

# Development Management Sub-Committee Report

**Wednesday 11 January 2023**

**Application for Listed Building Consent  
8 & 9 Albyn Place, Edinburgh, EH2 4NG.**

**Proposal: Rear extension and internal alterations. The accompanying design statement and plans detail the proposed alterations and small extension.**

**Item – Committee Decision  
Application Number – 22/01637/LBC  
Ward – B11 - City Centre**

## **Reasons for Referral to Committee**

This application is linked to planning application 22/01636/FUL which requires to be considered by Development Management Sub Committee because there are more than six objections, and the recommendation is to grant planning permission. In the public interest and to enable a holistic approach to considering the proposed development, this Listed Building Consent application will also be considered by Development Management Sub Committee.

## **Recommendation**

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

## **Summary**

The proposal will not harm the special architectural and historic interest of the building. The proposals will preserve the character and setting of the listed building and accord with sections 59 and 64 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997. It will also preserve the character and appearance of the conservation area. There are no material considerations that outweigh this conclusion. The proposal, with the use of conditions relating to the elevation treatment of the rear extension and the rear enclosure boundary and hardstanding treatment, is acceptable.

## SECTION A – Application Background

### Site Description

The application site is on the south side of Albyn Place between Wemyss Place and Forres Street. It is two interconnected town houses of three storeys plus a basement and attic level in a stone terrace. Cupolas, dormers and rooflights exist in the roof planes. The rear ground is wholly tarmacked and used as a parking area accessed from Wemyss Place Mews.

Numbers 8 and 9 Albyn Place are category A listed buildings (ref: LB28234; date of listing 14 December 1970). The listing includes all the numbers in the terraced block i.e., 1-11 Albyn Place, including the railings with 2-4 (inclusive numbers) Wemyss Place Mews. It was designed by "James Gillespie Graham in 1822 and is a symmetrical classical palace block, comprising 9-bay central pavilion flanked by pair of 9-bay linking terraces, flanked in turn by a pair of 5-bay terminal pavilions of polished ashlar stone. There is ashlar steps and entrance platts oversailing the basement."

The special interest of the application buildings is as part of the Edinburgh New Town A Group which is a significant surviving part of one of the most important and best-preserved examples of urban planning in Britain.

As well as the listed terrace, other listed buildings, all category A listed are found in the surrounding streets, such as Forres Street, Wemyss Place, Wemyss Place Mews, Darnaway Street and Moray Place. There are also A listed buildings diagonally opposite the application buildings in North Charlotte Street.

The immediate surrounding area consists of mainly similar stone terraces, a few with commercial use at ground floor level. A mix of uses is found in the surrounding area, such as offices, cafes, shops and predominantly residential. The application buildings are currently in use as a language school.

The application site is in New Town Conservation Area and in the Old and New Towns of Edinburgh World Heritage Site.

### Description of the Proposal

The proposal is for a small rear extension, minor alterations to front (principal) elevation and internal alterations. This is to enable the use of the buildings to be changed to form 20 short term let apartments. Most of the proposed work is internal with minor changes externally.

The party walls between numbers 8 and 9 at basement and second floor levels will be refilled in to reinstate the current building back to two separate buildings. The existing entrance door, hall and stairs of each building will be retained.

To the rear of the building, it is proposed to remove a non-original single storey extension to the original outshot and replace it with a modern contemporary extension.

The proposal for number 8 is:

- basement converted into three short term let units; accessed from existing basement doors; one with private garden area to rear.
- ground and first floors: each will form one-bedroom apartments accessed from communal stair, via main front door.
- second and third floors: split to form two units per floor accessed from communal stair via main door.

The proposal for number 9 is:

- basement converted into four short term let units; one unit will have private external space in flagged basement; accessed from existing basement doors; two units will have private garden area to rear of building.
- ground floor: will form a one-bedroom apartment.
- first, second and third floors will be split into two units per floor accessed from communal stair, via main entrance door.

Internally, existing original detailing in principal rooms will be retained and preserved. Where non original later alterations are removed, historic detailing will be preserved or restored. Chimneys and fireplaces will be retained.

Windows will be reinstated and iron bars at basement level will be removed with stone being repaired and reinstated. Rooflights are proposed on the flat areas of the roofs.

Kitchens and bathrooms will be located away from principal elevations. Kitchens on the ground and first floors will be located to the rear of the principal rooms such as in the buffet recess of no. 9 and curved to fit curve of no. 8. On first floor kitchens will be positioned against existing partitions which already split principal rooms. Part of the partition will be receded to enable reinstatement of a central window and panelling of windows.

The proposed replacement rear extension will be single storey and clad with vertical seamed zinc and flat dark single membrane roof. Sliding aluminium framed patio doors will be in the west elevation and a timber deck is proposed. Timber fencing is proposed to enclose the garden area.

Ten car parking spaces will be provided in the rear existing car park.

A proposed change of use from language school to form twenty short term let apartments will be considered in the parallel application 22/01636/FUL.

### **Supporting Information**

- Design and conservation statement
- Planning Statement

### **Relevant Site History**

22/01636/FUL  
8 & 9 Albyn Place  
Edinburgh  
EH2 4NG

Change of use from English language school to form 20 No. commercially managed short term let apartments including a rear extension and internal alterations.

12/00596/FUL

8 Albyn Place

Edinburgh

EH2 4NG

Change of use from offices to a language school.

Granted

26 April 2012

12/00668/LBC

8, 9 Albyn Place

Edinburgh

EH2 4NG

Alterations at lower ground and second floors to form new openings to inter-connect the two buildings and form additional toilet accommodation within number 8

Granted

7 May 2012

### **Other Relevant Site History**

No other relevant site history.

### **Pre-Application process**

There is no pre-application process history.

### **Consultation Engagement**

Historic Environment Scotland

Refer to Appendix 1 for a summary of the consultation response.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** Not Applicable

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** 22 April 2022.

**Site Notices Date(s):** 11 April 2022.

**Number of Contributors:** 1

## Section B - Assessment

### Determining Issues

This application for listed building consent is required to be assessed against Section 14 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 harm a listed building or its setting?
- 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: Guidance on the Principles of Listed Building Consent
- Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings
- Managing Change in the Historic Environment: Extensions
- Managing Change in the Historic Environment: Roofs
- Managing Change in the Historic Environment: Windows
- Managing Change in the Historic Environment: Interiors
- Managing Change in the Historic Environment: Setting

Historic Environmental Scotland (HES) has advised that it has no comments to make on the proposals.

The proposed change of use will enable the listed buildings to continue to be used and prevent them from becoming vacant and deteriorating. This is particularly important as the buildings form part of an A listed group of buildings which are significant as an almost intact example of urban planning in Britain

Most of the proposed external changes will be minor and will not detract from the listed buildings, their appearance, setting or setting of neighbouring listed buildings. The proposed extension to an existing rear single storey outshot/extension with a similar sized extension will be a subservient addition.

It will result in a small amount of elevation being lost which will not detract from the overall appearance or character of the listed buildings. It will also result in the replacement of a non-original extension. The use of cladding is not appropriate as it would have an adverse impact on the character of the stone building and terrace. Therefore, a condition requiring the external walls to be stone is recommended. Decking is not a traditional or historic feature and a condition seeking a more appropriate hardstanding treatment is recommended. The timber fence so close to the listed building will detract from the setting of the listed buildings and is unacceptable. Therefore, a condition is recommended requiring more sympathetic boundary treatment.

The interiors make a substantial contribution to the special architectural or historic interest of the buildings and are important for understanding their social and cultural heritage. The buildings are currently not in the original residential use and have been altered to make them usable as a language school. Internally, there has been alterations to both buildings including adapting the two buildings to create one building. Non-original features were installed such as partitions, cornicing, doors and openings in walls. Otherwise, much of the original features, e.g. cornicing and fireplaces have remained intact.

On the whole, much of the original plan form exists and the proposal will make some minor changes to these, e.g. removal and part removal of non-original partitions. This will bring the plan form to reflect the original layout of the original townhouses. Some of the internal fabric will be lost, such as creating new door openings in original walls. However, features will be retained and restored, e.g. fireplaces, cornicing. The proposals will re-establish the buildings as two separate buildings and preserve or restore original features, such as doors.

In terms of kitchens in principal rooms, these are generally not supported. The kitchens have been sensitively located in each of the proposed short term let units with those in the principal rooms being to the rear of the room and free standing i.e. not attached to walls/fabric. Putting back the building into two separate listed buildings is a major benefit of the proposed development. On balance, the installation of kitchens in the principal rooms is acceptable in this context. Changes and restoration as proposed are sympathetic to the category A listed status of the buildings and returning the buildings into two separate buildings is welcomed.

The proposal will enable the listed buildings to remain in use and will not harm the special architectural or historic interest of the buildings and will not detract from their setting or the setting of neighbouring listed buildings.

### **Conclusion in relation to the listed building**

The proposal is acceptable with regard to Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997.

**b) The proposals harm the character or appearance of the 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."

The site is in the New Town Conservation Area. The character appraisal states that, the New Town Conservation Area represents a planned urban concept of European significance with an overriding character of Georgian formality. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves.

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

- Managing Change in the Historic Environment: Guidance on Conservation Areas.

Land uses accommodating tourists, such as hotels, apart hotels and short term let apartments are found in New Town Conservation Area. The proposal is to change the use of the buildings from one commercial use to another commercial use. The proposed use will be compatible with the character of the New Town Conservation Area in terms of tourists and businesses. The character of the conservation area will be preserved.

The minor external changes to the elevations will not take away from the appearance of the conservation area. The proposed rear single storey extension will be an improvement on the current non-traditional extension. The prevailing form of original boundary treatment is stone walls around the entire garden area. Timber fences and subdivision of gardens are not original features. It is acknowledged that a secure boundary is required for the rear basement short term let unit and, therefore, defining a small section of rear ground currently laid out in tarmac to facilitate this is acceptable. However, a more appropriate material and design is required including the hardstanding treatment proposed. Therefore, conditions are recommended requiring the elevations to be stone and more appropriate material and design for the enclosure and hardstanding to preserve the conservation area and be a sympathetic addition.

**Conclusion in relation to the conservation area**

The works are of benefit to the conservation area and are acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

**c) there are any other matters to consider?**

The following matters have been identified for consideration:

## 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

One public comment was received from The Architectural Heritage Society Scotland (AHSS) who objected to the application.

A summary of the representation is provided below:

### *material considerations*

- design of rear extension. Addressed in section a).
- loss of internal fabric. Addressed in section a).
- impact on plan layout/form. Addressed in section a)
- impact on principal rooms (addition of kitchens). Addressed in section a).

### *non-material considerations*

- overdevelopment. This will be considered in the parallel detailed application 22/01636/FUL.
- contrary to council guidance and LDP. This will be considered in the parallel detailed application 22/01636/FUL.

## **Conclusion in relation to other matters considered**

There are no material considerations which indicate that the proposals should be refused.

## **Overall conclusion**

The proposal will not harm the special architectural and historic interest of the building. The proposals will preserve the character and setting of the listed building and accord with sections 59 and 64 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997. It will also preserve the character and appearance of the conservation area. There are no material considerations that outweigh this conclusion. The proposal is acceptable, with the use of conditions relating to the elevation treatment of the rear extension and the rear enclosure boundary and hardstanding treatment.

## Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

### Conditions :-

1. Notwithstanding the approved drawings, the external walls of the rear extension shall be stone.
2. Notwithstanding the approved drawings, the timber fence and decking for the rear extension are not approved. Details of the enclosure and boundary treatment and hardstanding shall be submitted to and approved in writing by the planning authority prior to the commencement of development.
3. Notwithstanding the approved drawings, no kitchen units to be attached to the internal walls or skirting boards.
4. Notwithstanding the approved drawings, no services shall interfere with the original decorative elements of the rooms.
5. Notwithstanding the approved drawings, details of services, such as extract vents etc, on the external walls and roof shall be submitted to and approved in writing by the planning authority prior to the commencement of development.

### Reasons:-

1. In order to safeguard the character of the statutorily listed building.
2. In order to safeguard the character of the statutorily listed building.
3. In order to safeguard the character of the statutorily listed building.
4. In order to safeguard the character of the statutorily listed building.
5. In order to safeguard the character of the statutorily listed building.

### Background Reading/External References

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

### Further Information - Local Development Plan

**Date Registered: 31 March 2022**

### Drawing Numbers/Scheme

01-36.

Scheme 1

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

Contact: Jackie McInnes, Planning officer  
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Appendix 1

## Summary of Consultation Responses

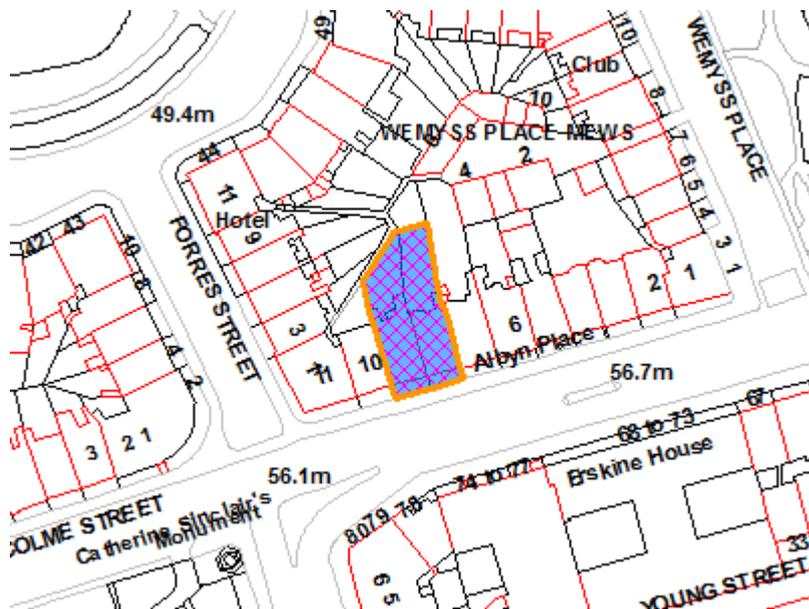
NAME: Historic Environment Scotland

COMMENT: We have considered the information received and do not have any comments to make on the proposals.

DATE: 21 April 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

## Location Plan



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