

Development Management Sub Committee

Wednesday 24 November 2021

**Application for Listed Building Consent 21/02181/LBC
at 43 - 45 Salisbury Road, Edinburgh, EH16 5AA.
Installation of external ducts.**

Item number

Report number

Wards

B15 - Southside/Newington

Summary

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposal has 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 proposal will preserve the character and appearance of the conservation area.

Links

[Policies and guidance for this application](#)

HES, HESCON, HESEXF, LDPP, LEN04, LEN06, NSG, NSLBCA, NSBUS,

Report

Application for Listed Building Consent 21/02181/LBC at 43 - 45 Salisbury Road, Edinburgh, EH16 5AA Installation of external ducts.

Recommendations

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

Background

2.1 Site description

Salisbury Boutique Hotel sits on the northern side of Salisbury Road occupying pair of semi-detached, symmetrical two storey and raised basement, sandstone constructed, classical style former townhouses, circa 1825, category B listed (item no. 29757). This application site is located within the Southside Conservation Area. This application site is located within the Blasket Conservation Area.

2.2 Site History

13 Oct 2020 Refused planning permission for installation of external duct (Ref: 20/03334/FUL).

15 Oct 2020 Refused listed building consent for installation of external duct (Ref: 20/03335/LBC).

21 April 2021 Pending planning permission for installation of external ducts (Ref: 21/02182/FUL).

Main report

3.1 Description of the Proposal

Planning permission is sought for the installation of two 200mm diameter flues on the rear of the building. The flues will rise to above the eaves height of the rear elevation.

They will be painted a stone colour to match the existing stonework on the elevation.

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.

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

a) Listed Building

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.

Historic Environment Scotland's guidance note Managing Change in the Historic Environment sets out the principles that apply to alterations to historic buildings. Alterations to external fixtures applies to this proposal. It states that new external fixtures must be sited to minimise impact on the architectural integrity and fabric of the building. Secondary elevations, outbuildings and roof valleys or flats that are out of sight from principal views can often accommodate new fixtures without significant impact. Close attention to the routing of any pipework away from principal elevations and features will help to minimise the visual effect.

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

Permission was previously refused for a 400mm flue on the rear due to it being twice the width of a normal down pipe, creating an over-dominant and unsympathetic addition to that part of the building. The pipe would have appeared out of character given its width in comparison to other pipework in the locality.

In this instance, the currently proposed pipes are narrower, and more appropriate and in keeping with the size of other installed flues in the vicinity. The smaller flues will be painted a stone colour to match the existing stone to ensure they are less visibly intrusive, in compliance with HES guidance.

Given the scale of the pipework and means of attachment to the rear elevation, the proposal will not result in unnecessary damage to the building or diminish the building's historical interest.

With reference to Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the proposed alterations can be carried out without serious detriment to its character. The proposal will have regard to the desirability of preserving the building and its setting and the special features of historic and architectural interest that it possesses, in compliance with the act and HES guidance.

The proposal represents a sympathetic addition to the rear elevation, that will not have an adverse impact on the listed buildings interest, in compliance with LDP Policy Env 4.

b) Conservation Area

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.

Planning Advice Note 71 on Conservation Area Management recognises conservation areas need to adapt and develop in response to the modern-day needs and aspirations of living and working communities.

Furthermore, Policy Env 6 (Conservation Areas) presumes against development that does not preserve or enhance the special character and appearance of the conservation area or that is inconsistent with the conservation area character appraisal.

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

The proposed external ducts lie on the rear elevation from the ground floor to above eaves level. Being to the rear of the building, its impact on the character of the neighbourhood will be reduced. The ducts will rise above the eaves but will be painted stone to match the colour of the existing stonework which will minimise their visual impact.

With reference to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposal will have minimal impact and preserve the character and appearance of the conservation area, and is in compliance with LDP Policy Env 6.

Historic Environment Scotland (HES) was consulted on the proposal and has raised no objection to the works.

c) Equalities and human rights

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

d) Public Comments

Seven letters of objections were received raising the following issues -

Material considerations

- Incongruous addition- addressed in Section 3.3a;
- Impact upon listed building- addressed in Section 3.3a;
- Impact upon Blasket Conservation Area- addressed in Section 3.3b;

Non-material considerations

- Various concerns relating to ongoing enforcement case for erection of decking in the rear garden ground and
- Existing noise disturbance and anti-social impact as a result of use of premises.

The following matters are not a material considerations in this application for listed building consent and are assessed in the accompanying application for planning permission.

- Fumes and pollution and
- Noise disturbance of the duct.

Conclusion

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposal has 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 proposal will 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

Informatives

It should be noted that:

1. This consent is for Listed Building Consent only. Work must not begin until other necessary consents, e.g. Planning Permission, have been obtained.
2. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

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

7.1 The sustainability impact has been assessed as follows:

This application meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Seven letters of objection have been received in relation to the proposal.

Background reading/external references

- 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**

Edinburgh Local Development Plan.

Date registered

21 April 2021

Drawing numbers/Scheme

01-02,

Scheme 1

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Sonia Macdonald, Planning Officer

E-mail:sonia.macdonald@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant Government Guidance on Historic Environment.

Planning Advice Note 71 on Conservation Area Management recognises conservation areas need to adapt and develop in response to the modern-day needs and aspirations of living and working communities.

Managing Change in the Historic Environment: External Fixtures sets out Government guidance on the principles that apply to altering the external fixtures of listed buildings.

Relevant policies of the Local Development Plan.

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

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

Appendix 1

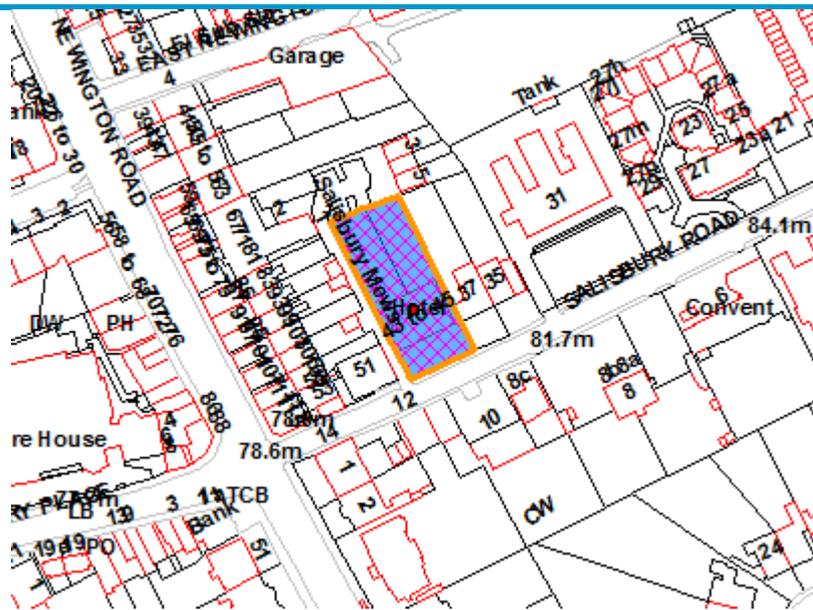
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Consultations

Environment Scotland response

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

Location Plan



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