

# Development Management Sub Committee

Wednesday 8 September 2021

**Application for Listed Building Consent 21/03192/LBC  
At 12 Dean Bank Lane, Edinburgh, EH3 5BY  
Alter windows, doors and roof materials from previously  
consented proposals outlined in application 20/01245/LBC  
(as amended).**

**Item number**

**Report number**

**Wards**

B05 - Inverleith

## Summary

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The proposals have special regard to the desirability of preserving the building and its setting and will not adversely impact on its special architectural and historic interest. The proposals preserve the character and appearance of the conservation area.

## Links

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[Policies and guidance for this application](#)

LDPP, LEN03, LEN04, LEN06, HES, HEPS, HESWIN, NSG, CRPNEW,

# Report

## **Application for Listed Building Consent 21/03192/LBC At 12 Dean Bank Lane, Edinburgh, EH3 5BY Alter windows, doors and roof materials from previously consented proposals outlined in application 20/01245/LBC (as amended).**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The application site is Dean Park House, a Georgian villa constructed during the 18th century and subsumed by the creation of Saxe-Coburg Street and Place in the early 19th century. It is category B listed (listed on 14 December 1970 Ref: 29771). Further extensions were added in the late 60s/70s.

The original central hipped-roof villa has later two-storey pavilion wings extending to the rear and lean-to single storey extensions to the outer left and right concealed by tall flanking fin walls with ball finials. Subsequent extensions have been added in the 19th and 20th centuries to the side and rear courtyard.

The principal two storey elevation is mostly hidden from the street, facing a private garden, which is enclosed by a high, ashlar-coped sandstone rubble boundary wall and gates.

The plainer rubble sandstone rear elevation faces the street.

The building is in use as a private residence.

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

#### **2.2 Site History**

5 June 2008 - listed building consent granted for repair works to external envelope of existing house and boundary wall including roof, gutter, chimney and masonry repairs, removal of current mortar and re-pointing in suitable lime mortar, rationalisation of internal spaces to rear, removal of 1960s flat roof, boiler room extension and replacement with slate pitched lean-to extension (planning reference: 08/00821/LBC).

11 December 2008 - planning permission granted for repair works to external envelope of existing house and part of boundary wall including roof, gutter, chimney and masonry repairs, removal of current cement mortar and re-pointing in suitable lime mortar,

removal of 1960's flat roof, boiler room extension and replacement with new slate pitched lean-to extension, based on earlier photographic evidence (planning reference 08/00821/FUL).

3 June 2020 - treeworks agreed without a requirement for a Tree Preservation Order (planning reference: 20/01787/TCO)

13 November 2020 - planning permission granted for alteration and extension of detached house. Proposed separation of one wing as a self-contained studio apartment. Demolition of 3 non-original lean-to extensions and erection of new side extension (planning reference: 20/01244/FUL)

13 November 2020 - listed building consent granted for alteration and extension of detached house. Proposed separation of one wing as a self-contained studio apartment. Demolition of 3 non-original lean-to extensions and erection of new side extension (planning reference: 20/01245/LBC)

7 December 2020 - non-material variation to amend lane elevation by changing the proposed glazed doors to more traditional timber doors ( planning reference: 20/01244/VARY)

27 May 2021 - non-material variation - double glazing of windows and doors, change in roofing material of extensions (planning reference: 20/01244/VAR2)

## **Main report**

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### **3.1 Description Of The Proposal**

It is proposed to upgrade the windows either by insertion of slimline double glazing or secondary glazing. All crown glass will be retained in situ or relocated to other windows to make a full window. Doors will also be upgraded. The infill extension to the rear partially visible from the street will have a lead roof but the modern extension approved to the side will have either a zinc or a lead roof.

Details of window changes are as follows:

Garden elevation (principal elevation) - all the crown glass will be retained with the crown glass from one window being used to supplement those missing from other windows. The remaining window will be double-glazed.

Street elevation (rear elevation) - crown glass from one window on this elevation will be relocated to another window without full crown glass. The other windows on this elevation have plate glass and these will be double glazed.

Side elevation (street elevation) - a crown glass window with panes missing will be supplemented by crown glass from other windows.

Side elevation(west elevation) - crown glass will be removed to make up windows on more visible elevations. The windows will be double glazed.

Windows with crown glass will have secondary glazing.

### *Previous scheme*

The proposals were amended to retain all the crown glass and to confirm the rear extension will have a lead roof. Further details of the double glazing and secondary glazing have been submitted.

## **3.2 Determining Issues**

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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

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

## **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

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

### a) Listed Building

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:

*In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, 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.*

LDP Policy Env 3 (Listed Buildings - Setting) states that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the appearance or character of the building or its setting.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) permits alterations to listed buildings when they are justified, in keeping with its character and can be undertaken without damage to historic structures or diminution of interest.

HES Managing Change guidance on Windows states: *Some types of double-glazing can be incorporated within existing window joinery and may be acceptable where no historic glass remains.*

The amended proposals now ensure the crown glass is retained and moving some of this glass to make up windows without a full complement of crown glass is an acceptable solution which retains the special interest of the listed building. The conservation architect for the works has confirmed he has considerable experience of recycling crown glass successfully.

The remaining plate glass windows will be double glazed and a detail has been provided showing how the two panes will be fitted with slimlite double glazing. A condition has been applied to ensure all sashes and astragals are retained. Shutters will be retained and can be used if necessary but they would be insufficient to meet modern day standards for heat retention as they cannot be closed all the time.

The door changes are minor and apply to a modern plate glass doors and the use of lead for the roof of the rear extension meets the concerns of objectors. The use of zinc on the contemporary new extension to the side would fit with the modern aesthetic and is acceptable.

Historic Environment Scotland has not objected but has suggested that secondary glazing should be used where original crown glass survives. This is proposed for the windows where the crown glass has been inserted to make a full complement. The other windows with non-original plate glass will be double glazed. This is in line with HES Managing Change guidance on Windows and the Council's own non-statutory guidance on Listed Buildings and Conservation Areas. The original frames and sashes will be retained and slimlite double glazing inserted. This is now a common alteration in listed buildings in Edinburgh to improve the sustainability of the historic environment and will retain the authenticity and aesthetic appeal of the building.

The proposals comply with LDP policies Env 3 and Env 4 and HES Managing Change guidance.

#### b) Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

*"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."*

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 character appraisal.

The New Town Conservation Area Character Appraisal also notes that "The New Town Conservation Area represents a planned urban concept of European significance with an overriding character of Georgian formality. Stone built terrace houses and

tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves."

The amended proposals will mean a more consistent pattern of crown glass in full windows. The appearance of the conservation area will be unaffected. The retention of the crown glass and the use of appropriate materials for the roof coverings will ensure that the traditional character of the conservation area is preserved.

The proposals comply with policy Env 6.

### c) Public Comments

#### **Material comments - objections:**

- double glazing inappropriate in listed buildings - addressed in section 3.3a)
- original historic windows and their glazing should be retained - addressed in section 3.3a)
- double glazing unnecessary when there are working shutters - addressed in section 3.3 a)
- crown glass should be retained - addressed in section 3.3a)
- no information on current condition of the window sashes, the type and condition of the astragals, including thickness and moulding details - addressed in section 3.3a)
- aesthetic appeal and authenticity of our built heritage - addressed in section 3.3a)
- zinc inappropriate for rear extension - addressed in section 3.3 a)

#### **Non-material comments**

##### Conclusion

The proposals have special regard to the desirability of preserving the building and its setting and will not adversely impact on its special architectural and historic interest. The proposals preserve the character and appearance of the conservation area.

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

#### **3.4 Conditions/reasons/informatives**

##### **Conditions:-**

1. For the avoidance of doubt, all existing sashes and astragals shall be retained in the course of the reglazing hereby approved.

##### **Reasons:-**

1. In order to safeguard the character of the statutorily listed building.

##### **Informatives:-**

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

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

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

Ten objection comments and a neutral comment have been received.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

Urban area

**Date registered**

10 June 2021

**Drawing numbers/Scheme**

01, 2A-6A, 7, 8,

Scheme 2

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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

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

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

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

#### **Relevant Government Guidance on Historic Environment.**

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

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

#### **Relevant Non-Statutory Guidelines**

**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

## **Application for Listed Building Consent 21/03192/LBC At 12 Dean Bank Lane, Edinburgh, EH3 5BY Alter windows, doors and roof materials from previously consented proposals outlined in application 20/01245/LBC (as amended).**

### **Consultations**

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#### **Historic Environment Scotland**

*Listed at category B, 12 Dean Bank Lane is a late 18th century classical, piend-roofed villa with pavilion wings extending to the rear. It occupies a prominent position within the surrounding Saxe-Coburg residential area and pre-dates this early 19th century development built on land once forming part of the villa's formal garden.*

*A clear sense of this building's prominent position can be seen from its rear elevation, which has an uninterrupted view onto and from Saxe Coburg Place, underlining both the historical and an architectural connection between the two that lends significant streetscape value to Deanbank House and its boundary wall as well. The house's principal elevation faces the garden and various extensions/additions can be noted, including a 1968 kitchen addition within the rear courtyard by the architect Michael Laird.*

#### **Proposals**

*The applicants seek to amend the previously consented application 20/01245/LBC to alter windows, doors and the new extensions' roofing materials. We consider the amended alterations to the concerned doors and roofing materials are acceptable, but would like to make the following comments regarding the window alterations.*

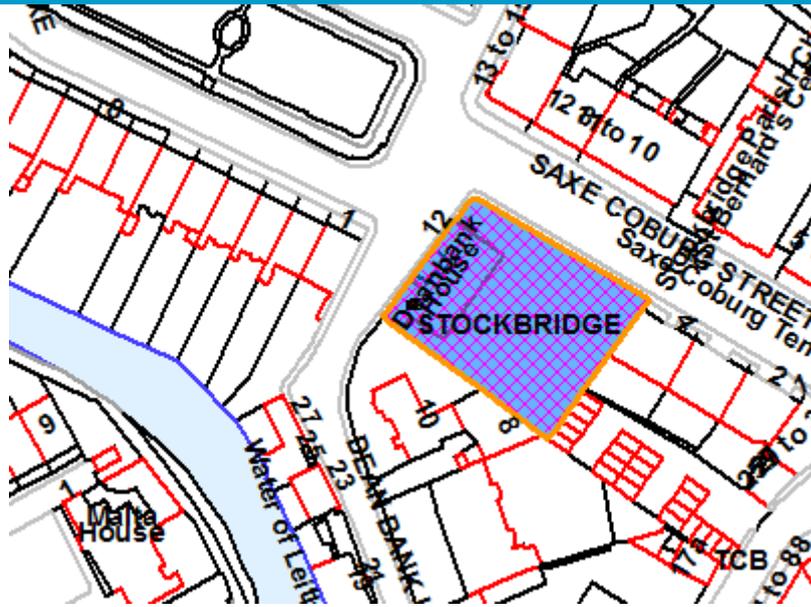
#### **Comments**

*Original and historic windows make a substantial contribution to the character and appearance of a listed building and there should be a presumption for their retention, prioritising overhaul and repair over replacement.*

*We note that under the amended proposals, many of the original/historic windows would be refurbished with narrow-section double-glazing and draughtproofing, while retaining their timber sash and cases and (predominantly) six-over-six glazing pattern. For the avoidance of doubt, if a majority of original glass survives within these affected windows, we advise it is retained and that secondary glazing could be installed instead of re-glazing the existing timber frames, to help protect the special architectural and historic interest of Deanbank House.*

## Location Plan

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