRESCENT, EDINBURGH, EH3 7TT

**FULL PLANNING APPLICATION AND LISTED BUILDING
CONSENT FOR THE ALTERATION OF THE EXISTING
ROOF ACCESS AND PROVIDE PERMANENT STAIRS
TO THE NEW OPENING ROOF LIGHT. REMOVE
EXISTING LANTERN OVER BATHROOM AND
REPLACE WITH NEW, FLAT GLASS ROOFLIGHT.
ALTER INWARD FACING PITCHED ROOF DACES TO
GIVE ENLARGED, ACCESSIBLE FLAT ROOF AREA.**

APPLICANT: DR GUNDULA THIEL

AUGUST 2021

CONTENTS

1.	Introduction	1
2.	Site Context and Key Planning History	2
3.	The Development	12
4.	Planning Policy	15
5.	Development Considerations	18
6.	Conclusion	26

Appendices:

Appendix 1: Site Location Plan

Author	Date
Lucy Moroney	19/08/2021
Approved	Date
Tim Ferguson	19/08/2021



1. Introduction

1.1 This planning statement has been prepared by Ferguson Planning in support of an application for planning permission and listed building consent submitted on behalf of Dr Gundula Thiel at 2F, 10 Randolph Crescent, Edinburgh. The proposal includes the following:

- Alternations of the existing roof access including the provision of permanent stair to a new opening roof light.
- Removal of existing lantern over the bathroom and replacement with new, flat glass rooflight; and
- The alterations of the inward facing pitched roof faces to provide an enlarged, accessible flat roof area.

1.2 This statement has been prepared to consider the site's context and relevant planning policy, before explaining the development's compliance with the development plan and related material considerations.

1.3 The following documents and drawings have been prepared by the consultant team and are submitted in support of this planning application. Notably, the submission documents are in accordance with the City of Edinburgh Council's validation requirements for planning applications of this nature.

Table 1.1 Planning Application Documents

Planning Document	Consultant
Application Form	Ferguson Planning
Planning Application Fee	Applicant
Planning Statement	Ferguson Planning

Table 1.2 Planning Application Drawings/ Plan

Drawing	Consultant
Location Plan	Richard Murphy Architects
Existing Demolitions and Removals Plans, Sections and Elevations	Richard Murphy Architects
Proposed Plans, Sections and Elevations	Richard Murphy Architects
Proposed 3D Roof Views	Richard Murphy Architects

2. Site Context and Key Planning History

- 2.1 The subject property forms part of No 10 Randolph Crescent. No 10 forms part of a formal linked terrace of buildings designed by James Gillespie Graham in 1822, located in the New Town Conservation Area and World Heritage Site and connecting the west end of Queens Street with Queensferry Street. It is Category A listed as part of a group along with numbers 9-17 Randolph Crescent (inclusive) and 1 and 1A Randolph Cliff (including railings) under reference LB29601.
- 2.1 The property at No 10 has been divided from its original townhouse form and now contains several private residential dwellings. The main door off Randolph Crescent provides access to a ground and basement apartment (10) with the former main stair leading to a first-floor apartment (10 1F) and access to the two-storey application property (10 2F) above. Separate access to the rear leads to a two-storey garden level apartment. A recent planning application (Ref 18/01668/FUL), seeking to combine the two lower apartments (10 GF & 10BF) was granted. Flat 10B occupies the front half of the basement and is accessed separately from the stairwell off the street.
- 2.2 Access to the roof is entirely from within the application property 10 2F by way of a retractable loft ladder within the study/bedroom via an opening rooflight. Access is thus difficult and constrained and not suitable for the current owners to undertake regular inspection and maintenance. It does not provide a safe fire escape.
- 2.3 Roof configuration to the crescent properties is variable (Figure 1). The modifications have resulted in a combination of low- and high-pitched slated roofs, ridge, mono-pitched roof and lantern rooflights and stepped lead valley guttering and flat roofing. Evidence of historic modification to the original roof profile of No 10 can be seen on adjoining chimney stacks (as shown in Figures 1- 6 below).



Figure 1 above: Aerial view of properties on Randolph Crescent

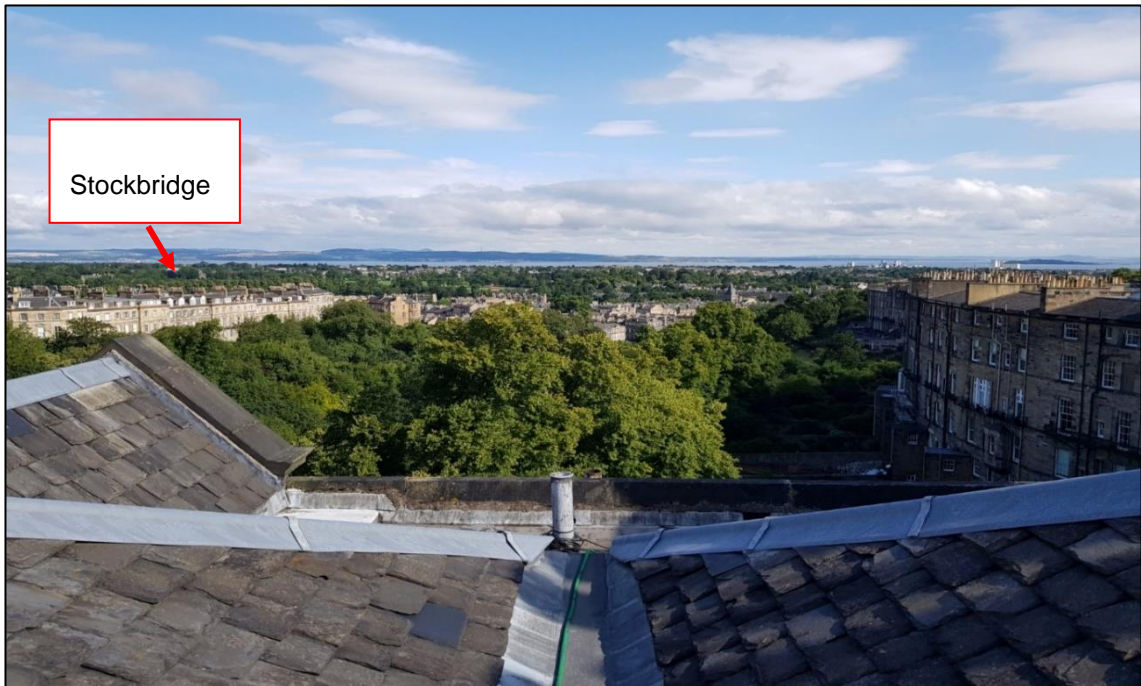


Figure 2 above: skyline looking over the rear (north) of the Site.



Figure 3 above: previous alterations to the original roof of no. 10 Randolph Crescent facing rear (north), as evidenced on chimney stack.



Figure 4 above: Skyline looking over to west of site.

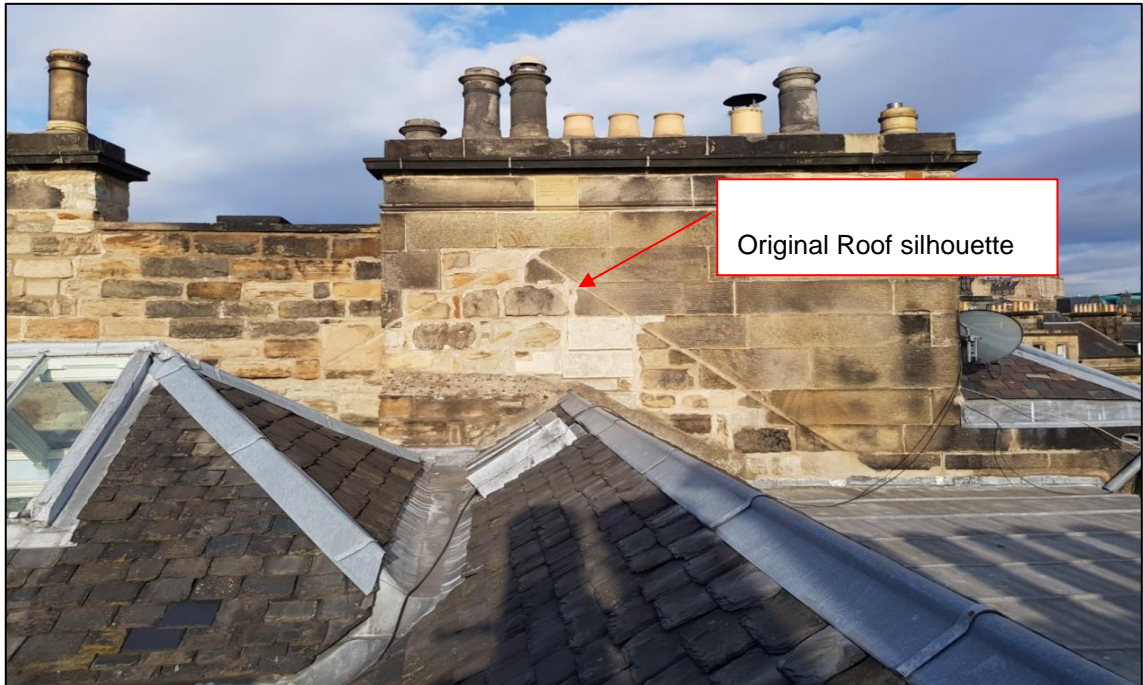


Figure 5 above: previous alterations to the original roof of no.10 Randolph Crescent facing front (southeast)



Figure 6 above: showing alterations to the existing chimney of no. 10 Randolph Crescent, noting further revisions to the existing roof.

- 2.4 Despite regular maintenance, the roof of no 10 is in a dilapidated state, causing the roof to leak through to the ceiling which is evident in the images below (Figures 7 and 8).



Figure 7 above: Water damage at 2F, 10 Randolph Crescent due to leaking roof.



Figure 8 above: Buckets catching water from the leaking roof.

Planning History

- 2.5 A planning application and associated listed building consent for a similar development were submitted on 7th July 2020 (Reference 20/02744/FUL and 20/02745/LBC). These applications were refused by CEC on 21 October 2020 and 16th September 2020 respectively.
- 2.6 Subsequent appeals were lodged against the refusal, for the planning application and listed building consent to the Local Review Body (LRB) on 1st December 2020 and DPEA on 25 November 2020 (LRB: 20/00103/REVREF and DPEA: LBA-230-2207). The appeals were dismissed by the LRB on 20th January 2021, and subsequently by the DPEA on 26th April 2021.
- 2.7 The LRB dismissed the appeal against the planning application (ref: 20/00103/REVREF) for the following reasons:
- The proposals were considered against LDP policies Des 12 (Alterations and Extensions), Env 4 (Listed Buildings – Alterations and Extensions) and Policy Env 6 (Conservation Areas – Development).
 - On balance, whilst Members were sympathetic to the proposals, it was considered the proposals did not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building.
 - The proposals would result in an alteration that would not preserve the character and appearance of the conservation area.
- 2.8 The Reporter dismissed the appeal against the Listing Building Consent (ref: LBA-230-2207) for the following reasons:
- The glass balustrade and creation of a roof terrace would result in diminution of the building's interest and would not be in keeping with the overall architectural composition of the building.
 - Fails to preserve or enhance the character of the New Town Conservation Area, would not be consistent with the New Town Conservation Area Character Appraisal and the design and principal material of the balustrade would not be appropriate to the conservation area.

Consultee Responses

- 2.9 During the consultation period for the previous planning applications (20/02744/FUL and 20/02745/LBC), Historic Environment Scotland, importantly raised no objections to both the Planning Application and the Listed Building Consent application. They made several suggestions, however, to how the proposals could be enhanced to reduce their overall impact. The full response is set out below:

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

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

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

2.11 There were two letters of support from neighbouring residents. They highlighted the minimal impact this proposal would have on the character of the area, as property owners within this area seek to maintain and enhance the significant heritage assets in which they are fortunate enough to be residents in.

2.12 There were no further consultations received relating to this proposal.

2.13 This proposal seeks to make a revised application, carefully addressing the reasons for refusal that we have highlighted above and these previous consultee comments, as we set out in the following sections of this statement, as part of our overall assessment of compliance with the Local Development Plan policies and other material considerations.

Neighbouring Applications of Interest

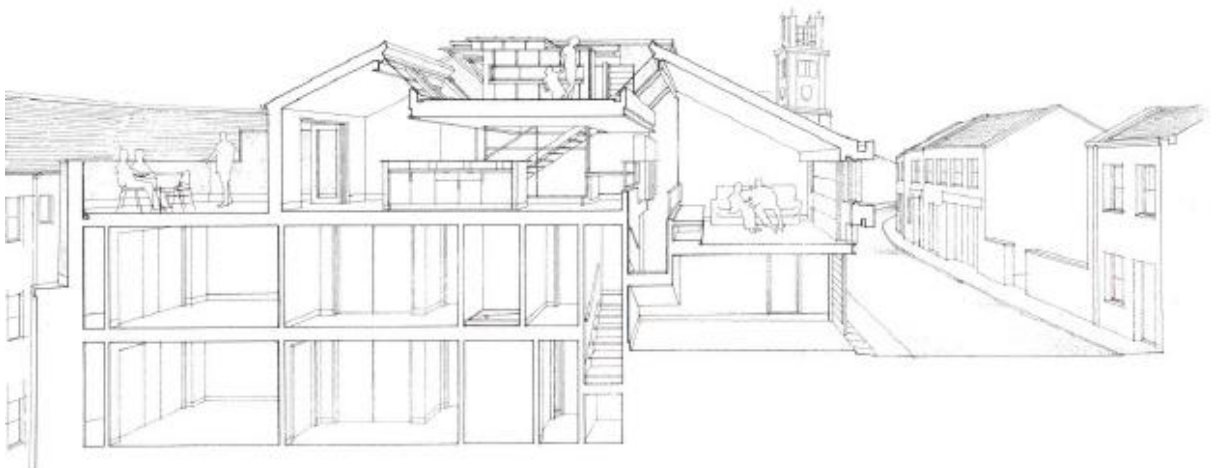
2.14 It is important to note there have recently been several approvals for rooftop developments within the city, and several affecting other listed buildings and conservation areas. We have identified several of these within the table below:

LPA Ref	Proposal	Address	Status
20/02782/FUL	A new dormer roof extension to an existing three storey townhouse to provide a small external recessed roof terrace, accessed via an extension to the existing internal stair. The dormer will provide access to the existing valley gutters.	35 Atholl Crescent Lane Edinburgh EH3 8ET	Granted 20/08/20 Site is within the Conservation Area and World Heritage Area
20/02243/LBC	Internal alterations to create new kitchen / dining room. Upgrades to existing sanitary facilities. Formation of larger living space on the attic floor with access to a new roof terrace. New dormers to the front and rear.	1F2 4 Clarendon Crescent Edinburgh EH4 1PT	Granted 11/08/20 Site is within the Conservation Area, World Heritage Area and designated Historic Garden and Designed Landscape site.
20/00175/FUL	Proposed extended roof conversion to include forming a new rear dormer window and roof terrace (as amended).	68 Meadowfield Terrace Edinburgh EH8 7NU	Granted 13/03/20
19/06102/FUL	Extension of existing building envelope within the parameters of the existing roof line; New lower and upper terraces to rear of property; New window on principal elevation and new glazed opening on upper level to rear.	8A Easter Belmont Road Edinburgh EH12 6EX	Granted 19/02/2020 Site is within the Conservation Area
19/01744/FUL	Attic conversion and rooftop extension on rear flat roof. Erection of garden room building (incidental to use of main dwelling) in rear garden., (as amended)	21 Grange Terrace Edinburgh EH9 2LE	Granted 05/06/2019 Site is within the Conservation Area
18/00003/FUL	Attic conversion with rooftop extension to rear	26 Relugas Road Edinburgh	Granted 23/02/ 2018

		EH9 2ND	
99/03579/FUL	Erection of two mews houses - amendment to consent granted (under reference 98/837) to form basement accommodation	17B Circus Lane Edinburgh EH3 6SU	Granted 08/03/00 Site is within the Conservation Area, World Heritage Area and designated Historic Garden and Designed Landscape site.

- 2.15 It is considered the above schemes set a precedent for rooftop development within Edinburgh City Centre.
- 2.16 With regards to application 19/01744/FUL at 21 Grange Terrace, the officer concluded planning approval for the rooftop extension preserved the character and appearance of the conservation area and would not have a detrimental impact on residential amenity.
- 2.17 Again, officers concluded the proposed roof terrace associated with application 20/02782/FUL at 35 Atholl Crescent would preserve the character of the conservation area, according with the local plan.
- 2.18 Planning consent at Circus Lane (LPA Ref: 99/03579/FUL) features a hidden roof terrace which we consider to be a similar approach to which this appeal relates to. The building at 17 Circus Lane forms part of the overall listing of the lane and as illustrated in Figure 9 below,

Figure 9: Cirficus Lane (LPA Ref: 99/03579/FUL)



17b & 17c Circus Lane
Edinburgh

3. The Development

- 3.1 Our client is seeking Planning Permission and Listed Building Consent for the following:
- Alternations of the existing roof access including the provision of permanent stair to a new opening roof light.
 - Removal of existing lantern over the bathroom and replacement with new, flat glass rooflight; and
 - The alterations of the inward facing pitched roof faces to provide an enlarged, accessible flat roof area.
- 3.2 The proposal seeks to provide permanent stair access out to a larger flat roof area via a proprietary glazed, low profile, rooflight (sky door) located in a former store accessed via a new opening off the hallway. The new access would therefore not affect any of the principal rooms or original layout of the listed building. The DPEA found that, although the proposed skydoor would alter the existing roof structure, as the roof has already been modified, this element of the proposals would *“constitute an unobtrusive addition to the roof which would not compromise the original architecture of the listed building”*.
- 3.3 Since the division of the property, the upper apartment has no access to outdoor space. The proposal thus seeks to provide, in as inconspicuous a way as possible, private outdoor space for the apartment's use. It is clear from the recent lock-down and social isolation period that access to non-public, external space is a vital constituent of both physical and mental health and wellbeing.
- 3.4 The proposal aims to provide usable external space via the part removal of internal, valley facing sections of slate roofing and the incorporation of new flat roof construction and decking areas.
- 3.5 Additionally, an existing poor quality, lantern rooflight structure is proposed to be replaced with a low profile, walk-on flat rooflight over the existing bathroom. Again, it was deemed by the DPEA that the replacement of the roof light and the proposed roof access, would be acceptable.
- 3.6 Access into the remaining roof void area via hinged doors in the new vertical rain screen cladding allows any furniture to be put away and secured with ease, leaving the terrace free of any potentially visible structures when not in use.
- 3.7 The original application (application reference 20/02744/FUL and 20/02745/LBC) incorporated a glass railing running along the full façade of the roof top. In response to the comments raised by councillors at the LRB and DPEA, the glass balustrade has been replaced by a line of extended slate mono-pitched roof. This enables the rooftop to be further set back from the front façade, whilst replicating the existing materials on the site, thus minimising the visual impact the rooftop development will have from public receptor points in the vicinity. In addition, the proposed alteration will recreate a previously existing roof silhouette (Figure 5).

- 3.8 Figures 10-12 below have been prepared by Richard Murphy Architects and form part of the planning application package.
- 3.9 Figure 10 (drawing no. AL/02/02) shows the roof form as existing. Figure 11 (drawing no. AL/02/02) illustrates 3D Visuals of the proposed development. Figure 12 (drawing no. AL/02/01) illustrates the Proposed Sections of the property, noting the staircase leading to the sky door access, along with the extension to the slate mono-pitched roof to front of the property, to ensure the proposed roof top is setback from the façade. It would restore the pitched roof to its original position.



Figure 10: Roof Form as Existing (Richard Murphy Architects. Drawing No. AL/02/02)

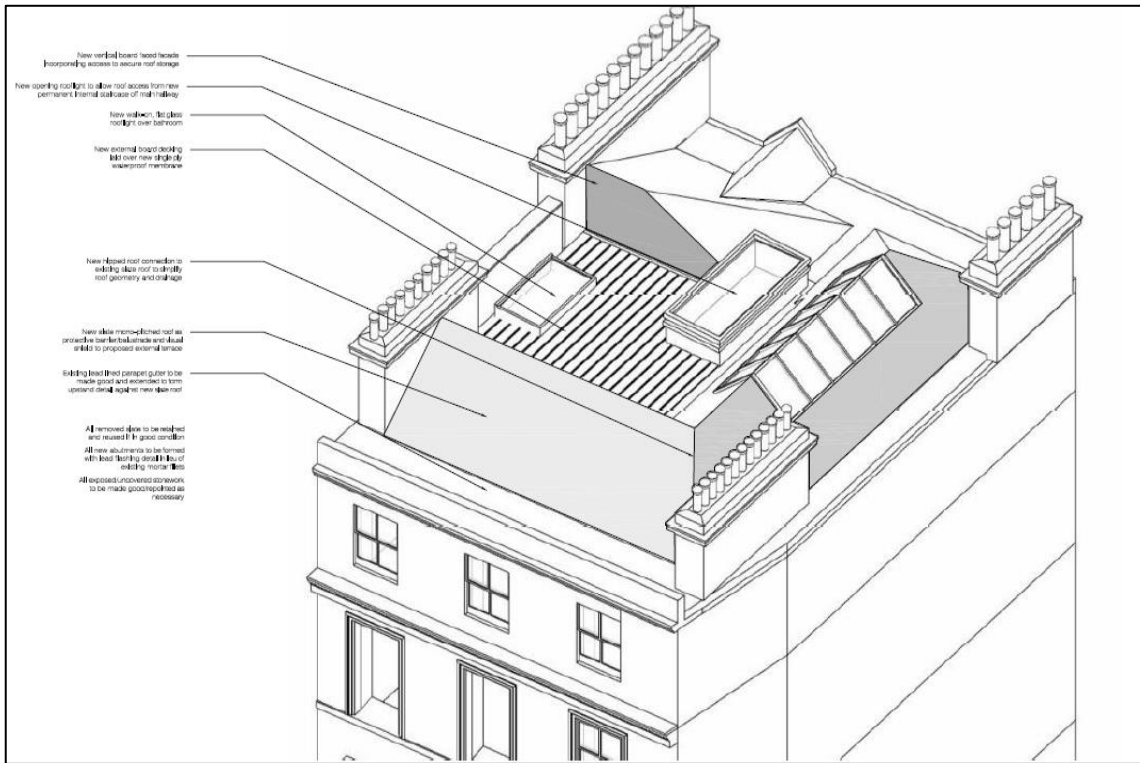


Figure 11: 3D Visual of Proposed Rooftop (Richard Murphy Architects Drawing no. AL/02/02)

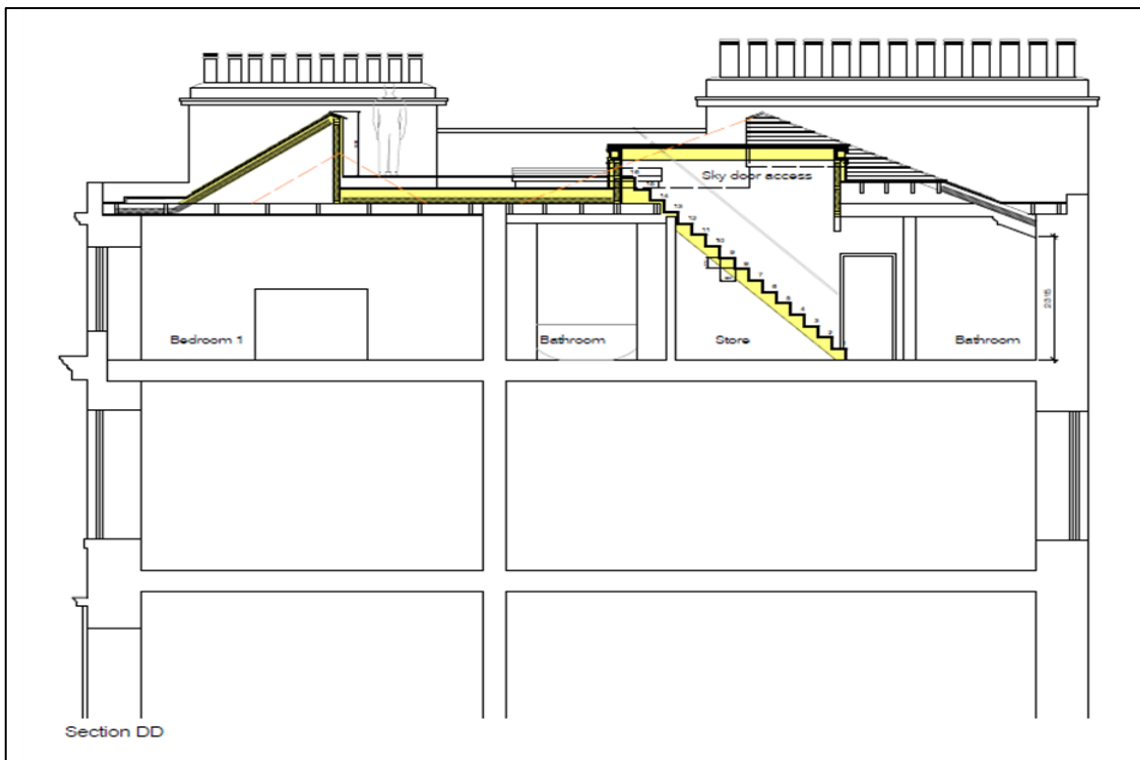


Figure 12: Proposed Sections (Richard Murphy Architects, Drawing No. AL/02/01)

4. Planning Policy

4.1 This section outlines the appropriate planning policies and other material considerations against which the proposals have been developed.

4.2 Section 25 of the Town and Country Planning (Scotland) Act 1997 states:

“Where in making any determination under the planning act, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise”.

4.3 Within the context, the Development Plan covering the site comprises the:

- SESplan Strategic Development Plan (2013); and
- Edinburgh Local Development Plan (2016)

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

4.5 City of Edinburgh Council (CEC) is currently in the process of preparing City Plan 2030 which is intended to replace the current LDP before the end of 2022. The main issues report ‘Choices for City Plan’ consultation ran between January and April 2020. The proposed plan is anticipated to be published in August 2021.

Heritage Legislation

4.6 The Planning (Listed Buildings and Conservation) (Scotland) Act 1977 sets out the general duties with regards to applications affecting a listed building and within conservation areas in exercise of planning functions.

4.7 Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states that, *“in considering whether to grant planning permission for development which affected a listed building or its setting, a planning authority... shall have special regard to the desirability of preserving the building or historic interest which it possesses”.*

4.8 Section 59 (3) defines *“preserving”* as *“preserving it either in its existing state or subject only to such alterations of extensions as can be carried out without serious detriment to its character”.*

4.9 Section 64 (1) requires that, *“with respect to any buildings or other land in a conservation area... special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area”.*

4.10 This Planning Statement within Section 5 address the requirements of both the Town and Country Planning (Scotland) Act 1997 and the Planning (Listed Building and Conservation Areas (Scotland) Act.

Site Specific Policies

- 4.11 The site is subject to several specific policy designations, as identified on the proposal map associated with the Edinburgh Local Plan (2016). An extract of CEC’s LDP proposals map, with the site highlighted in red is shown in Figure 13 below.

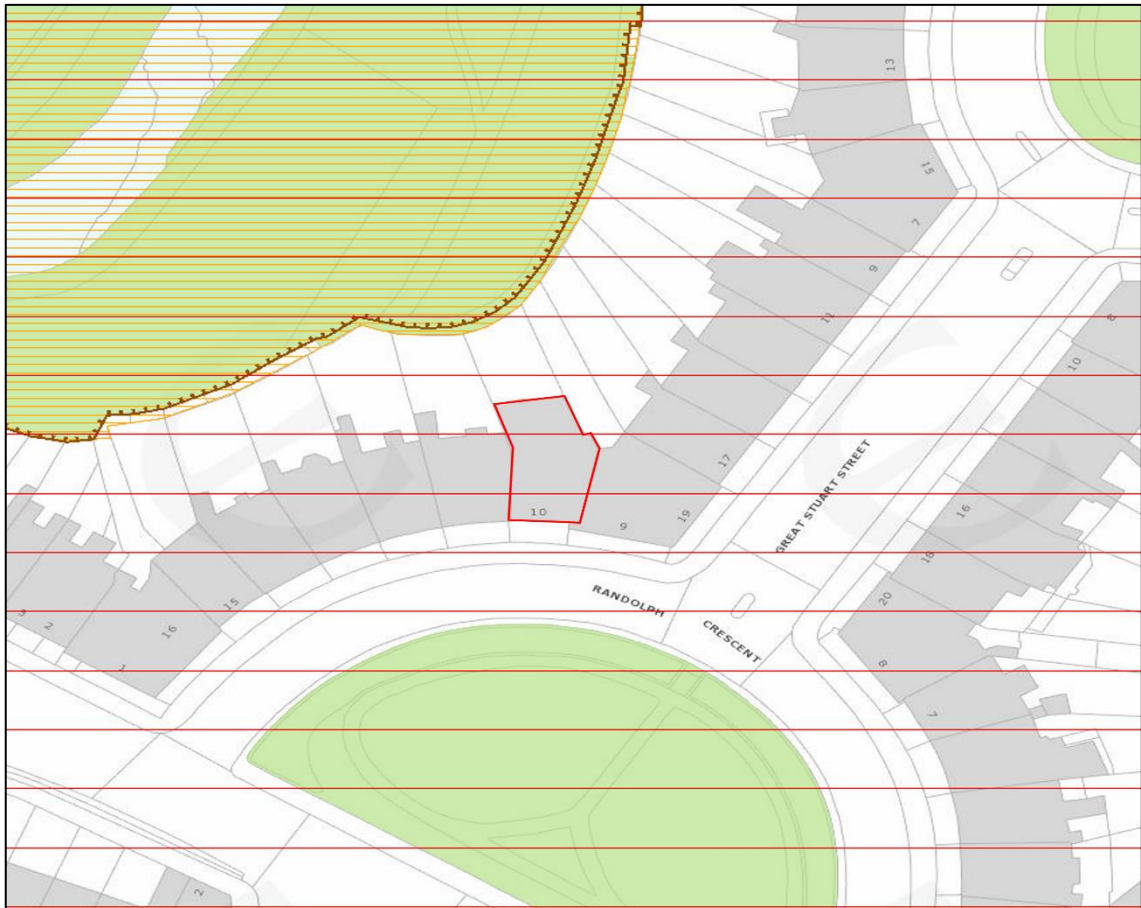


Figure 13 CEC Proposals Map extract. Source: City of Edinburgh Council LDP.

- 4.12 With reference to the adopted CEC Proposals Map (Figure 12), the property is within the general ‘Urban Area’. It is within the New Town Conservation Area and Historic Garden and Designed Landscape. The site is also Category A listed under the wider group designation for, “9-17 (inclusive numbers) Randolph Crescent, 1 and 1A Randolph Cliff including railings, Edinburgh”.

- 4.13 The HES listing description describes the buildings as follows:

“James Gillespie Graham, designed 1822. 3-storey with attic and basement, 26-bay, polished ashlar sandstone classical terrace with concave curved frontage. The building comprises an 18-bay linking terrace flanked by 4-bay end pavilions with Doric pilasters. Ashlar steps and entrance platts over-sailing basement. V-jointed ashlar at the principal floor level. Flagstone basement wells with predominantly timber boarded cellar doors”.

“Part of the Edinburgh New Town A Group. A significant surviving part of one of the most important and best-preserved examples of urban planning in Britain”.

“The Moray Estate was designed for the 10th Earl of Moray (1771-1848). He inherited the 13 acre site from his father, after it was acquired from the Heriot Trust in 1782, and decided to feu the property for development in 1822. The complicated plan, with the crescent, oval and polygon of Randolph Crescent, Ainslie Place and Moray Place respectively, conjoins the New Town with the Second New Town. Building was completed in 1830-31. Charles Baillie, Lord Jerviswood, lived at No 14”.

Material Considerations

4.14 Other documents relevant to the planning policy context, forming ‘material considerations’ comprise:

- Scottish Planning Policy
- Historic Environment Scotland Policy Statement (HESPS)
- Historic Environment Scotland – Managing Change Guidance.
- CEC non-statutory planning guidance, including Listed Buildings and Conservation Areas (2019)
- CEC New Town Conservation Area Character Appraisal.

4.15 Through an assessment of the proposed development against the above considerations, in the following section, we seek to demonstrate a case for the development and approval of these applications.

5. Development Considerations

5.1 This section of the statement sets out the key planning considerations arising from the proposals, setting out a reasoned justification for the development in the context of the adopted planning policy and the specifics of the site and its surroundings.

Strategic Development Plan

5.2 The SESplan vision for the Strategic Development Plan (SDP) is that:

“By 2032, the Edinburgh City Region is a healthier, more prosperous and sustainable place which continues to be internationally recognised as an outstanding area in which to live, work and do business”.

5.3 It goes on to state that, *“the high quality built and natural environment of the SESplan area underpins its desirability as a place to live, work, do business and visit and can contribute to improving health and wellbeing”.* It also states that *“the key sectors of financial and business services, higher education and the commercialisation of research, energy, tourism, life sciences, creative industries, food and drink and enabling (digital) technologies are central to the regional economy”.*

5.4 Policy 1B of the Strategic Development Plan provides several development principles for Local Development Plans. Those relevant to these proposals include:

- Ensuring there are no significant adverse impacts on the integrity of international and national built or cultural heritage sites including World Heritage Sites, Listed Buildings and sites listed in the Inventory of Gardens and Designed Landscapes.
- Having regard to the need to improve the quality of life in local communities by conserving and enhancing the natural and built environment to create more healthy and attractive places to live.
- Contributing to the response to climate change, through mitigation and adaptation; and
- Having regard to the need for high quality design, energy efficiency and the use of sustainable building materials.

5.4.1 **Assessment** - the proposed development accords with the SESplan vision and, as demonstrated through the remainder of this section and our response to the CEC Local Plan policies, the key development principles of Policy B1. The proposed development will assist in safeguarding the category A listed building with the New Town Conservation Area whilst improving the quality of life for residents through creating private outdoor amenity space which is hard to come by in city centre locations.

Local Development Plan

Planning Policy- Design Principles for New Development

5.5 **Policy Des 12 - Alterations and Extensions** states that planning permission will be granted for alterations and extensions to existing buildings which:

- a) In their design and form, choice of materials and positioning are compatible with the character of the existing building.
- b) Will not result in an unreasonable loss of privacy or natural light to neighbouring properties.
- c) Will not be detrimental to neighbourhood amenity and character.

5.6 **Assessment** – the design has addressed these criteria in the following ways:

(a) Design, Form and Choice of Materials

5.7 The form of the proposal is modest and has been cut back further in response to officer and councillor's comments during the previous applications.

5.8 There is an existing, poor quality, lantern rooflight structure which is proposed to be replaced with a low profile, walk-on flat rooflight over the existing bathroom, reducing the scale of development that is already present.

5.9 The choice of materials has been selected to reflect the character of the neighbouring area without impacting on the surrounding townscape.

5.10 CEC considered that the reflective properties of a glass barrier in the original proposal would be apparent and disruptive to the uniformity of the terrace in long and short views.

5.11 In response to this feedback, the proposals have been revised. The glass balustrade has now been removed. Instead, it has been replaced with a new slate mono-pitched roof. As shown on the accompanying drawings, the proposed pitch of the new roof will be aligned with the historic pitch line, which has since been removed (refer to Figure 5). This will provide a protective barrier and visual shield to the proposed external terrace. The new roof also provides an appropriate safely railing height.

5.12 The use of slate seeks to replicate the existing materials on the site, respecting the character of the listed building and setting within the conservation area.

5.13 (b) Loss of Privacy or Natural Light

5.14 The proposal will not overlook or be overlooked by neighbouring properties, nor is it visible from public receptor points ensuring the privacy of both neighbouring residents and occupants of the site is safeguarded. In addition to this, the proposed walk-on flat rooflight will enhance the natural

daylight provision into the existing bathroom. The proposal will not have an impact on the amount of daylight/ sunlight the neighbouring properties will get.

5.15 (c) Impact on Neighbouring Amenity and Character

5.16 Since the division of the property, the apartment no longer has access to the existing garden to the rear at ground floor level. The proposal therefore seeks to provide private outdoor amenity space for the apartments own use.

5.17 With the recent pandemic and enforced lock-down measures, private outdoor amenity space has become increasingly important and a necessity for physical and mental health of residents, particularly of those in City Centre locations without private gardens.

5.18 The proposed development is associated solely to the residential enjoyment of occupiers of 2F, 10 Randolph Crescent, providing much needed private outdoor amenity space in the form of a rooftop whilst providing essential access for roof maintenance to the listed building. It will have no detrimental impact on the amenity of neighbouring properties.

5.19 The proposal seeks to provide a usable external space whilst respecting the properties setting within the Conservations Area. The new proposal will allow for the long-term maintenance of the heritage asset, whilst utilising the existing space to improve the amenity levels of residents. The new terrace will not overlook or be overlooked by neighbouring properties, thus not resulting in any adverse amenity impacts or visual impacts from surrounding properties or streets.

5.20 Overall, the proposals are considered compliant with Policy Des 12.

Planning Policy- Caring for the Environment

5.21 **Policy Env 1- World Heritage Site** states that development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh as World heritage Sites or would have a detrimental impact on a Site’s setting will not be permitted.

5.22 **Assessment** - The site lies within the Edinburgh World Heritage Site. We have concluded, in relation to Policy Env 7 that the proposals will have no impact upon the New Town Conservation Area, we therefore consider the proposed development will have no adverse impact upon the qualities of the World Heritage Site.

5.23 **Policy Env 4 - Listed Buildings- Alterations and Extensions** states that proposals to alter or extend a listed building will be permitted where those alterations or extensions are justified; there will be no unnecessary damage to historic structures or diminution of its interest; and where any additions are in keeping with other parts of the building.

5.24 **Assessment:** In their assessment of the original proposals, CEC considered that, *“the extent of the changes to the roofscape of the building and its functionality would fundamentally change the character of the roof and an important part of the building’s special interest. The proposals are not required for the beneficial use of the building and would result in a diminution of its interest”*.

- 5.25 We consider that the proposals would not adversely impact the character of the listed building and are in keeping with other parts of the terrace and neighbouring townhouses. There have been many alterations to the roofscape both relevant to the subject property and neighbouring townhouses since their original formation, as we have outlined in Section 2. A review of the Council’s online planning records indicates there are several properties within the neighbouring area that have rooftop developments, setting a precedent for similar developments of this nature. It is evident that although the front elevations of dwellings are consistent in design and materiality, the rooftops of the neighbouring area do not mimic one another. Several amendments to the original form exist throughout the Moray Feu, creating a unique and interesting skyline, enhancing the character of the area as shown in Section 2, Figure 1.
- 5.26 This assertion is also supported by the Scottish Government’s Reporter, in the appeal decision, relating to the application for LBC. The Reporter stated that, *“the proposed internal staircase, ‘skydoor’, replacement rooflight and physical alterations required to create a sitting area would be acceptable”*. He acknowledges that *“the roof structure and already been modified”* and the existing roof is non-original in structure and therefore these elements of the proposal would be, *“an acceptable change to the listed building”*.
- 5.27 HES also agreed with this, stating they *“have no concerns with the further alteration of the roof proposed”* given the original roof structure has already been replaced or altered.
- 5.28 The Reporter’s concerns, focus upon the impact of the proposed balustrade and concern that a *“glass balustrade would disrupt the unified façade of this important A-listed ensemble”*, noting that it *“would be visible in certain long views”*.
- 5.29 Whilst HES did not object, they noted similar concerns that, *“a glass balustrade has the potential to be more impactful...and metal would be a better choice of material for any balustrade”*. They suggested that the balustrade could be located further back and reduced in width to reduce its visual impact.
- 5.30 Following this feedback, the glass balustrade has been removed and replaced with a new slate mono-pitched roof, as described above, and shown in the accompanying drawings. Extending the height of the existing ridge in comparison to the previous application, reduces the visual impact the proposals may have on the neighbouring area. The proposed roof terrace will lie behind the existing ridge, resulting in the proposal being set back 4080mm from the front façade. As such, the proposals will not be visible from most public receptor points.
- 5.31 To address the concerns regarding the impact of the proposal on long views, we have tested the visibility of the new proposals from several viewpoints.
- 5.32 Figures 14, prepared by Richard Murphy Architects, identifies the locations where segments of the proposal may be visible from including Drumsheugh Gardens, Queensferry Street and Randolph Crescent.
- 5.33 The proposal is not visible in immediate views from Randolph Crescent. Whilst just visible in long views from Drumsheugh Gardens, it will be masked by existing foliage.

5.34 In all cases, the impact will be minimal, the development would have minimal impact on the façade of the building and would not be visible from public receptor points.

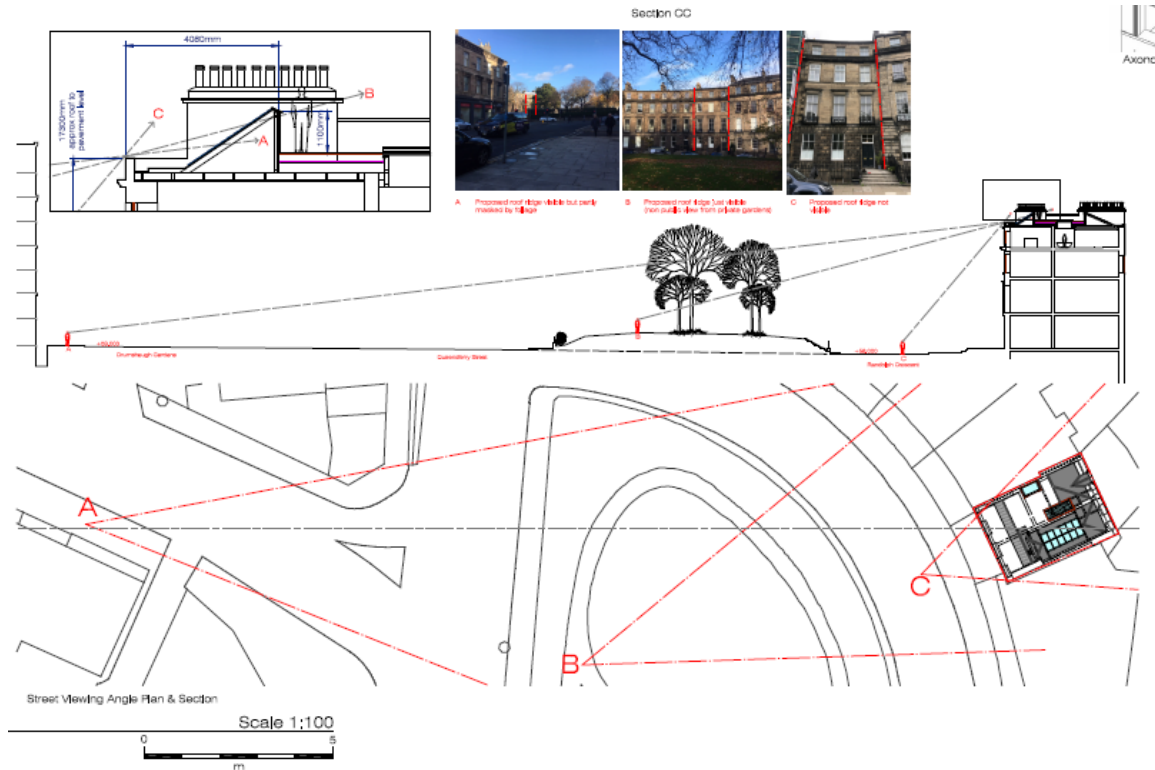


Figure 14 above: Viewpoint Locations (Richard Manson Architects) – Please refer to supporting information for full scale plan and image.

5.35 The Reporter also noted concerns that the use of the outdoor recreation space and introduction of garden furniture would lead to change to the character of the roof.

5.36 The new extension to the roof pitch allows for the provision of additional storage facilities, over the original proposal. The new vertical roof face will incorporate rain screen cladding and an access door, which allows any furniture to be put away and secured with ease. The proposal will provide valuable outdoor amenity space in a city centre location which will be hugely beneficial for the health and wellbeing of the residents. Such provision of amenity space on the roof is becoming increasingly popular and acceptable, as is evidenced by the number of planning applications which have been consented for similar proposals in similar settings, as we have identified in Section 2.

5.37 The proposal will facilitate the essential maintenance of the roof which is currently in a dilapidated state as shown in Figures 7, 8 and 9 above to prevent further water damage to the Category A heritage asset. It will also provide safe access for future roof maintenance and fire escape.

5.38 On the above basis, and with the revisions proposed as part of this new application, it is considered the sensitive design and set-back nature of the proposals would cause no diminution of the buildings special interest and the proposal is considered compliant with Policy Env 4.

5.39 **Policy Env 6 – Conservation Areas – Development** states that development within a conservation area will be permitted which:

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

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

5.41 **Assessment**

(a) Preserves or enhances the special character or appearance of the conservation area.

5.42 In their assessment of the original proposals, CEC considered that the roof terrace would be a “*discordant intervention*” which would not be characteristic of these buildings, nor in keeping with the “*traditional features of the New Town Conservation Area*”.

5.43 It is our assessment, that with the revised designs, the impact of the development on the character and appearance of the conservation area is minimal. Due to careful consideration, the proposal will have no detrimental impact on the historic environment as the discrete design means it will not be visible from long or short distance views as illustrated in Figure 14 above.

(b) Preserves trees, hedges, boundary walls and other features.

5.44 The proposal will not impact existing trees, hedges, boundary walls or other features as it is restricted to the rooftop of number 10 Randolph Crescent.

(c) Demonstrates high standards of design and utilises appropriate materials

5.45 The design and materials proposed are of a high standard and will complement the surrounding historic environment. Further details of these can be found in the accompanying drawing package.

5.46 The proposal is considered compliant with Policy Env 6.

5.47 **Policy Env 7 – Historic Gardens and Designed Landscapes** states that development will only be permitted where there is no detrimental impact on the character of a site recorded in the Inventory of Gardens and Designated Landscapes, adverse effects on its setting or upon component features which contributes to its value.

5.48 **Assessment** - The proposal proposes no development which would adversely affect the Historic Garden and Designated Landscape Designation which relates to the series of 18th and 19th century town gardens, squares and walks within the designated area.

Other Material Considerations

Scottish Planning Policy (2014)

- 5.49 Scottish Planning Policy (SPP) was published in 2014. SPP is a statement of the Scottish Government's policy on how nationally important land use planning matters should be addressed across the country.
- 5.50 Regarding listed buildings, conservation areas and development specifically, the following SPP paragraphs are relevant:
- 5.51 *"Paragraph 141 – Change to a listed building should be managed to protect its special interest while enabling it to remain in active use. Where planning permission and listed building consent are sought for development to, or affecting, a listed building, special regard must be given to the importance of preserving and enhancing the building, its setting, and any features of special architectural or historic interest. The layout, design, materials, scale, siting and use of any development which will affect a listed building, or its setting should be appropriate to the character and appearance of the building and setting. Listed buildings should be protected from demolition or other work that would adversely affect it or its setting".*
- 5.52 *"Paragraph 143 - Proposals for development within conservation areas and proposals outwith which will impact on its appearance, character or setting, should preserve or enhance the character and appearance of the conservation area. Proposals that do not harm the character or appearance of the conservation area should be treated as preserving its character or appearance".*
- 5.53 Through this document, it has been demonstrated that the proposals are modest and in-keeping with the listed building and wider conservation area. They will have no adverse impact upon the special interest of the listed building or character of the wider conservation area. The proposed development therefore complies with SPP in this regard.

Historic Environment Policy for Scotland (May 2019)

- 5.54 HEPS replaces HESPS (June 2016) in May 2019. It is a policy statement which is non-statutory. It is a material consideration for planning proposals that might affect the historic environment, and in relation to listed building consent. The document provides six policies. Policies HEP2 and HEP4 are relevant to these applications:
- HEP2 – Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secure for present and future generations.
 - 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.

- 5.55 **Assessment:** The proposal has recognised the significance of the historic nature of the Category A Listed Building and its setting within the New Town Conservations Area through the sensitive used of design and materials, ensuring there is less than significant harm on historic environment in which the site lies.

HES Managing Change in the Historic Environment: Roofs (October 2010)

- 5.56 The Managing Change guidance states that “the interest of a historic roof is derived from a number of factors including its shape or form, structure, covering materials, and associated features. The roof can play an important part in the architectural design of a historic building.” In terms of alterations, it states that “new work should normally match the original as closely as possible. The alteration of a roof can create additional space to allow the building to remain in use and develop with the needs of the occupants. In considering how to alter a roof it is important to understand the impact of the works on the roof itself and the appearance of the building or street. The potential for cumulative effects of similar developments should also be considered”.
- 5.57 **Assessment:** The alteration of the roof would recreate a previous structure and match the original in the materials used. It would create an additional space to allow the building and roof to be maintained and would allow much needed outdoor space for current and future occupants. The impact on the roof and its maintenance would be positive.
- 5.58 The proposal can be seen from very few public receptor points as identified above, from where the visual impact is minimal. Nor will it overlook or be overlooked by neighbouring properties, thus not resulting in any adverse amenity impacts or visual impacts from surrounding properties or streets.

CEC Planning Guidance – Listed Buildings and Conservation Areas (2019)

- 5.59 This guidance provides information on repairing, altering, or extending listed buildings in conservation areas. The assessment of the proposals impact upon the listed buildings and conservation area is set out in our response to LDP Policies Env 4 and 6 above.

CEC New Town Conservation Area Character Appraisal

- 5.60 This guidance provides information on the history of the New Town Conservation Area with the intention to help manage change. The Appraisal sets out an understanding that informs and provides the context in which decisions can be made on proposals which may affect the character of the Conservation Area. The assessment of the proposals impact upon the conservation area is set out in our response to LDP Policy Env 6 above.

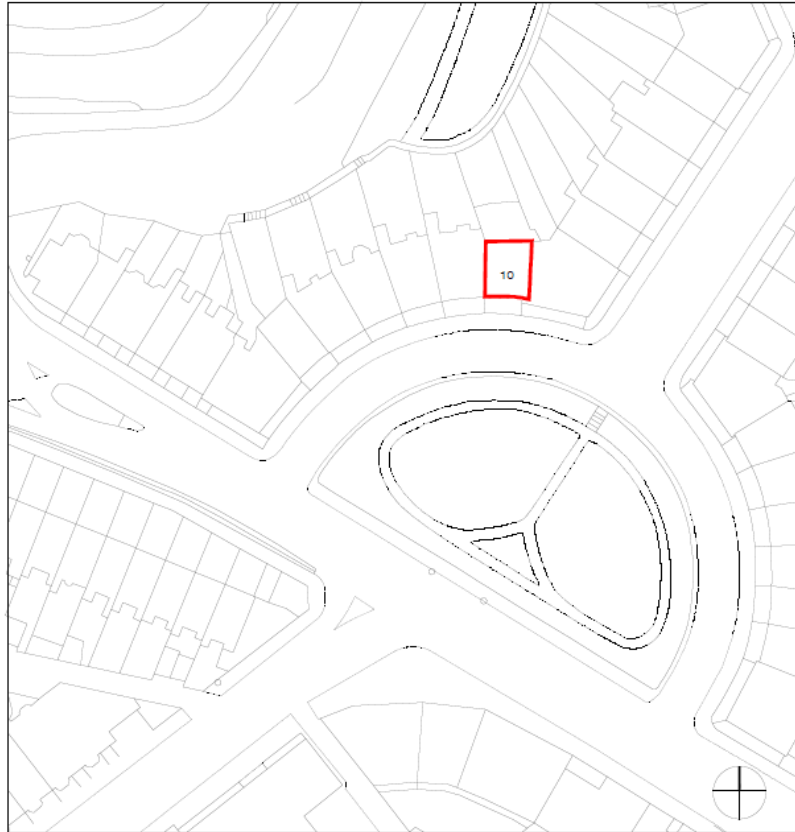
6. Conclusion

- 6.1 Ferguson Planning has been appointed by Dr Gundula Thiel (the applicant) to submit this planning statement in support of a planning application and listed building consent, for the following proposed development *“Alteration of the existing roof access and provide permanent stairs to the new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass rooflight. Alter inward facing pitched roof daces to give enlarged, accessible flat roof area”*, to create a new roof terrace for the enjoyment of the residents at 2F, 10 Randolph Crescent, Edinburgh.
- 6.2 The proposal has considered and addressed all comments received by the planning officer, LRB and Scottish Government’s Reporter, during the previous application and appeals in relation to this site.
- 6.3 The glass balustrade has been replaced by a line of new extended slate mono-pitched roof. This enables the rooftop to be further set back from the front façade whilst replicating the existing materials on the site and respecting the character of the listed building and setting within the conservation area in accordance with Policies Des 12, Env 4, 6 and 7. The visual impact has been tested in long- and short-range views and is minimal. The alterations will not be visible from public receptor points and will have no adverse impact upon the listed buildings or the wider conservation area.
- 6.4 The proposal is solely for the enjoyment of the residential dwelling, providing necessary outdoor amenity space and facilitating the long-term maintenance and repair of the roof. It will have no detrimental impact on the amenity of neighbouring properties.
- 6.5 The City of Edinburgh Council is respectfully requested to approve the application which is considered to comply with the adopted policies of the Local Development Plan and associated material considerations.

Appendix 1: Site Location Plan



Aerial roofscape



Site Plan
Application Site

scale 1:1250

Ferguson Planning.
FAO: Lucy Moroney
54 Island Street
Galasheils
TD1 1NU

Ms Gundula Thiel.
C/o Agent

Decision date: 21 October 2021

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

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

Application No: 21/04427/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 19 August 2021, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building and are not justified. The works are therefore contrary to Policy Env 4 of the Local Development Plan.
2. The proposals would result in an alteration that would not preserve the character and appearance of the New Town Conservation Area. The works are therefore contrary to Policy Env 6 of the Local Development Plan.

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

Drawings 01-04, 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 Rachel Webster directly at rachel.webster@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
2F 10 Randolph Crescent, Edinburgh, EH3 7TT

Proposal: Alteration of the existing roof access and provide permanent stairs to the new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass roof light. Alter inward facing pitched roof daces to give enlarged, accessible flat roof area.

Item – Local Delegated Decision
Application Number – 21/04427/FUL
Ward – B11 - City Centre

Recommendation

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

Summary

The proposal is inappropriate in terms of its principle and design and would adversely impact the special architectural and historic interest of the listed building as well as the character and appearance of the New Town Conservation Area. The proposals fail to comply with Policies Env 4 (Listed Buildings - Alterations and Extensions) and Env 6 (Conservation Areas - Development) of the Local Development Plan. There are no material considerations which outweigh this decision.

SECTION A – Application Background

Site Description

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

This application site is located within the New Town Conservation Area and the World Heritage Site.

Description of the Proposals

Planning permission is sought to alter existing roof access and provide permanent stair to new opening roof light (skydoor) via a new staircase at top floor level of the property.

Works will also include the removal of the existing lantern over bathroom and replacement with new, flat glass rooflight.

These will allow access to a new roof terrace be formed by removal of internal valley sections of slate roof with a new flat roof section formed, to be finished in decking. The terrace will be enclosed to the front by removing an existing low pitched roof and formation of a new mono-pitched roof form extending the full width of the property. The new roof shape will be finished in slate facing Randolph Crescent.

Relevant Site History

20/02744/FUL

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

Refused

21 October 2020

20/02745/LBC

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

Refused

16 September 2020

21/04428/LBC

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

Refused

18 October 2021

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 21 October 2021

Date of Advertisement: 10 September 2021

Date of Site Notice: 10 September 2021

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

Policy Env 6 of the Local Development Plan permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The Conservation Area Character Appraisal for the New Town advises that the retention of the buildings in their original design form contributes significantly to the character of the area. The Appraisal advises that "Very careful consideration will be required for alterations and extensions affecting the roof of a property, as these may be particularly detrimental to the character and appearance of the Conservation Area."

In terms of the principle of the roof terrace, this is a discordant intervention which is not characteristic of these buildings. In addition, roof terraces are not traditional features of the New Town Conservation Area and whilst the roof terrace will not be visible from the

street, the roofscape of these New Town buildings will be detrimentally altered. Aerial views of the New Town are particularly important and interventions to traditional roofscapes such as this are unnecessary and unacceptable interventions. The proposals fail to either preserve or enhance the character and appearance of the conservation area and fail to comply with Policy Env 6.

b) Impact on the Listed Building

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

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

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

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

The proposed roof terrace would be a non-traditional feature creating a level of intervention to the roof area that is not characteristic of the building and surrounding similar buildings in this largely uniform terrace. Particularly on this crescent, blank pitched roofs to the front are seen at the bookend blocks and the application site is one of three adjoining blocks where the top floor has a visible flat roof shape from the front.

Although noted in the information submitted with the application, that the existing roof shape may not be entirely original, the current roof shape does form part of the special interest of the terrace. The roof took this form at the time of listing of the building, and the roof outlines shown on the chimney may also not have been the original intended design.

The extent of the changes to the roofscape of the building and its functionality would fundamentally change the character of the roof and an important part of the building's special interest. The proposals are not required for the beneficial use of the building, are not justified and would result in a diminution of its interest. The proposed roof terrace, although modest in scale, would introduce a feature that would form an unsympathetic addition that would fail to respect the original roofscape of the building, resulting in a loss of character.

Details have been submitted relating to the poor condition of the existing roof. However, appropriate repairs to the existing fabric could be carried out without the need to form a roof terrace.

The proposals are contrary to the policy guidance published by Historic Environment Scotland and the Policy Env 4 of the Local Development Plan.

c) Residential Amenity

The proposals will have no impact on neighbouring amenity in terms of privacy, daylight and sunlight.

d) Equalities and human rights

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

e) Public Comments and Consultations

One objection has been received which raised concerns relating to the formation of the roof terrace and associated clutter visible on the skyline and its visibility. These issues have been addressed above.

Historic Environment Scotland raised no comment in their consultation response to this application.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building and are not justified. The works are therefore contrary to Policy Env 4 of the Local Development Plan.
2. The proposals would result in an alteration that would not preserve the character and appearance of the New Town Conservation Area. The works are therefore contrary to Policy Env 6 of the Local Development Plan.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 19 August 2021

Drawing Numbers/Scheme

01-04

Scheme 1

**David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council**

Contact: Rachel Webster, Planning Officer
E-mail: rachel.webster@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

Ferguson Planning.
FAO: Lucy Moroney
54 Island Street
Galasheils
TD1 1NU

Dr Gundula Thiel.
C/o Agent
Ferguson Planning
54 Island Street
Galasheils
TD1 1NU

Decision date: 18 October 2021

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

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

Application No: 21/04428/LBC

DECISION NOTICE

With reference to your application for Listed Building Consent registered on 19 August 2021, this has been decided by **Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Reasons:-

1. The proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building and are not justified.
2. The proposals fail to preserve or enhance the character and appearance of the conservation area which is particularly important in terms of its roofscapes, as the introduction of a roof terrace does not form part of the special character of New Town buildings.

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

Drawings 01-04, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

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

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

Should you have a specific enquiry regarding this decision please contact Rachel Webster directly at rachel.webster@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

2. If listed building consent or conservation area consent is refused, or granted subject to conditions, whether by the planning authority or Scottish Ministers and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any works which have been or would be permitted, he may serve on the planning authority in whose district the land is situated, a listed building purchase notice requiring that authority to purchase his interest in the land in accordance with the provisions of section 28 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as amended, as also applied to buildings in conservation areas by section 66 of that Act.

Report of Handling

**Application for Listed Building Consent
2F 10 Randolph Crescent, Edinburgh, EH3 7TT**

Proposal: Alteration of the existing roof access and provide permanent stairs to the new opening roof light. Remove existing lantern over bathroom and replace with new, flat glass roof light. Alter inward facing pitched roof daces to give enlarged, accessible flat roof area.

**Item – Delegated Decision
Application Number – 21/04428/LBC
Ward – B11 - City Centre**

Recommendation

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

Summary

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

SECTION A – Application Background

Site Description

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

This application site is located within the New Town Conservation Area and the World Heritage Site.

Description of the Proposals

Planning permission is sought to alter existing roof access and provide permanent stair to new opening roof light (skydoor) via a new staircase at top floor level of the property. Works will also include the removal of the existing lantern over bathroom and replacement with new, flat glass rooflight.

These will allow access to a new roof terrace be formed by removal of internal valley sections of slate roof with a new flat roof section formed, to be finished in decking. The terrace will be enclosed to the front by removing an existing low pitched roof and formation of a new mono-pitched roof form extending the full width of the property. The new roof shape will be finished in slate facing Randolph Crescent.

Relevant Site History

20/02744/FUL

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

Refused

21 October 2020

20/02745/LBC

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

Refused

16 September 2020

21/04427/FUL

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

Consultation Engagement

Historic Environment Scotland

Publicity and Public Engagement

Date of Neighbour Notification: 18 October 2021

Date of Advertisement: 10 September 2021

Date of Site Notice: 10 September 2021

Number of Contributors: 1

Section B - Assessment

Determining Issues

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

subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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

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

Assessment

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

- a) the proposals will have an adverse impact on the character of the listed building;
- b) the proposals will preserve or enhance the character of the conservation area;
- c) any impacts on equalities and human rights are acceptable; and
- d) any comments have been addressed.

Listed Building

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

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

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

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

The proposed roof terrace would be a non-traditional feature creating a level of intervention to the roof area that is not characteristic of the building and surrounding similar buildings in this largely uniform terrace. Particularly on this crescent, blank pitched roofs to the front are seen at the bookend blocks and the application site is one of three adjoining blocks where the top floor has a visible flat roof shape from the front.

Although noted in the information submitted with the application, that the existing roof shape may not be entirely original, the current roof shape does form part of the special interest of the terrace. The roof took this form at the time of listing of the building, and the roof outlines shown on the chimney may also not have been the original intended design.

The extent of the changes to the roofscape of the building and its functionality would fundamentally change the character of the roof and an important part of the building's special interest. The proposals are not required for the beneficial use of the building, are not justified and would result in a diminution of its interest. The proposed roof terrace, although modest in scale, would introduce a feature that would form an unsympathetic addition that would fail to respect the original roofscape of the building, resulting in a loss of character.

Details have been submitted relating to the poor condition of the existing roof. However, appropriate repairs to the existing fabric could be carried out without the need to form a roof terrace.

The proposals are contrary to the policy guidance published by Historic Environment Scotland and the Council's Local Development Plan Policy Env 4.

Conservation Area

Policy Env 6 of the Local Development Plan permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The Conservation Area Character Appraisal for the New Town advises that the retention of the buildings in their original design form contributes significantly to the character of the area. The Appraisal advises that "Very careful consideration will be required for alterations and extensions affecting the roof of a property, as these may be particularly detrimental to the character and appearance of the Conservation Area."

In terms of the principle of the roof terrace, this is a discordant intervention which is not characteristic of these buildings. In addition, roof terraces are not traditional features of the New Town Conservation Area and whilst the roof terrace will not be visible from the street, the roofscape of these New Town buildings will be detrimentally altered. Aerial views of the New Town are particularly important and interventions to traditional roofscapes such as this are unnecessary and unacceptable interventions. The proposals fail to either preserve or enhance the character and appearance of the conservation area.

Equalities and human rights

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

Public Comments

One objection has been received which raised concerns relating to the formation of the roof terrace and associated clutter visible on the skyline and its visibility. These issues have been addressed above.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposals do not have special regard to the desirability of preserving the building or its setting and would diminish the historic interests of the building and are not justified.
2. The proposals fail to preserve or enhance the character and appearance of the conservation area which is particularly important in terms of its roofscapes, as the introduction of a roof terrace does not form part of the special character of New Town buildings.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 19 August 2021

Drawing Numbers/Scheme

01-04

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer
E-mail: rachel.webster@edinburgh.gov.uk

Appendix 1

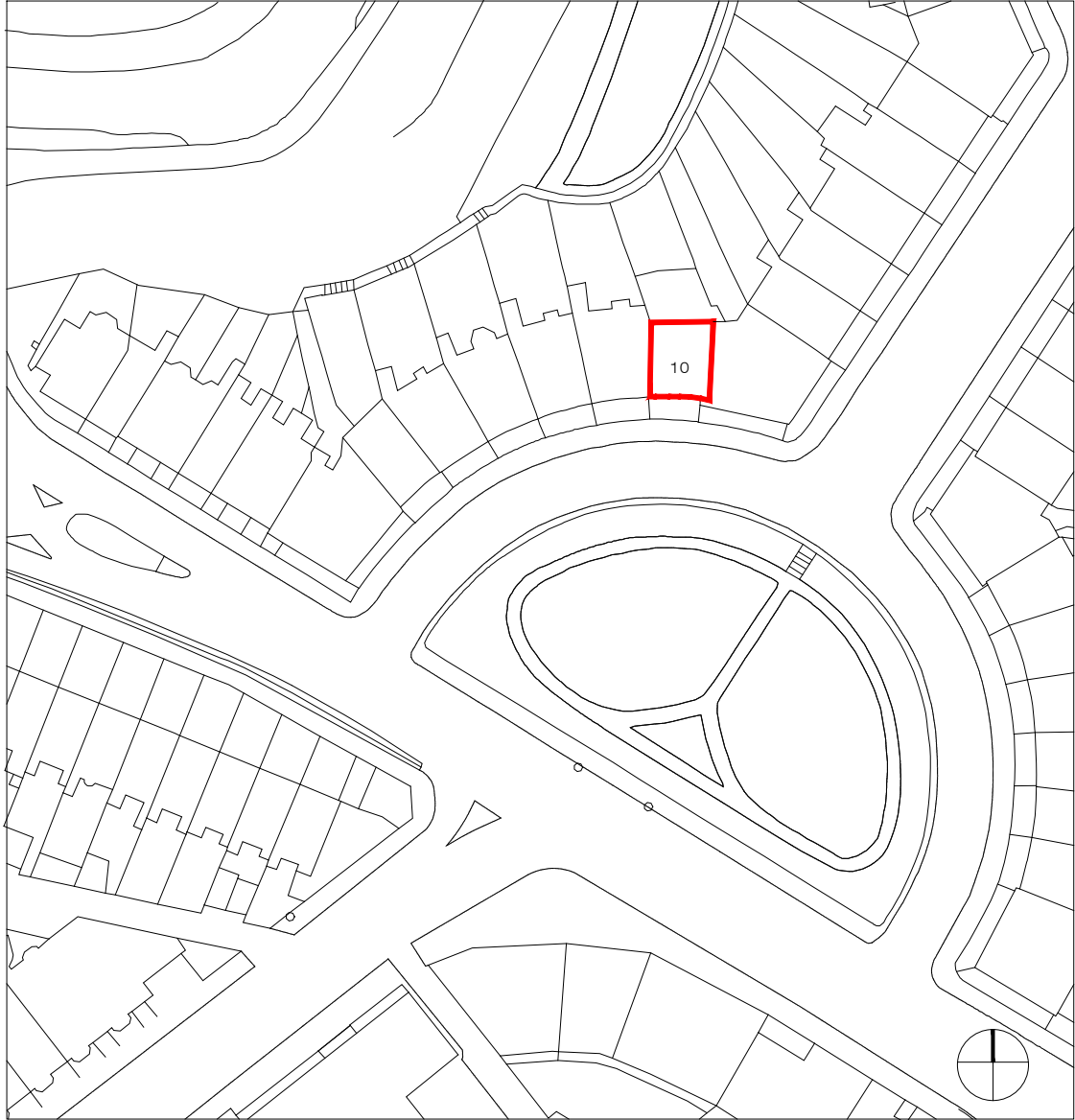
Consultations

NAME: Historic Environment Scotland

COMMENT: We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.



Aerial roofscape



Site Plan
Application Site

scale 1:1250
0 5 10 15 20 25
m

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

t: 0131 220 6125
f: 0131 220 6781

mail@richardmurphyarchitects.com
www.richardmurphyarchitects.com

Richard Murphy Architects

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

DRAWING TITLE **Location Plan**

DWG STATUS **Planning**

DRAWN	jem	JOB NO.	595
CHECKED		DATE	20.05.2021
FILE		SCALE	1:1250

DRAWING NO.	AL/01/00	REVISION	
-------------	-----------------	----------	--

NOTES

Richard Murphy Architects Ltd.
Registered in Scotland No 255372

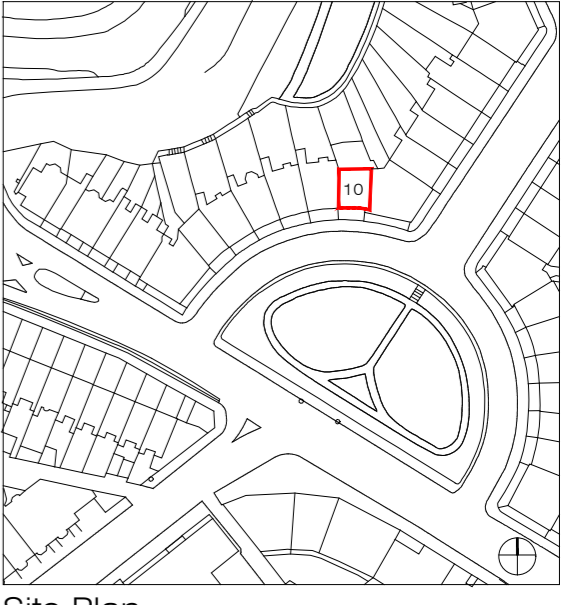
This drawing is copyright. All rights reserved.
Do not scale from this drawing: work from figured dimensions only.



Street Elevation

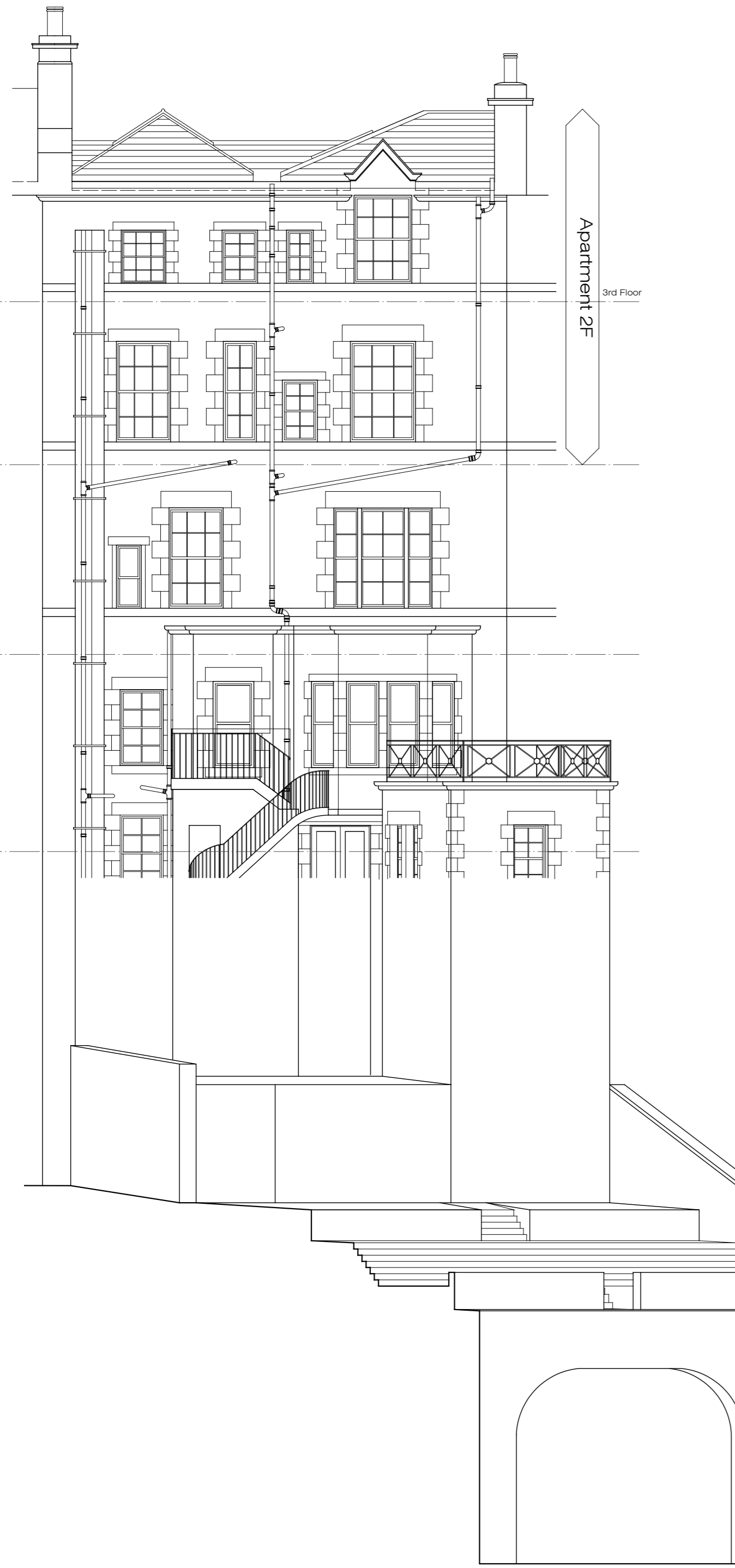


Aerial roofscape



Site Plan
Application Site

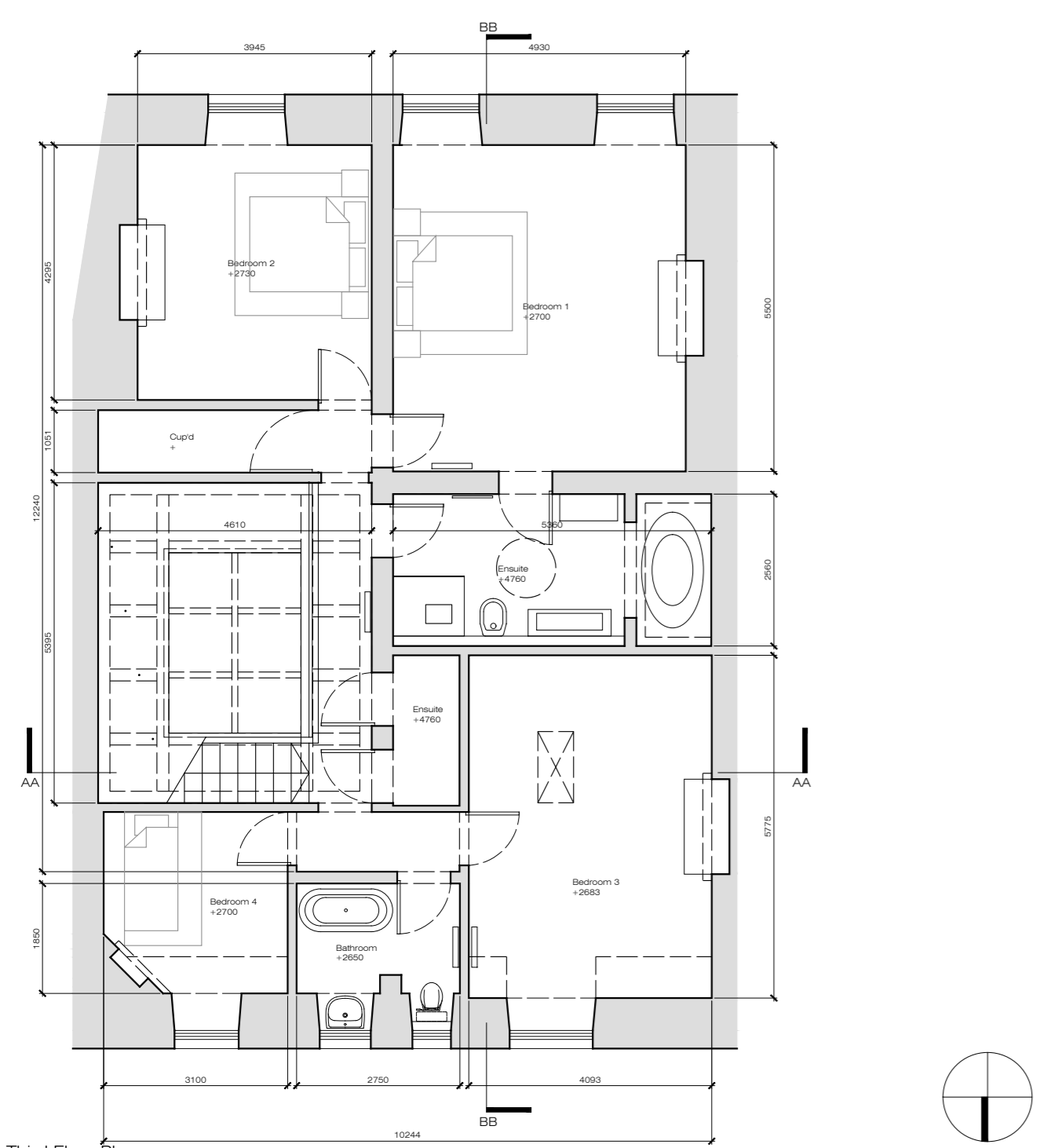
Scale 1:2500



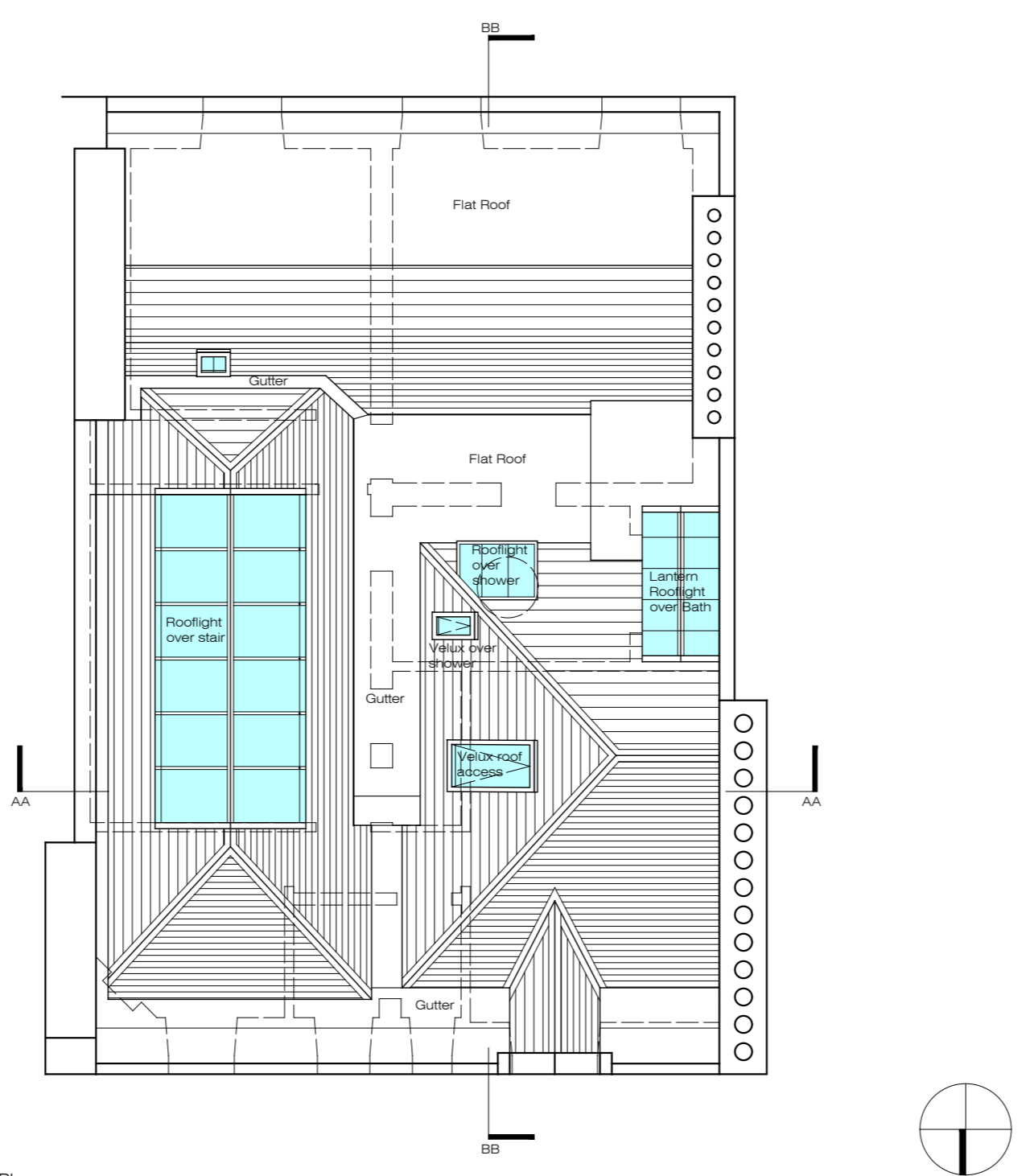
Garden (North) Elevation



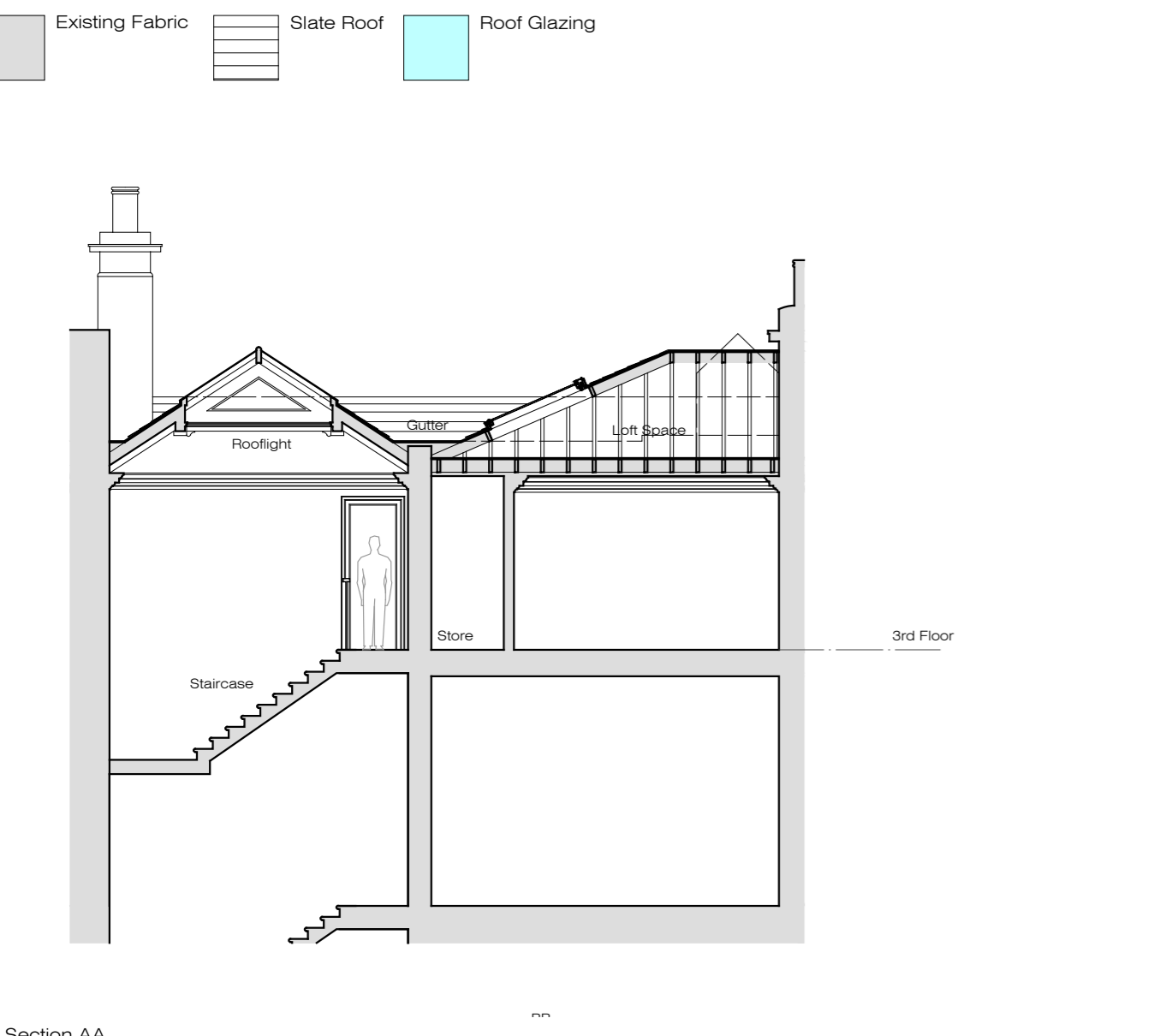
Apartment 2F



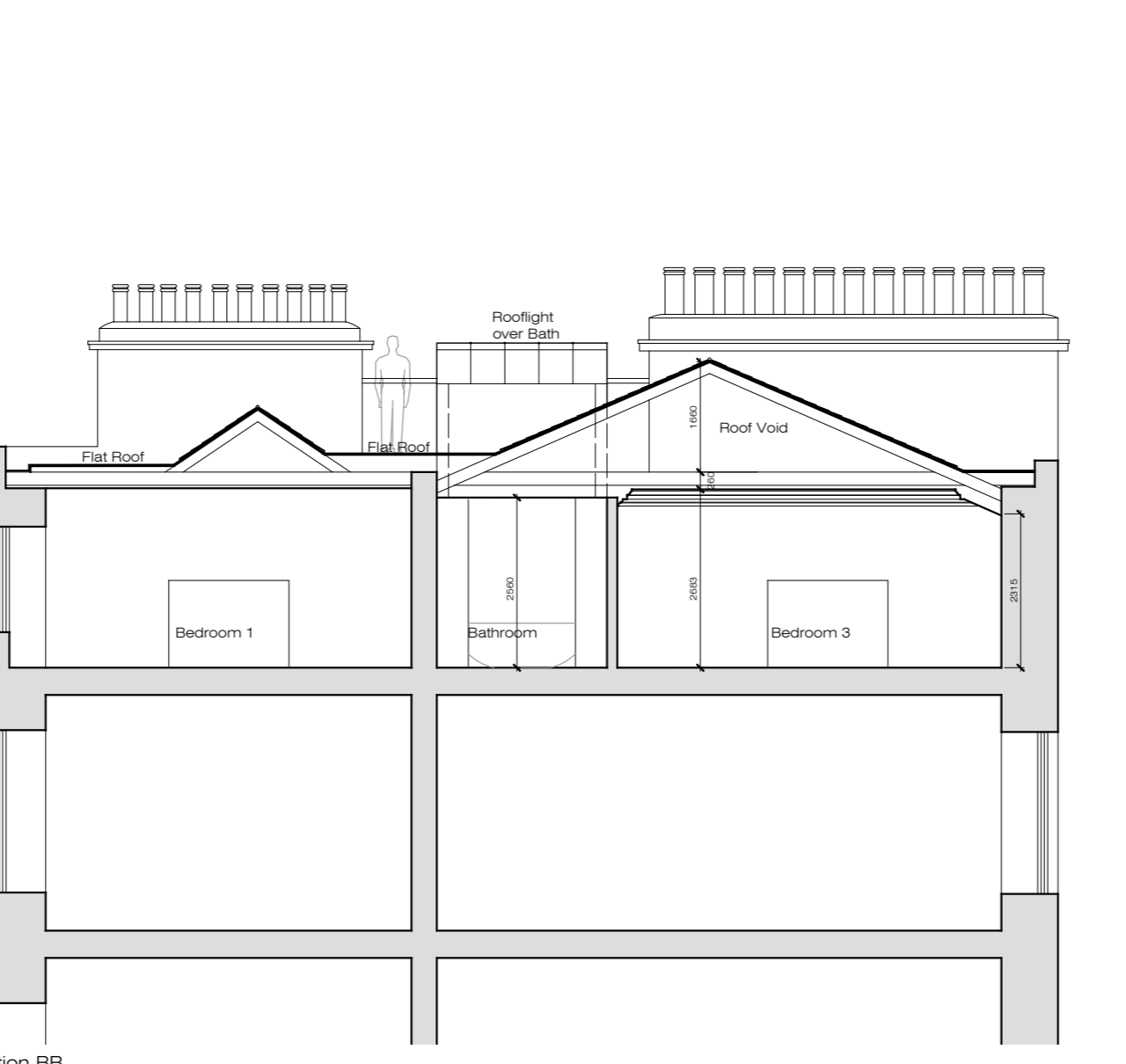
Third Floor Plan



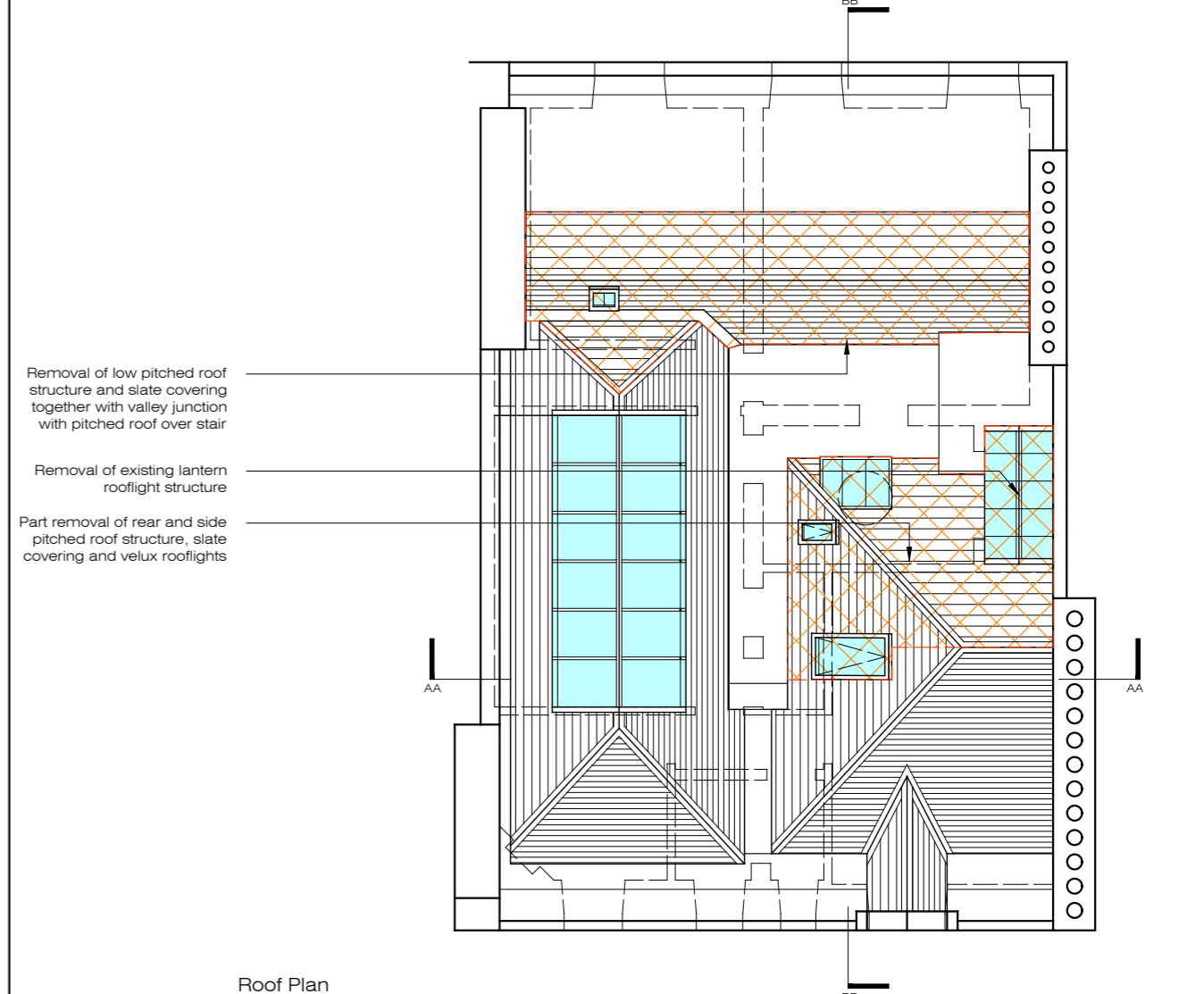
Roof Plan



Section AA

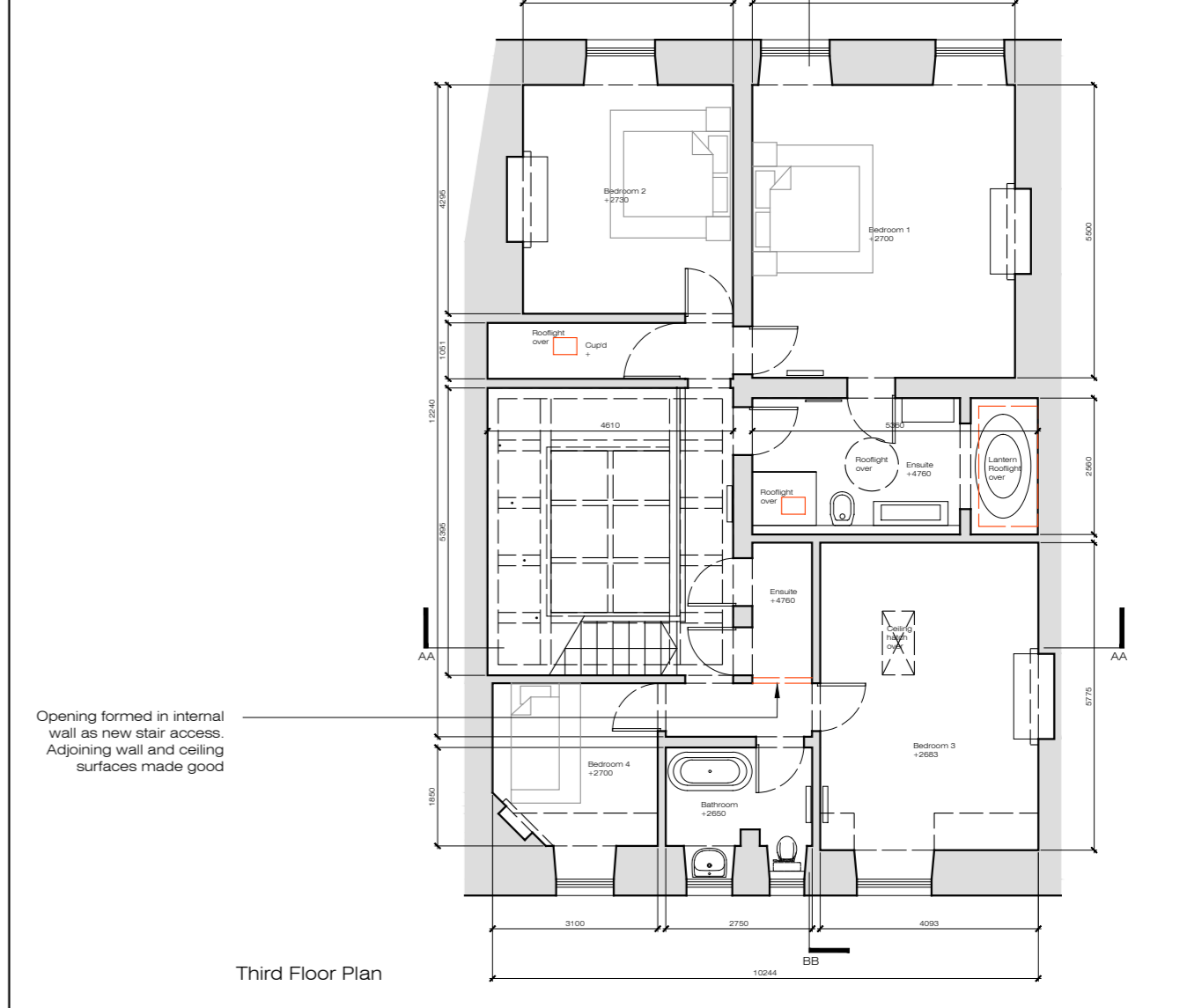


Section BB



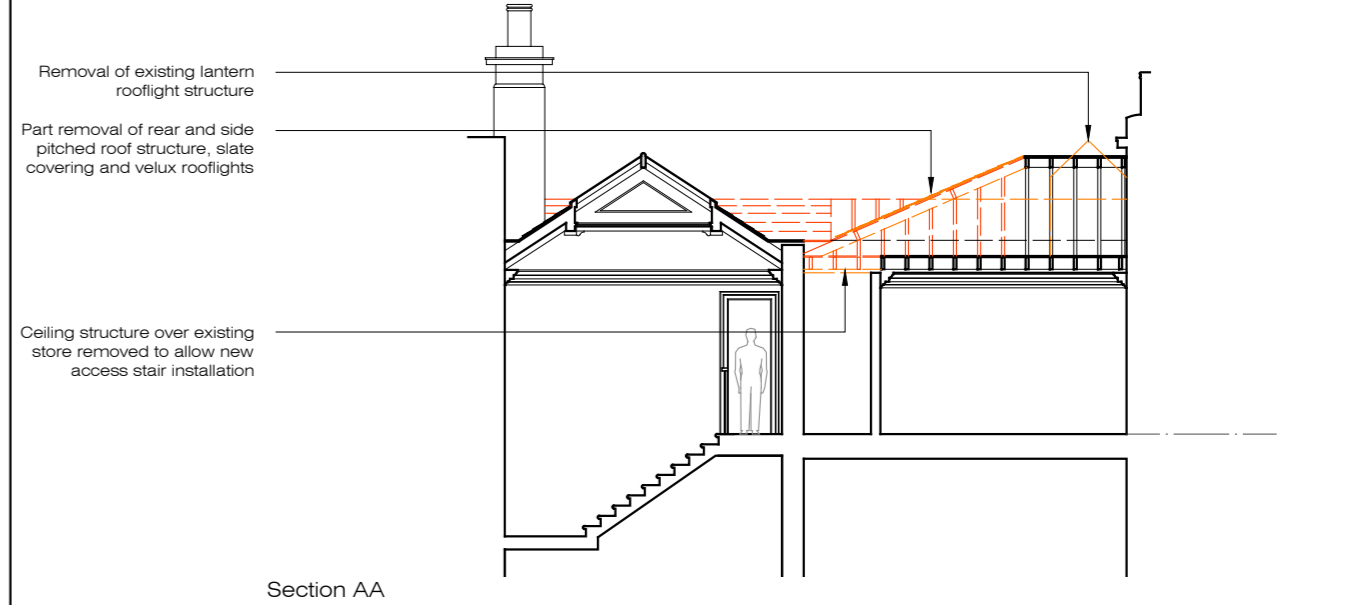
Removal of low pitched roof structure and slate covering together with valley junction with pitched roof over stair
Removal of existing lantern rooflight structure
Part removal of rear and side pitched roof structure, slate covering and velux rooflights

Roof Plan



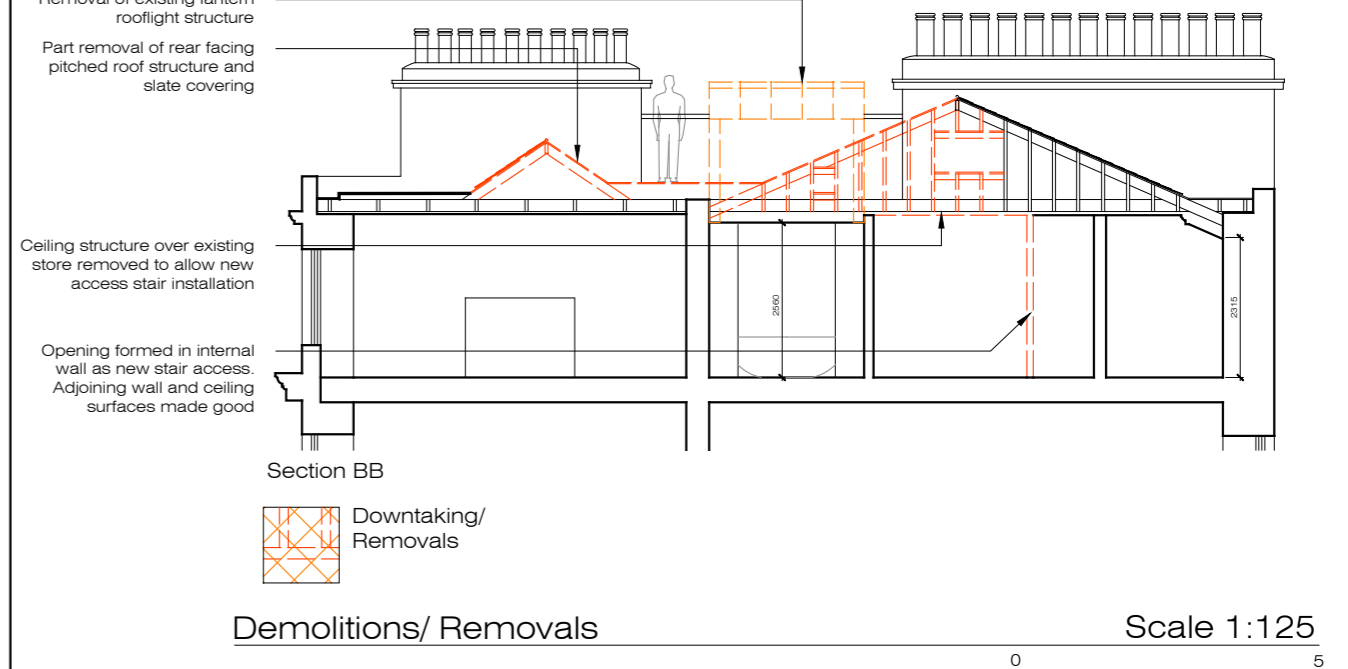
Opening formed in internal wall as new stair access. Adjoining wall and ceiling surfaces made good

Third Floor Plan



Removal of existing lantern rooflight structure
Part removal of rear and side pitched roof structure, slate covering and velux rooflights

Section AA

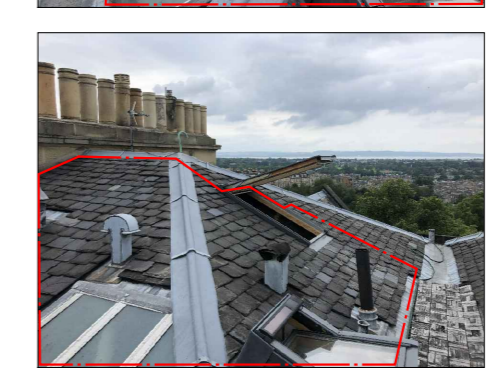
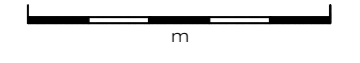


Removal of existing lantern rooflight structure
Part removal of rear facing pitched roof structure and slate covering
Ceiling structure over existing store removed to allow new access stair installation
Opening formed in internal wall as new stair access. Adjoining wall and ceiling surfaces made good

Section BB

Demolitions/ Removals

Scale 1:125



Existing roofscape showing proposed removals

B Revised proposal 20.05.2021
A Planning Issue 01.07.2020

The Breakfast Mission, 15 Old Fishmarket Close, Edinburgh EH1 1RW
t: 0131 220 6125 mail@richardmurphyarchitects.com
f: 0131 220 6781 www.richardmurphyarchitects.com

Richard Murphy Architects

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

DRAWING TITLE **Existing Demolitions & Removals Plans, Sections & Elevations**

DWG STATUS **Planning**

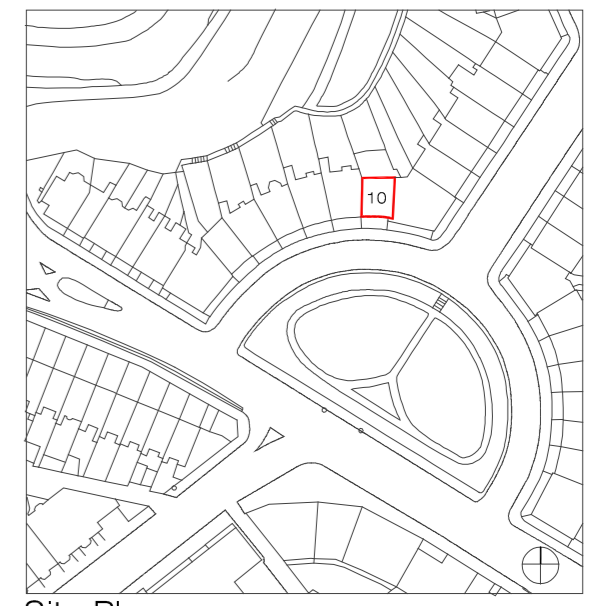
DRAWN	jem	JOB NO.	595
CHECKED		DATE	20.05.2021
FILE		SCALE	1:100 & 125
DRAWING NO.	AL/01/01	REVISION	B



Existing Building
10 Randolph Crescent forms part of a formal linked terrace of buildings designed by James Gillespie Graham in 1822, located in the Edinburgh New Town Conservation Area and World Heritage Zone and connecting the west end of Queens Street with Queensferry Street. The property is Grade A listed along with nos 9-17 Randolph Crescent (inclusive) and 1 and 1A Randolph Cliff (including railings) under reference LB29601.

Richard Murphy Architects Ltd.
Registered in Scotland No 255372

This drawing is copyright. All rights reserved.
Do not scale from this drawing; work from figured dimensions only.



Site Plan Application Site scale 1:2500

Existing Roof

Access to the roof is entirely from within the application property 10 2F via a modern opening rooftop.
Roof configurations to all the adjoining crescent properties appears to vary, dependent on geometry and plan below. There is evidence of historic modification to the original roof profile as can be seen on adjoining chimney stacks (noted on the photo below). These modifications have resulted in a rather mias-mash arrangement of low and high pitched slated roofs, ridge, monopitch and lantern rooflights as well as areas of stepped lead valley gutters and flat roofing. The roofs are drained front and rear behind stone parapets.



Reasons for Development

The proposals are submitted in resolution of two principal issues.
Access & Maintenance - Current roof access is by way of retractable left ladder within the study/bedroom on the third floor up into a low roof void on the north side and subsequent out via a modern opening roof light into the central valley gutter. Access is thus difficult and constrained and not suitable for the current owners to undertake any regular inspection or maintenance.
The proposal seeks to provide permanent, accessible stair out to a larger flat roof area via a proprietary glazed, low profile, rooftop (sky door) located in a former store accessed via a new opening off the hallway. Access would thus be easier and safer.

Outdoor Space - Since the division of the property, the upper apartment has no access to the existing outdoor space to the rear. The proposal thus seeks to provide, in as inconspicuous a way as possible, private outdoor space for the apartments own use. It is clear from recent global events and the resulting change in allowable and safe social gathering patterns, that access to non-public external space is now a vital constituent for both the physical and mental health and well-being of all city residents and particular those located in urban centres without private gardens.
The proposal aims to create a new, usable external space at roof level in as simple, deferential and beneficial a way as possible to both the existing fabric and the surrounding conservation area townscape.

This is to be principally achieved via the replacement of the small slate roof to the south side (which in itself is both too low to be a protective barrier and creates awkward and weak waterproof junctions with the remaining roofs and abutments) with a new, taller mono-pitched slate roof that both matches the original, historic roof alignment in that area but can then also join with the remaining roof elements in a far more practical and maintainable way. Behind this, a new flat roof construction is proposed that also integrates a modern, low profile, walk-on flat rooftop light in place of the existing poor quality lantern rooftop structure over the bathroom. This roof is to be overlaid with decking as the principal external terrace area, accessed from the new stair and sky door. Additionally, the south facing side of the existing rear slate roof is to be removed forming a monopitch structure matching the geometry of the new roof to the south.

Within the vertical faces of both of these monopitch roofs are to be external doors providing access into the triangular roof voids. These new secure storage areas will ensure there is convenient and adequate space to store all loose furniture from the terrace thus leaving the terrace free of any potentially visible structures when not in use.



Walk-On Rooftop Light



Sky Door Rooftop Light



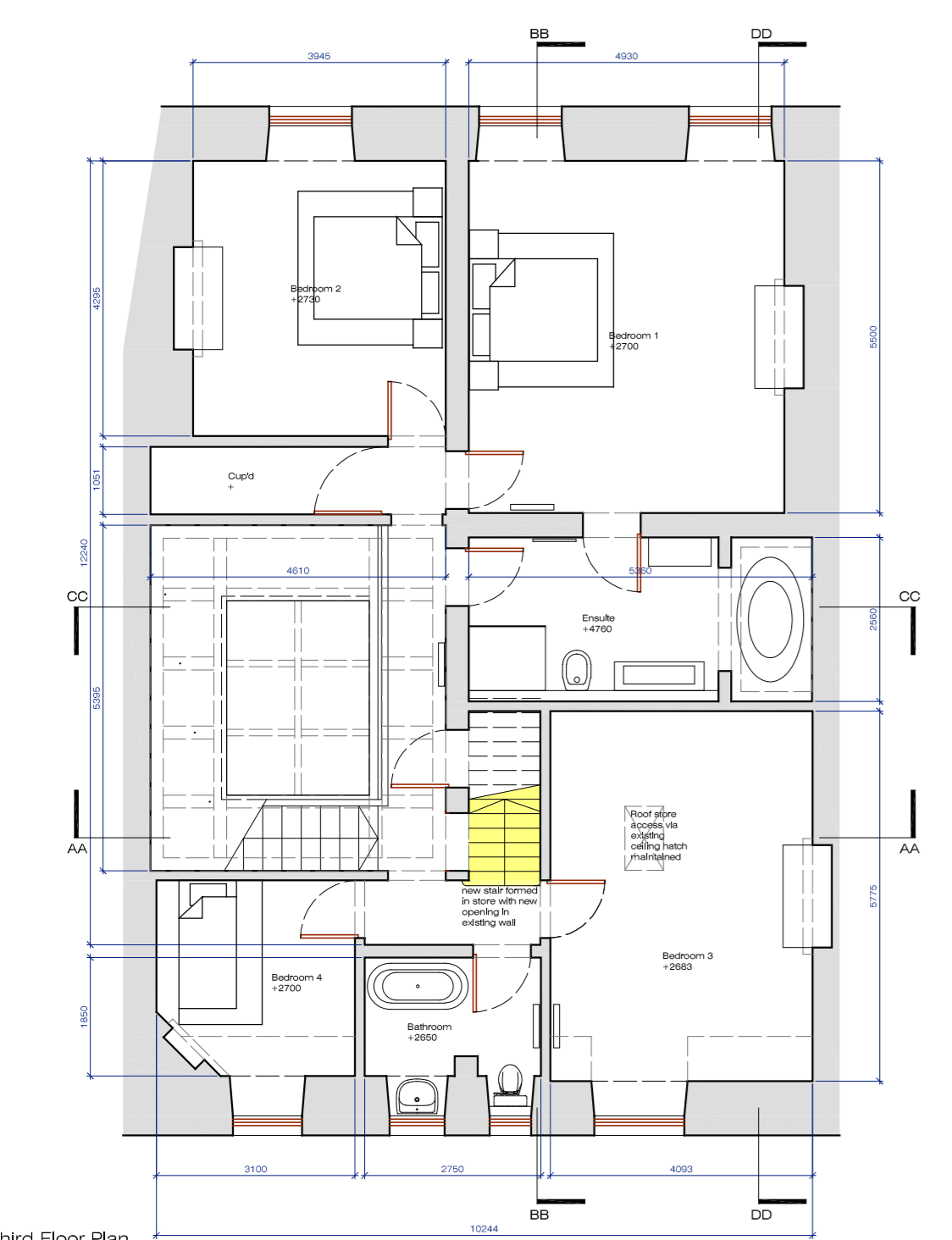
Sky Door Rooftop Light



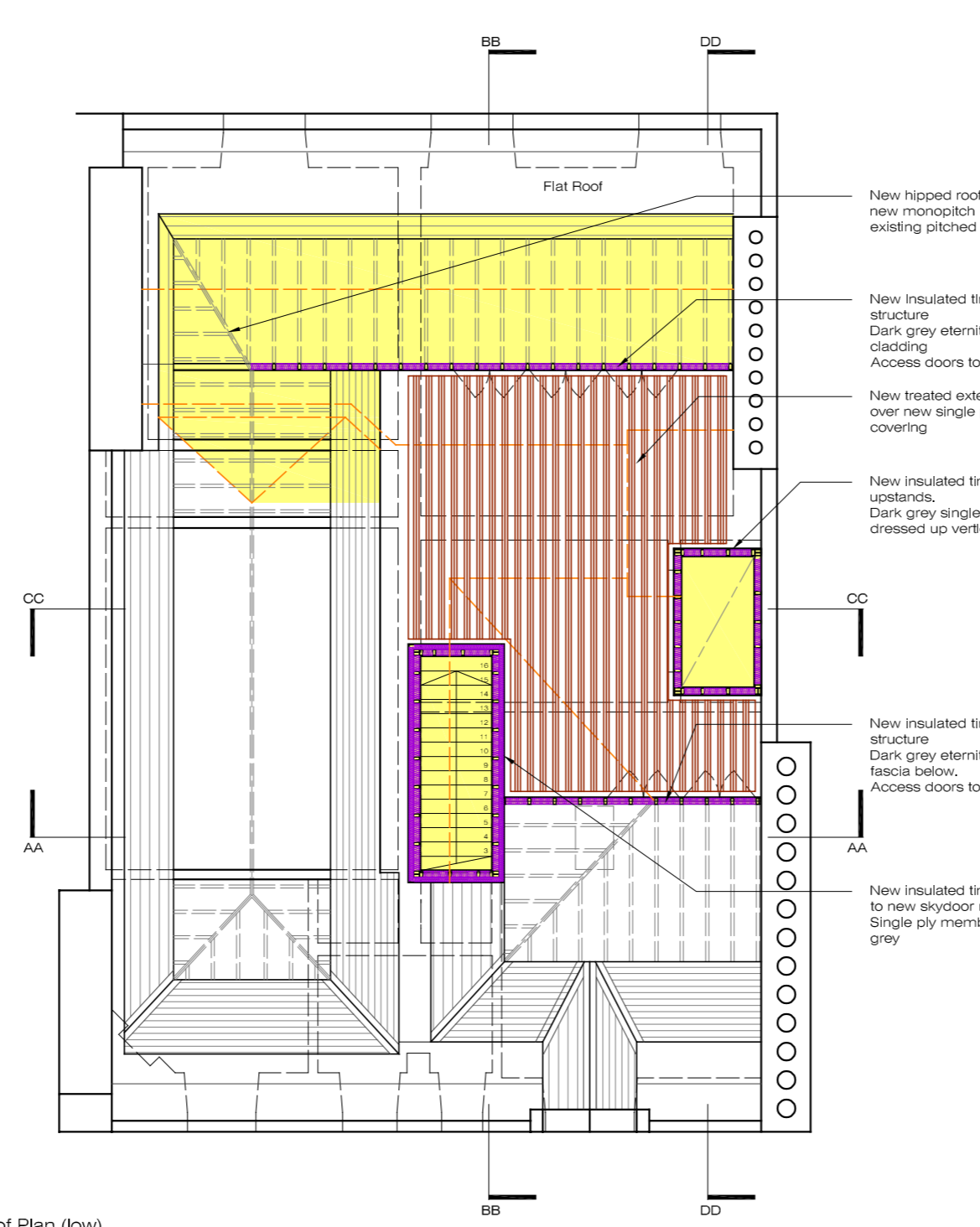
Garden (North) Elevation



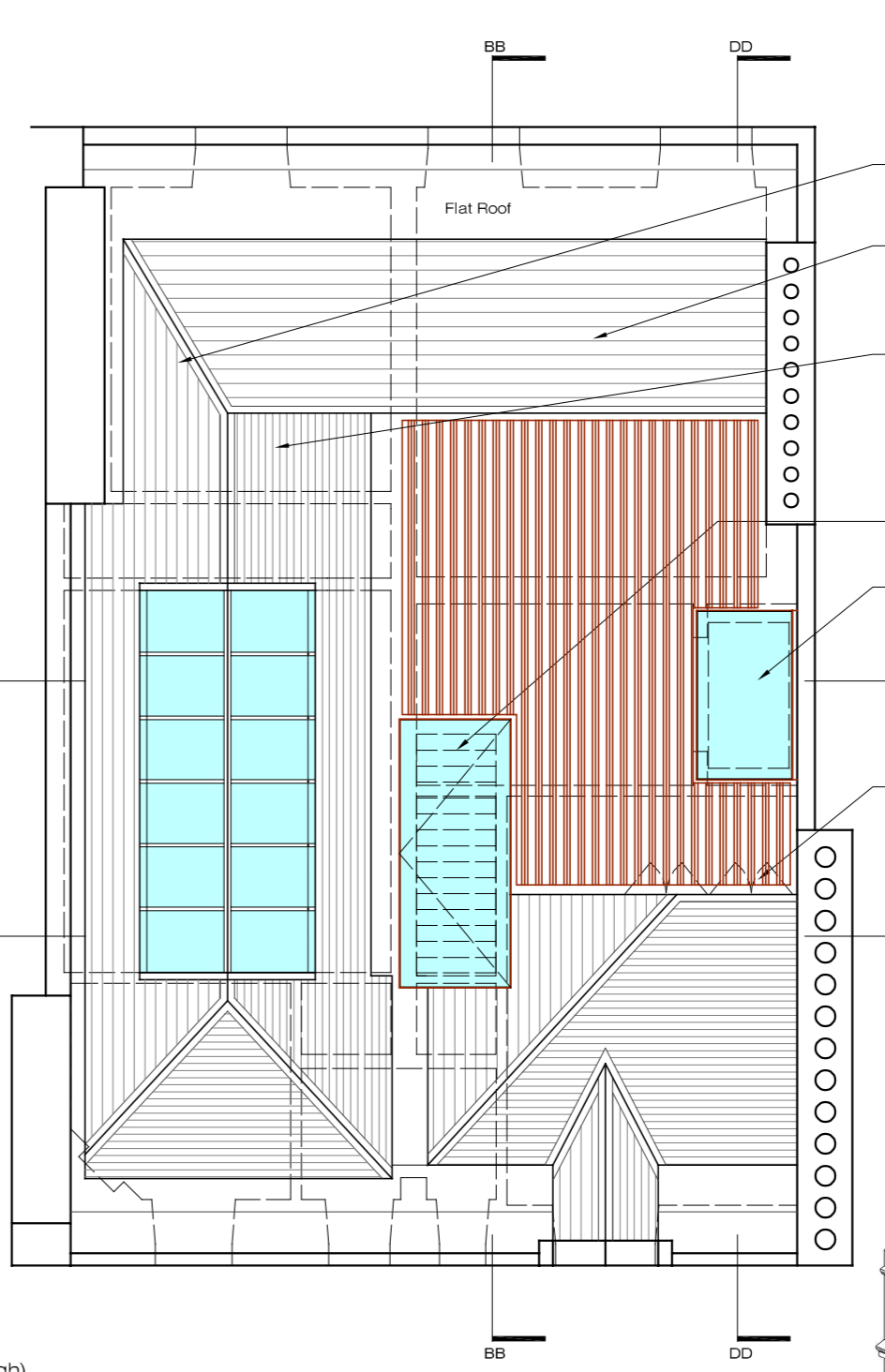
Street (South) Elevation



Third Floor Plan



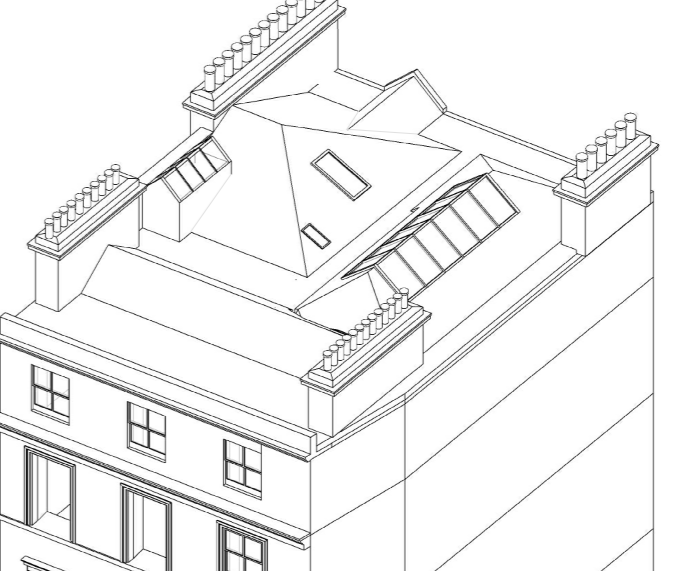
Roof Plan (low)



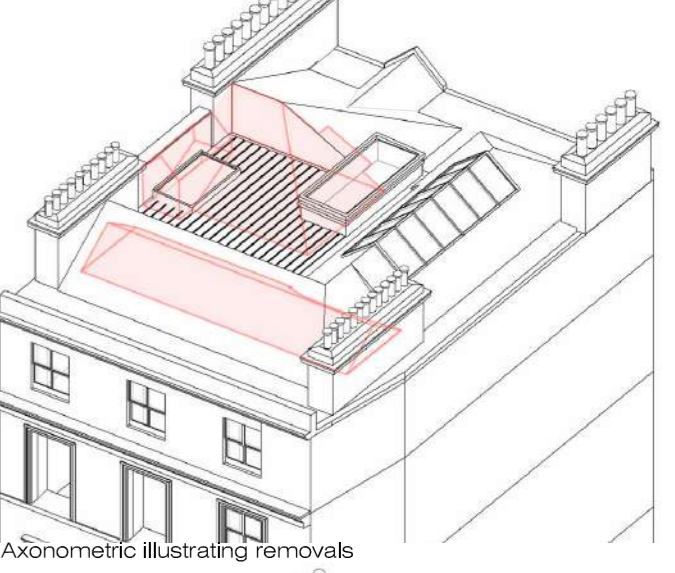
Roof Plan (high)



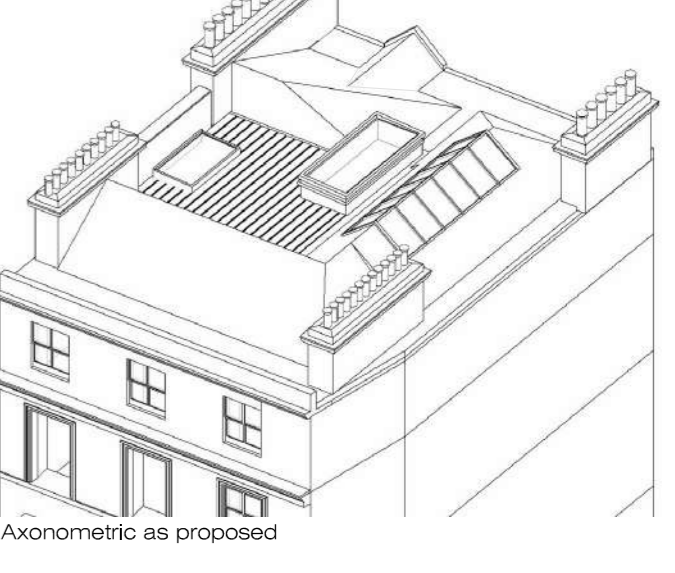
- Existing roof simplified to reduce leak prone junctions and extend existing side gutter to front facade to aid drainage
New taller monopitched slate roof to street facade acting as balustrade to proposed roof terrace
Existing pitched roof extended to join new monopitch at matching ridge height
PPC aluminium framed 'Skydoor' opening rooftop light (colour dark grey)
PPC aluminium framed 'Walk-on' rooftop light (colour dark grey)
Line of new external roof eaves with code 5 lead eaves flashing. New vertical dark grey evert board fascia below with hinged door access to roof void storage space



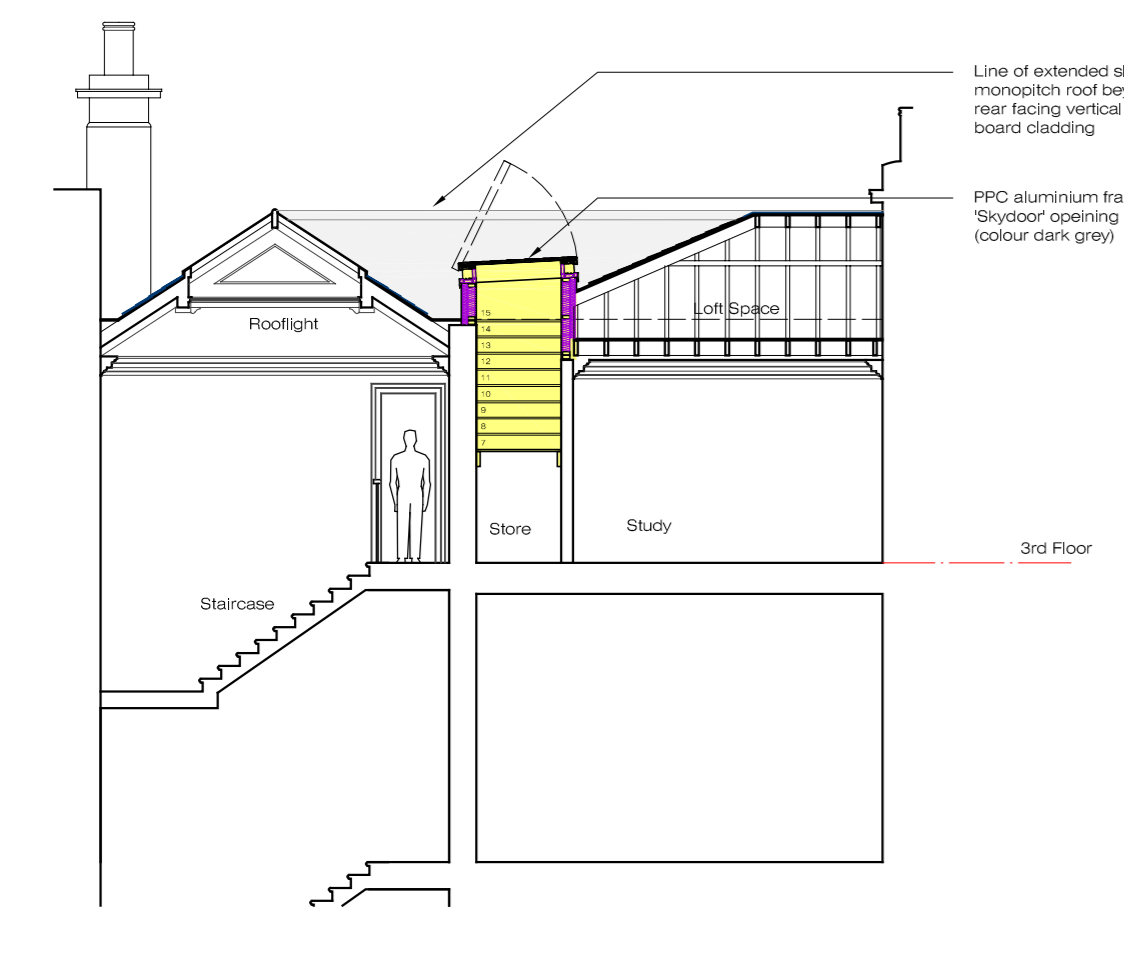
Axonometric as existing



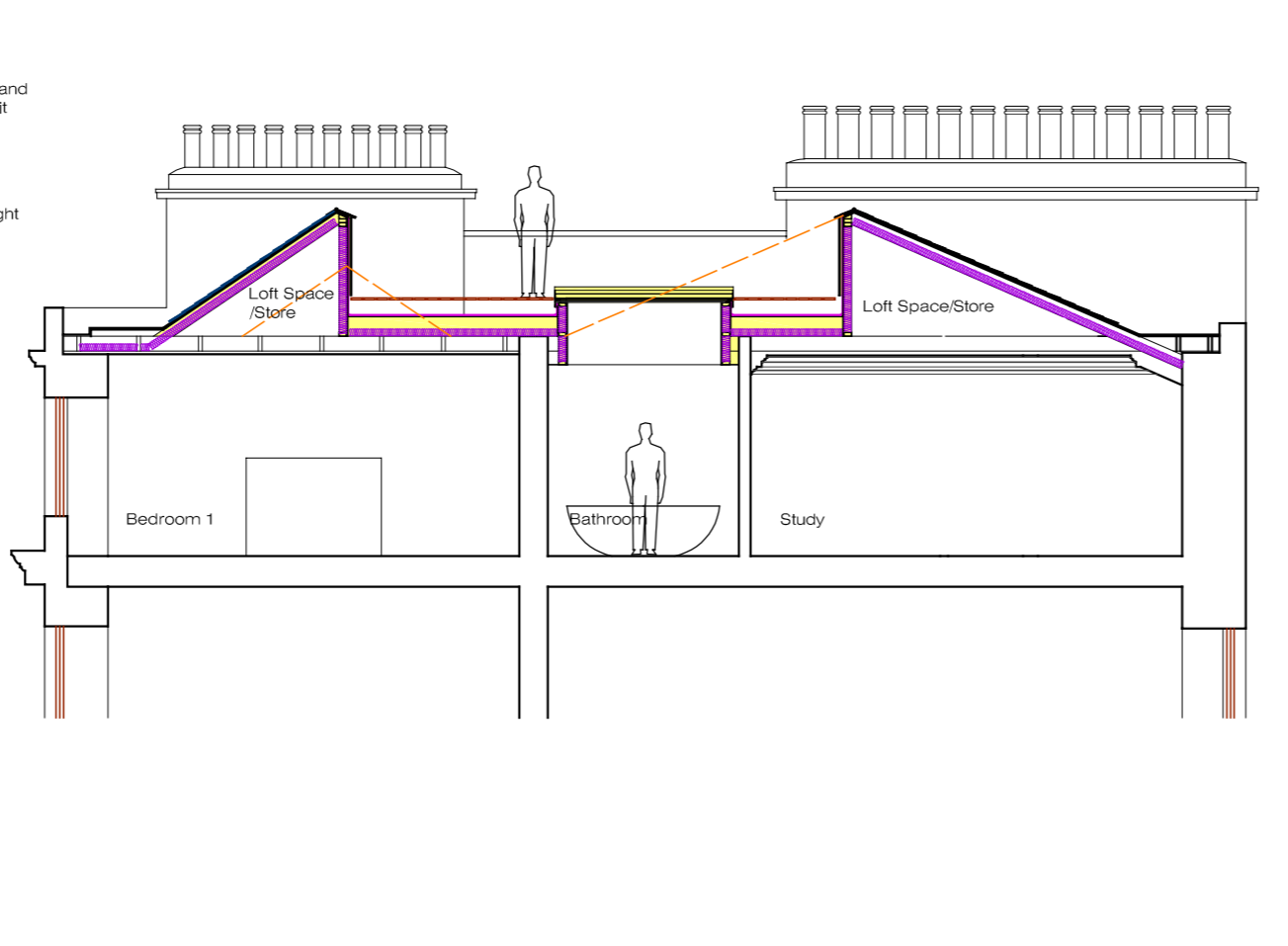
Axonometric illustrating removals



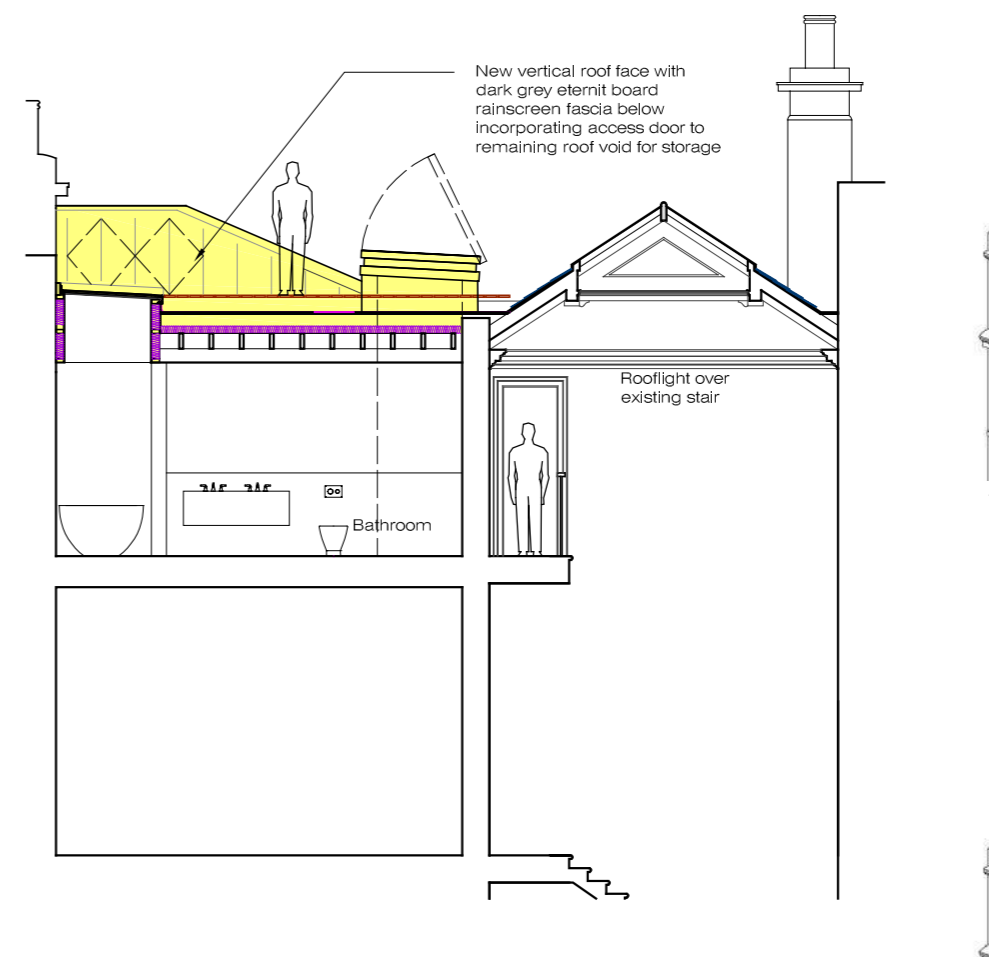
Axonometric as proposed



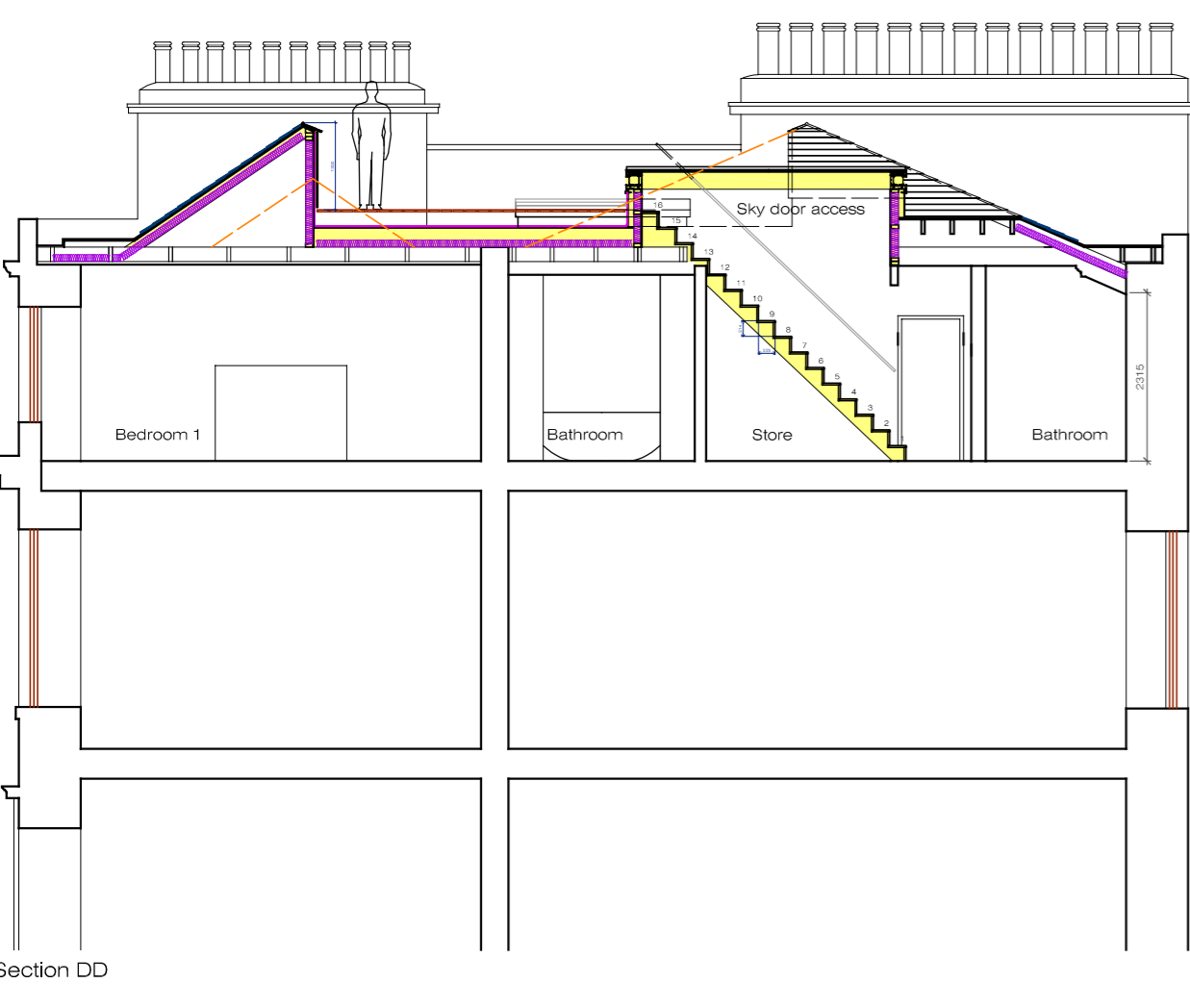
Section AA



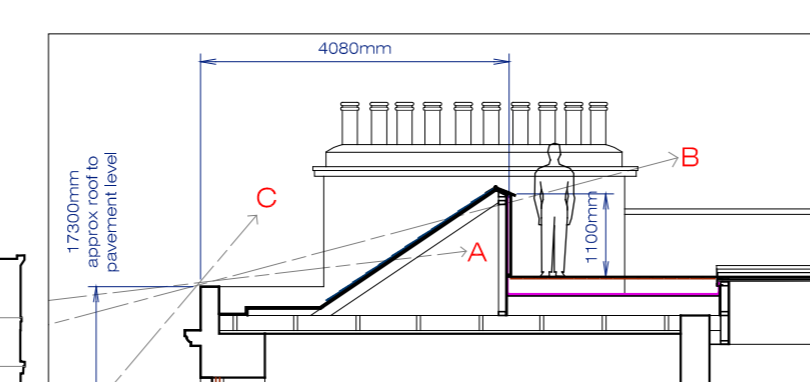
Section BB



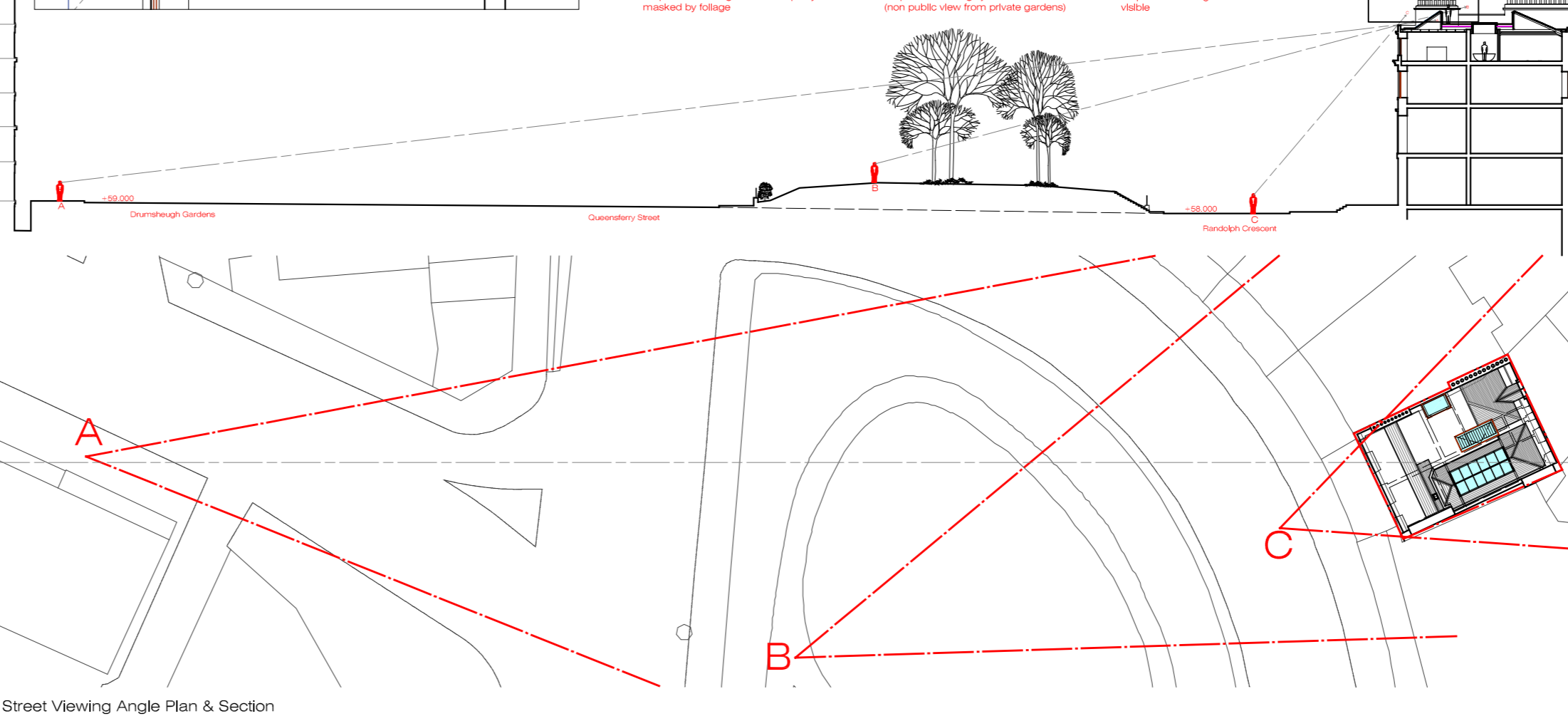
Section CC



Section DD



A Proposed roof ridge visible but partly masked by hedge B Proposed roof ridge just visible from public view (new turn private garden) C Proposed roof ridge not visible

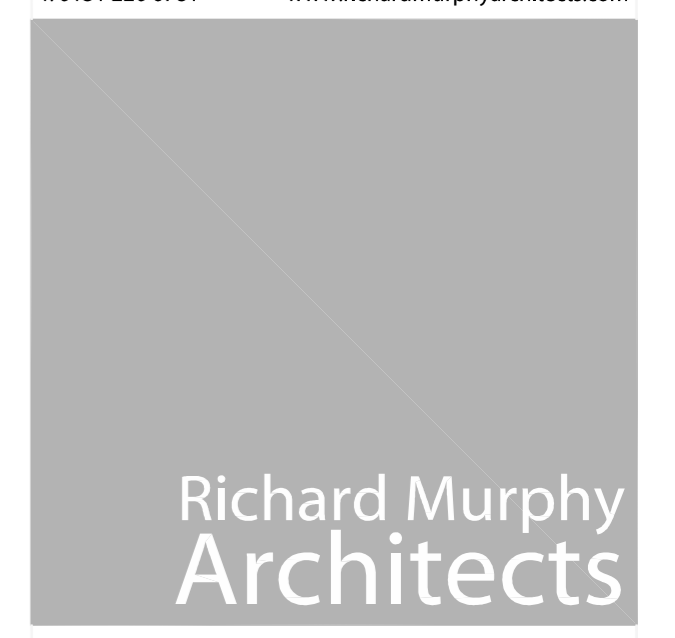


Street Viewing Angle Plan & Section

Scale 1:100

B Revised proposal 20.05.2021
A Planning Issue 01.07.2020

The Breakfast Mission, 15 Old Fishmarket Close, Edinburgh EH1 1RW
t: 0131 220 6125 mail@richardmurphyarchitects.com
f: 0131 220 6781 www.richardmurphyarchitects.com



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

DRAWING TITLE Proposed Plans, Sections & Elevations

DWG STATUS Planning

DRAWN jem JOB NO. 595

CHECKED DATE 20.05.2021

FILE SCALE 1:100

DRAWING NO. AL/02/01 REVISION B

Savills (UK) Ltd.
FAO Craig Gunderson
Wemyss House
8 Wemyss Place
Edinburgh
EH3 6DH

Aegon Asset Management.
The Leadenhall Building
122 Leadenhall Street
London
EX3V 4AB

Decision date: 23 September 2021

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

Change of use from class 1 retail to class 3 restaurant, installation of extract duct (as amended).

At 77A George Street Edinburgh EH2 3ES

Application No: 21/02872/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 25 May 2021, 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:-

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to tram contributions. The applicant will be required to contribute the sum of

£38,276 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

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

Drawings 01-03a,04a., represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is contrary to LDP Policy Ret 09 and the associated City Centre Shopping & Leisure Guidance in that it would contribute to over one-third of non-shop uses (50%+) within the block. There are no material considerations that would outweigh this decision.

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

Should you have a specific enquiry regarding this decision please contact Conor MacGreevy directly at conor.macgreevy@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
77A George Street, Edinburgh, EH2 3ES

Proposal: Change of use from class 1 retail to class 3 restaurant, installation of extract duct (as amended).

Item – Local Delegated Decision
Application Number – 21/02872/FUL
Ward – B11 - City Centre

Recommendation

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

Summary

The proposal is contrary to LDP Policy Ret 09 and the associated City Centre Shopping & Leisure Guidance in that it would contribute to over one-third of non-shop uses (50%+) within the block. There are no material considerations that would outweigh this decision.

SECTION A – Application Background

Site Description

The application site is a mid-terrace ground floor commercial unit with a basement level.

The property is a Statutory B Listed Building (1966).

Description Of The Proposal

The proposal is for a change of use from class 1 (retail) to a class 3 (restaurant) and the installation of an extract duct to the roof plan.

Scheme 2 amends the proposal to include new ventilation details.

Relevant Site History

No relevant site history.

Consultation Engagement

Environmental Protection

Transportation Planning

Publicity and Public Engagement

Date of Neighbour Notification: 23 September 2021

Date of Advertisement: 11 June 2021

Date of Site Notice: 11 June 2021

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 principle of the proposal is acceptable in this location;
- b) the proposals will adversely affect the character and appearance of the conservation area & scale, design and materials;
- c) the proposals will have an adverse impact on the character of the listed building;
- d) the proposal will result in an unreasonable loss of neighbouring amenity;

- e) tram contribution;
- f) the proposal affects road safety;
- g) any impacts on equalities and human rights are acceptable; and
- h) any comments have been addressed.

a) Principle of Development

LDP Policy Ret 11 (Food & Drink Establishments) states that "the change of use of a shop unit or other premises to a licensed or unlicensed restaurant, café, pub, or shop selling hot food for consumption off the premises (hotfood take-away) will not be permitted if likely to lead to an unacceptable increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents or in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents".

LDP Policy Ret 9 (Alternative Use of Shop Units in Defined Centres) states that in the City Centre Retail Core and town centres, change of use proposals which would undermine the retailing function of the centre will not be permitted. Detailed criteria for assessing proposals for the change of use of a shop unit to a non-shop use will be set out in supplementary guidance. Supplementary Guidance will detail an approach tailored to different parts of the city centre retail core and each town centre to be informed by town centre health checks which will assess the centres strengths, vitality and viability, weaknesses and resiliencies.

Policy CC 3 in the City Centre Retail Core Supplementary Guidance supports a non-shop use provided that: as a result of permitting the change of use, no more than one third of the total number of in the frontage of that block will be in non-shop use; and the proposal is for an appropriate commercial or community use which would complement the character of the City Centre Retail Core and would not be detrimental to its vitality or viability.

There are approximately 14 businesses within the block including the application site. Within this stretch of George Street, significantly only 7 of the 14 units are in retail use. The proposed change of use from a class 1 (retail) to a class 3 (restaurant) would be unacceptable in that not only would it result in the further loss of retail in the defined area, but it would also not comply with policy CC 3 as over one third of the businesses would be in non-shop use. Taking into consideration that 50% of the units within this block are currently in non-shop use, the further erosion of the retail character and excessive non-shop use of this section of George Street would have a further detrimental impact upon the vitality of the surrounding area.

This is contrary to LDP Policy Ret 9 and Policy CC 3 in the Supplementary Guidance.

b) Character and appearance of conservation area & scale, design and materials

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.

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The non-statutory 'Listed Buildings and Conservation Areas' guideline states that it is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high-quality materials which complement the main building will be required.

The proposed works are of a modest size and scale that would have a subordinate and subservient relation with the host property and in turn the surrounding Conservation Area. The proposals would fit harmoniously within the roof plan of the application site and would be almost entirely obscured from the public realm. The proposed materials would represent suitable additions and are acceptable in this location. The proposal would have a neutral impact on the Conservation Area.

This complies with LDP Policy Env 06 and the relevant Guidance.

c) Impact on the Listed Building

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

The non-statutory 'Listed Buildings and Conservation Areas' guideline states that it is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high-quality materials which complement the main building will be required.

The proposal will not have a detrimental impact on the historical architectural features and will therefore not adversely impact on the special architectural or historic interest of the listed building. The internal and external alterations are sympathetic and will not impact on any historic features. The property has also been subject to various alterations in the past.

The proposal is acceptable in this regard and complies with LDP Policy Env 04 and the relevant Guidance.

d) Residential Amenity

LDP Policy Des 5 (Development Design - Amenity) states that planning permission will be granted where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

Environmental Protection were consulted as part of the application and as part of the amended 'Scheme 2' the proposal would be acceptable subject to Environmental Planning criterion being appeased. Further detail regarding Environmental Planning's consultation can be found in the consultation section.

Taking the above into consideration, the proposal would not impact on neighbouring residential amenity.

e) Tram

The Transport Planner was consulted in relation to the Edinburgh Tram. The consultation concluded that the applicant will be required to contribute the sum of £38,276 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. Please see the consultation section for further information regarding this.

f) Road Safety

The proposal would not impact on road safety.

g) Equalities and human rights

No issues were identified.

h) Public Comments

Two comments were received. One in objection and one in support.

Material Representations (Objections) -

Noise and smell; this is addressed in section e).

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Informatives

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to tram contributions. The applicant will be required to contribute the sum of £38,276 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 25 May 2021

Drawing Numbers/Scheme

01-03a,04a.

Scheme 2

**David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council**

Contact: Conor MacGreevy, Planning Officer
E-mail:conor.macgreevy@edinburgh.gov.uk

Consultations

NAME: Environmental Protection

COMMENT: The application proposes the change of use of a Class 1 retail premises to a Class 3 restaurant. The application includes the erection of a new ventilation duct and extraction system. A restaurant is situated above with residential flats further above on the upper floors. A bank is situated to the east with a restaurant to the west.

The application includes additional supporting information relating to noise and ventilation.

A noise impact assessment has been provided in support of the application which confirms that noise from normal internal operations will be inaudible within surrounding residential properties. The ventilation system requires to be fitted with attenuators/silencers within the ducting. The details have been shown on a drawing and been referenced within a condition below.

The applicant has confirmed that the ventilation system proposed will meet the requirements of this team in that it will attain a minimum of 30 air changes per hour and is ducted to eaves level. In addition, the ventilation has been designed to ensure that all odours will be vented to atmosphere to will not impact upon nearby residential properties.

Therefore Environmental Protection offers no objections to the application subject to the following conditions:

Conditions

1. The ventilation and noise mitigation details shown on drawings titled "ventilation proposal" drawing 003 Rev P2 (dated August 2021) and drawing 001 Rev P3 (dated August 2021) should be installed and operational prior to start of operations on site.
2. The ventilation extraction system noise levels should not exceed the following maximum sound pressure level (SPL) as measured 1m from the flue:

SPL @ 1m -

125Hz - 81.5
250Hz - 71.1
500Hz - 65.6
1kHz - 61.6
2kHz - 58.7
4kHz - 57.3
8kHz - 57.1

NAME:

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

1. The applicant will be required to contribute the sum of £38,276 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;

Note:

The tram contribution is calculated by a Net Contribution that takes the existing use of the building into consideration. The proposed development (296m² restaurant) is within zone 1 of the tram contribution zone in which the proposed use generates a contribution level of £60,448. The existing use (296m² Retail) generates a contribution level of £22,172. Therefore:

Net Use = Proposed Use - Existing Use = £60,448 - £22,172 = £38,276.

To: Conor MacGreevy
From: Colin Brown, Environmental Protection, Place

Date: 23/08/21

**TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997
CHANGE OF USE FROM CLASS1 RETAIL TO CLASS3 RESTAURANT, INSTALLATION OF EXTRACT
DUCT AT 77A GEORGE STREET, EDINBURGH EH2 3ES
REFERENCE NUMBER: 21/02872/FUL**

I refer to the above and would advise that Environmental Protection has no objections to the proposed development.

The application proposes the change of use of a Class 1 retail premises to a Class 3 restaurant. The application includes the erection of a new ventilation duct and extraction system. A restaurant is situated above with residential flats further above on the upper floors. A bank is situated to the east with a restaurant to the west.

The application includes additional supporting information relating to noise and ventilation.

A noise impact assessment has been provided in support of the application which confirms that noise from normal internal operations will be inaudible within surrounding residential properties. The ventilation system requires to be fitted with attenuators/silencers within the ducting. The details have been shown on a drawing and been referenced within a condition below.

The applicant has confirmed that the ventilation system proposed will meet the requirements of this team in that it will attain a minimum of 30 air changes per hour and is ducted to eaves level. In addition, the ventilation has been designed to ensure that all odours will be vented to atmosphere to will not impact upon nearby residential properties.

Therefore Environmental Protection offers no objections to the application subject to the following conditions:

Conditions

1. The ventilation and noise mitigation details shown on drawings titled “ventilation proposal” drawing 003 Rev P2 (dated August 2021) and drawing 001 Rev P3 (dated August 2021) should be installed and operational prior to start of operations on site.
2. The ventilation extraction system noise levels should not exceed the following maximum sound pressure level (SPL) as measured 1m from the flue:

	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
SPL @ 1m (dB)	81.5	71.7	65.6	61.6	58.7	57.3	57.1

Should you wish to discuss the above please contact me on 0131 469 5802.

Comments for Planning Application 21/02872/FUL

Application Summary

Application Number: 21/02872/FUL

Address: 77A George Street Edinburgh EH2 3ES

Proposal: Change of use from class 1 retail to class 3 restaurant, installation of extract duct.

Case Officer: Conor MacGreevy

Customer Details

Name: Ms Lynn Mackenzie

Address: 44/7 Frederick Street 44/7 Frederick Street Edinburgh

Comment Details

Commenter Type: Neighbour-Residential

Stance: Customer objects to the Planning Application

Comment Reasons:

- Councillor's Reference

Comment: I would like confirmation that the ducts will not create noise or create smells and will not be a deterioration in my outlook from my bedroom or sitting room.

I have had to make previous complaints re noise from the ducts in this area to the council which were upheld.

Until I have full assurance on these 3 points I have to object to the planning application.

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 100414518-006

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:	Savills (UK) Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Craig	Building Name:	Wemyss House
Last Name: *	Gunderson	Building Number:	8
Telephone Number: *	0131 247 3749	Address 1 (Street): *	Wemyss Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH3 6DH
Email Address: *	craig.gunderson@savills.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text"/>	Building Number:	<input type="text" value="87"/>
Last Name: *	<input type="text"/>	Address 1 (Street): *	<input type="text" value="St Vincent Street"/>
Company/Organisation	<input type="text" value="Di Maggio's Restaurant Group"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Glasgow"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="United Kingdom"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="G2 5TF"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text" value="craig.gunderson@savills.com"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text"/>
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"/>
Post Code:	<input type="text"/>

Please identify/describe the location of the site or sites

<input type="text" value="77a George Street, Edinburgh, EH2 3EE"/>
--

Northing	<input type="text"/>	Easting	<input type="text"/>
----------	----------------------	---------	----------------------

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)

Change of use from class 1 retail to class 3 restaurant, installation of extract duct (as amended)

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.

See Grounds for Review Statement

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

Yes No

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

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

See Grounds for Review Statement

Application Details

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

21/02872/FUL

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

25/05/2021

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

23/09/2021

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 Gunderson

Declaration Date: 15/12/2021

77a George Street, Edinburgh

Grounds of Review Statement





Contents

1.	Executive Summary	1
2.	Introduction	3
3.	The Application	5
4.	Grounds for Review	10
5.	Conclusions	14

1. Executive Summary

1.1. The Proposed Development seeks to change the use of the subject premises at 77a George Street from Class 1 (Retail) to Class 3 (Restaurant). The proposals are considered acceptable for the following reasons:

1. The proposed use will provide for an improved unit to allow for the occupation of a quality restaurant operator, supporting a wider mix of uses within the City Centre and ensuring no further vacant units are created on this prime retail frontage.
2. The proposals put forward seek to prevent the emergence of another vacant unit on George Street. This is a genuine threat for the subject unit given Paperchase currently occupy the unit on a short term basis only and are currently in an uncertain financial position due to recent history with CVA's. It is also understood that a number of other nearby occupiers are looking to vacate.
3. The DRG are family owned, independent restaurateurs, with over 20 restaurants in Edinburgh, Glasgow and Aberdeen. Founded in 1985 with Glasgow institution Di Maggio's, the group's other well-known restaurants include Café Andaluz and Cadiz, which are both located adjacent to the premises at 77a George Street and Amarone at 12-13 St Andrews Square . As such, they are well placed to deliver a fantastic restaurant offering here.
4. George Street is currently suffering from the fallout of Covid-19, the opening of the St James Centre and associated retail trends. There is a c.20% vacancy rate along George Street, with a number of further store closures expected in the short term. This figure is considered unacceptable for a prime retail street in Edinburgh and flexibility must be taken in planning decisions going forward to facilitate the viable re-occupation of these units. Essential Edinburgh agree with the need for greater flexibility and have submitted a letter of support for the proposals.
5. It is considered that the current planning policy provisions are inflexible and out of date in the face of the current challenges facing the retail market. Challenges facing George Street have undoubtedly been significantly accelerated and exacerbated by the Covid-19 pandemic and the opening of the St James Centre. Consequently, sufficient flexibility should be exercised, in the face of current policy



provisions, to enable landlords workable solutions to accommodate a wider range of occupiers which will enhance the City Centre's vitality and viability going forward.

6. A restaurant in this location will also contribute positively to the wider ambitions being driven forward by the Council to establish more of a boulevard environment through the 'George Street First New Town' proposals.
7. In line with the successful design principles of Jan Gehl, opportunities to take advantage of available direct sunlight need to be utilised. The premises on the north side of George Street, with access to direct sunlight for most of the day, provides an ideal setting for a successful outdoor seating area. The most popular outdoor seating areas on George Street are on the northern side of the street when compared with the southern side of street which get next to no direct sunlight.
8. The premises at 77a George Street, not only provide a location for a new restaurant to flourish but also for a successful associated outdoor seating area which would contribute positively to the changing nature of George Street, from retail to being more 'experience' focussed.

2. Introduction

- 2.1. This Grounds of Review Statement is written in support of an appeal to the Local Review Body against the decision of City of Edinburgh Council ('the Council') to refuse planning permission in respect of planning application Ref: 21/02872/FUL, for the one reason set out in the Decision Notice dated 23 September 2021.
- 2.2. A planning application (Planning Ref: 21/02872/FUL) was submitted to City of Edinburgh Council on 25 May 2021 for the change of use from Class 1 to Class and the installed of extract duct (as amended) ('the Proposed Development') at 77a George Street, Edinburgh (DOC 01). The site is currently in Class 1 (Retail) use and occupied by Paperchase on a short term basis due to the financial uncertainty. Notwithstanding, the proposals seek a change of use in order to enable a restaurant operation at 77a George Street.
- 2.3. Aegon Asset Management were the applicants in the above submission. Notwithstanding, during the determination of the application, the subject property was sold. As of 2 August 2021, Aegon Asset Management are no longer the owners of the property (DOC 15). The premises have been purchased by The Di Maggio's Restaurant Group (The DRG) who are the appellants in this instance.
- 2.4. This has significant implications on the acceptability and viability of the proposed Class 3 operation. Importantly, this change in ownership now provides a credible and established end user to operate the restaurant use sought negating any risks of the current unit becoming vacant in the long term due to a decline in the market of Class 1 retail occupiers.

The Appellant

- 2.5. The DRG are family owned, independent restaurateurs, with over 20 restaurants in Edinburgh, Glasgow and Aberdeen. Founded in 1985 with Glasgow institution Di Maggio's, the group's other well-known restaurants include Café Andaluz and Cadiz, which are both located adjacent to the premises at 77a George Street and Amarone at 12-13 St Andrews Square.
- 2.6. The DRG have an established reputation of operating high quality restaurants in Edinburgh and providing substantial benefits to the vibrancy of George Street in particular over the years. They envisage investing c. £1.75m on the restaurant fit out and creating approximately 40 to 50 part and full time jobs in the restaurant.

Grounds of Review

2.7. This statement sets out the appellants case for the Local Review Body to reconsider the decision made under delegated powers by Council officers, the key points are summarised below:

- The determining reason for refusal relates to non-compliance with Local Development Plan (November 2016) Policy Ret 9 and the associated City Centre Shopping & Leisure Supplementary Guidance (January 2020) whereby the proposals would exceed the non-Class 1 thresholds on the subject frontage set out in adopted policy. Notwithstanding, it is considered these policies are out of date in the face of market realities affecting retailing today and the subsequent impacts the Covid-19 pandemic has had on key city centre retail streets. The Council failed to give due weight to these material considerations which have substantial influence in this case.

Structure of Submission

2.8. This Grounds of Review Statement is accompanied by the following submitted documents:

- DOC01 – Location Plan
- DOC02 – Decision Notice (21/02872/FUL)
- DOC03 – Report of Handling (21/02872/FUL)
- DOC04 – Application Forms
- DOC05 – Cover Letter
- DOC06 – Planning Statement
- DOC07 – Essential Edinburgh – Letter of Support
- DOC08 – Existing Floorplans
- DOC09 – Proposed Floorplans
- DOC10 – Proposed Elevations
- DOC11 – Ventilation Technical Specification
- DOC12 – Noise Impact Assessment
- DOC13 – Environmental Health Consultation Response
- DOC14 – Roads Consultation Response
- DOC15 – Ownership Update

2.9. This statement is set out as follows:

Section 3	The Application
Section 4	Grounds for Review
Section 5	Conclusions

3. The Application

Proposed Development

- 3.1. The unit is currently occupied by Paperchase under Class 1 of the Town & Country Planning (Use Classes) (Scotland) Order 1997 (as amended). Paperchase have extended their lease on a short term basis only due to their financial uncertainty. Notwithstanding, they have intimated following this expiry they will be vacating the premises.
- 3.2. The DRG is keen ensure the unit does not become vacant in the near future following Paperchase vacating the premises. By securing a Class 3 use now, this will provide The DRG, who are an established restaurant operator across Scotland and operate both Café Andaluz and Cadiz located adjacent to the site, the ability to facilitate their occupation and avoid another vacant unit emerging on George Street.
- 3.3. A planning application was submitted to City of Edinburgh Council seeking a change of use from the existing Class 1 to Class 3 use. The Class 3 use would allow for the sale of food and drink where customers will consume the products on the premises.
- 3.4. The occupation of this unit by The DRG, who operate both Café Andaluz and Cadiz located adjacent to the site, would contribute positively to this part of the City Centre. Implementation of the proposals will enable a sizeable investment including approximately £1.75m spent on the restaurant fit out, generating approximately 40 to 50 part and full time jobs, all to the benefit of the wider city centre's vitality and viability. In this instance, it would be a footfall driver for both the day and evening economy.
- 3.5. Essential Edinburgh have provided a letter of support following comprehensive discussions with them regarding the Proposed Development (DOC 07). This letter of support was submitted as part of the wider application. Essential Edinburgh are acutely aware of the importance George Street holds in helping ensure the City Centre is a vibrant and viable place. They also actively support the proposals due to its aim to avoid further vacancies on this prime retail frontage and the proposals ability to create employment opportunities (in the region of 40 to 50 part and full time positions).

Commercial Context

- 3.6. As is well documented, in the face of internet retailing and wider trends, national retailers have for some time been 'right sizing' their portfolios, whilst the shopping 'experience' is ever more important for physical (non-internet retail). This is necessitating, not only modern floorplates and interesting spaces to showcase brands and lifestyles, but increased flexibility of use to ensure expected amenities are provided such as restaurants.
- 3.7. Fundamentally, it is accepted by most commentators that the inherent value of town centres – or any other defined centres – lies in their place as a point of interaction and exchange in which commerce, work and leisure are intertwined. The key goal which planning decisions should work towards must be the creation of sustainably accessible places which people are drawn to and want to visit.
- 3.8. As such, sufficient flexibility to support alternative – but still footfall generating – uses within the city centre and wider network of centres is strongly supported. Macro socio-economic, technological and environmental changes will continue to influence, generate and challenge commercial demand and opportunities, meaning the hierarchy of centres needs to be more dynamic and flexible than has previously been the case. Planning decisions must allow for the flexibility required to be sufficiently agile to stimulate ideas and harness investment potential for the City.
- 3.9. This outlook combined with the opening of the St James Centre earlier in 2021 has drawn a number of existing retailers currently occupying units on key city centre frontages including on George Street. The opening of St James Centre has subsequently pulled a considerable level of trade and footfall from George Street. The resultant impacts, on George Street and on its occupiers, of the St James Centre opening confirms the need for Edinburgh to ensure greater flexibility of ground floor uses is facilitated to create sufficient vitality and viability across the wider city centre.
- 3.10. Challenges facing the retail sector have undoubtedly been significantly accelerated and exacerbated by the Covid-19 pandemic which continues to result in great uncertainty for operators and landlords. This combined with the opening of the St James Centre, noted above, have had considerable impacts on occupancy levels along George Street which is regarded as Edinburgh's prime frontage. George Street currently has a c. 20% vacancy rate, with a number of further store closures expected in the short term due to the short term leases many occupiers are currently on due to wider uncertainty associated with the market and Covid-19. This

figure is considered unacceptable for a prime retail street in Edinburgh and flexibility must be taken in planning decisions going forward to facilitate viable re-occupation of these units by restaurants for example.

3.11. It is also worth noting the wider ambitions being driven forward by the Council to establish more of a boulevard environment through the 'George Street First New Town' proposals. This may be a direct response to the St James Centre and an opportunity to re-imagine the primary purpose of George Street as a more restaurant and bar friendly location. The premises on the north side of George Street, with access to direct sunlight for most of the day, provides an ideal setting for a successful outdoor seating area. The most popular outdoor seating areas on George Street are on the northern side of the street when compared with the southern side of street which get next to no direct sunlight.

3.12. The premises at 77a George Street, would not only provide a location for a new restaurant to flourish, given The DRG's experience with Café Andaluz and Cadiz, but also for a successful associated outdoor seating area which would contribute positively to the changing nature of George Street, from retail to being more 'experience' focussed.

Consultation Responses

3.13. The consultation responses received from Council consultees during determination are summarised within the application Report of Handling (DOC 03). Environmental Protection and Transportation Planning raised no objections to the proposal, subject to conditions and a financial developer contribution being made towards the Edinburgh Tram.

3.14. Transportation Planning responded on 16 September 2021 (DOC 14) noting no objections to the application subject to the applicant being required to contribute the sum of £38,276 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions. The Appellant confirms that they are committed to paying the required contribution to the Council which will assist in the facilitation of the wider Edinburgh Tram project.

3.15. Following submission of the application in May 2021, Environmental Protection requested detailed ventilation specification be provided alongside a Noise Impact Assessment to consider any possible impacts upon nearby residential receptors. The Applicant therefore prepared the necessary information for submission to City of Edinburgh Council.

- 3.16. The Noise Impact Assessment (DOC 12) demonstrates that there will be no unacceptable noise impacts from the installation of the proposed ventilation system and that appropriate noise mitigation measures (including attenuators and silencers within the ducting) have been integrated to ensure this is the case. Noise from normal internal operations will also be inaudible within surrounding residential properties ensuring residential amenity is protected.
- 3.17. The submitted Ventilation Technical Specification (DOC 11) meets the requirements set out by Environmental Protection in their correspondence during the application and ensures sufficient mitigation measures are included to protect surrounding residential amenity.
- 3.18. As a result, Environmental Protection raised no objection to the proposals in their consultation response dated 23 August 2021 (DOC 13). Two conditions have been proposed to ensure ventilation and noise mitigation and details are installed as per the submitted Ventilation Technical Specification (DOC 11).
- 3.19. Given the consultation responses received and that no objections have been raised from Council consultees, there are clearly no technical matters preventing the operation of a Class 3 (Restaurant) in the subject unit at 77a George Street. It is only the Council's perceived unacceptable loss of 'Class 1 (Retail)' from a prime frontage that requires to be the focus of this review.

Determination

- 3.20. The application was determined under delegated powers by the appointed Case Officer on 23 September 2021. The decision taken by the Council was to refuse the planning application.
- 3.21. A Decision Notice (DOC 02) was issued by the Council on 23 September 2021 refusing planning permission stating one reason for refusal:
1. *The proposal is contrary to LDP Policy Ret 09 and the associated City Centre Shopping & Leisure Guidance in that it would contribute to over one-third of non-shop uses (50%+) within the block. There are no material considerations that would outweigh this decision.*



- 3.22. It is clear in the Decision Notice (DOC 02) and the Report of Handling (DOC 03) that there are no technical matters which have led to the recommendation of refusal and no physical reason why the Class 3 (Restaurant) operation could not be implemented at 77a George Street. The Council's sole reason for refusal relates specifically to the application of prescriptive retail policies, conceived in advance of Covid-19, which seek to control ground floor commercial uses across the city centres frontages.
- 3.23. The appellants contest the Council's decision to refuse planning permission and request the Local Review Body to reconsider this case and overturn the decision. The ground for review are set out in Section 4.

4. Grounds for Review

- 4.1. The Appellant does not agree with the reason for refusal set out in the Decision Notice (DOC 02) and seek the Local Review Body to reconsider the application on the grounds set out below. This evidence presents a straightforward assessment of the case.

Reason for Refusal

The proposal is contrary to LDP Policy Ret 09 and the associated City Centre Shopping & Leisure Guidance in that it would contribute to over one-third of non-shop uses (50%+) within the block. There are no material considerations that would outweigh this decision.

- 4.2. The Edinburgh Local Development Plan (LDP) was adopted in November 2016 and identifies the site within the City Centre Retail Core and part of the George Street defined frontages (specifically within 71-109 George Street) which is viewed as a City Centre Primary Frontage, and located within the New Town Conservation Area.
- 4.3. One of the main objectives of the LDP is to “*sustain and enhance the city centre as the regional focus for shopping, entertainment, commercial leisure and tourism related activities and encourage appropriate development of the highest quality*”. The proposal would facilitate the use of the premises by an established high quality Class 3 operator (The DRG), sustaining and enhancing the City Centre and its appeal to nearby residents and visitors alike. The proposals would increase footfall on this frontage during both the day and evening to the benefit of surrounding businesses.
- 4.4. Occupation of the unit by The DRG on a long term basis is clearly desirable, especially given its prominent position on a key frontage within the city centre and established reputation of delivering high quality restaurants. The DRG currently operate both Café Andaluz and Cadiz located adjacent to the site. A positive determination of the proposals would secure The DRG as a long term operator and avoid the unit becoming vacant in the short term following Paperchase vacating the premises. Clearly, this location provides the ability to successfully deliver a high quality restaurant offering, particularly given The DRG’s restaurants noted above adjacent.

- 4.5. Policy Ret 9 'Alternative Use of Shop Units in Defined Centres' states that detailed criteria for assessing proposals for a change of use of a shop unit to a non-shop use within the City Centre Retail Core will be set out in Supplementary Guidance. This is considered in detail below.
- 4.6. The City Centre Shopping & Leisure Supplementary Guidance (January 2020) applies to all shop units within the defined City Centre Retail Core. It is worth drawing attention to the fact that this Supplementary Guidance and the associated policies contained within it were conceived and prepared well advance of Covid-19 and its associated impacts. It can therefore be reasonably concluded that the content of this is now out of date and not considered appropriate to respond positively to the seismic market challenges and realities facing retailing as a consequence of the Covid-19 pandemic. As such, greater flexibility in planning decisions is required to address these emerging challenges to minimise detrimental impacts on city centres.
- 4.7. Policy CC 3 'City Centre Primary Frontages' seeks to guide the use class make-up of frontages on these prominent city centre streets (including 71-109 George Street). Proposals for a change of use of shop units on these frontages to non-shop uses will only be permitted provided:
- a) *as a result of permitting the change of use, no more than one third of the total number of units in the frontage of that block will be in non-shop use; and*
 - b) *the proposal is for an appropriate commercial or community use which would complement the character of the City Centre Retail Core and would not be detrimental to its vitality or viability.*
- 4.8. A survey of the use classes between 71-109 George Street confirmed that 7 of the 14 units within the frontage are in Class 1 use currently (50%). This means the subject frontage (71-109 George Street) already exceeds the permitted threshold outlined in the Supplementary Guidance demonstrating that prescribed Policy CC 3 is not meeting its own objectives of maintaining Class 1 (Retail) uses and in this case did not at the point of adoption in January 2020. This brings into question the validity of the prescribed thresholds if they were not already being met at the point they were being prepared. A full breakdown of the retail survey is contained in Appendix 1 of the submitted Planning Statement (DOC 06).
- 4.9. Following the introduction of a Class 3 unit, the number of non-Class 1 uses within the primary frontage would be 8 units, which is above the prescribed one third criteria in Policy CC 3. Notwithstanding, the number of non-class 1 units would be marginally above half within the frontage and generally in line with planning criteria for other key frontages in the City Centre such as Castle Street, Frederick Street and Hannover Street.

- 4.10. Despite exceeding the prescribed non-Class 1 thresholds, the make up of the frontage is not dominated by Class 3 restaurant uses. Only 2 of the 14 units are currently in restaurant use with the majority of non-Class 1 uses in professional occupation i.e. banks or estate agents. There is also two vacant units present on this frontage at 95 George Street (previously Milk Café) and 71 George Street (previously Nationwide). An additional footfall generating use, during both the day and evening, would bring positive benefits to this frontage and enhance overall vitality.
- 4.11. As noted above, the Supplementary Guidance was prepared before the current Covid-19 pandemic took hold and the wider implications on retail and the high street were known. As documented previously, significant challenges exist for retailing in city centres. Given this significant material impact, sufficient flexibility on the thresholds controlling non-class 1 uses should be exercised to enable workable solutions to accommodate occupiers to enhance the City Centre's vitality and viability and ensure no further vacant units are created. This is particularly important in this instance given the short term lease nature of Paperchase's occupation.
- 4.12. In terms of assessments against criterion b), a Class 3 restaurant at this location is an appropriate commercial use which will contribute to increased footfall in the area, supplementing the existing day and evening economy, all to the benefit of the wider City Centre Retail Core.
- 4.13. The proposals would contribute to and improve the vitality and viability of this section of George Street, and meet with macro trends for complementary town centre uses throughout the UK, supporting the existing retail uses in the area.
- 4.14. The principle of the proposed change of use is not strictly compliant with Policy CC 3, notwithstanding, significant material changes have taken place since this policy was originally devised and adopted in January 2020 i.e. the Covid-19 pandemic. Consequently, sufficient flexibility should be exercised to allow a vibrant and viable use in the City Centre which will ultimately prevent the unit in question becoming vacant in the short term following the existing Class 1 occupier (Paperchase) vacating.

The Planning Balance

- 4.15. It is clear there are strong material considerations which warrant the approval of this application.



- 4.16. The Appellant requests that when the Local Review Body assesses the policy in the development plan and associated supplementary guidance relevant to this application, that true weight is given to the material considerations in respect to Covid-19 and the significant challenges facing the retail market and city centres, in order that the economic and social benefits of the proposals can be realised to the benefit of the wider city centre.
- 4.17. Having considered the consultation responses received during the determination, there is no physical reason and no identified negative impact which outweighs the substantial economic and social benefits which would arise from the Proposed Development. As such, planning permission is therefore considered appropriate in this instance.

5. Conclusions

- 5.1. This Grounds for Review Statement demonstrates the failure of the Council to properly consider the wider context of the restaurant proposals and the impacts caused by Covid-19 in its consideration of the application.
- 5.2. It has been shown that there are no insurmountable practical issues to hinder development of the site to enable a restaurant operation.
- 5.3. The key consideration in determining this review should be whether the current prevailing planning policy in respect of retail and commercial uses in the city centre sufficiently takes account and allows for appropriate flexibility to be shown to deal with the seismic impacts created from the fallout of Covid-19 and shifts in the retail market.
- 5.4. The subject premises are currently occupied by Paperchase, whose lease is short term only due to their financial uncertainty. Ultimately, the proposed use will provide for an improved unit to allow for the occupation of a well-established Class 3 operator (The DRG), supporting a mix of uses within the City Centre, thereby contributing to a vibrant day and evening economy, benefiting the vitality and viability of the City Centre and ensure no further vacant units are created.
- 5.5. The change in ownership from Aegon Asset Management to The DRG noted previously, now provides a credible and established end user to operate the restaurant use sought negating any risks of the current unit becoming vacant in the long term due to a decline in the market of Class 1 retail occupiers. The DRG are well placed to operate a restaurant in this location given their current experience at both Café Andaluz and Cadiz located adjacent to the site and Amarone located at 12-13 St Andrews Square.
- 5.6. For these reasons an assessment of the proposals, taking into due consideration all the material considerations, should lead the balanced planning judgement towards facilitating the positive re-use of the subject premises at 77a George Street as a restaurant to be operated by The DRG.
- 5.7. Given the foregoing, it is respectfully requested that City of Edinburgh Council Local Review Body proceed to grant planning permission for the Proposed Development.

Savills Planning
Wemyss House
8 Wemyss Place
Edinburgh
EH3 6DH

0131 247 3700

10 August 2021



Conor MacGreevy
Planning Officer
City of Edinburgh Council
Planning Department
Waverley Court
4 East Market Street
Edinburgh
EH8 8BG

Craig Gunderson
E: craig.gunderson@savills.com
DL: +44 (0) 131 247 3749

Wemyss House
8 Wemyss Place
Edinburgh EH3 6DH
T: +44 (0) 131 247 3700
F: +44 (0) 131 247 3724
savills.com

Dear Conor

Planning Application – Change of use from Class 1 to Class 3 and the installation of internal extract duct at 77a George Street, Edinburgh (21/02872/FUL)

I am writing to you to provide an update on the ownership of 77a George Street which has a material impact on the current change of use planning application currently being advanced at the property.

As of 2nd August 2021, Aegon Asset Management are no longer the owners of the property. The premises have been purchased by the The Di Maggio's Restaurant Group (The DRG). This has significant implications on the acceptability and viability of the proposed Class 3 operation. Importantly, this change in ownership now provides a credible and established end user to operate the restaurant use sought negating any risks of the current unit becoming vacant in the long term due to a decline in the market of Class 1 retail occupiers.

The DRG are family owned, independent restaurateurs, with over 20 restaurants in Edinburgh, Glasgow and Aberdeen. Founded in 1985 with Glasgow institution Di Maggio's, the group's other well known restaurants include Café Andaluz and Cadiz, which are both located adjacent to the premises at 77a George Street.

The DRG have an established reputation of operating high quality restaurants in Edinburgh and providing substantial benefits to the vibrancy of George Street in particular over the years. They envisage investing c. £1m on the restaurant fit out and creating approximately 40 to 50 part and full time jobs in the restaurant.

It is considered that the new ownership by the DRG provides a viable end user to occupy the unit, if Class 3 consent is granted, which would assist in preventing the current Class 1 use becoming vacant in the medium to long term.

Please do not hesitate to contact me should you have any queries or wish to discuss.

Yours sincerely

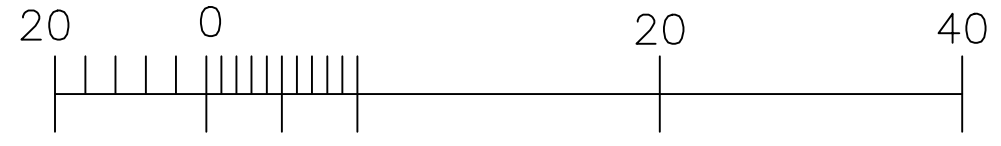
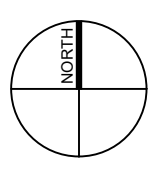
A handwritten signature in black ink that reads "Craig Gunderson".

Craig Gunderson
Senior Planner

cc. Mario Gizzi, The DRG



THIS DRAWING AND AUTOCAD DATA THEREIN PROTECTED BY COPYRIGHT © AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF SAVILLS (UK) LTD



Metres

Scale: 1: 500

Rev	Revision note	Date	By	Check

ALL SIZES ON SITE TO BE CONFIRMED BY CONTRACTOR PRIOR TO MANUFACTURE OR CONSTRUCTION

savills Savills (UK) Ltd
 8 Wemyss Place
 Edinburgh EH3 6DH
 Tel: 0131 247 3811
 Fax: 0131 247 3724
 Web: www.savills.com

BUILDING CONSULTANCY & PROJECT MANAGEMENT

Project:
77a George Street, Edinburgh

Drawing Title:
Location Plan

Client: Aegon	Revision: -	Sheet: 4/4
Scale: 1:500@A3	Date: 26/03/21	Drawing Number: FS2101
Drawn By: HR	Checked By: MH	Approved By - Date: MH - 26/03/21-04

Savills (UK) Ltd.
FAO Craig Gunderson
Wemyss House
8 Wemyss Place
Edinburgh
EH3 6DH

Aegon Asset Management.
The Leadenhall Building
122 Leadenhall Street
London
EX3V 4AB

Decision date: 23 September 2021

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

Change of use from class 1 retail to class 3 restaurant, installation of extract duct (as amended).
At 77A George Street Edinburgh EH2 3ES

Application No: 21/02872/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 25 May 2021, 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:-

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to tram contributions. The applicant will be required to contribute the sum of

£38,276 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

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

Drawings 01-03a,04a., represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal is contrary to LDP Policy Ret 09 and the associated City Centre Shopping & Leisure Guidance in that it would contribute to over one-third of non-shop uses (50%+) within the block. There are no material considerations that would outweigh this decision.

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

Should you have a specific enquiry regarding this decision please contact Conor MacGreevy directly at conor.macgreevy@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
77A George Street, Edinburgh, EH2 3ES

Proposal: Change of use from class 1 retail to class 3 restaurant, installation of extract duct (as amended).

Item – Local Delegated Decision
Application Number – 21/02872/FUL
Ward – B11 - City Centre

Recommendation

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

Summary

The proposal is contrary to LDP Policy Ret 09 and the associated City Centre Shopping & Leisure Guidance in that it would contribute to over one-third of non-shop uses (50%+) within the block. There are no material considerations that would outweigh this decision.

SECTION A – Application Background

Site Description

The application site is a mid-terrace ground floor commercial unit with a basement level.

The property is a Statutory B Listed Building (1966).

Description Of The Proposal

The proposal is for a change of use from class 1 (retail) to a class 3 (restaurant) and the installation of an extract duct to the roof plan.

Scheme 2 amends the proposal to include new ventilation details.

Relevant Site History

No relevant site history.

Consultation Engagement

Environmental Protection

Transportation Planning

Publicity and Public Engagement

Date of Neighbour Notification: 2 June 2021

Date of Advertisement: 11 June 2021

Date of Site Notice: 11 June 2021

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 principle of the proposal is acceptable in this location;
- b) the proposals will adversely affect the character and appearance of the conservation area & scale, design and materials;
- c) the proposals will have an adverse impact on the character of the listed building;
- d) the proposal will result in an unreasonable loss of neighbouring amenity;

- e) tram contribution;
- f) the proposal affects road safety;
- g) any impacts on equalities and human rights are acceptable; and
- h) any comments have been addressed.

a) Principle of Development

LDP Policy Ret 11 (Food & Drink Establishments) states that "the change of use of a shop unit or other premises to a licensed or unlicensed restaurant, café, pub, or shop selling hot food for consumption off the premises (hotfood take-away) will not be permitted if likely to lead to an unacceptable increase in noise, disturbance, on-street activity or anti-social behaviour to the detriment of living conditions for nearby residents or in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents".

LDP Policy Ret 9 (Alternative Use of Shop Units in Defined Centres) states that in the City Centre Retail Core and town centres, change of use proposals which would undermine the retailing function of the centre will not be permitted. Detailed criteria for assessing proposals for the change of use of a shop unit to a non-shop use will be set out in supplementary guidance. Supplementary Guidance will detail an approach tailored to different parts of the city centre retail core and each town centre to be informed by town centre health checks which will assess the centres strengths, vitality and viability, weaknesses and resiliencies.

Policy CC 3 in the City Centre Retail Core Supplementary Guidance supports a non-shop use provided that: as a result of permitting the change of use, no more than one third of the total number of in the frontage of that block will be in non-shop use; and the proposal is for an appropriate commercial or community use which would complement the character of the City Centre Retail Core and would not be detrimental to its vitality or viability.

There are approximately 14 businesses within the block including the application site. Within this stretch of George Street, significantly only 7 of the 14 units are in retail use. The proposed change of use from a class 1 (retail) to a class 3 (restaurant) would be unacceptable in that not only would it result in the further loss of retail in the defined area, but it would also not comply with policy CC 3 as over one third of the businesses would be in non-shop use. Taking into consideration that 50% of the units within this block are currently in non-shop use, the further erosion of the retail character and excessive non-shop use of this section of George Street would have a further detrimental impact upon the vitality of the surrounding area.

This is contrary to LDP Policy Ret 9 and Policy CC 3 in the Supplementary Guidance.

b) Character and appearance of conservation area & scale, design and materials

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 100414518-001

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

Type of Application

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

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

Description of Proposal

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

Change of use from Class 1 to Class 3 and the installation of internal extract duct

Is this a temporary permission? * Yes No

If a change of use is to be included in the proposal has it already taken place?
(Answer 'No' if there is no change of use.) * Yes No

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

No Yes – Started Yes - Completed

Applicant or Agent Details

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

Applicant Agent

Agent Details

Please enter Agent details

Company/Organisation:	Savills (UK) Ltd		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Craig	Building Name:	Wemyss House
Last Name: *	Gunderson	Building Number:	8
Telephone Number: *	0131 247 3749	Address 1 (Street): *	Wemyss Place
Extension Number:		Address 2:	
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH3 6DH
Email Address: *	craig.gunderson@savills.com		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:		You must enter a Building Name or Number, or both: *	
Other Title:		Building Name:	The Leadenhall Building
First Name: *		Building Number:	122
Last Name: *		Address 1 (Street): *	Leadenhall Street
Company/Organisation	Aegon Asset Management	Address 2:	
Telephone Number: *		Town/City: *	London
Extension Number:		Country: *	United Kingdom
Mobile Number:		Postcode: *	EX3V 4AB
Fax Number:			
Email Address: *	craig.gunderson@savills.com		

Site Address Details

Planning Authority:

City of Edinburgh Council

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

77a George Street, Edinburgh, EH2 3EE

Northing

Easting

Pre-Application Discussion

Have you discussed your proposal with the planning authority? *

Yes No

Site Area

Please state the site area:

434.00

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)

Class 1 (Retail)

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.

Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste (including recycling)? * Yes No

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

As existing.

Residential Units Including Conversion

Does your proposal include new or additional houses and/or flats? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace

Does your proposal alter or create non-residential floorspace? *

Yes No

All Types of Non Housing Development – Proposed New Floorspace Details

For planning permission in principle applications, if you are unaware of the exact proposed floorspace dimensions please provide an estimate where necessary and provide a fuller explanation in the 'Don't Know' text box below.

Please state the use type and proposed floorspace (or number of rooms if you are proposing a hotel or residential institution): *

Class 3 Restaurant/cafe

Gross (proposed) floorspace (In square meters, sq.m) or number of new (additional) Rooms (If class 7, 8 or 8a): *

434

If Class 1, please give details of internal floorspace:

Net trading spaces:

Non-trading space:

Total:

If Class 'Not in a use class' or 'Don't know' is selected, please give more details: (Max 500 characters)

Schedule 3 Development

Does the proposal involve a form of development listed in Schedule 3 of the Town and Country Planning (Development Management Procedure (Scotland) Regulations 2013) *

Yes No Don't Know

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

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

Planning Service Employee/Elected Member Interest

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

Yes No

Certificates and Notices

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

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

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

Yes No

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

Yes No

Are you able to identify and give appropriate notice to ALL the other owners? *

Yes No

Certificate Required

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

Certificate B

Land Ownership Certificate

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

I hereby certify that

(1) - No person other than myself/the applicant was an owner [Note 4] of any part of the land to which the application relates at the beginning of the period of 21 days ending with the date of the accompanying application;

or –

(1) - I have/The Applicant has served notice on every person other than myself/the applicant who, at the beginning of the period of 21 days ending with the date of the accompanying application was owner [Note 4] of any part of the land to which the application relates.

Name:

Address:

Date of Service of Notice: *

Name:

Address:

Date of Service of Notice: *

Name:

Address:

Date of Service of Notice: *

Name:

Address:

Date of Service of Notice: *

Name:

Address:

Date of Service of Notice: *

25/05/2021

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

or –

(2) - The land or part of the land to which the application relates constitutes or forms part of an agricultural holding and I have/the applicant has served notice on every person other than myself/himself who, at the beginning of the period of 21 days ending with the date of the accompanying application was an agricultural tenant. These persons are:

Name:

Address:

Date of Service of Notice: *

Signed: Craig Gunderson

On behalf of: Aegon Asset Management

Date: 25/05/2021

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 principal where there is a crown interest in the land, have you provided a statement to that effect? *

Yes No Not applicable to this application

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

Yes No Not applicable to this application

Town and Country Planning (Scotland) Act 1997

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

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

Yes No Not applicable to this application

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

- Site Layout Plan or Block plan.
- Elevations.
- Floor plans.
- Cross sections.
- Roof plan.
- Master Plan/Framework Plan.
- Landscape plan.
- Photographs and/or photomontages.
- Other.

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

Provide copies of the following documents if applicable:

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

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

Planning Supporting Statement

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 Gunderson

Declaration Date: 25/05/2021

Payment Details

Online payment: 1816219294486377

Payment date: 25/05/2021 08:57:00

Created: 25/05/2021 08:57

25 May 2021

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

The Savills logo consists of the word "savills" in a lowercase, sans-serif font, colored red, set against a solid yellow square background.

Craig Gunderson
E: craig.gunderson@savills.com
DL: +44 (0) 131 247 3749

Wemyss House
8 Wemyss Place
Edinburgh EH3 6DH
T: +44 (0) 131 247 3700
F: +44 (0) 131 247 3724
savills.com

Dear Sir / Madam

Planning Application – Change of use from Class 1 to Class 3 and the installation of internal extract duct at 77a George Street, Edinburgh (ePlanning Scotland Ref: 100414518-001)

Application for Listed Building Consent – Minor internal and external alterations for the installation of internal extract duct at 77a George Street, Edinburgh (ePlanning Scotland Ref: 100414518-002)

Savills have been instructed by Aegon Asset Management to submit a planning application and listed building consent for the above proposed development.

The application comprises the following documentation:

- Application Form and Land Ownership Certificate
- Location Plan
- Floorplan As Existing
- Floorplan As Proposed
- Existing and Proposed Elevations
- Planning Supporting Statement
- Essential Edinburgh – Letter of Support

Payment to City of Edinburgh Council for £401 will follow this submission. Full justification for the proposed development is provided within the submitted Planning Supporting Statement.

I look forward to confirmation that the application has been registered. In the meantime, please do not hesitate to contact me should you have any queries or wish to discuss.

Yours sincerely

A handwritten signature in black ink that reads "Craig Gunderson".

Craig Gunderson
Senior Planner



77a George Street, Edinburgh

Planning Supporting Statement





Contents

1.	Executive Summary	1
2.	Introduction	3
3.	Site Description and Planning History	4
4.	Proposed Development	6
5.	Planning Policy Statement	8
6.	Conclusions	13

Appendix 1 – Retail Survey

1. Executive Summary

1.1. The Proposed Development seeks to change the use of the subject premises at 77a George Street from Class 1 (Retail) to Class 3 (Restaurant). The proposals are considered acceptable for the following reasons:

1. The proposed use will provide for an improved unit to allow for the occupation of a quality restaurant operator, supporting a wider mix of uses within the City Centre and ensuring no further vacant units are created on this prime retail frontage.
2. The proposals put forward seek to prevent the emergence of another vacant unit on George Street. This is a genuine threat for the subject unit given Paperchase currently occupy the unit on a short term basis only. It is also understood that a number of other nearby occupiers are looking to vacate.
3. George Street is currently suffering from the fallout of Covid-19 and associated retail trends. There is a c.25% vacancy rate along George Street, with a number of further store closures expected in the short term. This figure is considered unacceptable for a prime retail street in Edinburgh and flexibility must be taken in planning decisions going forward to facilitate the viable re-occupation of these units. Essential Edinburgh agree with the need for greater flexibility and have submitted a letter of support for the proposals.
4. It is considered that the current planning policy provisions are inflexible and out of date in the face of the current challenges facing the retail market. Challenges facing the retail sector have undoubtedly been significantly accelerated and exacerbated by the Covid-19 pandemic. Consequently, sufficient flexibility should be exercised, in the face of current policy provisions, to enable landlords workable solutions to accommodate a wider range of occupiers which will enhance the City Centre's vitality and viability going forward.
5. A restaurant in this location will also contribute positively to the wider ambitions being driven forward by the Council to establish more of a boulevard environment through the 'George Street First New Town' proposals.

6. In line with the successful design principles of Jan Gehl, opportunities to take advantage of available direct sunlight need to be utilised. The premises on the north side of George Street, with access to direct sunlight for most of the day, provides an ideal setting for a successful outdoor seating area. The most popular outdoor seating areas on George Street are on the northern side of the street when compared with the southern side of street which get next to no direct sunlight.

7. The premises at 77a George Street, not only provide a location for a new restaurant to flourish but also for a successful associated outdoor seating area which would contribute positively to the changing nature of George Street, from retail to being more 'experience' focussed.

2. Introduction

2.1. This Planning Statement has been prepared on behalf of Aegon Asset Management in support of the following:

- **Planning Application – Change of use from Class 1 to Class 3 and the installation of internal extract duct at 77a George Street, Edinburgh (ePlanning Scotland Ref: 100414518-001)**
- **Application for Listed Building Consent – Minor internal and external alterations to allow for the installation of internal extract duct at 77a George Street, Edinburgh (ePlanning Scotland Ref: 100414518-002)**

2.2. The submitted change of use application seeks planning permission and listed building consent to enable a restaurant operation (Class 3) at 77a George Street.

2.3. This Statement sets out the background to the proposed operations before examining national, regional and local planning policy alongside the key material considerations in assessing the appropriateness of the proposed use and associated alterations.

2.4. This Statement is set out as follows:

Section 3	Site Description and Planning History
Section 4	Proposed Development
Section 5	Planning Policy Statement
Section 6	Conclusions

3. Site Description and Planning History

Site Description

- 3.1. The premises at 77a George Street fall within Edinburgh City Centre Retail Core and New Town Conservation Area as defined by the adopted Edinburgh Local Development Plan (LDP) (adopted November 2016). The premises are also Category B Listed (Ref: LB28792).
- 3.2. The unit is currently occupied by Paperchase under Class 1 of the Town & Country Planning (Use Classes) (Scotland) Order 1997 (as amended). Paperchase have extended their lease on a short term basis only. Notwithstanding, they have intimated following this expiry they will be vacating the premises. The Applicant is keen ensure the unit does not become vacant in the near future. By securing a Class 3 use now, this will provide the Applicant and potential restaurants occupiers sufficient time to conclude commercial agreements to facilitate their occupation and avoid another vacant unit on George Street.

Key Planning History

- 3.3. A search of the site's planning history on the City of Edinburgh Council's public access planning portal confirmed the following key planning permissions at 77a George Street:
 - 04/02128/FUL – Planning permission was granted in June 2005 for refurbishment to provide retail space at basement, ground and first floors with residential accommodation at second and third floors at 77-79 George Street.
 - 04/02128/LBC – Listed building consent was granted in October 2004 for refurbishment to provide retail space at basement, ground and first floors with residential accommodation at second and third floors at 77-79 George Street.
 - 04/02128/VARY – Planning permission 04/02128/FUL was varied in October 2005 for refurbishment to provide retail space at basement, ground and first floors with residential accommodation at second and third floors at 77-79 George Street.



- 06/04101/LBC – Listed building consent was granted in December 2006 for installation of new stainless steel/glass shopfront only to George Street elevation at 77a George Street.
- 06/04101/FUL – Planning permission was granted in November 2006 for installation of new stainless steel/glass shopfront only to George Street elevation at 77a George Street.

3.4. There have also been a number of other planning applications approved on the site. These applications are less relevant, but relate to: minor signage, internal and external alteration applications.

4. Proposed Development

- 4.1. A planning application (ePlanning Scotland Ref: 100414518-001) has been submitted to City of Edinburgh Council, which proposes a change of use from Class 1 to Class 3 use.
- 4.2. The Class 3 use will allow for the sale of food and drink where customers will consume the products on the premises.
- 4.3. The occupation of this unit by a Class 3 operator will contribute positively to this part of the City Centre. Implementation of the proposals will enable a sizeable investment, generating jobs and footfall, all to the benefit of the wider city centre's vitality and viability.
- 4.4. An application for listed building consent (ePlanning Scotland Ref: 100414518-002) has also been submitted for minor internal and external alterations to allow for the installation of an internal extract duct at 77a George Street as per the submitted drawings. This being the only proposed physical change to the existing unit. The proposed internal and external alterations only relate to the installation of an indicative extract duct route which exit at roof level to the rear (subject to future tenant requirements).
- 4.5. While there is no Class 3 tenant at this stage for the unit at 77a George Street, the site owner and applicant Aegon Asset Management is currently considering long term options for the unit and is currently in discussions with a number of high quality restaurant operators. A Class 3 operator would secure a long term tenant that positively contributes towards the vibrancy of the City Centre and George Street both during the day and evening.
- 4.6. Any further proposed physical changes to the internal layout or externally, will be dealt with through future applications for listed building consent, planning permission and advertisement consent.
- 4.7. Essential Edinburgh have provided a letter of support following comprehensive discussions with them regarding the Proposed Development. This letter of support has been submitted as part of the wider application. Essential Edinburgh are acutely aware of the importance George Street holds in helping ensure the City Centre is a vibrant and viable place. They also actively support the proposals due to its aim to avoid further vacancies on this prime retail frontage and the proposals ability to create employment opportunities.

Commercial Context

- 4.8. As is well documented, in the face of internet retailing and wider trends, national retailers have for some time been 'right sizing' their portfolios, whilst the shopping 'experience' is ever more important for physical (non-internet retail). This is necessitating, not only modern floorplates and interesting spaces to showcase brands and lifestyles, but increased flexibility of use to ensure expected amenities are provided such as restaurants.
- 4.9. Fundamentally, it is accepted by most commentators that the inherent value of town centres – or any other defined centres – lies in their place as a point of interaction and exchange in which commerce, work and leisure are intertwined. The key goal which planning decisions should work towards must be the creation of sustainably accessible places which people are drawn to and want to visit.
- 4.10. As such, sufficient flexibility to support alternative – but still footfall generating – uses within the city centre and wider network of centres is strongly supported. Macro socio-economic, technological and environmental changes will continue to influence, generate and challenge commercial demand and opportunities, meaning the hierarchy of centres needs to be more dynamic and flexible than has previously been the case. Planning decisions must allow for the flexibility required to be sufficiently agile to stimulate ideas and harness investment potential for the City.
- 4.11. This outlook combined with the proposed opening of the St James Centre later in 2021 which is expected to draw a number of existing retailers currently occupying units on key city centre frontages confirms the need for Edinburgh to ensure greater flexibility of ground floor uses is facilitated.
- 4.12. It is worth noting the wider ambitions being driven forward by the Council to establish more of a boulevard environment through the 'George Street First New Town' proposals. The premises on the north side of George Street, with access to direct sunlight for most of the day, provides an ideal setting for a successful outdoor seating area. The most popular outdoor seating areas on George Street are on the northern side of the street when compared with the southern side of street which get next to no direct sunlight.
- 4.13. The premises at 77a George Street, would not only provide a location for a new restaurant to flourish but also for a successful associated outdoor seating area which would contribute positively to the changing nature of George Street, from retail to being more 'experience' focussed

5. Planning Policy Statement

National Planning Policy

Scottish Planning Policy (revised December 2020)

- 5.1. Scottish Planning Policy (SPP) was published in June 2014 and sets out the Scottish Government's policy on land use planning, including guidance on town centres and retailing.
- 5.2. Paragraph 58 highlights the importance of planning in supporting the role of town centres, ensuring that they thrive and meet the needs of their residents, businesses and visitors in the 21st century.
- 5.3. Paragraph 60 states that planning for town centres should be flexible and proactive, enabling a wide range of uses which bring people into town centres. In this regard, the planning system should inter alia:
- *apply a town centre first policy when planning for uses which attract significant numbers of people, including retail and commercial leisure, offices, community and cultural facilities;*
 - *encourage a mix of uses in town centres to support their vibrancy, vitality and viability throughout the day and into the evening.*
- 5.4. The proposals will allow for occupation of the premises on George Street by an appropriate city centre use which will integrate well with the immediate area and help to diversify the offer and appeal of George Street. The Class 3 operation will be a footfall driver in both the day and evening, which brings associated spin off benefits to surrounding operators. The proposal would therefore contribute towards improving the vibrancy, vitality and viability of this section of George Street.
- 5.5. Paragraph 137 recognises that the planning system should enable positive change in the historic environment. Paragraph 141 outlines that change to a listed building should be managed to protect its special interest while enabling it to remain in active use. The proposed minor internal and external alterations relate only to the installation of an indicative internal extract duct route which exits at roof level to the rear (subject to future tenant requirements). An extract duct is required to facilitate the Class 3 use and will have no impact on the listed building given it will not be visible from the surrounding streets.

Planning Advice Note 59 – Improving Town Centres (PAN59)

- 5.6. PAN 59 recognises the importance of offering a wide variety of services within the Town Centre. Paragraph 12 of PAN 59 states that the most successful centres include a range of facilities and make the best use of the existing built environment.

Regional Planning Policy

Strategic Development Plan for Edinburgh and South East Scotland – SESplan (2013)

- 5.7. Paragraph 99 recognises that town centres perform an important role. The proposals will allow a Class 3 operator to occupy the unit, thereby contributing to a range of uses on George Street, ensuring the continued vitality and viability of the City Centre.

Local Planning Policy

Change of Use Proposals

Edinburgh Local Development Plan (adopted November 2016)

- 5.8. The adopted LDP identifies the site within the City Centre Retail Core and part of the George Street defined frontages (specifically within 71-109 George Street) which is viewed as a City Centre Primary Frontage, and located within the New Town Conservation Area.
- 5.9. One of the main objectives of the LDP is to “*sustain and enhance the city centre as the regional focus for shopping, entertainment, commercial leisure and tourism related activities and encourage appropriate development of the highest quality*”. The proposal will facilitate the use of the premises by a high quality Class 3 operator, sustaining and enhancing the City Centre and its appeal to nearby residents and visitors alike.
- 5.10. Occupation of the unit by a tenant on a long term basis is clearly desirable, especially given its prominent position on a key frontage within the city centre. A positive determination of the proposals will contribute towards securing a long term operator. It is considered that a Class 3 restaurant operation would make a valuable contribution to the city centre’s wider vitality and viability.

5.11. Policy Ret 9 '*Alternative Use of Shop Units in Defined Centres*' states that detailed criteria for assessing proposals for a change of use of a shop unit to a non-shop use within the City Centre Retail Core will be set out in Supplementary Guidance. This is considered in detail below.

5.12. Policy Ret 11 '*Food and Drink Establishments*' applies irrespective of location and states that the change of use of a shop unit or other premises to a restaurant will not be permitted:

a) if likely to lead to an unacceptable increase in noise, disturbance, on-street activity or antisocial behaviour to the detriment of living conditions for nearby residents, or

b) in an area where there is considered to be an excessive concentration of such uses to the detriment of living conditions for nearby residents.

5.13. With respect to criterion (a), the proposals will have no detrimental impact on George Street in terms of noise, disturbance, on-street activity or anti-social behaviour, which in any case, is not predominantly residential in character. Adequate ventilation will be installed to ensure the smells and odours from cooking are extracted through the correct facilities. Consequently, the use and operation of the unit as a restaurant will not impinge on the amenity of nearby residents and occupiers.

5.14. With respect to criterion (b), it is also clear that the majority of premises are Class 1 along this George Street frontage (see Appendix 1). As such, it is considered that the introduction of a Class 3 operator at the premises would contribute to increased footfall in the area, supplementing the existing economy, all to the benefit of the wider City Centre Retail Core.

City of Edinburgh Council Supplementary Guidance – City Centre Shopping & Leisure (January 2020)

5.15. The City Centre Shopping & Leisure Supplementary Guidance (January 2020) applies to all shop units within the defined City Centre Retail Core.

5.16. Policy CC 3 '*City Centre Primary Frontages*' seeks to guide the use class make-up of frontages on these prominent city centre streets (including 71-109 George Street). Proposals for a change of use of shop units on these frontages to non-shop uses will only be permitted provided:

- a) *as a result of permitting the change of use, no more than one third of the total number of units in the frontage of that block will be in non-shop use; and*
- b) *the proposal is for an appropriate commercial or community use which would complement the character of the City Centre Retail Core and would not be detrimental to its vitality or viability.*

5.17. A survey of the use classes between 71-109 George Street confirmed that 7 of the 14 units within the frontage are in Class 1 use currently meaning this frontage has already exceeded the permitted threshold which shows the prescribed policy is not meeting its own objectives of maintaining Class 1 (Retail) uses. A full breakdown of the retail survey is contained in Appendix 1.

5.18. Following the introduction of a Class 3 unit, the number of non-Class 1 uses within the primary frontage would be 8 units, which is above the one third criteria in Policy CC 3. Notwithstanding, the number of non-class 1 units would be marginally above half within the frontage and generally in line with planning criteria for other key frontages in the City Centre such as Castle Street, Frederick Street and Hannover Street.

5.19. It should be noted that the Supplementary Guidance was prepared before the current Covid-19 took hold and the wider implications on retail and high street were known. As documented previous significant challenges exists for retailing in city centres. Given this significant material impact sufficient flexibility of the thresholds controlling non-class 1 uses should be exercised to enable landlords workable solutions to accommodate occupiers to enhance the City Centre's vitality and viability and ensure no further vacant units are created.

5.20. In terms of assessments against criterion b), a Class 3 restaurant at this location is an appropriate commercial use which will contribute to increased footfall in the area, supplementing the existing day and evening economy, all to the benefit of the wider City Centre Retail Core.

5.21. The proposals would contribute to and improve the vitality and viability of this section of George Street, and meet with macro trends for complementary town centre uses throughout the UK, supporting the existing retail uses in the area.

5.22. The principle of the proposed change of use is not strictly compliant with Policy CC 3, notwithstanding, significant material changes have taken place since this policy was originally devised and sufficient flexibility should be exercised to allow a vibrant and viable use in the City Centre.

City of Edinburgh Council Supplementary Guidance – Guidance for Businesses (March 2018)

5.23. Guidance for Businesses has been published to assist in preparing applications to change the use of a property or carry out physical alterations. The guidance builds on adopted policy, stating that Class 3 uses are acceptable where there is not an excessive concentration of such uses within a locality, and the activity is in accordance with the character and appearance of the property. As established, the proposals meet with these requirements.

Listed Building Consent (ePlanning Scotland Ref: 100414518-002)

5.24. The premises are Category B Listed and are located within the wider New Town Conservation Area.

5.25. Policy Env 4 states that proposals to alter or extend a listed building will be permitted where those alterations or extensions are justified, will not cause any unnecessary damage to historic structures or diminish its interest. The historic interest is not considered to be diminished as a result, with the proposed extract duct the only alteration. The proposed extract duct will facilitate the Class 3 operation, with the proposed route shown within the submitted drawing package. The alterations will have the dual effect of facilitating the occupation of the unit by a restaurant operator, which will contribute to the city centre vitality through increased footfall generation.

5.26. Policy Env 6 sets out criteria for assessing development in conservation areas. The installation of the internal extract duct which exits at roof level to the rear, as is required to facilitate the Class 3 use, will have no material impact on the surrounding conservation area, not being visible from surrounding streets. As such, there will be no conflict with Policy Env 6 'Conservation Areas – Development'.

6. Conclusions

- 6.1. This Planning Supporting Statement has assessed the proposed change of use of the subject premises to a Class 3 use against national, regional and local retailing planning policy.
- 6.2. SPP (2014) supports a diversity of uses where they contribute to footfall and city centre vitality, viability and vibrancy. The proposals are in accordance with this policy provision, and will make a valuable contribution to the area and the footfall drawn to it, benefitting the surrounding units.
- 6.3. The proposals meet with Policy Ret 9 and Policy Ret 11 of the adopted Edinburgh LDP as the Class 3 use is appropriate given the city centre location. Although the proposals do not fully satisfy the criteria of Policy CC 3 within the City Centre Shopping & Leisure Supplementary Guidance (January 2020) it is considered given the significant material changes that have taken place sufficient flexibility should be exercised in this case.
- 6.4. The subject premises are currently occupied by Paperchase, whose lease is short term only. Ultimately, the proposed use will provide for an improved unit to allow for the occupation of a Class 3 operator, supporting a mix of uses within the City Centre, thereby contributing to a vibrant day and evening economy, benefiting the vitality and viability of the City Centre and ensure no further vacant units are created.
- 6.5. The proposed internal and external alterations are solely limited to the installation of an extract duct facilitating the Class 3 use. As such, the proposal will have no adverse impact on the Category B Listed Building or the character of the New Town Conservation Area.
- 6.6. Given the foregoing, it is respectfully requested that the City of Edinburgh Council assesses the submitted applications favourably and that planning permission and listed building consent is forthcoming.



Appendix 1 - Retail Survey

71-109 George Street Frontage

No	Tenant	Class
71	Vacant*	2
73-75	Bank of Scotland	2
77a	Paperchase	1
79	Café Andaluz	3
83	Clydesdale Bank	2
85	Joules	1
89	Hamilton & Inshes	1
91	White Stuff	1
93	Jo Malone	1
95	Vacant	3
97-99	Whistles	1
103	Contini	3
105	Space NK	1
107	ESPC	2

* Planning application (ref: 20/05757/FUL) is currently Minded to Grant (subject to Section 75) and seeks mixed use development with change of use to form a separate commercial unit for classes 1, 2 and 3 and upper floors converted to serviced apartments with erection of a roof top extension with external alterations and extraction flue.

Savills Planning
Wemyss House
8 Wemyss Place
Edinburgh
EH3 6DH

0131 247 3700

Adam Henry
Savills
Wemyss House
8 Wemyss Place
Edinburgh
EH3 6DH

Friday 14th May 2021

Dear Adam

Paperchase Unit: 77A George Street

Many thanks for giving me the comprehensive briefing in regard to the proposals for the Paperchase unit on George Street.

As discussed, Essential Edinburgh is very supportive of the proposals put forward. George Street is a hugely important part of our city centre and is and will evolve even more in the coming years.

We must be flexible in our approach to proposals, especially ones such as this that will add to the vibrancy and range of the offering on the street. With our retail sector under so much pressure at present and with the opening of the St James Quarter in June, we must ensure that George Street retains its appeal to residents and visitors.

The unit's location is also perfect as it is adjacent to other restaurant units thus providing another restaurant focused area of George Street to compliment the western block of the street. With the proposals to redesign the street to incorporate less traffic and more open space and outside seating, the proposal; fits perfectly into our shared long-term vision for the street.

No one wants to see vacant units on George Street, and we would like to see high quality operators enter the vicinity. I was delighted to hear that you are in discussions with a number of such potential operators. The application will also secure up to twenty jobs for the city, a number of which will be secured by important and targeted areas of our workforce.

As the city centre recovers from the pandemic, we must look to continue to support new operators wishing to locate in the city centre, especially ones that support the evolving nature of the street, the long-term vision for George Street and the need to make the city centre an attractive and appealing place to spend quality time.

Whilst I accept the application is not strictly in line with the Council planning policy, Essential Edinburgh fully endorse the proposal for a new restaurant. And would look forward to working closely with the operator to ensure it is a great success.

If you require any additional information, please make contact.

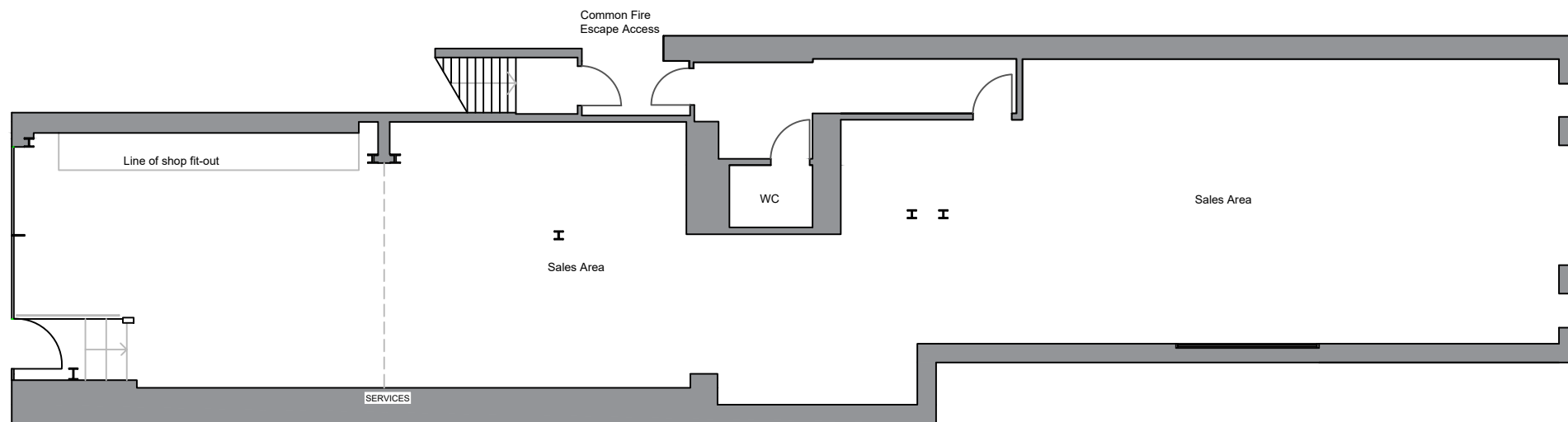
Regards,



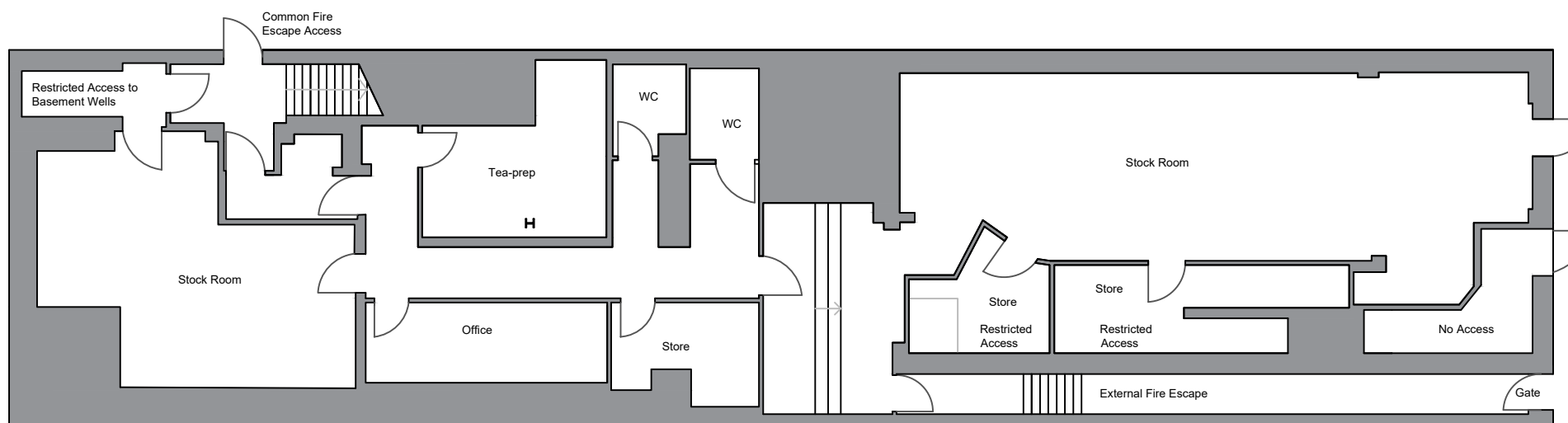
Roddy Smith

Chief Executive

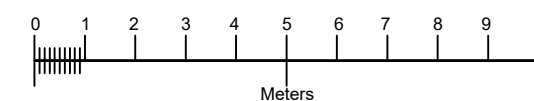
THIS DRAWING AND AUTOCAD DATA THEREIN PROTECTED BY COPYRIGHT © AND MUST NOT BE COPIED OR REPRODUCED WITHOUT THE WRITTEN CONSENT OF SAVILLS (UK) LTD



Ground Floor as Existing



Basement as Existing



Rev	Revision note	Date	By	Check

ALL SIZES ON SITE TO BE CONFIRMED BY CONTRACTOR PRIOR TO MANUFACTURE OR CONSTRUCTION

savills Savills (UK) Ltd
 8 Wemyss Place
 Edinburgh EH3 6DH
 Tel: 0131 247 3811
 Fax: 0131 247 3724
 Web: www.savills.com

BUILDING CONSULTANCY & PROJECT MANAGEMENT

Project:
77a George Street, Edinburgh

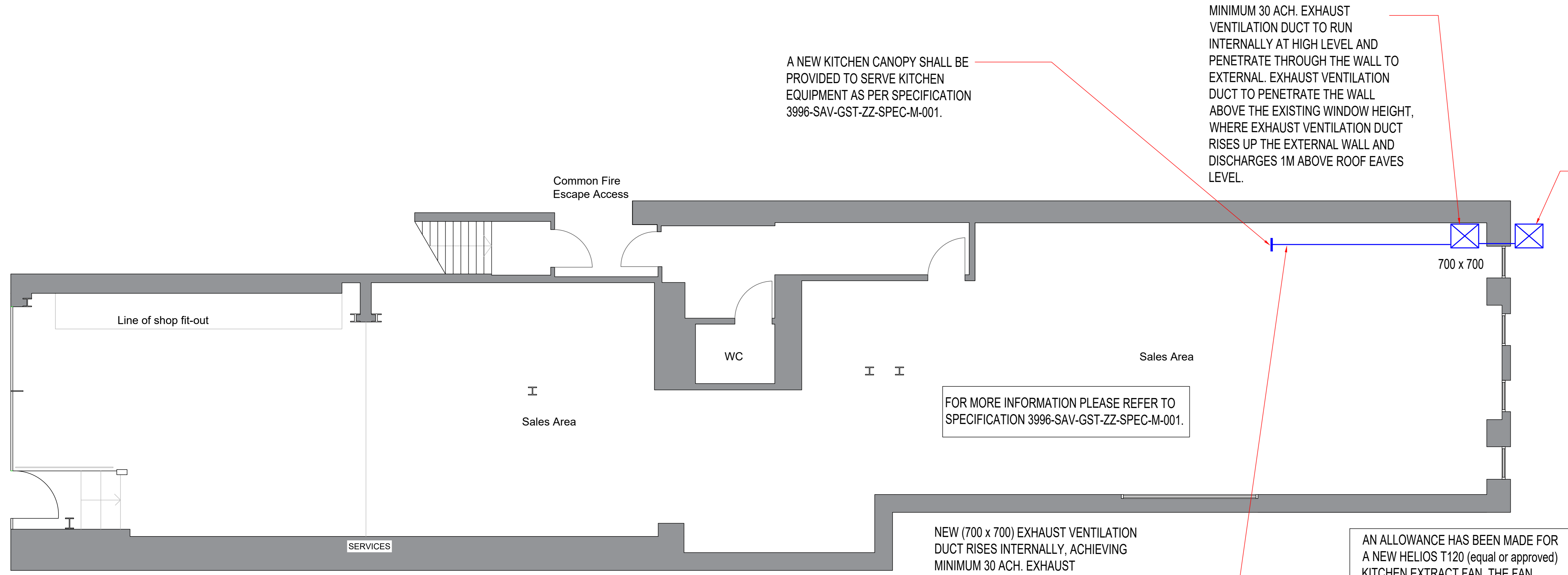
Drawing Title:
Layout as Existing

Client:	Revision:	Sheet:
Aegon	-	2/4

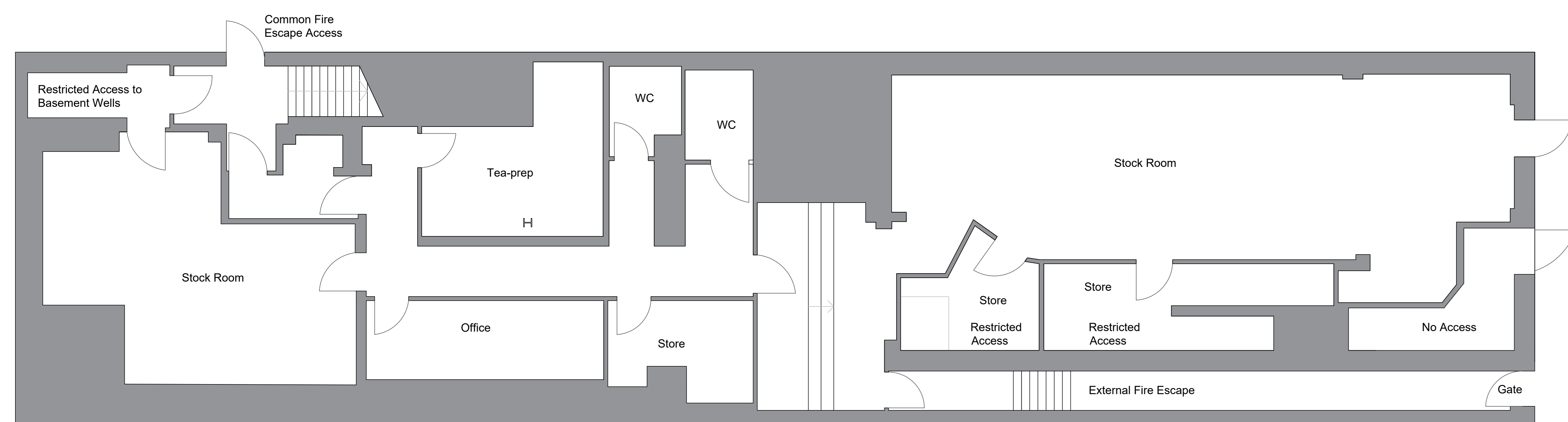
Scale:	Date:	Drawing Number:
1:150@A3	26/03/21	FS2101-02
Drawn By:	Checked By:	Approved By - Date:
HR	MH	MH 26/03/21

NOTES

- THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS & RELEVANT DOCUMENTS.
- ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED.
- ALL SERVICE ROUTES SHOW DESIGN INTENT ONLY. ALL FINAL ROUTES & LOCATIONS OF PLANT & SERVICES SHALL BE AGREED ON SITE PRIOR TO COMMENCEMENT OF WORKS BY THE CONTRACTOR & REFLECTED IN THE WORKING-AS-BUILT DRAWINGS.
- ALL SERVICES SHOWN ON THIS DRAWING INCLUDING SUPPORT BRACKETS & SUPPLEMENTARY STEELWORK SHALL BE PROVIDED BY THE MECHANICAL CONTRACTOR UNLESS OTHERWISE STATED.
- ACCESS PANELS ON DUCTWORK TO BE PROVIDED IN ACCORDANCE WITH DW172 & DW144 GUIDANCE.
- FIRE DAMPERS & VOLUME CONTROL DAMPERS TO BE POSITIONED TO ENSURE CLEAR ACCESS.
- SPATIAL COORDINATION IS BY THE M&E CONTRACTOR. THE CONTRACTOR/FABRICATOR SHOULD CHECK & ESTABLISH ALL DIMENSIONS, SETTING OUT, BEAM HEIGHTS, CEILING DEPTHS & LEVELS ON SITE PRIOR TO PRODUCING INSTALLATION DRAWINGS.
- THE MECHANICAL VENTILATION SYSTEMS HAVE BEEN DESIGNED IN ACCORDANCE WITH BUILDING REGULATIONS (SCOTLAND) SECTIONS 3.14.5 "MECHANICAL VENTILATION" & 6.6 "MECHANICAL VENTILATION & AIR CONDITIONING (MVAC)".
- ALL DUCTS SHALL BE MANUFACTURED & INSTALLED IN ACCORDANCE WITH DW172 & DW144.
- ALL KITCHEN SUPPLY & EXTRACT SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH DW172.
- ALL SUPPLY DUCTWORK SHALL BE FULLY INSULATED ALONG ITS ENTIRE LENGTH.
- KITCHEN EXTRACT DUCTWORK WHICH IS REQUIRED TO PASS THROUGH FIRE COMPARTMENT WALLS, FLOORS & CEILINGS OR FIRE BARRIERS SHALL BE FIRE RATED ALONG ITS ENTIRE LENGTH IN ACCORDANCE WITH THE FIRE STRATEGY.
- ALL MECHANICAL PLANT & SERVICES SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS & GUIDANCE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CREATING SAFE & SUITABLE ACCESS TO ALL PLANT & SERVICES IN ORDER TO ALLOW FUTURE MAINTENANCE IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS & GUIDANCE.



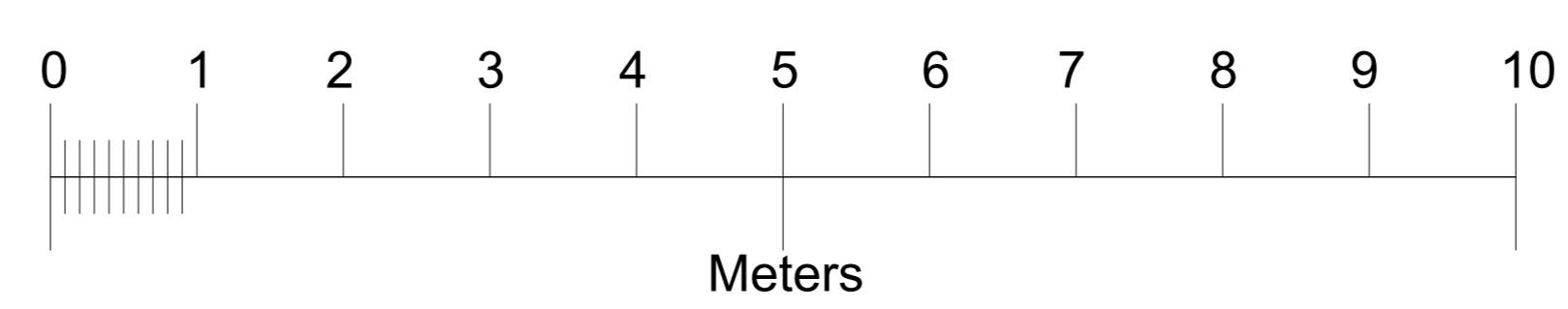
Ground Floor as Proposed



Basement as Proposed

LEGEND

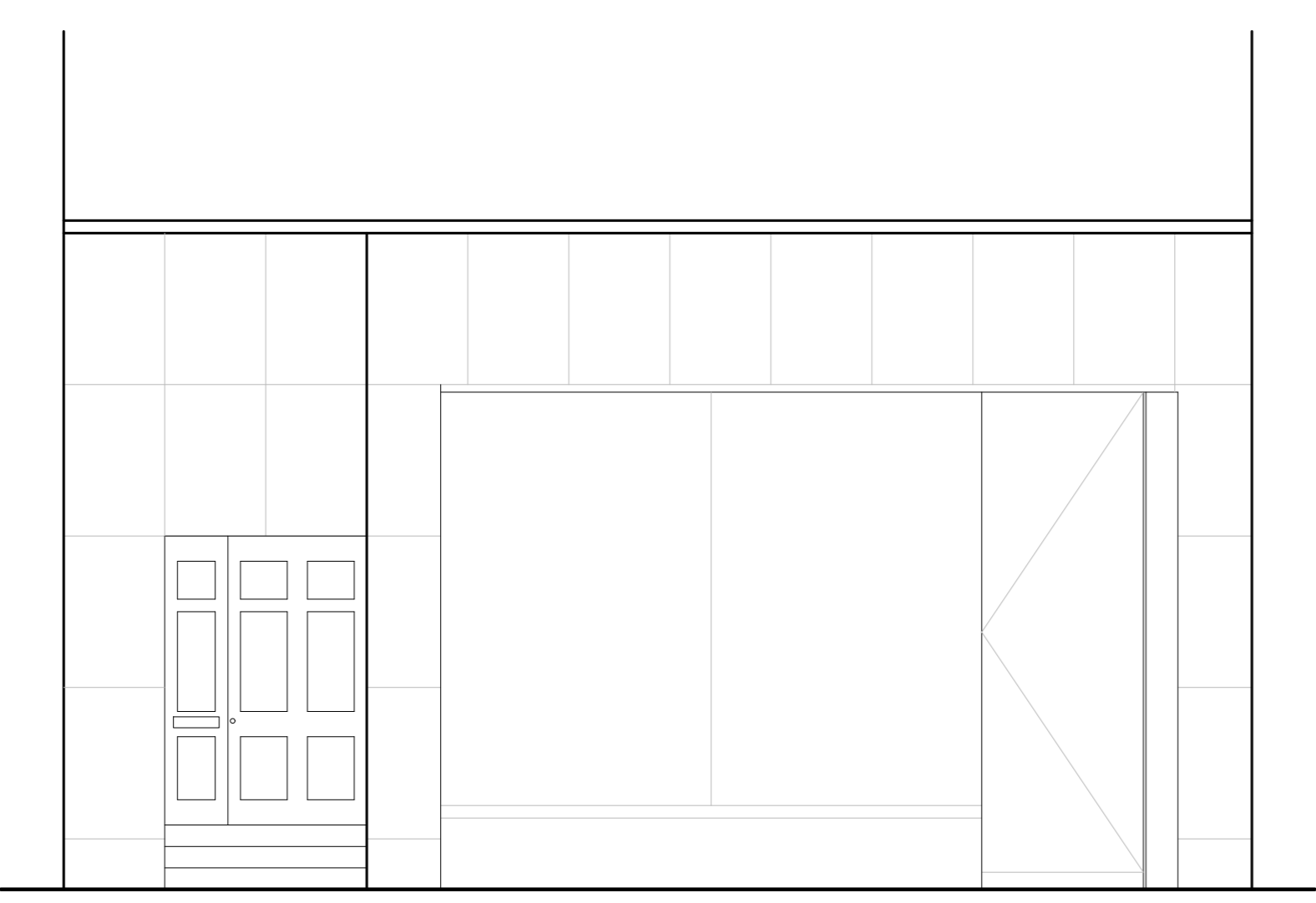
Key	Description
	STACK LOCATION INTERNALLY AND EXTERNALLY, INCLUDING PROPOSED RISING POINT EXTERNALLY.



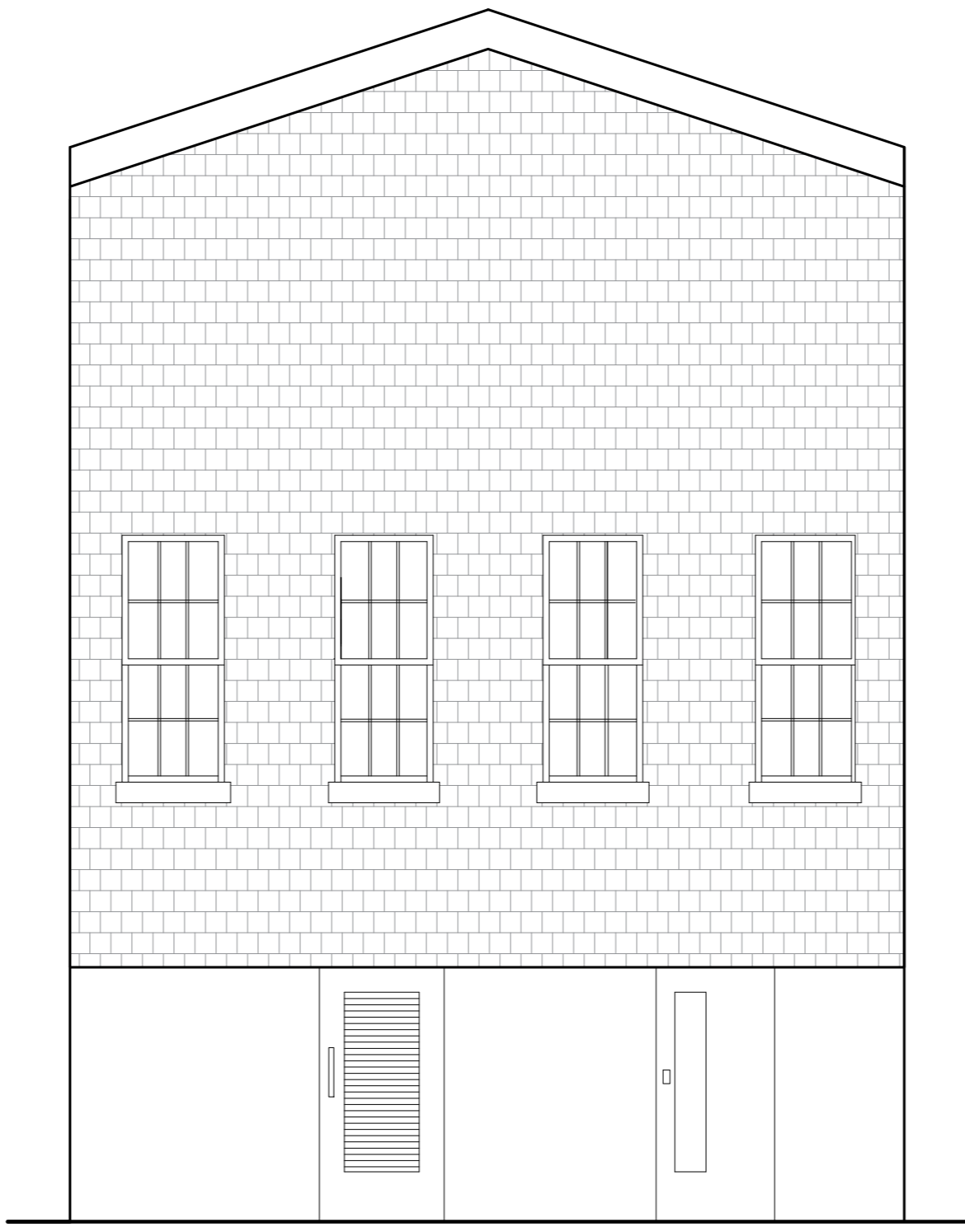
P1	PLANNING ISSUE	RM	02/07/21
Rev	Description	By	Date
Drawing Status			
PLANNING			
		Savills 15 Finabury Circus London EC2M 7EB Tel: 020 7499 8644 www.savills.com	
Client Aegon AM			
Project 77a George Street, Edinburgh			
Address 77a George Street Edinburgh EH2 3ES			
Drawing Title Ventilation Proposal			
Scale 1:150@A3	Date JUL 2021	Drawn By RM	Checked NK
Project No. 3996	Originator SAV	Building GST	Level 0001
Drawing Type DR	Discipline/Role M	Number 001	Revision P1

NOTES

- THIS DRAWING SHALL BE READ IN CONJUNCTION WITH ALL OTHER DRAWINGS & RELEVANT DOCUMENTS.
- ALL DIMENSIONS ARE IN MILLIMETRES UNLESS OTHERWISE NOTED.
- ALL SERVICE ROUTES SHOW DESIGN INTENT ONLY. ALL FINAL ROUTES & LOCATIONS OF PLANT & SERVICES SHALL BE AGREED ON SITE PRIOR TO COMMENCEMENT OF WORKS BY THE CONTRACTOR & REFLECTED IN THE WORKING-AS-BUILT DRAWINGS.
- ALL SERVICES SHOWN ON THIS DRAWING INCLUDING SUPPORT BRACKETS & SUPPLEMENTARY STEELWORK SHALL BE PROVIDED BY THE MECHANICAL CONTRACTOR UNLESS OTHERWISE STATED.
- ACCESS PANELS ON DUCTWORK TO BE PROVIDED IN ACCORDANCE WITH DW172 & DW144 GUIDANCE.
- FIRE DAMPERS & VOLUME CONTROL DAMPERS TO BE POSITIONED TO ENSURE CLEAR ACCESS.
- SPATIAL COORDINATION IS BY THE M&E CONTRACTOR. THE CONTRACTOR/FABRICATOR SHOULD CHECK & ESTABLISH ALL DIMENSIONS, SETTING OUT, BEAM HEIGHTS, CEILING DEPTHS & LEVELS ON SITE PRIOR TO PRODUCING INSTALLATION DRAWINGS.
- THE MECHANICAL VENTILATION SYSTEMS HAVE BEEN DESIGNED IN ACCORDANCE WITH BUILDING REGULATIONS (SCOTLAND) SECTIONS 3.14.5 'MECHANICAL VENTILATION' & 6.6 'MECHANICAL VENTILATION & AIR CONDITIONING (MVAC)'.
ALL DUCTS SHALL BE MANUFACTURED & INSTALLED IN ACCORDANCE WITH DW172 & DW144.
- ALL KITCHEN SUPPLY & EXTRACT SYSTEMS SHALL BE INSTALLED IN ACCORDANCE WITH DW172.
- ALL SUPPLY DUCTWORK SHALL BE FULLY INSULATED ALONG ITS ENTIRE LENGTH.
- KITCHEN EXTRACT DUCTWORK WHICH IS REQUIRED TO PASS THROUGH FIRE COMPARTMENT WALLS, FLOORS & CEILINGS OR FIRE BARRIERS SHALL BE FIRE RATED ALONG ITS ENTIRE LENGTH IN ACCORDANCE WITH THE FIRE STRATEGY.
- ALL MECHANICAL PLANT & SERVICES SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS & GUIDANCE.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR CREATING SAFE & SUITABLE ACCESS TO ALL PLANT & SERVICES IN ORDER TO ALLOW FUTURE MAINTENANCE IN ACCORDANCE WITH THE MANUFACTURER'S REQUIREMENTS & GUIDANCE.

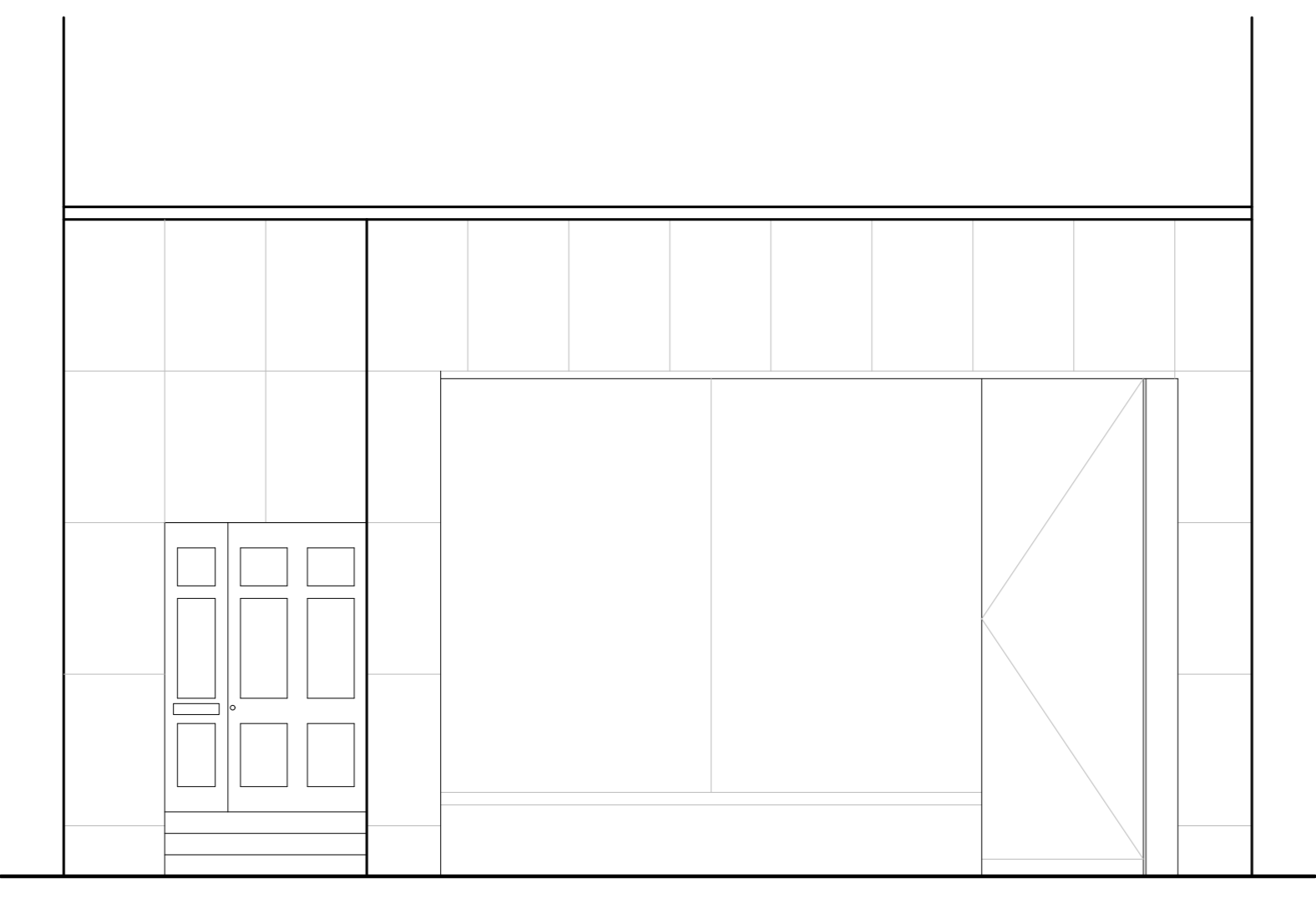


Front Elevation as Existing

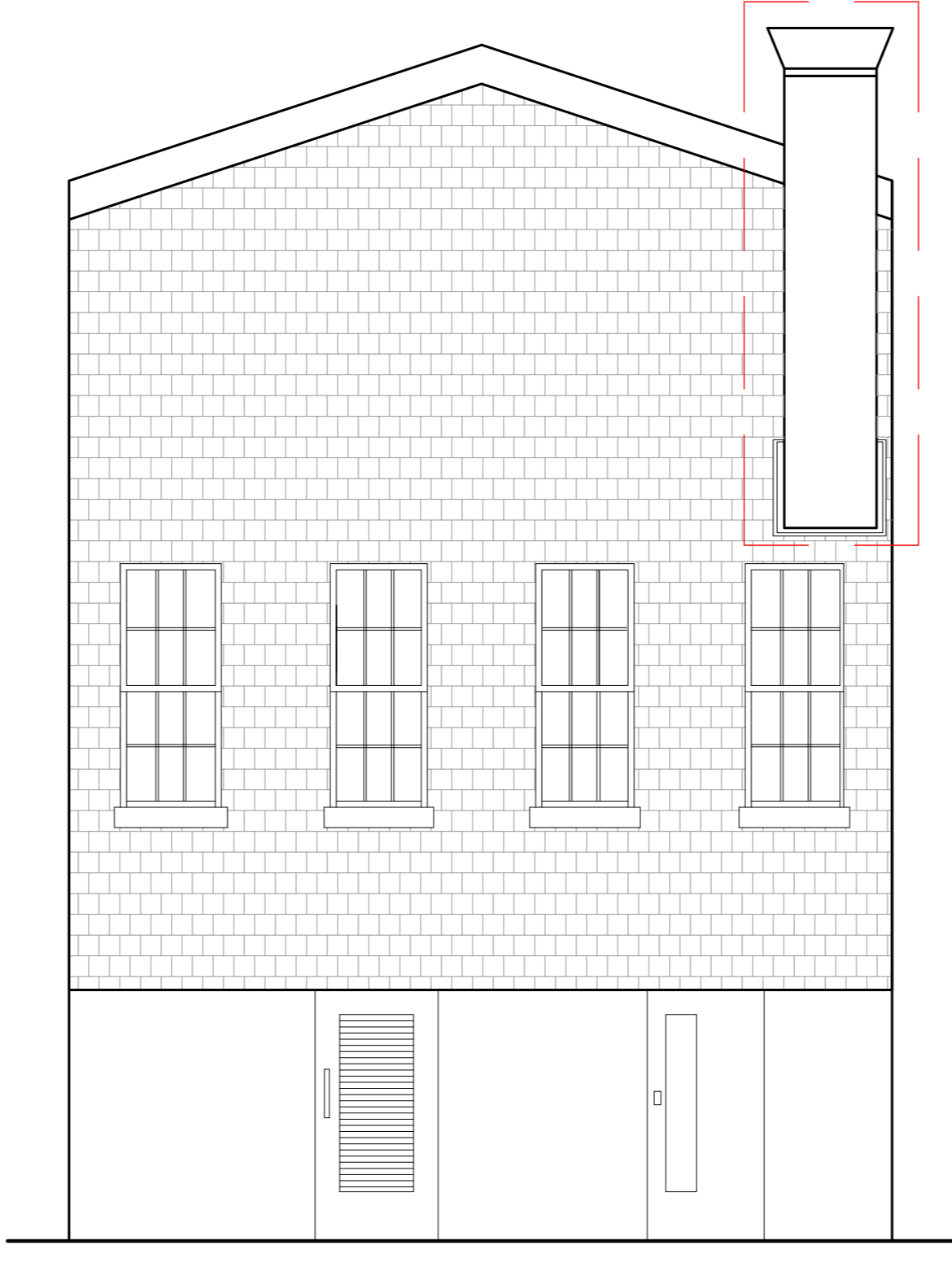


Rear Elevation as Existing

FOR MORE INFORMATION PLEASE REFER TO SPECIFICATION 3996-SAV-GST-ZZ-SPEC-M-001.



Front Elevation as Proposed (No Change)

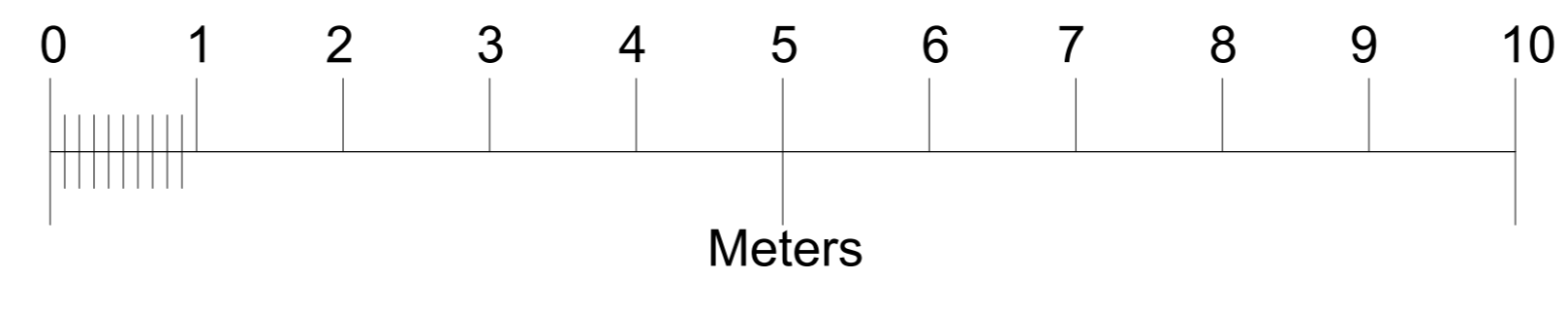


Rear Elevation as Proposed

PROPOSED NEW EXHAUST VENTILATION DUCT (700 x 700) TO PENETRATE THE WALL INTERNALLY VIA NEW BUILDERS WORK OPENING. EXHAUST VENTILATION DUCT TO RISE EXTERNALLY ON THE WALL OF THE PROPERTY AS SHOWN, WITH TERMINATION COWL 1M ABOVE ROOF EAVES. TERMINATION DETAIL TO BE SUITABLY WEATHER PROOFED TO PREVENT DAMAGE.

NEW BUILDERS WORK OPENING LOCATED ON THE EXTERNAL WALL, PROPOSED AS SHOWN.

NEW (700 x 700) EXHAUST VENTILATION DUCT RISES INTERNALLY, ACHIEVING MINIMUM 30 ACH. EXHAUST VENTILATION DUCT TO RUN INTERNALLY AT HIGH LEVEL AND PENETRATE THROUGH THE WALL TO EXTERNAL. EXHAUST VENTILATION DUCT TO PENETRATE THE WALL ABOVE THE EXISTING WINDOW HEIGHT, WHERE EXHAUST VENTILATION DUCT RISES UP THE EXTERNAL WALL AND DISCHARGES 1M ABOVE ROOF EAVES LEVEL.



LEGEND

Key	Description
	STACK LOCATION INTERNALLY AND EXTERNALLY, INCLUDING PROPOSED RISING POINT EXTERNALLY.

P1	PLANNING ISSUE	RM	02/07/21
Rev	Description	By	Date

Drawing Status

PLANNING



Savills
15 Finabury Circus
London
EC2M 7EB
Tel: 020 7499 8644
www.savills.com

Client
Aegon AM

Project
77a George Street, Edinburgh

Address
77a George Street
Edinburgh
EH2 3ES

Drawing Title
Ventilation Proposal - Elevations

Scale	Date	Drawn By	Checked
1:100@A3	JUL 2021	RM	NK
Project No.	Originator	Building	Level
3996	SAV	GST	0001
Drawing Type	Discipline/Role	Number	Revision
DR	M	002	P1

Kitchen Ventilation Services Technical Specification

77a George Street, Edinburgh

Planning Issue | P1



DOCUMENT ISSUE

Job No:	3996
Document Reference:	3996-SAV-GST-ZZ-SPEC-M-001
Author:	RM
Checked By:	NK

Revision No:	P1
Date of Issue:	09.07.21
Revision Details:	Planning Issue

Kitchen Ventilation Specification

77a George Street, Edinburgh



This specification is for the proposed kitchen ventilation at 77a George Street, Edinburgh as part of the current planning application (The City Of Edinburgh Council Reference Number - **21/02872/FUL**).

We have based our specification on the kitchen containing a 6 burner range, combi oven, griddle, double fryer and a salamander grill.

Using the parameters given in DW172, this level of equipment would require an airflow of 1.7 m³/sec, including the canopy correction factor.

Notwithstanding the above, we note the requirement for the proposed kitchen is to achieve at least 30 air changes per hour.

An allowance has been made for the physical dimensions of the kitchen area to be 12 metres x 7 metres with a floor to ceiling height of up to 5 metres.

Achieving a minimum of 30 air changes per hour equates to an airflow of 3.5 m³/sec. We can confirm that our specification is based on this figure.

The parameters of the ventilation systems that we are proposing are;

- High quality stainless steel kitchen canopy, complete with easy to clean stainless steel baffle type grease filters and built in grease traps. The canopy equipment will be manufactured in line with the latest version of the DW/172 specification.
- Suitable lighting will be provided inside the canopy. This shall be calculated to provide a minimum of 500 lux at the working surface areas.
- A new backward curved, high output centrifugal extract fan will be provided. This includes energy-efficient operation and low noise emission. This selection is based on the manufacturer "Helios T120" range and this is suited for the extraction of dirty, hot air up to 120° C.
- New galvanised steel ductwork shall connect to the canopy and be routed through the rear wall (adjacent to Hill Street South Lane, EH2 3LH) before rising vertically to terminate 1 metre above roof eaves level with a high velocity discharge cowl. The size of the ductwork would be 700 x 700, or the same cross-sectional area to achieve the required flow rate. The external ductwork shall be boxed in to conceal the duct, with suitable access hatches as per DW/172. The boxing out detail is to be painted in black, to provide an aesthetical finish to the installation.
- The entire length of the new kitchen extract ductwork shall include access doors for cleaning purposes. The exact number of access doors shall be in accordance with TR/19 and DW/172.
- A new fresh air intake system shall be provided to serve the kitchen area and shall be rated at 80% of the extract airflow. Suitable filtration will be incorporated into the ductwork system, rated in accordance with Grade EU4.

Kitchen Ventilation Specification

77a George Street, Edinburgh



- Fresh air shall be distributed inside the kitchen area either by new supply diffusers, or from a new fresh air plenum built in to the extract canopy itself.
- New primary ductwork attenuators and secondary ductwork attenuators shall be installed on the proposed kitchen extract system to ensure compliance with NR25 requirements. The attenuators are as per “TroX CA100” range, to fit the ductwork installation to ensure that the fan, flue and extraction point all meet the requirements of being within NR25 noise level. The attenuators shall be installed at strategic locations to ensure NR25 compliance.
- Should any of the catering equipment require a dedicated gas supply, a new safety interlock system is required and shall be provided. This system will confirm satisfactory operation of the ventilation fans, before the gas solenoid valve can be released. An “Ansul” fire suppression system shall also be incorporated.



Aegon Property Income Fund

Noise Impact Assessment

77a George Street, Edinburgh

11518035/rmg/R1 – 8th July 2021





Move Forward with Confidence

Document Control Sheet

Identification	
Client	Aegon Property Income Fund
Document Title	NIA - 77a George Street, Edinburgh
Client Reference	11518035/rmg/R1

Contact Details		
Company Name	Bureau Veritas UK Limited	Savills
Contact Name	Rocco Giudice	Craig Gunderson
Position	Principal Consultant	Senior Planner
Address	Suite 4/3 Cadell House 27 Waterloo Street Glasgow G2 6BZ	Wemyss House 8 Wemyss Place Edinburgh EH3 6DH
Telephone	0141 229 5000	0131 247 3749
e-mail	rocco.giudice@uk.bureauveritas.com	craig.gunderson@savills.com

Configuration				
Version	Date	Author	Reason for Issue/Summary of Changes	Status
v1	8/07/21	Rocco Giudice		FINAL

	Name	Job Title	Signature
Prepared By	Rocco Giudice, BSc(Hons), PgDip, MIOA	Principal Consultant	
Approved By	Craig Scott BEng (Hons), MIOA	Technical Director	

Commercial In Confidence
© Bureau Veritas UK Limited

The copyright in this work is vested in Bureau Veritas UK Limited, and the information contained herein is confidential. This work, either in whole or in part, may not be reproduced or disclosed to others or used for any purpose, other than for internal client evaluation, without Bureau Veritas' prior written approval.

Bureau Veritas UK Limited, Registered in England & Wales, Company Number: 01758622
Registered Office: Suite 208, Fort Dunlop, Fort Parkway, Birmingham, B24 9FD

Contents

- 1. Introduction**
- 2. Description of Site**
- 3. Criteria for Noise Assessment**
- 4. Noise Model**
- 5. Discussion**
- 6. Conclusions**

Appendices

- Appendix A - Glossary of Acoustic Terminology
- Appendix B - Site Plan
- Appendix C - Noise Contour Maps

1. Introduction

- 1.1 Bureau Veritas was instructed to undertake a noise impact assessment for a premises at 77a George Street, Edinburgh which seeks to change its use from Class 1 (Retail) to Class 3 (Restaurant).
- 1.2 This assessment looks to achieve the following;
- Prepare a noise model to establish the noise impact of a new kitchen extract system;
 - Assess the extract noise at the nearest receptors in line with the Local Authority guidance
 - Assess the airborne noise transfer within the new restaurant (i.e. from music, kitchen equipment, internal plant) to the neighbouring residential receptors.
- 1.3 The noise impact assessment was facilitated by preparing a noise model using the CadnaA noise mapping software.
- 1.4 Scaled site plans of the proposed development were supplied by Savills. A copy of the proposed site plan can be found in Appendix C.

2. Description of Site

- 2.1 The proposed development is situated at 77a George Street, Edinburgh. It is understood that an existing retail unit at this address is to be converted to a new restaurant.
- 2.2 This change of use will be from Class 1 (Retail) to Class 3 (Restaurant) and will also include the installation of an air extraction system which will be located at the rear of the property.
- 2.3 The proposed development site is located between a bank and the Café Andaluz restaurant. Directly above the property is another restaurant, Cadiz. It is understood that the nearest residential receptors are flats on the second and third floor of 79 George Street. These flats are located directly above the Cadiz restaurant.
- 2.4 It is understood that a Helios T120 fan will be located inside the building at the rear of the property and the flue will terminate at the rear too. Both the fan and flue will therefore be located close to Hill Street Lane and may therefore impact on the closest receptors at 79 George Street.
- 2.5 It is considered that the highest noise sources from the new restaurant will be from the externally located flue. It is not envisaged that airborne noise transfer to the 2nd and 3rd storey flats from the basement and ground floor of the new development will have a significant impact, especially as the Cadiz restaurant is already located on the 1st floor (i.e. between then new development and existing flats).

3. Criteria for Noise Assessment

3.1 Bureau Veritas have been commissioned as part of the planning process to undertake a noise impact assessment with a view to establishing whether the proposed development site is suitable for a new restaurant.

3.2 Due to the introduction of new externally located plant, it is possible that the amenity of nearby residential apartments will be affected. The City of Edinburgh Council have subsequently conditioned the site as follows;

“There are properties above, to the rear and potentially through the wall of the application premises (e.g. from the flue) which should be protected from cooking odours and noise. Therefore, I would recommend the following be provided by the applicant:

1. *A noise impact assessment (NIA) which confirms that noise from the fan, flue and extraction point will all be within NR25 noise level;*
 - a. *Inside the nearest residential property with the window open for ventilation purposes (for external noise coming into the property) and;*
 - b. *Within the upstairs residential properties with the window closed (for internal noise transference e.g. fan noise travelling from the internal flue) and;*
 - c. *All noise mitigation measures required to meet the NR25 criterion are shown on a referenced and dated drawing including all specifications (e.g. silencers, attenuators, fan specifications including maximum recommended plant noise levels).*
2. *The NIA should also demonstrate that noise from normal restaurant operations is inaudible (meets NR15) within the nearest residential property. In this regard it is recommended that source noise levels of a working restaurant with music playing and kitchen operations occurring (e.g. chopping, use of equipment etc) is used for the assessment.”*

Plant Noise - Noise Rating Curves

3.3 It is generally considered inappropriate to use only single-figure, A-weighted levels for plant noise due to the impact of the tonal elements of the noise. A relatively common application of absolute criteria is to use Noise Rating Curves to provide a target level in design work.

3.4 Noise Rating or NR curves were developed by the International Organization for Standardization (ISO) to determine the acceptable indoor environment for hearing preservation, speech communication and annoyance. Therefore, it provides a single figure noise level that considers the frequency content of the noise.

3.5 The benefit of using a NR Curve is that it provides an absolute limit value in each octave band, whereas using an A-weighted level means that for a given dB(A) value, the allowable level of low frequency noise depends on the noise level at other frequencies. For a situation where there is little mid and high frequency noise transmission, a higher level of low frequency will be allowable without exceeding the dB(A) limit. The NR Curves therefore penalise low frequency noise as it is generally considered to cause more annoyance.

3.6 The City of Edinburgh Council has therefore requested that that plant noise does not exceed NR25 indoors from the new plant and NR15 from airborne noise transfer within the new restaurant.

4. Noise Model

Noise Model

- 4.1 The assessment of site suitability is based upon the potential impact of noise from the new restaurant. To facilitate this, an acoustic model has been created for the proposed development site using CadnaA noise mapping software Version 2020. The model calculates the contribution from each noise source, input as a specified source type e.g. area or point source.
- 4.2 The model predicts noise levels based on hemispherical propagation, atmospheric absorption, ground effects, in plant reflections, screening and directivity based on the procedure detailed in ISO 9613-2, "Acoustics -- Attenuation of sound during propagation outdoors -- Part 2: General method of calculation".
- 4.3 The model has been run using a receiver height of 8m metres above grade, equivalent to a first floor flat. The model accounts for equal sound radiation of noise sources in all directions.
- 4.4 ISO 9613-2 gives the estimated accuracy of the noise model as ± 3 dB, for the calculation of broadband A-weighted sound levels, for receiver distances of up to 1 km. The standard also states that errors in the calculation of individual octave bands may be somewhat larger than the estimated errors given for broadband A-weighted sound levels.

Noise Inputs

- 4.5 It is understood that a Helios T120 fan will be used for the new restaurant. The precise size and power of the fan is unknown at this time, however, for the purposes of our assessment the largest fan in this range has been used, i.e. a Helios GBD 710/4 T120. It is understood the fan itself will be located indoor, however, the exhaust and flue will be located at the rear of the building.
- 4.6 Octave band noise levels were obtained from the Helios technical data sheets and the information used to inform the model can be seen below. It should be noted that for the purpose of the model, the plant item was set to operate and continuously, thus presenting a worst-case scenario.

Table 4.1: Fan Noise Level (exhaust)

Equipment	No. of Units	Octave Band Sound Power Level (dB)						
		125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
Helios GBD 710/4 T120 Exhaust	1	77	78	80	81	82	77	70

5. Results

Plant Noise

- 5.1 The colour contour noise maps shown in Appendix D display the noise level of plant associated with the new development.
- 5.2 There will be one item of plant located inside the new restaurant at the rear of the building, i.e. a Helios T120 fan and the flue will be vented outside. While the precise model of the fan is not known at this stage, it was considered appropriate to go with the largest model, i.e. the Helios GBD 710/4 T120.
- 5.3 It should be noted that the sound power level used for the fan exhaust is likely to be exaggerated as it does not include for any corrections such as directivity, mitigation offered by the duct or flue material, insertion loss and canopy of the flue. Furthermore, the model assumes that the fan will be running continuously, hence representing a worst-case scenario. The plant noise levels based on the flue extract noise level at the most exposed noise sensitive receptors are given below.

Table 5.1: Octave Band Level at Nearest Receptors

Calculation Point	Octave Band Sound Pressure Level (dB)						
	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
79 George Street	26.0	35.1	42.6	46.8	48.9	43.2	52.3

Internal Levels (Plant Noise)

- 5.4 An assessment of plant noise with respect to Noise Rating Curves has been made, with a limit of NR25 inside sensitive receptors set by the Local Authority. The NR25 criterion is displayed below and shows the octave band levels which must not be exceeded.

Table 5.2: NR25 Criteria (dB levels which must not be exceeded)

	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
NR 25	44	35	29	25	22	20	18

- 5.5 Noise levels of plant were calculated based on the Helios technical datasheets but assume no mitigation or control of noise. Internal noise levels have been calculated based on the now superseded, BS 8233:1999, which stated that a partially open window, which allows for ventilation, provides approximately 10 – 15 dB(A) attenuation and for the purposes of this assessment we have assumed 13 dB(A) attenuation.

Table 5.3: Internal Plant Noise Calculation

	Octave Band Sound Pressure Level (dB)						
	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
Highest Façade Level	26	35.1	42.6	46.8	48.9	43.2	52.3
Partially Open Window	-13	-13	-13	-13	-13	-13	-13
Internal Level	13	22.1	29.6	33.8	35.9	30.2	39.3
NR 25 Criterion	44	35	29	25	22	20	18
Criteria Met?	✓	✓	✗	✗	✗	✗	✗
Shotfall	-	-	0.6	8.8	13.9	10.2	21.3

- 5.6 It can be seen from the results displayed in Table 5.3 above that noise arising from the new kitchen extract may not be met. The calculation has not included any mitigation benefits such as directivity, mitigation offered by the duct or flue material, insertion loss and canopy of the flue. Furthermore, it is expected that the flue will be fitted with a silencer which will considerably reduce noise levels further. The M&E engineer will be able to accurately specify the appropriate silencer and as the predominant exceedance in noise is at higher frequencies, this is easier to attenuate.
- 5.7 In order to achieve the NR25 criteria with windows partially open within the nearest flats, Bureau Veritas have calculated the maximum sound pressure level (SPL) which must not be exceeded at the flue. The noise limit below should therefore be used by the ventilation engineer to select a suitable fan and silencer in order to ensure this planning condition can be met

Table 5.4: Maximum SPL at 1m which must not be exceeded in order to meet condition

	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
SPL @ 1m (dB)	81.5	71.7	65.6	61.6	58.7	57.3	57.1

Airborne Noise Transfer

- 5.8 This section provides an assessment of the predicted noise levels inside the residential premises located at 79 George Street Edinburgh which are located on the 2nd and 3rd floors of the same building. It should be noted however, that on the 1st floor there is an existing restaurant, Cadiz, so the new development will share a common party floor with the existing flats.
- 5.9 It is understood that the basement (i.e. three levels below the nearest flat at 79 George Street) shall be used as a stock room and kitchen. Noise levels within kitchens have previously been measured by Bureau Veritas and are typically around 80 dB. The ground floor level is to be used for dining and Bureau Veritas has previously measured noise levels within restaurant with background music to be 70 dB.
- 5.10 77-79 George Street is a period property, possibly Georgian and is of a brickwork construction. Ash-deafened floors were the primary form of separating floors in this period and the core construction is likely to comprise of deep timber joists with timber battens along each side of the joists to support deafening boards. The boards provide a platform to support and contain the ash-deafening. Typically, an airborne sound insulation of D_{ntw} 50-53 dB should be achieved for these floor types, however, Bureau Veritas has measured much higher in practice.
- 5.11 The planning condition states that “noise from normal restaurant operations is inaudible (meets NR15) within the nearest residential property.” As the basement is 3 levels below the nearest flat and the dining area is 2 levels below the nearest flat the combined sound insulation of the 2/3 floors is expected to be far in excess of the expected noise levels generated by a kitchen or dining area of a restaurant with background music and hence it is considered that airborne noise from the new restaurant will be inaudible within the existing flats. In fact, Bureau Veritas consider that the D_{ntw} could easily exceed 70 dB between the ground and second floor flat and even more between the basements and second floor.
- 5.12 It should again be pointed out, that there is already a restaurant on the 1st floor which is direct below the 2nd floor flat of 79 George Street. This is far more likely to be audible than noise from the new restaurant which will occupy the basement and ground floor only.

6. Conclusions

- 6.1 Bureau Veritas have assessed the noise impact of a proposed new Class 3 development at 77a George Street in Edinburgh.
- 6.2 A noise model was prepared using the modelling software CadnaA in order to predict the impact of a new kitchen extract system. Precise details of the fan to be used are not known at this stage, therefore a worst-case assessment was undertaken by using the largest fan in the Helios T120 range.
- 6.3 The calculation did not include any mitigation benefits such as directivity, mitigation offered by the duct or flue material, insertion loss and canopy of the flue. Furthermore, it is expected that the flue will be fitted with a silencer which will considerably reduce noise levels further. The results therefore shows that the NR25 criteria is likely to be exceeded if using the largest fan without assuming mitigation measures.
- 6.4 The noise model was subsequently used to set a noise limit for the extract system. The table below therefore shows the maximum noise levels which must not be exceeded at the flue, in order the NR25 criteria to be met. This data should be provided to the M&E Engineer who will be able to accurately calculate the noise break out of the proposed extract system.

Table 6.1: Maximum SPL at 1m which must not be exceeded in order to meet condition

	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
SPL @ 1m (dB)	81.5	71.7	65.6	61.6	58.7	57.3	57.1

- 6.5 The assessment has also considered the airborne sounds transfer between the new restaurant located within the basement and ground floor on the nearest flats, located on the 2nd and 3rd floors. It is expected that the sound insulation of the existing floors are significant and will contain noise from the kitchen in the basement and dining area on the ground floor. Furthermore, it should be noted, that there is already a restaurant on the 1st floor which is directly below the 2nd floor flat of 79 George Street. This is far more likely to be audible than noise from the new restaurant which will occupy the basement and ground floor only.

Appendix A

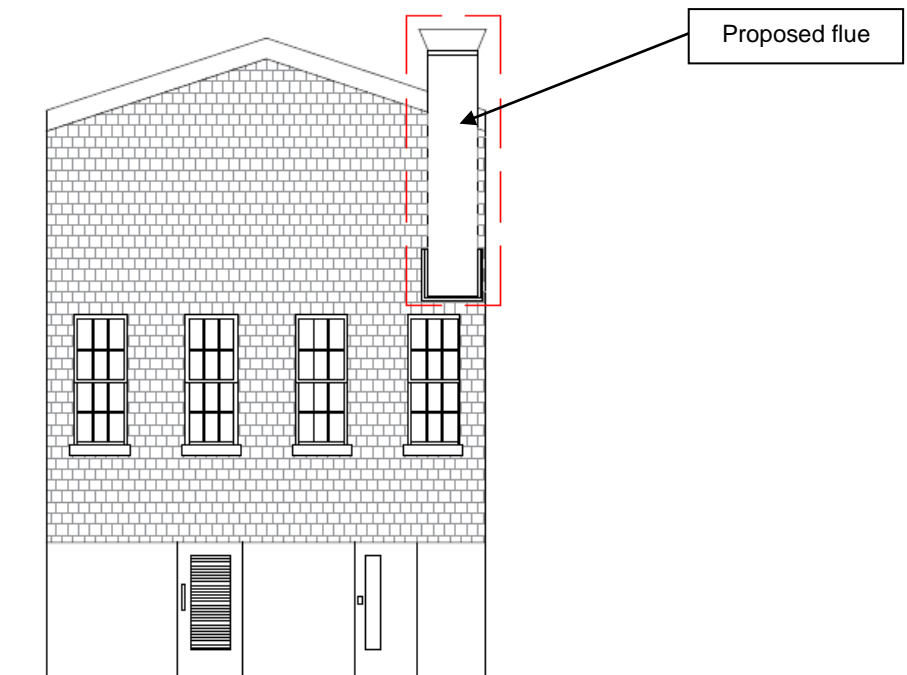
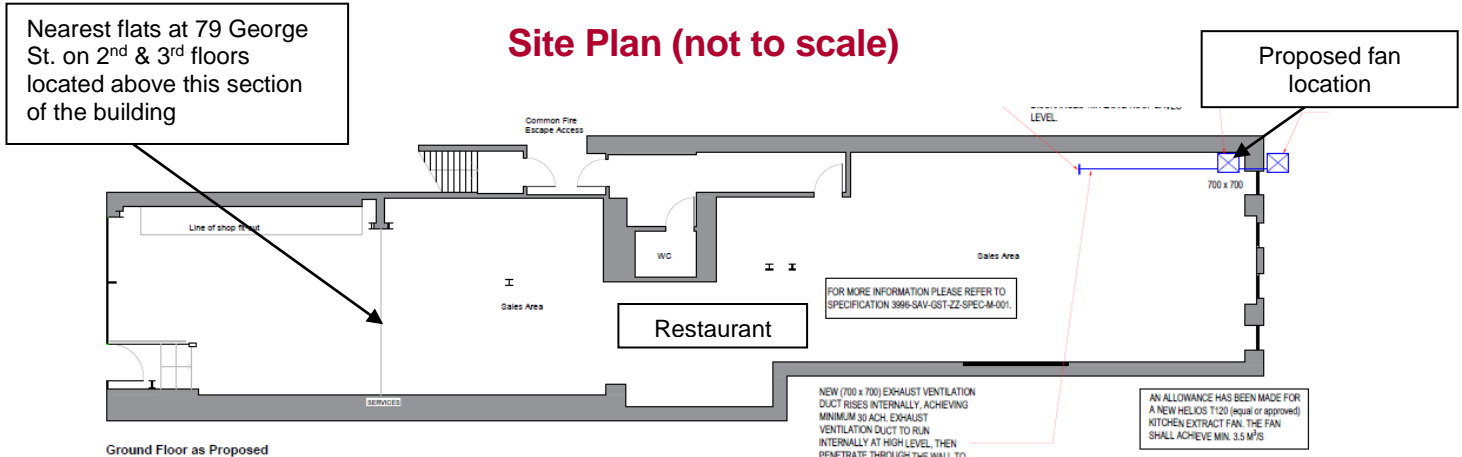
Glossary of Acoustic Terminology

"A" Weighting (dB(A))	The human ear does not respond uniformly to different frequencies. "A" weighting is commonly used to simulate the frequency response of the ear. It is used in the assessment of the risk of damage to hearing due to noise.
Decibel (dB)	The range of audible sound pressures is approximately 2×10^{-5} Pa to 200 Pa. Using decibel notation presents this range in a more manageable form, 0 dB to 140 dB. Mathematically: Sound Pressure Level (dB) = $20 \log \{p(t) / P_0\}$ where $P_0 = 2 \times 10^{-5}$ Pa
Frequency (Hz)	The number of cycles per second, for sound this is subjectively perceived as pitch.
Frequency Spectrum	Analysis of the relative contributions of different frequencies that make up a noise.
$L_{eq}(T)$	The equivalent continuous sound level. It is that steady sound level which would produce the same energy over a given time period T as a specified time varying sound.
$L_{Amax}(T)$	The maximum RMS A-weighted sound pressure level occurring within a specified time period.
L_{AE} or SEL	A measure of A-weighted sound energy used to describe noise events such as the passing of a train or aircraft; it is the A-weighted sound pressure level which, if occurring over a period of one second, would contain the same amount of A-weighted sound energy as the event. The relationship between $L_{Aeq,(T)}$ and SEL is as follows: $L_{Aeq,(T)} = 10 \log [\text{antilog } SEL_1/10 + \text{antilog } SEL_2/10 + \dots]$ Total time period in seconds where SEL_n is the measured single event level for a given event
$L_{A10,T}$	Road traffic noise level. The A-weighted sound pressure level of the residual noise in decibels exceeded for 10% of a given time interval.
$L_{A90,T}$	Background noise level. The A-weighted sound pressure level of the residual noise in decibels exceeded for 90% of a given time interval.
Noise	Unwanted sound.
Octave Band	A range of frequencies defined by an upper limit which is twice the lower limit. Octave bands are identified by their centre frequency.
R_{TRA} (dB)	The Traffic Noise Reduction Sound Insulation is derived by taking into account a typical spectrum of road traffic in town and city centres

R_w (dB)	The weighted sound reduction incorporates a correction for the ear's response and has been derived in accordance with BS 5821:1984.
Specific Noise	The equivalent continuous A-weighted sound pressure level at the assessment position produced by the specific noise source over a given reference time interval.
Rating Level, L_{A,r,T}	The specific noise level plus any adjustment for the character of the noise.
Ambient Noise	Totally encompassing sound in a given situation at any given time composed of noise from many sources, near and far.
Residual Noise	The ambient noise remaining at a given position in a given situation when the specific noise source is suppressed to a degree such that it does not contribute to the ambient noise.

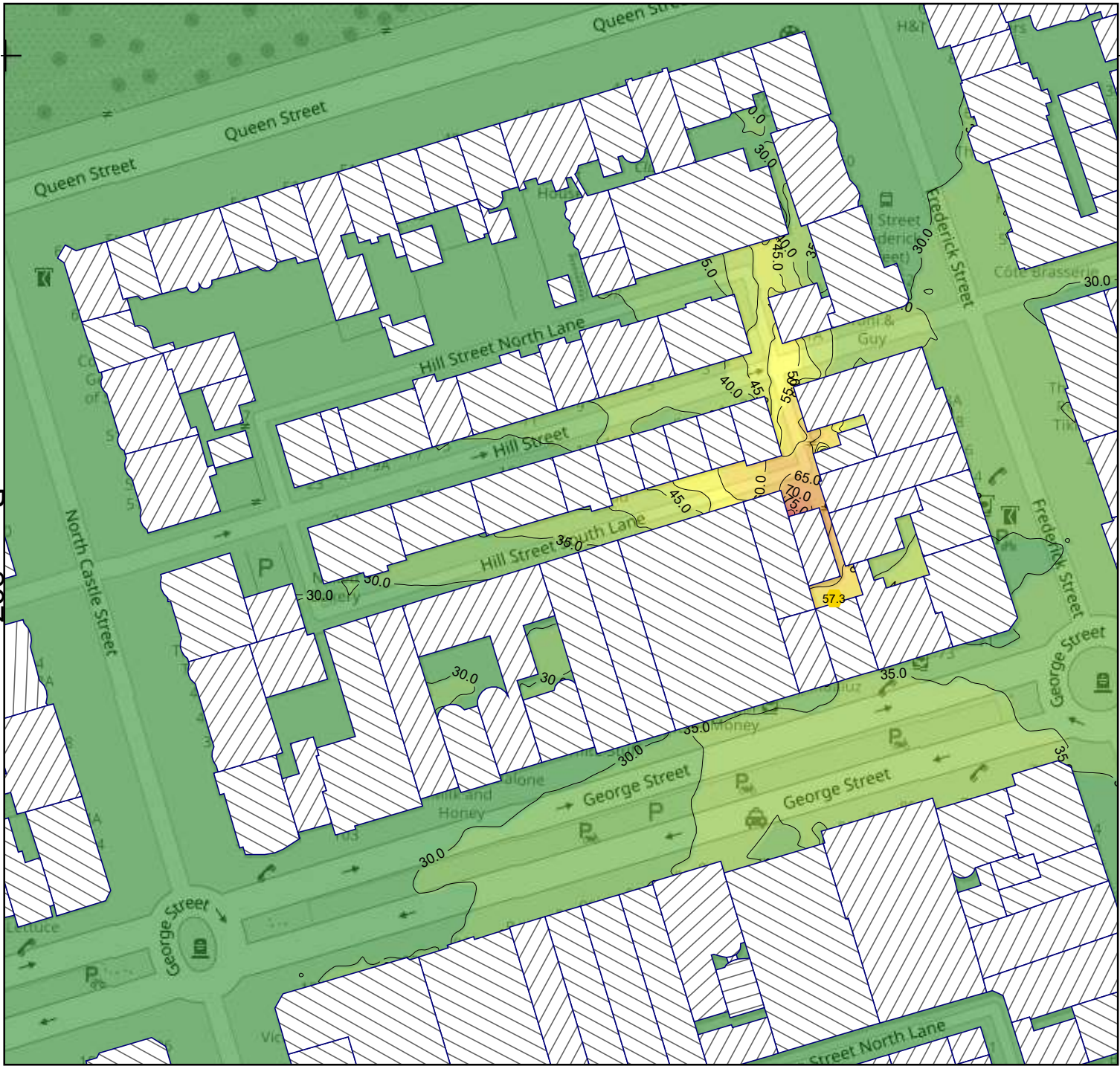
Appendix C

Site Plan (not to scale)



Appendix C

Noise Contour Maps

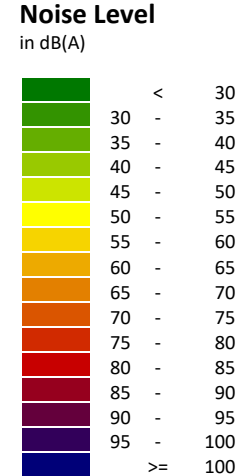


Customer: Savills
 Project: NIA, 77a George St, Edinburgh
 Project-No: 6482967
 Area: Overall Area - Normal



GBD 710/4 T120
 Calculation in 10.5 m above ground

Project engineer: N MacDonald
 Created: 08/07/2021
 Reviewed by: R Giudice
 Processed with SoundPLAN 8.2, Update 16/01/2020



To: Conor MacGreevy
From: Colin Brown, Environmental Protection, Place

Date: 23/08/21

**TOWN AND COUNTRY PLANNING SCOTLAND ACT 1997
CHANGE OF USE FROM CLASS1 RETAIL TO CLASS3 RESTAURANT, INSTALLATION OF EXTRACT
DUCT AT 77A GEORGE STREET, EDINBURGH EH2 3ES
REFERENCE NUMBER: 21/02872/FUL**

I refer to the above and would advise that Environmental Protection has no objections to the proposed development.

The application proposes the change of use of a Class 1 retail premises to a Class 3 restaurant. The application includes the erection of a new ventilation duct and extraction system. A restaurant is situated above with residential flats further above on the upper floors. A bank is situated to the east with a restaurant to the west.

The application includes additional supporting information relating to noise and ventilation.

A noise impact assessment has been provided in support of the application which confirms that noise from normal internal operations will be inaudible within surrounding residential properties. The ventilation system requires to be fitted with attenuators/silencers within the ducting. The details have been shown on a drawing and been referenced within a condition below.

The applicant has confirmed that the ventilation system proposed will meet the requirements of this team in that it will attain a minimum of 30 air changes per hour and is ducted to eaves level. In addition, the ventilation has been designed to ensure that all odours will be vented to atmosphere to will not impact upon nearby residential properties.

Therefore Environmental Protection offers no objections to the application subject to the following conditions:

Conditions

1. The ventilation and noise mitigation details shown on drawings titled “ventilation proposal” drawing 003 Rev P2 (dated August 2021) and drawing 001 Rev P3 (dated August 2021) should be installed and operational prior to start of operations on site.
2. The ventilation extraction system noise levels should not exceed the following maximum sound pressure level (SPL) as measured 1m from the flue:

	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz	8kHz
SPL @ 1m (dB)	81.5	71.7	65.6	61.6	58.7	57.3	57.1

Should you wish to discuss the above please contact me on 0131 469 5802.

MEMORANDUM

PLACE

To: **Conor MacGreevy**

Your Ref: 21/02872/FUL

Date: 16th September 2021

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

PLANNING APPLICATION No: 21/02872/FUL

**FOR: CHANGE OF USE FROM CLASS 1 RETAIL TO CLASS 3 RESTAURANT,
INSTALLATION OF EXTRACT DUCT (AS AMENDED).**

AT: 77A GEORGE STREET, EDINBURGH, EH2 3ES

ROADS AUTHORITY ISSUES

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

1. The applicant will be required to contribute the sum of £38,276 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;

Note:

- The tram contribution is calculated by a Net Contribution that takes the existing use of the building into consideration. The proposed development (296m² restaurant) is within zone 1 of the tram contribution zone in which the proposed use generates a contribution level of £60,448. The existing use (296m² Retail) generates a contribution level of £22,172. Therefore:
Net Use = Proposed Use – Existing Use = £60,448 - £22,172 = £38,276

Cameron Baillie

Tel: 2-3562

From: [Gina Bellhouse](#)
To: [Local Review Body](#)
Subject: FW: Local Review Acknowledgement for Application No 21/02872/FUL 77A George Street
Date: 06 January 2022 15:19:37
Attachments: [image006.png](#)

From: Craig Gunderson <[REDACTED]>
Sent: 06 January 2022 09:47
To: Gina Bellhouse <Gina.Bellhouse@edinburgh.gov.uk>
Cc: Local Review Body <LocalReviewBody@edinburgh.gov.uk>
Subject: RE: Local Review Acknowledgement for Application No 21/02872/FUL

Morning Gina

Understood - please can the review be pursued under the original applicant 'Aegon Asset Management'.

Many thanks

Craig

Craig Gunderson MRTPI
Senior Planner
Planning

Savills, Wemyss House, 8 Wemyss Place, Edinburgh EH3 6DH

 Tel : +44 (0) 131 247 374
[REDACTED]
Email : [REDACTED]
Website : <http://www.savills.co.uk>



 Before printing, think about the environment

This page is intentionally left blank

Listed Buildings and Conservation Areas

Page 243

March 2018

Agenda Item 8.4

Listed Buildings & Conservation Areas

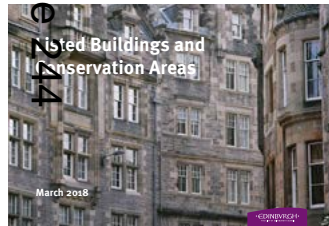
Who is this guidance for?

Anyone considering work to a property within a conservation area or to a listed building.

This guidance provides information on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

This document and other non-statutory guidance can be viewed at:

www.edinburgh.gov.uk/planningguidelines



Misc: Student Housing, Radio Telecommunications, Open Space Strategy etc.

March 2018

This document is divided into two parts:

Part 1. Listed Building Guidance

Part 2. Conservation Area Guidance

Policy Context

This guidance interprets policies in the Edinburgh Local Development Plan which seek to protect the character and setting of listed buildings, and the character and appearance of conservation areas.

This guidance was initially approved in December 2012 and incorporates minor amendments approved in February 2016 and March 2018.

Contents

	Page
Part1: Listed Buildings	2
Do I need Listed Building Consent?	4
What Other Consents Might Be Required?	5
General Principles	5
Repair	6
Stone Repair	6
Mortar Joints and Pointing Repair	7
Traditional Harls and Renders	7
Roofs	7
Rainwater goods	8
Railings, Gates, Balconies and Handrails	8
External Alterations	9
Stone Cleaning	9
Paint Removal from Masonry	10
Extensions and Additions	11
Shopfront Alterations and Signage	12
Windows	12
Doors	14
Basements/Access Stairs	15
Services	16
Adaptation for Accessibility	18
Internal Alterations	19
New development in the grounds of listed buildings	21

	Page
Part 2: Conservation Areas	23
Do I need Planning Permission	23
What Other Consents Might Be Required?	23
General Principles	24
Repair	24
Demolition	24
Extensions and Alterations	24
Shopfront Alterations and Signage	25
Windows and Doors	25
Stone Cleaning Methods	26
Painting	26
Paint Removal	27
Telecommunications including Satellite Dishes	27
Gas Pipes and Meter Boxes	28
Flues	28
Air Conditioning and Refrigeration	28
Adaptation for Accessibility	28

- apply For Planning Permission
- apply For Listed Building Consent
- apply For Certificate of Lawfulness

Part1: Listed Buildings

Listed buildings represent the very best examples of the built heritage. They are defined as buildings of special architectural or historic interest and are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The lists of Buildings of Historic or Architectural Interest are compiled by Historic Scotland on behalf of Scottish Ministers. The term *building* includes structures such as walls and bridges.

There are three categories of listed buildings:

Page 246

Category A - Buildings of national or international importance, either architectural or historic, or fine little-altered examples of some particular period, style or building type.

Category B - Buildings of regional or more than local importance, or major examples of some particular period, style or building type which may have been altered.

Category C - Buildings of local importance, lesser examples of any period, style, or building type, as originally constructed or moderately altered; and simple traditional buildings which group well with others in categories A and B.

Buildings which relate together in townscape terms or as planned layouts in urban, rural or landed estate contexts, often have their group value stressed by inclusion within 'A' or 'B' groups.

To check whether your property is listed, use our [online map](#).

March 2018

Do I need Listed Building Consent?

Listed buildings are afforded statutory protection. This means that listed building consent is required for the demolition of a listed building, or its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest.

Listing covers the interior as well as the exterior, and includes any object or structure fixed to the building, or which has been included within its curtilage since 1st July, 1948. Listing, therefore, extends to historic fixtures or fittings (plasterwork, chimneypieces, panelling) and items within the curtilage such as stables, mews, garden walls and stone setts. Any proposals to alter unsympathetically, relocate or remove such features are likely to detract from the quality of the setting and are unlikely to be approved.

Listed building consent must be obtained where proposals will alter the character of the listed building, regardless of its category or whether the work is internal or external.

Proposed change will be managed to protect a building's special interest while enabling it to remain in active use. Each proposal will be judged on its own merits. Listing should not prevent adaptation to

modern requirements but ensure that work is implemented in a sensitive and informed manner. The aim is to guard against unsympathetic alterations and prevent unnecessary loss or damage to historic fabric. Any alterations which would seriously detract from or alter the character of a listed building are unlikely to receive consent



Listed building consent is not required for internal redecoration, renewal of bathroom and kitchen fittings, rewiring or new plumbing, provided fittings or internal decorations (such as decorative plaster, murals and paintings) which contribute to the character of the building or structure are not affected.

In considering any application for listed building consent, and also any application for planning permission for development which affects a listed

building or its setting, the Council are required to have special regard to the desirability of preserving the building or its setting, or any features of special architectural or historic interest which it may possess. In this context, preserving, in relation to a building, means retaining it either in its existing state or subject only to such alterations or extensions as can be carried out without detriment to its character.

The tests for demolition are detailed in the Scottish Historic Environment Policy. No listed building should be demolished unless it has been clearly demonstrated that every effort has been made to retain it. The Council will only approve such applications where they are satisfied that:

- the building is not of special interest; or
- the building is incapable of repair; or
- the demolition of the building is essential to delivering significant benefits to economic growth or the wider community; or
- the repair of the building is not economically viable and that it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

Repairs which match the original materials and methods and do not affect the character of the building do not usually require listed building consent or planning permission.

You can apply for listed building consent at www.eplanning.scot.

What if the work has already been carried out?

It is a criminal offence to demolish, alter materially or extend a listed building without listed building consent. Alterations may be subject to enforcement action or prosecution at any time. Retrospective applications for listed building consent will be considered on their merits.

Our guidance on [Selling Your House](#) sets out the criteria which will be used to determine whether to take enforcement action against unauthorised works to a listed building. This will help if you are selling a listed property and provides general advice on listed building consent.

What Other Consents Might Be Required?

Planning Permission

Development is defined as the carrying out of building, engineering, mining or other operations in, on, over or under land, or the making of any material change in the use of any buildings or other land.

Planning permission is required for many alterations, additions and changes of use, although some development can be carried out without planning permission. This is ‘[permitted development](#)’.

To determine whether planning permission is required, the [Town and Country Planning \(General Permitted Development\) \(Scotland\) Order 1992](#) or [Government Circular on Permitted Development](#) should be considered.

If you believe your building work is ‘permitted development’, you can apply for a [Certificate of Lawfulness](#). This is a legal document from the Council which confirms that the development is lawful.

In addition, listed building consent may be required regardless of whether planning permission has been granted.

Advertisement Consent

Many advertisements will require advertisement consent, in addition to listed building consent and planning permission. You can check this by consulting or by seeking advice from the Planning Helpdesk.

Building Warrant

Converted, new or altered buildings may require a building warrant, even if planning permission or listed building consent is not required. Please contact Building Standards for more information on 0131 529 7826 or [email: buildingwarrant.applications@edinburgh.gov.uk](mailto:buildingwarrant.applications@edinburgh.gov.uk).

General Principles

The aim of this guideline is to prevent unnecessary loss or damage to historic structures and ensure that proposals will not diminish their interest.

The fact that a building is listed does not mean that changes cannot be made. However, it does mean that any alterations must preserve its character. Any alterations which would seriously detract from or alter the character of a listed building are unlikely to receive consent.

It is strongly advised that specialist advice be sought prior to carrying out any works to a listed building. Without exception, the highest standards of materials and workmanship will be required for all works associated with listed buildings.

Any alterations should protect the character and special interest of listed buildings .

There is a strong presumption against demolition of listed buildings and proposals for demolition will be assessed against the criteria set out in the Scottish Historic Environment Policy.

Repair

Planning permission and listed building consent are not normally required for repairs which match the original materials and methods and do not affect the character of the building. Inappropriate repairs can result in enforcement action or prosecution.

Repairs to listed buildings should always be carried out with care. Matching the original materials and method is important. The use of inappropriate materials and poor repair techniques can accelerate the decay of traditional historic buildings, shorten their lifespan and result in longer-term problems which may result in much higher repair costs.

Stone Repair

Before any repairs are undertaken, the existing stonework details should be carefully categorised for the:

- **Type:** ashlar, random rubble, coursed rubble etc.
- **Tooling:** broached, stugged, polished
- **Joints:** v-jointed, square-jointed, fine-jointed, etc.

An analysis of the stone will also be required to establish its chemical make-up and ensure compatibility with the existing stone.

These details should be respected and repeated, where appropriate, when stone replacement and pointing is carried out. Inappropriate replacements affect the architectural integrity of historic buildings.

It is also imperative to remedy the cause of any decay by eliminating sources of soluble salts, preventing the passage of moisture and rectifying active structural faults.

Indenting

Indenting is the insertion of a new stone to replace one which is damaged or decayed.

Indenting may not always be necessary when a stone has a defect; if the stone can reasonably be expected to survive for another 30 years, it should be left, regardless of its appearance.



Where indenting is appropriate, the indent should be selected to closely match the original stone. Artificial stone should not be used on listed buildings.



There will inevitably be a marked contrast between old and new work. However, within a few years of repair the effects of natural weathering will have gone a long way to remedy this situation. Cosmetic treatment of indented stone, either cleaning the old stone or distressing the new is not recommended.

Partial indenting should not normally be considered. In certain circumstances, small indents may be appropriate on moulded detail, but leaving the damaged stonework may be more acceptable than carrying out a visually intrusive repair.

Stone indents on external original steps and entrance platts are normally the most appropriate method of repair. Concrete screeds to steps and entrance platts are not acceptable.

Redressing

Redressing is the removal of the surface layer from the decayed stone. This may not be appropriate as it can cause considerable damage to the underlying stone and accelerate decay.

Mortar

Mortar repairs to stone should only be used as an extension of pointing to fill in small areas of decay and extend the life of a stone which would otherwise have to be replaced.

In some cases, it may be appropriate to use mortar on sculpted or moulded stonework. However, as mortar is significantly different from stone, ensuring a permanent bond between the two materials will be difficult. Therefore, a mortar repair will have a considerably shorter life than indenting.

Lime mortars will usually be the most appropriate mix. The presence of cement in the mix used for mortar repairs will accelerate decay in the neighbouring stone.

Weather Proofing

In traditional construction, the free movement of water vapour through the fabric of a building in both directions is essential.

The use of silene and silicone treatments to weather proof stone is not recommended because serious damage can occur if condensation builds up within a stone and the process is not reversible.

Mortar Joints and Pointing Repair

The original mortar joints and pointing should be respected, if traditional and causing no damage. Pointing can take many forms (recessed, flush, slaistered etc.) In some instances, small pieces of stone or slate are used in the mortar mix. In cases where it is unclear what existed previously, mortar analysis should be carried out.

Under no circumstances should joints be widened to facilitate the work. Raking out should be done carefully with hand tools; power tools should never be used. It is important that the correct pointing and tools are chosen and used for specific types of joints.

Mortar should be sufficiently resilient to accommodate minor movements in the masonry, but it should never be stronger or denser than adjoining stones. This will cause the mortar to crack and prevent drying out through the joints, causing moisture to evaporate through the stones, accelerating decay.

Lime mortar should be used in most instances. However, as the technology, science and physical properties of pure lime mortars vary considerably from cement gauged mortars, they must be used

carefully. Hard cement mortar should never be used.

Traditional Harls and Renders

Hard cement mixes should not be used for harls and renders. A hard mix will trap a layer of moisture between the harl and the stonework beneath, thus forcing water back into the stone and encouraging accelerated decay. Lime mixes are recommended.

Original harls can be analysed to establish their composition. In order to prepare surfaces for harling and rendering, old cement render should usually be removed. In most cases, it will be more appropriate to use a wet dash rather than a dry dash. It is important that each 'layer' of harl is allowed to dry fully before applying another coat. However, each situation is different and specialist advice should be sought on best practice.

Roofs

Listed building consent will be required for alterations to roofs. Planning permission may also be required, depending on the proposal.

Planning permission and listed building consent are not normally required for repairs which match the original materials and methods and do not affect the character of the building.

The roof, which includes parapets, skews, chimney heads and chimney pots, is an important feature of a building. The retention of original structure, shape, pitch, cladding (particularly colour, weight, texture and origin of slate and ridge material) and ornament is important. Any later work of definite quality which makes a positive contribution to the interest of the building should also be kept.



The restoration of lost roof elements to match the original form will be encouraged.

It is important to use the proper repair techniques and materials for ridges, flashings, mortar fillets



and parapet gutters. Ridges should be replaced to match existing. Most ridges and flashings should be replaced in lead, making sure to use the correct code of lead.

Any change to the roofing material, including alternative slate, will require listed building consent and may require planning permission.

Most traditional roofs within Edinburgh are covered with Scots slates, although other materials, such as Welsh and Cumbrian slates, pantiles and thatch, have also been used. In some instances, materials such as copper may have been used on the roof of a decorative turret. Traditional materials should always be respected and repeated, where appropriate.



Scots slates are becoming increasingly rare and in some circumstances second-hand slates are of poor quality and size. It is preferable in some cases that sound old slates are laid together on visible roof slopes, with new slates used on non-visible roof slopes. Alternatives to Scots slate will be considered on their merits.

It is important to ensure consistency in the texture and grading, and that the new slate matches the colour, size, thickness and surface texture of the original materials as closely as possible.

Concrete tiles or artificial slate should never be used in conjunction with, or as a replacement for real slate. The introduction of slate vents may require listed building consent.

Patterned slating, incorporating fish scale or diamond slates, sometimes in different colours, should be retained and repaired with special care.

The original gradation of slates should be repeated.

Flat Roofs

Lead is usually the most appropriate covering for the long-term maintenance of flat roofs. Alternatives to lead may be considered acceptable in certain cases. Bituminous felt is not generally appropriate for use on listed buildings.

Chimneys

Removal of all or part of a chimney will require listed building consent and may require planning permission.

Original chimneys should always be retained and repaired as they are an essential feature of traditional buildings and contribute to the historic skyline. Non-original additions to chimneys should be removed.

Chimneys should be repaired using traditional methods to reinstate as original, with particular attention to the detail of the coping stone. Particular care should be taken to retain chimneystacks to their original height.

Detailed records of the original structure should be made where dunting is necessary to ensure correct replacement. Chimney pots should always be replaced to match the original.

Where the original chimneys have been demolished and replaced in brick and render, the rebuilding in stone will be encouraged.

Rainwater goods (guttering, downpipes etc.)



Replacement rainwater goods should match the original, cast iron or zinc should be used where these were the original materials. Other materials such as aluminium may be acceptable, where appropriate.

They should be painted either black or to tone in with the adjacent stonework and roofing respectively.

Railings, Gates, Balconies and Handrails

The erection of railings, gates, balconies and handrails requires listed building consent and planning permission.

Planning permission and listed building consent are not normally required for repairs.

Balconies, gates, railings and handrails are usually formal components in the design of an elevation. They should be maintained and repaired and, if

they have to be replaced, should be erected on a like for like basis. The recommended paint colour is black gloss.

Usually, railings were made from cast iron, although there may be some examples surviving of wrought iron. If the railings no longer exist, it is important to establish what the original railings were like. Remaining sections of iron work may still exist in the cope or on similar neighbouring properties or old photographs and plans can be used. In most cases, cast iron railings fixed individually into the cope should be used.

Railings are normally fixed to stone copes. These should be repaired according to the principles outlined in the previous section on stone repair. Moulded copes and other special details should always be respected and repeated.

External Alterations

Any external alterations, however minimal, may require listed building consent and possibly planning permission.

This section provides guidance on the most common forms of change. You are encouraged to contact Planning to discuss any proposed work.

Where it is proposed to restore lost features, it will be important to ensure that all restorative work is



based on sound physical and documentary evidence of the previous state of the building. This is to ensure that work is carried out in an architecturally and historically correct manner.

Stone Cleaning

Listed building consent is required to stone clean listed buildings. Planning permission is also required for the stonecleaning of any building within a conservation area.

Stone cleaning cannot be undertaken without damaging a building. It can also reveal the scars of age, such as staining, poor previous repairs and surface damage. It may also remove the natural patina, the protective layer on the stone, opening up the surface pore structure and making re-soiling much easier.

There will, therefore be a presumption against the stone cleaning of listed buildings and buildings within conservation areas. Stone cleaning will not be considered acceptable on any street where cleaning has not commenced. Where cleaning of a street has commenced, the issue of reinstating architectural unity will be a material considerations in assessing the merits of individual applications.

Specialist professional skills should be sought to undertake analysis and, where acceptable, design a suitable cleaning method and undertake work.

Applications for stone cleaning should be accompanied by a full drawing and photographic survey.

To assess the most appropriate method of stone

cleaning, applicants will be required to ascertain geological characteristics through laboratory tests.

Stone cleaning methods should be tested on an inconspicuous trial area of two or three stones.

If stone cleaning is approved, post-cleaning photographic records should be submitted and documented for research purposes.

It is expected that most necessary repairs will be identified at the initial application stage. Therefore, consent would be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to stonecleaning.

Stone Cleaning Methods

The following are the most common stone cleaning methods. Their inclusion in this guideline is for information only and does not imply their acceptability.

1. Mechanical - Carborundum Disc

This method comprises a hand-held rotary disc with a carborundum pad.

2. Air and Water Abrasive

These methods comprise grits and other abrasive mediums carried by jets of air and/or water.

3. Chemical Cleaning

This method comprises the application of chemicals and a high pressure water wash or pressure steam.

4. Water (High Pressure, Low Pressure, Manual)

When water pressure is used as part of the cleaning method, water is forced into the stone to a depth where natural evaporation will not take place. The water can then percolate down through the fabric of the wall and cause accelerated weathering at lower levels in the building. High pressure water can also cause damage to the stone.

A water wash remains an alternative stone cleaning technique. A low pressure water wash (100-200psi) is the least aggressive method of stone cleaning. However, it will not remove dirt which has combined with the surface to form an insoluble compound. High pressure and/or excessive water can cause surface erosion, pointing wash-out, staining and force water into the core of the wall. Due to the dangers of thermal expansion, water washing should be avoided in frosty conditions.

Paint Removal from Masonry

Paint removal will require planning permission and listed building consent.

The restoration of the original surface through the removal of paint can improve the character and appearance of a building. Where surfaces have been previously painted, the removal of paint will be supported in principle, provided that the proposed removal method does not adversely affect the original surface.

March 2018

The removal of paint requires chemical and/or abrasive cleaning to re-expose the stone beneath. Abrasive methods can cause severe damage to the surface and will be unlikely to remove all traces of paint from coarse, porous sandstone. In certain circumstances, a minimally abrasive method may be appropriate to remove the outermost paint layers not in contact with the stone surface. Chemical paint removal varies from paint stripper to a proprietary poultice (a substance placed on the stone to draw out the paint). Each requires extreme caution due to their potentially damaging effects and trial samples should be carried out.

Previous painting could have disguised the poor condition or appearance of the surface so repair work may be required following paint removal. Therefore, consents will be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to paint removal.

Where paint removal is not appropriate, the property should be repainted in a matt finish stone coloured paint to tone with the adjoining stonework.

Specialist professional skills should be sought to undertake analysis, design a suitable treatment method and undertake any work.

Graffiti Treatment

Graffiti treatment will require planning permission and listed building consent if the proposed method will affect the character or appearance of the building.

Whilst graffiti can have an adverse impact on the character and appearance of a building and general environment, inappropriate graffiti treatment can cause irreversible and fundamental damage to buildings.

The treatment of graffiti from listed buildings and buildings within conservation areas will generally be supported provided there would be no unacceptable change in the appearance of the historic surface or structural integrity. However, the condition or architectural detailing of the surface or the nature of the graffiti may, in some circumstances, prevent any form of graffiti treatment from being acceptable.



Each site must be assessed on an individual basis and a site specific proposal prepared. Specialist professional skills should be sought to design suitable treatment methods and undertake any work.

At sites where graffiti is a recurring issue or where historic surfaces are vulnerable to the effects of graffiti treatment, alternative strategies may be required to prevent or reduce incidences of graffiti. Lighting, CCTV, physical barriers and the repositioning of fixtures may be required. These may need listed building consent and/or planning permission.

Temporary sacrificial coatings will also be encouraged in areas of persistent graffiti attack, provided there would be no adverse impact on the surface.

The permanent sealing of a surface will result in accelerated decay of the stone leading to expensive repairs and will therefore not be considered acceptable.

Graffiti Removal Methods

Chemical

Includes solvent based paint removers, other organic solvents and alkali-based paint removers or caustic removers.

Physical

Mainly air abrasion but can also include pressure washing and steam cleaning.

Heat

Includes hot pressure washing and steam cleaning, which must be applied at an appropriate pressure for the substrate; and laser treatments which can be labour intensive, slow and expensive.

Painting and Render

Paint which matches the existing in colour and uses traditional materials and methods will not require listed building consent or planning permission.

Painting or rendering of a previously untreated surface will require planning permission and listed building consent, and is unlikely to be acceptable.

Changing the colour of a listed building will need listed building consent. Planning permission will also be required to change the colour of any building located within a conservation area.



External stonework must not be painted or rendered, unless the surface was originally painted or rendered.

Coping stones and the edge of steps should not be painted.

Information on painting a shop or other commercial premises is included within the [Guidance for Businesses](#).

Walls covered with smooth cement render or a harled finish should generally be painted in earth colours or neutrals (grey, cream or beige). Rendered bands to windows should generally be in stone colours.

Extensions and Additions

Listed building consent will be required for extensions or additions to listed buildings. Planning permission may also be required, depending on the proposal.

New extensions on a terraced block may not be acceptable where there are no existing extensions. Where the principle of extending a listed building is acceptable, the extension should be subservient to the main building and will rarely be permitted on principal elevations. Extensions should not normally exceed 50% of the width of any elevation.



It is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high quality materials which complement the main building will be required. In other circumstances it may be appropriate to match the new work to the existing, in which case the new materials should be carefully matched.

The visual separation of extensions is encouraged. In the case of side extensions, they should be set back from the facade and be of a scale that does not affect the overall architectural composition. The effect of any addition on a symmetrical composition will be particularly important.

Encouragement will be given to the removal of inappropriate additions which are of inferior quality and which detract from the listed building. Where there is an existing extension of historic or architectural interest, such as a conservatory or outshot, this should be restored or repaired, rather than replaced.

Shopfront Alterations and Signage



Page 254

Specific information is included in Guidance for Businesses. This should be considered alongside the document, where relevant.

Windows

The removal, replacement or alteration of windows will normally require listed building consent.

Repairs and painting which match the existing and use traditional materials and methods will not require listed building consent or planning permission.

Double glazing in listed buildings will require listed building consent.

Where a significant proportion of historic glass (such as Crown, cylinder and drawn sheet) remains on an individual window, it should be retained or re-used.

Secondary glazing is likely to require listed building consent where it will impact on architectural detail or affect the external appearance of the building.

Planning permission may also be required where the replacement or alteration will not match the existing in design, material, size, opening mechanism or proportion. Replacement windows which do not result in a material change to the appearance will not normally require planning permission.

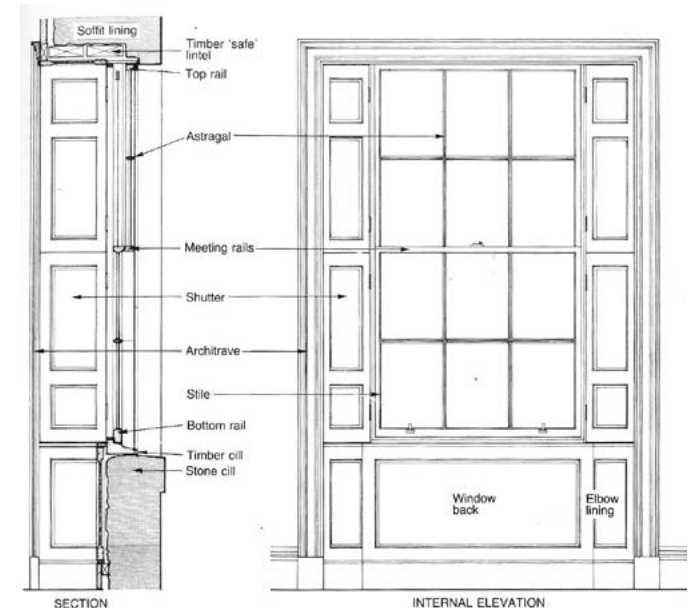
The reinstatement of the original window pattern will normally be encouraged.

Repair and Maintenance

There is a general presumption against the removal of original window frames and glazing; repair and refurbishment is preferred. Decay in timber is usually caused by moisture penetration, which can be prevented by thorough painting, regular maintenance and prompt attention to necessary repairs.

Glazing should be fixed with putty or a glazing compound rather than timber beading.

The thermal performance standard of existing windows can be improved by repair, draught-stripping and working internal shutters.



Openings

Window openings play an important role in establishing the character of an elevation and they should not be altered in their proportions or details.

Proposals to increase the glazing area by removing stone or timber mullions (vertical members between windows which form the divisions between windows) will not normally be granted consent.

Proposals to convert windows into door openings will not be considered acceptable on principal frontages or above garden level on all other elevations. Where acceptable, the width of the existing opening should not be increased. Normally, only one set of French windows will be permitted.

Entirely new window openings are unlikely to be acceptable on principal elevations as this can create an unbalanced composition.

Replacing Original Windows



Original windows are important features of any building and should not be removed or altered. The complete replacement of original windows will only be approved where they have clearly deteriorated beyond practicable repair. Proposals must be accompanied by evidence demonstrating that they are beyond repair; a professional survey may be requested.

In the event that replacement windows can be justified, they should be designed to replicate the original details, including materials, design and opening method. Particular attention must be paid to the mouldings; standard modern sections are not acceptable for reinstatement work. uPVC will not be acceptable.

Care should be taken to ensure that replacement windows are fitted in the same plane as the originals, are made of timber sections (the profile and dimensions of which match the originals) and

March 2018

have the meeting rails in the same position as the originals; this is especially important where the windows of only one property in a tenement or terrace block are being replaced.

Whenever an original window has been lost, any modern windows which are badly proportioned, of the wrong type, or incorrectly glazed, should be reinstated to the original proportion and detail. This is especially important in the case of unified terraces.

Double Glazing

Slim profile double glazing with a cavity (the space between the two sheets of glass) of a maximum of 6mm can be fitted into existing windows, provided early glass is not present.

Double glazing with a cavity of more than 6mm is not acceptable.

Secondary Glazing

Secondary glazing involves an independent internal window in addition to the existing. It should, wherever possible, be fitted immediately inside existing sashes or at a suitable position within the depth of the window reveal, being fixed either to the case or the surrounding framework of the ingoes. Secondary glazing should not disrupt architectural features, such as shutters.

The meeting rails and frames of secondary windows should be as small in section as possible to allow them to be disguised behind existing rails. Painting their external faces black helps to minimise visibility from the outside. Where necessary, detailing of internal secondary windows must allow for the use of the easy-clean hinges on the lower sash of the original outer window.

Additional glazing units fitted to the outside of existing windows are not acceptable.

Fanlights



Decorative fanlights should be retained, and where necessary, replaced.

Astragals

Where there is clear photographic or physical evidence that astragals (the glazing bars dividing panes of glass) have been removed, their replacement to the original profile and dimensions will be encouraged. The glazing pattern which forms part of a significant later re-modelling scheme should not be changed. Astragals applied to the surface of the glass or sandwiched between the glass of doubled glazed units are not considered acceptable.

Horns

Horns are Victorian projections of the side frames of the sashes, devised to strengthen them, following the introduction of heavy plate glass. Georgian and early Victorian windows with astragals never have horns and will therefore be strongly resisted. Edwardian windows sometimes had horns, and their use may, therefore, be appropriate.

Ventilators and Extractor Fans

Ventilators cut through the glass or visible on the window frames will not be considered acceptable; they should be located unobtrusively in the meeting rail or through the box frame.

Mechanical extractor fans should be located on rear or side elevations and will not normally be acceptable within windows or fanlights, or on front elevations.

Paint

Originally, most windows were painted dark brown or bottle green. However, window joinery, including fanlights, should normally be painted white or off-white to maintain uniformity (brilliant white should be avoided).

Freestanding buildings may have more scope to investigate and 'restore' the original colours.

All areas of dormer windows, other than the window frames, should be painted to tone in with the roof.

Special Cases

Institutional/Industrial buildings

Industrial and institutional buildings have a variety of window types, depending on their age and function. The original window type should be retained wherever practicable, although flexibility on window design may be acceptable to allow conversion to new uses. The glazing pattern should be reproduced and the manner of opening should be as close to the original as possible. Standard double glazing may be acceptable, provided discrepancies in the form, profile, section, materials and opening method are kept to a minimum.

Early Modern Metal Windows

Early modern metal framed windows should normally be repaired or replaced with matching windows of the same materials and design. New units manufactured from different materials will rarely be capable of accurately matching and will only be acceptable where exact replication of the original window is of less importance. In such cases, any discrepancy in form, profile, section and opening method should be kept to a minimum.

Casement Windows

Original inward opening casement windows are relatively rare and must be retained or identically replaced.

Special Types of Glass

There is a presumption in favour of retaining stained, decorative leaded, etched glass and historic glass. If the glass has to be removed and is of artistic merit, arrangements should be made for its recording and its careful removal. Proposals to use wired glass, obscured glass, and louvered glass or extract fans in windows on main elevations will not be considered acceptable.

Dormer Windows and Rooflights

New dormer windows will not normally be acceptable unless they are part of the original or early design of an area. Rooflights will almost always be a preferable solution, but these will not generally be permitted on roof slopes which are largely unaltered. Where acceptable, rooflights should be of



a conservation type and should be of an appropriate scale and proportion. The proposed number of rooflights will also be a determining factor.

Doors

The removal, replacement or alteration of doors will normally require listed building consent.

Original doors are important features of any building and should not be removed or altered. The complete replacement of original doors will only be approved where they have clearly deteriorated beyond practicable repair. Proposals must be accompanied by evidence demonstrating that they are beyond repair; a professional survey may be requested.

Replacement doors which incorporate integral fanlights or inappropriate glazing or panelling patterns will not be granted consent.

Entirely new door openings are unlikely to be acceptable on principal elevations as this can create an unbalanced composition.

Doors in street frontages, even though no longer used, should be retained.

Door furniture and later fittings of quality should be retained. Where these have not survived, the replacement of modern fittings with items appropriate to the period of the building will be encouraged.

Door entry systems should be discreetly designed and should be located on door ingoos, not the main façade.



Paint
Doors should be painted in an appropriate dark and muted colour.

Basements

Listed building consent may be required for external alterations to basements. Planning permission may also be required, depending on the proposal.

There is a presumption against the removal of original stone slabs from basement areas. They should never be covered in concrete or any other material such as gravel or chips. Where existing stone slabs need to be renewed new stone slabs should be laid. Similarly, stone steps and platts to ground floor entrances should be repaired or renewed in natural stone to match the original in



colour. Basement steps, floors and walls should not be painted .

Proposed extensions in front basement areas or under entrance platts are not normally acceptable and owners are encouraged to remove existing extensions.

The formation of lightwells in basements will only be permitted where they are part of the character of the street. These should always be in matching materials to the main building and covered with a flush cast iron grille.

Access Stairs

New external access stairs will require listed building consent and may also require planning permission.

There is a general presumption against the introduction of external access stairs on any elevation. External access stairs may be acceptable in exceptional circumstances where there is a pattern of original access stairs established relevant



to the elevation(s) in question and this can be fully supported by an historic building analysis.

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

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

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

Renewable Energy Technologies (Solar Panels, Wind Turbines etc.)

Listed building consent will normally be required for the installation of renewable energy technologies. Planning permission may also be required, depending on the proposal.

The installation of renewable energy technologies should be carefully sited in order to protect the architectural integrity of the listed building.

Poorly located renewable energy technologies can be visually intrusive and will not be acceptable where they detract from the character of the building. They should not be visible from public view. They may be acceptable in the following locations:

- On the ground to the rear of the building.
- On a modern extension to the rear of the building, providing that no part is higher than the main building.
- In the internal valley of a roof, provided that no part projects above the ridge.

In the New Town Conservation Area and World Heritage Site, aerial views will also be considered.

External Plumbing

Listed building consent may be required for external plumbing. In some circumstances, planning permission may also be required, depending on the proposal.

Additional pipework on important facades should be avoided especially if it would result in disturbance to, or the breaking through of masonry, mouldings or decorative features. Replacements should be in cast iron, painted to match the colour of the walling and should match the original sections.

Gas Pipes and Meter Boxes

Listed building consent is only required where the guidelines listed below cannot be complied with.

A maximum of a 450mm of supply pipe can be visible on the front wall of listed buildings. External pipes which are both horizontal and vertical must have the horizontal section within the basement areas (where applicable) and not be visible from the street.

Holes in stonework must be kept to a minimum and should be made through stone joints, except in the case of “V” jointing or rubble where holes should be in the stonework. Non-ferrous fixings must be used.

Pipe runs should not interfere with cornices and decorative plasterwork. Where pipes are chased into walls, plasterwork must be reinstated to original.

All redundant surface-run pipe work must be removed and the surfaces made good and painted to match existing materials and colour.

Meter boxes should not be fitted to the front or any conspicuous elevation of buildings.

Pipe work and meter boxes should be painted to match adjacent stone.

Flues

Listed building consent is required to install balanced flues on the front or any conspicuous elevation of listed buildings. In certain circumstances an application for planning permission will also be required.

Balanced flues will not normally be acceptable on the front or conspicuous elevations of listed buildings.

The balanced flue should be painted to match the colour of the surrounding stonework.

Holes to accommodate the balanced flue should be formed with a core cutter.

Ventilation Grilles

Listed building consent is required to install ventilation grilles on the front elevation (or any conspicuous elevations) of listed buildings. Planning permission is not normally required if of a domestic scale.

Ventilation grilles will not normally be acceptable on the front or other conspicuous elevations of listed buildings.

If acceptable in principle, ventilation grilles should generally be no bigger than the standard size, flush with the wall surface and coloured to match the background.

Air Conditioning and Refrigeration

Planning permission and listed building consent will normally be required to install air conditioning and refrigeration units on the exterior of buildings. Listed building consent may also be required to install units within listed buildings where units would disrupt architectural features and fixtures.

The preferred location for units on listed buildings are:

- Free standing within garden or courtyard areas, subject to appropriate screening and discreet ducting.
- Within rear basement areas.
- Inconspicuous locations on the roof (within roof valleys or adjacent to existing plant). However, in the New Town Conservation Area and World Heritage Site, aerial views will also be considered.
- Internally behind louvres on inconspicuous elevations. This should not result in the loss of original windows.

Where it is not practicably possible to locate units in any of the above locations, it may be acceptable to fix units to the wall of an inconspicuous elevation, as low down as possible; they should not be located on the front elevation.

Units should be limited in number, as small as practicably possible and painted to tone with the surrounding stonework or background.

Ducting must not detract from the character of the building.

Alarm Boxes

Alarm boxes on listed buildings should be the smallest available, fitted in the least conspicuous location and painted to match the background colour or stonework.



There will be a general presumption against the location of alarm boxes on the front elevation of listed buildings which retain their original domestic character, irrespective of the use of the premises.

Where alarm boxes have to be located on the front elevation, they should be restricted to the least visible location. On tenemental properties, alarm boxes should not normally be located above the ground floor.

In basement areas, it may be possible to fit alarm boxes in inconspicuous locations such as on in-facing walls, under entrance platts and stairs, and on the sides of platt supporting arches close to the junction with the pavement.

Concealed locations on side and rear elevations should also be considered. Consideration should also be given to fitting boxes inside the building behind windows and fanlights. Alarm boxes should not bridge mortar joints in the stone, particularly where V or square joints are used.

Alarm boxes will normally be considered acceptable in appropriate locations and on painted shop fronts and commercial frontages where the boxes are painted to match the background colour.

Satellite Dishes

Listed building consent will normally be required to install a satellite dish on a listed building. Planning permission may also be required if located within a Conservation Area.

Poorly sited satellite dishes can be visually intrusive and will not be acceptable where they detract from the character of the building. They should not be visible from public view. They may be acceptable in the following locations:

- On the ground to the rear of the building.
- On a modern extension to the rear of the building, providing that no part of the dish is higher than the main building.
- In the internal valley of a roof, provided that no part of the dish projects above the ridge.
- Behind a parapet, provided no part of the dish projects above it.

In the New Town Conservation Area and World Heritage Site, aerial views will also be considered.

Where the location for a dish is considered to be appropriate, it should be chosen to blend in with its background. This may require the dish to be painted.

All fixings should be non-ferrous.

Consent may be refused for additional dishes due to the visual effects of a multiplicity of dishes, even if this precludes some residents from receiving satellite television. The sharing of satellite dishes will be encouraged.

Other Additions

External fixtures will require listed building consent when they affect the character of the listed building. These include floodlighting, security cameras, window boxes, key boxes, bird control installations and eyebolts (unless on window reveals). Planning permission may also be required, depending on the proposal.

Only undamaging and visually unobtrusive positions for such fixtures will be considered acceptable. Fixtures should not lie across, cut into or through any architectural feature or disturb the balance of a symmetrical façade. Fixings into stonework should be kept to a minimum and should be non-ferrous.

The size and number of additions will also be an important consideration and, where appropriate, applicants may be asked to erect fixtures on a temporary basis in order that their impact can be accurately assessed.

Proposals to erect any fixtures which fail to respect the form and detailing of the building and detract from its appearance are not likely to be acceptable.

The position and colour of cabling for lighting, television and other services should be inconspicuous. Cabling may often be accommodated behind or next to downpipes or on top of projecting string courses and cornices. Black or grey cabling is normally the most appropriate colour.

Adaptation for Accessibility

Listed building consent is required to install ramps, handrails, indicators and lifts and for alterations to doors. Planning permission may also be required.

While the Equality Act 2010 requires service providers to take “reasonable” steps to make their buildings and services accessible, there is also a statutory duty to protect the character of the historic environment. The provision of access for the less able to historic buildings will, therefore, require careful consideration and design.

Full access for everyone via the principal entrance may not be appropriate. Alternative access arrangements which preserve the character of the listed building may be required.

Listed building consent will be required for any internal alterations which will alter the character of the listed building.

Planning permission is not required for internal alterations.

Solutions should be tailored to the particular building through the use of innovative design and high quality materials.

Ramps

The placing of a ramp on a building should have minimal impact on the historic fabric.

The symmetry of existing elevations and the rhythm of the street as a whole should be respected, and where relevant, care should be taken to protect the relationship between railings, property and basement.



Where appropriate, consideration should be given to regrading the ground at the entrance in order to overcome the need for larger ramps and minimise the visual impact on the building. If this will cause a footway hazard, a ramp inside the building may be appropriate; the removal of steps and the lengthening of doors can sometimes accommodate this.

Ramps on the public footway will not generally be supported. Where acceptable, ramps must leave sufficient clear footway for pedestrians. This will vary according to the volume of pedestrian traffic. In general, this is 2 metres for residential areas, 3 metres for main roads and 5-6 metres for busy shopping streets.

Where a ramp is acceptable, high quality materials, such as stone to match the existing building, will be encouraged. In some circumstances, high quality design in modern materials may be more appropriate.

Handrails

Where required, handrails should be carefully designed and sensitively located to avoid being visually intrusive.

Appropriate contrast with the background material can be achieved with high quality traditional or contemporary materials.

Tactile Indicators

Historic flooring materials should not be replaced with standard tactile paving. A tactile grid can be achieved by using materials that match those of the surrounding area, and which have been textured with ridges or dimples. More information is available in the [Edinburgh Design Guidance](#).

Visual indicators

Brightly coloured high-visibility strips should be avoided, unless their use helps to avoid other more visually intrusive works.

Doors

There may be cases (particularly in the case of historic buildings) where it is less damaging to seek alternative access routes than to widen or alter a doorway. Historic doors are often an integral part of the design of the building, and should be retained wherever possible.

Where historic doors are heavy or difficult to operate, it is normally possible to adapt them by re-hanging and/or introducing opening mechanisms or visual indicators to make the handles more prominent.

Lifts

External chair and platform lifts can have a significant impact on the architectural character of a building, but may be more appropriate than a ramp in certain circumstances. The resting position of any external lift should be as low as possible, and the design of the platform and restraints should be as transparent as possible. Metal cages are unlikely to be acceptable as they are disruptive to the streetscape and can seem intimidating to the user.

Internal Alterations

Listed building consent will be required for any internal alterations which will alter the character of the listed building.

Planning permission is not required for internal alterations.

Subdivision

The original plan form of a building should always be respected.

All major works of alteration should be limited to areas of secondary importance. There will be a particular requirement not to sub-divide, either vertically or horizontally, principal rooms and entrance/stair halls. Where the interior is of particular architectural or historical importance, subdivision will not be permitted.

The degree of change to the plan form which may be acceptable will normally be dependent on previous alterations and use.

There will be a presumption against the sub-division of complete houses and flats currently in residential use. A greater degree of flexibility will be exercised where the current use is non-residential and a return to residential is proposed.

Where acceptable, subdivision should not normally result in the formation of more than one flat per floor in town houses.

Rear stairs should not be attached as part of a sub-division proposal. Access to rear gardens should be retained through a basement room, where possible.

Garden ground should not be formally divided up by the use of fences and other unsuitable boundary markers to delineate ownership. Particular care should be taken to conceal the clutter of intensified domestic use, e.g. garages and bin stores.

Internal Walls and Partitions

Internal walls in listed buildings should always be investigated with care in advance of alterations as historic or interesting features may be concealed by plaster or behind panelling. In some cases, the partitions themselves may be of historic interest.

In general, consent will not be granted for the removal of original internal walls or partitions between front and rear principal rooms at ground and first floor level.

In cases where it is considered acceptable for an existing wall or partition to be removed, it will be necessary to leave nibs and a downstand of at least 300mm with any original cornice left intact. Work should not cut through mouldings or enriched plaster decoration but be shaped around them to allow for reinstatement at a later date. In most cases it will be desirable to replicate the original cornice detail at the head of new partitions as well as dadoes and skirtings.

New partitions which affect the proportions of principal rooms will not be considered acceptable.

Internal Doors

Doors that form part of the architectural composition of a room or plan form should be retained. Where they are redundant in terms of circulation, they should be locked shut and left in position, rather than being removed.

If traditional panelled doors require to be upgraded for fire resistance, fire resistant paper applied to the panelling or intumescent paint and edge strips should be used. Door closers should be hidden.

In general, consent will not be granted for new doors connecting front and rear principal rooms at ground and first floor level. Jib (secret) doors may only be allowed in certain cases.

Where new door openings are considered acceptable, they should be correctly detailed with matching doors and architraves. They should not incorporate features such as glazed panels. Where doors are to be added, but are not in traditional positions it is often acceptable to design a jib door or modern opening, so as not to confuse the building's history.

Buffet recesses are an important feature in the dining rooms of listed buildings, particularly in the New Town, and should be retained. New door openings will not be granted within a buffet recess.

Plasterwork



Care should always be taken with works to old plaster to avoid destroying early decoration. All decorative features from a simple cornice or cove

to elaborate wall and ceiling decoration should be preserved. Suspended ceilings should never be formed in principal rooms or entrance halls which have decorative plasterwork. They may be acceptable in minor rooms provided they are above window height.

Chimneypieces

Chimneypieces, along with fireplaces containing original features are part of the decorative history of a building and are often central to the design of a room. Even later chimneypieces of interest can make a significant contribution to the character of a room. Original or later chimneypieces or fireplaces of interest should not be removed, even if the chimney is redundant. In cases where there is no alternative to the removal of a chimneypiece, it should be re-used in an appropriate location within the building. The removal of a chimneybreast is almost never acceptable, particularly as this may affect the structural stability and ventilation of the building. The restoration of missing chimneypieces will be supported.



Staircases



The removal or alteration of any historic staircase, including handrails and balusters, is not normally acceptable. The stair is often the most significant piece of design within a building and can be important dating evidence. Where subdividing ground and basement floors, the basement stair must be retained. In retail premises, the removal of the lowest flight of stairs, which provides access to and use of upper floors, will not be allowed.

Lifts and Stair Lifts

Wherever possible, lifts should be installed in an existing opening in order to minimise physical and visual disruption to the built fabric.

Stair lifts and chair lifts may not be acceptable in sensitive interiors. It may be better to use a secondary stair if possible, or to rationalise the service provision within the building so that access to all floors is not required. An independent device such as a stair climber could also be considered.

Floors and Ceilings

Floors which are original to the building and/or of interest because of their materials, form or surface treatment should be respected, and repaired and retained in situ. Care must be taken when such floors require to be lifted in order to install or repair services. In some instances, features of interest are concealed behind suspended or false ceilings. This should always be the subject of investigation prior to any works being carried out.

Kitchens and Bathrooms

New kitchens and bathrooms should be located at the rear of a building to prevent fittings being built across windows to the front of a property and to avoid cluttering a front elevation with downpipes and ventilators.

New kitchens will generally not be acceptable in principal rooms and must not obscure any architectural detailing.

Podded kitchens and bathrooms will rarely be permitted in principal rooms but may be permitted elsewhere provided they are of a limited area, are freestanding and do not have a detrimental effect on any fixtures of architectural interest.

En-suite bathrooms will not be acceptable in principal rooms. They should ideally be located within existing boxrooms or cupboards. Where this is not possible, it may be acceptable to locate them in larger, secondary rooms although this will be dependent on their form and how they affect room proportions.

En-suite bathrooms, where acceptable within rooms, will normally be height, appearing as a 'piece of furniture' within the room.

Sprinkler Systems

The introduction of sprinkler systems into important and/or vulnerable interiors will normally be acceptable. Whilst exposed pipework systems minimise the degree of disturbance to the structure, care must be exercised in the design of exposed pipework to ensure its appearance is appropriate to the historic interior to be protected. Pipework should not be cut into decorative plasterwork.

The location of sprinkler heads, either ceiling or wall mounted, must be carefully integrated into interiors in order to reduce their visual impact. In particular, ornate interior locations, will not normally be considered acceptable. On highly decorative ceilings, sprinkler heads are best concealed within the raised modelling of the ceiling.

The presence of sprinkler protection does not eliminate the need for preventative measures to reduce the risk of a fire occurring or spreading.

Other Services

The installation of services, such as computer trunking, fibre optics and central heating pipes, should be reversible and should not result in damage to architectural features. Surface mounting such services may be preferable.

New development in the grounds of listed buildings

Development within the curtilage of a listed building which is not physically attached to listed structures does not require listed building consent, but may require planning permission.

Buildings and structures erected before 1 July 1948 within the curtilage of a listed building are treated as part of the listing building, even if they are not included within the description. Listed building consent will, therefore, be required for works which affect their character. Planning permission may also be required.

The curtilage of a listed building is the area of land originally attached to, and containing the structure of the main house and its ancillary buildings, and which was used for the comfortable enjoyment of the house. The extent of the curtilage in individual cases will be based on an assessment of the physical layout, pattern of ownership, and the past or present use and function of the building. Thus, buildings such as coach-houses, doocots, mews/stable courts, walled gardens, lodges, boundary walls, garden ornaments and gates would all be considered to be part of the curtilage of the listed building and are treated as part of the listed building, even if they are not individually listed.

The setting of a listed building is the environment of which the building was designed to be a principal focus, and which it was designed to overlook. The 'setting' of a listed building takes into account a much broader assessment of the siting and situation

of the building. The curtilage of a house will normally form part of the setting, but it is also important to consider land immediately adjacent to, or visible from, the listed building.

Development within the setting of a listed building will only be acceptable if it can be demonstrated that the proposal would not be detrimental to the architectural or historic character of the listed building.

The sympathetic conversion and re-use of existing buildings on the site, particularly stable blocks, mews, service courts and steadings, should be considered prior to developing proposals for new build; care should be taken to incorporate surviving original features in these buildings where possible.

However, any proposals to alter unsympathetically, relocate or remove items within the curtilage, such as stables, mews, garden walls, stone steps, stone paving and cobbled or setted areas are likely to detract from the quality of the building's setting and are unlikely to be approved.

The condition of the main item of listing is critical and, where it has gone out of use, it is important that the restoration of the listed building is sought as a priority. It should be a condition that work on the listed building should be completed, or that an appropriate contract has been let for its restoration, prior to the commencement of new development.

New Development

Where new development within the grounds of a listed building is acceptable, the siting, design, scale, form, density and materials should be sympathetic to the listed building, including ancillary buildings.

The feeling of spaciousness of the grounds in relation to the main building should be protected for the amenity of the property. The scale of new development should be controlled so as not to crowd or obscure the house. No building of similar or greater bulk should be erected close to the main listed building.

The relationship that exists between the main house and its ancillary uses should not be disrupted by the new build.

Views

New development should always be set back from the original building line of the main house to avoid interfering with oblique views of the listed building and disrupting formal approaches. Development to the front of a listed building which breaks its relationship to the street is not acceptable. This is particularly destructive of character, not only to the building, but to the area, especially where the building is part of a unified group. The principal elevations should remain visible in their entirety from all principal viewpoints. New development should not restrict or obstruct views of, or from, the listed building or rise above and behind the building so that its silhouette can no longer be seen against the sky from the more familiar viewpoints. Distant views of features and landmarks which may have been exploited in the design of the building should not be obstructed by the development.

Landscape

The landscape setting of the building should be analysed as the loss of garden ground can seriously affect the setting of a listed building.

Planting which forms part of the original landscape should be retained and, where appropriate, the original landscape restored. New landscaping should be used imaginatively to screen and enhance new development and to retain the landscape setting of the building. Immediate surroundings should be maintained communally, avoiding individually defined gardens.

Conservation areas are areas of special architectural or historic interest which have a character and appearance which is desirable to preserve or enhance.

To check whether your property is located within a conservation area, the Council's [online map](#) can be used.

Part 2: Conservation Areas

Conservation Area Character Appraisals

Conservation Area Character Appraisals identify the essential character of conservation areas. They guide the local planning authority in making planning decisions and, where opportunities arise, preparing enhancement proposals. The Character Appraisals are a material consideration when considering applications for development within conservation areas.

Implications of Conservation Area Status

1. The permitted development right which allows any improvement or alteration to the external appearance of a flatted dwelling that is not an enlargement is removed.
2. Special attention must be paid to the character and appearance of the conservation area when planning controls are being exercised. Most applications for planning permission for alterations will, therefore, be advertised for public comment and any views expressed must be taken into account when making a decision on the application.
3. Within conservation areas the demolition of unlisted buildings requires conservation area consent.
4. Alterations to windows are controlled in terms of the Council's policy.

5. Trees within conservation areas are covered by the Town and Country Planning (Scotland) Act 1997. The Act applies to the uprooting, felling or lopping of trees having a diameter exceeding 75mm at a point 1.5m above ground level, and concerns the lopping of trees as much as removal. The planning authority must be given six week's notice of the intention to uproot, fell or lop trees. Failure to give notice renders the person liable to the same penalties as for contravention of a Tree Preservation Order (TPO).

Do I Need Planning Permission?

Planning Permission

Planning permission is required for many alterations, additions and changes of use. However, some work can be carried out without planning permission; this is referred to as 'permitted development'.

Within conservation areas, fewer alterations are permitted development and most changes to the outside of a building, including changing the colour, require planning permission.

The **Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended)** sets out the requirements for planning permissions.

If you believe your building work is 'permitted development' and doesn't need planning permission, you can apply for a Certificate of Lawfulness. This is a legal document from the Council which confirms that the development is lawful.

What Other Consents Might Be Required?

Listed Building Consent

Listed building consent is required for works affecting the character of listed buildings, including the interior and any buildings within the curtilage. Planning permission may also be required in addition. If your building is listed, the Listed Buildings Guidance should be used.

Advertisement Consent

Advertisements are defined as any word, letter, model, sign, placard, board, notice, awning, blind, device or representation, whether illuminated or not, and employed wholly or partly for the purposes of advertisement, announcement or direction.

While many advertisements require permission, certain types do not need permission as they have "deemed consent". You can check this by consulting **The Town and Country Planning (Control of Advertisements) (Scotland) Regulations 1984**.

Building Warrant

Converted, new or altered buildings may require a Building Warrant, even if Planning Permission is not required. Please contact Building Standards for more information on 0131 529 7826 or **email: buildingwarrant.applications@edinburgh.gov.uk**.

Road Permit

A Road Permit will be required if forming a new access or driveway. Please contact the Area Roads Manager in your **Neighbourhood Team** for more information.

Biodiversity

Some species of animals and plants are protected by law. Certain activities, such as killing, injuring or taking the species or disturbing it in its place of shelter, are unlawful.

If the presence of a European Protected Species (such as a bat, otter or great crested newt) is suspected, a survey of the site must be undertaken. If it is identified that an activity is going to be carried out that would be unlawful, a licence may be required.

More information on European Protected Species, survey work and relevant licenses is available in the Edinburgh Planning Guidance on Biodiversity and the **Scottish Natural Heritage** website.

Trees

If there are any trees on the site or within 12 metres of the boundary, they should be identified in the application. Please refer to **Edinburgh Design Guidance** for advice.

Trees with a Tree Preservation Order or in a conservation area are also protected by law, making it a criminal offence to lop, top, cut down, uproot, wilfully damage or destroy a tree unless carried out with the consent of the Council. You can read more about this on our website at www.edinburgh.gov/privatetrees

General Principles

Designation of a conservation area does not mean development is prohibited.

However, when considering development within a conservation area, special attention must be paid to its character and appearance. Proposals which fail to preserve or enhance the character or appearance of the area will normally be refused. Guidance on what contributes to character is given in the conservation area character appraisals.

The aim should be to preserve the spatial and structural patterns of the historic fabric and the architectural features that make it significant.

Preservation and re-use should always be considered as the first option.

Interventions need to be compatible with the historic context, not overwhelming or imposing.

Without exception, the highest standards of materials and workmanship will be required for all works in conservation areas.

Repair

Planning permission is not normally required for repairs which match the original materials and methods and do not affect the character of the building.

Demolition

Conservation area consent is required for the complete demolition of unlisted buildings within conservation areas.

Demolition will only be acceptable if the new development preserves or enhances the area.

Extensions and Alterations

Information on extensions and alterations to residential properties is included within '**Guidance for Householders**'.

Proposals must preserve or enhance the character or appearance of the conservation area.

The use of traditional materials will be encouraged. UPVC will not be acceptable.

Shopfront Alterations and Signage

Specific information is included in Guidance for Businesses. This should be considered alongside this document, where relevant.

Windows and Doors

The replacement, repair and painting of windows and doors which match the design, materials and methods utilised in the existing build will not require planning permission.

Planning permission will not be required where replacement or altered windows and doors meet the following requirements.

Replacement windows and doors on all elevations of unlisted properties of a traditional design within conservation areas must match the original proportions, appearance, materials, and opening method. Appropriate timber sealed unit double glazing will normally be considered acceptable. Rooflights on unlisted properties of a traditional design should be of a 'conservation style'. Alternative materials such as uPVC will not be acceptable.

A departure from these guidelines must be fully justified. The form of the existing windows &



doors within the building and in its immediate surroundings will be taken into consideration.

Replacement windows and doors in less traditional developments within conservation areas should maintain the uniformity of original design and materials and should open in a manner that does not disrupt the elevation. However, the exact replication of the original windows or doors may, in some cases, be of lesser importance.

Doors should be painted in an appropriate dark and muted colour. Windows should normally be painted white or off-white.

Planning permission is required for the stonecleaning of any building within a conservation area.

Stone Cleaning

Stone cleaning cannot be undertaken without damaging a building. It can also reveal the scars of age, such as staining, poor previous repairs and surface damage. It may also remove the natural patina, the protective layer on the stone, opening up the surface pore structure and making re-soiling much easier.

There will therefore be a presumption against the stone cleaning of buildings within conservation areas. Stone cleaning will not be considered acceptable on any street where cleaning has not commenced.



Where cleaning of a street has commenced, the issue of reinstating architectural unity will be a material consideration in assessing the merits of individual applications.

Specialist professional skills should be sought to undertake analysis and, where acceptable, design a suitable cleaning method and undertake work.

1. Fabric Survey

A full drawing and photographic survey should be submitted. This should identify the types of stone on the building and the extent and nature of any current defects, including previous mortar or plastic repairs and the condition of pointing. The photographic survey should illustrate the frontage in relation to neighbouring properties and streetscape. This will allow an assessment of the impact of a 'clean' building within its wider environmental context. For comparative purposes, the fabric survey should also include a record of 'colour value' measured either by chromatic or Kodak colour strip.

2. Laboratory Analysis

To assess the most appropriate method of stone cleaning, applicants will be required to ascertain geological characteristics through laboratory tests. These tests should be carried out on uncleaned and trial area cleaned samples. The tests should include:

- (i) depth profiling
- (ii) petrological analysis
- (iii) stone permeability

These may reveal the presence of potentially damaging salts, the types of density of mineral grains and the stone's resistance to surface water penetration.

Applicants will also be asked to provide photographs to allow assessment of surface texture and roughness, both before and after trial cleaning.

The extent of laboratory analysis required may vary, subject to the architectural and historic importance of the building.

3. Trial Cleaning Samples

Paint removal methods should be tested on an inconspicuous trial area of two or three stones. A photographic survey should be carried out of the pre and post cleaning samples and the visual and chemical effects recorded. This enables an assessment of the technique's effectiveness. Applicants may be asked for further samples.

The number of samples should reflect the nature of the specific building being tested; all varieties of stone should be tested.

4. Post-Cleaning

If acceptable, post-cleaning photographic records should be submitted and should be documented for research purposes.

It is expected that most necessary repairs will be identified at the initial application stage. Therefore, consent would be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to stonecleaning.

Stone Cleaning Methods

The following are the most common stone cleaning methods. Their inclusion in this guideline is for information only and does not imply their acceptability.

1. Mechanical - Carborundum Disc

This method comprises a hand-held rotary disc with a carborundum pad. The surface layer of stone is removed along with the dirt, often creating contours as the disc hits hard and soft areas. This produces an uneven surface and causes the loss of fine detail.

2. Air and Water Abrasive

These methods comprise grits carried by jets of air and/or water. The impact of the particles on the surface of the stone removes both dirt and stone and relies upon the skill of the operative to ensure that not too much stone is lost. The results of this method vary, but the pitting of the surface of the stone and the loss of fine detail are common. Dry grit blasting is usually more aggressive than wet grit washing.

3. Chemical Cleaning

This method comprises the application of chemicals and a high pressure water wash. The balance of chemicals varies with the type of stone and surface deposit to be removed. Poultices can also be used; these are more gentle but damage still occurs.

After chemical cleaning, most stones retain the chemicals, even after pressure washing. This then increases decay.

4. Water

When water pressure is used as part of the cleaning method, water is forced into the stone to a depth where natural evaporation will not take place. The water can then percolate down through the fabric of the wall and cause accelerated

weathering at lower levels in the building. High pressure water can also cause damage to the stone.

A water wash, pressurised or not, remains an alternative stone cleaning technique. It is likely that a low pressure water wash remains the least aggressive method of stone cleaning. However, it will not remove dirt which has combined with the surface to form an insoluble compound. High pressure and/or excessive water can cause surface erosion, pointing wash-out, staining and force water into the core of the wall. Due to the dangers of thermal expansion, water washing should be avoided in frosty conditions.

Painting

Planning permission will be required to paint or render a previously untreated surface or change the colour of a building.

Paint which matches the existing in colour and uses traditional materials and methods will not require planning permission.

External stonework must not be painted or rendered, unless the surface was originally painted or rendered.

In basements, painting the underside of the entrance platt will be considered exceptions. Coping stones and the edge of steps should not be painted.

Walls covered with smooth cement render or a harled finish should generally be painted in earth colours or neutrals (grey, cream or beige). Rendered bands to windows should generally be in stone colours.

Information on painting a shop or other commercial premises is included within the **Guidance for Businesses**.

Doors should be painted in an appropriate dark and muted colour. Windows should normally be painted white or off-white. All areas of dormer windows, other than the window frames, should be painted to tone in with the roof.

Railings, balconies, other ornamental ironwork and downpipes should be painted black gloss, although other very dark colours may be appropriate for railings, such as dark green for railings around gardens.

Paint Removal

Paint removal will require planning permission.

The restoration of the original surface through the removal of paint can improve the character and appearance of a building. Where surfaces have been previously painted, the removal of paint will be supported in principle, provided that the proposed removal method does not adversely affect the original surface.

The removal of paint requires chemical and/or abrasive cleaning to re-expose the stone beneath. Abrasive methods can cause severe damage to the surface and will be unlikely to remove all traces of paint from coarse, porous sandstone. In certain circumstances, a minimally abrasive method may be appropriate to remove the outermost paint layers not in contact with the stone surface. Chemical paint removal varies from paint stripper to a proprietary poultice (a substance placed on the stone to draw

out the paint). Each requires extreme caution due to their potentially damaging effects and trial samples should be carried out.

Previous painting could have disguised the poor condition or appearance of the surface so repair work may be required following paint removal. Therefore, consents will be conditional upon a commitment by applicants to undertake a minimum standard of repair subsequent to paint removal.

Where paint removal is not appropriate, the property should be repainted in a matt finish stone coloured paint to tone with the adjoining stonework.

Specialist professional skills should be sought to undertake analysis, design a suitable treatment method and undertake any work.

1. Fabric Survey

A full drawing and photographic survey should be submitted. This should identify the types of stone on the building and the extent and nature of any current defects, including previous mortar or plastic repairs and the condition of pointing. The photographic survey should illustrate the frontage in relation to neighbouring properties and streetscape. This will allow an assessment of the impact of paint removal within its wider environmental context. For comparative purposes, the fabric survey should also include a record of 'colour value' measured either by chromatic or Kodak colour strip.

2. Trial Paint Removal Samples

Paint removal methods should be tested on an inconspicuous trial area of two or three stones. A photographic survey should be carried out of the pre and post painting samples and the visual

and chemical effects recorded. This enables an assessment of the technique's effectiveness. Applicants may be asked for further samples.

The number of samples should reflect the nature of the specific building being tested; all varieties of stone should be tested.

Telecommunications including Satellite Dishes

Planning permission will be required for a satellite dish on a building within a conservation area.

The installation of cable television equipment in conservation areas requires planning permission. Equipment should be sensitively sited to minimise the affect on the special character and appearance of the conservation area.

Satellite dishes in conservation areas should not be easily visible from public view.

They should be located in inconspicuous locations, such as behind a parapet wall, within a roof valley or concealed behind by a chimney. They may also be acceptable on modern extensions to the rear, providing no part is higher than the main building.

To prevent a multiplicity of satellite dishes, the Council may refuse consent for additional dishes, even if this may prevent some properties from receiving satellite television. The sharing of dishes on buildings will be encouraged.

Where acceptable, satellite dishes should blend in with the background; this may require it to be painted. All fixings should be non-ferrous.

Gas Pipes and Meter Boxes

Planning permission is only required where the guidelines below cannot be complied with.

A maximum of a 450mm of supply pipe should be visible on the front wall. External pipes which are both horizontal and vertical must have the horizontal section within the basement areas (where applicable) and not be visible from the street.

Holes in stonework must be kept to a minimum and should be made through stone joints, except in the case of “V” jointing or rubble where holes should be in the stonework. Non-ferrous fixings must be used.

All redundant surface-run pipe work must be removed and the surfaces made good and painted to match existing materials and colour.

Meter boxes should not be fitted to the front or any conspicuous elevation of buildings.

Pipe work and meter boxes should be painted to match adjacent stone.

Flues

Balanced flues will only be permitted where it is not possible to line an existing chimney to form an internal flue.

Balanced flues will not normally be acceptable on the front or conspicuous elevations of listed buildings.

Air Conditioning and Refrigeration

Planning permission will normally be required to install air conditioning and refrigeration units on the exterior of buildings.

The preferred location for units within conservation areas is:

- Free standing within garden or courtyard areas, subject to appropriate screening and discreet ducting.
- Within rear basement areas.
- Inconspicuous locations on the roof (within roof valleys or adjacent to existing plant). However, aerial views will also be considered.
- Internally behind louvres on inconspicuous elevations. This should not result in the loss of original windows.

Where it is not practicably possible to locate units in any of the above locations, it may be acceptable to

fix units to the wall of an inconspicuous elevation, as low down as possible; they should not be located on the front elevation.

Units should be limited in number, as small as practicably possible and painted to tone with the surrounding stonework or background.

Ducting must not detract from the character and appearance of the building and area.

Adaptation for Accessibility

Planning permission may be required to install ramps, handrails, indicators and lifts and for alterations to doors.

While the Equality Act 2010 requires service providers to take “reasonable” steps to make their buildings and services accessible, there is also a statutory duty to protect the character of the historic environment. The provision of access for the less able to historic buildings will therefore require careful consideration and design.

Full access for everyone via the principal entrance may not be appropriate. Alternative access arrangements which preserve the character of the listed building may be required.

Solutions should be tailored to the particular building through the use of innovative design and high quality materials.

Apply for planning permission or a certificate of lawfulness at www.eplanning.scot.

apply

Ramps

The placing of a ramp on a building should have minimal impact on the historic fabric.

The symmetry of existing elevations and the rhythm of the street as a whole should be respected, and where relevant, care should be taken to protect the relationship between railings, property and basement.

Where appropriate, consideration should be given to regrading the ground at the entrance in order to overcome the need for larger ramps and minimise the visual impact on the building. If this will cause a footway hazard, a ramp inside the building may be appropriate; the removal of steps and the lengthening of doors can sometimes accommodate this.

Ramps on the public footway will not generally be supported. Where acceptable, ramps must leave sufficient clear footway for pedestrians. This will vary according to the volume of pedestrian traffic. In general, this is 2metres for residential areas, 3metres for main roads and 5-6metres for busy shopping streets.

Where a ramp is acceptable, high quality materials, such as stone to match the existing building, will be encouraged. In some circumstances, high quality design in modern materials may be more appropriate.

Handrails

Where required, handrails should be carefully designed and sensitively located to avoid being visually intrusive.

Appropriate contrast with the background material can be achieved with high quality traditional or contemporary materials.

Tactile Indicators

Historic flooring materials should not be replaced with standard tactile paving. A tactile grid can be achieved by using materials that match those of the surrounding area, and which have been textured with ridges or dimples. More information is available in the [Edinburgh Design Guidance](#).

Visual indicators

Brightly coloured high-visibility strips should be avoided, unless their use helps to avoid other more visually intrusive works.

Doors

There may be cases (particularly in the case of historic buildings) where it is less damaging to seek alternative access routes than to widen or alter a doorway. Historic doors are often an integral part of the design of the building, and should be retained wherever possible.

Where historic doors are heavy or difficult to operate, it is normally possible to adapt them by re-hanging and/or introducing opening mechanisms or visual indicators to make the handles more prominent.

Lifts

External chair and platform lifts can have a significant impact on the architectural character of a building, and should only be proposed where no other option is suitable. The resting position of any

external lift should be as low as possible, and the design of the platform and restraints should be as transparent as possible. Metal cages are unlikely to be acceptable as they are disruptive to the streetscape and can seem intimidating to the user.

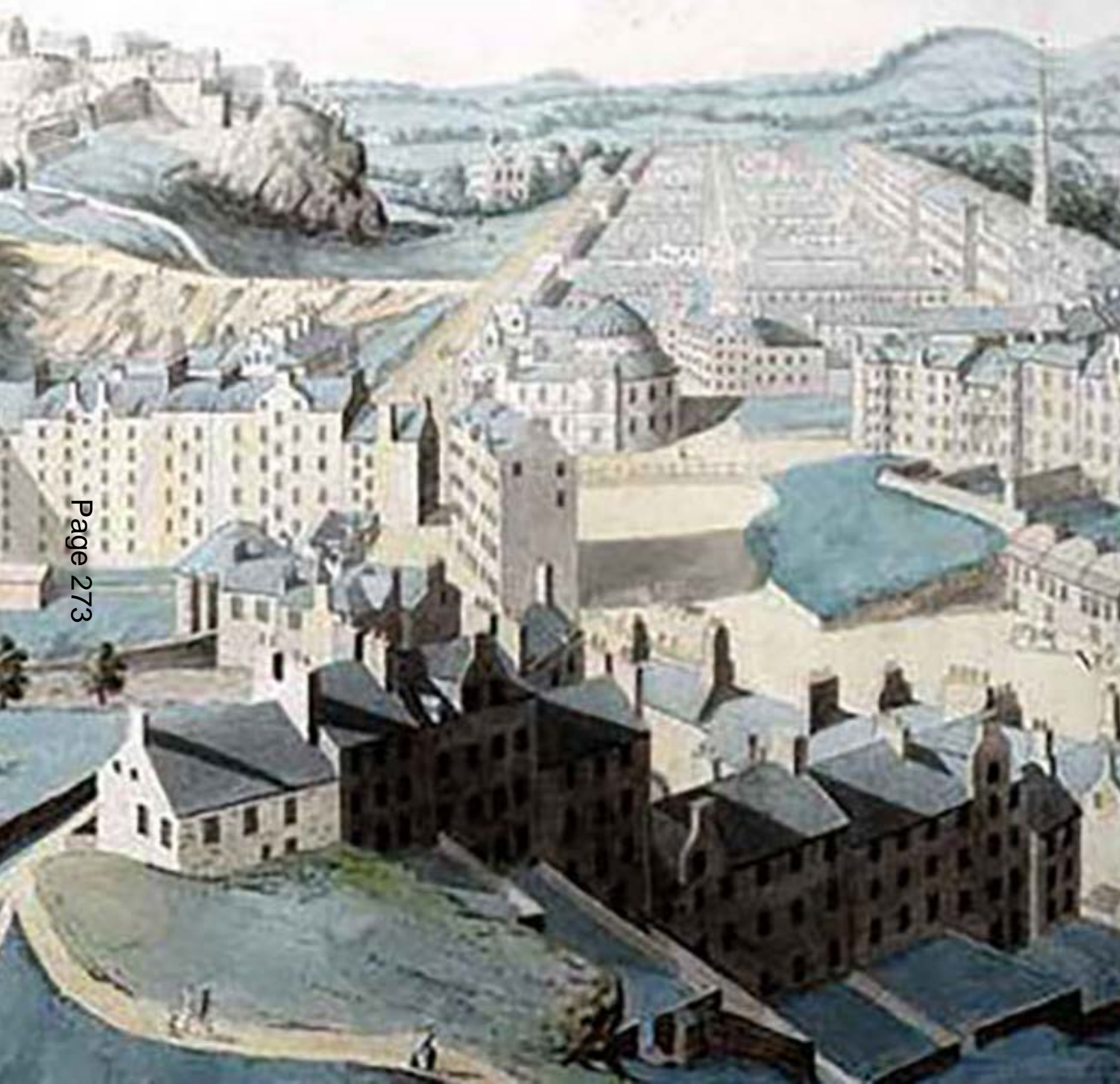


HAPPY TO TRANSLATE

ترجمه کله ماهر آماندهر সঙ্গে অনুবাদ করব

يسعدنا توفير الترجمة MOŻEMY PRZETŁUMACZYĆ 很樂意翻譯

You can get this document on tape, in Braille, large print and various computer formats if you ask us. Please contact ITS on 0131 242 8181 and quote reference number 12-0932. ITS can also give information on community language translations.



New Town
Conservation Area
Character Appraisal

Page 273

Agenda Item 8.2

Contents

Location and Boundaries	3
Dates of Designation/Amendments	3
World Heritage Status	4
Statement of Significance	5
Purpose of Character Appraisals	5
How To Use This Document	6
Historical Origins and Development	7
Structure	13
Topography	13
Vistas and Views	19
Key Elements	41
Legislation, policies and guidance	48
OPPORTUNITIES FOR DEVELOPMENT	52
OPPORTUNITIES FOR PLANNING ACTION	53
OPPORTUNITIES FOR ENHANCEMENT	53

New Town

Conservation Area

Character Appraisal



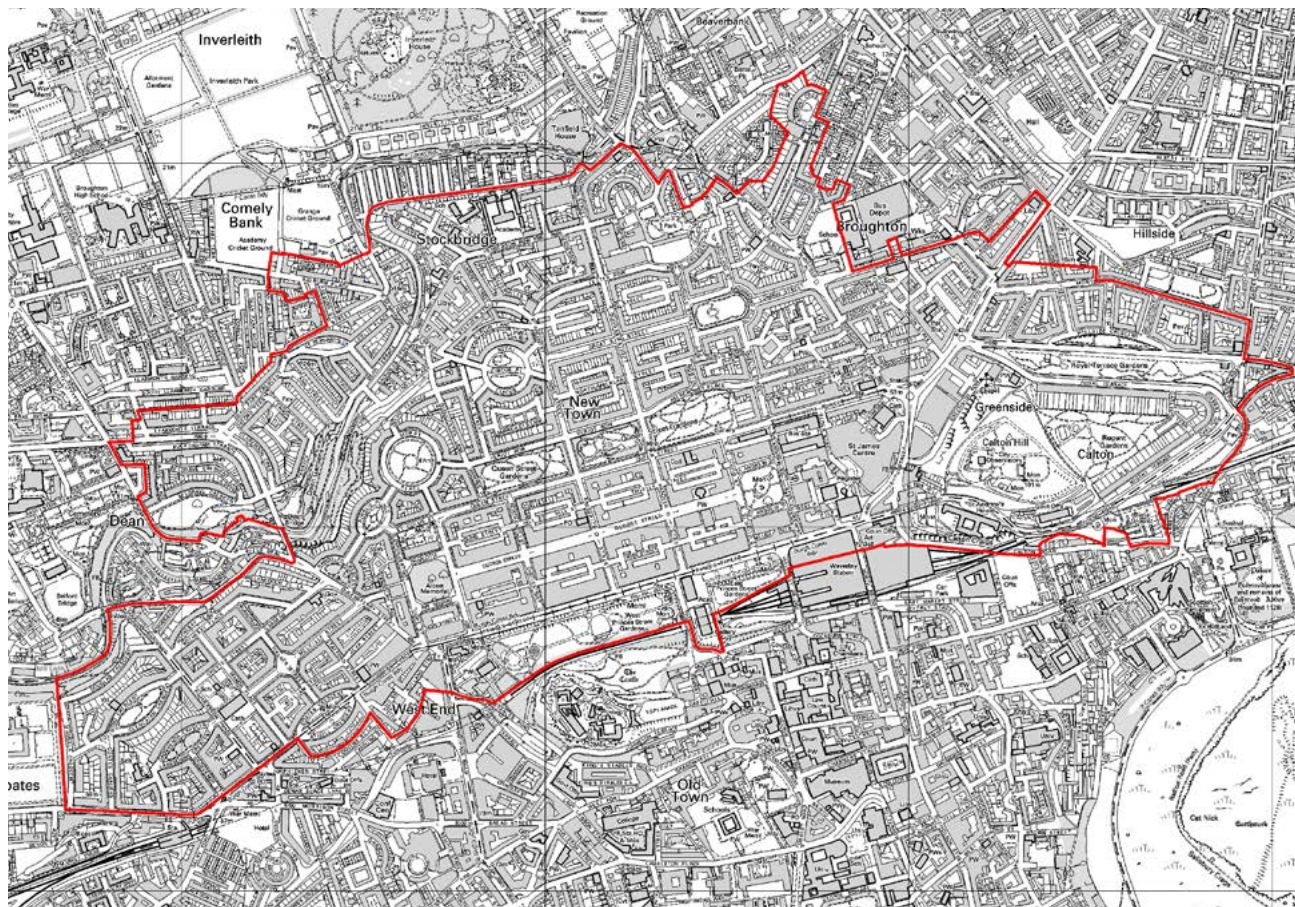
New Town

Conservation Area

Character Appraisal

Location and Boundaries

The Conservation Area forms the northern section of the city centre of Edinburgh and its inner suburbs. It is 322ha (825 acres) in area, and approximately 3.7 kilometre (3 miles) wide west to east and 2 kilometres (1.25miles) north to south.



Page 275

Dates of Designation/Amendments

The Conservation Area was originally designated in October 1977. An amendment in March 1980 transferred Waverley Station to the Old Town Conservation Area. A further amendment was made in 1995 to include Atholl Crescent and Rutland Square, which were previously included in the West End Conservation Area.

World Heritage Status

All but the northern fringe of the Conservation Area is included in the Old and New Towns of Edinburgh World Heritage Site, which was inscribed on UNESCO's World Heritage Site list in 1995. This was in recognition of the outstanding architectural, historical and cultural importance of the Old and New Towns.

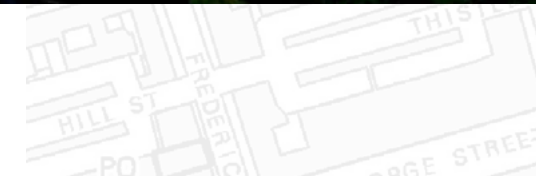
In terms of UNESCO's criteria, the conservation and protection of the World Heritage Site are paramount issues. The conservation of the World Heritage Site is defined as those steps necessary for its protection, conservation and restoration as well as its controlled development and harmonious adaptation to contemporary life. Inscription commits all those involved with the development and management of the Site to ensure measures are taken to protect and enhance the area for future generations. Since 2014, Historic Environment Scotland has a statutory duty to consider the Outstanding Universal Value of the Site when assessing the impact of development proposals.

Edinburgh World Heritage was established in 1999 by a merger of the Old Town Renewal Trust and the New Town Conservation Committee. The World Heritage Site is managed, protected and promoted through a partnership comprising Edinburgh World Heritage, Historic Environment Scotland and the City of Edinburgh Council. This Character Appraisal should be read in conjunction with the Management Plan for the World Heritage Site.



Old and New Towns of Edinburgh World Heritage Site Management Plan.

Old and New Towns of Edinburgh World Heritage Statement of Outstanding Universal Value



New Town

Conservation Area

Character Appraisal

Statement of Significance

The New Town, constructed between 1767 and 1890 on the glacial plain to the north of the Old Town, contains an outstanding concentration of planned ensembles of ashlar-faced, world-class, neo-classical buildings, associated with renowned architects, including John and Robert Adam, Sir William Chambers, and William Playfair. Contained and integrated with the townscape are gardens, designed to take full advantage of the topography, while forming an extensive system of private and public open spaces. It covers a very large area, is consistent to an unrivalled degree, survives virtually intact and constitutes the most extensive surviving example of neo-classical town planning in the world.

The Conservation Area ranks as one of the most important in the United Kingdom, in terms of both its architectural, urban planning and historic interest. Its significance is reflected in the extensive number of Statutory Listed Buildings, the number of tourists that visit the area, and its international recognition as part of the UNESCO designated Old and New Towns of Edinburgh World Heritage Site.



Purpose of Character Appraisals

Conservation area character appraisals are intended to help manage change. They provide an agreed basis of understanding of what makes an area special. This understanding informs and provides the context in which decisions can be made on proposals which may affect that character. An enhanced level of understanding, combined with appropriate management tools, ensures that change and development sustains and respects the qualities and special characteristics of the area.

Planning Advice Note PAN 71: Conservation Area Management specifies that:

'When effectively managed, conservation areas can anchor thriving communities, sustain cultural heritage, generate wealth and prosperity and add to quality of life. To realise this potential many of them need to continue to adapt and develop in response to the modern-day needs and aspirations of living and working communities. This means accommodating physical, social and economic change for the better.'

Physical change in conservation areas does not necessarily need to replicate its surroundings. The challenge is to ensure that all new development respects, enhances and has a positive impact on the area. Physical and land use change in conservation areas should always be founded on a detailed understanding of the historic and urban design context.'



How To Use This Document

The analysis of New Town’s character and appearance focuses on the features which make the area special and distinctive. This is divided into two sections:

- Structure, which describes and draws conclusions regarding the overall organisation and macro-scale features of the area; and
- Key Elements, which examines the smaller-scale features and details which fit within the structure.

This document is not intended to give prescriptive instructions on what designs or styles will be acceptable in the area. Instead, it can be used to ensure that the design of an alteration or addition is based on an informed interpretation of context. This context should be considered in conjunction with the relevant Local Development Plan policies and planning guidance. The management section outlines the policy and legislation relevant to decision-making in the area.



New Town

Conservation Area

Character Appraisal

Historical Origins and Development

During the 1600s and early 1700s, the population of Edinburgh grew considerably within the old walls of the city, producing conditions of severe overcrowding. The late seventeenth century and early eighteenth century were difficult periods for Scotland. The country's economy was relatively small, its range of exports limited, and the country was in a weak political position in relation to the great powers of Europe, including neighbouring England, and their overseas empires. Famine and depopulation in the 1690s, the Union of Parliament in 1707, severe financial losses following the failure of the Darien Colony in Panama, and instability resulting from the Jacobite rebellions of 1715 and 1745 (in which Edinburgh was taken by the Jacobites) were significant impediments to development. It was not until the more settled political and economic climate of the 1750s that the city could contemplate an ambitious potential expansion.



Page 279



Before the building of the First New Town, the land to the north was characterised by open ground with a few scattered villages such as Broughton, Stockbridge, Canonmills, Dean, Picardy and Calton. All these villages were difficult to access from the Old Town which was severely constrained by its topography – with expansion to the north impeded by the Nor' Loch.



New Town

Conservation Area

Character Appraisal

The gradual growth of economic prosperity by the mid-eighteenth century was accompanied, after 1745, by political stability. In the 1750s, Edinburgh was, therefore, ripe for expansion. Its more prosperous citizens wanted better housing than was available in the cramped and dark closes of the Old Town. The building of Argyll Square, Adam Square, Brown Square and George Square to the south met some of this demand on a relatively small scale.



In 1751, a pamphlet was published entitled 'Proposals for carrying on certain public works in the city of Edinburgh'. This document, strongly supported by the Lord Provost, George Drummond, proposed a New Town connected to the Old Town by a bridge.



The draining of the Nor' Loch began in 1759, and the Council also took steps to purchase sections of land immediately across the valley to enable development.



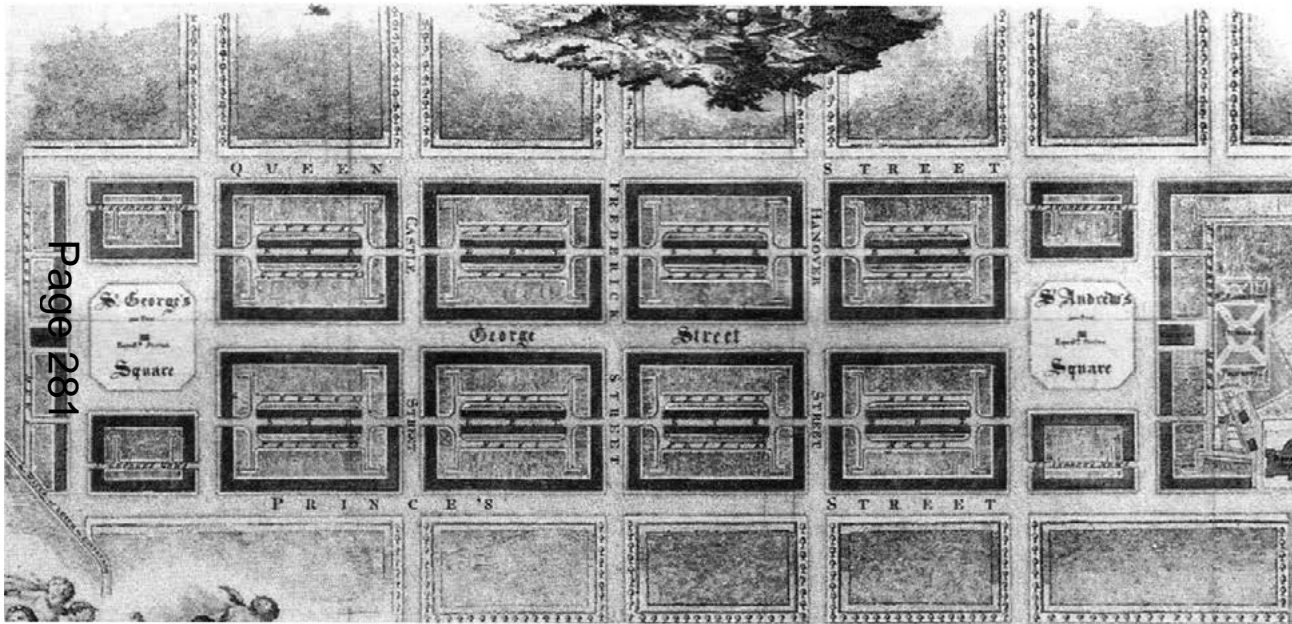
New Town

Conservation Area

Character Appraisal

The First New Town

In March 1766, the Council announced a competition to produce an overall plan for the new development. The objectives were to create an elite residential suburb, based on 'order and regularity' with 'streets of a proper breadth'. The winning entry was that prepared by the 23 year old James Craig.

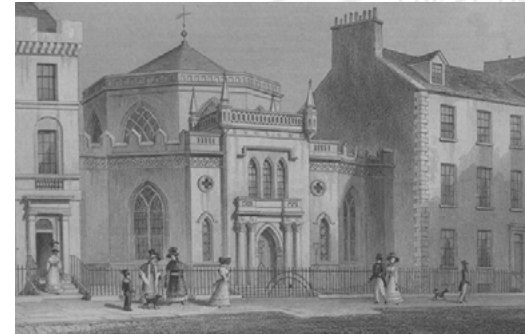


New Town

Conservation Area

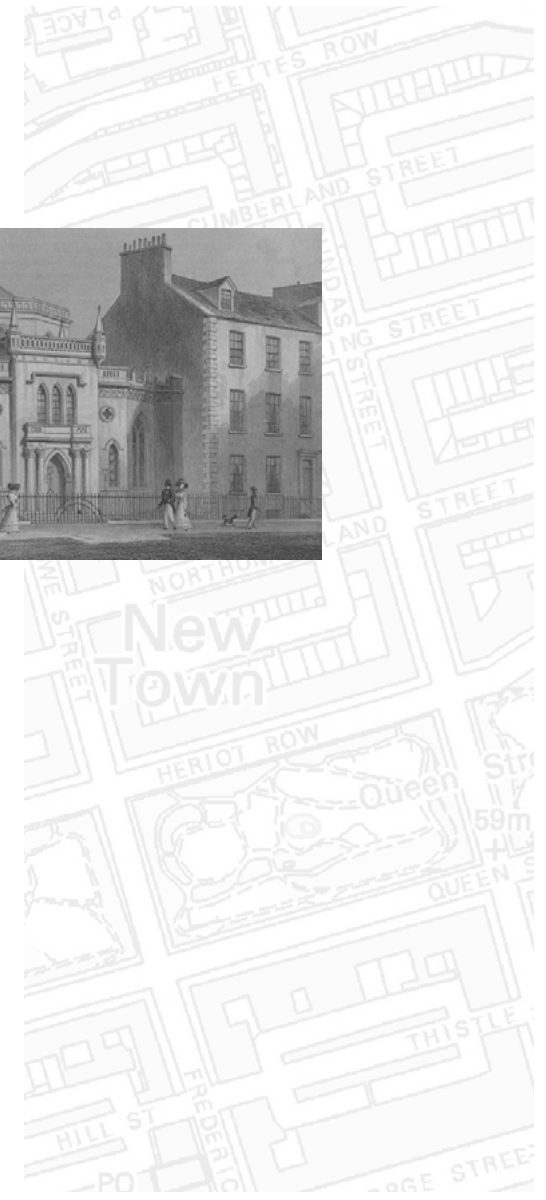
Character Appraisal

The final version of the plan was approved by the Town Council on 29th July 1767 - 2017 is the 250th anniversary of the approval of the plan. It is a strikingly simple, self-contained grid, with a broad main street along the top of the ridge connected to two squares. Parallel to this street are two more streets, looking north and south out over the Forth and over the Nor' Loch valley. Three equally spaced cross-streets bisect the grid. Along the long axis of each block is a smaller road, with mews lanes opening off it on each side.



The approved plan incorporated a layout of generous proportions and spaciousness. The central street is 100ft (30m) wide; the outer streets and cross streets 80ft (24m) wide; and the mews 30ft (9m) wide. The spatial layout incorporates a lateral social segregation, reflecting the hierarchy of eighteenth century society in which each class was given its due place. At the top of the hierarchy is the central, widest street (George Street) and the two grand squares. These formed the most prestigious addresses and would host the grandest individual town houses for the aristocracy and gentry. Next came the two outer streets and the cross streets. The subsidiary streets were intended to house shopkeepers and tradesmen, and the mews lanes the stables and outbuildings serviced the rear of the grand houses. In practice, the open views from the one-sided flanking streets meant that Queen Street attracted the most affluent residents.

This hierarchy provided a striking contrast to the relative social equality of the Old Town, where all classes were piled on top of one-another, occupying different levels of the same tenement. In creating the plan, Craig and the Town Council were 'importing to Scotland, for the first time, the built class distinctions of the new North Britain' (Charles McKean, *James Craig and Edinburgh's New Town*).



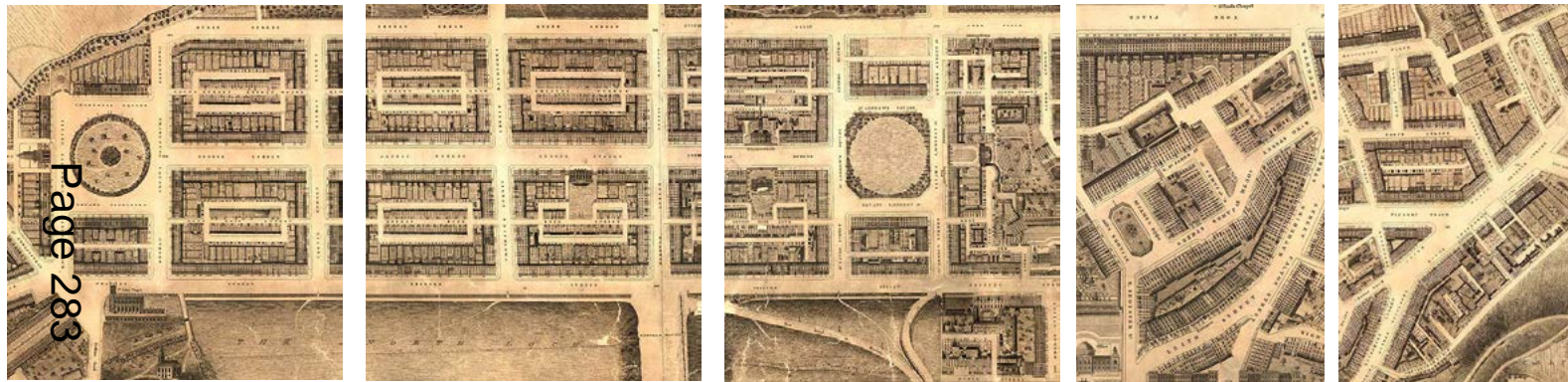
New Town

Conservation Area

Character Appraisal

The original feuing plan of the New Town shows the blocks broken up into regular plots, with gardens behind the houses and access from the mews lanes. However, development on the ground varied significantly from this plan.

Construction began around 1770 with buildings at the east end of Queen Street and Thistle Street, and the northern and eastern sides of St Andrew Square. By early in the 1780s, construction was underway in the eastern extremes of George Street, Princes Street and Rose Street, from where it spread gradually towards the west end.



All development was subject to conditions imposed by the feu superiors, in this case the Council. Control over the appearance of the buildings was initially very relaxed - the only condition imposed was that Craig's plan should be followed, with continuous terraces set back from the pavement by a basement area. Despite the regular plots shown on the feuing plan, feus were sold in a variety of sizes, and built both as town houses and tenement blocks of different sizes and designs, and the development was soon criticised for its irregularity which conflicted with the order required by contemporary taste.

Following concerns about the disparate overall appearance of the initial buildings, the conditions of sale of the land became increasingly prescriptive, and the Town Council passed a series of Acts in the 1780s to control issues such as building height and dormers. In 1781, the Council stipulated that every house on a main street was to be of three storeys with a sunken basement and not more than 48ft (14m) high from the basement area to the top of the wall. In 1791, the Council commissioned Robert Adam to complete detailed plans and elevations for Charlotte Square to act as a detailed design guide. This resulted in the first New Town development to use a coherent palace block design to articulate an architectural unity across a number of individual properties, all controlled by Adam's feuing plan.



Post -War Planning

As the success of the First New Town became clear, adjacent land owners began to consider similar ventures. This resulted in a series of developments spreading north, west and east of the First New Town which today form the New Town Conservation Area.

The highly regarded town planner, Sir Patrick Abercrombie, produced detailed reports with proposals for the redevelopment of a number of British cities including Edinburgh, following the urban destruction and dramatic changes brought about by the Second World War. In 1949, Abercrombie presented his Civic Survey and Plan to Edinburgh Corporation. The plan recommended major changes to the city centre, including the remodelling of Princes Street in its entirety to regain the unity, which had been lost. These radical proposals were adopted by the Princes Street Panel in the 1950s, which devised a standard section for Princes Street. This segregated pedestrians from vehicular traffic, with a walkway at first floor level. Buildings using this approach are still evident. The demolition of St James Square and the insertion of a new road network through the Central Area were also recommended.

By the late 1960s, concerns about threats to the Georgian New Town were widespread. These focused on the condition of the buildings and the loss of clarity and coherence of the Georgian ensemble. Confronted with these multiple threats, the various authorities and interests organized a conference on the conservation of Georgian Edinburgh in 1970. The conference confirmed the international importance of the New Town and resulted in the establishment of the Edinburgh New Town Conservation Committee (ENTCC) in 1972. The ENTCC provided a single focus within one agency for all activities related to the study, condition, conservation, and development of the New Town.

From this point, a much greater emphasis was placed on conservation rather than redevelopment. Traffic proposals for the city centre proposed by Buchanan in the mid 1970s, which were a progression of Abercrombie's proposals were abandoned. However, this did not prevent the demolition of Picardy Place and St James Square - the former for road proposals and the latter for the St James Centre.

The New Town was designated as a conservation area in 1977. The inscription of the Old and New Towns of Edinburgh on UNESCO's list of World Heritage Sites in 1995 provided additional recognition of the city's unique heritage.

In 1996, the consultants EDAW were commissioned to produce 'A Strategy for the First New Town', considering, amongst other things, the issue of perceived conflict between the desire to maintain commercial vitality and the need to protect the historic and architectural character of the area. The recommendations of the EDAW Study were adopted by the Planning Committee in November 1997.



New Town

Conservation Area

Character Appraisal

The Edinburgh World Heritage Trust (EWH) was created in 1999 by the amalgamation of the Old Town Renewal Trust and the New Town Conservation Committee. The aim of EWH is to preserve or enhance the character or appearance of the site's special architectural or historic interest. EWH seeks to co-ordinate activities necessary for the protection of the heritage value of the site through its controlled development and its harmonious adaptation to contemporary life. The World Heritage Site Management Plan identifies what is significant about the World Heritage Site, recognises challenges and threats, and sets out policies to preserve and enhance the Site.



Structure

Topography

The formal designs of the New Town were laid out without substantially altering the existing landform and the topography, therefore, has a significant impact on the form of the Conservation Area. The majority of the area sits on a north facing slope. Calton Hill is the most prominent natural landmark within the area and forms a dramatic punctuation to the east. From George Street, the ground falls dramatically south down to Princes Street Gardens, overlooked by the Castle and the Old Town. Only the Western New Town is laid out on flat ground. Linked grid layouts make use of the topography to achieve a cohesive, uniform urban whole.

New Town

Conservation Area

Character Appraisal



Development Pattern

The development of the New Town has resulted in a building stock of extraordinary quality which has proved to be both durable and capable of adaptation, both to the needs of changing residential standards and to different uses. Parts of the New Town can be characterised as restrained or even austere, relying on proportion, regularity and repetitive design for their architectural quality.

The Conservation Area is typified by formal plan layouts, spacious stone built terraces, broad streets and an overall classical elegance. The majority of buildings are of a standard type that expresses Georgian ideals of urban living. The standard building form is three main storeys over a sunken basement, normally three bays wide and three storeys high, including steps from street to basement and cellars under the pavement with a slate covered pitched roof. The width of the basement area was standardised at 8ft (2m) in the First New Town, though it is sometimes wider in subsequent developments - for example, nearly 4.0m in Heriot Row. The street elevations of each property typically follow a standard form of evenly spaced vertically proportioned sash windows, with a door at street level. There is usually a high proportion of masonry to window opening on both the front and rear elevations. The facades reflect the internal planning of the buildings with larger balconies and lengthened windows to the drawing rooms at first floor level.



New Town

Conservation Area

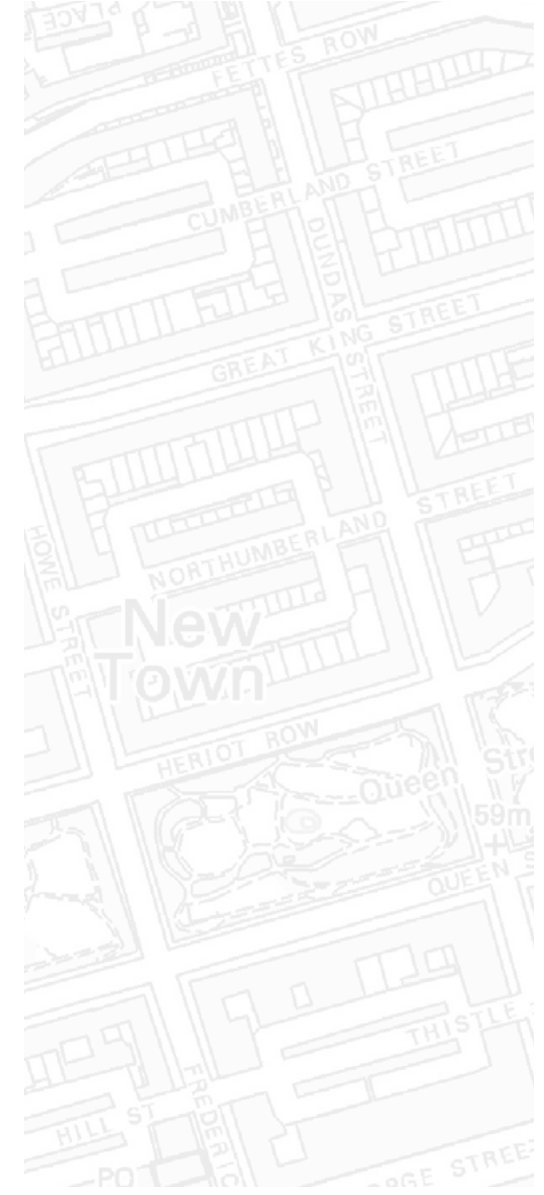
Character Appraisal

Apart from a few of the very earliest properties, which are of rubblework stuccoed to represent ashlar, the street elevations of the majority of buildings were built of finely dressed squared ashlar of the durable local Craigleith sandstone. From the 1860s, builders took advantage of improved transport to import significant quantities of cheaper and softer stone from further afield. Rear elevations were usually constructed of rubblework masonry.

Driven by the grid plan of Craig's New Town as a precedent and the topographical characteristics of the area, each subsequent development adopted the basic principles of a grid layout. These grid layouts, defined by perimeter blocks, were designed with a concern both for buildings and the public realm and the relationship between built form, streets and open spaces. The layouts are framed by the use of perimeter blocks, which are rectangular in the earlier schemes, but become curved and rounded to meet the grid requirements of later schemes.

The first and Northern New Towns generally have the same hollow square perimeter block shape and size, while the later schemes have smaller hollow squares. The backlands to these hollow squares form large areas of open space within the Conservation Area and are significant features. The encroachment of commercial and retail uses in the New Town has resulted in the infill of the perimeter blocks; particularly along Princes Street, George Street and Shandwick Place.

The planned formal gardens throughout the Conservation Area introduce punctuation, emphasise views and provide amenity space within the discipline of the grid layouts.



New Town

Conservation Area

Character Appraisal

From the 1840s onward, the local authority relaxed its restriction on the allowable heights of buildings, which quickly led to the construction of an additional floor on a large number of properties.

The Victorians changed the nature of Princes Street and George Street with the introduction of commercial buildings. However, when developing residential areas in the New Town they invariably followed the grid plan precedent set by Craig.

In the post-war period there has been a significant amount of redevelopment within the area, particularly during the 1960s. Some of the buildings of this period tend to have ignored a number of the historic townscape rules in terms of proportion, scale, materials and form.



Setting and Edges

North Bridge and the Mound, original links between the Old and New Towns, provide principal routes to the south and the Borders. The access over North Bridge reveals the topography and character differences between the Old and New Towns. It also provides panoramic views to the east towards Arthur's Seat and the coast in the distance. The end of the bridge is terminated by Robert Adam's palace fronted Register House. The former GPO and Balmoral Hotel frame the bridge at Princes Street.



The Mound, a causeway built up of spoil from the construction of the New Town between 1780 and 1830, divides Princes Street gardens into two sections. Playfair's Galleries are classical temples against the backdrop of the Old Town ridge.

London Road, the principal route from the south reaches the Conservation Area through Playfair's Calton Scheme, giving an immediate introduction to the classical formality of the New Town.



New Town

Conservation Area

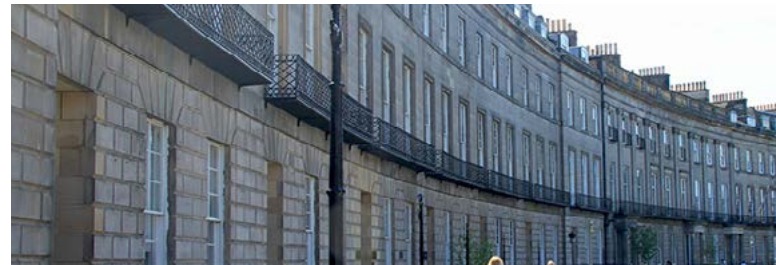
Character Appraisal

The principal south western approach enters the New Town via Lothian Road with the Caltonian Hotel on the western junction with Princes Street. The Churches of St John and St Cuthbert terminate West Princes Street Gardens.

Leith Walk, connecting the City with its sea port, enters the Conservation Area at Haddington Place, which leads on to Playfair's Elm Row and Gayfield Square. London Road also provides a set piece entrance to the Conservation Area, linking through to Leith Walk.



The road to Glasgow skirts the Victorian development of the Western New Town before swinging north-east onto Haymarket Terrace and passing through the Georgian elegance of Coates and Atholl Crescents, to arrive via Shandwick Place at Princes Street. Queensferry Road, another western approach, takes advantage of Telford's high level bridge of 1833 to avoid the original route, which wound down a steep valley to cross the Water of Leith.



New Town

Conservation Area

Character Appraisal

Vistas and Views

Views and vistas were an important element in eighteenth century design and town planning, and the area has a variety of notable views. The New Town exploits the topography and the value of views both within and out from it to maximum effect. The historic plan forms allied to the dramatic topography results in important terminated and long vistas and landmark features that respond to the changes in level. This is particularly true of southern views from the First New Town across Princes Street Gardens to the Old Town Ridge. Views from the northern slopes provide stepped panoramas towards and across the Firth of Forth.

In addition to these distant views Craig's plan deliberately promoted axial views along its main routes. Of particular note is the view south from George Street along Hanover Street towards the Royal Scottish Academy and Assembly Hall of the Church of Scotland. The views along George Street, east along Princes Street and out of practically all the cross streets are also outstanding.

To the west, the view of the spires of St Mary's cathedral is visible from many positions and is juxtaposed to the east with the prominence of Calton Hill. Playfair's scheme for Calton follows the contours of the hill and provides a terrace of exception-

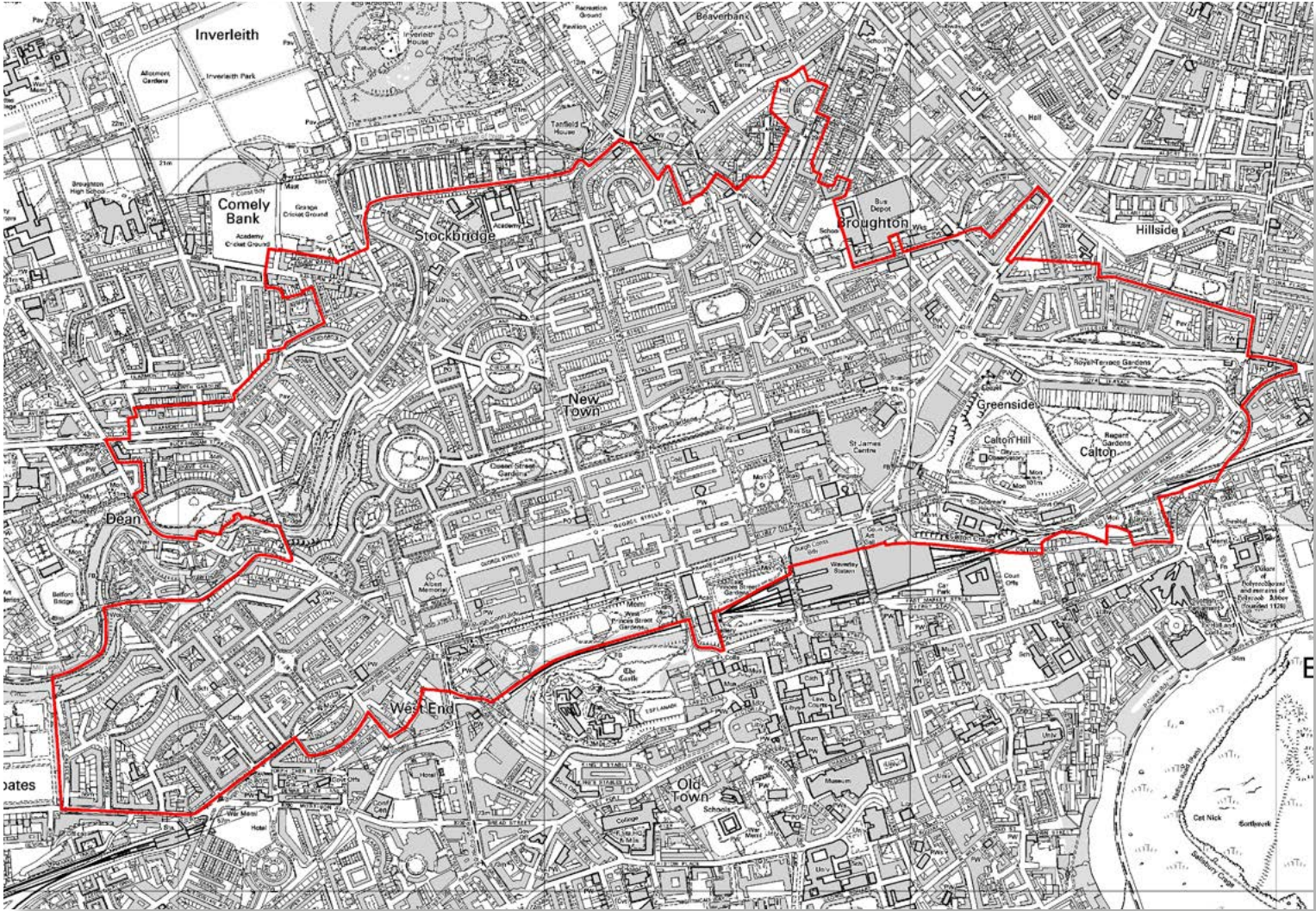
al length and great elegance that exploits spectacular views both to the north, south, and west along Princes Street.

Within the grid layouts, terminated vistas have been planned, using churches, monuments, buildings and civic statuary, resulting in an abundance of landmark buildings. The generally uniform heights of the New Town ensure that the skyline is distinct and punctuated only by church spires, steeples and monuments. The uniformity of building heights, allied to the wide use of formal gardens within the grid layouts, provides a background against which important features stand out and allows views across the city to be appreciated.



Vistas and Views

Page 291



- Key (Interactive map)
- | Conservation Area Boundary
- A Vistas/Panorama
- ▲ Focal Points
- T Terminated View

New Town

Conservation Area

Character Appraisal

Townscape

The Conservation Area is characterised by Georgian and early Victorian rectilinear development of grand formal streets lined by fine terraced buildings expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces. They create a regular pattern of stately streets, squares and crescents, interspersed by formal gardens, and containing a series of major classical buildings by architects of the stature of Robert Adam.



While there are a considerable number of prominent buildings and focal points in the area, the sloping topography means that punctuation above the skyline is limited. The features that are prominent and can be seen from many parts of the area are the Old Town Ridge, Calton Hill with its monuments, and St Mary's Cathedral. The former St James Centre was a prominent feature that could be seen from many viewpoints.



New Town

Conservation Area

Character Appraisal

Princes Street gardens, with its Castle ridge backcloth, provides an open natural setting for a number of landmark buildings directly associated with Edinburgh. The magnificent Greek revival pavilion art galleries by Playfair at the foot of the Mound give credence to Edinburgh as the 'Athens of the North'. Further to the east is the Gothic steeple of the Scott Monument. The Balmoral Hotel (formerly the North British) completed in 1902 is a large quadrangular building, with a domed clock tower overlooking Waverley Station.



The New Town is made up of a mix of town houses and tenement buildings, usually following a sloping topography, and adopting a generally uniform height with only church spires projecting above them. Within the grid layouts, there are individual set pieces and important buildings that do not disturb the skyline. The New Town can also be viewed from above at locations such as the Castle and Calton Hill, which makes the roofscape and skyline sensitive to any modern additions.

To understand the character of the Conservation Area, it is as appropriate to break it down into smaller parts. However, there is a strong sense of these parts 'fitting together' to form a unique and special place.



New Town

Conservation Area

Character Appraisal

First New Town

The completed development of the First New Town was characterised by:

- A general consistency of overall building form, of three main storeys over a sunken basement with slate-clad pitched roofs, contributing to the appearance of a unified whole;
- An almost exclusive use of finely dressed squared ashlar of the durable local Craigleith sandstone (a pale, buff sandstone that weathers to a dark grey), creating a visual homogeneity;
- Visual homogeneity was also created by the use of a limited range of supporting materials: natural slate on roofs; cast and wrought iron for railings, balconies and street lamps; fine joinery and glazing at doors and windows; and stone for footpath paving, kerbs and roadway setts; and Richer, grander designs, such as Charlotte Square, were introduced as building work moved to the west and the development became economically secure.

Page 294

The First New Town was planned to be essentially residential - a neighbourhood for elegant living. The majority of buildings were originally residential, non-residential buildings were confined to ancillary uses such as churches and the Assembly Rooms. Shops were planned in Rose Street, Hill Street and Thistle Street.

The new environment was ideal for the development of retail trade and over the years Princes Street has been extensively redeveloped as Edinburgh's prime shopping street. This has resulted in the majority of the buildings now being in retail use, though office, leisure and hotel uses are also present on upper floors.

Moving north from Princes Street retail use decreases. Rose Street and George Street have considerable shop frontages, particularly in their central and western ends but retail use has not achieved the saturation level of Princes Street. Further north, Thistle Street and Queen Street only house a very modest amount of retail use. The cross streets in the area also reflect these changes.



New Town

Conservation Area

Character Appraisal

Throughout the area property has often been rebuilt or extended or converted for office or institutional use. Residential use only remains significant in the western and northern fringes of the First New Town.



The Northern New Town

In 1799, the Heriot Trust, which owned much of the land to the north of the First New Town, feued York Place, an extension eastwards of Queen Street. David Stewart, a former Provost, set the pattern for later large-scale development. Initially feuing some thirteen acres to the north of Queen Street from the Heriot Trust, he subsequently proposed plans for a much larger development. The project involved laying out a large square and circus linked by a grand central boulevard crossed by a continuation of Hanover Street running down the slope below Queen Street.

Stewart went bankrupt in 1800, but a variation of his plan by William Sibbald and Robert Reid, was finally adopted. Following the successful precedent of Charlotte Square, elevations for the façades were provided by Reid, with each of the blocks treated as a single composition.

Building started in 1803 but proceeded slowly until the end of the Napoleonic Wars in 1815, by which time only Heriot Row and part of Northumberland Street had been completed. Subsequently construction speeded up while the plan underwent further modification as building proceeded. The square was given a rounded end, to form Drummond Place and in 1823 William Playfair redesigned the circus to incorporate a road up the slope from Stockbridge.



New Town

Conservation Area

Character Appraisal

Great King Street, intended as the most prestigious, and, therefore, the most expensive, address was slow to feu, as Heriot Row, which faced the private gardens north of Queen Street, was the preferred location. These gardens, that became a feature of the later New Town developments, allowed occupiers exclusive access. Despite delays the development was essentially complete by 1823, although small sections of Fettes Row in the north-east, and of Bellevue Crescent in the north-west were not completed until much later.

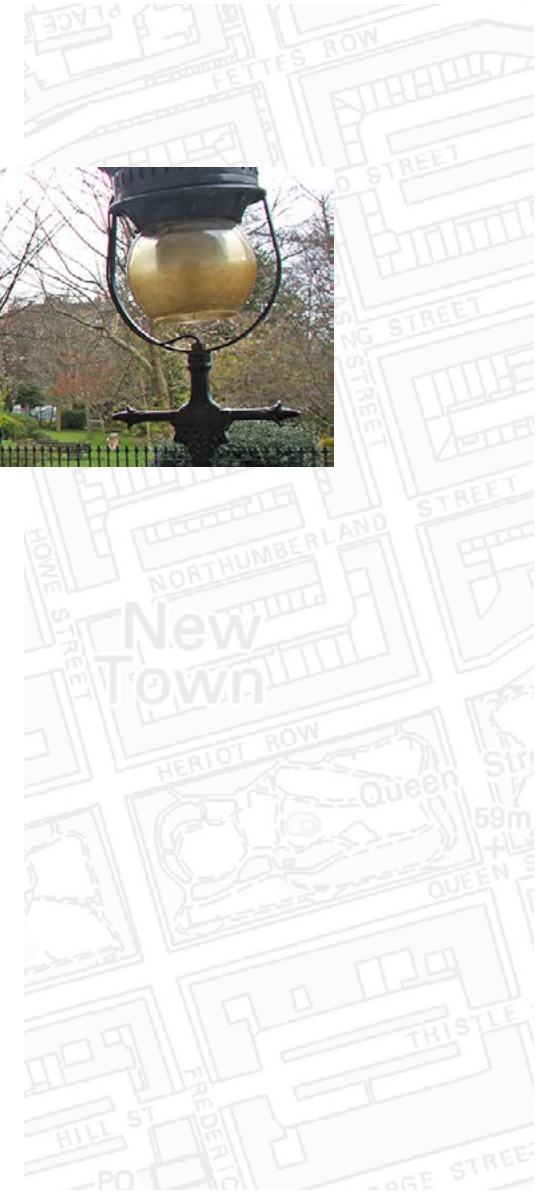


The basic architectural form of the area continued the precedent of the First New Town, with fine quality ashlar residential blocks of three stories over a sunken basement arranged in straight formal terraces.



The Moray Estate

By the early 1820s, the first New Town was virtually complete, and the Northern and Western New Towns and the Raeburn Estates were well under way. The estate of the Earl of Moray to the west of the Northern New Town remained open country. In 1822, with the demand for housing at its height, the Earl of Moray employed James Gillespie Graham to draw up a master plan. In order to ensure that the scheme was fully realised, the Earl imposed feuing conditions specifying the buildings that could be erected in great detail.



New Town

Conservation Area

Character Appraisal

The estate, which occupied a relatively narrow strip of land sloping down to the Water of Leith was not the easiest on which to fit a classical layout. However, Gillespie Graham designed a self-contained enclave of exceptional quality which cleverly linked the First, Northern and Western New Towns. Development proceeded briskly, although the pace later slowed, with some houses not being built until 1855.

In response to the unusually shaped site and the rigid regularity of the earlier New Towns, the Moray Estate abandoned a rectilinear street layout in favour of a chain of three geometric shaped spaces linked by axial connecting streets. Each of the formal main spaces contains private gardens at their centres.

The first or most south-westerly of these spaces is Randolph Crescent, a semi-circular space with central gardens fronting Queensferry Street. Perpendicular to Queensferry Street, Great Stuart Street leads from Randolph Crescent to the elliptical Ainslie Place continuing on to the circular Moray Place.

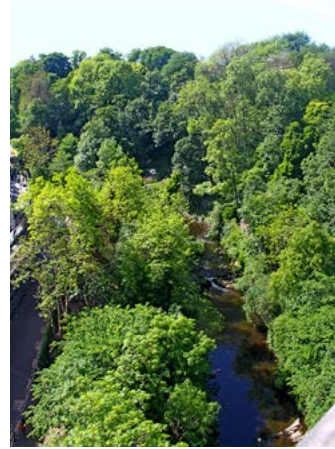
The townscape of the Moray Estate is on a grand scale. This is expressed by the greater spaces between the blocks and the buildings, although they retain the three storey and basement form. The buildings around Moray Place itself are particularly impressive, taking the form of twelve Roman Doric palace fronted elevations, six of which have imposing columned centrepieces.



New Town

Conservation Area

Character Appraisal



To the north, running down the slopes of the river gorge, is a mutual communal pleasure ground which was an important element of the scheme.

Western New Town

Early in the nineteenth century development began to the west of the First New Town. Shandwick Place, an extension to Princes Street westwards flanked by two wide crescents, was the first street to commence and was completed by 1825. This street has attracted considerable retail use leading to considerable redevelopment, although Atholl Crescent and Coates Crescent have remained much as they were built.



New Town

Conservation Area

Character Appraisal

The area north of Shandwick Place and west of Queensferry Road belonged for the most part to Patrick Walker with the Trustees of Lord Alva owning a small section in the south-east corner. They jointly commissioned a plan from Robert Brown in 1813, based on the now well-established grid plan, but with only one, diagonally set square, Melville Crescent, in the centre.

Although development started briskly on Lord Alva's land and in the main east-west boulevard, Melville Street, it later slowed. The grander corner properties proved particularly hard to feu, perhaps because the more prosperous buyers preferred the greener outlooks available on the Moray Estate and Calton Hill. In 1855, the designs for some of these were simplified and scaled down, in order to complete the development.



Despite these setbacks, the Walkers made a substantial income and from 1873 Patrick Walker's three daughters funded the building of the three-spired St Mary's Episcopal Cathedral that provides a prominent terminus to the main axis of the development.

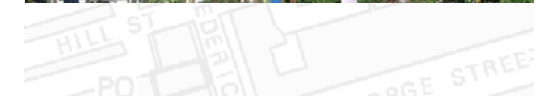


In 1830, John Learmonth feued a small area of land between Shandwick Place and Lothian Road. He used an adaptation of an 1817 plan by Thomas Elliot, drawn up for the previous owner, to form a short street and Rutland Square, a neat rectangle of porticoed houses.

The spread of the city westward prompted the Heriot's Trust, which owned the land still further west, to develop it from 1860. Recognising the desirability of a green outlook, the designs by John Lessels, Peddie and Kinnear, John Chesser and others included a good proportion of narrow ellipses and crescents. The style of architecture gradually changed from neo-classical to a rich Victorian



Renaissance in the later developments. The most westerly developments, Magdala Crescent and Douglas Crescent, have, uniquely in the area, mansard roofs.



New Town

Conservation Area

Character Appraisal

Development also extended to the north of the Walker developments with the Drumsheugh area completed by 1890, though building slowed further to the west and Rothesay Terrace was only completed in the 1900s.

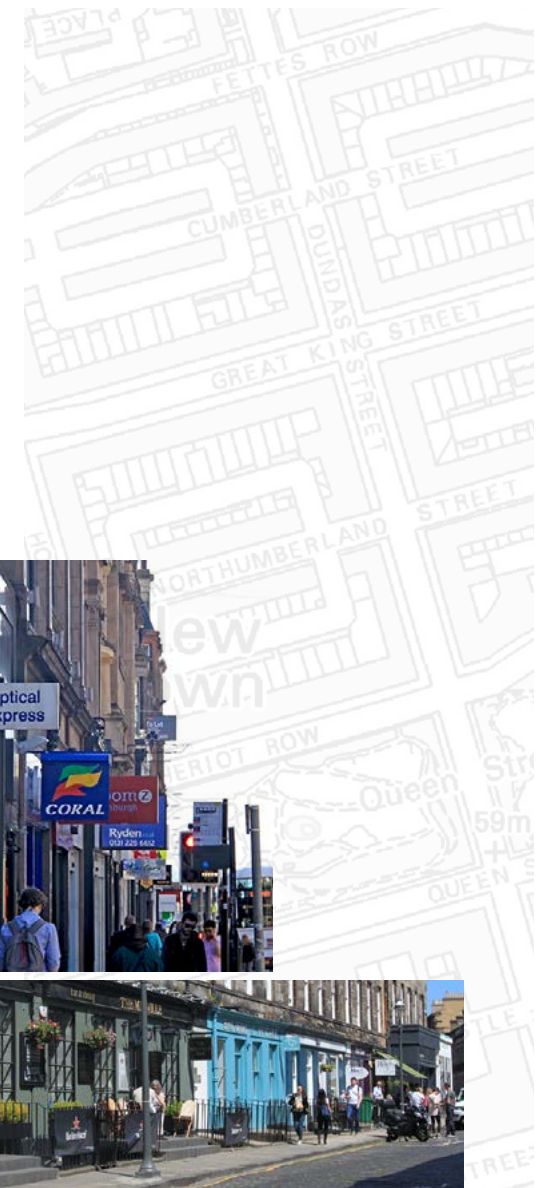
The Western New Town was planned around the grand central axis of Melville Street, with Shandwick Place and Chester Street/Drumsheugh Place as flanking streets. Melville Street is closed by St Mary's Cathedral at one end and the back of West Register House at the other and lined by grand buildings. The formality of the design is, however, compromised by the asymmetrical crossing of Queensferry Street. The formality of the plan was maintained in Shandwick Place, where the street is flanked by the crescents and gardens of Coates and Atholl Crescents.

The cross streets of Stafford Street, Manor Place and Walker Street continue the rectilinear street layout, which is completed by William Street with Alva Street to the south, and Chester Street, Drumsheugh Gardens and Rothesay Place to the north.



The extreme western part of the area stands beyond the north/south line of Palmerston Place. From the 1860s, this area was laid out around the saucer shaped gardens formed by Eglinton Crescent/Glencairn Crescent and Grosvenor Crescent/Landsdowne Crescent. It represents some of the latest development within the Conservation Area.

This area has been subject to increasing pressure from commercial uses. Shandwick Place has become a significant retail location with purpose built properties replacing the original Georgian houses. Less intensive retail use has also colonised Alva Street and William Street behind Shandwick Place, and the cross streets of Stafford Street and Queensferry Street. Adjacent to these retail areas, many of the original Georgian buildings are used for offices. In Rutland Square, Melville Street, Coates and Atholl Crescent the majority of buildings are now in office use. Office use remains a significant function throughout the area to the west of Palmerston Place, although the original residential use becomes more predominant further north and west.



New Town

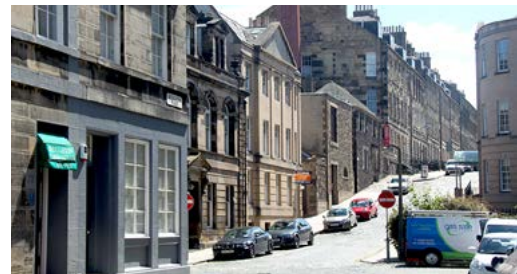
Conservation Area

Character Appraisal

Gayfield

The Gayfield Estate, owned by James Jolie, lay beyond the eastern boundary of the Northern New Town between East London Street and Leith Walk, the main thoroughfare to Leith. Jolie, a solicitor, began feuing part of the area in 1785. From around 1807, Hugh Cairncross, a former assistant of Robert Adam, designed a layout for the Gayfield Estate which was less formal than the earlier New Town developments. Gayfield Square, a large rectangle opening onto Leith Walk, contained tenement blocks, villas and a row of smaller houses. Broughton Place was lined with two-storey palace fronts and blocks similar to Heriot Row but on a smaller scale. Forth Street and Hart Street, designed by Robert Burn, on Heriot Trust land, are similar in scale.

The western section of Gayfield, between Union Street and Broughton Street, consists of roughly regular rectilinear streets fronted by late Georgian terraces of tenements. Towards the east, the formal grid of streets is based around the development of



Gayfield Square which structures the area and is surrounded by a fringe of less regular development which contains significant pockets of piecemeal redevelopment.

Gayfield has a substantial residential population amongst other uses. This variety has been extended by redevelopment and by the conversion of residential property to office use. Shop units occupy the street level accommodation along Leith Walk and Broughton Street and occasional shop uses are present in Union Street and other locations.



New Town

Conservation Area

Character Appraisal

Calton

The decision in 1814 to site a prison next to the Bridewell prompted the Council to improve access to Calton Hill by building a bridge over the Calton Valley. Work began in 1815 with Robert Stevenson appointed as engineer and Archibald Elliot as architect. A single developer built all the properties along Waterloo Place, ensuring that Elliot's conception of a grand entrance to the city was consistently executed.

Improved access to the Calton Hill prompted the Town Council to conduct a competition for a design to develop the hill and its northern flank. Although the competition was inconclusive, the Council accepted the guiding advice of their architect William Stark for a picturesque improvement following a plan and report of 1819 produced by his pupil William Henry Playfair.

Playfair's plan retained the hilltop as public open space with development of the Hill limited to its mid-level, served by an extended Princes Street. A tree flanked, grand lower London Road was also proposed to link up with Leith Walk.

The sides of the Hill were to be planted informally with a canopy of deciduous woodland. The street layout was set to converge on the Hill to provide framed views of the woodland and hilltop skyline. Within this large composition Playfair created sweeping panoramas and important point vistas at differing heights up the hill.



New Town

Conservation Area

Character Appraisal

The blocks to the immediate north, beyond London Road, were built to Playfair's design intermittently between 1820 and the 1880s. Feuing of the mid-level stances was not complete until the 1880s. The lower levels were never fully taken up and were given over to railway and other developments.

In 1825 on the south side of the Hill, Thomas Hamilton designed a new building for the Royal High School in a pure Greek Revival style to mimic the Propylaea in Athens, which serves as the entrance to the Acropolis. The summit of the Hill attracted a collection of monuments: to Nelson by Robert Burn (1807), Robert Burns by Hamilton (1830), Dugald Stewart by Playfair (1831), and most conspicuously, the National Monument, an incomplete replica of the Parthenon, erected in 1829 to a design by Cockerell and executed by Playfair, who had already topped the hill with his diminutive Greek observatory (1818). The relationship between the Royal High School (Propylaea) and the National Monument (Parthenon) creates part of the unique composition. The Calton skyline, embellished with this distinguished ensemble of monuments, enhanced Edinburgh's identity as the Athens of the North.



In 1936, the prisons on Regent Road were replaced by the monumental St Andrews House.

The hill is surrounded by a triangle of roads; Waterloo/Regent Road to the south, London Road/Royal Terrace to the north-east and Leith Street to the north-west. Waterloo Place forms an eastern extension of Princes Street, its entrance marked by the western elevation of the first buildings in the street - designed as a matching pair with their ionic pilastered porticos forming a gateway to Waterloo Place. The north and south elevations of the first part of the street are closely lined by late Georgian buildings built in the classical style.

New Town

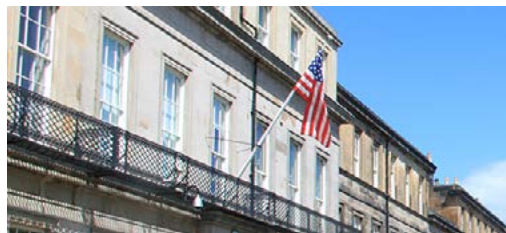
Conservation Area

Character Appraisal

These are followed by Stevenson's Bridge over the Calton ravine, with the Old Calton burial ground and St Andrew's House to the south. Beyond St Andrew's House the road skirts the slopes of Calton Hill and opens up views across the eastern part of the Old Town to Salisbury Crags, with the Old Royal High School to the north.

Royal and Regent Terrace exploit the topography of the site and consist of two long outward facing terraces linked at an acute angle. Royal Terrace facing to the north with views out to the Forth, is an imposing street, consisting of a 1181ft (360m) row of forty terraced houses with Corinthian and Ionic colonnades. These buildings are of a conception and scale unmatched anywhere else in Edinburgh. To the south, is the only slightly less grand 984ft (300m) stretch of Regent Terrace, linked to Royal Terrace by Calton Terrace. It is built along a natural contour line, maximising long views and the picturesque qualities of the site. To the north of Royal Terrace are the rectilinear city blocks of Leopold Place, Hillside Crescent and Eglinton Crescent, radiating back from London Road.

Although retaining substantial residential use, this area has also attracted prestigious offices such as consulates, while a significant portion of Royal Terrace is in hotel use, often involving merging adjacent properties.



New Town

Conservation Area

Character Appraisal

The Dean Estate

John Learmonth bought the Dean Estate in 1825, an area separated from the growing New Town by the Water of Leith in its steep sided valley. At the time Learmonth was Lord Provost and was promoting a bridge across the Water of Leith to improve communication between the city and the north, by avoiding the steep descent into Dean Village. He obtained the support of the Trustees of the Cramond Turnpike, owners of the road, by agreeing to appoint their preferred architect, the eminent civil engineer Thomas Telford, and the bridge was built in 1831, largely at Learmonth's expense.

An innovative and elegant design that has stood the test of time, Telford's Dean Bridge was an asset to the city, encouraging the siting of institutions such as the Dean Orphanage and Daniel Stewart's School beyond the river.

It was not until the 1850s that the Heriot Trust, which had bought the land, commissioned John Tait to lay out Oxford Terrace, Eton Terrace, Lennox Street and Clarendon Crescent north-east of Queensferry Road, taking advantage of the views afforded by the valley location. This was followed in 1860 by Belgrave Terrace by John Chesser, set back behind a garden along the other side of Queensferry Road which featured bay windows for the first time in the area. Belgrave Crescent, overlooking the valley, followed in 1874 and Belgrave Place in 1880. Mirroring Belgrave Terrace on the other side of the road, Learmonth's descendants began Learmonth Terrace to designs by Chesser in 1873.



The Dean Estate stands each side of the Queensferry Road beyond Telford's Dean Bridge. The earliest development is on the left beyond the old Holy Trinity Church, formed by two main streets, Buckingham Terrace and Belgrave Crescent, running roughly parallel to Queensferry Road. Each street is single sided looking out over public open space.

The Heriot Trust development immediately to the north of Dean Bridge, and on the right of Queensferry Road, is based on a polygon of roads all outward facing terraces except Lennox Street, the road farthest from Queensferry Road.



New Town

Conservation Area

Character Appraisal

Stockbridge and the Raeburn Estate

At the turn of the eighteenth century Stockbridge was a successful milling community standing astride the Water of Leith by a new stone bridge, completed in the late 1700s, which replaced the original ford across the river. In addition to the industrial buildings, which village had a community of workers' cottages and out of town villas of the more affluent.

From around 1813, the expansion of the New Town impacted on Stockbridge. The growing prosperity of the area and additional traffic along the toll road increased the demand for property, leading to the incremental replacement and development of Stockbridge's commercial centre. By the late 1800s, Stockbridge had been engulfed by Edinburgh's suburbs becoming a neighbourhood centre that continues to support a thriving retail sector.



Stockbridge is an ancient rural and milling village situated by the Water of Leith and has a less formal character than the New Town, making it distinct from the rest of the Conservation Area. The area forms a neighbourhood shopping centre primarily based around small shop units in Raeburn Place.

Stockbridge was laid out around a single through route; now called Kerr Street to the south east of the Water of Leith and Deanhaugh Street, Raeburn Place, Comely Bank Road successively on the other bank. Dean Street and Leslie Place join Raeburn Place from the higher ground to the south-west. These streets are lined with Georgian and Victorian terraces of tenements or three storey houses some particularly fine buildings including palace fronted terraces with substantial individual front gardens.

New Town

Conservation Area

Character Appraisal

The majority of property remains in residential use - in particular the Raeburn Estate has been subject to little redevelopment and remains an attractive and architecturally outstanding residential area.

In 1789, the painter Henry Raeburn, acquired the estate of Deanhaugh, through his marriage to Ann, the widow of James Leslie of Deanhaugh. The estate to the northwest of the New Town was still somewhat out of town and accessible only by the bridge at Stockbridge. Construction began in 1813 to the west of Stockbridge under the direction of the architect James Milne. The first street built, named Ann Street after Raeburn's wife, has some particularly fine buildings including palace fronted terraces with substantial front gardens. Despite its location, the development was successful - later sections were more conventionally urban in style, as it was engulfed by the city. St Bernard's Crescent, a grand fully urban composition with giant Doric columns was completed in 1824, and is a superior example of late Georgian townscape.



Canonmills and Claremont

Canonmills was originally a milling community the property of the monks from Holyrood, hence its name. All of the schemes in this area which began in the 1820s were never completed and only fragments were produced. It was left to the Victorians to complete the development.

This area consists of a series of modest-sized Georgian developments, none of which were completed and which lack the formal layout of other parts of the New Town. The western section of the area is bisected and structured by the east-west route of Henderson Row.



New Town

Conservation Area

Character Appraisal

Spaces

The Conservation Area contains a series of gardens, squares and walks which make an important contribution to the character of the area and contrast with the controlled architecture of the surrounding buildings. They also reflect the area's neo-classical town planning and picturesque tradition of landscape improvement. They were designed to take advantage of Edinburgh's topography and townscape. They range in size from West Princes Street Gardens (12.8ha) and Regent Gardens (4.8ha) to the smaller squares and strips of Rothesay Terrace (0.12ha) and Saxe-Coburg Place (0.24ha). The gardens are of international significance and are designated in the Inventory of Gardens and Designed Landscapes.

There are many shared private gardens within the New Town. They occupy about 13% of the New Town area and contribute a value to the character of the conservation area far in excess of their area.

There are also important graveyards associated with St John's, St Cuthbert's and Calton.

St Andrew and Charlotte Square

St Andrew Square was laid out in 1770 and Charlotte Square was completed in 1808. They were laid out as formal geometric pleasure gardens providing a retreat for the surrounding owners.



New Town

Conservation Area

Character Appraisal

Princes Street Gardens

Princes Street Gardens lie in the valley separating the Old and New Towns. Situated at a lower level than the surrounding streets, there are good views into the gardens from Princes Street, the Mound, and the Castle; but views out from the gardens are limited, and are dominated principally by the Mound and views of the Old Town, which overlook the gardens to the south.

In 1776, the Town Council became responsible for the area of land that was to become East Princes Street Gardens. It was not until 1829 that permanent ground works were carried out and an ornamental terrace along the Princes Street side built. In 1844 the construction of Waverley Station and the railway cutting through the garden required a redesign of the gardens to accommodate these changes. The gardens were officially reopened on 15 August 1851.

A memorable feature of the gardens is the floral clock which was installed in 1903 and was the first in Britain. Its popularity and success led to the widespread adoption of floral clocks as a prominent fashion in civic bedding displays during the early twentieth century.

West Princes Street Gardens were formed at the insistence of residents of Princes Street who leased land that had been the Nor' Loch from the Council. Alternative plans for the design of the gardens were put forward, but it was not until 1820 that James Skene's plans were adopted and implemented by Alexander Henderson, whose firm, Eagle and Henderson, was involved with many of the New Town pleasure gardens. After many difficulties the gardens were opened in 1821 to those residents willing to pay the annual fee of four guineas.

Between 1845 and 1847, the Edinburgh-Glasgow Railway Company took its line through the bottom of the gardens which affected the layout. In 1862, the owners added the spectacular Ross Fountain by A Durenne of Paris.

By the 1870s, there were still about 400 private individuals who subscribed to use the garden although properties in Princes Street had become almost entirely commercial. This caused public pressure for the Council to adopt the gardens, which they did in 1876. The Council instigated several changes, such as the creation of the terrace just below Princes Street in 1879, with small paths running downhill from it and the erection of a bandstand in 1880 - the bandstand was superseded by the Ross Theatre in 1935.



Queen Street Gardens

Craig's plan for the First New Town included a wide band of formal parkland to the north of Queen Street, however, land acquisition problems delayed the construction of these works.

East Queen Street Gardens, which commenced in 1814, was the first of the three communal pleasure garden to be laid out along Queen Street. The original layout of paths radiating from the centre of the gardens was changed to the present arrangement between 1817 and 1840. In the early 1860s, the garden was opened-up to make vistas and space by thinning the trees around its periphery. In 1868, the existing terrace that extends along the Queen Street side of the garden was constructed, to give generous views down into the garden.

Central Queen Street Gardens were laid out in the mid-1820s on land formerly the stead-ing of a Mr Wood whose farm pond was reformed with a small rocky island in the middle to make a central feature in the garden which was otherwise open. Unlike East and West Queen Street Gardens, Central Queen Street Gardens are very enclosed. There are no views into the garden due to a thick perimeter planting of deciduous trees and ever-greens.

West Queen Street Gardens were originally a flat area with no natural features to incorpo-rate into the design apart from some old trees. The design adopted, included a mounded central area intersected with walks. As in East and Central Queen Street Gardens, a ter-race was built on the Queen Street side to allow good views, especially down India Street. The garden is open to the surrounding streets, with simple perimeter planting.

Calton Hill

Calton Hill is visible from a wide range of locations. Its monuments give it emphasis and a characteristic form. Panoramic views are obtained from Calton Hill and Regent Gardens to the Scott Monument and over the city and the Firth of Forth. The Calton Hill Conservation Plan which was adopted by the Council in 2001 informs all decisions on the management and future of the public open space and monuments on the Hill.

Calton Hill is designated as a composite SSSI 'Site of Special Scientific Interest' which includes Arthur's Seat and the Castle Rock, notified for geological and biological interests.



New Town

Conservation Area

Character Appraisal

Regent Gardens

Regent Gardens were formed between 1830 and 1832, under a feu charter of 1829. The gardens, the largest of the New Town gardens still in private ownership, are roughly triangular with the gardens of Regent Terrace and Royal Terrace backing on to the two long sides. The structure of the gardens remains very much as originally planned.

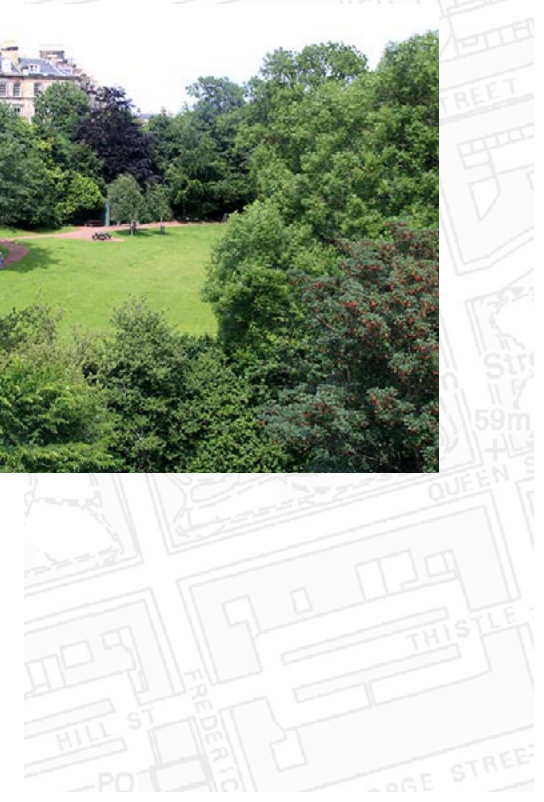
A central lawn on sloping ground is planted with mature parkland trees. A mixture of lime, beech, and sycamore shelters the surrounding walks. The various footpaths lead to a terrace planted with limes, set above a ha-ha at the top of the gardens, just inside the boundary wall with Calton Hill. The ha-ha is in two parts, connected by a rustic bridge below which is a walk lined on one side by a holly hedge and on the other by Irish yews.



Dean Gardens

In the 1860s, the area surrounding Dean Bridge was undergoing rapid development by Colonel Learmonth, son of Lord Provost Learmonth (who was instrumental in building the Dean Bridge). Local residents were anxious to protect open space and banded together to petition for the provision of a garden and to purchase the land.

The layout of the gardens consists of two terraces connected by paths and steps which allowed various picturesque views to St Bernard's Well a classical temple, designed by Alexander Nasmyth in 1789 and built on the site of a mineral spring.



New Town

Conservation Area

Character Appraisal



Water of Leith

In addition to the formal gardens delineated by the various stages of development the Water of Leith Walkway runs through the Area. It is an important landscape feature and a key wildlife resource forming the principal wildlife corridor between the uplands of the Pentland Hills and lower Water of Leith Valley. It is designated as an Urban Wildlife Site.

The character of the river valley alters from a steep, wooded gorge in Dean Gardens to a flatter more urban river from Deanhaugh Street reflecting sharp changes in earlier sea levels. The Walkway along the Water of Leith is one of Edinburgh's major recreational resources and, as it passes through the enclosed, natural gorge, it provides a distinct feature area within the Conservation Area.



KEY ELEMENTS

Vistas and Views

Terminated vista within the grid layouts and the long distance views across and out of the Conservation Area are important features. The grid layout follows the topography throughout the area providing a formal hierarchy of streets with controlled vistas and planned views both inward and outward and particularly northwards over the estuary. The cohesive, historic skyline makes an important contribution to the Conservation Area and it is particularly crucial to control building heights, particularly along skyline ridges.

Building Forms

The overwhelming retention of buildings in their original design form, allied to the standard format of residential buildings, contributes significantly to the character of the area. The principal building form throughout the New Town is the hollow square, residential, tenement block consisting of a sunken basement area with three to four storeys above.

Streetscape

Streets and pavements are usually consistent in their width comprising a central parallel-sided carriageway defined by granite or whin drainage channels and stepped kerbs. Pavement and road widths are determined by the street hierarchy and have a consistent ratio based on where the street lies within the hierarchy. The relationship of stone buildings, pavements and setted streets provide a disciplined unity and cohesion.

Within the Conservation Area, the historic street pattern is largely intact. Initially pavements were flagged, probably with Hailes or Craigleith sandstone paving slabs, while carriageways were setted. Streets are bounded on either side by pavements running back in an unbroken surface from the kerb to the building line, or stone base of railings guarding an open basement area.

The extensive retention of original historic street surfaces, particularly roads surfaced in whin or granite setts and some high quality stone paving add an important texture to the character of the area. They should be rigorously protected and used as guiding references in new works. Many items of historic street furniture such as railing mounted lighting, police boxes, telephone boxes also remain.



New Town

Conservation Area

Character Appraisal

Street Lighting

There has been street lighting in the area since 1785, when one hundred and sixteen lamps burning whale oil were installed. From the 1820s, gas lamps were installed. In 1955, the local authority began a ten-year programme to replace all surviving gas lighting with electric lights throughout the city. At this time the majority of the surviving gas standards were replaced with concrete or steel poles - some with 'Georgian-style' lanterns. Railing-mounted lamps were also installed or reinstated in a few streets - the railing standards along the Mound and the south side of Princes Street are examples. These were copies of the privately erected wrought iron oil lamps in Charlotte Square that were erected in c. 1800. Many owners augmented the original street lighting by adding lamps to the front railings of properties.

The vast majority of lamp standards erected prior to the 1940s were cast iron. Contemporary with other cast iron elements, such as railings, these were often of considerable design merit. The retention of these items is important where they still exist.



Street Furniture

Edinburgh has a tradition of robust and well designed street furniture: for instance the cast iron police boxes and road lamps designed by the City Architect, E J MacRae, in the 1930s to complement Edinburgh's classical architecture. Where these items occur, they make an important contribution to the quality of the area. They can also provide a pattern for new furniture.



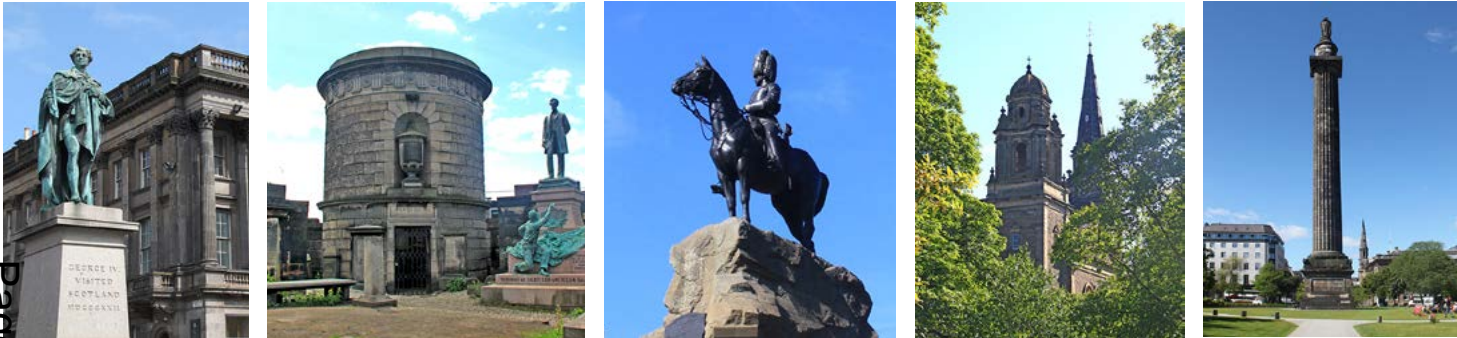
New Town

Conservation Area

Character Appraisal

Statues and Monuments

The extensive collection of statues, monuments, historic graveyards and national memorials in the Conservation Area make a significant contribution to the historic and architectural character of the area. They also provide a focus and punctuation points for many views. St John's, St Cuthbert's and Calton graveyards contain important collections of funerary monuments.



Mews and Lanes

Crails New Town contained lanes that were composed of artisans' dwellings, but as the expansions of the New Town took place, the original purpose of the lanes transferred to the provision of mews. These provided accommodation for stabling and coaches, usually associated with the town houses on the streets that they lay behind. They are usually one and a half stories high, with a carriage entrance and sometimes a hayloft, both on the lane side. They were usually built with a formal high quality design facing the house and an informal rubble elevation facing the lane of the mews.



Materials

There is a standard palette of traditional building materials including blonde sandstone, timber windows and pitched slated roofs.



New Town

Conservation Area

Character Appraisal

Stonework

Apart from a few of the very earliest properties, which are of rubblework stuccoed to represent ashlar, the street elevations of all buildings were in finely dressed squared ashlar of the durable local Craigleith sandstone. By the 1860s, improved transport led to the import of significant quantities of cheaper and often softer stone.

There are a variety of masonry treatments on front and rear elevations, none of which were originally painted: polished ashlar (smooth); broached ashlar (horizontally tooled); droved ashlar (with fine banded tooling); stugged ashlar (lightly tooled with a masons' punch or point); channelled V-jointed ashlar; rock faced; vermiculated (as if eaten by worms); random rubble and squared rubble.

Roofs

Most roofs in the First New Town are steeply pitched, with a high central ridge. Roofs in later developments were more likely to have two parallel ridges making a double-pitched 'M' profile roof with a central leaded platform.

Chimneys and chimney pots occur on party and gable walls, and cupolas are virtually universal over internal stairs. Roofs are generally covered with graded slate with lead flashings to parapet or valley gutters. Rainwater goods are generally cast iron.

Windows

Timber sash windows are typical throughout the Conservation Area, usually consisting of a pair of glazed sashes often subdivided by astragals, that slide vertically in a case or frame with a pair of weights contained within the case balancing each sash.

In conjunction with internal timber shutters, sash and case windows are an efficient design well suited to combat Edinburgh's climate and the majority of windows have withstood the test of time remarkably well. Where there are no inherent defects in their traditional construction such windows should have no problems that regular maintenance cannot cure.

Most early windows were glazed with either Crown or cylinder glass rather than the more modern cast or sheet glass. The high surface gloss, slight imperfections and convex planes create interesting reflections and give depth to the façade. Where it exists original glass should, therefore, be retained wherever possible. Since Crown glass and cylinder glass could only be made in small sheets the size of the panes was strictly limited, so large windows demanded sub-division by rebated glazing bars, or astragals, to carry the smaller section of glass.



New Town

Conservation Area

Character Appraisal



Most early astragals are extremely fine. After 1845 when the weight tax on glass was abolished, larger sheets of heavier drawn glass came into use and astragals became thicker to support the extra weight. Soon afterwards even larger sizes of panes became available and astragals were no longer required because a complete sash could be glazed without the need for sub-division. Many of the later New Town houses had plate glass on the front elevation but retained the cheaper Crown or cylinder glass with astragals at the rear.

The size and number of panes and the arrangement of astragals vary widely depending on the date and position of the window, the relative importance of individual rooms, the improvements in glass manufacture and subsequent changes in fashion. For example, in the 1820s it became fashionable to have floor-to-ceiling windows in drawing rooms on the first floor and the cills were lowered accordingly, examples can be seen in Northumberland Street and Heriot Row.

There has been longstanding Council guidance which requires windows to be painted white to maintain the unity of architectural schemes.

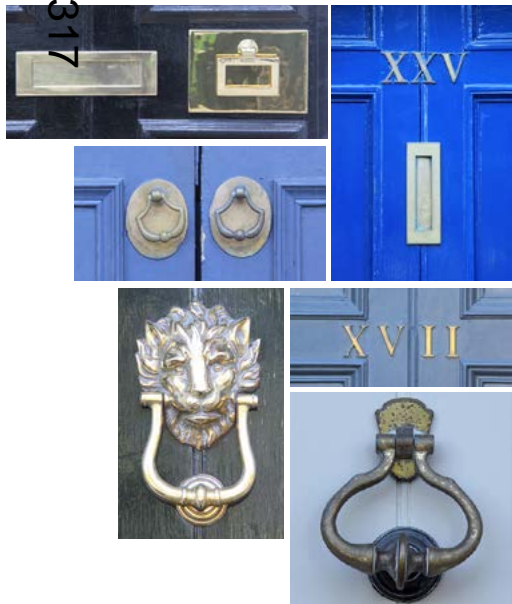
Doors

Doors are a distinctive feature of the area. They are normally a simple four or six panel design constructed in Baltic pine and painted. The configuration of panels and mouldings varied considerably, displaying the full range of Georgian joinery skills.

Much of the excellent original ironmongery has survived on front doors within the area. Usually manufactured of brass with a relatively high zinc content. Typical items include door handles, letter plates, bell pulls, numerals and often a door knocker. Brass name plates with incised Roman characters filled with wax or paint are another common feature.

Fanlights

The term fanlight, derived from the semi-circular fan shape, tends to be applied to any glazed opening above a door, but it may be more precise to refer to the rectangular openings as 'overdoor lights'. In either case, they were generally placed above solid unglazed doors to admit light into hallways. A wide variety of patterns are found in the Conservation Area reflecting the tastes of the original builders or owners. Most were ornate - featuring curved, circular, rectangular or fan shaped geometric patterns of astragals.



New Town

Conservation Area

Character Appraisal

Entrance Platts

Front doors are usually accessed from the street by one or more stone steps leading to a stone slab or platt bridging the open basement area. This arrangement also reinforces the importance of the entrance whilst bridging the difference in level between the street and the entrance. The drop from the pavement to the area and the edge of the entrance steps and platt are protected by cast iron railings, a feature which became increasingly ornate over time particularly on more prestigious buildings.



Cast Iron work

Cast iron railings are an important and characteristic feature throughout the Conservation Area, serving as safety barriers around sunken basement areas. The abundance of cast iron work in Edinburgh was a result of the expansion of the city at a time when cast iron was relatively cheap. During the Second World War, when many ornamental railings around communal gardens were removed for re-use for munitions, but never actually used for that purpose, the sunken basement still had to be protected, and consequently much of the original ironwork has survived. Cast iron balconies at first floor level are also found in many places, and add significant interest and rhythm to the facades.

In many streets, entrances were emphasised by the incorporation of lamps adjacent to the footpath and on either side of the entrance. These lamps, many of which survive, were mounted on wrought or cast iron standards integral to railings or stood separately on the stone plinth.

There is long standing Council guidance which requires the painting of all iron work in black to maintain architectural unity.



New Town

Conservation Area

Character Appraisal

Shop Fronts

The form and appearance of shop fronts make an important contribution to the appearance and character of certain parts of the area.

Streets of shops were included from the beginning of the New Town. Many of these shops have survived on the fringes of the central area, such as Stockbridge and William Street. However, within the central area these early shop fronts have largely disappeared. Victorian and early twentieth century shop fronts incorporated fine and elaborate joinery, becoming more elegant and maximising display space. In the post-war period, the availability of a wide range of new materials and changing architectural philosophy resulted in a change in shop front design.



Boundary Treatments

Boundaries are important in maintaining the character and quality of the spaces in the New Town. They provide enclosure, define many pedestrian links and restrict views out of the spaces. Stone is the predominant material.

MANAGEMENT

Legislation, policies and guidance

Conservation Areas

The Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that Conservation Areas are 'areas of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance'. Local authorities have a statutory duty to identify and designate such areas.

Special attention must be paid to the character and appearance of the conservation area when planning controls are being exercised. Conservation area status brings a number of special controls:

- The demolition of unlisted buildings requires conservation Area consent;
- Some permitted development rights are removed; and
- Works to trees are controlled (see Trees for more detail).

The removal of buildings which make a positive contribution to an area is only permitted in exceptional circumstances, and where the proposals meet certain criteria relating to condition, conservation deficit, adequacy of efforts to retain the building and the relative public benefit of replacement proposals. Conservation area character appraisals are a material consideration when considering applications for development within conservation areas.

Alterations to windows are also controlled in conservation areas in terms of the Council's guidelines.

Listed buildings

A significant number of buildings within the New Town Conservation Area are listed for their special architectural or historic interest and are protected under the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. Listed building consent is required for the demolition of a listed building, or its alteration or extension in any manner which would affect its special character.

New Town

Conservation Area

Character Appraisal



World Heritage Site

Since 2014, Historic Environment Scotland has a statutory duty to consider the Outstanding Universal Value of the Site when assessing the impact of development proposals.

Planning guidance

More detailed, subject-specific guidance is set out in Planning Guidance documents. Those particularly relevant to the New Town Conservation Area are:

[The World Heritage Site Management Plan](#)

[Guidance for Householders](#)

[Guidance for Businesses](#)

[Listed Buildings and Conservation Areas](#)

[Developer contributions and affordable housing](#)

[Edinburgh Design guidance](#)

[Street Design Guidance](#)

In addition, a number of statutory tools are available to assist development management within the Conservation Area.

[Article 4 Direction Orders](#)

The Town and Country Planning (General Permitted Development) (Scotland) Order 1992, amended 2012, (abbreviated to GPDO), restricts the types of development which can be carried out in a Conservation Area without the need for planning permission. These include most alterations to the external appearance of dwellinghouses and flats. Development is not precluded, but such alterations will require planning permission and special attention will be paid to the potential effect of proposals.

New Town

Conservation Area

Character Appraisal



New Town

Conservation Area

Character Appraisal

Under Article 4 of the GPDO the planning authority can seek the approval of the Scottish Ministers for Directions that restrict development rights further. The Directions effectively control the proliferation of relatively minor developments in Conservation Areas which can cumulatively lead to the erosion of character and appearance. The New Town Conservation Area has Article 4 Directions covering the following classes of development:

Class 7- the erection, construction, maintenance, improvement or alteration of a gate, fence, wall or other means of enclosure.

Class 38 - water undertakings.

Class 39 - development by public gas supplier.

Class 40 - development by electricity statutory undertaker.

Class 41- development required for the purposes of the carrying on of any tramway or road transport undertaking.

Page 322

Trees

Trees within Conservation Areas are covered by the Town and Country Planning (Scotland) Act 1997 as amended by the Planning (etc) Act 2006. This Act applies to the uprooting, felling or lopping of a tree having a diameter exceeding 2" (75mm) at a point 4ft (1.5m) above ground level. The planning authority must be given six weeks' notice of the intention to uproot, fell or lop trees. Failure to give notice will render the person liable to the same penalties as for contravention of a Tree Preservation Order (TPO).

Tree Preservation Orders are made under planning legislation to protect individual and groups of trees considered important for amenity or because of their cultural or historic interest. When assessing amenity, the importance of trees as wildlife habitats will be taken into consideration. There is a strong presumption against any form of development or change of use of land which is likely to damage or prejudice the future long term existence of trees covered by a Tree Preservation Order. The removal of trees for arboricultural reasons will not imply that the space created by their removal can be used for development.

The *Trees in the City* Action Plan contains a set of policies to guide the management of the Council's trees and woodlands.



Assessing Development within the New Town Conservation Area

The richness of the New Town's built heritage is considerable. It is this complexity and diversity which make it attractive, yet make these qualities hard to define. It also has a fragility and human scale which often does not sit easily with the demands of present day development requirements. These are qualities and conflicts that must be resolved if the character of the New Town is to be sensitively interpreted and enhanced.

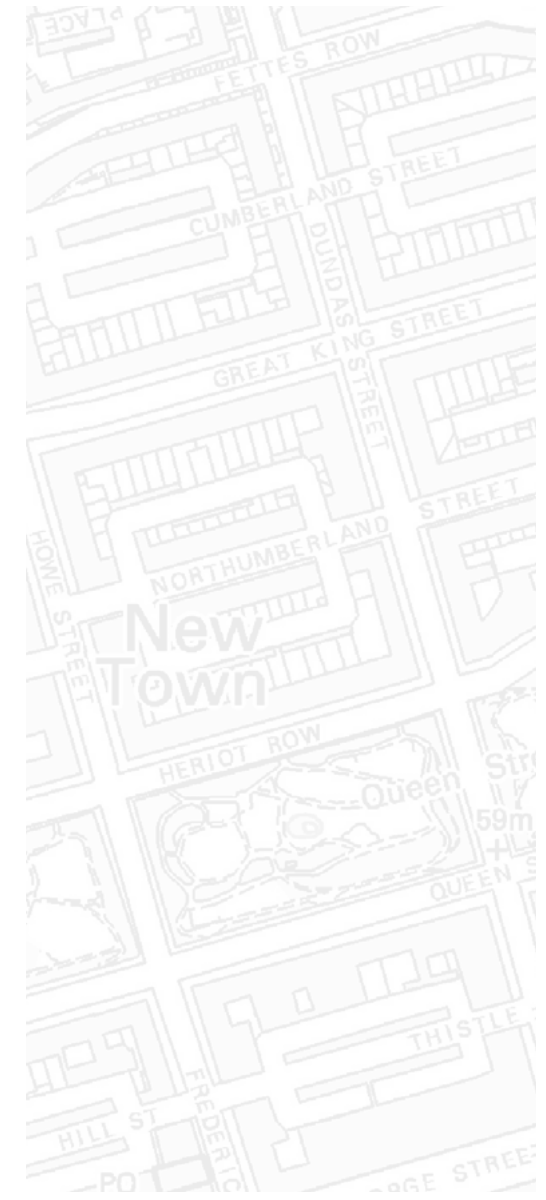
General Criteria

General issues to be taken into account in assessing development proposals in the Conservation Area include the appropriateness of the overall massing of development, its scale (the expression of size indicated by the windows, doors, floor heights, and other identifiable units), its proportions and its relationship with its context i.e. whether it sits comfortably. Development should be in harmony with, or complimentary to, its neighbour 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. It should also, as far as possible, fit into the "grain" of the Conservation Area, for example, by respecting historic layout, street patterns or existing land form. It is also important where new uses are proposed that these respect the unique character and general ambience of the Conservation Area, for example certain developments may adversely affect the character of a Conservation Area through noise, nuisance and general disturbance. Proposals outside the boundaries of the Conservation Area should not erode the character and appearance of the New Town or intrude into views of the Castle.

New Buildings

New development should be of good contemporary design that is sympathetic to the spatial pattern, scale and massing, proportions, building line and design of traditional buildings in the area. Any development within or adjacent to the Conservation Area should restrict itself in scale and mass to the traditionally four/five storey form. New development should also reflect the proportion and scale of the traditional window pattern. The quality of alterations to shop fronts, extensions, dormers and other minor alterations should also be of an appropriately high standard.

The development of new buildings in the Conservation Area should be a stimulus to imaginative, high quality design, and seen as an opportunity to enhance the area. What is important is not that new buildings should directly imitate earlier styles, rather that they should be designed with respect for their context, as part of a larger whole which has a well-established character and appearance of its own. Therefore, while development of a



New Town

Conservation Area

Character Appraisal

gap site in a traditional terrace may require a very sensitive design approach to maintain the overall integrity of the area; in other cases modern designs sympathetic and complimentary to the existing character of the area may be acceptable.

Alterations and Extensions

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. Extensions should be subservient to the building, of an appropriate scale, use appropriate materials and should normally be located on the rear elevations of a property. Very careful consideration will be required for alterations and extensions affecting the roof of a property, as these may be particularly detrimental to the character and appearance of the Conservation Area.

Definition of 'Character' and 'Appearance'

Conservation areas are places of special architectural or historic interest, the character and appearance of which it is desirable to preserve or enhance.

The character of an area is the combination of features and qualities which contribute to the intrinsic worth of an area and make it distinctive. Special character does not derive only from the quality of buildings. Elements such as the historic layout of roads, paths and boundaries, paving materials, urban grain and more intangible features, such as smells and noises which are unique to the area, may all contribute to the local scene. Conservation area designation is the means of recognising the importance of all these factors and of ensuring that planning decisions address these qualities.

Appearance is more limited and relates to the way individual features within the conservation area look.

Care and attention should be paid in distinguishing between the impact of proposed developments on both the character and appearance of the conservation area.

OPPORTUNITIES FOR DEVELOPMENT

Development opportunities for infill or replacement may arise within the area, and will be considered in terms of the relevant guidance. The Edinburgh Design Guidance, Guidance for Householders and Listed Buildings and Conservation Areas explain the Council's approach to design in historic contexts.



New Town

Conservation Area

Character Appraisal

No sites within the Conservation Area are identified for significant housing or other development through local development plans.

OPPORTUNITIES FOR PLANNING ACTION

Conservation Area Boundaries

The boundaries of the Conservation Area have been examined through the appraisal process. No proposals for boundary changes are proposed.

OPPORTUNITIES FOR ENHANCEMENT

The character appraisal emphasises the more positive aspects of character in order that the future can build on what is best within the Conservation Area. The quality of urban and architectural design needs to be continuously improved if the character of the Conservation Area is to be enhanced. The retention of good quality buildings (as well as listed buildings) and the sensitive interpretation of traditional spaces in development are of particular importance.

Streetscape

Careful consideration needs to be given to floorscape which is an essential part of the overall appreciation of the New Town's rich townscape heritage. Repair and renewal work to street surfaces should be carefully detailed and carried out to the highest standards using quality natural materials.

Shop Fronts

Whilst there are many fine shop fronts in the Conservation Area, there are also a number which are unsatisfactory and ignore the architectural form of the buildings of which they form part. Encouragement should be given to improving the quality of the shop fronts in the area, particularly that minority of shop fronts which are particularly poorly or inappropriately designed or badly maintained.

Natural Heritage

Measures to further protect and enhance the river valley of the Water of Leith should be pursued, whilst complementing its designation as an Urban Wildlife Site in accordance with the Edinburgh Biodiversity Action Plan, NPPG 14 and its historic character.



Opportunities should also be taken to increase the biodiversity potential of appropriate open spaces through a variety of management practices. This may include the introduction of replacement native shrub planting and diversity of grass cutting regimes.

High Buildings

The New Town has very consistent heights and a cohesive skyline and is particularly susceptible to buildings that break the prevailing roof and eaves height and impinge on the many important views. It is also important to protect the character of the Conservation Area from the potentially damaging impact of high buildings outside the Conservation Area.

REFERENCES

- Perspectives of the Scottish City – ed George Gordon.
- Georgian Edinburgh – Ian G Lindsay.
- The Buildings of Scotland, Edinburgh – J.Gifford, C.McWilliam, D.Walker.
- The Care and Conservation of Georgian Houses – Davey, Heath, Hodges, Ketchin, Milne.
- The Making of Classical Edinburgh – A.J.Youngson.
- RIAS Illustrated Architectural Guide – Charles McKean
- James Craig 1744 – 1795 - editors Kitty Cruft and Andrew Fraser.

New Town

Conservation Area

Character Appraisal





This page is intentionally left blank