

Development Management Sub Committee

Wednesday 18 March 2020

**Application for Planning Permission 19/05991/FUL
at 21 West Mayfield, Edinburgh, EH9 1TQ.
Alterations to existing lightwells, formation of new
lightwells and courtyard. Formation of basement short term
holiday let unit, alterations to basement of existing short
term holiday let unit, along with associated external
alterations and drainage.**

Item number

Report number

Wards

B15 - Southside/Newington

Summary

The proposal complies with Section 59 of the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the character and setting of the listed building. In these respects the proposal further complies with Edinburgh Local Development Plan Policies Env 4 (Listed Buildings- Alterations and Extensions, LDP Policy Env 3 (Listed Buildings - Setting) and the Council's Guidance on Listed Buildings and Conservation Areas.

The proposals complies with Section 64 of the Planning (Listed Building and Conservation Areas) Scotland Act 1997 and LDP Policy Env 6 (Conservation Areas - Development), as well as the Council's Guidance on Listed Buildings and Conservation Areas, as they preserve the character and appearance of the conservation area and are consistent with the relevant conservation area character appraisal,

The proposals safeguard the living conditions of nearby residents and satisfy the terms of LDP Hou 7 (Inappropriate Uses in Residential Areas). Furthermore, there are no harmful impacts found in terms of road safety or infrastructure and the proposals for on-site cycle parking accord with the requirements of LDP Policy Tra 3 (Private Cycle parking).

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES12, LEN03, LEN04, LEN06, LHOU07, LTRA02, LTRA03, NSG, NSLBCA, HES, HESWIN, HESUSE, CRPCMP,

Report

Application for Planning Permission 19/05991/FUL at 21 West Mayfield, Edinburgh, EH9 1TQ.

Alterations to existing lightwells, formation of new lightwells and courtyard. Formation of basement short term holiday let unit, alterations to basement of existing short term holiday let unit, along with associated external alterations and drainage.

Recommendations

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

Background

2.1 Site description

The application site is located on the south side of West Mayfield in a residential villa area.

The building is a large, detached, two storey villa, with basement and attic and single storey wings adjoining its north and south sides. It was built circa 1870, with 20th century alterations. It is category C listed (25.03.1997) (ref. 44441).

The building has sandstone stone walls, a slate roof and two columns of bay windows at ground and first floor levels on the rear elevation. The existing windows are predominantly sash and case, with some pivot windows on the single storey wing to the east.

The front garden is largely surfaced in gravel and is bounded by a low coped rubble wall to the street with replacement railings on the street frontage. The rear garden grounds are extensive and slope downwards from the building's elevated position to the south.

This application site is located within the Craigmillar Park Conservation Area.

2.2 Site History

17.08.1995 - Planning permission refused for change of use from hostel to hotel (as further amended) (94/02814/FUL)

30.07.1997 - Planning permission refused for alterations, subdivision and change of use from hostel to house and guest house. (Application reference number 97/00422/FUL).

06.12.1998 - Planning permission granted for change of use from hotel to form 3 flats and form additional run-in at west end (as amended) (application reference number 98/02462/FUL).

01.10.2014 - Proposed alterations to ground floor accommodation to form 2 no. shared residential units. (in part retrospect) (Application number 14/03503/LBC).

09.01.2015 - Planning permission granted for proposed alterations to ground floor accommodation to form 2 no short term holiday let units (application reference number 14/03503/FUL).

22.04.2015 - Listed Building Consent granted for proposed alterations to basement floor accommodation to form one short term holiday let unit (application reference numbers 15/00801/FUL and 15/00801/LBC).

19.04.2017 - Planning and Listed Building Consent granted for alterations to existing light wells, proposed single storey rear extension, alteration of basement for short term holiday let unit (as amended) (application reference numbers 17/00707/FUL and 17/00708/LBC).

16.02.2020 - Application for Listed Building Consent submitted for alterations to existing lightwells, formation of new lightwells and courtyard, formation of basement short term holiday let unit, alterations to basement of existing short term holiday let unit, along with associated external alterations and drainage. (application reference number 19/05993/LBC)

Main report

3.1 Description of the Proposal

The proposals include: a) The proposed expansion of the current, three bed, short term let unit, at the east side of the dwelling house, to a four bed, short term let unit and; b) the change of use of the existing basement area, to the west of the main dwelling house, to a three bedroomed, short term let apartment at basement level, with access via rear courtyard. (The existing ground floor kitchen serving the main dwelling house and the upper two storeys of accommodation will remain unchanged.)

The following works are proposed on the east side of the building

- Formation of additional bedroom and en-suite within existing basement storage area;
- Installation of French doors and 'Slimlite' windows on each side of bay at basement level, serving this bedroom;
- Formation of new lightwell with retaining wall, surrounding rear facing doors and bay window.

The following works are proposed on the west side:

- Re-configuration of existing layout at basement level, to form a three bedroomed, short term let unit, with an open plan kitchen/ living /dining room;
- Formation of new patio doors and window in 'Slimlite' glazing, facing onto proposed low level, rear courtyard, with retaining walls;

- Formation of open stairwell leading to the entrance of new apartment from proposed sunken courtyard;
- Formation of new French doors and 'Slimlite' windows on sides of rear facing bay, to serve proposed bedroom;
- Installation of replacement ('Slimlite') window on east elevation.
- Replacement of existing window to form an entrance door to the proposed courtyard and
- Provision of external cycle stores.

3.2 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?

3.3 Assessment

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

- a) The principle of the proposed use is acceptable at this location;
- b) The proposals will have an adverse impact on the character of the listed building;
- c) The proposals will preserve or enhance the character or appearance of the conservation area;
- d) The proposals will safeguard neighbouring amenity;
- e) There would be any adverse impacts on road safety or local transport infrastructure;
- f) Any comments have been addressed.

a) Principle of Proposed Use

The application site is located within the Urban Area, as designated in the Edinburgh Local Development Plan (LDP). The surrounding area is predominantly residential in character. A substantial element of this large villa use will be retained for use as a private dwelling house.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) provides that developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents will not be permitted. The impacts on neighbouring amenity are considered in section 3.3d).

The proposed use is acceptable in principle at this location within the Urban Area, subject to other policy considerations, including impacts on the listed building and amenity, as referred to below.

b) Listed Building and its Setting

Character of Listed Building

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.

Historic Environment Scotland's Managing Change (HES) guidance note on the use and adaptability of listed buildings explains that the process of converting a building will have some impact on a building's special interest, regardless of how well it is handled.

HES's guidance on Managing Change - 'Roofs, Extensions, Settings, Boundaries and Interiors' set out the principles that apply to altering listed buildings and how it should inform planning policies.

LDP Policy Env 4 (Listed Buildings -Alterations and Extensions) states that proposals to alter or extend a listed building will be permitted where the alterations or extensions are justified and there will be no unnecessary damage to historic structures or diminution of its interest.

The proposed external alterations mainly comprise of window alterations with associated provision of lightwells and a sunken courtyard, at basement level.

HES Managing Change guidance on Windows states that the size, shape proportions, pattern and materials of windows and method of opening all contribute to the character of the historic window. This guidance also advises that new openings must be carefully located to avoid disruption to the external and internal context.

The Council's Guidance on Listed Buildings and Conservation Areas states that: *Proposals to convert windows to door openings will not be considered acceptable on principal frontages or above garden level on all other elevations. Where acceptable, the width of the existing opening should not be increased. Normally, only one set of French windows will be permitted. Entirely new window openings are unlikely to be acceptable on principal elevations as this can create an unbalanced composition.*

Two of the new windows and French doors proposed at basement level on the rear elevation are discreetly located within proposed lightwells, which are covered by traditional style grilles. The proposed French doors proposed at the east end of this elevation are to be installed below an existing window opening at basement level. Their appearance would be partially obscured from view by the metal fencing surrounding a proposed sunken courtyard. The proposed glazing pattern and proportions and profile of these windows and doors will nevertheless be in keeping with those of the original building, in accordance with both HES Managing Change Guidance and the Council's relevant guidance.

The proposed metal railing surrounding the sunken courtyard are traditional in style and painted black, in keeping with the building's character.

Two of the replacement windows proposed at basement level on the front elevation are situated within the existing window openings. Although their design incorporates a non-traditional, tilt and turn opening mechanism, they will be positioned within an enlarged light well and hidden from view by replacement grilles. The new window opening proposed at basement level on the elevation are also enclosed in this manner. A relaxation to the Council's guidance on Listed Buildings and Conservation Areas, in terms of the window design and opening method, is considered justifiable at these enclosed locations.

All new glazing proposed consists of slim profile, double glazing, in accordance with the recommendations of the Council's Guidance on Listed Buildings and Conservation Areas. HES Managing Change guidance on windows, also recognises that some types of double glazing are appropriate for use on listed buildings.

The proposed works to the lightwells accord with the Council's guidance on Listed Buildings and Conservation Areas which states that lightwells in basements will only be permitted where they are part of the character of the street and are covered with a flush metal grille.

Overall, the proposed alterations are low profile in form and suitably discreet, thus minimising the impacts on the building's character and appearance. It is noted that these alterations are less obtrusive than the works proposed to provide similar basement level conversion under the applications approved in 2017 (Planning and Listed Building Consent Application numbers 17/00707/FUL and 17//00708/LBC), which included a significantly more conspicuous, ground floor level extension.

It is therefore concluded that the proposals pay special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses and comply with the provisions of LDP Policy Env 4 (Listed Buildings- Alterations and Extensions).

Setting of Listed Building

Historic Environment Scotland's document 'Managing change in the Historic Environment - Setting' states;

'Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.

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

The generally low profile nature of the proposed alterations will ensure that they have no significant impact on the building's curtilage or wider views from within this conservation area setting. Although there will be some visible changes within the front garden as a result of the increased size of the lightwells, these are relatively small and would not result in any significant loss of landscaped space. The courtyard to the rear occupies a small corner of these generous sized grounds will not affect the spacious qualities of this landscaped setting.

The proposed cycle stores are small scale structures and discreetly located at the side of the dwelling house, next to an existing boundary wall. Their modest scale, use of timber and discreet location will ensure that they have no noticeable impact on the setting of the listed building. However, a condition is proposed, to ensure that full details of their design and exact height are approved by the Planning Authority.

With reference to section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the proposals have special regard to the desirability of preserving the building and its setting and do not adversely affect any features of special architectural and historic interest. The proposals further comply with LDP Policy Env 4 (Listed Buildings- Alterations and Extensions) and Env 3 (Listed Buildings - Setting).

c) Character and Appearance of Conservation Area

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

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

Policy Env 6 in the LDP (Conservation Areas- Development) requires development proposals to preserve or enhance the character or appearance of the conservation area and is consistent with the relevant conservation character appraisal.

The West Mayfield Conservation Area Character Appraisal notes:

The distinct pattern of detached, semi-detached and terraced mainly Victorian houses oriented towards the street frontages, set within significant gardens. Consistency is provided by the very regular building lines, with all properties set back behind a front garden. The mature gardens soften the stone buildings and create an open landscaped structure which characterises the Conservation Area. The properties also have significant rear gardens.

The Appraisal also notes:

The high quality stone-built architecture of limited height provides homogeneity through building lines, heights and massing. The predominant use of traditional building materials: local sandstone for buildings and boundary walls and Scots slate for roofs provides a significant degree of uniformity.

The proposed use of high quality, traditional materials in the external alterations is in keeping with this element of the Area's character.

The low profile, largely inconspicuous alterations to the front of the building respect the character on the existing street frontages.

The spacious qualities of the large rear garden will be retained. The proposals would have little impact on the existing landscaping. Also, no mature trees which would be affected by these works, thereby safeguarding the area's landscape character.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the proposals preserve the character and appearance of the conservation area. There are no adverse impacts on the setting of the conservation area. The proposals will therefore preserve and enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6 (Conservation Areas-Development).

d) Residential Amenity

The application site is located within an established residential area. Concerns have been raised by a neighbour that the addition of a further short term let unit on this street would impact on the character of this neighbourhood. The existing dwelling house already contains two short term let units. However, the existing villa at the application site is substantial in scale and set within its own grounds. There would be ample floor space available for the occupants of the remaining dwelling house at this site and associated garden grounds.

Both the existing and the proposed new short term let units would have separate entrances to their accommodation and the main entrance hallway would be for the sole use of the home owners. This arrangement should minimise any risk of disturbance to neighbouring occupiers.

The proposals are not considered to have a material impact on the living conditions of nearby residents and satisfy the terms of LDP Hou 7 (Inappropriate Uses in Residential Areas).

e) Road Safety and Local Transport Infrastructure

There is no vehicle parking proposed within the premises. Although there is no requirement for off street parking provision within this parking zone of the city, the gravel driveway at the front of the property could accommodate at least three vehicles. It is not anticipated that there would be any significant increase in traffic generation as a result of the provision of an additional serviced apartment.

The Council, as Roads Authority, has advised that the applicant should consider providing cycle parking facilities on site. The amended proposals which include cycle storage units, at the side of the dwelling house, will help facilitate the use of active travel and accord with the principles of LDP Policy Tra 3 (Private Cycle Parking)

It has also been recommended by the Council, as Roads Authority, that the applicant considers the installation of Electric Vehicle charge point equipment on site. The development does not propose any parking and it is therefore not reasonable to make the development acceptable.

The proposals are considered acceptable in terms of their impacts on parking and the local transport infrastructure system.

Matters Raised in Representations

Material Issues

- Concerns regarding potential overdevelopment of property and associated harm to listed building interior - this is addressed in section 3.3a)
- Impacts of proposed lightwells on character and symmetry of building and conservation area- this is addressed in section 3.3a) and b).
- Impacts on neighbouring amenity- this is addressed in section 3.3 d).

CONCLUSION

The proposal complies with Section 59 of the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the character and setting of the listed building. In these respects the proposal further complies with Edinburgh Local Development Plan Policies Env 4 (Listed Buildings- Alterations and Extensions, LDP Policy Env 3 (Listed Buildings - Setting) and the Council's Guidance on Listed Buildings and Conservation Areas.

The proposals complies with Section 64 of the Planning (Listed Building and Conservation Areas) Scotland Act 1997 and LDP Policy Env 6 (Conservation Areas - Development), as well as the Council's Guidance on Listed Buildings and Conservation Areas, as they preserve the character and appearance of the conservation area and are consistent with the relevant conservation area character appraisal,

The proposals safeguard the living conditions of nearby residents and satisfy the terms of LDP Hou 7 (Inappropriate Uses in Residential Areas). Furthermore, there are no harmful impacts found in terms of road safety or infrastructure and the proposals for on-site cycle parking accord with the requirements of LDP Policy Tra 3 (Private Cycle parking).

There are no other material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:

1. Detailed drawings of the proposed cycle storage units, shall be submitted to and approved by the Planning Authority, prior to the commencement of development and installed on site, before the additional short term let apartment hereby approved is brought into use.

Reasons:

1. To allow the Planning Authority the opportunity to consider the proposals in detail and ensure that the cycle parking facilities are delivered on site in a timely manner.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. 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.
3. 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.
4. In accordance with the Council's LTS Travplan3 policy, the applicant is advised to consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), public transport travel passes, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.
5. The applicant is advised to consider the installation of electric vehicle charging outlets for this development, including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Financial impact

4.1 The financial impact has been assessed as follows:

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 10 January 2020. A total of two representations were received, including one from the Architectural Heritage Society for Scotland.

Background reading/external references

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

**Statutory Development
Plan Provision**

The application site is situated in the Urban Area and included within the Blakett Conservation Area, as designated in the Edinburgh Local Development Plan.

Date registered

17 December 2019

Drawing numbers/Scheme

01-05, 06B- 08B,09,10,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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

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

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

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

Relevant Non-Statutory Guidelines

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

Relevant Government Guidance on Historic Environment.

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

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings sets out Government guidance on the principles that apply to enable the use, the reuse and adaptation of listed buildings.

The Craigmillar Park Conservation Area Character Appraisal emphasises the predominance of high quality stone-built Victorian architecture of limited height which provides homogeneity through building lines, heights, massing and the use of traditional materials, and the predominant residential use.

Appendix 1

Application for Planning Permission 19/05991/FUL At 21 West Mayfield, Edinburgh, EH9 1TQ Alterations to existing lightwells, formation of new lightwells and courtyard, formation of basement short term holiday let unit, alterations to basement of existing short term holiday let unit, along with associated external alterations and drainage.

Consultations

Environmental Assessment

The proposed development is located in West Mayfield, which is a relatively busy street, with both road traffic and pedestrians. The property is a substantial two and a half storey detached villa with a basement level, set within a very large garden. In the immediate vicinity to the development address, the street is primarily residential use. Both the adjacent properties to the east and west are also similar sized villas. Due to the size of the gardens, the properties to the south are approximately 50m distance away. On the other side of the road to the north are located a row of single storey residential properties, with two storey properties to the north east and north west. There is an office to the east, on the corner with Minto Street and a sewing workshop business and Church to the west.

The application property already has short-term let flats and the application is to create a third within the basement. However, it is understood that the owners shall move into one of the flats.

The principal concern relates to noise from occupants of the short-term lets, which can often be greater than that from a residential property. This may affect both the surrounding residential properties, as well as the part of the existing house that shall remain as residential use. It is understood that the owner intends residing within one of the existing flats. Therefore, this provides some re-assurance that there will be on site management of any potential noise issues that may arise. However, there are no guarantees that this arrangement would continue indefinitely.

There are no records of complaints being received concerning the existing short-term holiday let properties. Therefore, all things considered, it is not anticipated that this development would adversely impact on the amenity of neighbouring properties. Environmental Protection has no objections to the proposed development.

City Archaeologist

Further to your consultation request, the following comments and recommendations are provided concerning these linked LBC & FUL applications for alterations to existing lightwells, formation of new lightwells and courtyard, formation of basement short term holiday let unit, alterations to basement of existing short-term holiday let along with associated external alterations and drainage.

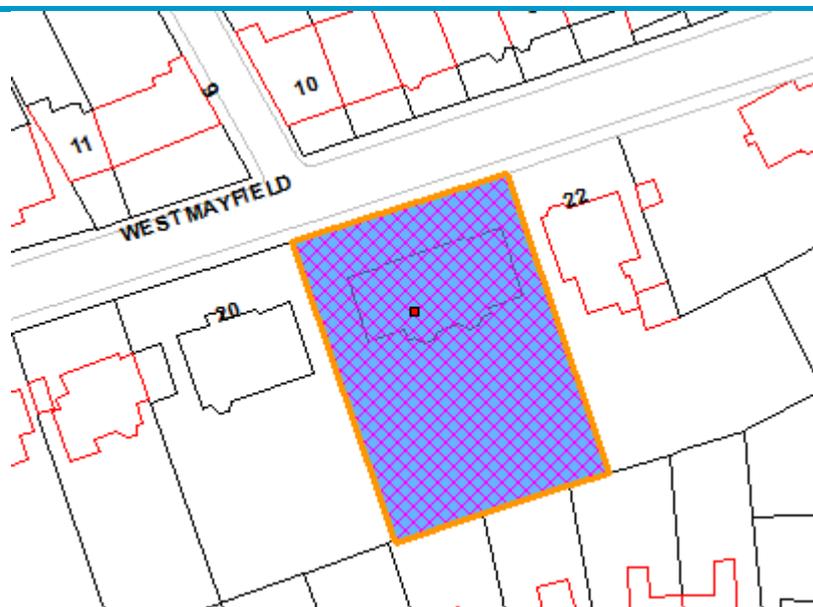
These applications affect a listed Victorian villa constructed in the 3rd quarter of the 19th century on the site of former 18th/19th century orchards/market gardens. Having assessed the likely impact of these linked applications it has been concluded that there are no significant archaeological implications regarding either possible buried remains nor upon the listed building.

Roads Authority Issues

No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. In support of the Council's LTS Cars1 policy, the applicant should consider contributing the sum of £7,000 (£1,500 per order plus £5,500 per car) towards the provision of car club vehicles in the area;*
- 2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 3. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.*

Location Plan



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