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Ms Gundula Thiel.
C/o Agent

Decision date: 21 October 2021

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

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

Application No: 21/04427/FUL

DECISION NOTICE

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

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

Conditions:-

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

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

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

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

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

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

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



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

**Application for Planning Permission
2F 10 Randolph Crescent, Edinburgh, EH3 7TT**

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

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

Recommendation

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

Summary

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

SECTION A – Application Background

Site Description

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

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

Description of the Proposals

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

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

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

Relevant Site History

20/02744/FUL

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

Refused

21 October 2020

20/02745/LBC

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

Refused

16 September 2020

21/04428/LBC

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

Refused

18 October 2021

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 21 October 2021

Date of Advertisement: 10 September 2021

Date of Site Notice: 10 September 2021

Number of Contributors: 1

Section B - Assessment

Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the Planning Acts, regard is to be had to the

development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

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

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

Do the proposals comply with the development plan?

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

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

Assessment

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

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

a) Character and appearance of conservation area

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

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

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

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

b) Impact on the Listed Building

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

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

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

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

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

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

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

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

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

c) Residential Amenity

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

d) Equalities and human rights

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

e) Public Comments and Consultations

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

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

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

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

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 19 August 2021

Drawing Numbers/Scheme

01-04

Scheme 1

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

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

Appendix 1

Consultations

No consultations undertaken.

Comments for Planning Application 21/04427/FUL

Application Summary

Application Number: 21/04427/FUL

Address: 2F 10 Randolph Crescent Edinburgh EH3 7TT

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

Case Officer: Rachel Webster

Customer Details

Name: Dr The Architectural Heritage Society of Scotland

Address: 15 Rutland Square, Edinburgh EH1 2BE

Comment Details

Commenter Type: Amenity Body

Stance: Customer objects to the Planning Application

Comment Reasons:

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

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

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

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

We therefore object to this application.