

DECISION NOTICE AND REPORT OF HANDLING

Application address - GF 13 Clarendon Crescent Edinburgh EH4 1PU

Application Ref. No - 19/01254/FUL

Review Ref No - 19/00106/REVREF

Review Lodged Date 18.07.2019

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Bud Architecture
FAO: Scott Martin
10 Lochside Place
Edinburgh Park
Edinburgh
United Kingdom
EH12 9RG

Mr Triston Hickey
13 Clarendon Crescent
Edinburgh
Scotland
EH4 1PU

Date: **30 April 2019**,

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

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

Proposed extension to rear at garden level to form new dining and kitchen area.

At GF 13 Clarendon Crescent Edinburgh EH4 1PU

Application No: 19/01254/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 11 March 2019, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **Refused** in accordance with the particulars given in the application.

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

Conditions:-

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the works will result in unnecessary damage to the diminution of the buildings character.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed rear extension fails to preserve the character of the conservation area.

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

Drawings 01-06., represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

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

The proposal to facilitate an enlarged kitchen and dining room by extending the existing outshot will have a detrimental impact on the character of the listed building and will impact on the character of the conservation area. There are no material considerations that would outweigh this.

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

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

D R Leslie

David R. Leslie
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 19/01254/FUL

At GF, 13 Clarendon Crescent, Edinburgh

Proposed extension to rear at garden level to form new dining and kitchen area.

Item	Local Delegated Decision
Application number	19/01254/FUL
Wards	B05 - Inverleith

Summary

The proposal to facilitate an enlarged kitchen and dining room by extending the existing outshot will have a detrimental impact on the character of the listed building and will impact on the character of the conservation area. There are no material considerations that would outweigh this.

Links

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

Recommendations

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

Background

2.1 Site description

The site is the basement property, forming part of a three storey, basement and attic townhouse. The building is of Italianate classical style located within a concave stepped crescent on the east side of Clarendon Crescent. The property has its own rear access to private garden and the garden is bounded on all sides with high walls. The rear elevation has a single storey outshot and a single store, flat roof addition.

Properties 1-22 (inclusive numbers) Clarendon Crescent and 1, 1A Oxford Terrace are category A listed (date of listing: 15/06/1965, reference: LB28544).

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

2.2 Site History

11.03.2019 - Application for listed building consent submitted for minor internal alterations to form new en suite, utility and bathroom. External extension to rear to form new open plan kitchen and dining. No alteration to principal (Clarendon Crescent) elevation nor to any original internal cornicing / features (19/01253/LBC).

Main report

3.1 Description Of The Proposal

The application seeks to alter and extend the existing outshot to the rear with a new contemporary extension. This will involve removing the south east section of the existing outshot and extending over the existing French door opening. The south east elevation will be replaced with aluminium bi-folding sliding door and the existing

slate roof will be replaced with a zinc roof at a 3 degree fall, incorporating a glazed lantern rooflight. These alterations are to facilitate an enlarged kitchen and dining area.

The existing garden wall and steps are to be reconfigured to provide new access from raised terraced to the garden area.

3.2 Determining Issues

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

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

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

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposals will harm the architectural or historic interest of the listed building;
- b) the proposals will adversely affect the special character or appearance of the conservation area;
- c) the proposals will impact on neighbouring amenity; and
- d) any issues raised in representations have been addressed.

a) Listed Building

Policy Env 4 Listed buildings- Alterations and Extensions states that proposals to alter or to extend listed buildings will be permitted where those alterations are justified; would not result unnecessary damage to historic structures or diminution of its interests; and where any additions would be in keeping with other parts of the building.

Historic Environment Scotland's guidance note Managing Change in the Historic Environment: Extensions, sets out the principles that apply to altering historic buildings.

The non-statutory 'Listed Buildings and Conservation Areas' advises that extensions should not normally exceed 50% the width of any elevation.

The proposed alterations to form an enlarged kitchen and dining area by extending the existing outshot to the rear is a significant intervention to the historic fabric of the building which will result in adverse harm to its character.

Whilst the existing rear outshot has been altered to some extent with the infill of its existing door opening and the replacement of non-original windows, the outshot largely retains its traditional form and design. This in turn allows the architectural and historic interests of the building to be visually appreciated at the garden level. The rear of the property also includes a non-original small single storey addition that accommodates an existing en-suite. This addition backs against a neighbouring

addition at No.12 where the rooftop of that neighbouring extension has been converted into a terrace. The existing French door to the rear of the property is not original and is an alteration from an existing window opening. However, the architectural character of the building remains largely intact with the existing raised terrace and centrally positioned steps to the garden forming part of its centrepiece.

The proposal is for a contemporary designed extension where the depth of the existing outshot would be retained. However, the proposal by virtue of removing the stone wall between the existing outshot and French doors to facilitate an enlarged opening is a significant intervention to the historic floor plan and the historic fabric of the building. The new extension would extend over the existing French doors, leaving one rear window squashed between the heights of the rear additions. The width of the extension, together with the existing en-suite extension would have the resultant effect of concealing most of the rear façade of the building on that level and will form as a visually dominating addition. This would not allow the architectural character of the building to be visually appreciated.

To minimise the impact on the listed building, it was suggested that the width of the extension be reduced to extend half the width of the existing French door and to reuse the existing stone to infill the remaining section. However, no consideration of this option was taken further.

The proposed degree of intervention and extension to the lower ground level as a result of facilitating an enlarged kitchen and dining area fails to have regards to the special interests that the building possess. The works will result in unnecessary damage to the diminution of the buildings character. These elements of the proposal are not supported.

b) Conservation Area

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 character appraisal.

Policy Des 12 Alterations and Extensions states that planning permission will be granted for alterations and extensions to existing buildings which in their design and form, choice of materials and positioning are compatible with the character of the building and will not be detrimental to neighbourhood amenity and character.

The site is located within the New Town Conservation Area. The character appraisal states the following:

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. 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. There is a standard palette of traditional building materials including blonde sandstone, timber windows and pitched slated roofs.

The rear extension will not be visible from public view and it will not impact on the appearance of the conservation area.

The application site is part of a sweeping crescent of townhouses where existing outshots have largely retained their form with some modest interventions. Whilst outshots and modest interventions are characteristic of the area, there is a coherent pattern of outshots/extensions that do not conceal the majority of their buildings rear elevation width. The proposal therefore fails to preserve that character of the conservation area.

c) Neighbouring Amenity

The proposals will not impact on neighbouring amenity in terms of loss of privacy or daylighting and it will not result in adverse overshadowing onto neighbouring gardens.

d) Comment

Material

- The extension, together with existing outshot and additions will exceed 50% the width of the buildings rear elevation - Addressed in Section 3.3 (a).
- Proposals to increase glazing will result loss of fabric - Addressed in Section 3.3 (a).
- Proposals are contrary to non-statutory 'Listed Buildings and Conservation Areas' guidance - Addressed in Section 3.3 (a) and (b).

Non Material

The following comments relate to the internal alterations which are not 'development' as defined under Section 26 of the Town and Country Planning (Scotland) Act 1997 (as amended) and are not relevant to assessment of the proposals for planning permission only:

- Original plan-form should be respected in relation to the proposed removal of storey and the amalgamation of hallway into dining room; and
- No reference to the store removal retaining downstands or nibs.

CONCLUSION

In conclusion, the proposal to facilitate an enlarged kitchen and dining room by extending the existing outshot will have a detrimental impact on the character of the listed building and will impact on the character of the conservation area. There are no material considerations that would outweigh this. It is recommended that the application is refused.

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

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the works will result in unnecessary damage to the diminution of the buildings character.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed rear extension fails to preserve the character of the conservation area.

Risk, Policy, compliance and governance impact

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

Equalities impact

5.1 The equalities impact has been assessed as follows:

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

Consultation and engagement

6.1 Pre-Application Process

There is no pre-application process history.

6.2 Publicity summary of representations and Community Council comments

The application was advertised on 22 March 2019 and the proposal attracted one letter of objection.

Background reading / external references

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

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David R. Leslie

Statutory Development

Plan Provision

The site is an urban area as designated in the Edinburgh Local Development Plan and the New Town Conservation Area.

Date registered

11 March 2019

Drawing numbers/Scheme

01-06.

Scheme 1

Acting Head of Planning and Building Standards

Contact: Laura Marshall, Planning Officer
E-mail: laura.marshall@edinburgh.gov.uk Tel:

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

Relevant Non-Statutory Guidelines

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

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

Other Relevant policy guidance

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

Appendix 1

Consultations

No consultations undertaken.

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

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 100174072-001

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:	bud architecture		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Scott	Building Name:	
Last Name: *	Martin	Building Number:	10
Telephone Number: *	07816665248	Address 1 (Street): *	Lochside Place
Extension Number:		Address 2:	Edinburgh Park
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH12 9RG
Email Address: *	scott.martin@budarchitecture.co.uk		

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Triston"/>	Building Number:	<input type="text" value="13"/>
Last Name: *	<input type="text" value="Hickey"/>	Address 1 (Street): *	<input type="text" value="Clarendon Crescent"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Scotland"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Edinburgh"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH4 1PU"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="GF"/>
Address 2:	<input type="text" value="13 CLARENDON CRESCENT"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH4 1PU"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="674218"/>	Easting	<input type="text" value="324234"/>
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Description of Proposal

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

Proposed extension to rear at garden level to form new dining and kitchen 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.

The application relates to a Listed Building with the Listed Building Consent application being refused I understand that the planning application is, in turn, also refused. My client has appealed the Listed Building Consent decision and I understand that the full planning decision must also be appealed.

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)

L-CIC-001 Location Plan, L-CIC-002 Existing Floor Plans, L-CIC-003 Existing Elevations, L-CIC-004 Proposed Floor Plans, L-CIC-005 Proposed Elevations, L-CIC-006 Proposed Downtakings and Supporting Statement.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/01254/FUL

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

11/03/2019

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

30/04/2019

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 rear of the property is only possible through the property.

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 Scott Martin

Declaration Date: 18/07/2019

Proposal Details

Proposal Name	100174072
Proposal Description	Appeal of Planning Refusal 19/01254/FUL
Address	GF, 13 CLARENDON CRESCENT,
EDINBURGH,	EH4 1PU
Local Authority	City of Edinburgh Council
Application Online Reference	100174072-001

Application Status

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

Attachment Details

Notice of Review	System	A4
L-CIC-001	Attached	A3
L-CIC-002	Attached	A1
L-CIC-003	Attached	A1
L-CIC-004	Attached	A1
L-CIC-005	Attached	A1
L-CIC-006	Attached	A1
Appeal Supporting Statement	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

Appeal of Mixed Decision for Application for Listed Building and Planning Consent at 13 (Ground & Garden Floors) Clarendon Crescent , Edinburgh

Listed Building Application Ref: 19/01253/LBC

Planning Application Ref: 19/01254/FUL

Supporting Appeal Statement

May 2019

Revision 00

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Introduction

This document provides an overview of the planning and listed building applications (19/01254 & 19/01253/LBC respectively) registered on the 15th March 2019 for an extension to the rear of 13 Clarendon Crescent and the justification of our clients decision to appeal the decision to refuse consent.

On the 30th April 2019 the Listed Building application received a mixed decision, consenting internal alterations but refusing the external alterations.

The planning application was also therefore refused on the same date.

Our client, from the outset, had sought our professional opinion on an appropriate design approach and instructed us to prepare a sensitive design response which worked with the historical setting and character of Clarendon Crescent.

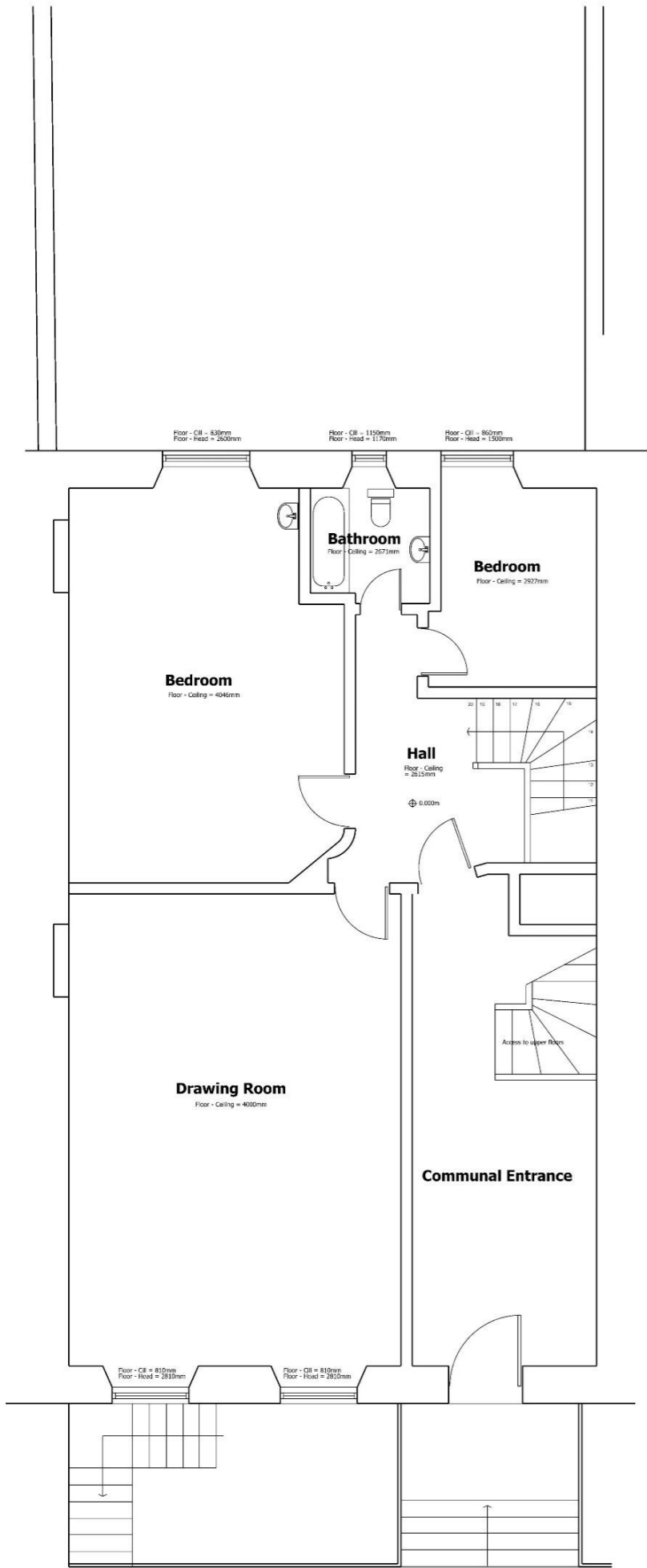
We believe we followed this brief and submitted an application which was in line with Listed Buildings and Conservation Areas guidance and for this reason wish to appeal the decision to refuse the application.

The following pages provide an overview of the existing context, proposals as submitted and of the subsequent dialogue and discussion with the planning officer during the application process.

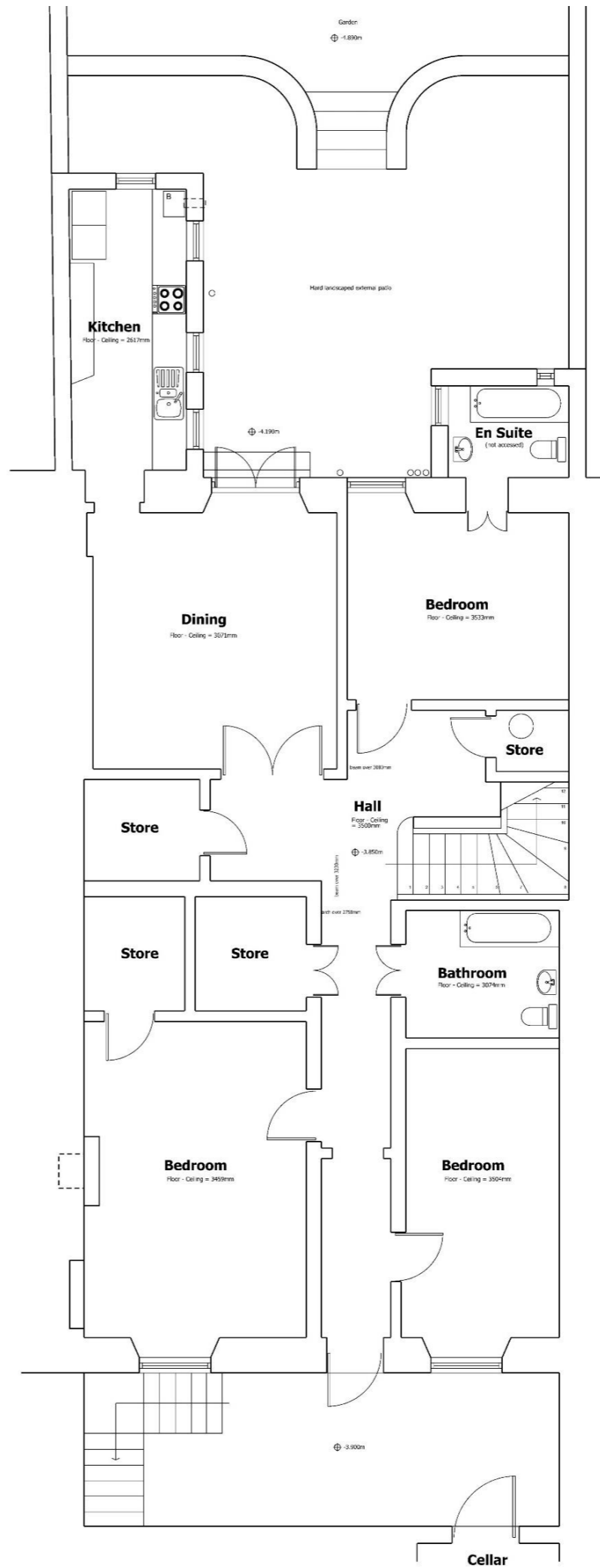


13 Clarendon Crescent: View from rear garden.

Existing Information



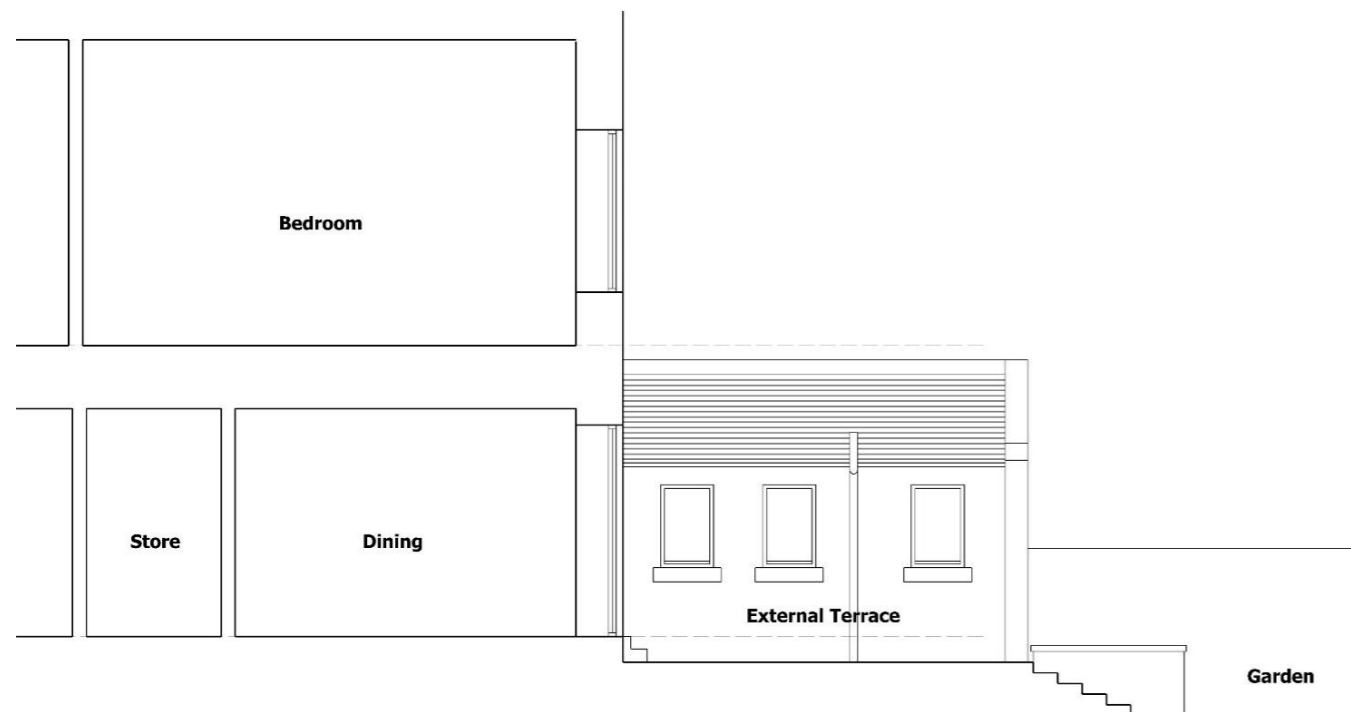
Existing Ground Floor Plan



Existing Garden Floor Plan



Existing North East Elevation



Existing South East Elevation



Existing Site Plan

Existing External Photographs



View 1 External view from lower garden



View 2 External view from terrace.



View points



View 3 Full rear elevation from garden

Proposals as submitted

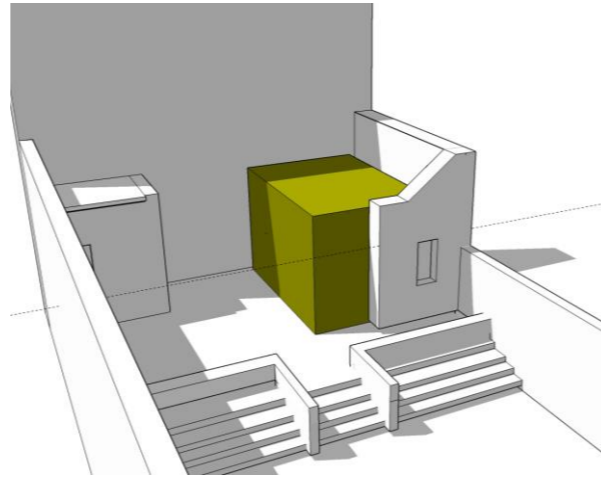
Design Concept

To the rear of 13 Clarendon Crescent at garden level (lower ground floor) the existing kitchen is located within a single storey, stone walled, mono-pitch slate roof out shoot.

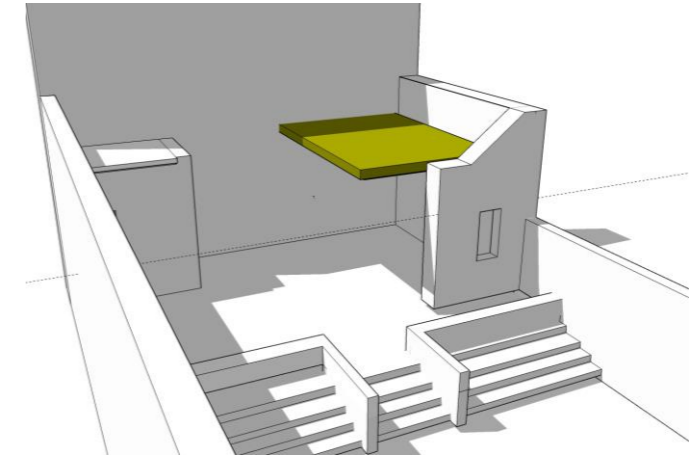
It is proposed that a new opening is formed within the rear wall of the main building and a new extension is constructed predominantly within the footprint of the existing single storey structure.

In order to make a sensitive intervention which respects the historical context the new extension has been conceived as a simple object which slides within the envelope of the existing retained stone walls. The exposed external walls of the new extension shall be glazed with a simple floating roof plan over.

The simplicity of this approach shall be carried through to the detailing of the proposals to create a clean, elegant intervention which does not compete with but compliments and enhances the rich historical character of the setting.



The new structure shall slide into the space defined by the existing stone walls. The concept of the new sitting within the old shall be carried through to the detailed design of the proposals.



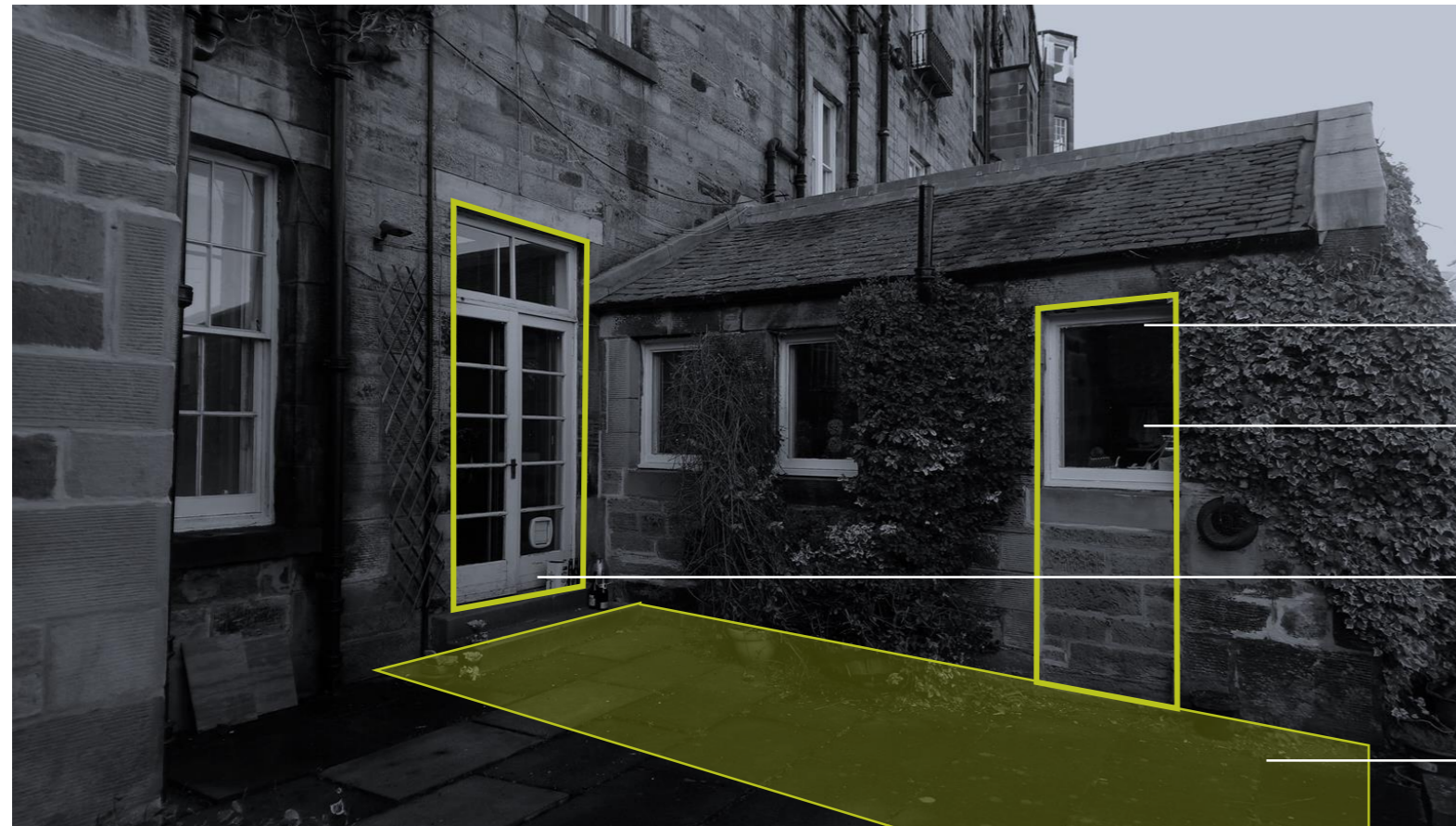
New exposed external walls shall be fully glazed providing a clear contrast which compliments rather than competes with the rich stone work.

The roof plane shall slide behind the stone wall parapet again clearly defining the junction between old and new.



External view from lower garden showing the proposed massing of the new extension within the historical foil of the existing stone walls.

Rear elevation context



Non-original windows.

Non-original later alteration to in-fill door opening to form window.

Non original later alteration to lower the cill of an existing window to form door opening to garden.

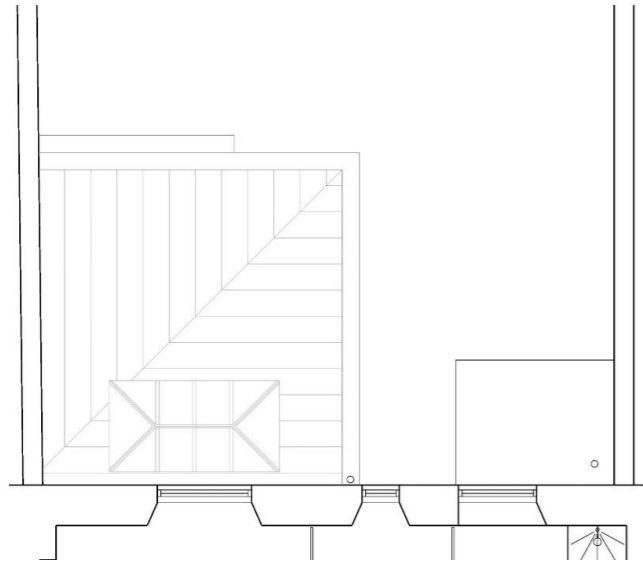
Proposed extension width is 25% of existing rear elevation.

The context of the rear elevation consists of an out-shoot which includes non original windows with later alterations to an original door opening which has been infilled to form a window opening. A later alteration to an original window opening provides access to the garden.

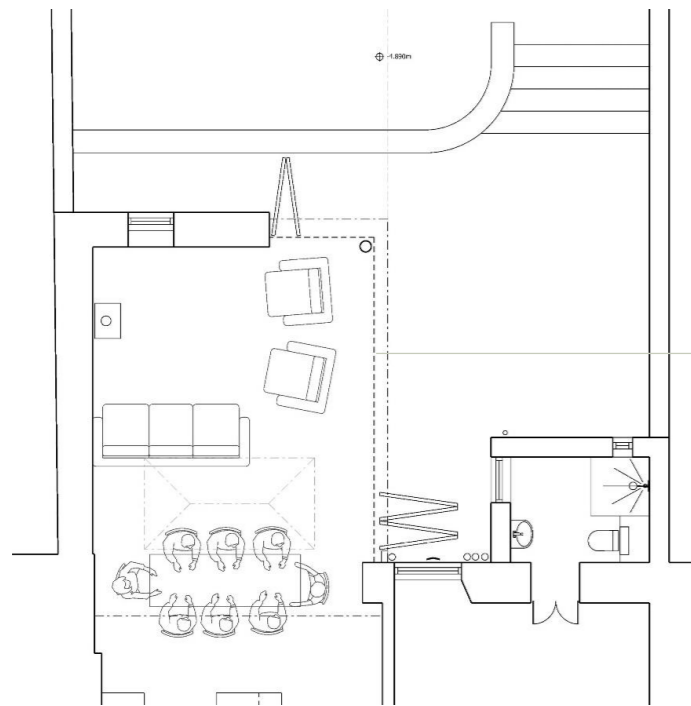
The building fabric, particularly in the areas of the proposed intervention, is not entirely original and has been altered over the years. The width of the proposed extension (2.2M) is approximately 25% of the full rear elevation. The proposals retain the footprint of the stone out-shoot walls with the removal of the out-shoot wall which includes the non-original windows. The only 'main' elevation window proposed to be altered has previously had the cill lowered to form a door opening and is not therefore of the original proportions.

Given the above we believe that the proposals have been carefully considered in order to change only those areas which have previously been altered. The position, small scale and simplicity of design also ensures that the proposed extension retains the character of the original out-shoot and rear elevation.

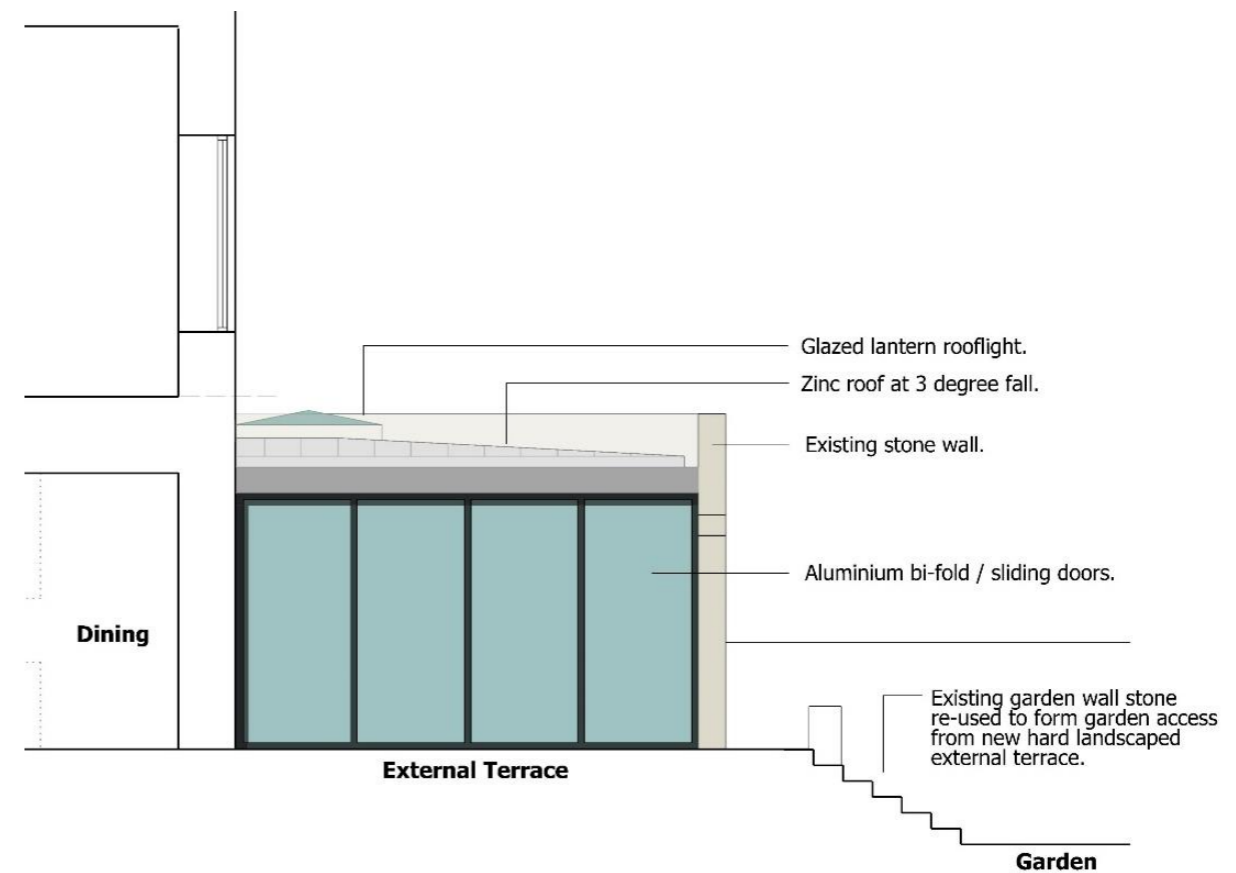
Proposals as submitted



Proposed Roof Plan



Stone wall enclosing existing single storey out-shoot retained with new single storey extension formed predominantly within the existing footprint. New opening formed in rear wall to create open plan kitchen, dining and living space.



Proposed Ground Floor Plan

Proposed visualisation



Day view from external terrace

Application Assessment

Application Assessment

Following registration the first assessment of the application was carried out by Historic Environment Scotland with feedback provided on 28th March 2019. The HES observations were made, as far as we are aware, without the benefit of a site visit.

The following day a site visit was carried out by the planning officer. The planning officer then provided initial comments which were based entirely on the HES response.

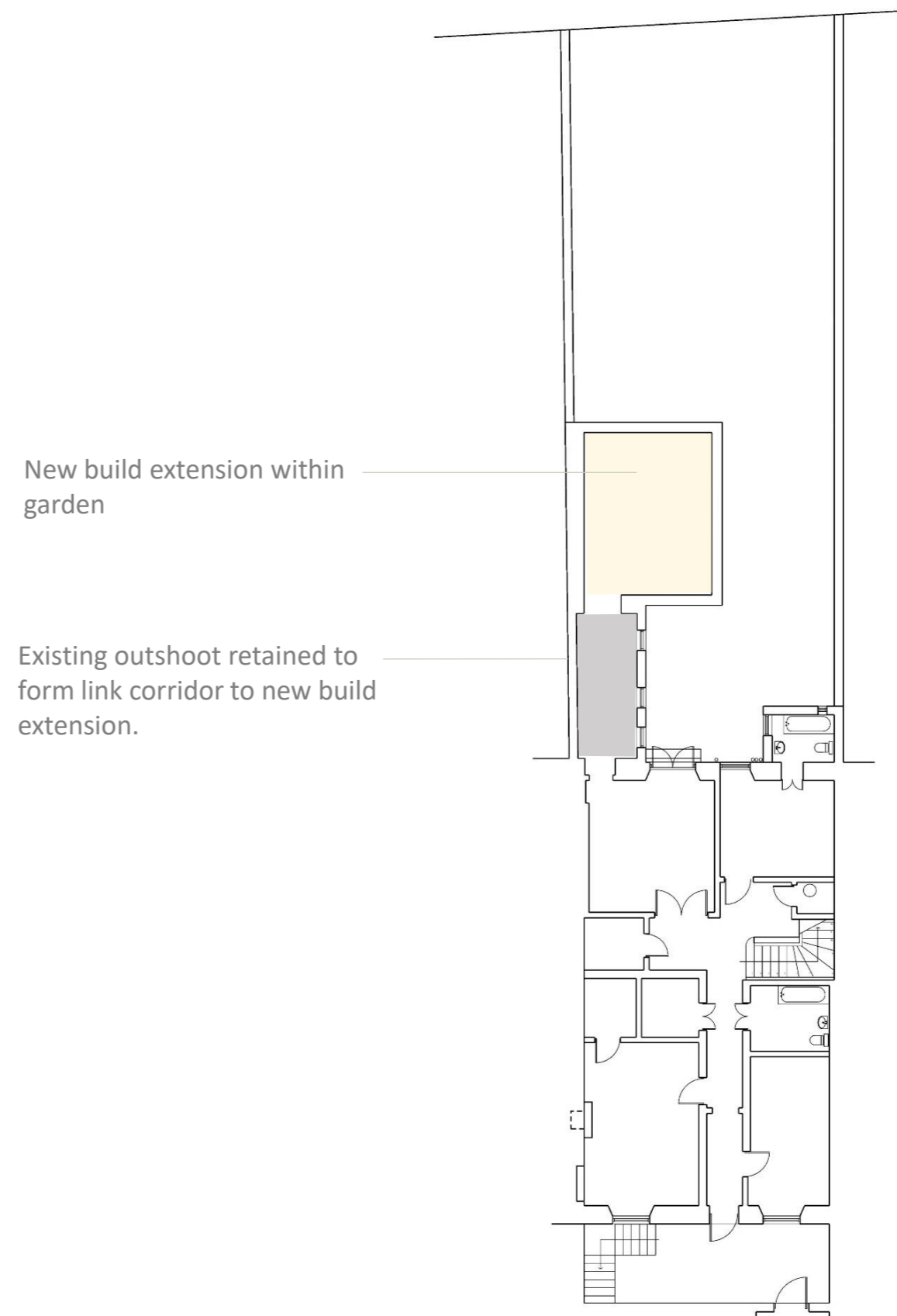
HES recommended that the impact on the historical fabric should be minimised and that any new intervention should appear to be subservient to the existing building. Our proposals had been carefully designed to achieve exactly this with the outshoot wall and footprint retained and new glazing and roof planes sliding behind the historical stone walls.

The location of any intervention was also carefully considered to ensure that as far as possible only those elements of the building fabric which had historically been altered were affected.

HES cited the increased width along the rear façade of the proposals however the proposals represent less than 25% of the rear façade width.

HES also proposed an alternative design which used the existing outshoot as a link corridor to a new build extension in the garden. However this would, although providing the additional internal space, have a far greater impact on the existing character of the rear gardens.

It appears that the initial response from HES, despite being carried out as a desktop exercise, significantly informed the planning response and resulted in a position being taken from which it was difficult to move from.



Alternative proposal suggested by Historic Environment Scotland

Application Assessment

We were grateful that, following the initial feedback, the planning officer did subsequently enter into dialogue and that through this a fuller discussion on the proposals took place.

Through these discussions the following proposals were accepted in principle;

- Removal of main façade wall between kitchen door and French doors.
- Removal of out shoot elevation to allow new glazed extension (limited in width to centre line of existing French doors part infilled with existing stone).

The above proposals would in-fill one half of the existing French doors aligning the ground floor extension with the window pattern of the upper floors. However we believe that this approach sterilises somewhat the staggered, random pattern of the ground floor outshoots in relation to the upper floors which is a strong characteristic of the existing context and which the original application retained. The resulting room created would also be narrow to the point of being unusable.

We believe that the design of the original proposals was carefully considered, minimised the impact on the historical fabric, appeared subservient and retained the character of the historical setting.

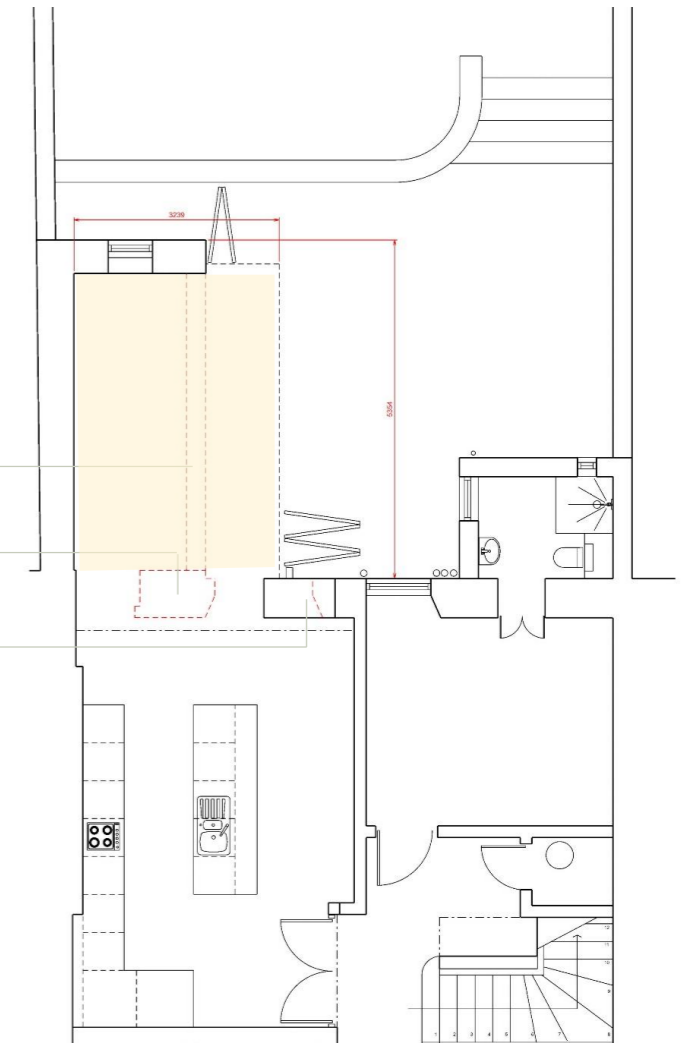
We believe that the HES comments created a difficult starting position for the planning officer and on this basis we wish to appeal the decision to refuse consent for the original proposals.

Agreed in principle

Removal of out shout wall

Removal of main façade wall

In fill half of existing French doors



By in filling half of the existing French door opening the ground floor extension would line with the window openings of the upper floors somewhat sterilising the staggered pattern of ground floor outshoots.



Alternative plan and elevation proposal suggested by CEC Planning

Summary

Summary

In terms of design and scale we believe that the original proposals were fully in the spirit of the Listed Building and Conservation Areas guidance. The width and scale of the extension does not have any significant impact on the character of the rear elevation and gardens and sits subserviently within the existing walls of the out shoot.

In relation to the existing historical fabric proposed to be removed we acknowledge that referring to precedence can be dangerous however we would note that, in relation to a number of recently approved applications, very little of the existing building fabric is proposed to be removed.

As architects we often find ourselves in the position of tempering clients aspirations for altering listed buildings in order to protect the historical fabric of the city. However in this instance our client has, from the outset, taken a sensible and sensitive approach which we believe is evident in the proposals. We would therefore request that the decision to refuse consent is reconsidered and would welcome the opportunity to discuss the application further.



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Edinburgh Park

Edinburgh

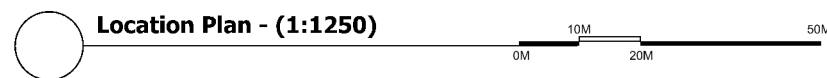
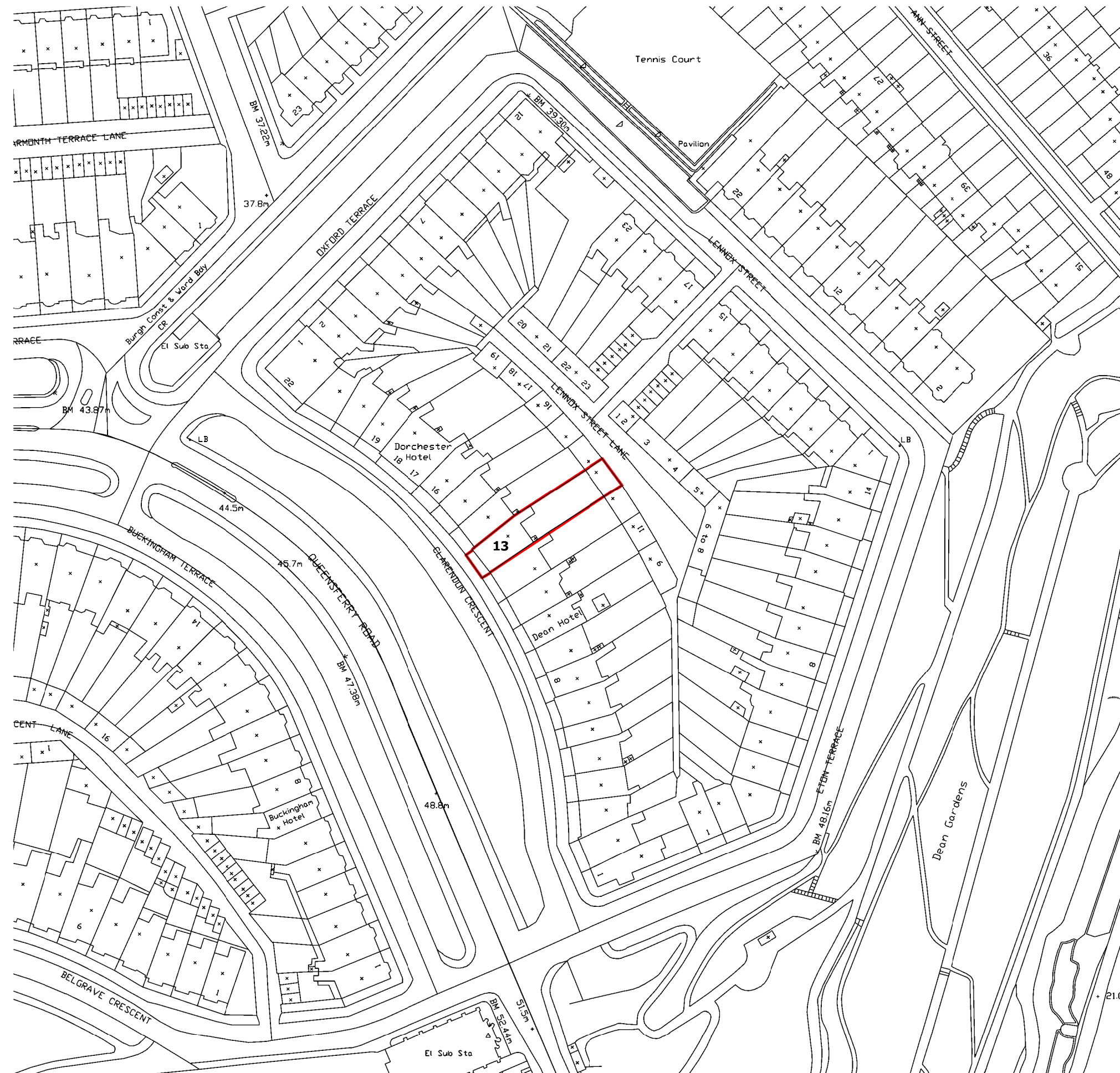
m 07816665248

m 07738301730

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Legal Boundary



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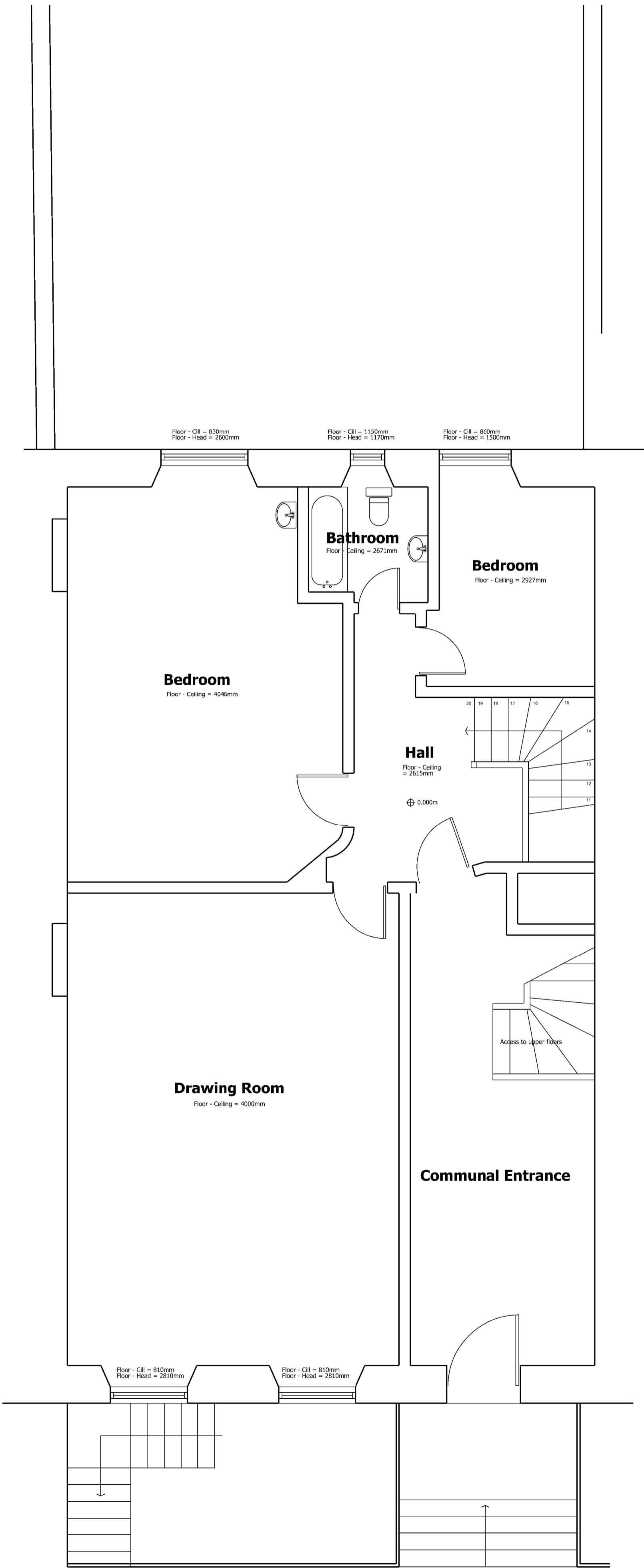
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13 GF Clarendon Crescent
Edinburgh, EH4 1PU

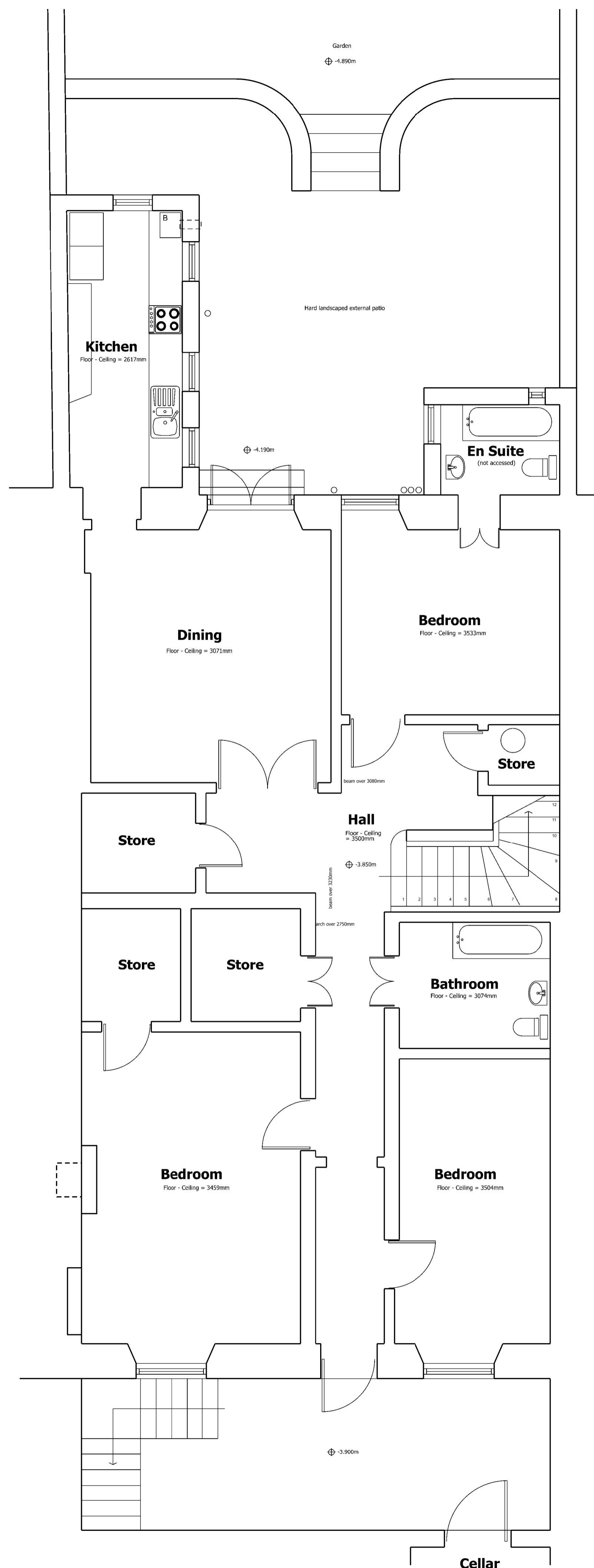
TITLE:

Location Plan

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A3	DRAWING No: L-CIC-001	REV: --



Ground Floor Plan (as existing) 1:50



Garden Floor Plan (as existing) 1:50



Site Plan (as existing) 1:200

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 Figured dimensions only to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand IF IN DOUBT ASK.
 CDM: Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "The Construction (Design and Management) Regulations 2015" and the "Industry Guidance for Designers".
 NOTE: All alterations to structural elements subject to confirmation by structural engineer.

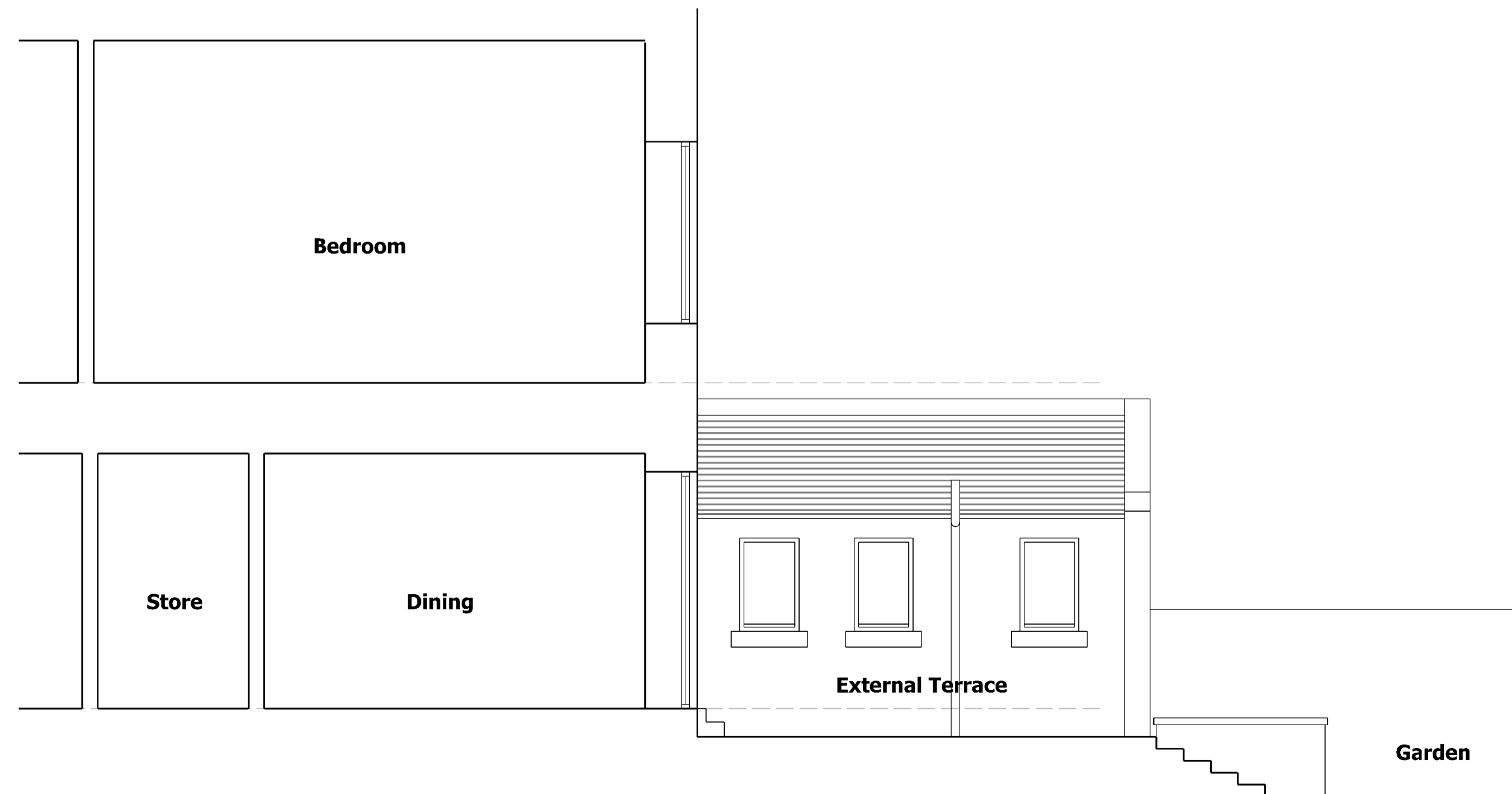
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PROJECT:
 13 GF Clarendon Crescent
 Edinburgh, EH4 1PU
 TITLE:
 Plans
 (as existing)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A1	DRAWING No: L(CIC)002	REV: 00



North / East Elevation (as existing) 1:50



South / East Elevation (as existing) 1:50

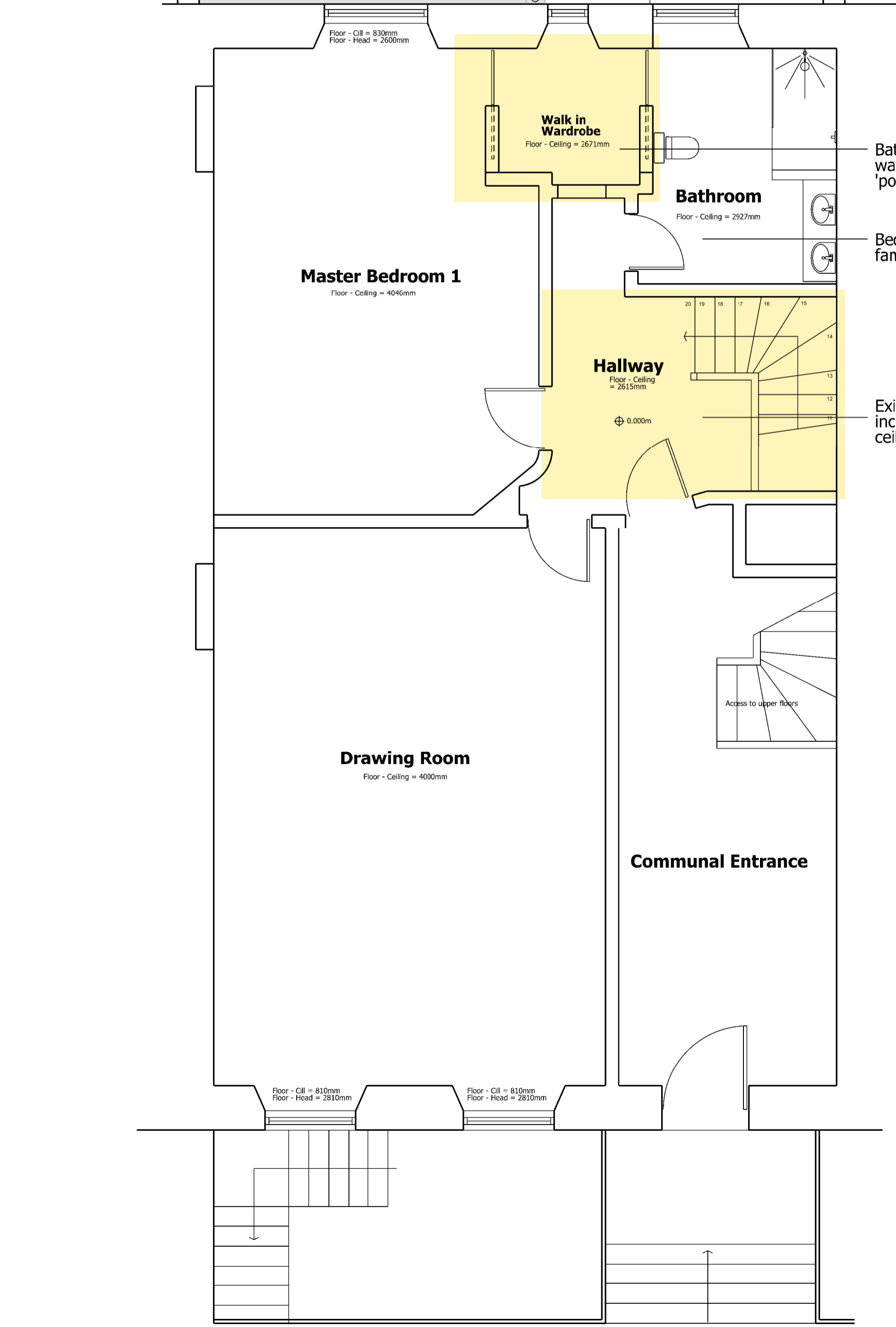
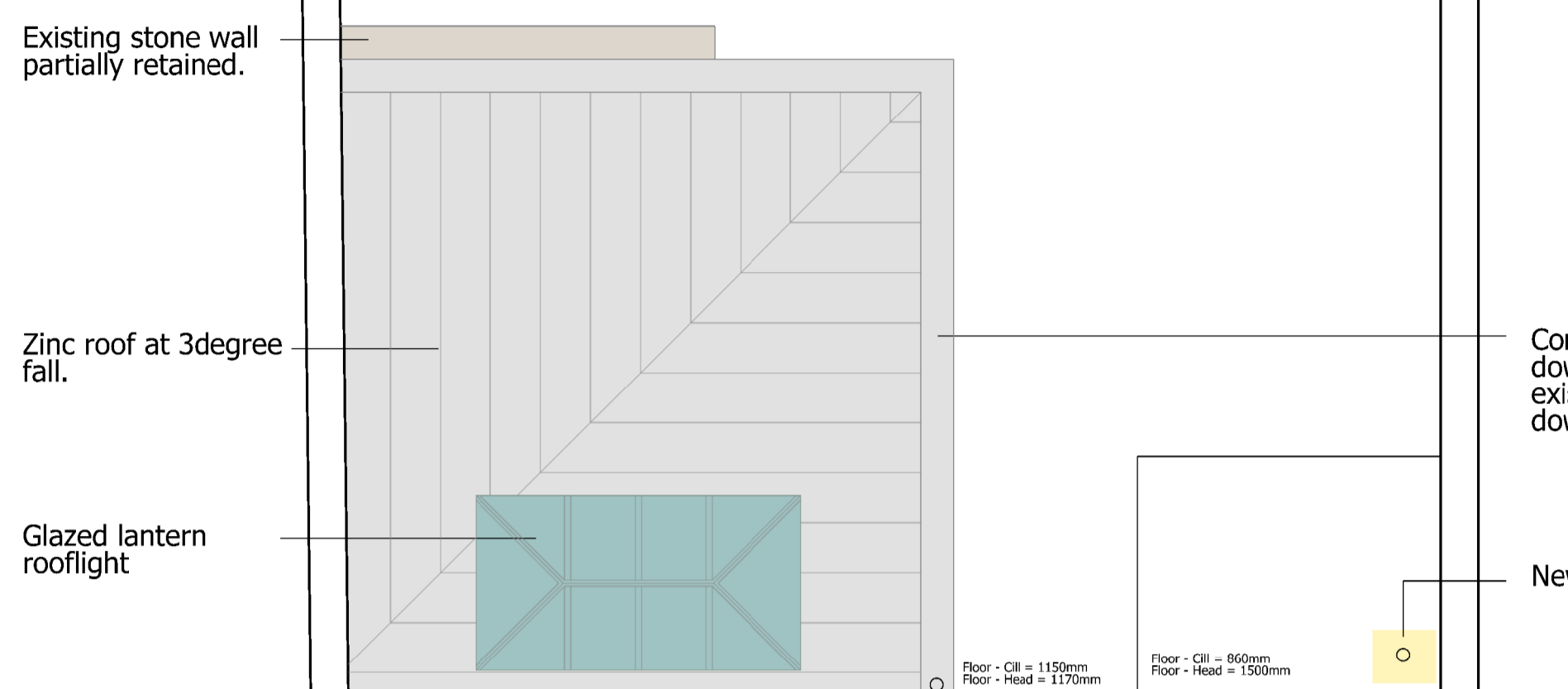
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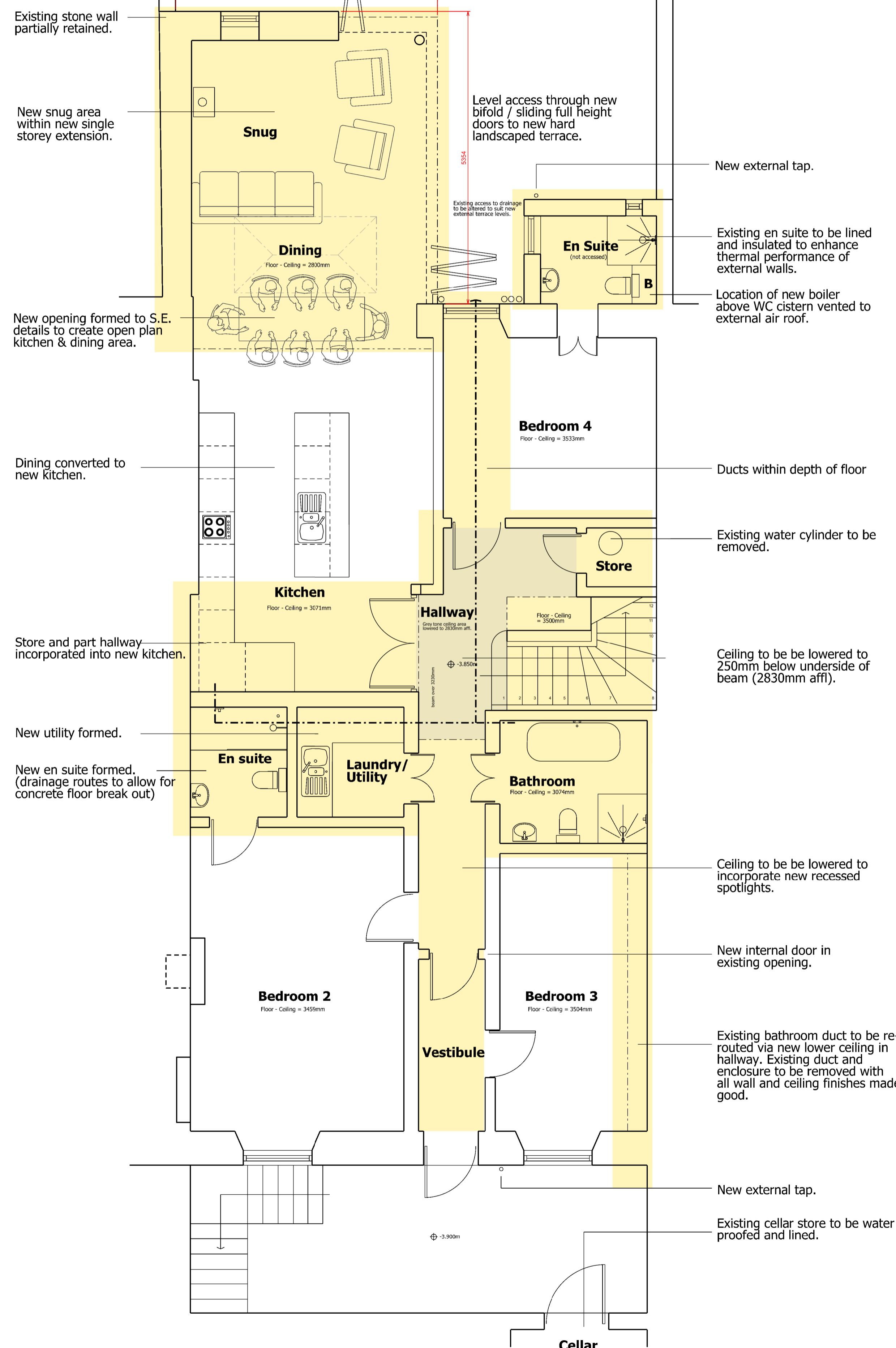
PROJECT:
13 GF Clarendon Crescent
Edinburgh, EH4 1PU
TITLE:
Elevations
(as existing)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A1	DRAWING No: L(CIC)003	REV: 00

- Duct routes
- - - Downtakings
- ▨ New Walls
- ▨ Hatched area denotes extent of new works



Ground Floor Plan (as proposed) 1:50



Garden Floor Plan (as proposed) 1:50

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PROJECT:
 13 GF Clarendon Crescent
 Edinburgh, EH4 1PU
 TITLE:
 Floor Plans
 (as proposed)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A1	DRAWING No: L(CIC)002	REV: 01



North / East Elevation (as proposed) 1:50



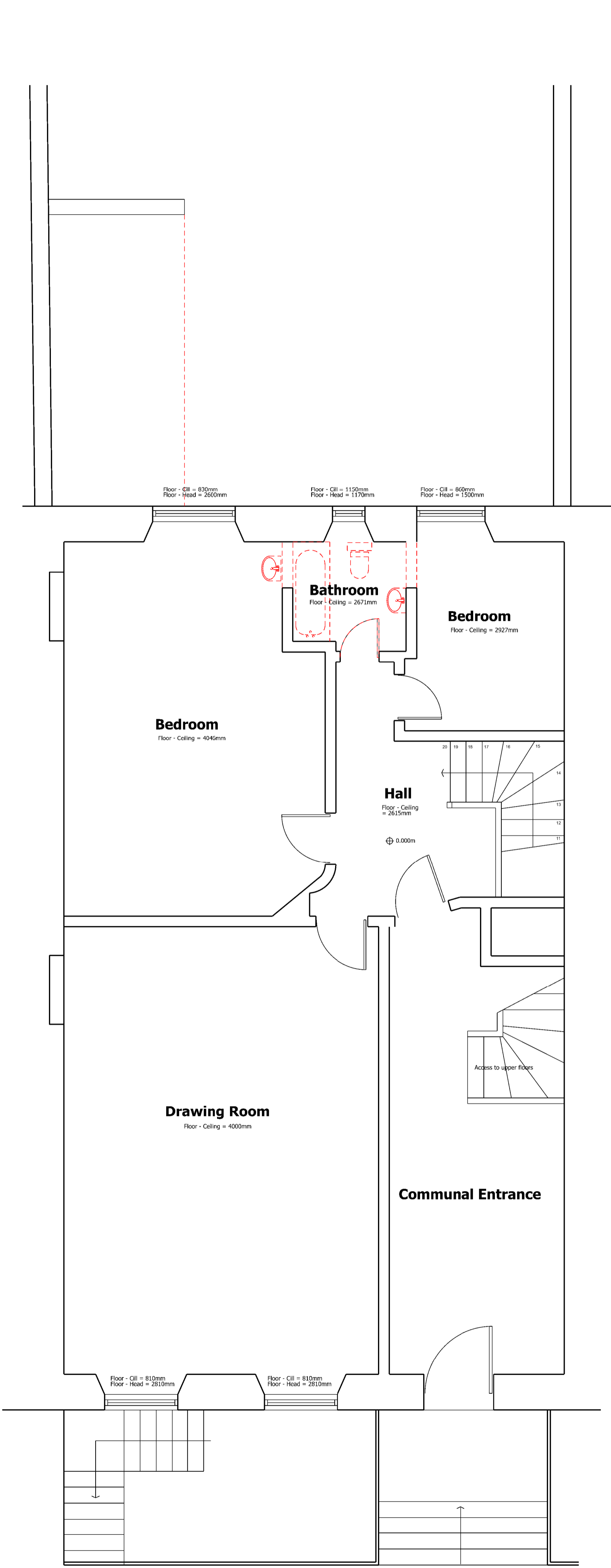
South / East Elevation (as proposed) 1:50

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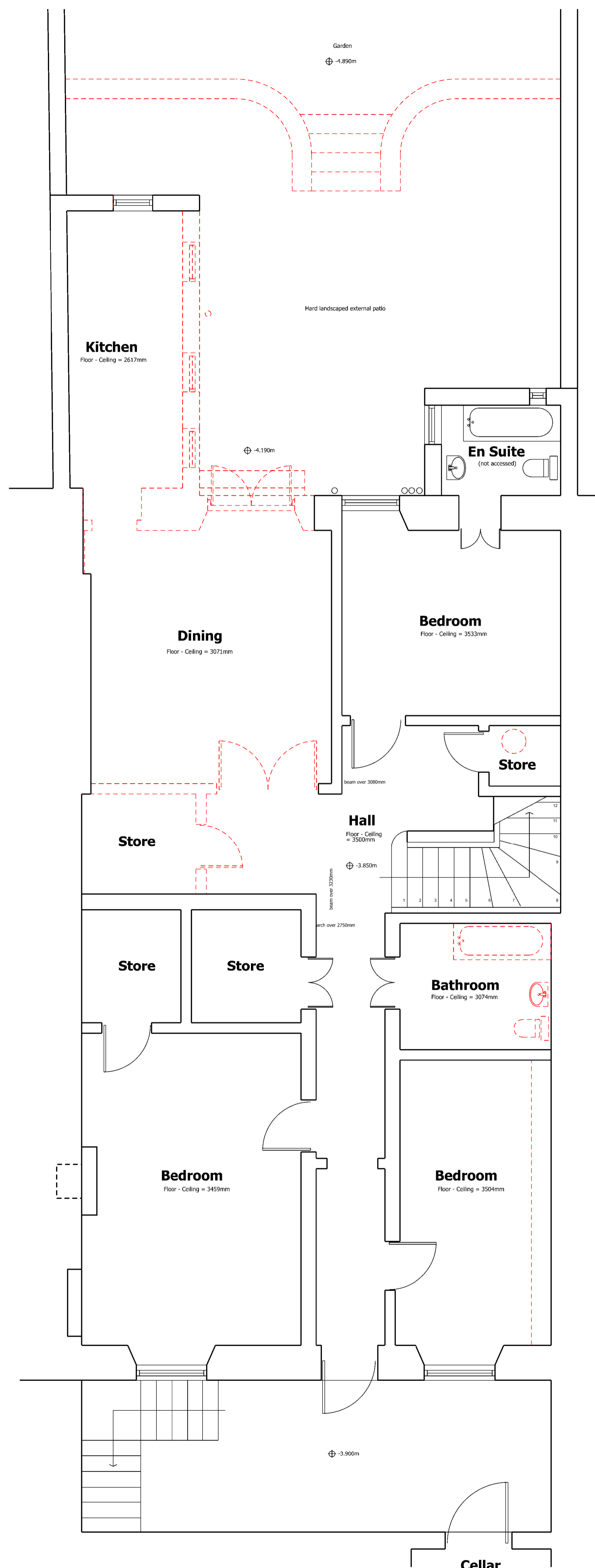
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PROJECT:
13 GF Clarendon Crescent
Edinburgh, EH4 1PU
TITLE:
Elevations
(as proposed)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A1	DRAWING No: L(CIC)005	REV: 01



Ground Floor Plan 1:50



Garden Floor Plan 1:50

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CDM: Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "The Construction (Design and Management) Regulations 2015" and the "Industry Guidance for Designers"

NOTE: All alterations to structural elements subject to confirmation by structural engineer.

----- Dwtakings

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PROJECT:
 13 GF Clarendon Crescent
 Edinburgh, EH4 1PU
 TITLE:
 Dwtaking Plans
 (as proposed)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A1	DRAWING No: L(CIC)006	REV: 00



Decision by Don Rankin, a Reporter appointed by the Scottish Ministers

- Listed building consent appeal reference: LBA-230-2176
- Site address: 13 Clarendon Crescent, Edinburgh, EH4 1PU
- Appeal by Triston Hickey against the decision by The City of Edinburgh Council
- Application for listed building consent 19/01253/LBC dated 15 March 2019 part refused in a mixed decision by notice dated 30 April 2019
- The works proposed: Minor internal alterations to form new en-suite, utility and bathroom. (granted consent). External extension to rear to form new open plan kitchen and dining (refused consent).
- Application drawings: L-CIC-002, 003, 004, 005, & 006
- Date of site visit by Reporter: 16 July 2019

Date of appeal decision: 6 August 2019

Decision

I allow the appeal and grant listed building consent. Attention is also drawn to the advisory note at the end of this notice.

Reasoning

1. The determining issues in this appeal are: (1) whether the proposed external extension adversely impacts on the special architectural and historic interest of a listed building, contrary to section 14(2) of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997, related government historic building policy and guidance, and policies ENV4, ENV5 and related guidance of the Edinburgh City Local Development Plan which expand on that statutory duty; (2) whether the proposal has due regard to the preservation or enhancement of the character or appearance of a conservation area as required by section 64(1) of the above act, related guidance and Policy ENV6 of the development plan; and (3) whether other material considerations warrant the grant or refusal of listed building consent.

2. The appeal property occupies the ground floor and basement/garden access floor of a category 'A' listed terrace (LB28544) in the Edinburgh New Town Conservation Area. The whole listed building comprises Nos 1-22 Clarendon Crescent and 1/1A Oxford Terrace, the corner property at the northern end of the terrace. To the front the property forms part of the particularly fine sweeping terrace of Clarendon Crescent which opens onto gardens facing Queensferry Road, one of the main thoroughfares into the city. The listing



citation concentrates on describing the key features of this façade but does make specific reference to the rear of the terrace. This is described as “*coursed square rubble with some dovetailed ashlar quoins. Rybats, cills and lintels. Roughly regular fenestration. Some full-height 3-light canted bays. Original single bay, single storey outbuilding to rear of No.10. some later single storey extensions*”.

3. The proposal is to make several minor internal alterations to improve the layout and introduce some key features of modern living. Despite some cautionary comments from Historic Scotland and one additional objection the council considered these minor internal alterations to be acceptable and in consequence issued a consent as part of a mixed decision on the 30 April 2019. I also consider that these minor internal works do not adversely impact on the key features of architectural or historic interest of the building and should be granted consent.

4. The proposal for a rear extension involves a much more substantial alteration to the building. Extending from the rear of the garden floor is a narrow outhouse in stone, with a single aspect slate roof sloping into the garden. This offshoot from the main terrace is currently used as a kitchen and accessed via a door from the dining room which is located on the garden floor of the main tenement building. The outhouse has a single window opening on its gable wall and three windows on the south wall facing into a small courtyard, hard landscaped as a patio. This courtyard is bounded by French windows on the rear wall of the tenement building, a small outhouse containing an en-suite and steps down to the remainder of the garden.

5. The boundary and gable walls of the existing stone outhouse are to be retained or replaced with similar stone. The slate, single aspect, roof is proposed to be removed and replaced with a zinc roof not extending above the height of the existing, garden, gable wall of the outhouse. It would have a 3 degree fall and incorporate a glazed lantern rooflight. The outhouse is proposed to be extended across the rear elevation by 2.2 metres across part of the existing French windows to the garden. This requires the French window aperture to be widened internally by 0.3 metres. Aluminium glass bi-fold doors open onto the internal courtyard space between the outhouse and the adjacent wash-house extension.

6. The key matters for consideration are firstly whether these alterations significantly alter the structure of the building or result in damage to the fabric of the building such as to materially affect the architectural or historic interest, and secondly whether the alteration affects its appearance to such an extent as to adversely impact on its architectural or historic interest or to significantly affect the setting of the listed building. The relevant government and local plan policy guidance has a presumption against any unnecessary loss of the original fabric of a listed building. The key statutory test of that is preservation of the key features of architectural or historic interest and in pursuit of that the guidance seeks to prevent any alteration which exceeds 50% of the width of any elevation.

7. In this case there is good reason to assume that neither the offshoots from the rear of the building or the opening for the French windows are original. I note in this context the absence of any mention of the rear outbuilding at No.13 in the listing citation. There are actually a number of rear extensions, not all single storey, which appear to be from different periods of the life of the listed terrace. Whilst these generally maintain a sympathetic use of traditional stone the scale and massing can be distinctly incongruous, like the two-storey

extension and sun terrace next door at No.12. The garden level is a lower ground floor and neither the existing extensions nor that proposed would impact on the symmetrical fenestration on the main floors above which are noted in the listing citation.

8. To the rear, the location for the proposed works, the property is located almost on the apex of the curve of the rear of the terrace. It looks across a narrow garden to the rear wall of the mews properties fronting onto Lennox Street Lane to the rear. There are no habitable room windows on the rear wall of these mews properties, overlooking the appeal property garden or the site of the proposed extension. Indeed, the two storey mews properties effectively screen the lower ground/basement of No 13 from any but the most distant view from the upper floors of the tenements opposite. These are at some considerable distance from No.13. Views into the rear garden area from the nearby public streets, Eton or Oxford Terraces, is impossible.

9. In the context of all of the above the council's acceptance of the principle of an extension, as noted in the report of handling, but limiting it to half the width of the French window to enable the architectural character of the building to be appreciated does not make any practical sense. Neither would the Historic Scotland suggestion of building a modern extension well out into the limited garden space be, in my view, beneficial in the appreciation of the architectural character of the building. The view of both the council and Historic Scotland in this instance appears more concerned with any breach of the non-statutory guidance aimed at preventing more than 50% coverage of any elevation than with the prime statutory requirement for the preservation of significant features of architectural or historic interest which are, in this case, exclusively on the upper floors unaffected by the proposal.

10. I consider that the proposed extension is a relatively minor alteration to the lower ground floor of one property, part of a substantial terrace. The proposed extension would not intrude into the garden space other than a relatively minor part of the rear courtyard adjacent to the house. On an elevation already much altered both by past extensions at No.13 and at adjacent properties it would not, to my mind, significantly obscure any key features of architectural interest on the building, that being very largely the fenestration on the upper floors. There would be no significant damage to the fabric of the listed building, only the widening of an existing modern window. The use of building materials complementary to the existing building and of a quality appropriate to both a listed building and a conservation area are proposed. I therefore conclude with respect to the listed building that the proposal does not conflict with the statutory duty, government and local plan policy and relevant guidance noted above.

11. Regarding the impact on the Edinburgh New Town Conservation Area I have considered the New Town Conservation Area Character Appraisal which outlines the planned layout, the spacious terraces, broad streets and overall classical elegance. The proposed extension however would not be seen from the surrounding streets and would be only marginally visible from surrounding properties. As I have already concluded that it would not adversely impact on the setting of the listed building, I conclude therefore that it would not have an adverse impact on the key characteristics of the conservation area noted above and would in consequence not impact adversely on its character or appearance.

12. In conclusion and having regard to all other material considerations and finding none that alter my view, I find that the proposal is not in conflict with the relevant statutes, policies and guidance noted above and that in consequence listed building consent should be granted.

Don Rankin
Reporter

Advisory note

The length of the consent: This listed building consent will last only for three years from the date of this decision notice, unless the works have been started within that period. (See section 16 of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 (as amended))

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

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 100174072-001

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:

Ref. Number:

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

First Name: *

Building Name:

Last Name: *

Building Number:

Telephone Number: *

Address 1 (Street): *

Extension Number:

Address 2:

Mobile Number:

Town/City: *

Fax Number:

Country: *

Postcode: *

Email Address: *

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

Individual Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *	
Other Title:	<input type="text"/>	Building Name:	<input type="text"/>
First Name: *	<input type="text" value="Triston"/>	Building Number:	<input type="text" value="13"/>
Last Name: *	<input type="text" value="Hickey"/>	Address 1 (Street): *	<input type="text" value="Clarendon Crescent"/>
Company/Organisation	<input type="text"/>	Address 2:	<input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: *	<input type="text" value="Scotland"/>
Extension Number:	<input type="text"/>	Country: *	<input type="text" value="Edinburgh"/>
Mobile Number:	<input type="text"/>	Postcode: *	<input type="text" value="EH4 1PU"/>
Fax Number:	<input type="text"/>		
Email Address: *	<input type="text"/>		

Site Address Details

Planning Authority:	<input type="text" value="City of Edinburgh Council"/>
Full postal address of the site (including postcode where available):	
Address 1:	<input type="text" value="GF"/>
Address 2:	<input type="text" value="13 CLARENDON CRESCENT"/>
Address 3:	<input type="text"/>
Address 4:	<input type="text"/>
Address 5:	<input type="text"/>
Town/City/Settlement:	<input type="text" value="EDINBURGH"/>
Post Code:	<input type="text" value="EH4 1PU"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="674218"/>	Easting	<input type="text" value="324234"/>
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Description of Proposal

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

Proposed extension to rear at garden level to form new dining and kitchen 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.

The application relates to a Listed Building with the Listed Building Consent application being refused I understand that the planning application is, in turn, also refused. My client has appealed the Listed Building Consent decision and I understand that the full planning decision must also be appealed.

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)

L-CIC-001 Location Plan, L-CIC-002 Existing Floor Plans, L-CIC-003 Existing Elevations, L-CIC-004 Proposed Floor Plans, L-CIC-005 Proposed Elevations, L-CIC-006 Proposed Downtakings and Supporting Statement.

Application Details

Please provide details of the application and decision.

What is the application reference number? *

19/01254/FUL

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

11/03/2019

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

30/04/2019

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 rear of the property is only possible through the property.

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 Scott Martin

Declaration Date: 18/07/2019

Proposal Details

Proposal Name	100174072
Proposal Description	Appeal of Planning Refusal 19/01254/FUL
Address	GF, 13 CLARENDON CRESCENT,
EDINBURGH,	EH4 1PU
Local Authority	City of Edinburgh Council
Application Online Reference	100174072-001

Application Status

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

Attachment Details

Notice of Review	System	A4
L-CIC-001	Attached	A3
L-CIC-002	Attached	A1
L-CIC-003	Attached	A1
L-CIC-004	Attached	A1
L-CIC-005	Attached	A1
L-CIC-006	Attached	A1
Appeal Supporting Statement	Attached	A4
Notice_of_Review-2.pdf	Attached	A0
Application_Summary.pdf	Attached	A0
Notice of Review-001.xml	Attached	A0

Appeal of Mixed Decision for Application for Listed Building and Planning Consent at 13 (Ground & Garden Floors) Clarendon Crescent , Edinburgh

Listed Building Application Ref: 19/01253/LBC

Planning Application Ref: 19/01254/FUL

Supporting Appeal Statement

May 2019

Revision 00

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Introduction

This document provides an overview of the planning and listed building applications (19/01254 & 19/01253/LBC respectively) registered on the 15th March 2019 for an extension to the rear of 13 Clarendon Crescent and the justification of our clients decision to appeal the decision to refuse consent.

On the 30th April 2019 the Listed Building application received a mixed decision, consenting internal alterations but refusing the external alterations.

The planning application was also therefore refused on the same date.

Our client, from the outset, had sought our professional opinion on an appropriate design approach and instructed us to prepare a sensitive design response which worked with the historical setting and character of Clarendon Crescent.

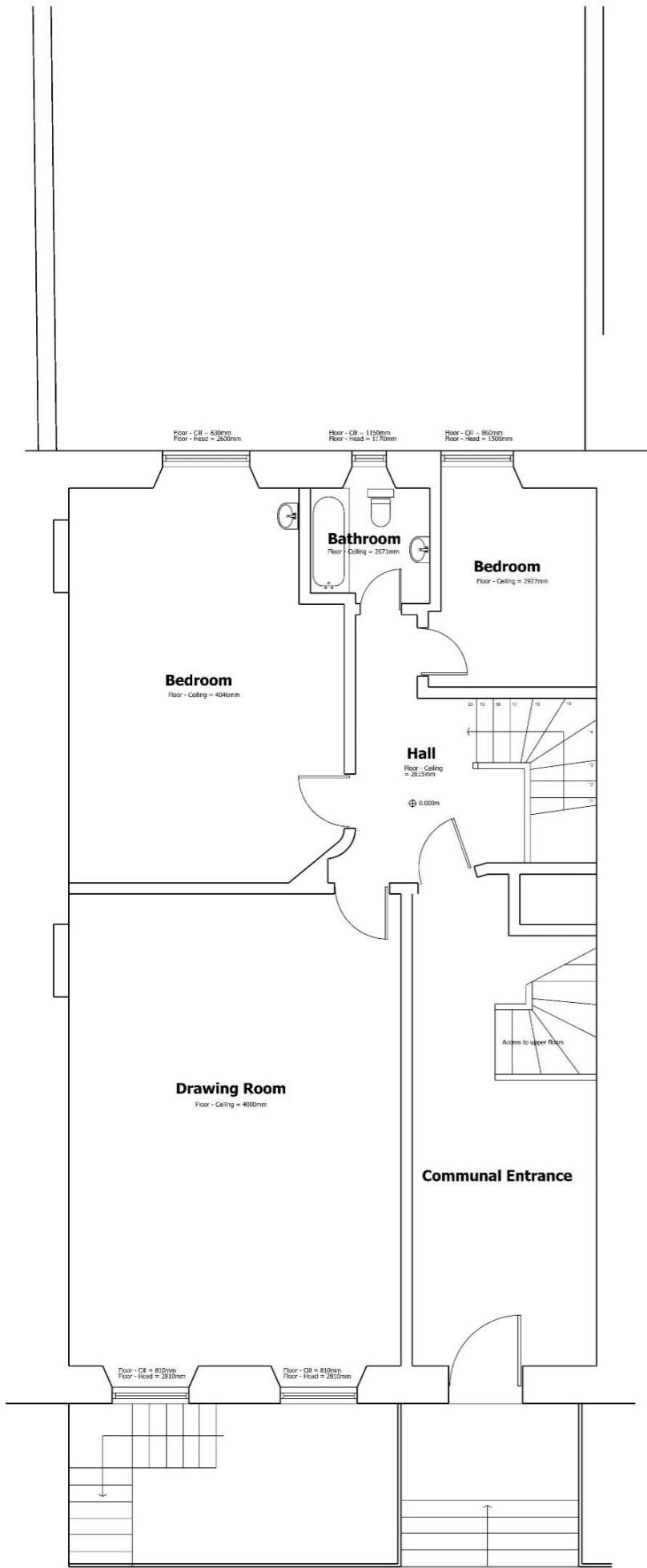
We believe we followed this brief and submitted an application which was in line with Listed Buildings and Conservation Areas guidance and for this reason wish to appeal the decision to refuse the application.

The following pages provide an overview of the existing context, proposals as submitted and of the subsequent dialogue and discussion with the planning officer during the application process.

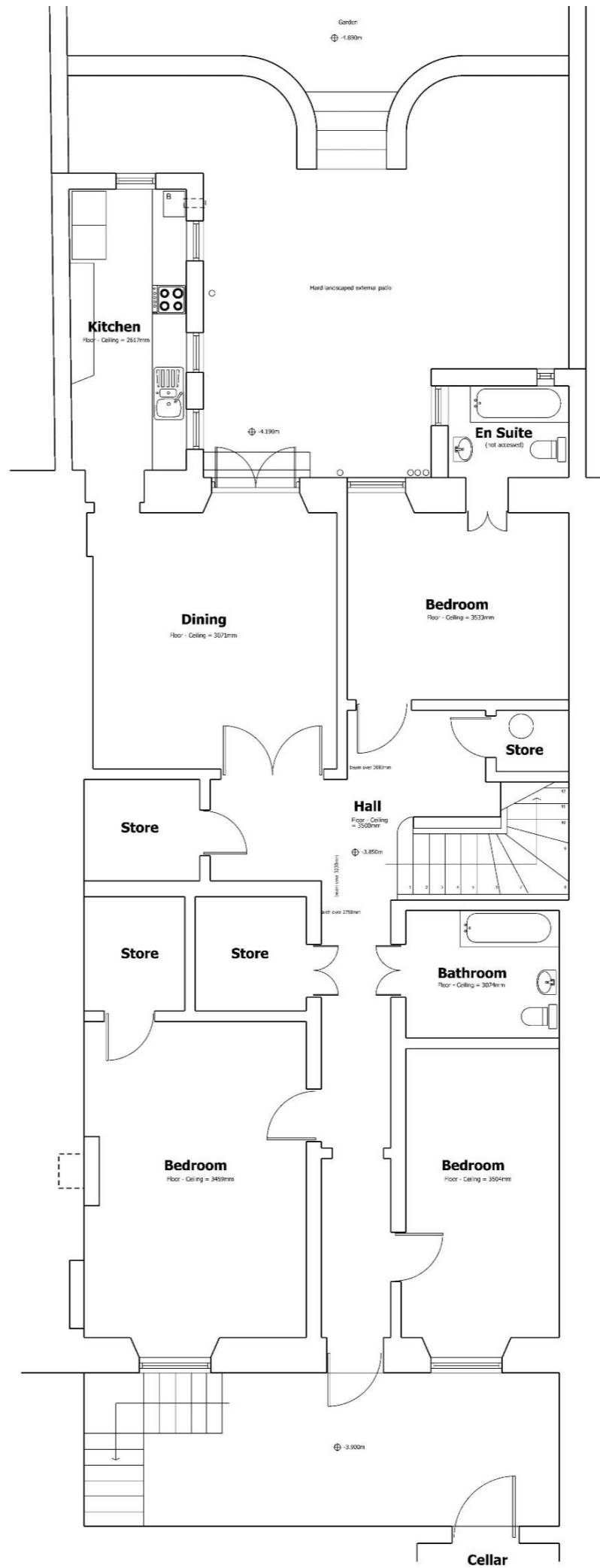


13 Clarendon Crescent: View from rear garden.

Existing Information



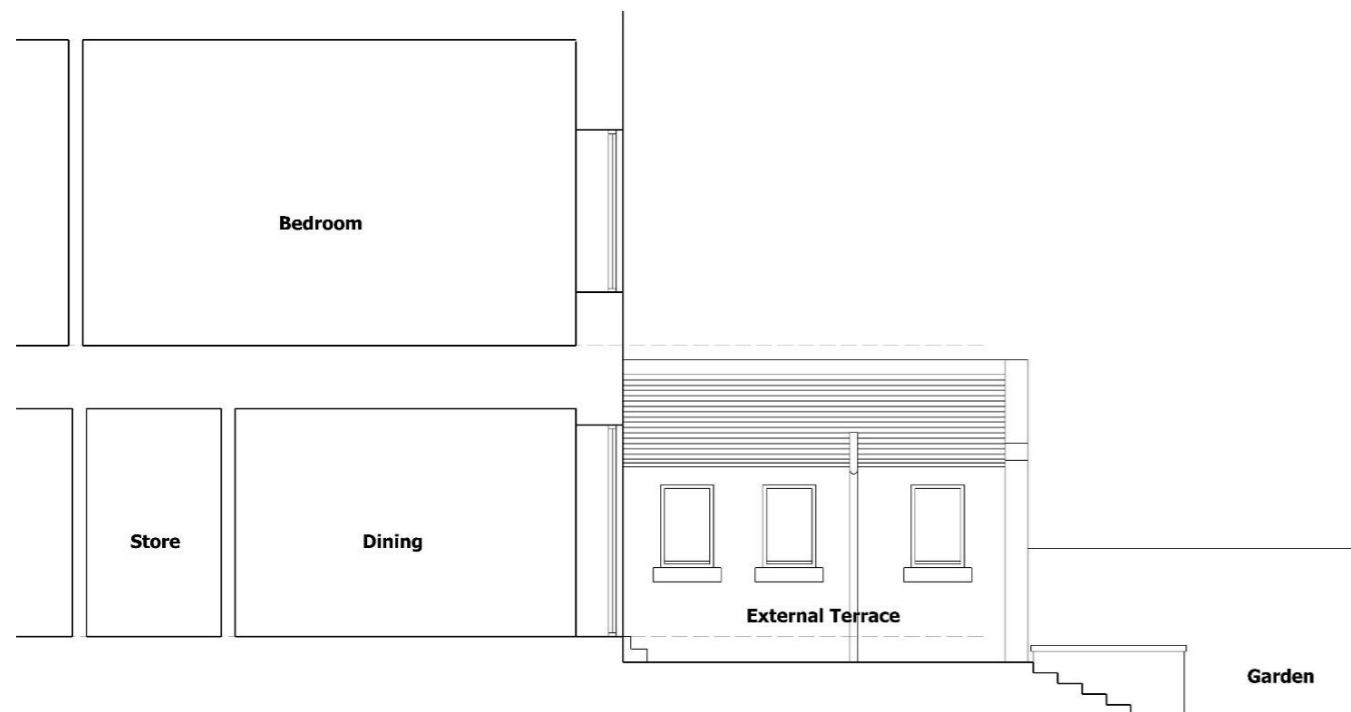
Existing Ground Floor Plan



Existing Garden Floor Plan



Existing North East Elevation



Existing South East Elevation



Existing Site Plan

Existing External Photographs



View 1 External view from lower garden



View 2 External view from terrace.



View points



View 3 Full rear elevation from garden

Proposals as submitted

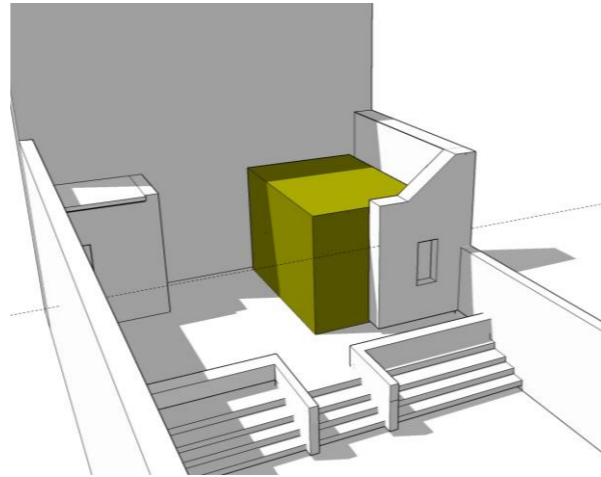
Design Concept

To the rear of 13 Clarendon Crescent at garden level (lower ground floor) the existing kitchen is located within a single storey, stone walled, mono-pitch slate roof out shoot.

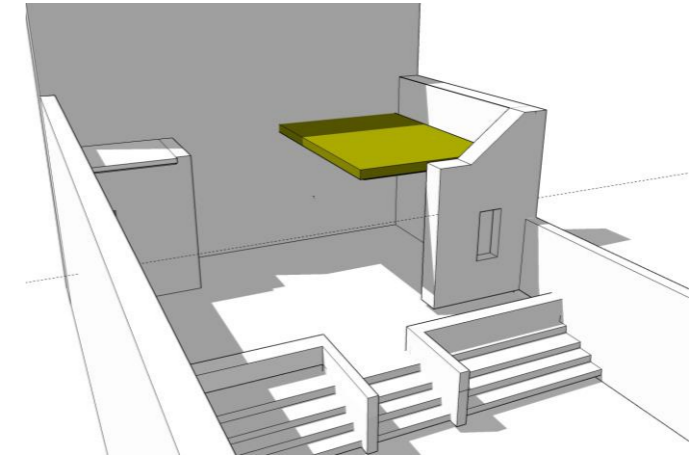
It is proposed that a new opening is formed within the rear wall of the main building and a new extension is constructed predominantly within the footprint of the existing single storey structure.

In order to make a sensitive intervention which respects the historical context the new extension has been conceived as a simple object which slides within the envelope of the existing retained stone walls. The exposed external walls of the new extension shall be glazed with a simple floating roof plan over.

The simplicity of this approach shall be carried through to the detailing of the proposals to create a clean, elegant intervention which does not compete with but compliments and enhances the rich historical character of the setting.



The new structure shall slide into the space defined by the existing stone walls. The concept of the new sitting within the old shall be carried through to the detailed design of the proposals.



New exposed external walls shall be fully glazed providing a clear contrast which compliments rather than competes with the rich stone work.

The roof plane shall slide behind the stone wall parapet again clearly defining the junction between old and new.



External view from lower garden showing the proposed massing of the new extension within the historical foil of the existing stone walls.

Rear elevation context



Non-original windows.

Non-original later alteration to in-fill door opening to form window.

Non original later alteration to lower the cill of an existing window to form door opening to garden.

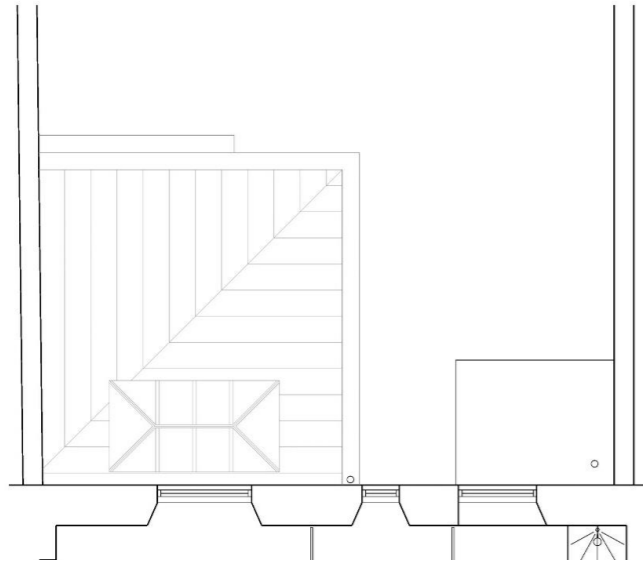
Proposed extension width is 25% of existing rear elevation.

The context of the rear elevation consists of an out-shoot which includes non original windows with later alterations to an original door opening which has been infilled to form a window opening. A later alteration to an original window opening provides access to the garden.

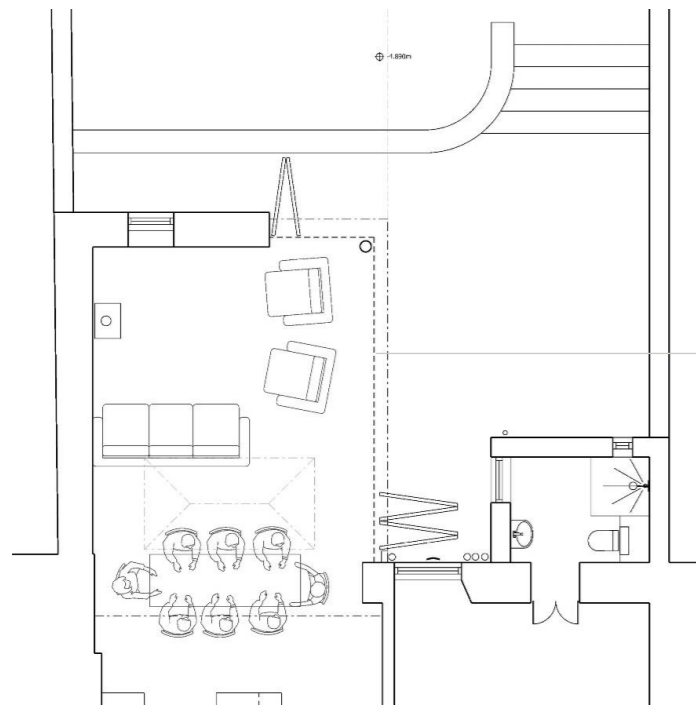
The building fabric, particularly in the areas of the proposed intervention, is not entirely original and has been altered over the years. The width of the proposed extension (2.2M) is approximately 25% of the full rear elevation. The proposals retain the footprint of the stone out-shoot walls with the removal of the out-shoot wall which includes the non-original windows. The only 'main' elevation window proposed to be altered has previously had the cill lowered to form a door opening and is not therefore of the original proportions.

Given the above we believe that the proposals have been carefully considered in order to change only those areas which have previously been altered. The position, small scale and simplicity of design also ensures that the proposed extension retains the character of the original out-shoot and rear elevation.

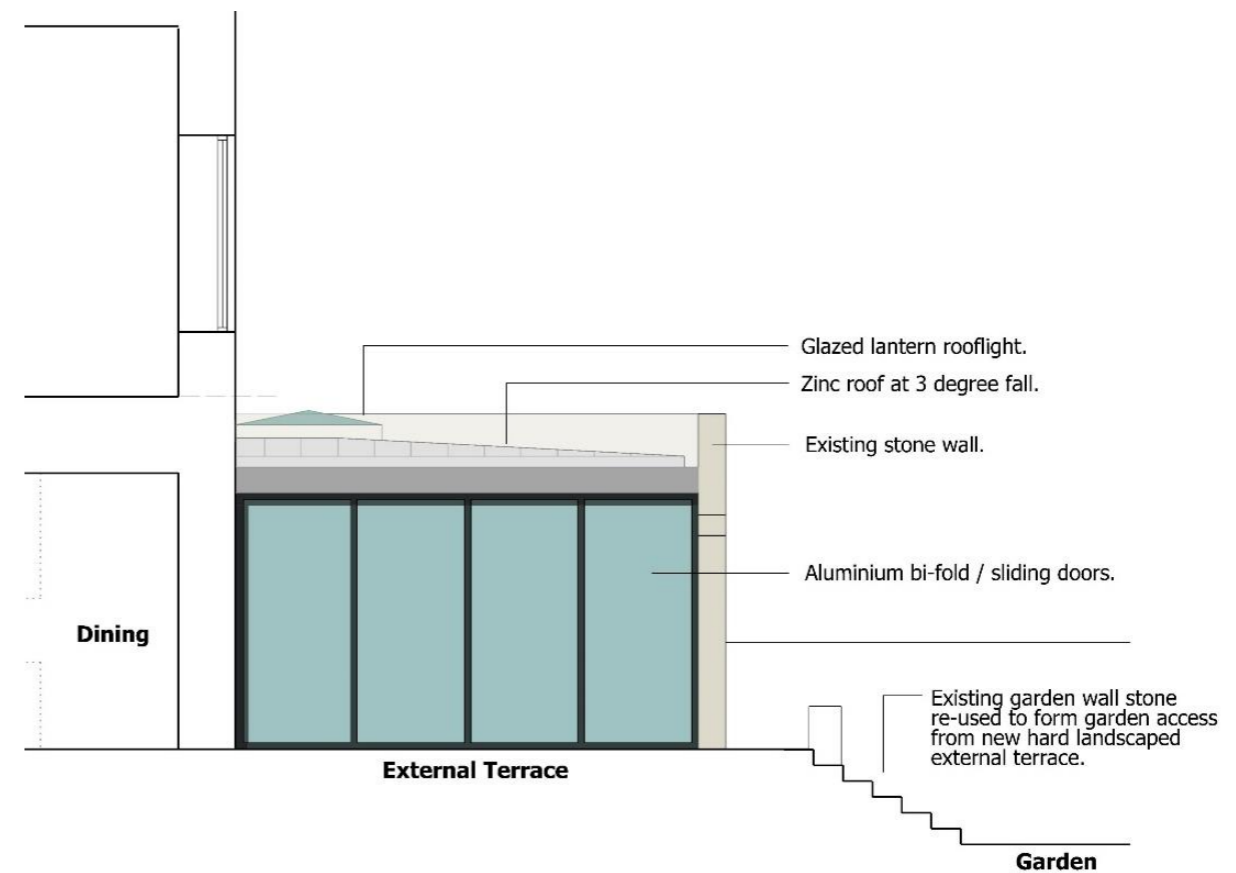
Proposals as submitted



Proposed Roof Plan



Stone wall enclosing existing single storey out-shoot retained with new single storey extension formed predominantly within the existing footprint. New opening formed in rear wall to create open plan kitchen, dining and living space.



Proposed Ground Floor Plan

Proposed visualisation



Day view from external terrace

Application Assessment

Application Assessment

Following registration the first assessment of the application was carried out by Historic Environment Scotland with feedback provided on 28th March 2019. The HES observations were made, as far as we are aware, without the benefit of a site visit.

The following day a site visit was carried out by the planning officer. The planning officer then provided initial comments which were based entirely on the HES response.

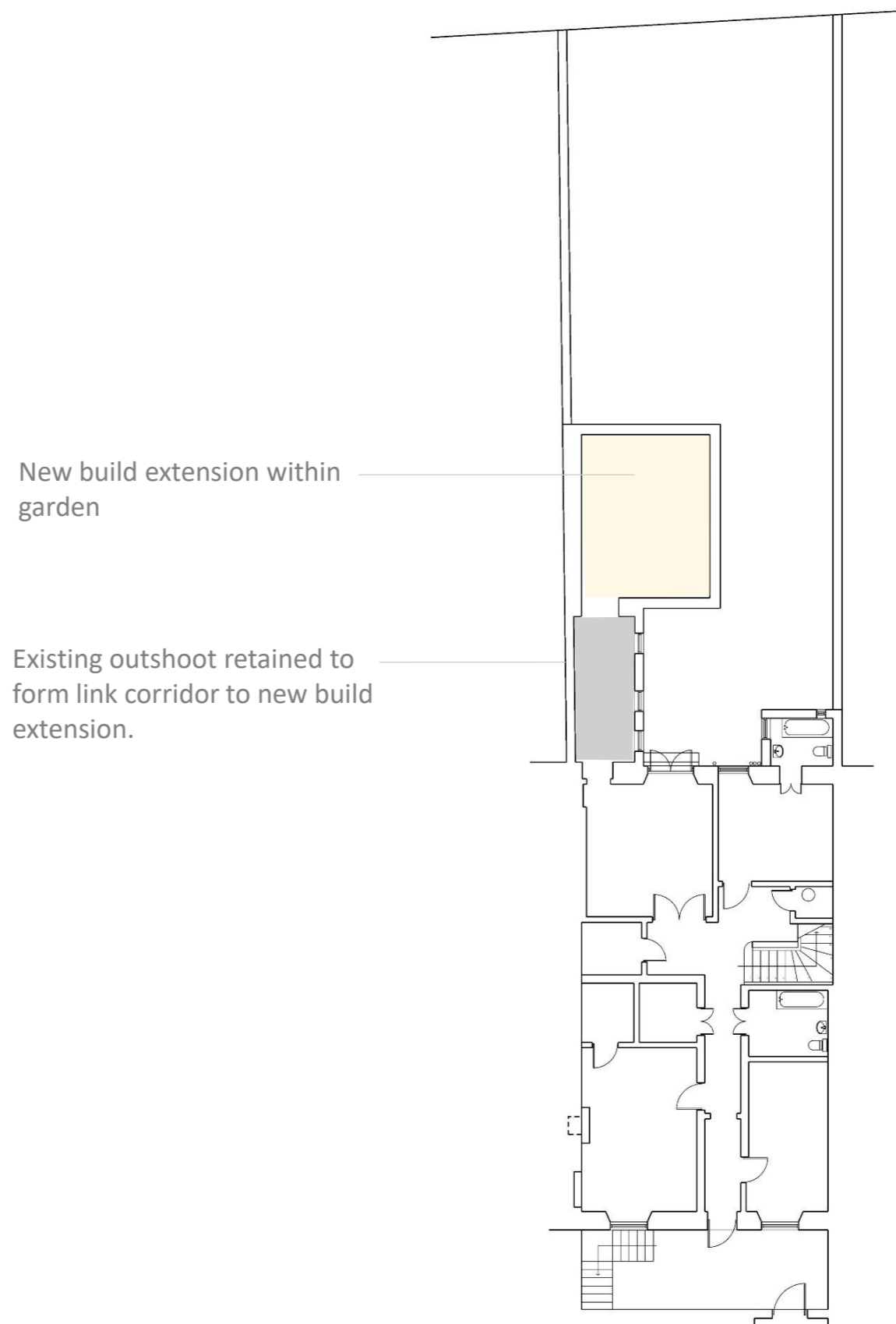
HES recommended that the impact on the historical fabric should be minimised and that any new intervention should appear to be subservient to the existing building. Our proposals had been carefully designed to achieve exactly this with the outshoot wall and footprint retained and new glazing and roof planes sliding behind the historical stone walls.

The location of any intervention was also carefully considered to ensure that as far as possible only those elements of the building fabric which had historically been altered were affected.

HES cited the increased width along the rear façade of the proposals however the proposals represent less than 25% of the rear façade width.

HES also proposed an alternative design which used the existing outshoot as a link corridor to a new build extension in the garden. However this would, although providing the additional internal space, have a far greater impact on the existing character of the rear gardens.

It appears that the initial response from HES, despite being carried out as a desktop exercise, significantly informed the planning response and resulted in a position being taken from which it was difficult to move from.



Alternative proposal suggested by Historic Environment Scotland

Application Assessment

We were grateful that, following the initial feedback, the planning officer did subsequently enter into dialogue and that through this a fuller discussion on the proposals took place.

Through these discussions the following proposals were accepted in principle;

- Removal of main façade wall between kitchen door and French doors.
- Removal of out shoot elevation to allow new glazed extension (limited in width to centre line of existing French doors part infilled with existing stone).

The above proposals would in-fill one half of the existing French doors aligning the ground floor extension with the window pattern of the upper floors. However we believe that this approach sterilises somewhat the staggered, random pattern of the ground floor outshoots in relation to the upper floors which is a strong characteristic of the existing context and which the original application retained. The resulting room created would also be narrow to the point of being unusable.

We believe that the design of the original proposals was carefully considered, minimised the impact on the historical fabric, appeared subservient and retained the character of the historical setting.

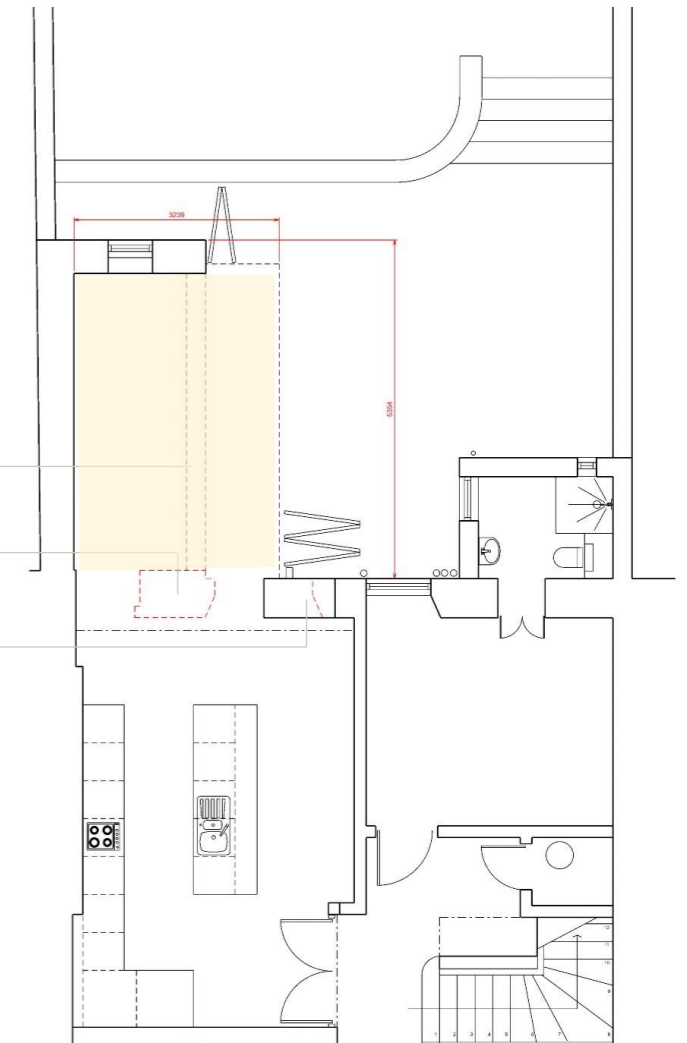
We believe that the HES comments created a difficult starting position for the planning officer and on this basis we wish to appeal the decision to refuse consent for the original proposals.

Agreed in principle

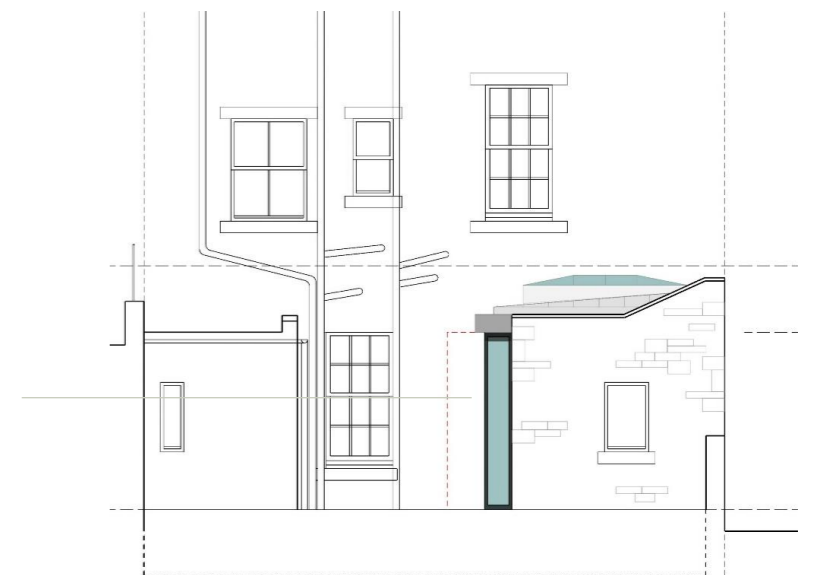
Removal of out shout wall

Removal of main façade wall

In fill half of existing French doors



By in filling half of the existing French door opening the ground floor extension would line with the window openings of the upper floors somewhat sterilising the staggered pattern of ground floor outshoots.



Alternative plan and elevation proposal suggested by CEC Planning

Summary

Summary

In terms of design and scale we believe that the original proposals were fully in the spirit of the Listed Building and Conservation Areas guidance. The width and scale of the extension does not have any significant impact on the character of the rear elevation and gardens and sits subserviently within the existing walls of the out shoot.

In relation to the existing historical fabric proposed to be removed we acknowledge that referring to precedence can be dangerous however we would note that, in relation to a number of recently approved applications, very little of the existing building fabric is proposed to be removed.

As architects we often find ourselves in the position of tempering clients aspirations for altering listed buildings in order to protect the historical fabric of the city. However in this instance our client has, from the outset, taken a sensible and sensitive approach which we believe is evident in the proposals. We would therefore request that the decision to refuse consent is reconsidered and would welcome the opportunity to discuss the application further.



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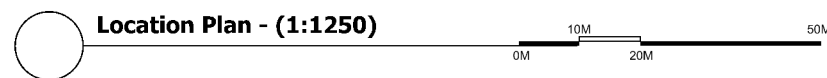
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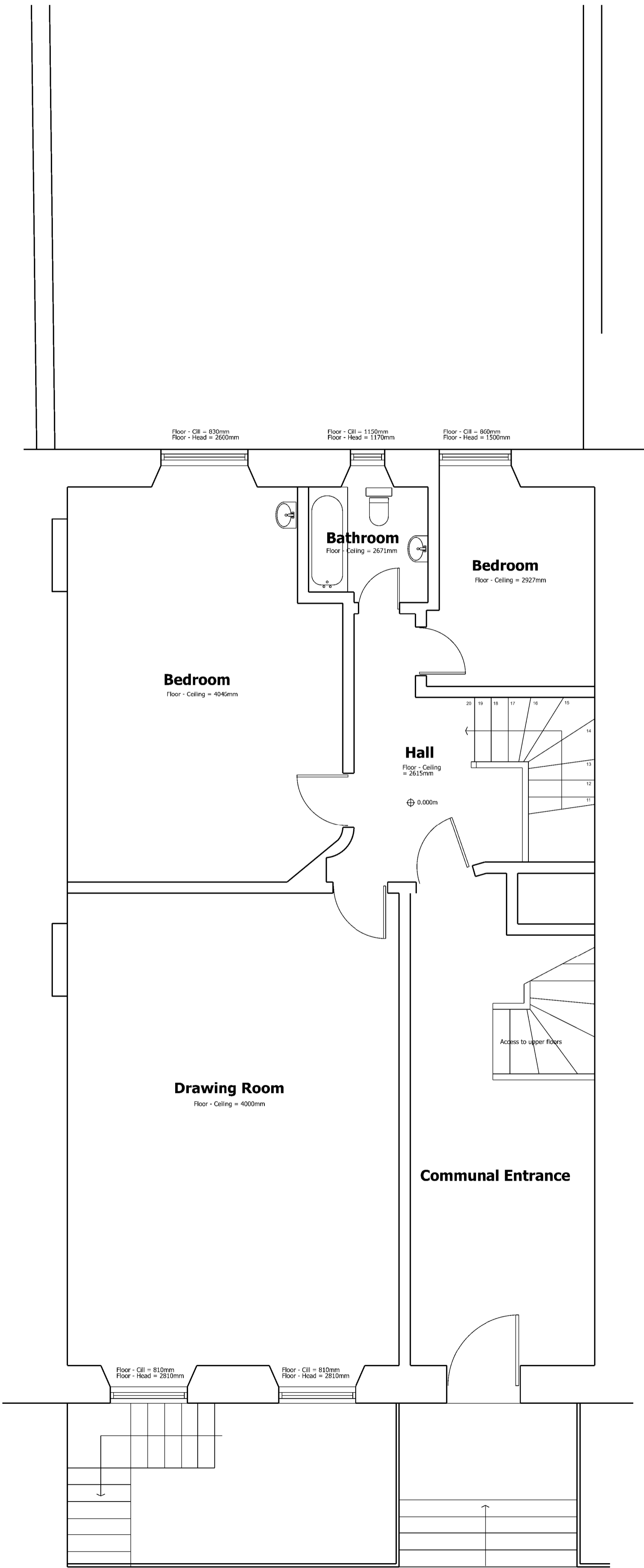
PROJECT:

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Edinburgh, EH4 1PU

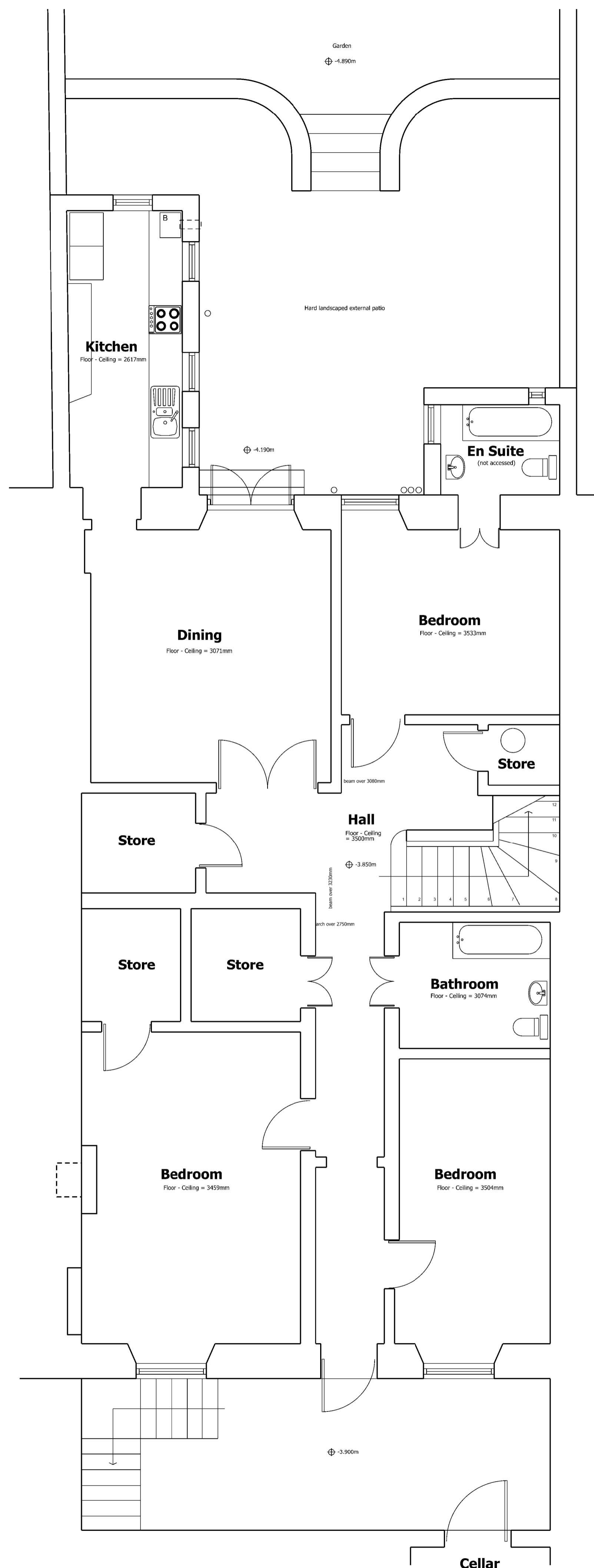
TITLE:

Location Plan

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A3	DRAWING No: L-CIC-001	REV: --



Ground Floor Plan (as existing) 1:50



Garden Floor Plan (as existing) 1:50



Site Plan (as existing) 1:200

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Figured dimensions only to be taken from this drawing. All dimensions are to be checked on site before any work is put in hand IF IN DOUBT ASK

CDM: Hazard Elimination & Risk Reduction has been undertaken and recorded where appropriate, in accordance with the requirements of "The Construction (Design and Management) Regulations 2015" and the "Industry Guidance for Designers"

NOTE: All alterations to structural elements subject to confirmation by structural engineer.

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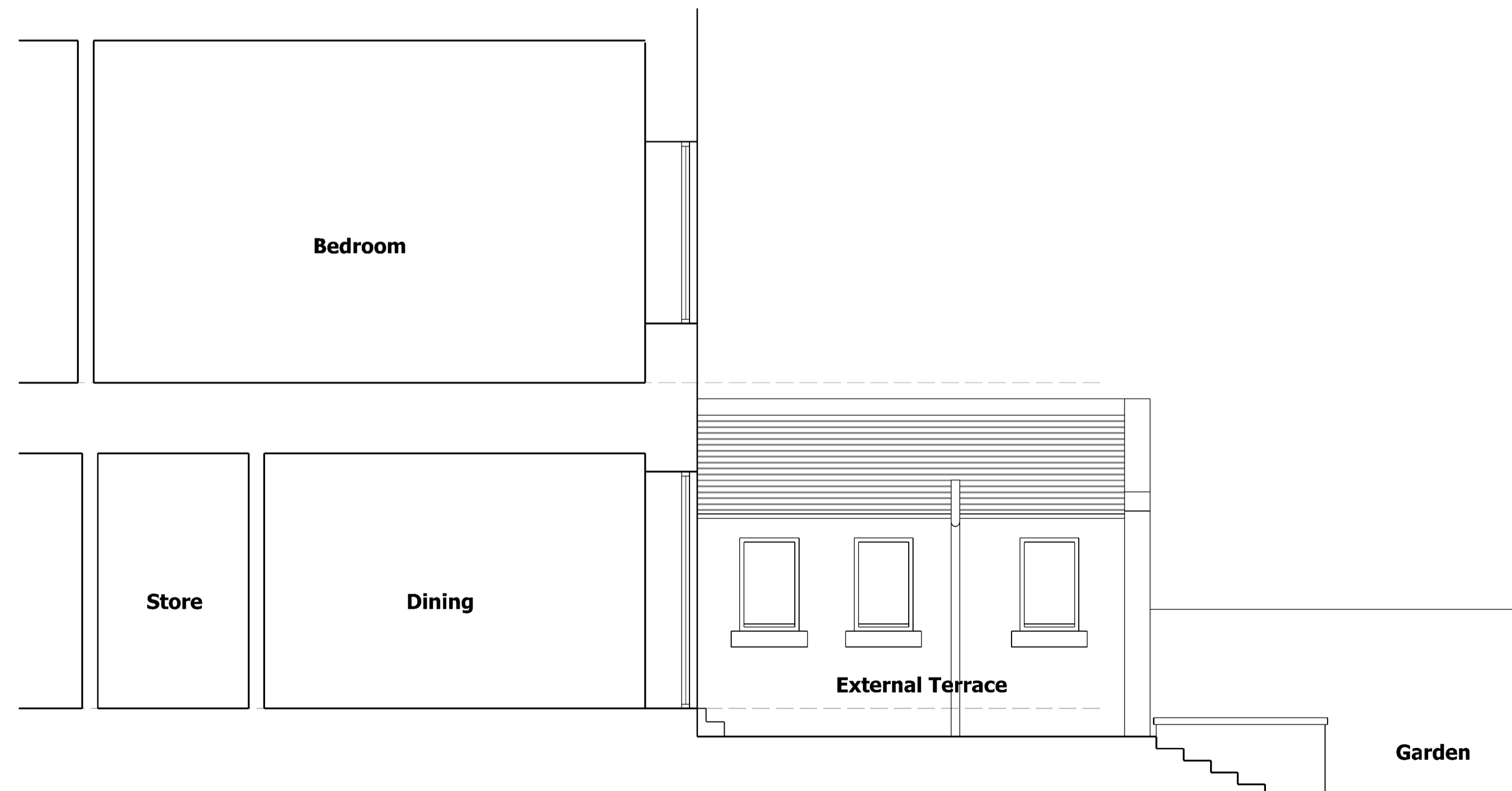
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PROJECT:
13 GF Clarendon Crescent
Edinburgh, EH4 1PU
TITLE:
Plans
(as existing)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A1	DRAWING No: L(CIC)002	REV: 00



North / East Elevation (as existing) 1:50



South / East Elevation (as existing) 1:50

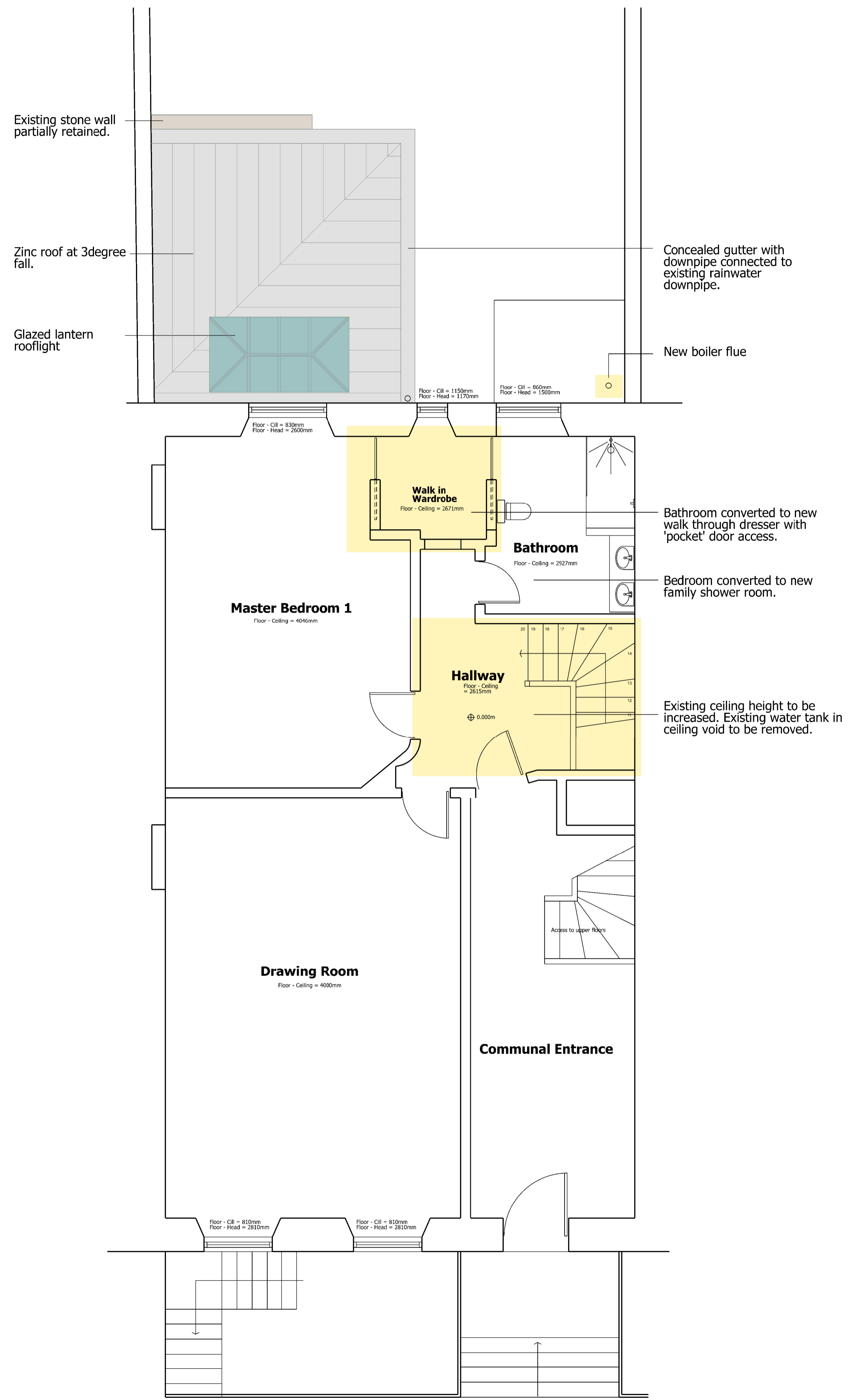
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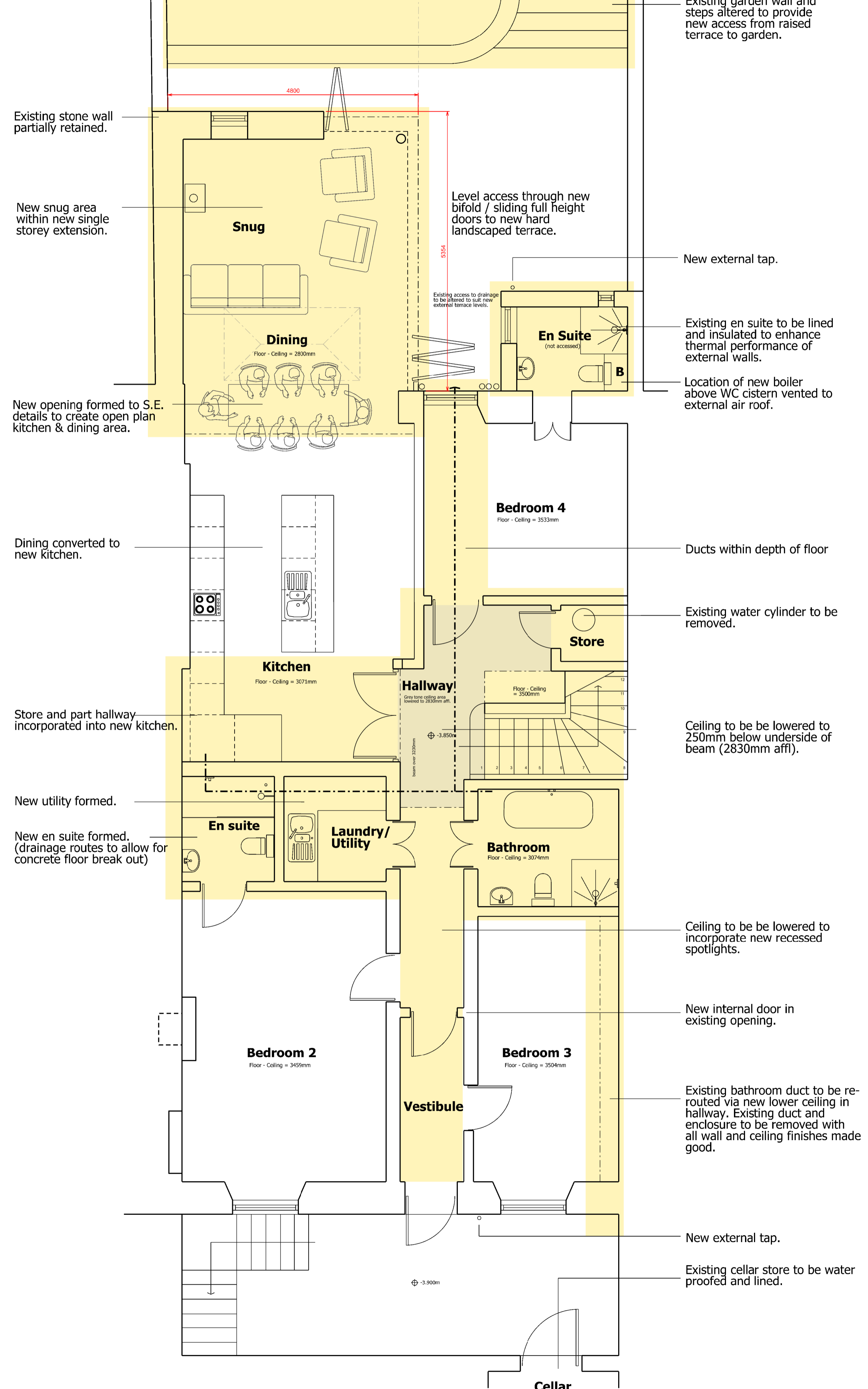
PROJECT:
13 GF Clarendon Crescent
Edinburgh, EH4 1PU
TITLE:
Elevations
(as existing)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A1	DRAWING No: L(CIC)003	REV: 00

- Duct routes
- - - - - Downtakings
- ▨ New Walls
- ▨ Hatched area denotes extent of new works



Ground Floor Plan (as proposed) 1:50



Garden Floor Plan (as proposed) 1:50

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PROJECT:
 13 GF Clarendon Crescent
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 TITLE:
 Floor Plans
 (as proposed)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
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North / East Elevation (as proposed) 1:50



South / East Elevation (as proposed) 1:50

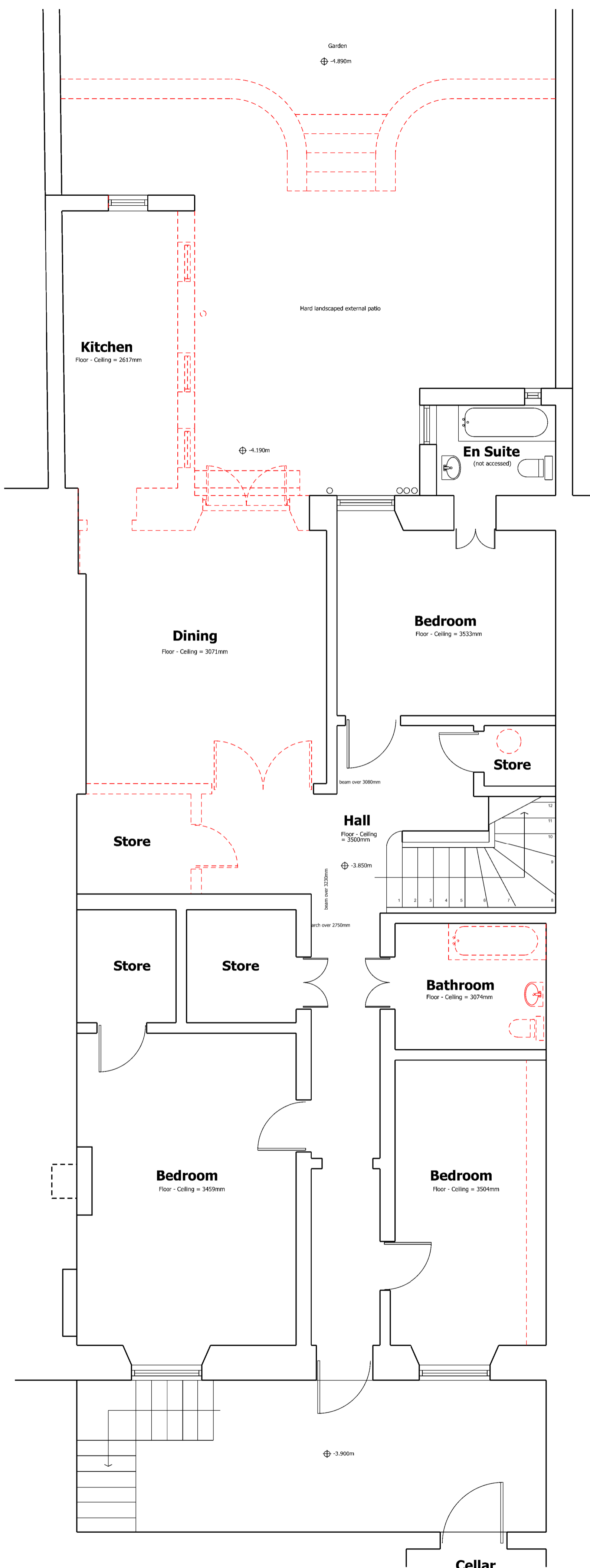
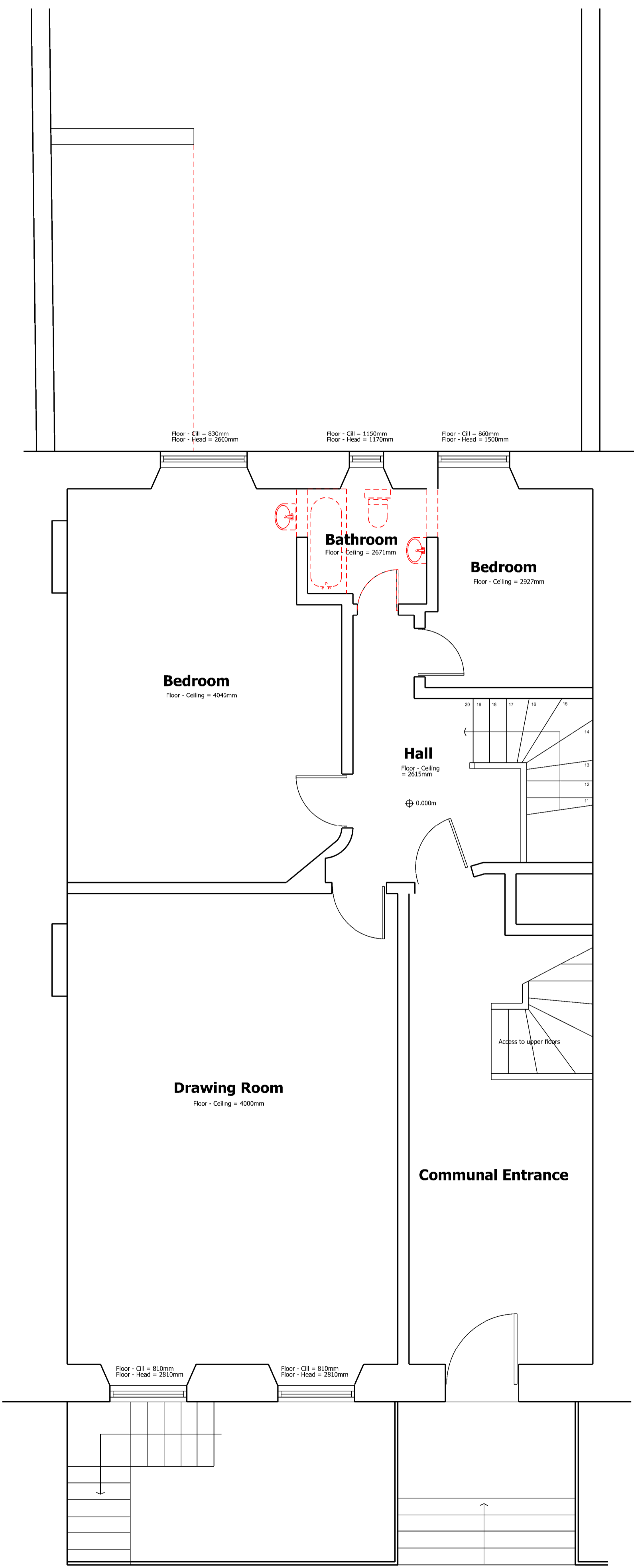
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PROJECT:
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TITLE:
Elevations
(as proposed)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A1	DRAWING No: L(CIC)005	REV: 01

----- Downtakings



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 TITLE:
 Downtaking Plans
 (as proposed)

SCALE @ A1: As Stated	CHECKED: SM	APPROVED: SM
PROJECT No: 19-006	DESIGN-DRAWN: SM	DATE: 20.02.2019
DRAWING STATUS: Planning		
DRAWING Size: A1	DRAWING No: L(CIC)006	REV: 00

Ground Floor Plan 1:50

Garden Floor Plan 1:50