



Business Centre G.2 Waverley Court 4 East Market Street Edinburgh EH8 8BG Email: 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 100541395-001

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:	Suzanne McIntosh Planning Limited		
Ref. Number:		You must enter a Building Name or Number, or both: *	
First Name: *	Suzanne	Building Name:	
Last Name: *	McIntosh	Building Number:	45C
Telephone Number: *	07792230979	Address 1 (Street): *	Bath Street
Extension Number:		Address 2:	Portobello
Mobile Number:		Town/City: *	Edinburgh
Fax Number:		Country: *	United Kingdom
		Postcode: *	EH15 1HB
Email Address: *	smcintoshplan@gmail.com		

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

☒ Individual ☐ Organisation/Corporate entity

Applicant Details

Please enter Applicant details

Title:	<input type="text" value="Mr"/>	You must enter a Building Name or Number, or both: *
Other Title:	<input type="text"/>	Building Name: <input type="text"/>
First Name: *	<input type="text" value="IAN"/>	Building Number: <input type="text" value="47"/>
Last Name: *	<input type="text" value="SMITH"/>	Address 1 (Street): * <input type="text" value="INVERLEITH ROW"/>
Company/Organisation	<input type="text"/>	Address 2: <input type="text"/>
Telephone Number: *	<input type="text"/>	Town/City: * <input type="text" value="EDINBURGH"/>
Extension Number:	<input type="text"/>	Country: * <input type="text" value="SCOTLAND"/>
Mobile Number:	<input type="text"/>	Postcode: * <input type="text" value="EH3 5PY"/>
Fax Number:	<input type="text"/>	
Email Address: *	<input type="text" value="smcintoshplan@gmail.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="1F"/>
Address 2:	<input type="text" value="47 INVERLEITH ROW"/>
Address 3:	<input type="text" value="INVERLEITH"/>
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 5PY"/>

Please identify/describe the location of the site or sites

Northing	<input type="text" value="675835"/>	Easting	<input type="text" value="324706"/>
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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)

Refusal of Planning Permission for the removal of conservatory and erection of new extension to the rear. Minor interior alterations. Double glazing and reinstatement of astragals to front windows.

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.

A Grounds for Review Document sets out the reasons in full why planning permission should have been granted. A full list of productions is attached to the rear of that document.

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)

the list is contained on the last page of the grounds for review

Application Details

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

21/05265/FUL

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

07/10/2021

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

29/12/2021

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 see the interior will require to be arranged

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

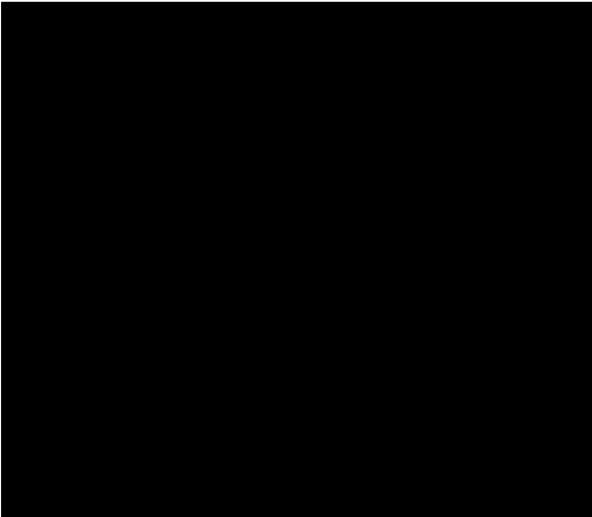
Note: Where the review relates to a further application e.g. renewal of planning permission or modification, variation or removal of a planning condition or where it relates to an application for approval of matters specified in conditions, it is advisable to provide the application reference number, 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: Mrs Suzanne McIntosh

Declaration Date: 09/03/2022



REQUEST FOR REVIEW

47(GF) Inverleith Row,
Edinburgh

MR IAN SMITH

9.3.22

SUZANNE MCINTOSH PLANNING LIMITED

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1. INTRODUCTION

- 1.1 This Grounds for Review document sets out the appellant's case against the refusal of Planning Permission by the City of Edinburgh Council. A separate appeal against the refusal of Listed Building Consent for the same is with the DPEA for consideration.
- 1.2 The planning application was for the removal of conservatory and erection of new extension to the rear, minor interior alterations, double glazing and reinstatement of astragals to front windows at the ground floor and basement of 47 Inverleith Row Edinburgh EH3 5PY.
- 1.3 Planning Permission reference 21/05265/FUL was refused on 29th December 2021 for the following 2 reasons:
 1. *'The proposal is contrary to the Local Development Plan Policy Env4 in respect of Listed Buildings – Alterations and Extensions, as the proposal would have a detrimental impact on the architectural merits of the host property.'*
 2. *'The proposal is contrary to the Local Development Plan Policy Env6 in respect of Conservation Areas – Development, as it would have a detrimental impact on the character and appearance of the..... '(sic)*
- 1.4 The Grounds for Review and supporting documents will demonstrate that the two reasons (one unfinished) are unfounded:
 - The proposal is an architecturally appropriate, sympathetic and complimentary extension to the property.
 - It will not adversely impact on either the character of the category C listed building or the character and appearance of the Inverleith Conservation Area.
 - The internal alterations proposed and the improvements to the window alterations do not adversely impact the listed building or the conservation area.
 - The Planning Officer did not visit the site and has made assumptions about the internal layout and the original features that do not exist.
 - The Planning Officer in not visiting the site has not appreciated that the rear garden is enclosed from any public view and it follows that it cannot therefore result in harm to the conservation area as impact on the character is always when viewed from a public place. He did not for example see the sunken garden.
 - The Planning Officer has not appreciated that the neighbouring flatted development at 48 Inverleith Row has had a greater degree of impact on the conservation area and setting of the listed buildings than this proposal could ever have.
 - This Planning Officer appears to take a different view from their colleagues who have indicated they support this proposal and have approved the same extension a metre shorter and have said in their view this proposal was also acceptable.
- 1.5 A site visit of the property for the LRB is highly recommended in order to understand the situation of the property, its relationship to its setting and the high degree to

which the rear garden area is enclosed. This can be done externally with unrestricted access available. A site visit to examine the interior can also be arranged.

2 THE APPEAL SITE

- 2.1 The appeal site, number 47 (GF), comprises the lower half (ground floor and basement) of a semi-detached, mid Victorian property dating from around 1870. The upper half of 47, a separate flat, is on the first and attic floors. The conversion of the property from a single house to 2 flats was undertaken some decades ago and clearly pre-dates the information available on the council's planning portal.
- 2.2 The main materials used on the elevations of the building are coursed sandstone blocks on the elevations and natural slates on the roof. The front elevation of the villa is described as having a canted bay on both floors, a consoled doorpiece on the ground floor and a canted bay and smaller dormer on the attic floor level.
- 2.3 The rear elevation of the villa is a much simpler design and mainly features a large/heavy canted bay and small dormer on the attic floor level to the upper flat. A conservatory was added to the back of the building at some point in the 1990's.
- 2.4 This semi-detached pair appear to be a Victorian addition at the end of a group of Georgian semi-detached houses and adjacent to a twentieth century replacement building at number 48 that comprises sheltered flatted accommodation. Opposite are tenement blocks, ground floor shops and a variety of other buildings.
- 2.5 The house fronts onto Inverleith Row, a busy main route. The front elevation of the house sits parallel to Inverleith Row as most properties do on this stretch of the road. A communal entrance door into the ground floor hall gives access to both the upper and lower flats. Much of the front garden and the side access to the back garden are part of the appeal site, with neighbours having right of access. The basement also leads directly out into the rear garden from the conservatory at present and a side door gives access also.
- 2.6 The conservatory is sited close to the stone boundary wall (2m in height) with the other half of the semi-detached pair, number 46. A modern interior door leads from the main elevation of the house into the conservatory at present.
- 2.7 As the villa was once a single house which has been subdivided, its interior has been altered. Much of the internal fabric is not original as can be seen in the photographs. In particular the basement level has modern skirting, no cornicing, a room plan form that has been altered from the likely original and was always historically a service area of the property. The partition between the living room and dining room at basement level is a set of louvered doors that date from the early 1980's. The dining room floor plan has changed from the original and a bedroom has been created adjacent to it at some point in the past. The front area of the basement has also been altered with the front room being split into a bedroom and store area. The original room plan or hierarchy of rooms does not exist.

- 2.8 While the rear and side elevation windows retain their two-over-four and four-over-four pane sash and case glazing, the front elevation windows do not retain their original pattern and have been replaced with an unsuitable window type at some point, many years ago. It is proposed to address this in the proposal with a historically accurate replacement timber sash and cash, double glazed window unit with the correct proportions of glazing to timber.
- 2.9 The door from the basement level of the property into the conservatory is also not original. This door opening and style of door that was introduced when the conservatory was erected and is not considered the best design option today.
- 2.10 The house requires substantial modernisation in terms of the décor and services internally, it appears to have been many years since the décor was updated or maintenance undertaken to conserve the best features of the house; in addition the front and rear gardens haven't been maintained for a long time. A significant level of investment is required in order to reinstate appropriate features and ensure the long term survival of the listed building.
- 2.11 The private rear garden is accessed via steep steps down the right hand side of the building and is enclosed by high stone walls. The walls vary between 2m in height along the boundary with number 46 and 4m in height along the boundary with the flats at 48.
- 2.12 The garden cannot be viewed from public places outside its boundaries and there is a considerable distance to the windows of the houses at the rear. The sheltered flatted accommodation at 48 will be able to see over into the private garden of 47, as will the upper floor windows of number 46. Each of the rear windows overlooks the rear areas of neighbour's gardens – it's a common privacy scenario.
- 2.13 The property is a category C listed building; this hasn't changed since its listing in 1977. It is therefore of local importance. The Historic Environment Scotland listing description is sparse and an internal inspection does not appear to have been undertaken at that time as there is no description of any of the internal layout or features. The listing description focuses solely on the frontage of the property and what has been able to be seen at the time. There is no indication of the original room pattern formation; a site visit internally is the only way to try to assess what the floor plan would have been. The case officer in assessing the application did not visit the property and did not source an internal layout plan other than the information submitted with the application.
- 2.14 The appeal site is located in the suburb of Inverleith to the north of Edinburgh city centre and falls within the Inverleith Conservation Area. Looking at the character of the conservation area we can see it is dominated by rows of Georgian, Victorian and Edwardian villas and terraces fronting the road. The villa streets are wide and some are complemented by mature trees, extensive garden settings, stone boundary walls and wide roads.
- 2.15 The appeal site is located on one of the busiest streets in this part of the conservation area and is on a bus route, close to bus stop and beside the traffic

light controlled crossing. At times the road is very busy with queueing traffic outside. The street isn't the leafy, conservation idyll used to describe some of the streets in the conservation character assessment. The Victorian buildings, of which the appeal site is one, have clearly replaced earlier buildings and this end of the street has many different ages and styles of building and is a busy city street.

- 2.16 Front gardens in this section of the street tend to have low levels of visual enclosure with low or open boundary treatments. Rear gardens have high levels of visual enclosure and don't tend to be visible from the public road or paths at all. Access to the rear garden areas tends to be from within the plot or through the building. There are such low levels of permeability around or through the plots as there are no paths running around the rear areas. This results in high levels of privacy and security to the rear private gardens. It also means that the rear areas do not tend to form a key part of the character and amenity of the conservation area when viewed from the road, pavement etc.
- 2.17 The clearest view into the rear gardens in the appeal site section of the conservation area is from the garages to the south on Inverleith Place. Even then the distance is so great with the appeal site being the 12th garden along the stretch of road that it is impossible to see it clearly – all that is visible is the large rear dormer on this building. What can be seen from this point is the variety of other rear extensions, some very large and very recent that have been permitted. The Reporter is asked to view the site from this point and note the lack of visibility of the rear garden area from the public road.
- 2.18 There are a variety of architectural styles evident in the villa designs along Inverleith Row. The use of the sandstone elevations and slate roofs provide a unity in their design and external appearance. Many of the large Victorian houses, particularly in Inverleith Place have been converted into flats.
- 2.19 More recent, late twentieth and early twenty-first century examples tend to be more contemporary in character, using some traditional materials such as sandstone in cladding but modern in detail and form. Number 48 Inverleith Row (16 sheltered flats)- the adjacent neighbouring development to the appeal site at is a modern addition to this setting – a facing brick finish over all three floors, a recessed mansard roof and balcony, more horizontal emphasis of window design in a dark frame etc. From the rear garden of the appeal site the bland rear elevation of 48 is imposing and impactful on the setting of the listed buildings as is.

3 THE PROPOSAL

- 3.1 The proposal includes a number of different elements namely: removal of modern alterations ie conservatory, basement room partitions and modern windows; it also includes the erection of a rear single storey extension.
- 3.2 The conservatory will be removed and an appropriate exterior door added into the rear elevation where the interior door exists at present. The modern basement room partitions would be removed to open up the existing living room and dining room and form a kitchen/ dining area that would then lead into the extension.

- 3.3 The single storey, flat roofed, contemporary extension would be erected to part of the rear elevation of the house. The extension will project 9.4m into the rear garden and 5.9m in width giving an external floorspace measurement of 55.5m². The stone boundary wall that runs along the northern boundary of the rear garden with the adjoining flats at number 48 measures 4m in height. The extension sits adjacent to and below this.
- 3.4 The extension is to be sited on the north side of the garden and links into the dining room of the basement level. It will provide a spacious, contemporary lounge living space with large sliding doors to link with the garden. The existing lounge is a smaller space, on the east (front) elevation at ground floor so doesn't get evening sun and has no visual connection with the private garden space. The extension will give the appellant the opportunity to have a formal ground floor lounge and a much more relaxed lounge overlooking the garden at the rear.
- 3.5 The garden is a blank canvas for redesign, a 3D visualisation is provided which shows the nature of the space that will be created and will dramatically improve the setting of the listed building. It also illustrates the way in which the extension will be nestled beside the high boundary wall closest to it.
- 3.6 The proposed extension will cover a proportion close to half of the rear elevation and so it is not overly dominant in that regard.
- 3.7 It will be constructed from high quality, appropriate materials to match the listed building; principally natural sandstone ashlar with powder coated aluminium architectural glazing. The Planning Officer report of handling notes that the materials are acceptable.
- 3.8 A schematic plan was produced by the Architect after discussions with the Planning Officer (PO) to illustrate a justification for the length of the extension based on a commonly used proportioning system. There was a discussion with the PO about what was an acceptable length for the extension in a mature setting with a large existing building and a large, private rear garden. The SPG on Listed Buildings provides a maximum width for extensions to listed house at half of the width of the rear elevation (which this proposal complies with) but is silent on the question of length.
- 3.9 To assist this discussion the Architect drew the schematic to illustrate that the length of the proposal fell just below the golden ratio when applied to the total length of the garden and they suggested that this was an appropriate and commonly recognised proportioning system which left plenty of garden ground undeveloped.
- 3.10 The design of the extension is such that the sunlight enjoyed by neighbours will not be negatively impacted on in anyway. The proposal is sited well away from the southern party wall, a much greater distance than the existing conservatory and, due to the height of the existing northern party wall there will be no issue of impact on privacy, light or overshadowing.

- 3.11 Regarding the lounge windows to the front elevation, ground floor these will be replaced with conservation appropriate timber, sash and case, double glazed units. The double glazing being required to insulate from the busy traffic.
- 3.12 The proposals have all been arrived at after thorough analysis of the building, the room layouts, the historic fabric and an understanding of the way the building ought to be restored.

4 MATERIAL PLANNING CONSIDERATIONS

- 4.1 The decision on the planning application is rooted in Section 25 of the Town and Country Planning (Scotland) Act 1997 (as amended). This requires the Planning Authority or LRB Reporter determining an appeal to take their decision in accordance with the development plan, unless material considerations indicate otherwise.
- 4.2 The relevant policies of the CEC LDP ie Env 4 and Env6 are cited in the reasons for refusal on the planning application. Policy Env 4 deals with Listed Buildings (Alterations and Extensions) and Policy Env6 with Conservation Areas.
- 4.3 Policy Env 4 Listed Buildings – Alterations and Extensions advises that:
‘Proposals to alter or extend a listed building will be permitted where:
a) those alterations or extensions are justified;
b) there will be no unnecessary damage to historic structures or diminution of its interest; and
c) where any additions are in keeping with other parts of the building.’
- 4.4 The proposed alterations, as detailed in the previous section of this document, are justified in order to remove and replace the inappropriate, dated conservatory addition which does not contribute positively to the architectural character of the building. The primary interest/ heritage value of the building as a category C listed building ie the front elevation will be maintained and enhanced. Many alterations have been undertaken internally over the years and to the rear elevation.
- 4.5 In terms of Env4’s criteria the proposals are justified and will provide an enhancement to the appellants living space, ensure it meets their requirements for many years to come and wont adversely impact on historic fabric. The front elevation will be unchanged with the exception of the replacement of non-original windows at ground floor with an historically appropriate replacement. The terms of Env4 are therefore met.
- 4.6 Policy Env6 Conservation Areas states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.
- 4.7 The proposal does not seek to create a pastiche design but a high quality, contemporary architectural solution that compliments the existing building and

does not detract from its heritage value. The proposal will not adversely impact upon neighbours or the amenity or special character of the conservation area. The proposal will not be visible from any public viewpoints around the site and it follows therefore that it cannot be construed as negatively impacting on the conservation area.

- 4.8 Looking to the detailed requirements of the CEC SPG on Listed Buildings and Conservation Areas, the proposal also meets the criteria set out in these guides in terms of the position of the extension on the rear elevation – its size and set back. The selection of ashlar sandstone for the external finish is related to the applicant's desire to create a high quality, interesting and characterful extension that is compatible with the design, scale and materials of the original house and neighbourhood. This meets the terms of the SPG criteria in terms of matching the materials of the original building.
- 4.9 We also note that the SPG states 'The use of traditional materials but in a modern design can be an effective way of respecting the character the building or area whilst still encouraging new architectural ideas.' It is noted that the SPG acknowledges that 'flat roofs are part of a high quality, contemporary design'. In addition, the proposed roof sits well below the neighbouring boundary wall and street level, and the view of the house from the street, or from other rear gardens will not be affected by this proposal.
- 4.10 The proposal is clearly subservient to the main building and is proportionate to the overall garden size and is not on the principal elevation – all positive factors in its favour. The extension is under the 50% threshold width stated in the SPG. The SPG allows the proposal to be 'different and distinguishable from the existing building, in terms of design.' The proposal seeks to be visually separated with the use of careful contemporary detailing, contemporary window materials and sizes, as well as, a 'shadow gap' between new and old.
- 4.11 The SPG advises that 'Encouragement will be given to the removal of inappropriate additions which are of inferior quality and which detract from the listed building.' This proposal includes the removal of an inappropriately designed conservatory.
- 4.12 The PO states in their report of handling that proposed single storey extension would have a relatively simple design and would clearly be read as a modern intervention. Although it would technically marginally exceed 50% of the width of the rear elevation, it would extend beyond the gable of the building, therefore allowing a greater element of the rear elevation to be viewed. The Planning Officer did not visit the site so has not appreciated the height of the boundary walls in situ and the number of steps down to the rear garden. A site visit is imperative to view the context appropriately and make a sound assessment of the proposals.
- 4.13 The Planning Officer comments that *'the rear gardens along Inverleith Row are characterised by their expanse and soft landscaping. The existing rear garden is characterised by large areas of soft landscaping, which creates an appropriate relationship with the overall character of the conservation area. In contrast, the proposed works to the garden would create a design that would be dominated by areas of hard surface, with peripheral elements of soft landscaping. This would*

change the rear garden to one where the emphasis would be on the hard surfaces, with the areas of soft landscaping taking on a secondary role. The works would create a hard and unyielding garden form that would diminish and detract from the green areas that form an important component in the overall character of the conservation area. Planning permission and listed building consent are not required to landscape the garden or position furniture within it to the appellant's taste. In addition, the rear gardens are not visible in the context of the street frontages in the conservation area. Their impact on the conservation area as suggested is minimal.

- 4.14 The LRB is invited to see the site and to note the points the appellant puts forward in situ. The site can be accessed without having to go through the house if an external visit only was required.
- 4.15 In order to understand the potential nature of the impacts of the proposal on the building, the features of note, the architectural merit and cultural heritage of the building a comprehensive Design and Conservation statement was lodged with the application. This is also submitted with this request for review.
- 4.16 It has also been useful to the appellant to reference other recent listed building consent appeals and how the interpretation of the requirements of the act have been dealt with. We've have looked to the decisions issued by the DPEA Reporters on LBC appeals as being the most stringent applications of LBC policy and guidance. In other City of Edinburgh LBC appeals the Reporters have carefully examined what is original and therefore subject to the greatest scrutiny if proposed to be altered. A minimal impact on original fabric has been an important deciding factor eg in *LBA/230/2223* at Manor Place, Edinburgh the Reporter commented that the existing windows were neither original nor appropriate and agreed that there would be a visual improvement and he was satisfied that the proposed works were an improvement and would not cause harm to the building's special architectural or historic interest. The same can be argued in this case.
- 4.17 The appellant contends that the proposal has been designed in order to complement the architectural heritage of the building, remove features that are inappropriate and to have minimal impact on the character and amenity of the conservation area. In the same case *LBA/230/2223* at Manor Place regarding the effect on the conservation area – in that case the New Town CA the Reporter made note that what was proposed in that appeal would have no effect on the characteristics of the CA given that it would only be visible from a small number of private viewpoints. He was confident that both the character and appearance of the conservation area would be preserved. An important point with parallels with this case. In another appeal *LBA/230/2227* at Barony Street, Edinburgh the Reporter in talking about alterations to the rear elevation and the effect on the conservation area advised that the rear elevation made no direct contribution to the what are recognised as being the special architectural and historically significant features of the building and in giving consideration to the proposal's effect on the conservation area he noted that the feature proposed was a common feature across the conservation area. He commented that the character and appearance of the conservation area was more influenced by more modern developments. In the case of the appeal before the Reporter at number 47 the

impact of the development at 48 on the conservation area, adjoining the appeal site, is far greater than eg an extension to the rear of 47, within the private enclosed garden space.

- 4.18 That same appeal *LBA/230/2227* also dealt with the issue of double width openings between rooms not reflecting the traditional room arrangement of separate rooms and the impact to some degree this would have on the character of the rooms. However, he states that *'it does not necessarily mean that the special interest of the building would be harmed.'* He goes on to comment that *'the building was listed without any internal inspection so logically it follows that the precise internal layout of the building does not significantly contribute to the building's recognised architectural and historic interest.'*
- 4.19 The LRB may find these comparisons useful in their deliberations.
- 4.20 In addition the LRB will also note that the Planning Officer has approved an extension with an 8.4m projection on the rear of this property – after this refusal. The application with CEC reference 22/00079/LBC was granted on 1.3.22. The description of that application was for the removal of conservatory and erection of new extension to the rear and minor interior alterations. That application is essentially the same as the application for which this review is made with the exception in the projection of the rear extension into the sunken rear garden. That LBC proposal projects 8.4m into the rear garden area and proposes the same exterior and interior alterations as are presented in this review – it was approved by CEC. The documents relating to that application are provided as productions and are material considerations in the determination of this review. Of particular importance is the report of handling by a different CEC Planner where it is commented on Page 3 – 5 of the report that the proposal will bring benefits to the rear elevation, it will appear as subservient given its low profile and form and represents a suitable extension to the rear of a listed building. It also states that the limited palette of materials is appropriate, minimal original fabric loss is proposed and the interior alterations are minor in nature and leave principal rooms as is. Regarding the impact on the conservation area the Planner comments that the extension is comfortably accommodated in the large rear garden, the proposal would adequately preserve the green areas that form the important component in the overall character of the conservation area. He concludes that the proposed works would adequately preserve the special character and appearance of the Inverleith Conservation Area and are therefore in accordance with the Edinburgh LDP policy E6 and with Section 64 of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997. The application subject of this appeal is only just less than a metre longer in length than the now approved LBC for the extension but gives the appellant the size of extension they desire for their living needs. A planning application for the 8.4m extension was not submitted at that point given the LBC issues and impact on the listed building and conservation area were deemed to be the major issues. The Architect sought to establish the parameters the council would allow. It is clear that different officers follow different parameters.

5 CONCLUSION

- 5.1 The LRB is respectfully requested to allow this appeal and grant planning permission for this extension. The proposal will not result in the alleged harm suggested by this Planning Officer.

Suzanne C McIntosh MRTPI HonFRAS

List of Productions

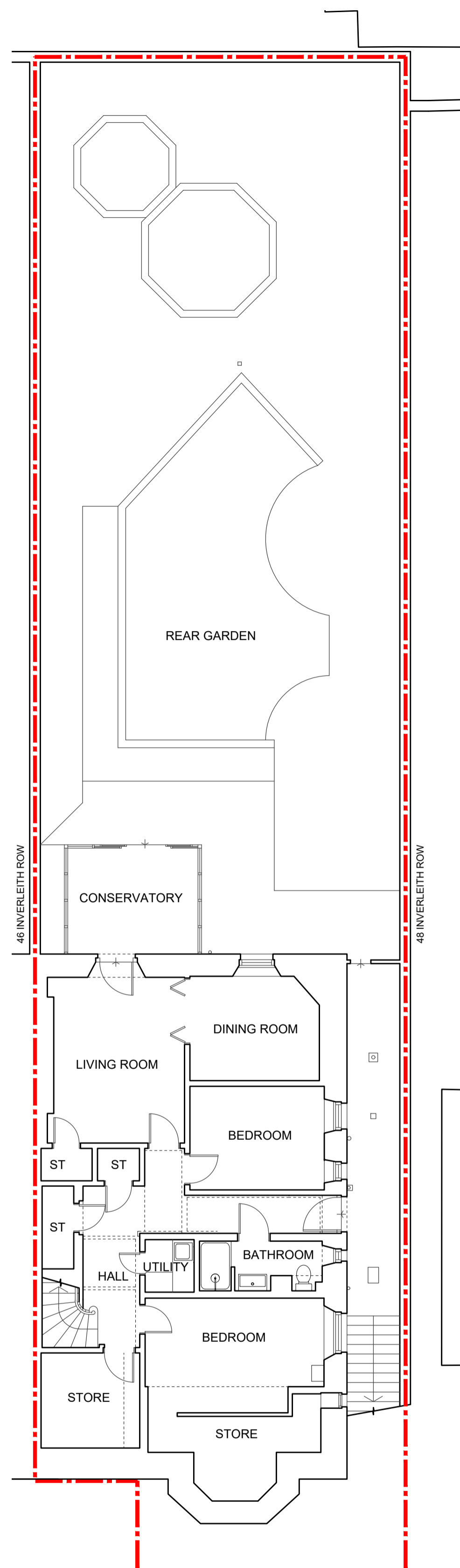
- APP1 Application Form
- APP2 Location Plan 394-L01
- APP3 Existing Plans and Elevations 394-001B
- APP4 Proposed Floor Plans and Elevations 394-002C
- APP5 Decision Notice
- APP6 Delegated Report
- APP7 Design and Conservation Statement
- APP8 Axonimetric View
- APP9 Elevation as Proposed 394-006
- APP10 Approved 8.4m extension LBC Decision Notice
- APP11 Approved 8.4m extension LBC Report of Handling
- APP12 Approved 8.4m extension LBC Proposed Floor Plans and Elevations



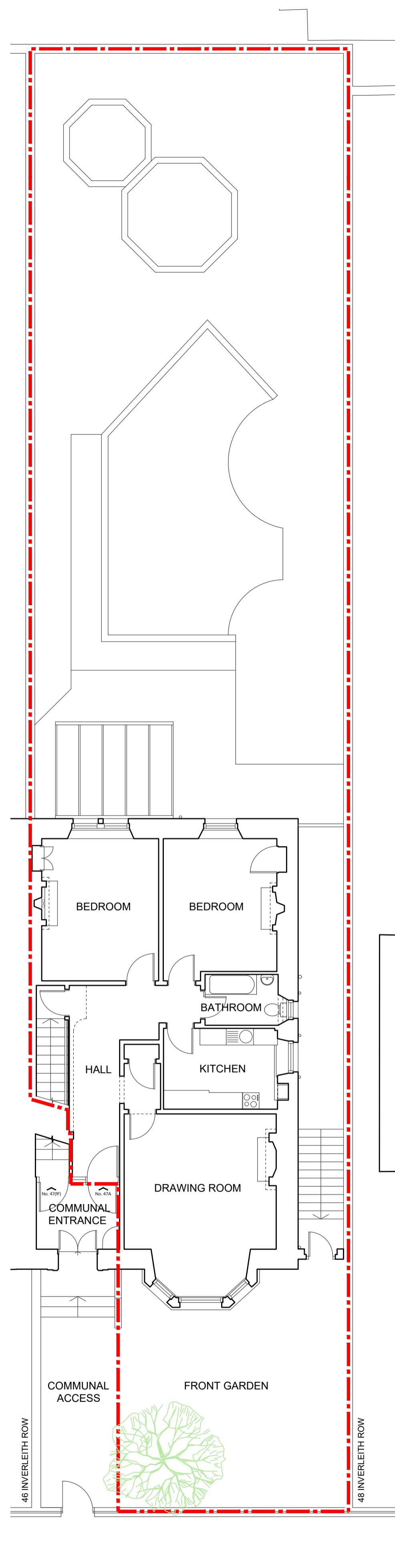
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NORTH



EXISTING LOWER GROUND FLOOR PLAN



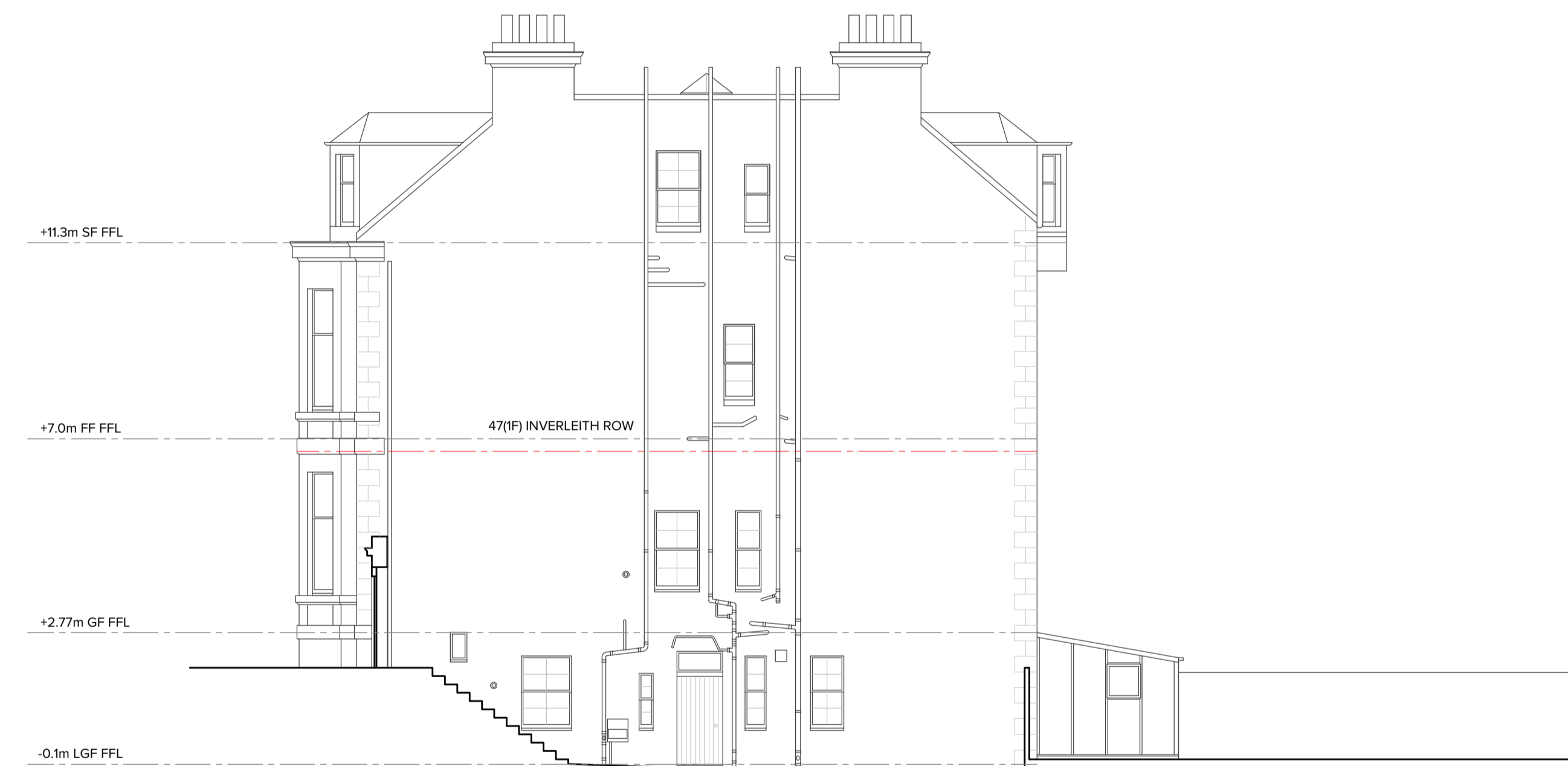
EXISTING GROUND FLOOR PLAN



EXISTING NORTH EAST ELEVATION

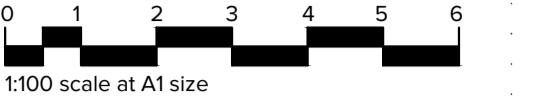


EXISTING SOUTH WEST ELEVATION



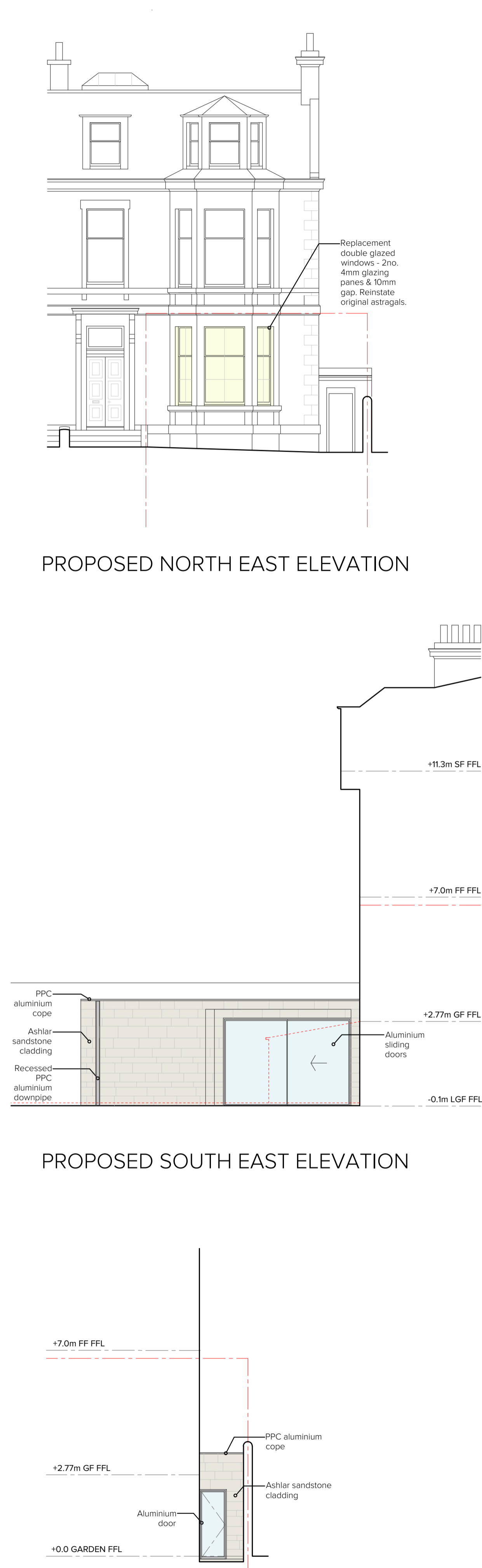
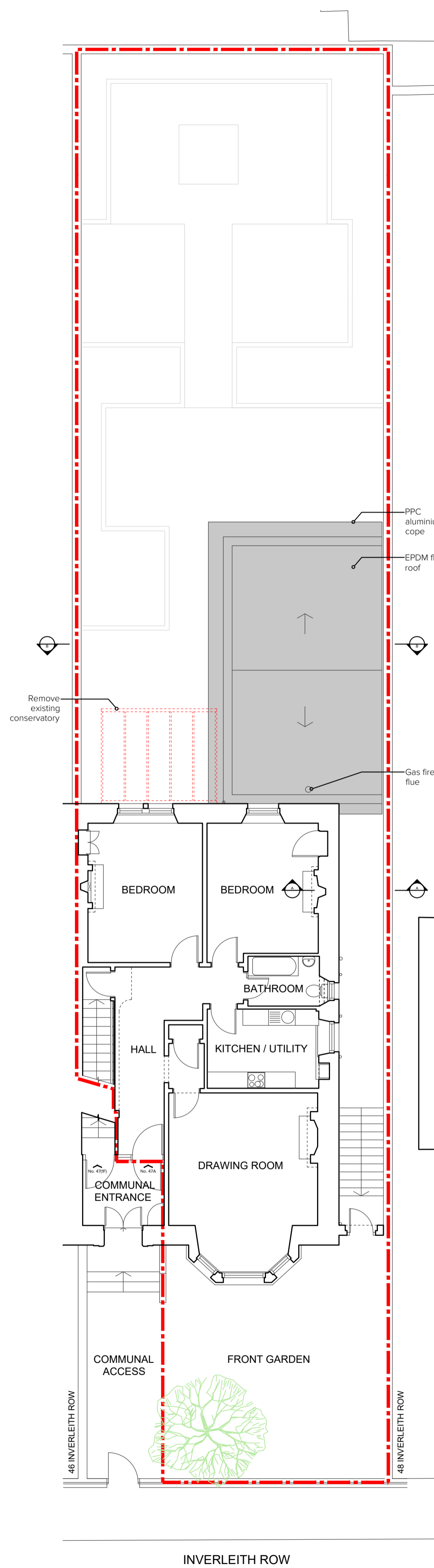
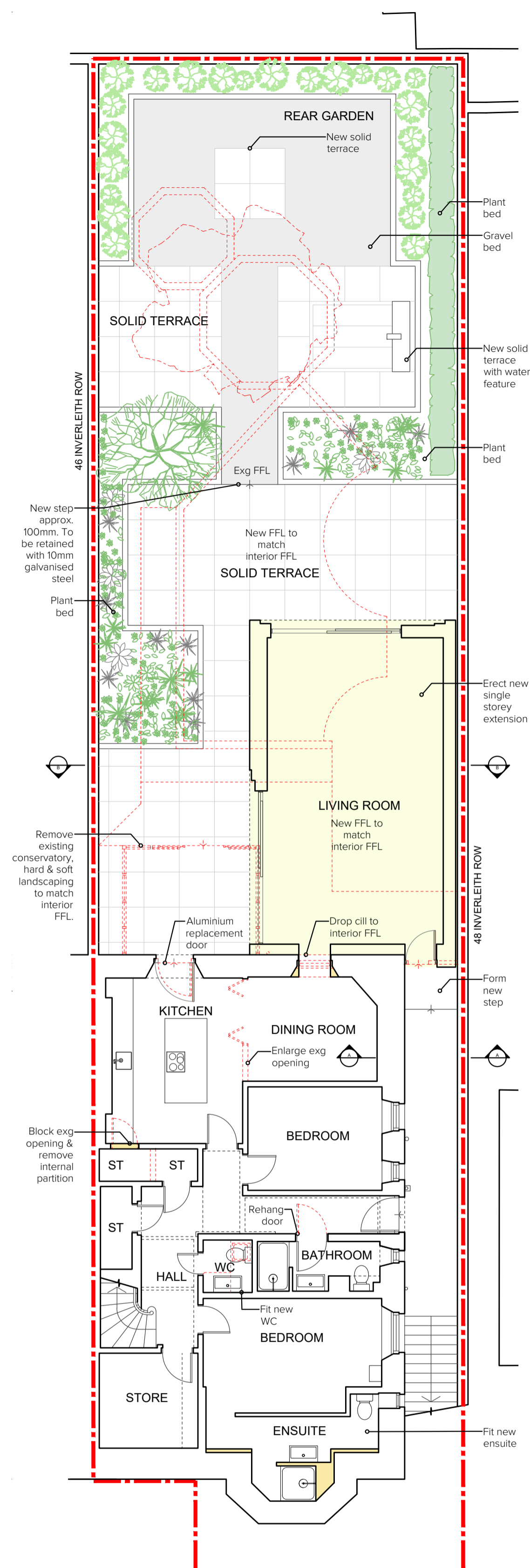
EXISTING NORTH WEST ELEVATION

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Revision A - 20/09/2021 Plans updated.
Revision B - 23/09/2021 Plans updated.

ZONE ARCHITECTS 211 GRANTON ROAD EDINBURGH EH5 1HD SCOTLAND TEL: 0131 551 1973 EMAIL: info@zonearchitects.co.uk	
PROJECT 47a Inverleith Row EDINBURGH	
DRAWING Existing Floor Plans & Elevations	
SCALE @ A1 1:100 @ A1	DATE Sept 2021
DRAWING N° 394-001	REV N° B



ZONE Architects.
FAO: David Jamieson
211 Granton Road
Edinburgh
EH5 1HD

Mr Smith
GF 47 Inverleith Row
Edinburgh
EH3 5PY

Decision date: 29 December 2021

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

Removal of conservatory and erection of new extension to the rear. Minor interior alterations. Double glazing and reinstatement of astragals to front windows.
At GF 47 Inverleith Row Edinburgh EH3 5PY

Application No: 21/05265/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 7 October 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 proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed would have a detrimental impact on the architectural merits of the host property.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as it would have a detrimental impact on the character and appearance of the

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

Drawings 01-03, 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 Conor MacGreevy directly at conor.macgreevy@edinburgh.gov.uk.



Chief Planning Officer
PLACE
The City of Edinburgh Council

NOTES

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

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

Report of Handling

Application for Planning Permission
GF 47 Inverleith Row, Edinburgh, EH3 5PY

Proposal: Removal of conservatory and erection of new extension to the rear. Minor interior alterations. Double glazing and reinstatement of astragals to front windows.

Item – Local Delegated Decision
Application Number – 21/05265/FUL
Ward – B05 - Inverleith

Recommendation

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

Summary

The proposal does not have special regard to the desirability of preserving the character and appearance of the conservation area and the character of the building, contrary to sections 59 and 64 of the Town and Country Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

SECTION A – Application Background

Site Description

The application site is a ground floor residential unit within a two storey mid-terrace property.

The property is a Statutory C Listed Building (1977).

Description Of The Proposal

The proposal is for the erection of a single storey rear extension, landscaping and internal works.

Other Relevant History

27.09.2021 - Enforcement case for; Alleged unauthorised stone cleaning of a listed building in a conservation area - (21/00682/ELBB).

Relevant Site History

21/05267/LBC

Removal of conservatory and erection of new extension to the rear. Minor interior alterations. Double glazing and reinstatement of astragals to front windows.

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: 29 December 2021

Date of Advertisement: 22 October 2021

Date of Site Notice: 22 October 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 principle of the proposal is acceptable in this location;

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

a) Principle of Development

The principle of the proposal, a single storey extension and landscaping works, would be acceptable.

b) Conservation Area

The Inverleith Conservation Area Character Appraisal emphasises the predominance of Georgian, Victorian and Edwardian villas and terraces which form boundaries to extensive blocks of public and private open space. The villa streets are complemented by a profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials.

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The non-statutory 'Listed Buildings and Conservation Areas' guideline states that it is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high-quality materials which complement the main building will be required.

The non-statutory Guidance for Householders states that planning permission will be granted for alterations and extensions to existing buildings which will not be detrimental to neighbourhood amenity and character.

Although the rear garden of the property is considerable, the introduction of a development of this scale would introduce an over-dominant and unsympathetic addition, to the detriment of the important relationship between the property and its rear curtilage. This would adversely affect the character and appearance of the conservation area.

The rear gardens along Inverleith Row are characterised by their expanse and soft landscaping. The existing rear garden is characterised by large areas of soft landscaping, which creates an appropriate relationship with the overall character of the conservation area. In contrast, the proposed works to the garden would create a design

that would be dominated by areas of hard surface, with peripheral elements of soft landscaping. This would change the rear garden to one where the emphasis would be on the hard surfaces, with the areas of soft landscaping taking on a secondary role. The works would create a hard and unyielding garden form that would diminish and detract from the green areas that form an important component in the overall character of the conservation area.

The proposal would fail to comply with ELDP Policy Env 6 and Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) Listed Building

LDP Policy Env 4 (Listed Buildings - Alterations & Extensions) 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 an diminution of the buildings interest; and any additions would be in keeping with other parts of the building.

The non-statutory 'Listed Buildings and Conservation Areas' guideline states that it is usually acceptable for an addition to be different and distinguishable from the existing building, in terms of design. The use of high-quality materials which complement the main building will be required.

The non-statutory Guidance on Listed Buildings and Conservation Areas states that proposed change will be managed to protect a building's special interest while enabling it to remain in active use.

The proposed single storey extension would have a relatively simple design and would clearly be read as a modern intervention. Although it would technically exceed 50% of the width of the rear elevation, it would extend beyond the gable of the building, therefore allowing a greater element of the rear elevation to be viewed. However, it would extend approximately 9.4 metres from the rear elevation of the property into the rear garden. To this extent, the proposal would be excessive in size and would fail to respect the scale of the existing building. It would create an unsympathetic, over-dominant and incongruous form, that would detract from the building's rear elevation.

The proposal, by virtue of its length, would disrupt the appearance of the existing building, creating an over-dominant addition that would challenge the architectural integrity of the host.

The proposed materials would be acceptable.

This does not comply with ELDP Policy Env 4 or with Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

d) the proposal will cause an unreasonable loss to neighbouring amenity;

LDP Policy Des 5 (Development Design - Amenity) states that planning permission will be granted where it is demonstrated that the amenity of neighbouring developments is not adversely affected and that future occupiers have acceptable levels of amenity in relation to noise, daylight, sunlight, privacy or immediate outlook.

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

The proposals have been assessed against requirements set out in the non-statutory Guidance for Householders to ensure there is no unreasonable loss to neighbouring amenity with respect to privacy, overshadowing and loss of daylight or sunlight.

The proposal complies with LDP Policy Des 5 and Des 12.

f) any impacts on equalities or human rights are acceptable

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

g) Other material considerations

SPP Sustainable Development

Scottish Planning Policy (SPP) presumption in favour of sustainable development is a significant material consideration due to the development plan being over 5 years old. The planning system should support economically, environmentally and socially sustainable places by enabling development that balances the costs and benefits of a proposal over the longer term. The aim is to achieve the right development in the right place; it is not to allow development at any cost. The application is contrary to SPP Principle 3 in that it would not support good design.

Emerging Policy Context

NPF 4 - Draft National Planning Framework 4 is being consulted on at present. As such, it has not yet been adopted. Therefore, little weight can be attached to it as a material consideration in the determination of this application.

City Plan 2030 - While the proposed City Plan is the settled will of the Council, it has not yet been submitted to Scottish Ministers for examination. As such, little weight can be attached to it as a material consideration in the determination of this application.

h) Public Comments

One comment was received from a member of the public in support of the application and was later withdrawn.

Conclusion -

The proposal as a whole is unacceptable and does not comply ELDP Policies, Env 4 and Env 6 and Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Reasons

1. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed would have a detrimental impact on the architectural merits of the host property.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as it would have a detrimental impact on the character and appearance of the

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 7 October 2021

Drawing Numbers/Scheme

01-03

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Conor MacGreevy, Planning Officer
E-mail: conor.macgreevy@edinburgh.gov.uk

Appendix 1

Consultations

No consultations undertaken.

DESIGN + CONSERVATION STATEMENT

47A INVERLEITH ROW,
EDINBURGH

SEPTEMBER 2021



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1.0 Introduction



Rear elevation

This design statement accompanies the planning application to alter and extend 47a Inverleith Row in Edinburgh.

This statement has been prepared in accordance with the principles of Regulation 13 of the Development Management Procedure Regulations. It provides information on the design principles and concepts that have been applied to the development and which—

(a) explains the policy or approach adopted as to design and how any policies relating to design in the development plan have been taken into account; and

(b) describes the steps taken to appraise the context of the development and demonstrates how the design of the development takes that context into account in relation to its proposed use;

This document and the accompanying drawings demonstrate that the proposals will result in a number of positive and neutral impacts on the character, integrity, amenity and setting of this listed building in line with national and local policies and guidance.

1.1 Location & Context



47a Inverleith Row is located in the suburb of Inverleith to the north of Edinburgh city centre and falls within the Inverleith Conservation Area.

“Inverleith Conservation Area is characterised by landscaped open spaces, surrounded by development dating principally from the early 19th to the mid-20th century. The quality and variety of spaces for recreational and sporting use, with their cumulative scenic qualities and views across the city, are the area’s most significant feature. High quality, primarily residential buildings in a restricted palette of traditional, natural materials, laid out in a street pattern, density and form reflecting the adjacent open spaces, complement the scenic characteristics.” (*Inverleith Conservation Area Appraisal*)

1.1 Location & Context



Inverleith Conservation Area

The architectural character of the Inverleith Conservation Area is dominated by rows of Georgian, Victorian and Edwardian villas and terraces. The villa streets are complemented by the profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials - sandstone and slate. Many of the large Victorian houses in Inverleith Place have been converted into flats. More recent, late twentieth and early twenty-first century examples tend to be more contemporary in character, using some traditional materials such as sandstone in cladding but modern in detail and form.

The variety of treatments, dressings and decoration allows variety and a sense of changing tastes and technologies over time. Most six-over-six pane sash and case glazing survives, along with historic doors and fanlights.

West of Inverleith Row, the typical villa development of the conservation area consists of single or paired houses of a very generous scale in sandstone rubble or ashlar with slated roofs. Two common types prevail: simpler, more classically-inspired styles and more ornate, picturesque styles. The classical types often have shallow roofs, pedimented doorpieces, asymmetrical bay windows and cast-iron brattishing to rooflines. Red sandstone is common for main walling and detailing, as well as the blond Craigleith type stone, more typical of Edinburgh. Red or yellow clay cans and six-over-one pane glazing are common in both types.

(Inverleith Conservation Area Appraisal)

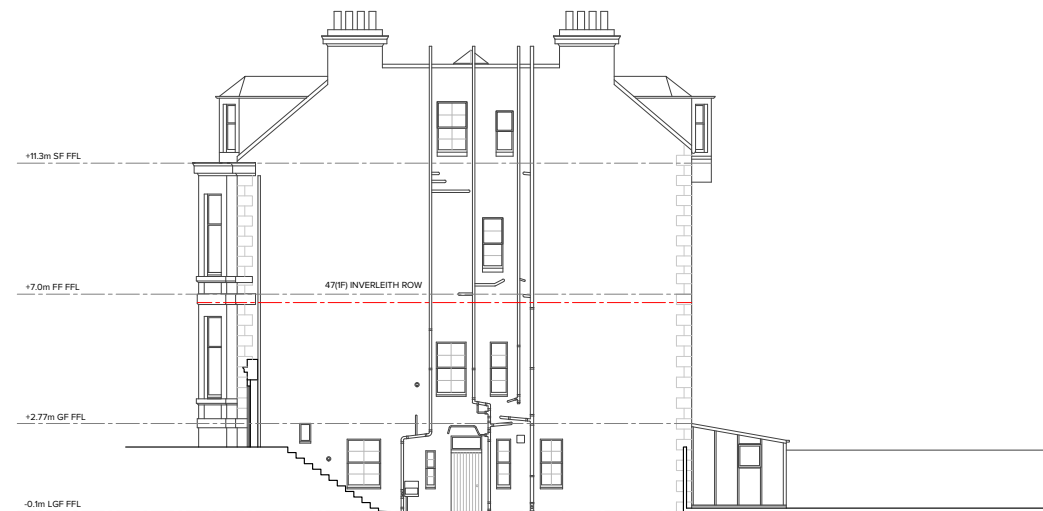
1.2 Description of the property



EXISTING NORTH EAST ELEVATION



EXISTING SOUTH WEST ELEVATION



EXISTING NORTH WEST ELEVATION

The property forms the lower part of a two storey mid-Victorian villa with a basement and an attic. It is category C-listed and its construction, along with its paired property (No. 46), is estimated around 1870 (Historic Environment Scotland). The main materials used are staggered sandstone coursers for the elevations and slate for the roof.

The front elevation of the villa features a canted bay on both floors, a consoled doorpiece on the ground floor and a canted bay and smaller dormer on the attic floor level.

The rear elevation of the villa is simpler and mainly features a canted bay and small dormer on the attic floor level. A conservatory was added to the back of the house in the recent years.

The property is accessed from Inverleith Row via a communal entrance on ground floor. A big part of the front garden and the side access to the back garden are part of the property, with neighbours having right of access. The property is also accessed from the side and rear elevations on basement level.

As the villa was divided in two in the past, its interior has suffered alterations and a big part of the internal fabric is not original. While the rear and side elevation windows retain their two-over-four and four-over-four pane sash and case glazing, the front elevation windows do not retain their original pattern. Apart from the conservatory in the rear elevation, the door leading to it is also not original as it was originally a window.

1.2 Description of the property

This is a copy of the statutory listing as noted on the Historic Environment Scotland record:

Summary:	Category C
Date Added:	29/04/1977
Local Authority:	Edinburgh
Planning Authority:	Edinburgh
Burgh:	Edinburgh
NGR	NT 24708 75827
Coordinates	324708, 675827

Description:

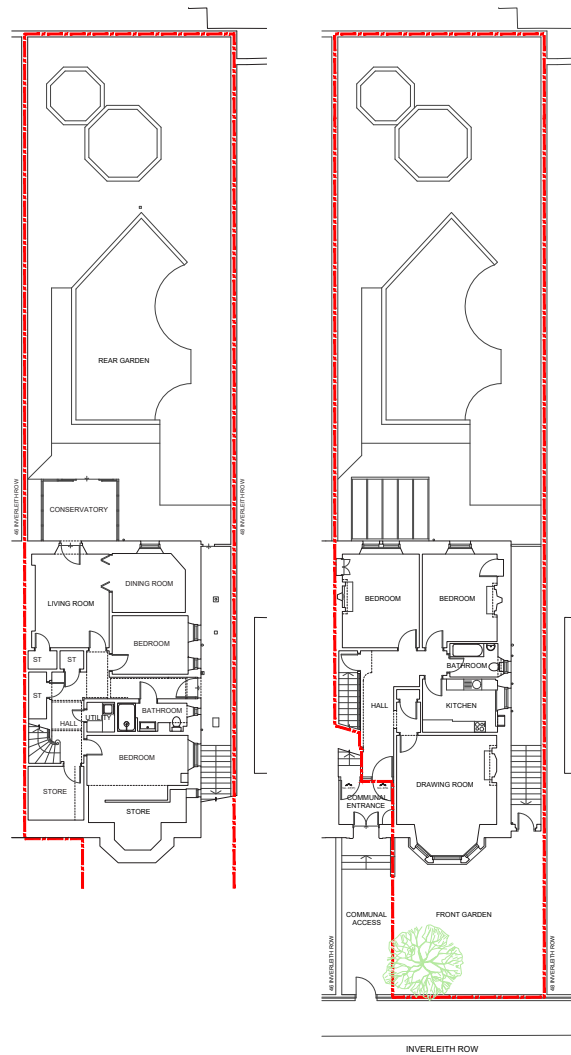
Circa. 1870. Mid Victorian 2-storey basement and attic

double villa, 2 canted bays, 2 central consoled doorpieces,

2 canted bay dormers, 2 small dormers. Stugged coursers,

slated roof.

1.2 Description of the property



EXISTING LOWER GROUND FLOOR PLAN

EXISTING GROUND FLOOR PLAN



Ground floor - Kitchen - Gillespie Macandrew



Basement - Living Room - Gillespie Macandrew



Basement - Conservatory - Gillespie Macandrew



Basement - Dining Room - Gillespie Macandrew

1.2 Description of the property



Ground floor - Communal Entrance - Gillespie Macandrew



Ground floor- Drawing Room - Gillespie Macandrew



Ground Floor - Hall - Gillespie Macandrew



Rear garden - the tree has now been removed

2.0 Planning and Listed Building Considerations

The considerations on the planning and listed building consent applications to which this Design Statement relates are different.

The planning application will be determined in line with S25 of the Town and Country Planning (Scotland) Act 1997 as amended which requires the Planning Authority to have regard to the development plan and determine the planning application in accordance with that plan unless material considerations indicate otherwise.

In terms of the listed building consent application Section 14(2) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 (as amended) requires the Planning Authority to 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.

Accordingly, the determining issues in the listed building consent application are whether the proposed works would preserve the listed building, its setting or any features of special architectural or historic interest it possesses and in the planning application whether the proposals are in line with the development plan. The development plan comprises the Sesplan and the Edinburgh Local Development Plan 2016. The policies relevant to one or both applications include:

- Des1 Design Quality and Context
- Des 12 Alterations and Extensions
- Env3 Listed Buildings (Setting)
- Env 4 Listed Buildings (Alterations and Extensions)

In addition to the above Supplementary Planning Guidance (SPG) forms a material planning consideration as does national planning policy and guidance. The following non-statutory documents are of relevance in the considerations of these proposals:

- Listed Buildings and Conservation Areas (2019)
- Guidance for Householders (2019)
- Historic Environment Scotland's Interim Guidance on the Principles of Listed Building Consent (2019)
- Managing Change in the Historic Environment – Interiors (2016).

2.0 Planning and Listed Building Considerations

Looking firstly to the policies of the **LDP Policy Des 1** Design Quality and Context advises that:

‘Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance.’

The proposal has evolved after undertaking a full site analysis, including understanding the heritage value of the building and its setting, the views into and out of the site, the needs of the owners as custodians of the listed building and their desire to improve the building by removing inappropriate, non-original alterations. Seeking to achieve an architecturally outstanding proposal that exemplifies the best qualities of a contemporary design in this setting has been a focus for the applicants. The proposal meets the terms of Des1.

With regard to the requirements of **LDP Policy Des 12** Alterations and Extensions where it is advised 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’

The proposal meets the terms of Des12 by virtue of being firstly an appropriate replacement existing non-original conservatory that is to be removed; being of its time and of a quality that enhances the rear elevation of the house; there are no impacts on adjoining neighbours due to its proposed height and setting and therefore no impacts on amenity and character in that regard. The proposal will be an appropriate addition to the existing house being subordinate to the main house, located at the rear. It will provide a more cohesive use of the space than the present extension and open up a better link to the rear garden with more potential for its year round use by the occupiers.

LDP Policy Env 3 Listed Buildings – Setting requires that:

‘Development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.’

The proposal meets the terms of Env3 being a sensitive, appropriate, complimentary addition to the listed building. The architecture proposed, the footprint, height, mass, scale, materials and detailing all help result in a proposal that will enhance the rear elevation of the listed building and replace a previous inappropriate additions The proposal meets the terms of policy Env3.

2.0 Planning and Listed Building Considerations

LDP Policy Env 4 Listed Buildings – Alterations and Extensions advises that:

‘Proposals to alter or extend a listed building will be permitted where

- a) those alterations or extensions are justified;
- b) there will be no unnecessary damage to historic structures or diminution of its interest; and
- c) where any additions are in keeping with other parts of the building.’

The proposed alterations to the building are justified in order to remove and replace inappropriate previous addition while meeting the spatial requirements of the applicants. The primary interest/ heritage value of the building as a category C listed building will be maintained and enhanced. The proposal meets the terms of Env4.

Reference has been made to the following documents in preparing this proposal:

- City of Edinburgh Council ‘Guidance for Householders’ (Feb 2019)
- City of Edinburgh Council ‘Listed Buildings and Conservation Areas’ (Feb 2019)

These two documents are the primary SPG for domestic extensions to listed buildings in Scotland.

With regard to City of Edinburgh Council ‘**Guidance for Householders**’ (Feb 2019)

The proposal does not seek to create a pastiche design but an architectural solution that compliments the existing building and does not detract from its heritage value. The proposal will not adversely impact upon neighbours or the amenity or character of the area.

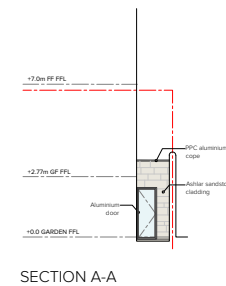
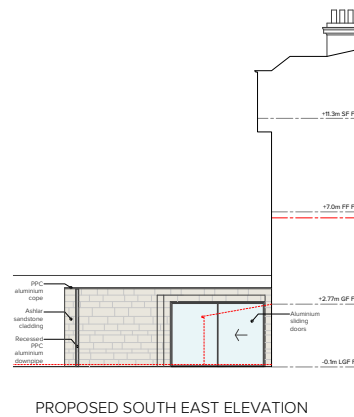
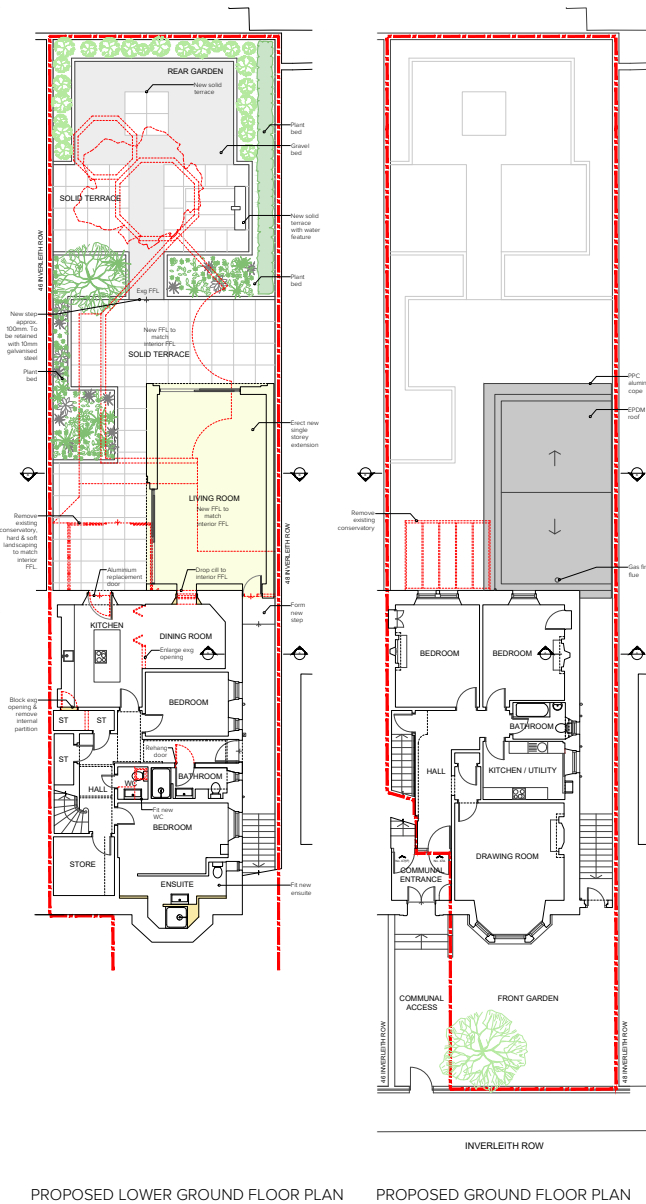
Looking to the detailed requirements of the SPG the proposal meets the criteria in terms of the position of the extension on the rear elevation - its size and set back. The selection of ashlar sandtone for the external finish is related to the applicant’s desire to create a high quality, interesting and characterful extension that is compatible with the design, scale and materials of the original house and neighbourhood. This meets the terms of the SPG criteria in terms of matching the materials of the original building. We also note that the SPG states ‘The use of traditional materials but in a modern design can be an effective way of respecting the character the building or area whilst still encouraging new architectural ideas.’ It is noted that the SPG acknowledges that ‘flat roofs are part of a high quality, contemporary design’. We hope that the Planning Officer will agree that we have created a high quality, contemporary design. In addition, the proposed roof sits well below the neighboring boundary wall and street level, and the view of the house from the street, or from other rear gardens will not be affected by this proposal.

2.0 Planning and Listed Building Considerations

With regard to the CEC SPG on **Listed Buildings and Conservation Areas** the proposal is clearly subservient to the main building and is not on the principal elevation. The extensions is under the 50% threshold width stated in the SPG. The SPG allows the proposal to be 'different and distinguishable from the existing building, in terms of design.' The proposal seeks to be visually separated with the use of careful contemporary detailing, contemporary window materials and sizes, as well as, a 'shadow gap' between new and old.

The SPG advises that 'Encouragement will be given to the removal of inappropriate additions which are of inferior quality and which detract from the listed building.' This proposal includes the removal of an inappropriately designed conservatory.

3.0 Design Proposal - Proposed Plans & Elevations



3.1 Design and form



View of the proposed rear garden extension

The proposals include the removal of the existing conservatory and the erection of a new single storey extension to the rear. The proposed extension will only cover half of the rear elevation and will be constructed from highly quality materials, principally natural sandstone ashlar with powder coated aluminium architectural glazing.

The design of the extension is such that the sunlight enjoyed by neighbours will not be affected in anyway. The proposal is well away from the southern party wall and, due to the height of the existing northern party wall there will be no overshadowing.

3.2 Materials Palette



Ashlar sandstone - i.e. Elswick Grey



Granite paving



Aluminium sliding windows

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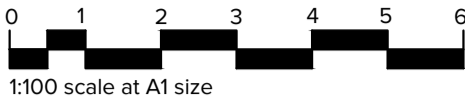


PROPOSED SOUTH WEST CONTEXTUAL ELEVATION



PROPOSED NORTH EAST CONTEXTUAL ELEVATION

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PROJECT
47a Inverleith Row
EDINBURGH

DRAWING
Proposed Elevations

SCALE # A1
1:100 @ A1
DATE
Feb 2022

DRAWING N°
394-006
REV N°
—

Zone Architects.
FAO: David Jamieson
211 Granton Road
Edinburgh
EH5 1HD

Mr Ian Smith.
GF 47 Inverleith Row
Edinburgh
EH3 5PY

Decision date: 3 March 2022

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

Removal of conservatory and erection of new extension to the rear. Minor interior alterations.
At GF 47 Inverleith Row Edinburgh EH3 5PY

Application No: 22/00079/LBC

DECISION NOTICE

With reference to your application for Listed Building Consent registered on 10 January 2022, 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 **Granted** in accordance with the particulars given in the application.

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

Conditions:-

1. Details of the design and material for the new door allowing passage into the rear garden (where previously the conservatory to be removed is located) shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Note: The new door should encompass an appropriate Victorian design utilising timber. French Door(s) would be considered appropriate.

Reasons:-

1. In order to preserve the special architectural character of the listed building given that this fixture will sit within an original section of the listed building's rear elevation.

Informatives

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. This consent is for listed building consent only. Work must not begin until other necessary consents, eg planning permission, have been obtained.

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

Drawings 01, 02, 03A, 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 proposed extension, hard and soft landscaping works and the internal alterations adequately safeguard the recognised special architectural character and historic interest of the listed building and would preserve the special character and appearance of the Inverleith Conservation Area. The proposal are therefore in accordance the Edinburgh Local Development Plan and with Section 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

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 Daniel Lodge directly on daniel.lodge@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://www.eplanning.scot/ePlanningClient/default.aspx> 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
GF 47 Inverleith Row, Edinburgh, EH3 5PY

Proposal: Removal of conservatory and erection of new extension to the rear. Minor interior alterations.

Item – Delegated Decision
Application Number – 22/00079/LBC
Ward – B05 - Inverleith

Recommendation

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

Summary

The proposed extension, hard and soft landscaping works and the internal alterations adequately safeguard the recognised special architectural character and historic interest of the listed building and would preserve the special character and appearance of the Inverleith Conservation Area. The proposal are therefore in accordance the Edinburgh Local Development Plan and with Section 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

SECTION A – Application Background

Site Description

The application site comprises a ground floor and lower ground floor residential unit within a two storey plus attic semi-detached property with front and rear gardens. A separate residential unit exists above ground floor level.

The building is mid Victorian (Circ. 1870) and comprises double villa with stugged courses; two canted bays; two central consolidated doorpieces and two canted bay dormers. The property along with its adjoining neighbour at 46 was listed at Category 'C' on 29 April 1977 (Ref. LB29179)..

Description Of The Proposal

Scheme 2

The scheme has been amended to propose a green living sedum room in place of EPDM (rubberised) coating previously proposed.

Scheme 1

The proposal is for the removal of the existing conservatory and the erection of a single storey flat-roofed rear extension, landscaping and minor internal works. Proposed external building materials comprise polished ashlar cladding, aluminium copes, rainwater goods and framed sliding doors and a EPDM flat roof. The existing timber framed door to access the existing conservatory (that is to be removed) is to be replaced with a aluminium farmed door.

Landscaping works are proposed within the rear garden area.

Minor internal alterations are proposed that largely cover the lower ground floor level.

Supporting information

A design statement has been submitted in support of the proposals.

Relevant Site History

21/05267/LBC

Removal of conservatory and erection of new extension to the rear. Minor interior alterations. Double glazing and reinstatement of astragals to front windows.

Refused

29 December 2021

21/05265/FUL

Removal of conservatory and erection of new extension to the rear. Minor interior alterations. Double glazing and reinstatement of astragals to front windows.

Refused

29 December 2021

Consultation Engagement

No Consultations.

Publicity and Public Engagement

Date of Neighbour Notification: Not Applicable

Date of Advertisement: 21 January 2022

Date of Site Notice: 21 January 2022

Number of Contributors: 0

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) within a conservation area, this application for listed building consent requires to be assessed against Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- Having due regard to HES Policy and guidance, do the proposals:
 - a. harm a listed building or its setting? or
 - b. conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

Assessment

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

a) The proposals harm the listed building or its setting?

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment 'Extensions'
- Managing Change in the Historic Environment 'Use and Adaptation of Listed Buildings'
- Managing Change in the Historic Environment 'Interiors'

The proposed single storey extension would comprise a simple form and design and would clearly be read as a modern intervention. Although it would technically exceed 50% of the width of the rear elevation, it would extend beyond the gable of the building, therefore allowing a greater element of the rear elevation to be viewed. Given the scale and height of the building with long sunken garden to the rear, the extension will appear modest given its low-profile and form, and represents a suitably subservient addition to the listed building.

The use of a limited palette of materials that comprises appropriate polished ashlar sandstone cladding, contrasting aluminium rainwater goods and copes and glazing, represents a maintainable, honest and plain approach clearly acknowledging the modern character and appearance of the extension whilst nodding to the Victorian property given the predominant use of polished ashlar sandstone. The scheme has been amended to remove the rubberised coating applied to the flat roof and replaces it with a living sedum roof that will capture rainfall and offset the impact of the harder surfaces proposed for the terraces in the rear garden.

Internally, the proposals involve minimal fabric loss through utilising the existing window within the rear elevation to provide access into the new extension from the principal house. Subject to a planning condition to ensure the new access door where it previously allowed passage into the conservatory (to be removed) is of a more

contemporary design utilising aluminium framing. It is considered appropriate to condition the consent to seek a more traditional approach to the design for the door given that it will not become an external fixture within the original villa. Subject to condition, the proposals are judged to adequately respect the setting and external character of the listed building

Internally, the alterations are minor in nature leaving the principal rooms and spaces as existing. The slapping and reworking of smaller rooms and spaces within them work with the existing fabric and impact on a less formal level of the property where the plan-form, proportions and level of architectural detailing isn't as sensitive to alterations than on the more formal ground floor level.

Conclusion in relation to the listed building

The proposed extension, internal alterations and proposed landscaping of the rear garden are judged to respect the recognised special architectural character and historic interest of the listed building. The proposals are therefore, in accordance with Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals harm the character or appearance of the conservation area?

The Inverleith Conservation Area is characterised by landscaped open spaces, surrounded by development dating principally from the early 19th to the mid-20th century. The quality and variety of spaces for recreational and sporting use, with their cumulative scenic qualities and views across the city, are the area's most significant feature. High quality, primarily residential buildings in a restricted palette of traditional, natural materials, laid out in a street pattern, density and form reflect the adjacent open spaces and complement the scenic characteristics.

Although the projection of the extension is fairly considerable, the rear garden of the property is generous. The introduction of an extension of this footprint is therefore comfortably accommodated given the height, form, detailing and the extent of the garden remaining. The extension and landscaping works are therefore judged to preserve the important relationship between the property and its rear curtilage.

The rear gardens along Inverleith Row are characterised by their expanse and soft landscaping. The existing rear garden is characterised by large areas of soft landscaping, which creates an appropriate relationship with the overall character of the conservation area. Although the proposed works to the garden would create a design that would accommodate areas of hard landscaping with smaller more focused central lawn and peripheral elements of soft landscaping, the amended design of the extension with living sedum roof would on balance, offset the impact of the hard landscaping on the character and appearance of the rear garden. The proposals would adequately preserve the green areas that form an important component in the overall character of the conservation area.

Conclusion in relation to the conservation area

The proposed works adequately preserve the special character and appearance of the Inverleith Conservation Area and are therefore, in accordance with the Edinburgh Local

Development Plan Policy E6 and with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) there are any other matters to consider?

There are no other material matters to consider in the assessment of the application

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

No representations have been received.

Overall conclusion

The proposed extension, hard and soft landscaping works and the internal alterations adequately safeguard the recognised special architectural character and historic interest of the listed building and would preserve the special character and appearance of the Inverleith Conservation Area. The proposals are therefore, in accordance the Edinburgh Local Development Plan and with Section 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

1. Details of the design and material for the new door allowing passage into the rear garden (where previously the conservatory to be removed is located) shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Note: The new door should encompass an appropriate Victorian design utilising timber. French Door(s) would be considered appropriate.

Reasons

1. In order to preserve the special architectural character of the listed building given that this fixture will sit within an original section of the listed building's rear elevation.

Informatives

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. This consent is for listed building consent only. Work must not begin until other necessary consents, eg planning permission, have been obtained.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 10 January 2022

Drawing Numbers/Scheme

01, 02, 03A

Scheme 2

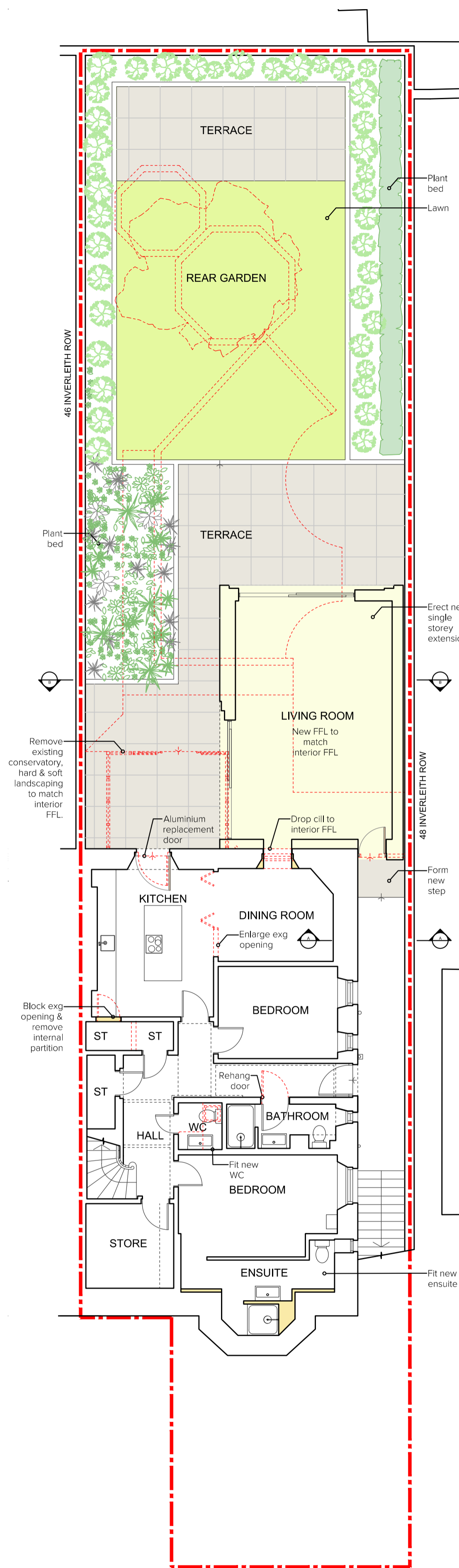
David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Daniel Lodge, Planning officer
E-mail: daniel.lodge@edinburgh.gov.uk

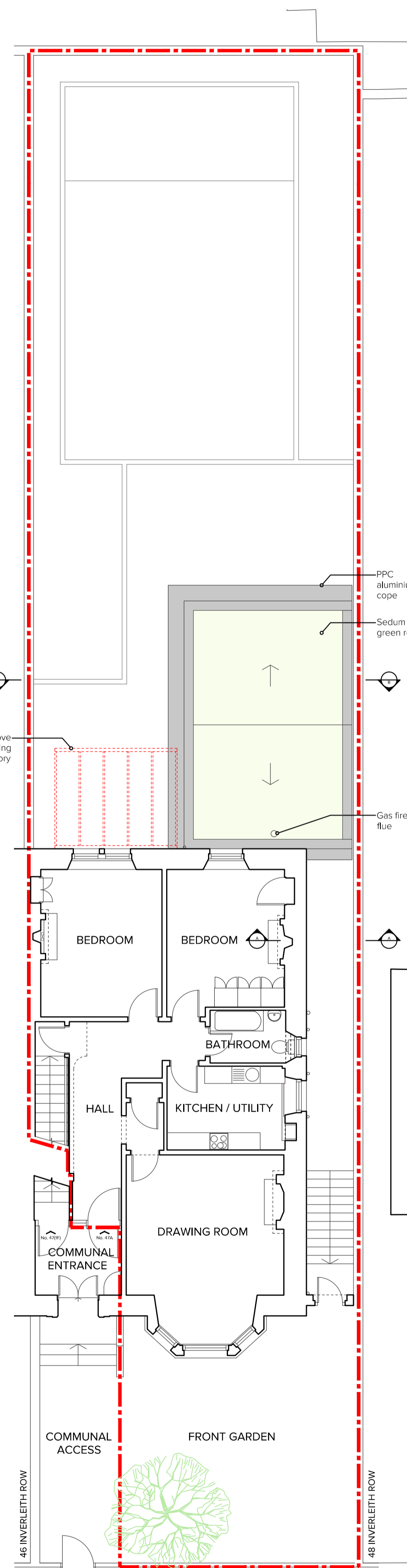
Appendix 1

Consultations

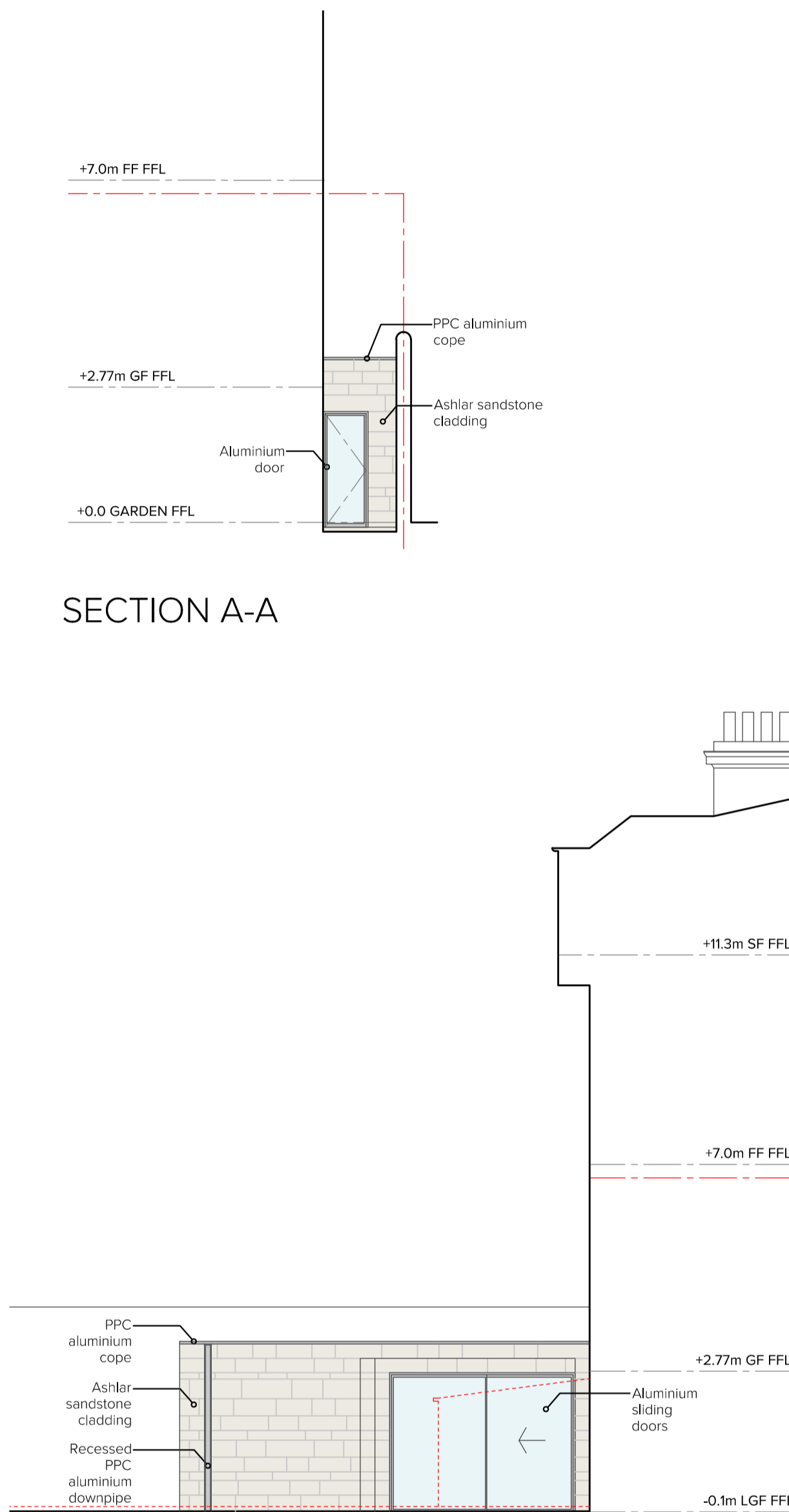
No consultations undertaken.



PROPOSED LOWER GROUND FLOOR PLAN



PROPOSED GROUND FLOOR PLAN



SECTION A-A

PROPOSED SOUTH EAST ELEVATION

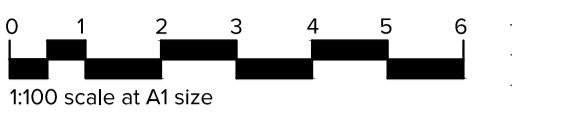


PROPOSED SOUTH WEST ELEVATION



SECTION B-B

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Revision A - 01.03.2022
Green roof added

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PROJECT
47a Inverleith Row
EDINBURGH

DRAWING
Proposed Floor Plans
& Elevations

SCALE # A1 DATE
1:100 @ A1 Jan 2022

DRAWING N° REV N°
394-005 A