

Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: [planning.support@edinburgh.gov.uk](mailto:planning.support@edinburgh.gov.uk)

Applications cannot be validated until all the necessary documentation has been submitted and the required fee has been paid.

Thank you for completing this application form:

ONLINE REFERENCE 100520257-001

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

## Applicant or Agent Details

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

Applicant  Agent

## Agent Details

Please enter Agent details

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

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

Individual  Organisation/Corporate entity

## Applicant Details

Please enter Applicant details

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

## Site Address Details

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

Please identify/describe the location of the site or sites

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

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

## Type of Application

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

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

What does your review relate to? \*

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

## Statement of reasons for seeking review

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

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

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

Please see Appeal Statement

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

Yes  No

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

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

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

## Application Details

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

21/04427/FUL

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

19/08/2021

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

21/10/2021

## Review Procedure

The Local Review Body will decide on the procedure to be used to determine your review and may at any time during the review process require that further information or representations be made to enable them to determine the review. Further information may be required by one or a combination of procedures, such as: written submissions; the holding of one or more hearing sessions and/or inspecting the land which is the subject of the review case.

Can this review continue to a conclusion, in your opinion, based on a review of the relevant information provided by yourself and other parties only, without any further procedures? For example, written submission, hearing session, site inspection. \*

Yes  No

In the event that the Local Review Body appointed to consider your application decides to inspect the site, in your opinion:

Can the site be clearly seen from a road or public land? \*

Yes  No

Is it possible for the site to be accessed safely and without barriers to entry? \*

Yes  No

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

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

## Checklist – Application for Notice of Review

Please complete the following checklist to make sure you have provided all the necessary information in support of your appeal. Failure to submit all this information may result in your appeal being deemed invalid.

Have you provided the name and address of the applicant?. \*

Yes  No

Have you provided the date and reference number of the application which is the subject of this review? \*

Yes  No

If you are the agent, acting on behalf of the applicant, have you provided details of your name and address and indicated whether any notice or correspondence required in connection with the review should be sent to you or the applicant? \*

Yes  No  N/A

Have you provided a statement setting out your reasons for requiring a review and by what procedure (or combination of procedures) you wish the review to be conducted? \*

Yes  No

Note: You must state, in full, why you are seeking a review on your application. Your statement must set out all matters you consider require to be taken into account in determining your review. You may not have a further opportunity to add to your statement of review at a later date. It is therefore essential that you submit with your notice of review, all necessary information and evidence that you rely on and wish the Local Review Body to consider as part of your review.

Please attach a copy of all documents, material and evidence which you intend to rely on (e.g. plans and Drawings) which are now the subject of this review \*

Yes  No

Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, approved plans and decision notice (if any) from the earlier consent.

## Declare – Notice of Review

I/We the applicant/agent certify that this is an application for review on the grounds stated.

Declaration Name: Miss Lucy Moroney

Declaration Date: 17/01/2022



## **APPEAL STATEMENT**

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

**2F, 10 RANDOLPH CRESCENT, EDINBURGH**

**APPLICANT: DR GUNDULA THIEL**

**JANUARY 2022**

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**Appendices:**

Appendix 1: Core Documents

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





## 1. Executive Summary

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

### **Previous Refusal & Reasoning**

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

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

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

### **Key Changes to the Revised Scheme**

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

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

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

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

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

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

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

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

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

## 2. Grounds of Appeal and Case for the Appellant

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

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

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

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

### HES Listing Description

2.3 The HES listing description describes the buildings as follows:

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

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

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

#### Appellants Response

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

Figure 1: Aerial view of properties on Randolph Crescent



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

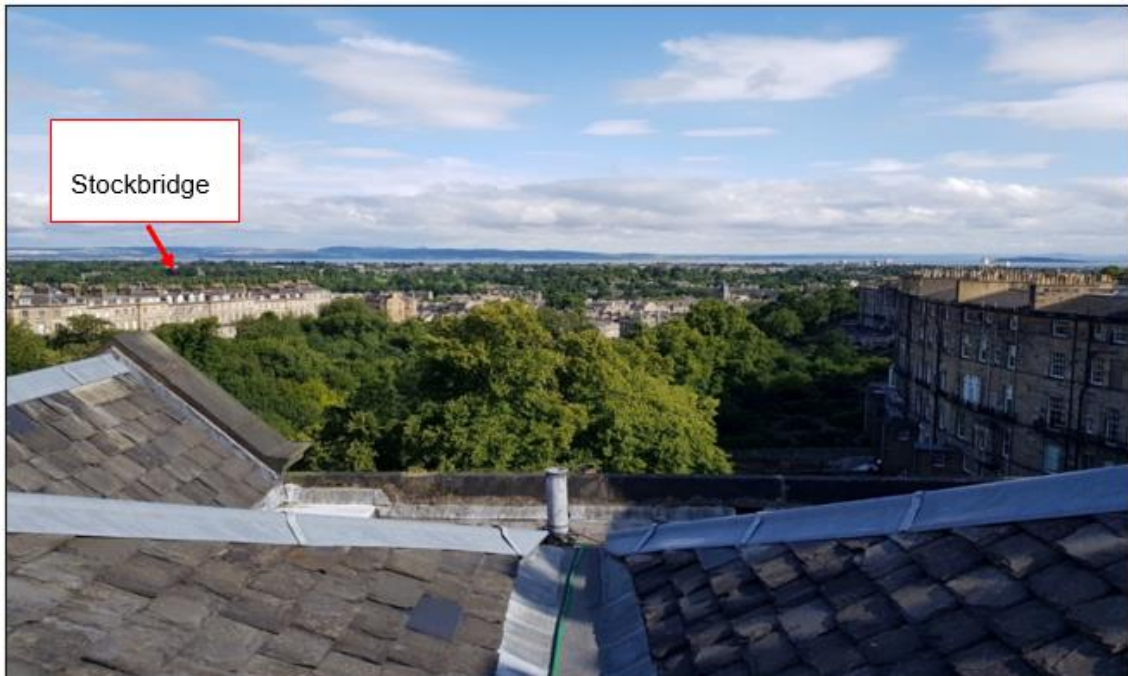


Figure 3: previous alterations to the original roof of no. 10 Randolph Crescent facing rear (north), as evidenced on chimney stack.



Figure 4: Skyline looking over to west of site.



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



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





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

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



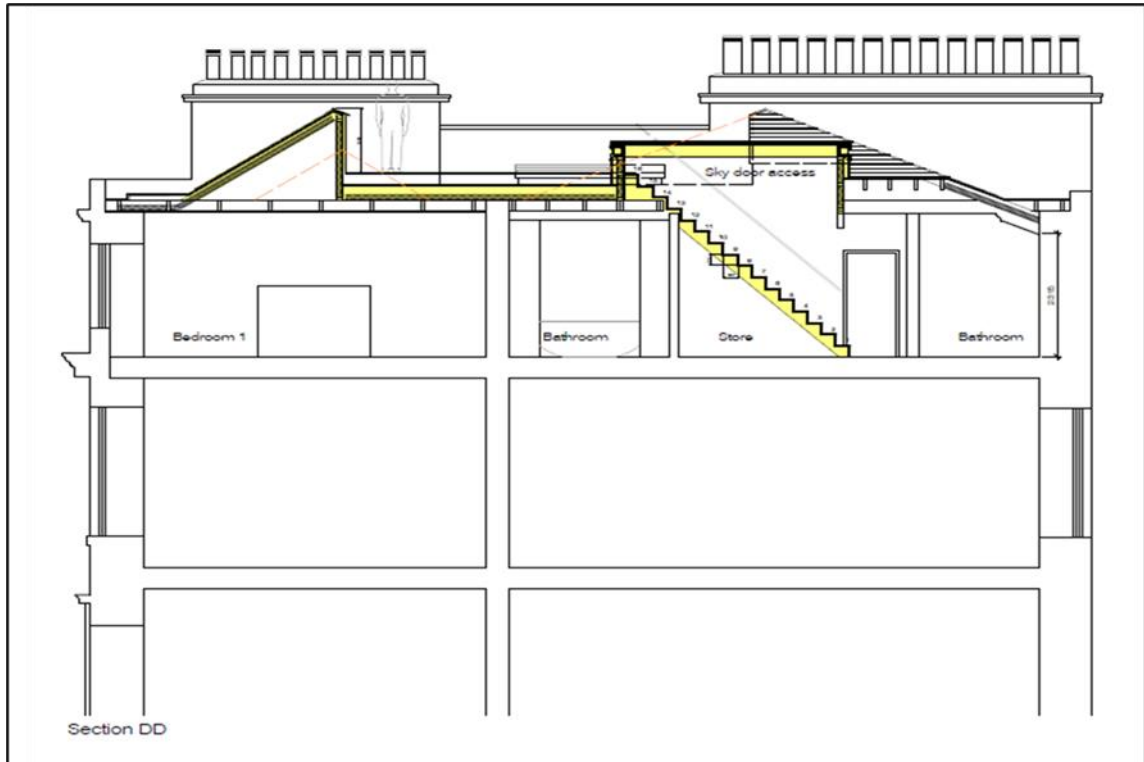
Figure 8: Buckets catching water from the leaking roof.



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

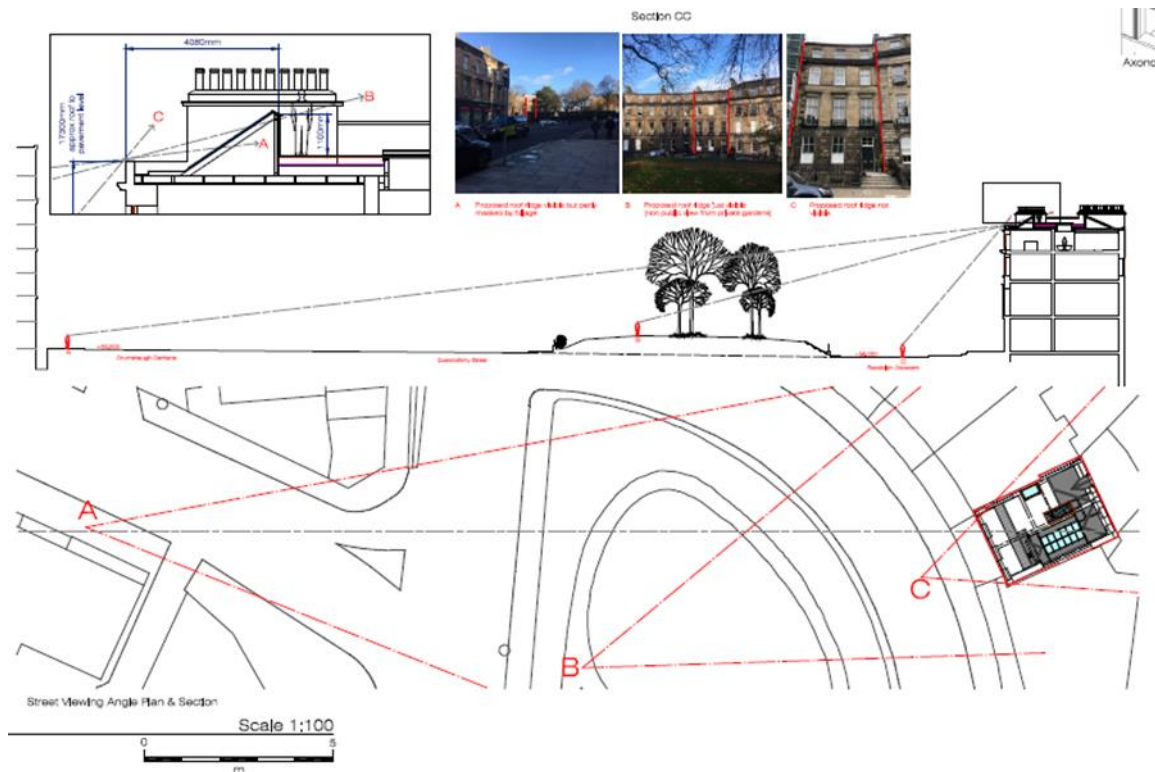


Figure 11: Proposed Sections (Richard Murphy Architects, Drawing No. AL/02/01)



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

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



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

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

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

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

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

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

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

2.34 With regards to application 19/01744/FUL at 21 Grange Terrace, the officer concluded planning approval for the rooftop extension preserved the character and appearance of the conservation area and would not have a detrimental impact on residential amenity.

2.35 Again, officers concluded the proposed roof terrace associated with application 20/02782/FUL at 35 Atholl Crescent would preserve the character of the conservation area, according with the local plan. Planning consent at Circus Lane (LPA Ref: 99/03579/FUL) features a hidden roof terrace which we consider to be a similar approach to which this appeal relates to as illustrated in Figure 13 below.

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





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

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

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

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

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

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

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

***Reporters Comment 1***

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

***Our Response***

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

***Reporters Comment 2***

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

***Our Response***

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

***Reporters Comments 3***

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

***Our Response***

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

***Reporters Comments 4***

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

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

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

***Our Response***

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

***Reporters Comments 5***

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

***Our Response***

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

***Reporters Comments 6***

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

***Our Response***

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

***Reporters Comments 7***

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

***Our Comments***

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

***Reporters Comments 8***

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

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

***Our Comments***

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

***Reports Comments 9***

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

***Our Comment***

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

***Reporters Comments 10***

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

***Our comments***

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

***Reports Comments 11***

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

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

***Our Comment***

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

***Reporters Comment 12***

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

***Our Comment***

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

***Reporters Comments 12***

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

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

***Our Response***

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



### 3. Conclusions

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

# Appendix 1: Core Document

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

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

Core Doc 3: Existing Plans

Core Doc 4: Proposed Plans

Core Doc 5: Planning Statement









## **PLANNING STATEMENT**

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

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

**APPLICANT: DR GUNDULA THIEL**

**AUGUST 2021**

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**Appendices:**

Appendix 1: Site Location Plan

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





# 1. Introduction

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

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

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

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

Table 1.1 Planning Application Documents

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

Table 1.2 Planning Application Drawings/ Plan

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

## 2. Site Context and Key Planning History

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



Figure 1 above: Aerial view of properties on Randolph Crescent

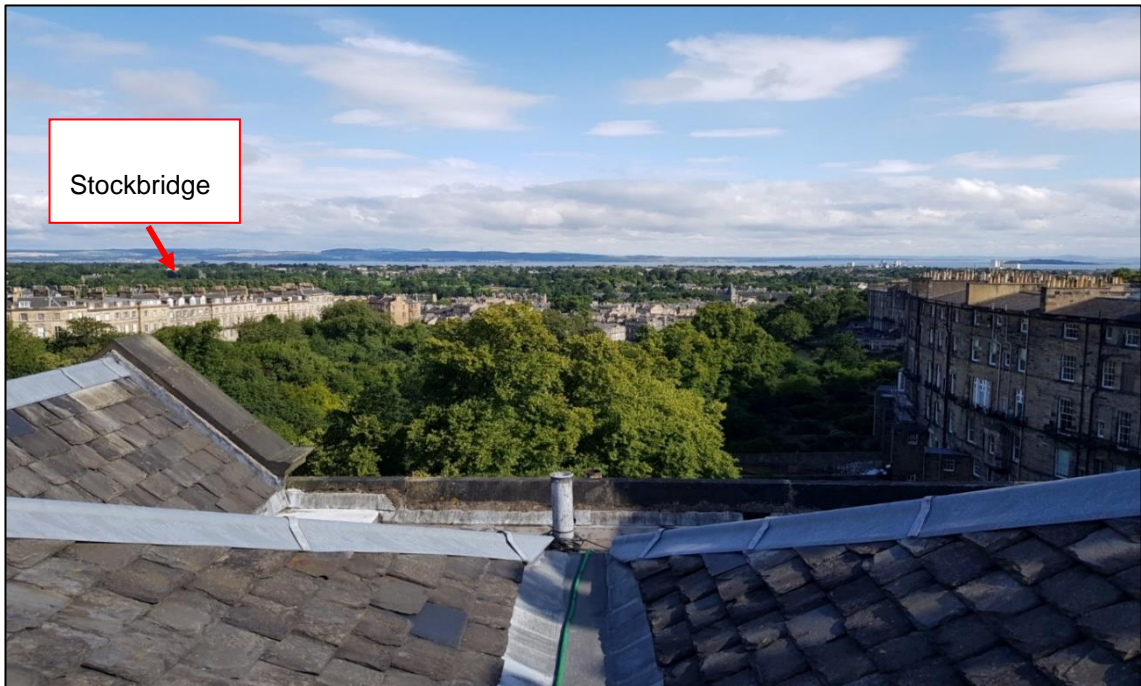


Figure 2 above: skyline looking over the rear (north) of the Site.



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



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

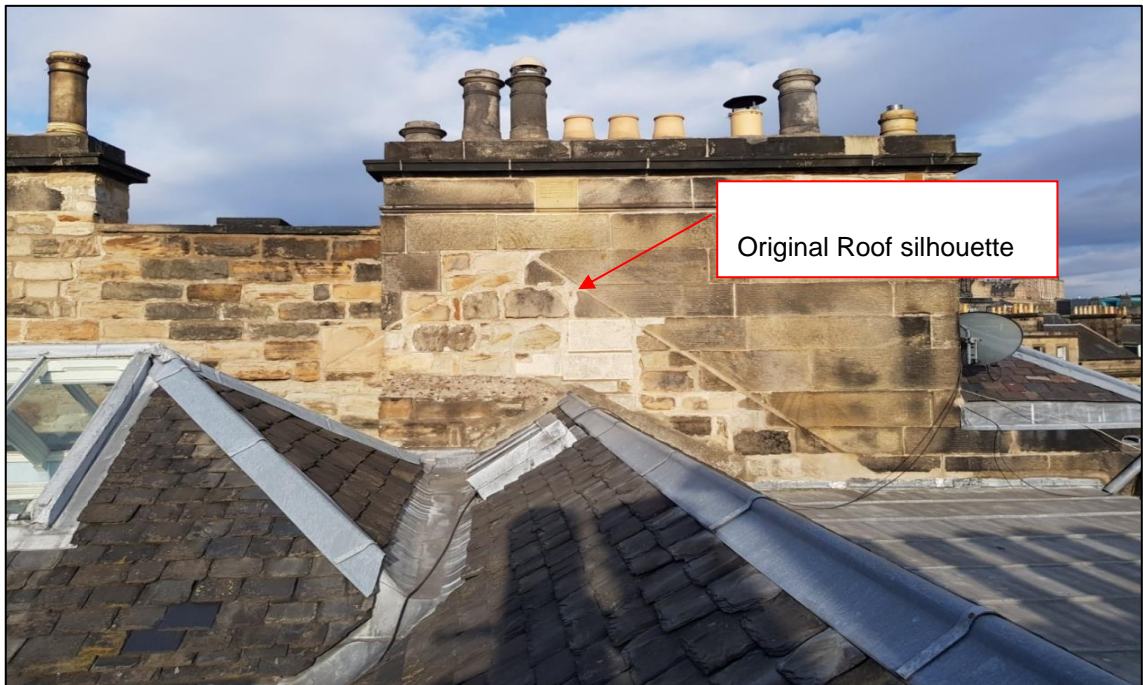


Figure 5 above: previous alterations to the original roof of no.10 Randolph Crescent facing front (southeast)



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

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



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



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

## Planning History

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

## Consultee Responses

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

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

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

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

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

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

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



### ***Neighbouring Applications of Interest***

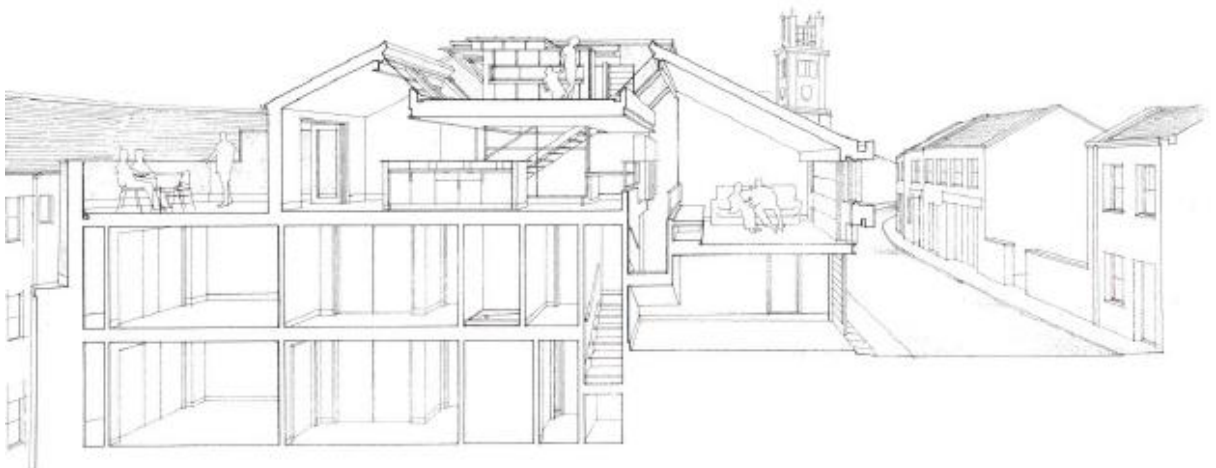
2.14 It is important to note there have recently been several approvals for rooftop developments within the city, and several affecting other listed buildings and conservation areas. We have identified several of these within the table below:

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

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

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

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



17b & 17c Circus Lane  
Edinburgh

### 3. The Development

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

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



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

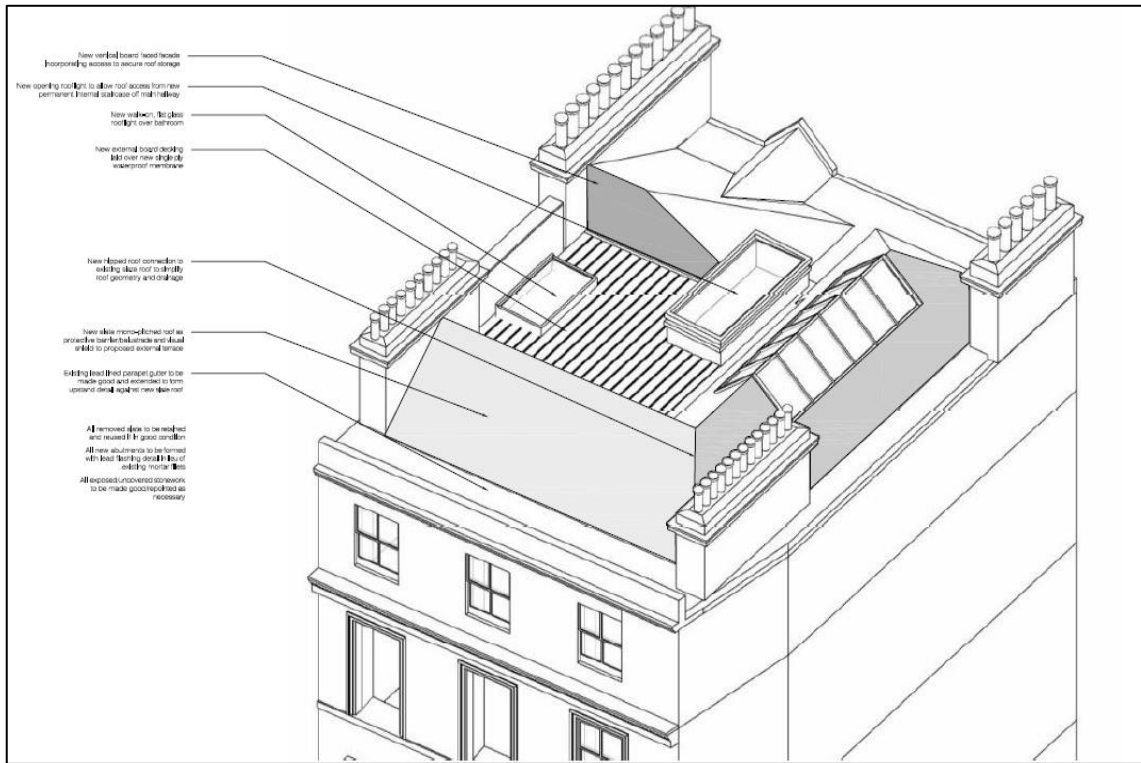


Figure 11: 3D Visual of Proposed Rooftop (Richard Murphy Architects Drawing no. AL/02/02)

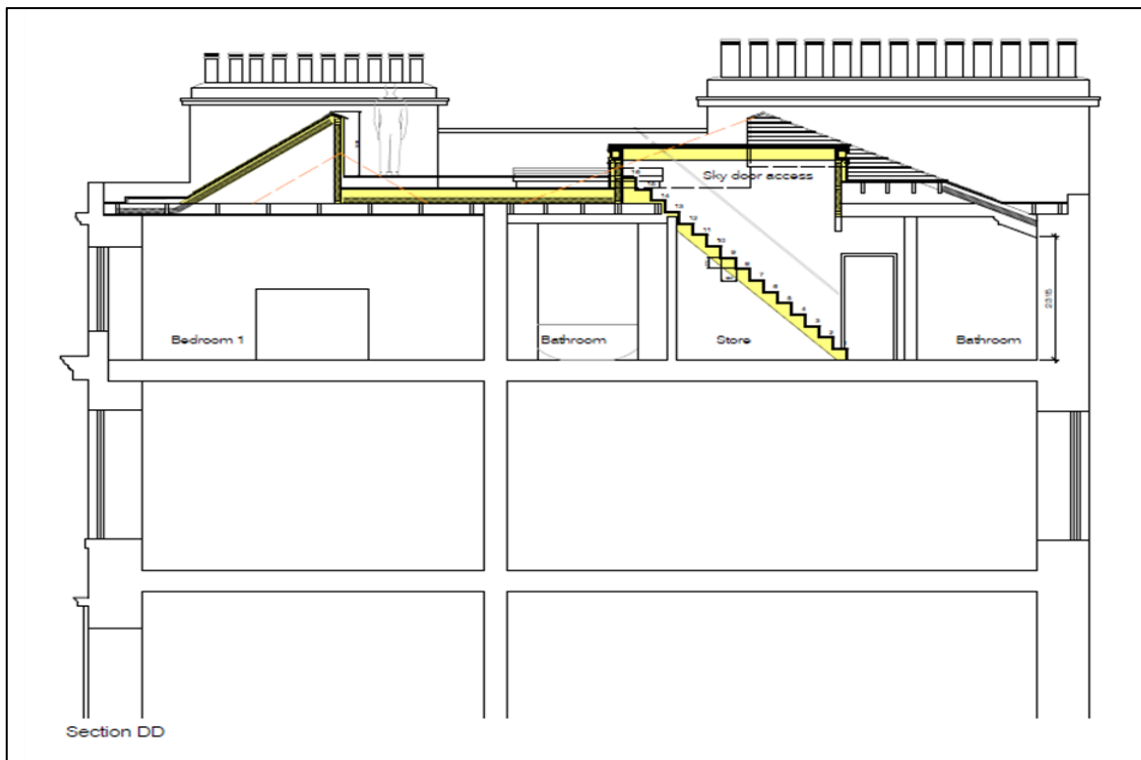


Figure 12: Proposed Sections (Richard Murphy Architects, Drawing No. AL/02/01)

## 4. Planning Policy

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

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

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

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

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

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

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

### Heritage Legislation

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

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

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

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

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

## Site Specific Policies

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

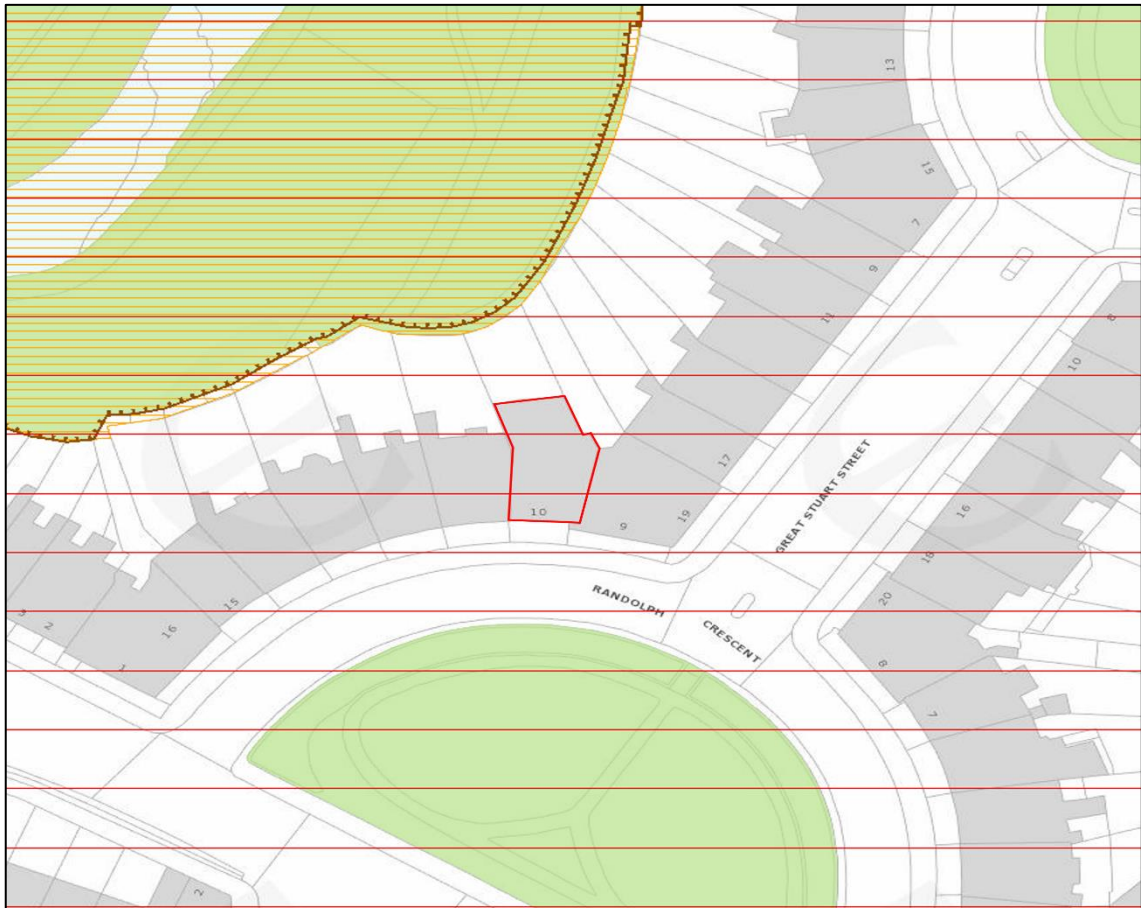


Figure 13 CEC Proposals Map extract. Source: City of Edinburgh Council LDP.

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

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

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

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



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

## **Material Considerations**

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

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

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

## 5. Development Considerations

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

### Strategic Development Plan

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

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

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

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

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

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

## Local Development Plan

### Planning Policy- Design Principles for New Development

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

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

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

#### **(a) Design, Form and Choice of Materials**

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

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

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

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

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

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

#### **(b) Loss of Privacy or Natural Light**

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

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

**5.15 (c) Impact on Neighbouring Amenity and Character**

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

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

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

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

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

**Planning Policy- Caring for the Environment**

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

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

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

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

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

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

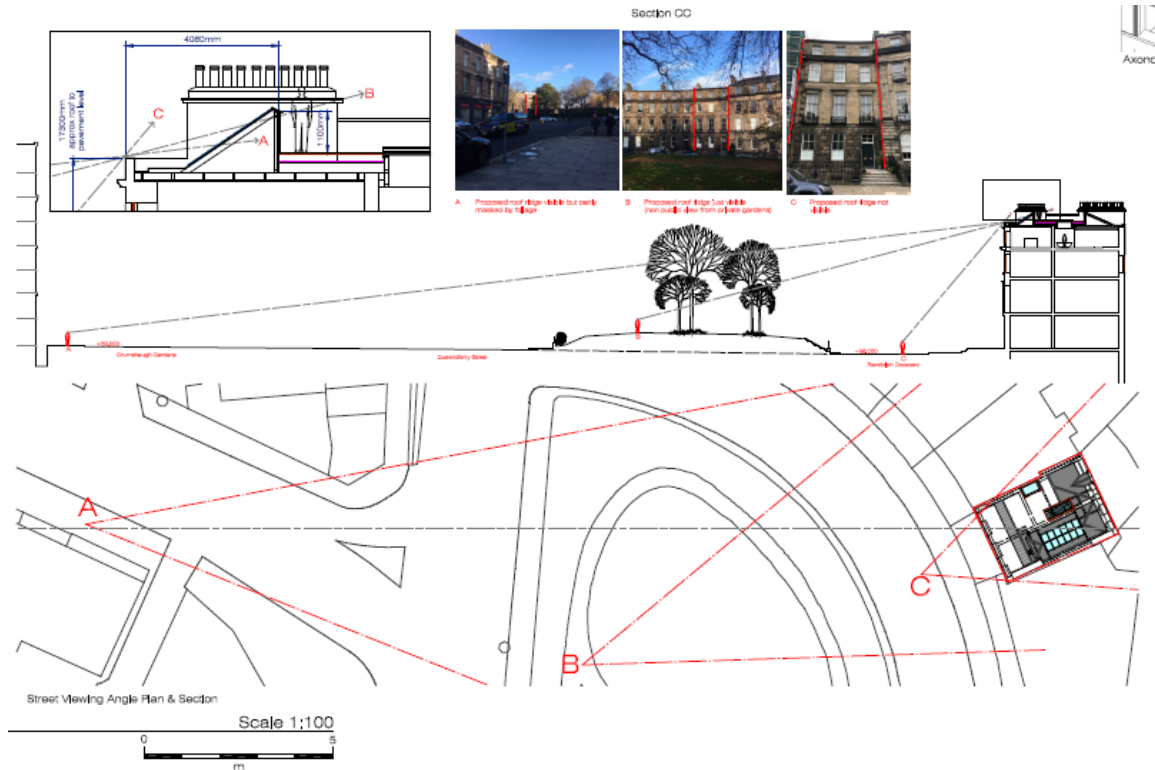


Figure 14 above: Viewpoint Locations (Richard Manson Architects) – Please refer to supporting information for full scale plan and image.

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

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

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

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

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

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

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

5.41 **Assessment**

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

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

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

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

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

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

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

5.46 The proposal is considered compliant with Policy Env 6.

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

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

## Other Material Considerations

### Scottish Planning Policy (2014)

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

### Historic Environment Policy for Scotland (May 2019)

- 5.54 HEPS replaces HESPS (June 2016) in May 2019. It is a policy statement which is non-statutory. It is a material consideration for planning proposals that might affect the historic environment, and in relation to listed building consent. The document provides six policies. Policies HEP2 and HEP4 are relevant to these applications:
- HEP2 – Decisions affecting the historic environment should ensure that its understanding and enjoyment as well as its benefits are secure for present and future generations.
  - HEP4 – changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate. If detrimental impact on the historic environment is unavoidable, it



should be minimised. Steps should be taken to demonstrate that alternatives have been explored, and mitigation measures should be put in place.

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

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

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

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

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

### **CEC New Town Conservation Area Character Appraisal**

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

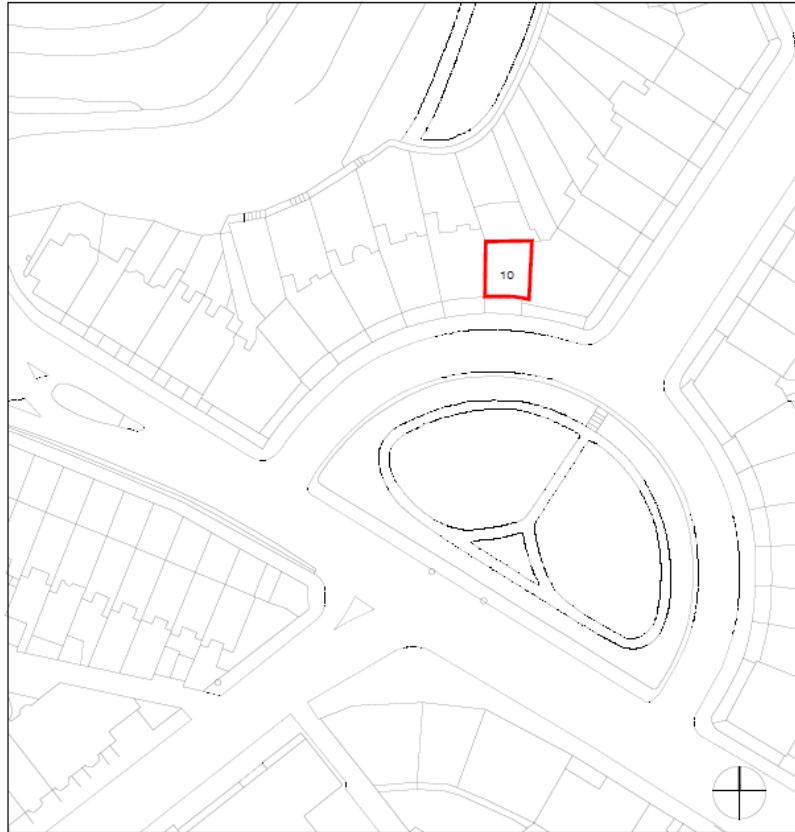
## 6. Conclusion

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

# Appendix 1: Site Location Plan



Aerial roofscape



Site Plan  
Application Site

scale 1:1250



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

Ms Gundula Thiel.  
C/o Agent

**Decision date: 21 October 2021**

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

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

**Application No:** 21/04427/FUL

**DECISION NOTICE**

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

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

**Conditions:-**

**Reasons:-**

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

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

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

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

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

Should you have a specific enquiry regarding this decision please contact Rachel Webster directly at [rachel.webster@edinburgh.gov.uk](mailto: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](http://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](mailto: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](mailto:rachel.webster@edinburgh.gov.uk)

Appendix 1

**Consultations**

No consultations undertaken.

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

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

**Decision date: 18 October 2021**

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

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

**Application No:** 21/04428/LBC

#### DECISION NOTICE

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

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

#### **Reasons:-**

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

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

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

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

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

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

Should you have a specific enquiry regarding this decision please contact Rachel Webster directly at [rachel.webster@edinburgh.gov.uk](mailto:rachel.webster@edinburgh.gov.uk).



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



## NOTES

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

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

# Report of Handling

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

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

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

## **Recommendation**

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

## **Summary**

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

## **SECTION A – Application Background**

### **Site Description**

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

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

### **Description of the Proposals**

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

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

## Relevant Site History

20/02744/FUL

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

Refused

21 October 2020

20/02745/LBC

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

Refused

16 September 2020

21/04427/FUL

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

## Consultation Engagement

Historic Environment Scotland

## Publicity and Public Engagement

**Date of Neighbour Notification:** 18 October 2021

**Date of Advertisement:** 10 September 2021

**Date of Site Notice:** 10 September 2021

**Number of Contributors:** 1

## Section B - Assessment

### Determining Issues

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

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

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

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

## **Assessment**

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

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

## Listed Building

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

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

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

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

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

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

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

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

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

#### Conservation Area

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

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

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

#### Equalities and human rights

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

#### Public Comments

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

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following;

### **Reasons**

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

### **Background Reading/External References**

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

**Further Information** - [Local Development Plan](#)

**Date Registered: 19 August 2021**

### **Drawing Numbers/Scheme**

01-04

Scheme 1

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

Contact: Rachel Webster, Planning Officer  
E-mail: [rachel.webster@edinburgh.gov.uk](mailto:rachel.webster@edinburgh.gov.uk)

## Appendix 1

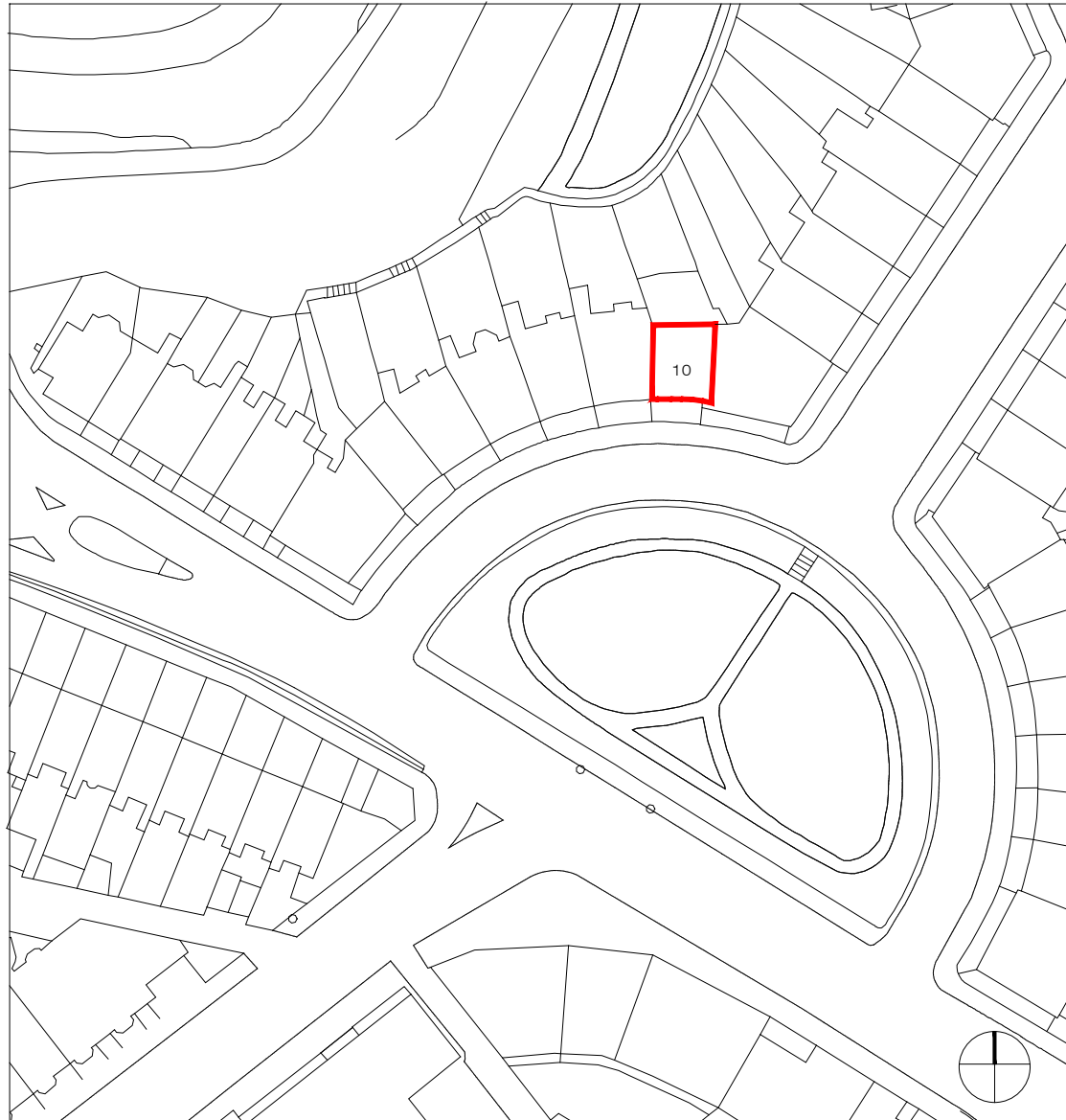
### **Consultations**

NAME: Historic Environment Scotland

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

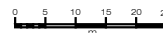


Aerial roofscape



Site Plan  
Application Site

scale 1:1250



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# Richard Murphy Architects

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

DRAWING TITLE **Location Plan**

DWG STATUS **Planning**

DRAWN **jem**

JOB NO. **595**

CHECKED

DATE **20.05.2021**

FILE

SCALE **1:1250**

DRAWING NO. **AL/01/00**

REVISION



**NOTES**

Richard Murphy Architects Ltd.  
Registered in Scotland No 255372

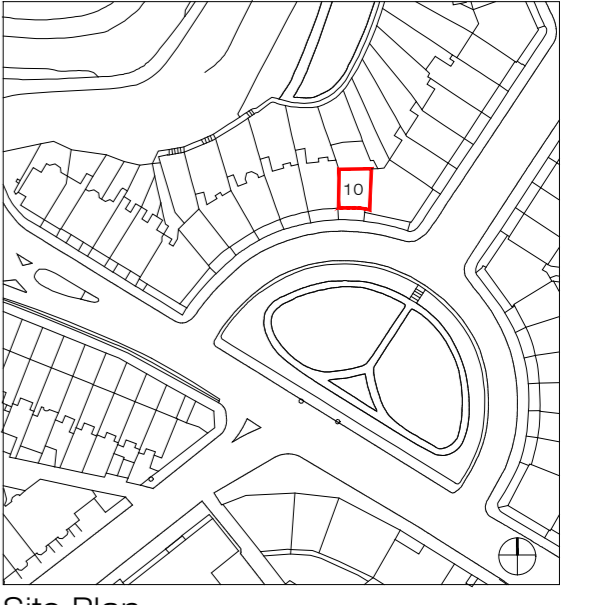
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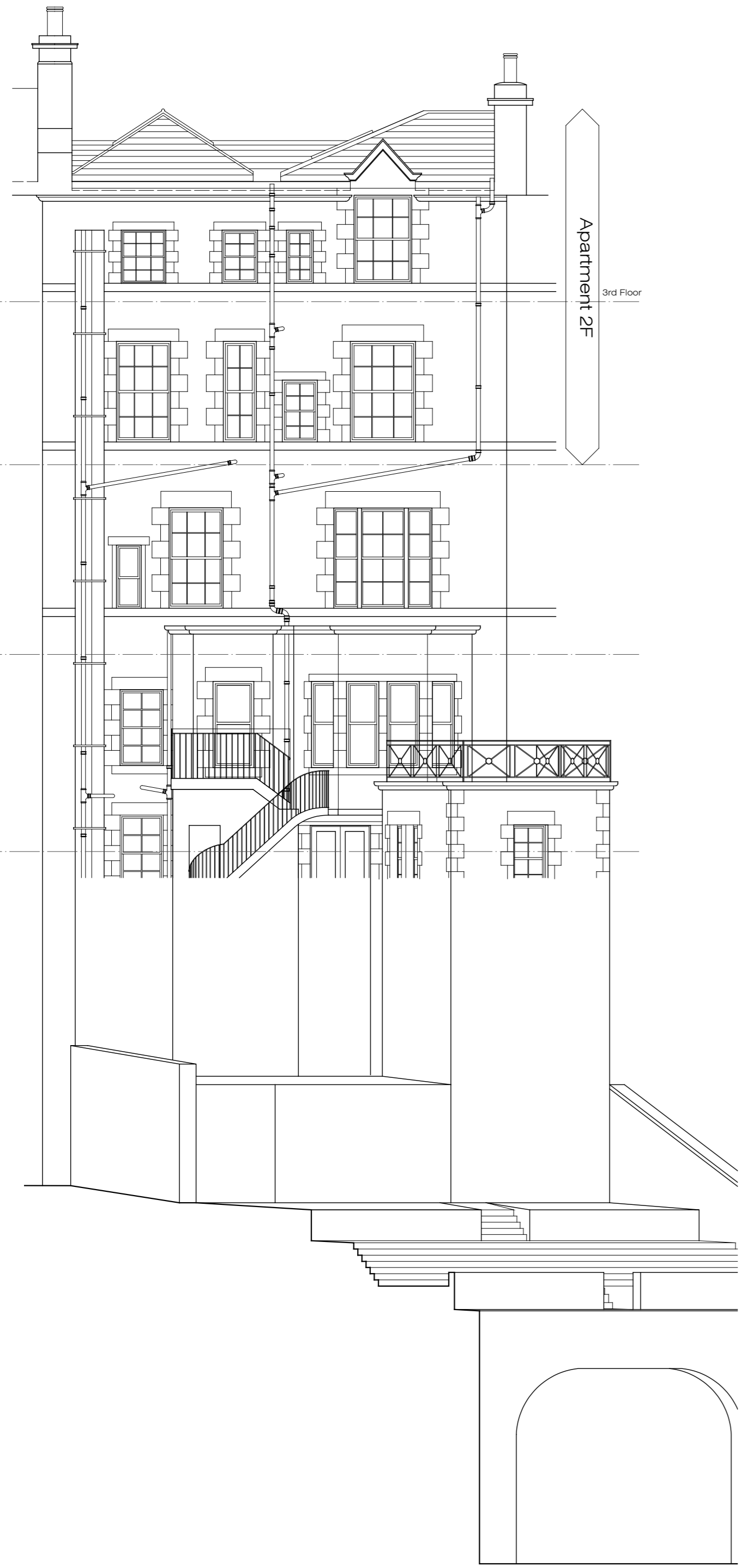
Street Elevation



Aerial roofscape



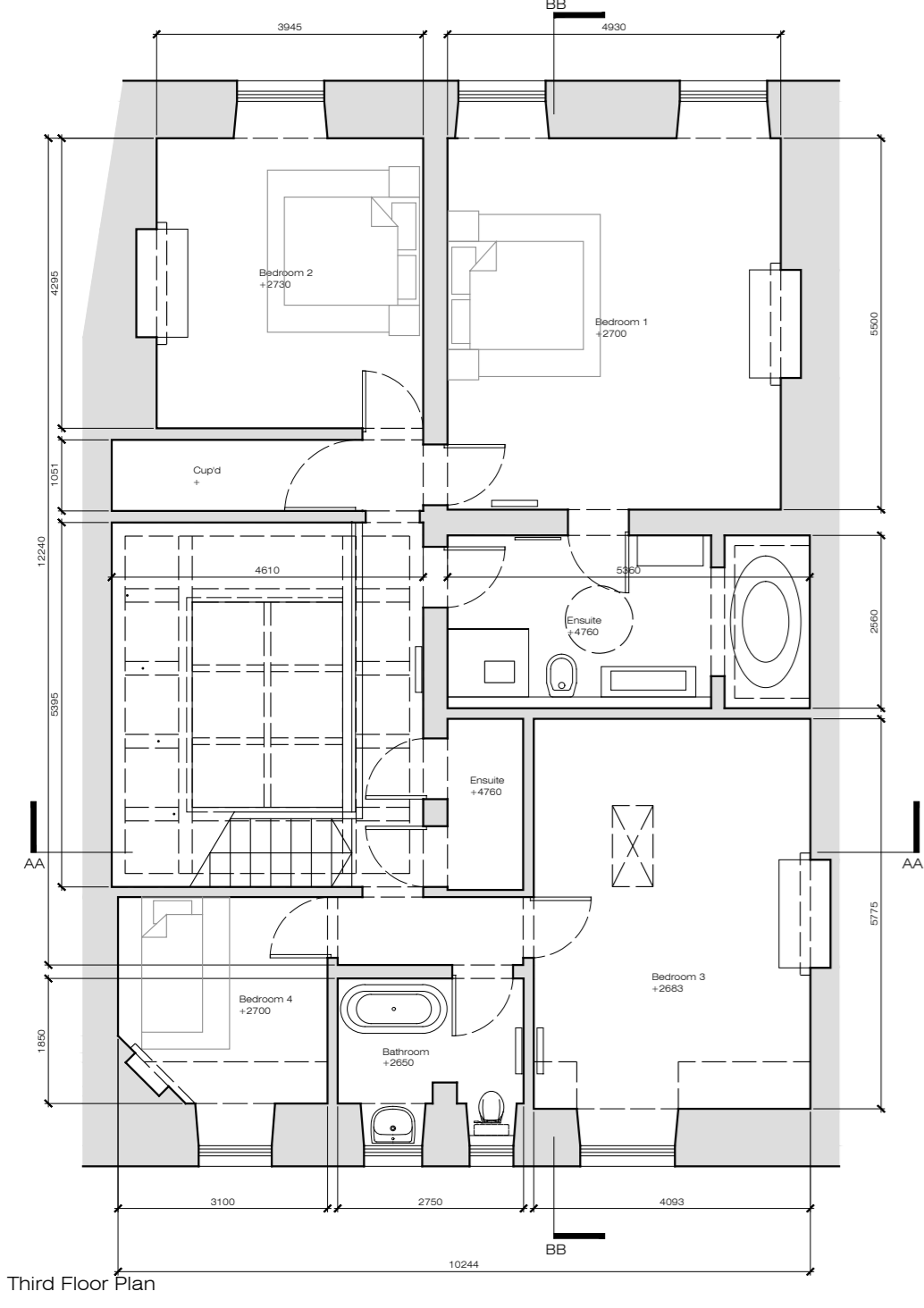
Site Plan  
Application Site



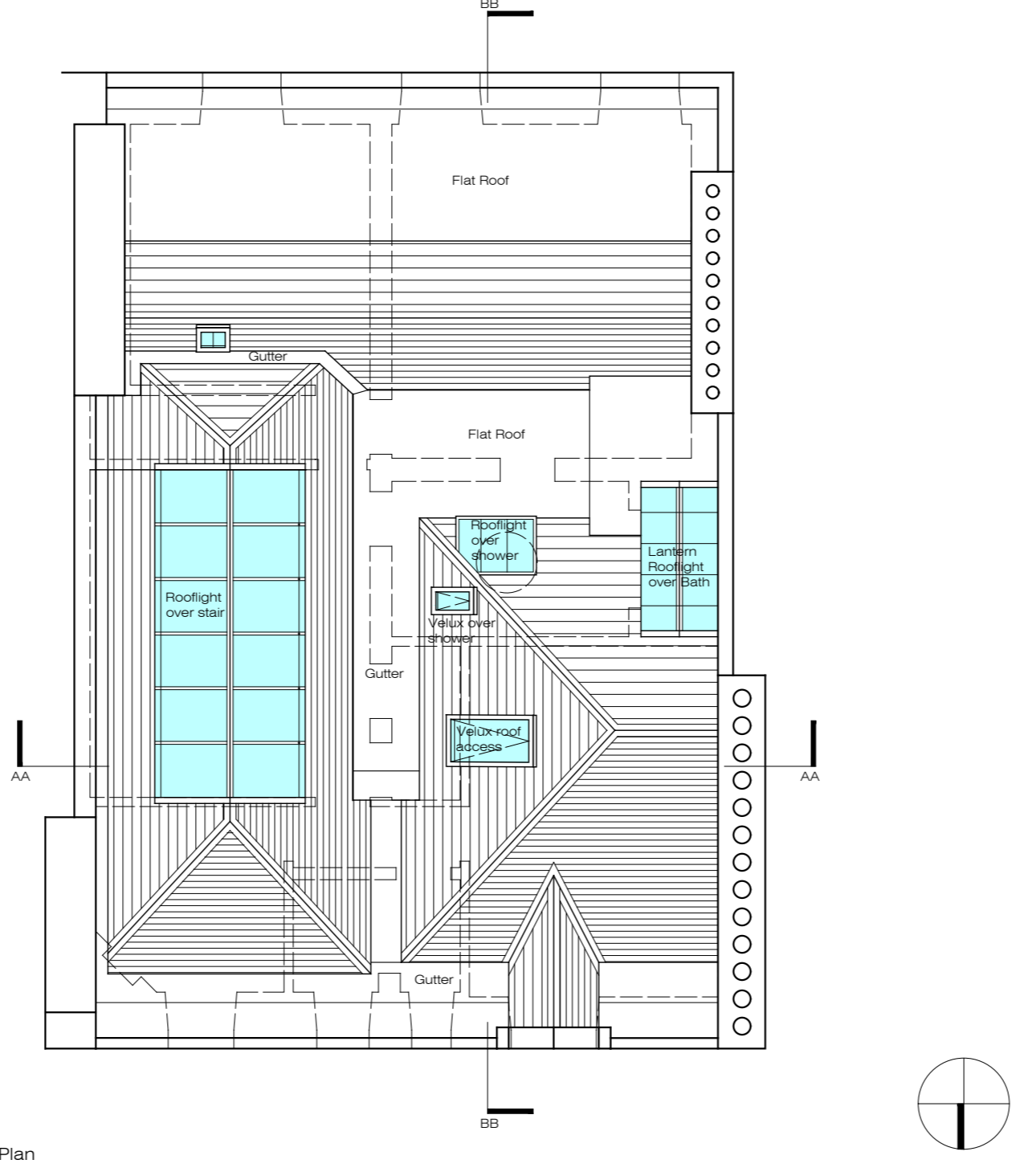
Garden (North) Elevation



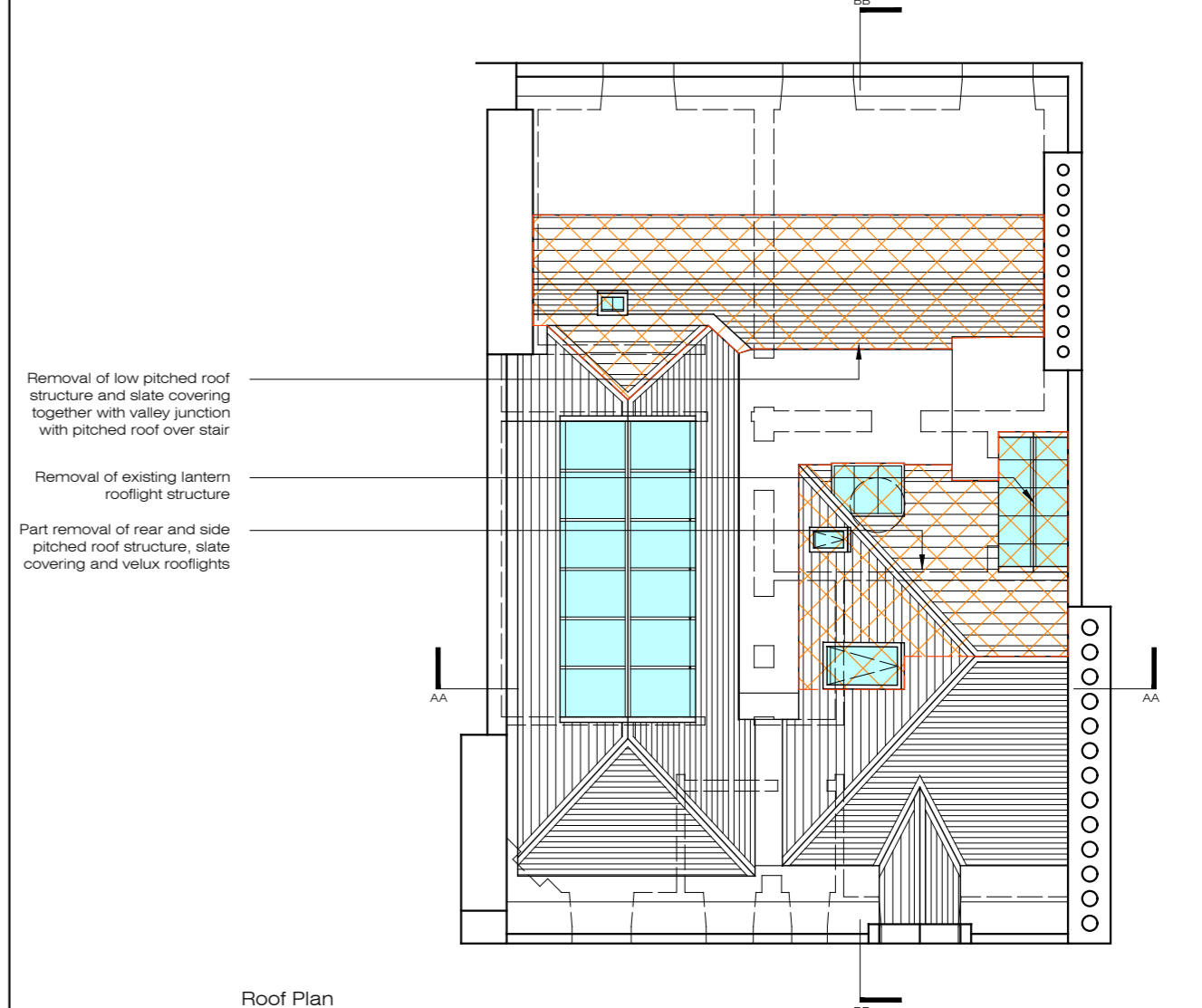
Apartment 2F



Third Floor Plan

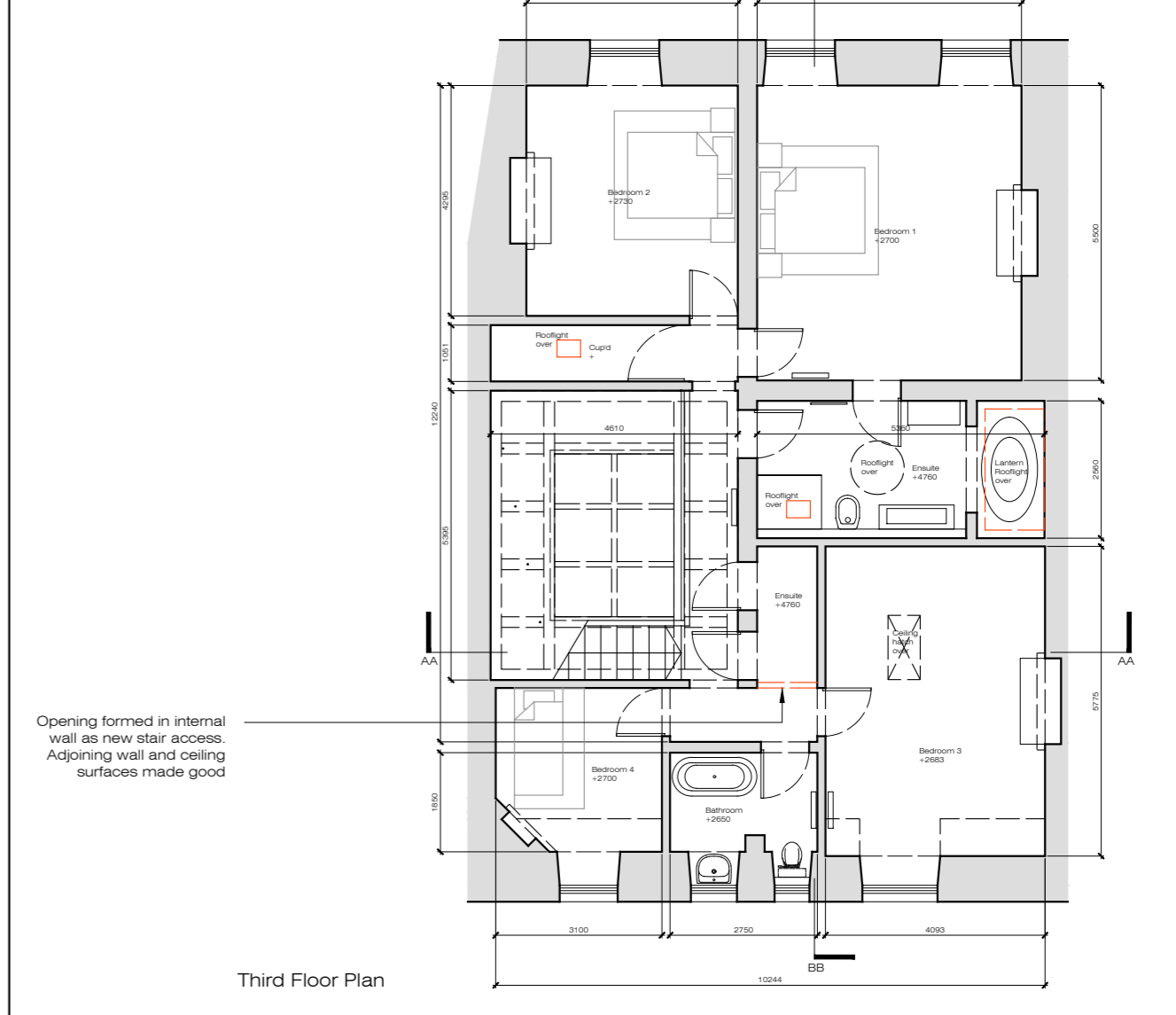


Roof Plan



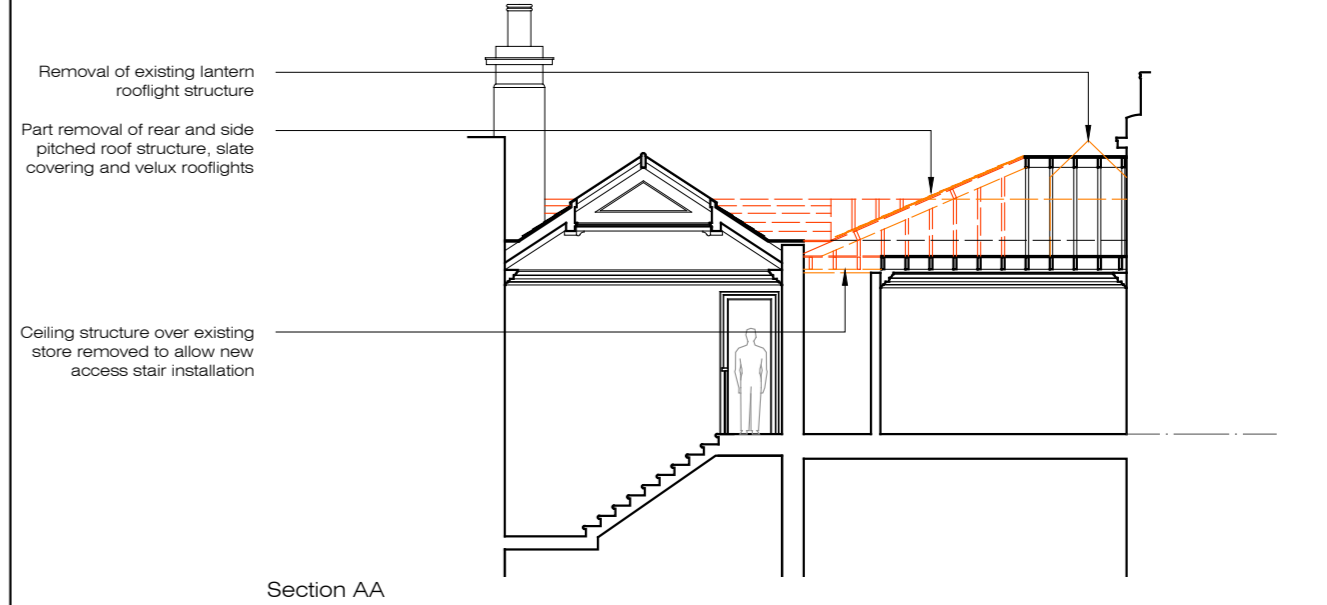
Removal of low pitched roof structure and slate covering together with valley junction with pitched roof over stair  
Removal of existing lantern rooflight structure  
Part removal of rear and side pitched roof structure, slate covering and velux rooflights

Roof Plan



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

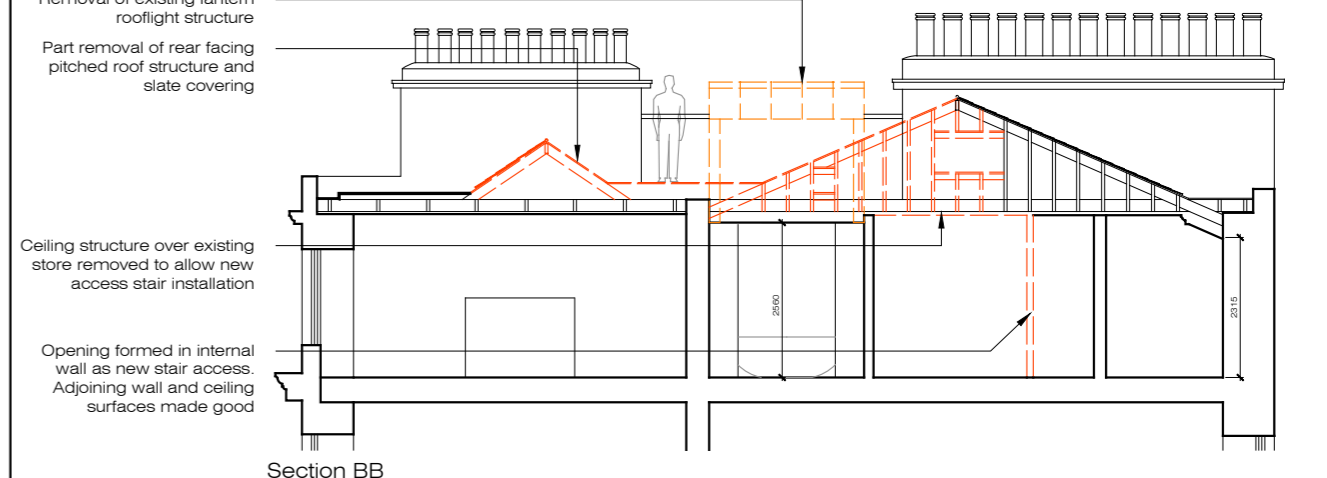
Third Floor Plan



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

Ceiling structure over existing store removed to allow new access stair installation

Section AA



Removal of existing lantern rooflight structure  
Part removal of rear facing pitched roof structure and slate covering

Ceiling structure over existing store removed to allow new access stair installation

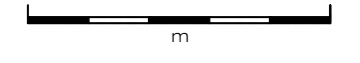
Opening formed in internal wall as new stair access. Adjoining wall and ceiling surfaces made good

Section BB

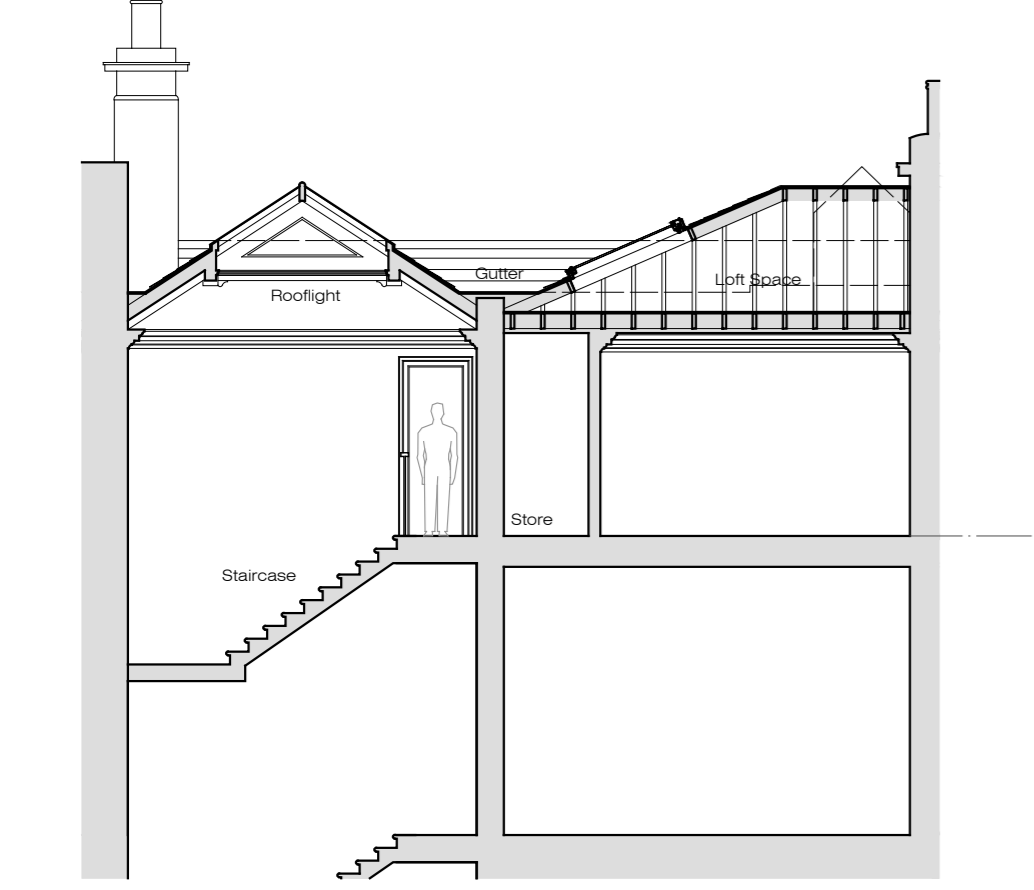


Demolitions/Removals

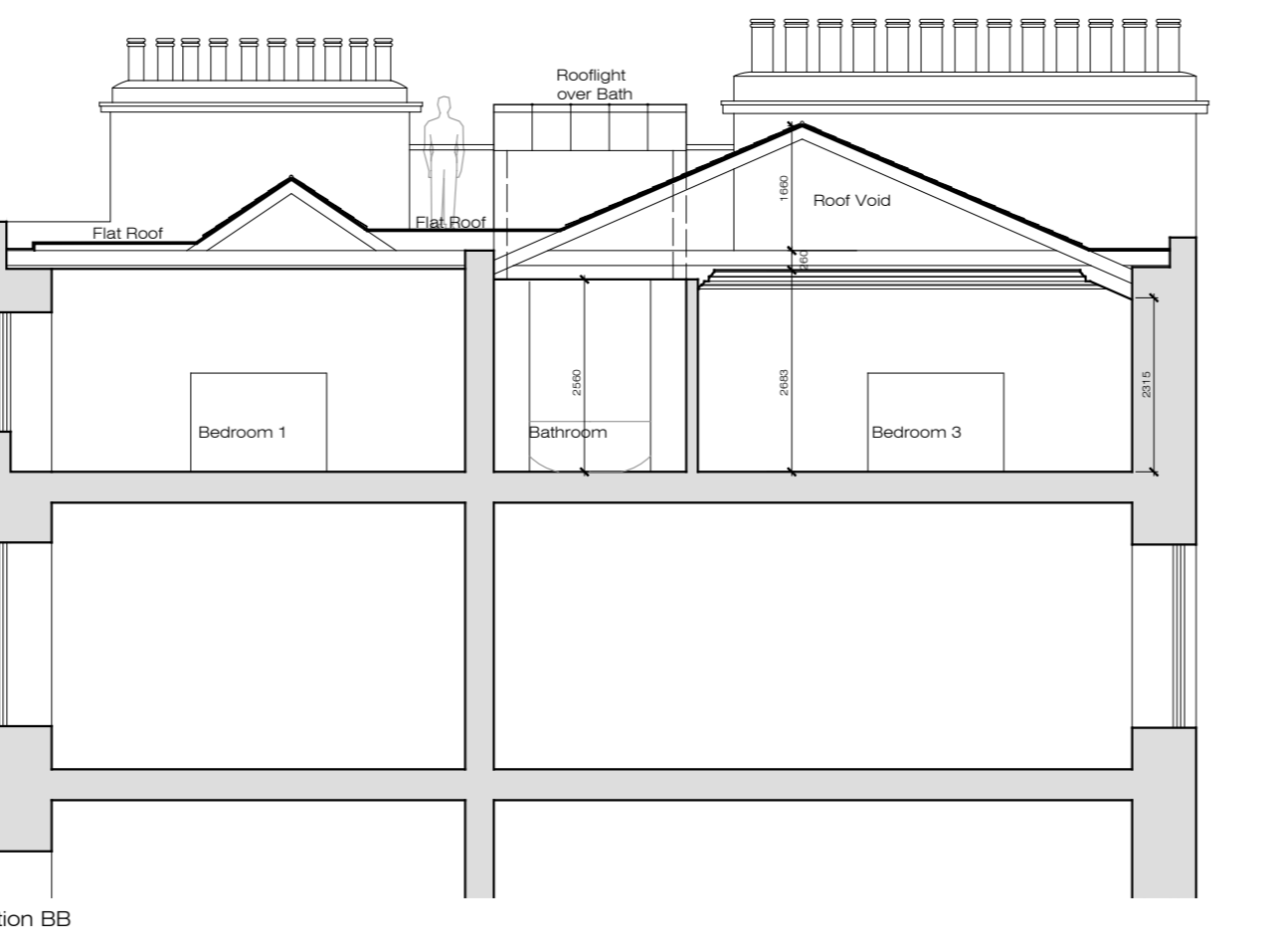
Scale 1:125



Existing Fabric Slate Roof Roof Glazing



Section AA



Section BB

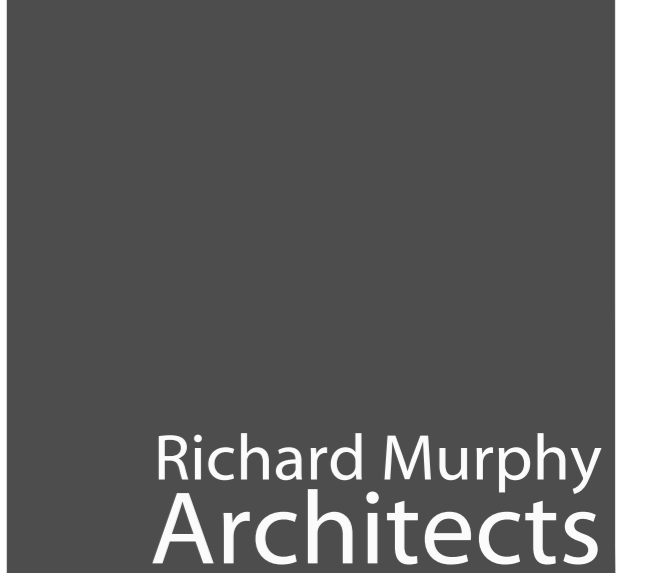


Existing roofscape showing proposed removals

B Revised proposal 20.05.2021

A Planning Issue 01.07.2020

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

DRAWING TITLE Existing Demolitions & Removals Plans, Sections & Elevations

DWG STATUS Planning

DRAWN jem	JOB NO. 595
CHECKED	DATE 20.05.2021
FILE	SCALE 1:100 & 125

DRAWING NO. AL/01/01	REVISION B
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Existing Building
10 Randolph Crescent forms part of a formal linked terrace of buildings designed by James Gillespie Graham in 1822, located in the Edinburgh New Town Conservation Area and World Heritage Zone and connecting the west end of Queens Street with Queensferry Street. The property is Grade A listed along with nos 9-17 Randolph Crescent (inclusive) and 1 and 1A Randolph Cliff (including railings) under reference LB29601.

Richard Murphy Architects Ltd.
Registered in Scotland No 255372

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Site Plan Application Site scale 1:2500

Existing Roof

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



Reasons for Development

The proposals are submitted in resolution of two principal issues.

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

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

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

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



Walk-On Rooflight



Sky Door Rooflight



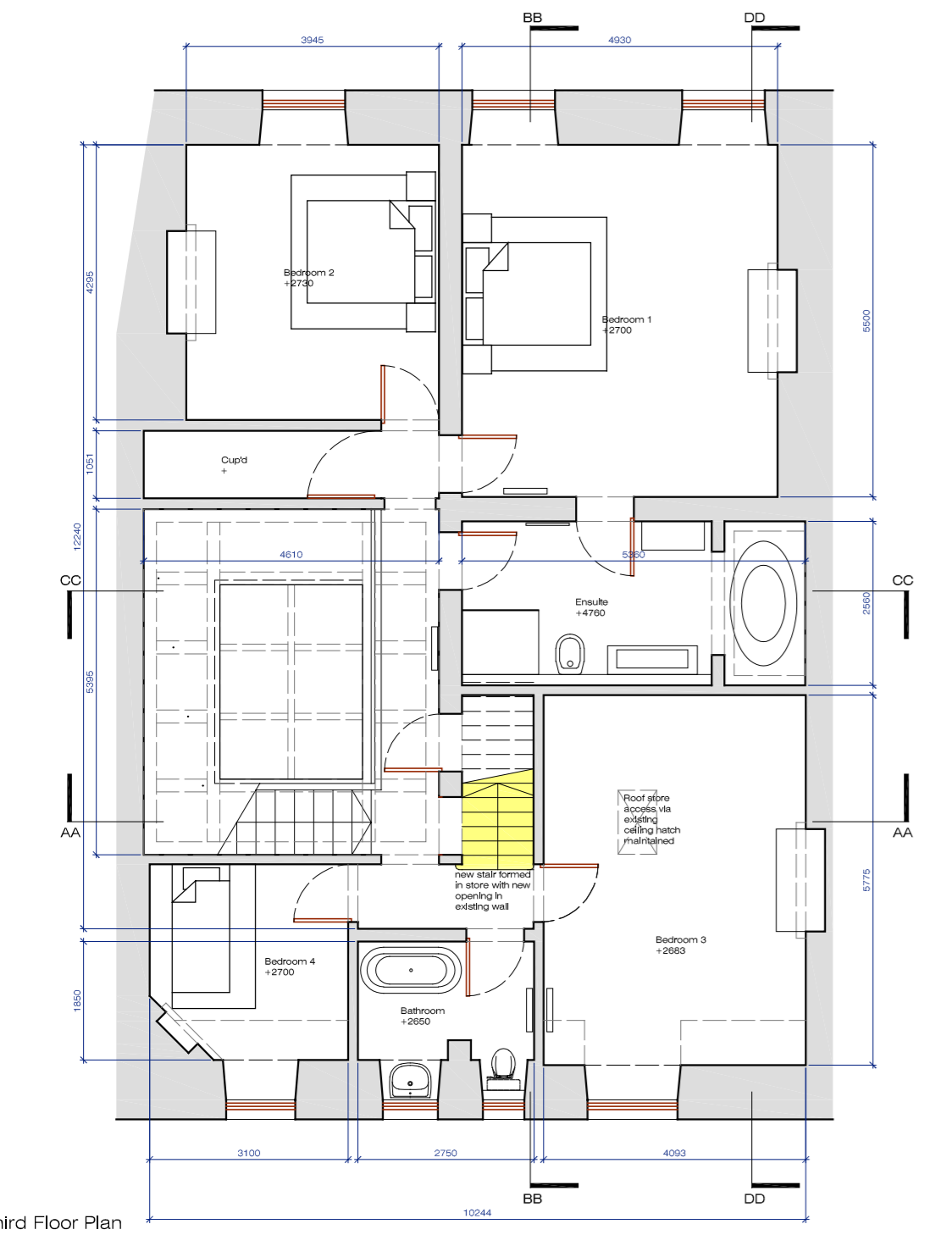
Sky Door Rooflight



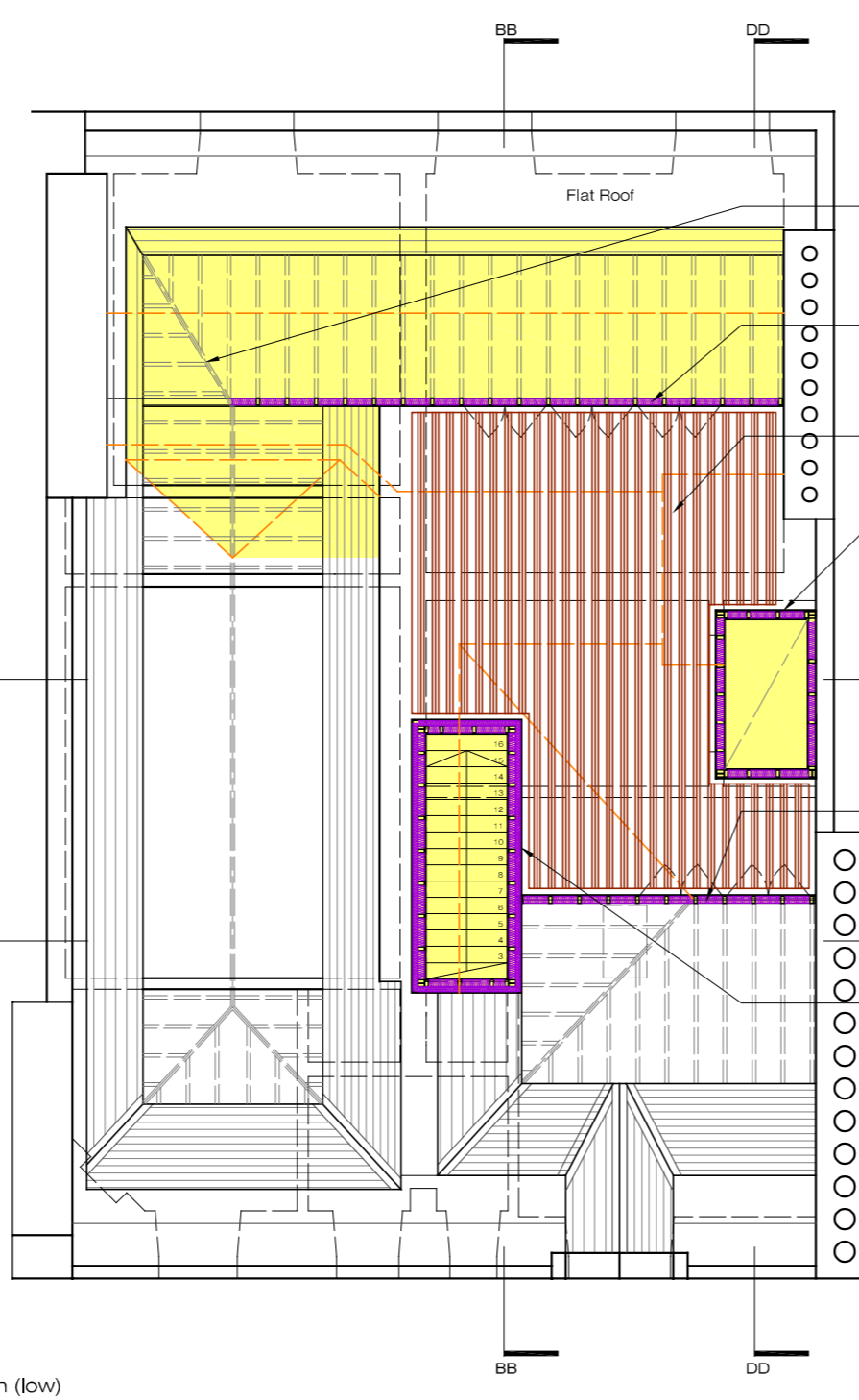
Garden (North) Elevation



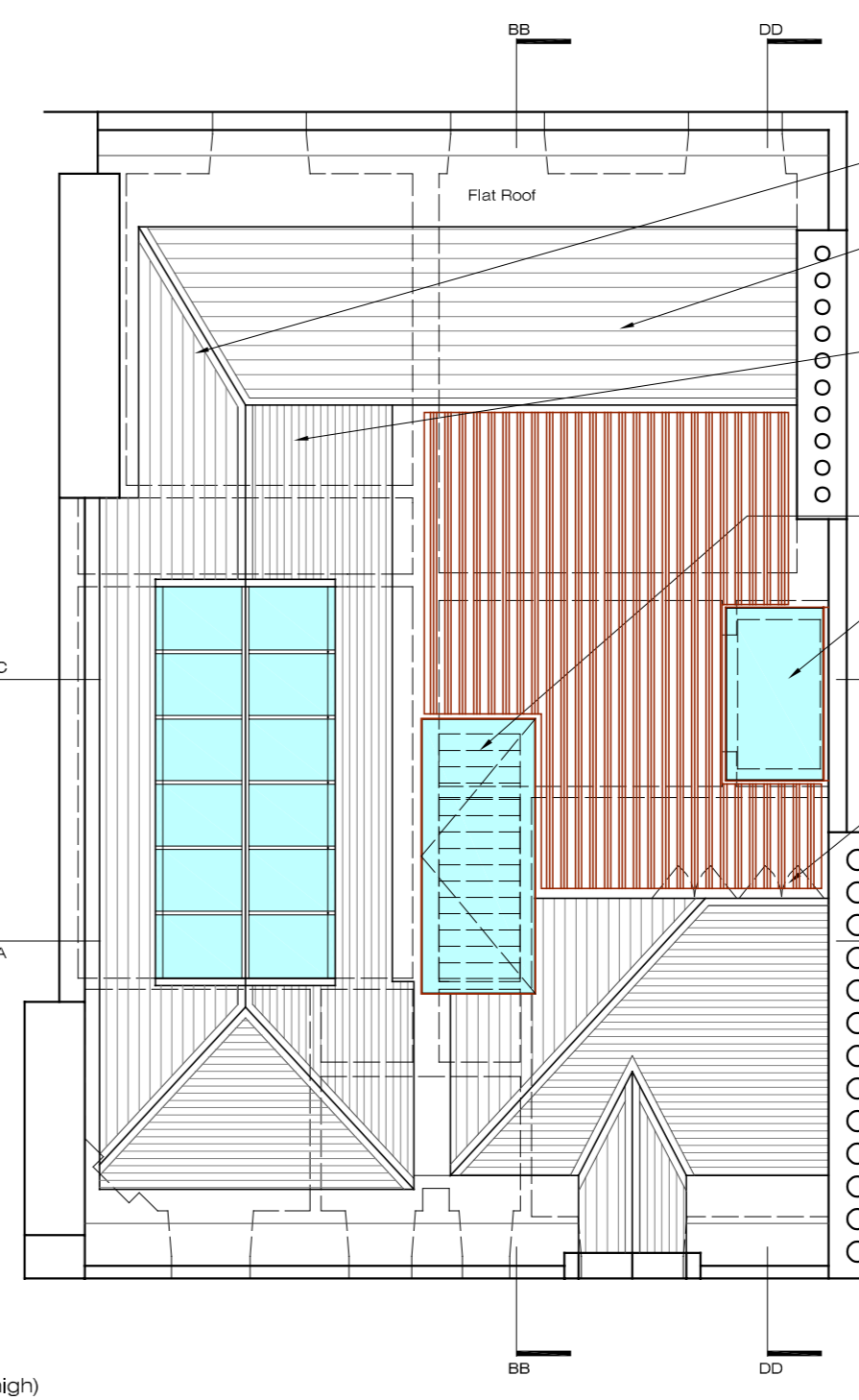
Street (South) Elevation



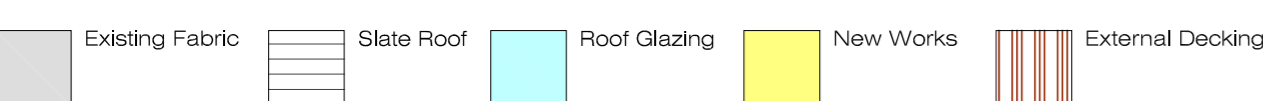
Third Floor Plan



Roof Plan (low)

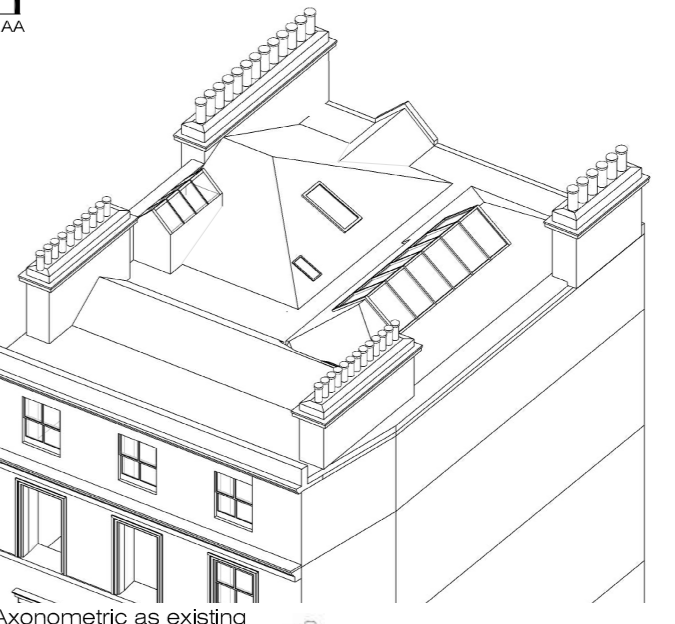


Roof Plan (high)

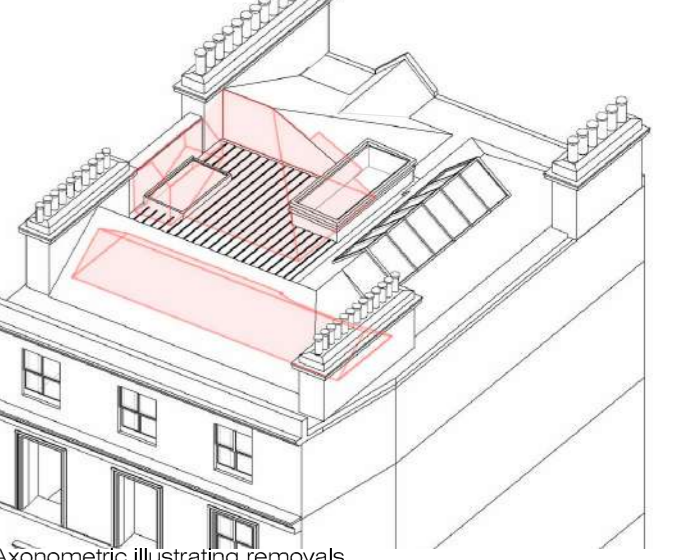


Existing roof simplified to reduce leak prone junctions and extend existing side gutter to front facade to aid drainage
New taller monopitched slate roof to street facade acting as balustrade to proposed roof terrace
Existing pitched roof extended to join new monopitch at matching ridge height
PPC aluminium framed 'Skydoor' opening rooflight (colour dark grey)
PPC aluminium framed 'Walk-on' rooflight (colour dark grey)

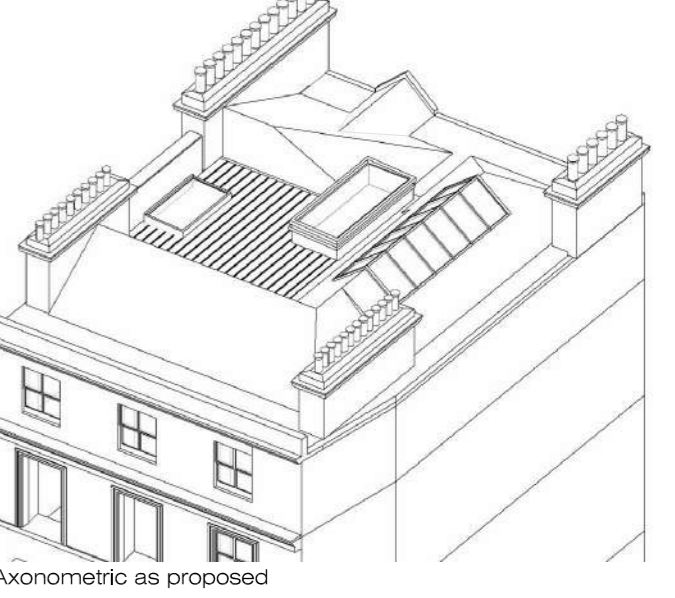
Line of new external roof eaves with code 5 lead eaves flashing.
New vertical dark grey evert board fascia below with fringed door access to roof void storage space



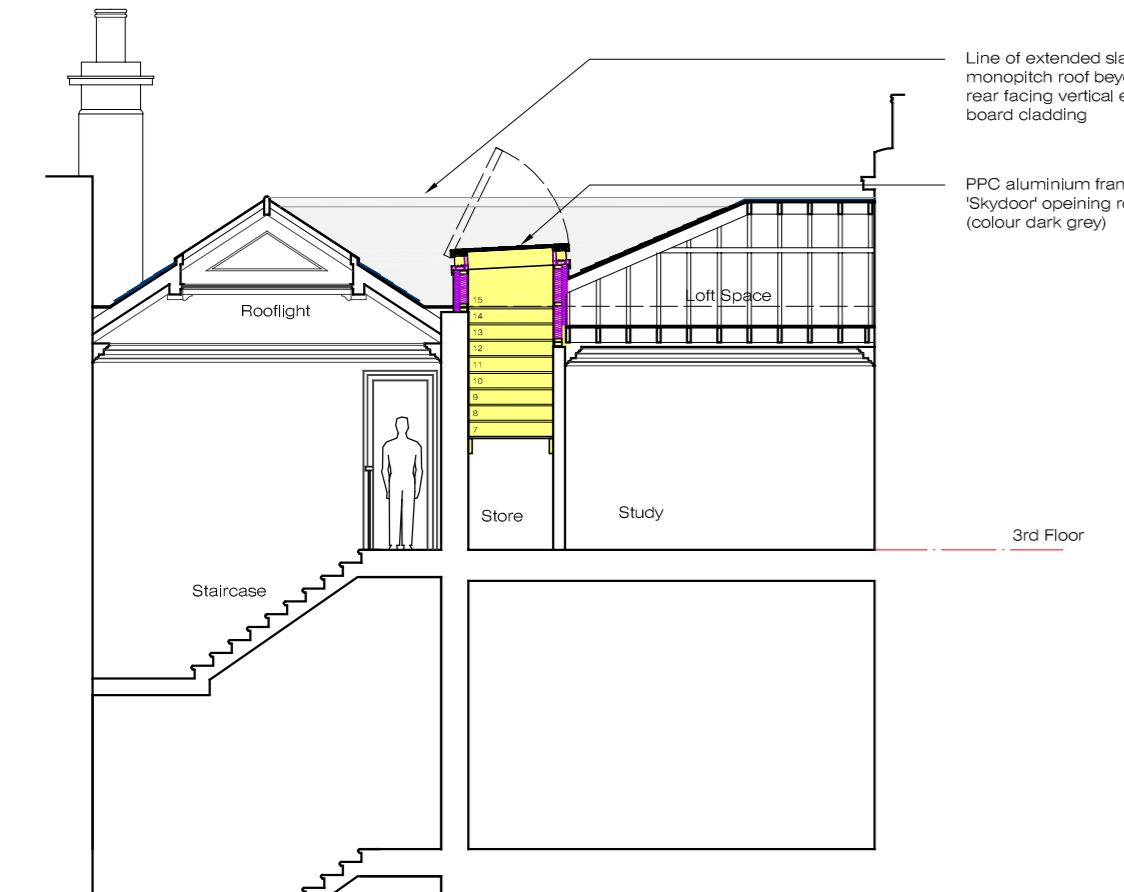
Axonometric as existing



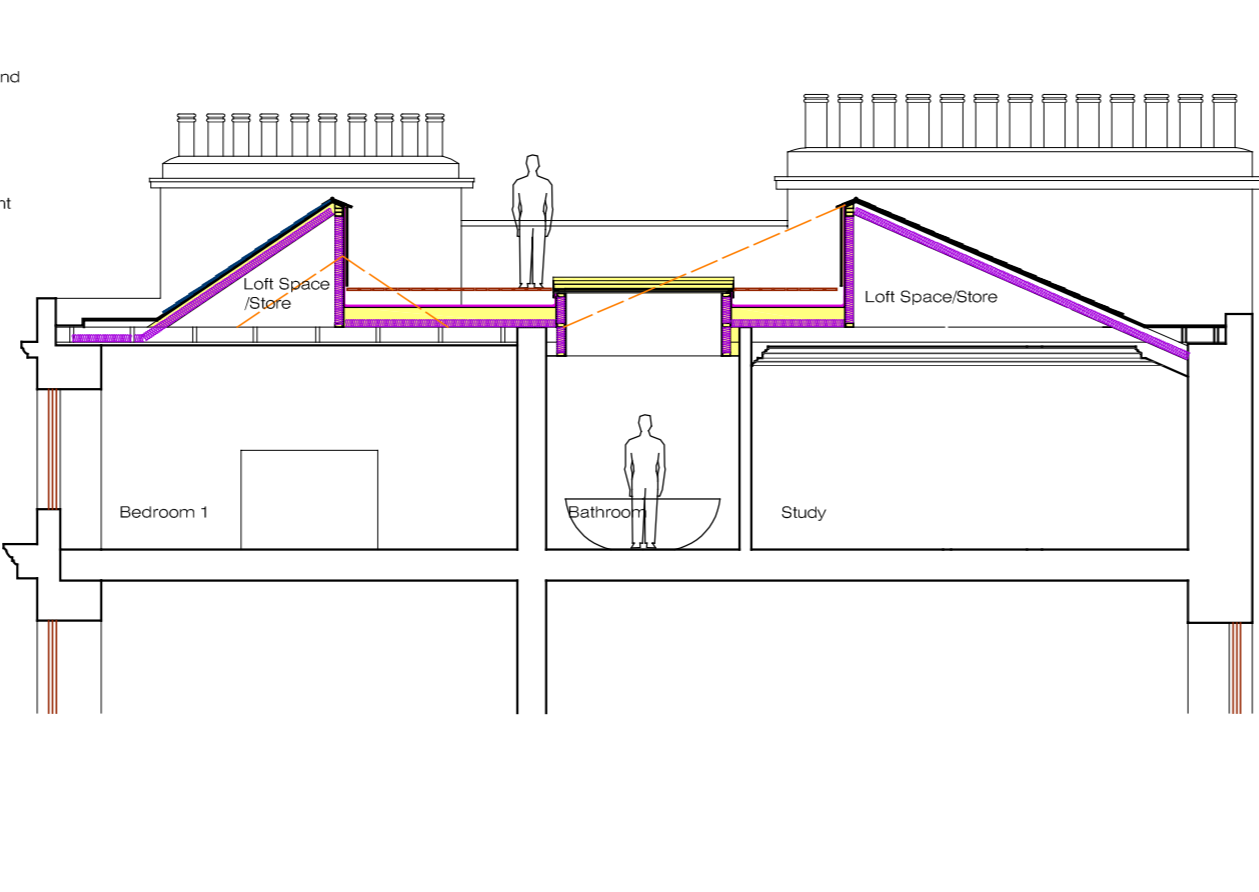
Axonometric illustrating removals



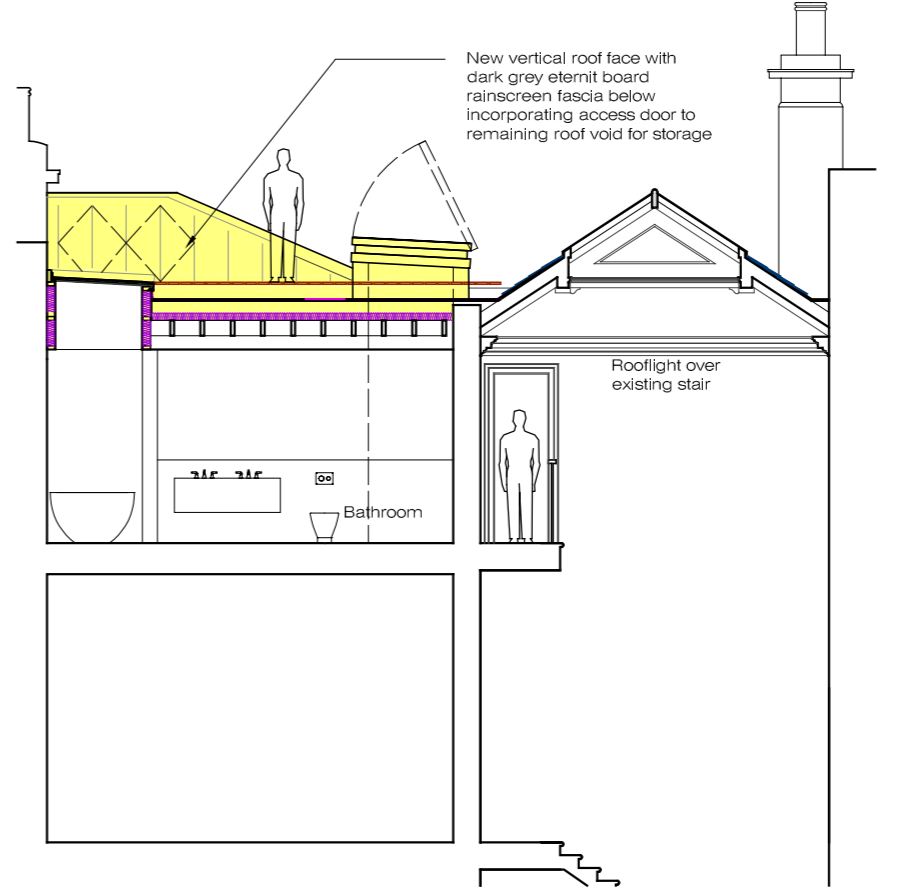
Axonometric as proposed



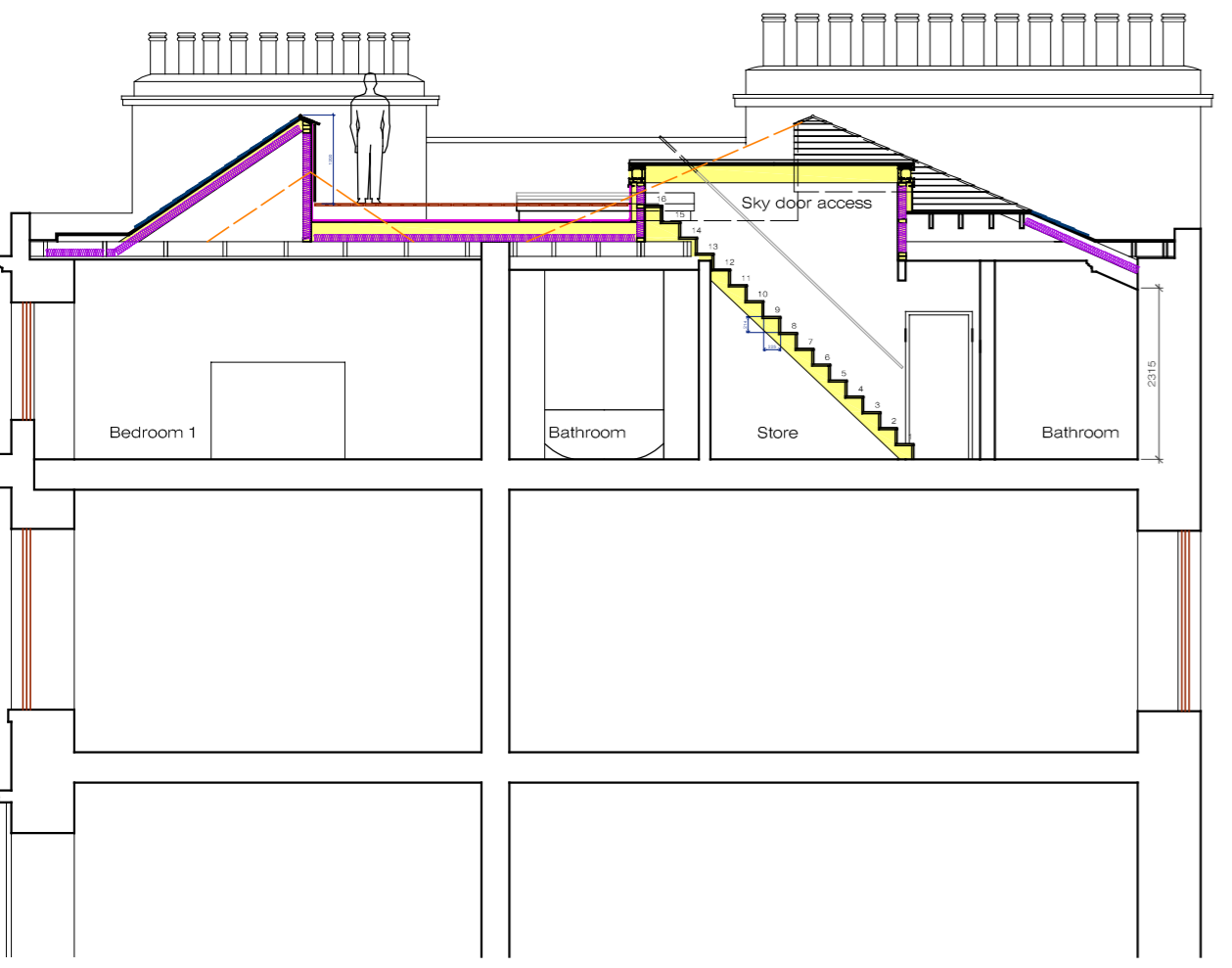
Section AA



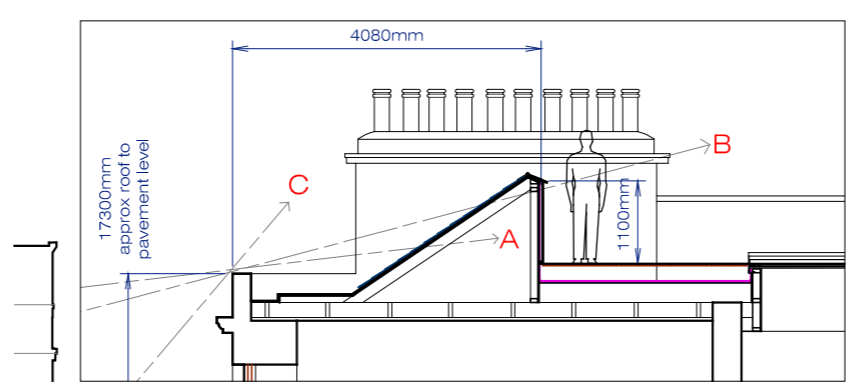
Section BB



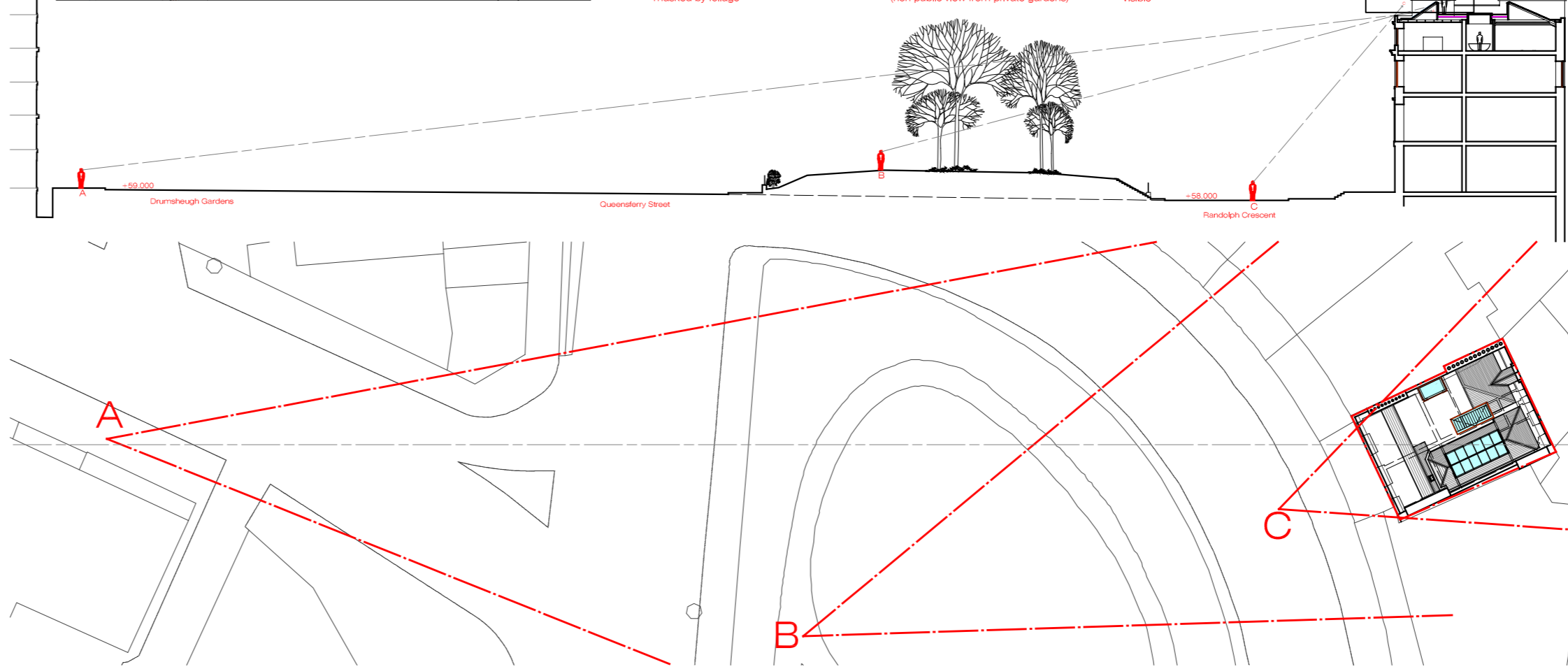
Section CC



Section DD

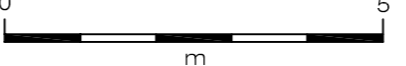


A Proposed roof ridge visible but partly masked by hedge B Proposed roof ridge just visible from public view (new turn private garden) C Proposed roof ridge not visible



Street Viewing Angle Plan & Section

Scale 1:100



B Revised proposal 20.05.2021
A Planning Issue 01.07.2020

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DRAWING TITLE Proposed Plans, Sections & Elevations
DWG STATUS Planning
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CHECKED DATE 20.05.2021
FILE SCALE 1:100
DRAWING NO. AL/02/01 REVISION B