

Development Management Sub-Committee Report

Wednesday 11 January 2023

**Application for Conservation Area Consent
14 Wester Coates Gardens, Edinburgh, EH12 5LT.**

Proposal: Demolition of dwelling

**Item – Committee Decision
Application Number – 22/03601/CON
Ward – B11 - City Centre**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because 15 letters of representation in objection to the proposals have been received. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The proposed demolition of the existing building is acceptable with regards to Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

SECTION A – Application Background

Site Description

The site is located in the Coltbridge and Wester Coates Conservation Area within the former gardens and setting of 12 Wester Coates Gardens, a category C listed building (listed 18/09/2002, ref LB48919).

To the north of the site, associated with the Water of Leith, is a Special Landscape Area, a Local Nature Conservation site and also designated open space.

The building is a 1970s brick bungalow dwelling with concrete roof tiles in large private landscape setting.

Description of the Proposal

The application seeks conservation area consent to demolish the existing detached 1970s prefabricated single family bungalow, 14 Wester Coates Gardens. The proposal is to facilitate a proposed development under planning application 22/03600/FUL.

Planning History

94/02579/FUL

In 1994, a planning application with associated conservation area consent was submitted to add a conservatory to the house. This conservatory is still present today.

03/00036/FUL

In 2002-2003, planning applications with associated conservation area consent were submitted for the demolition of the existing house and the erection of flatted development with 6 flats, and 2 mews houses. These applications were refused due to the inappropriate scale of the proposals.

09/02259/FUL

In 2009, a planning application was submitted to alter the house and extend it. It was approved but the extension was not erected.

Relevant Site History

No relevant site history.

Other Relevant Site History

Pre-Application process

Pre-application discussions took place on this application.

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): 29 July 2022;

Site Notices Date(s): 26 July 2022;

Number of Contributors: 15

Section B - Assessment

Determining Issues

Consent is required because section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act") states that in making a decision on the demolition of a building in a conservation area section 6 to 25 of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings. The proposals therefore require to be assessed in terms of Section 64 of the 1997 Heritage Act:

- Having due regard to HES Policy and guidance, does the proposed demolition 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 on demolition in a conservation area, 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 on demolition in a conservation area, 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) Demolition of buildings

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

- Managing Change - Interim guidance on the Designation of Conservation Areas and Conservation Area Consent (2019).

The site is located within the Coltbridge and Wester Coates Conservation area and the character appraisal states the following:

The Conservation Area contains two distinct character zones: Sub Area A - the streets of Victorian and Edwardian villas to the west of Donaldson's School; and Sub Area B - the tenements and stone built terraces of Roseburn further west. The site of this proposal is in Sub Area A.

Sub Area A is predominantly comprised of two and three storey Victorian sandstone villas from the 1850s which face the street with impressive front gardens. Additional Edwardian stone villas were consequently built along Wester Coates Gardens around 1904, including the Category C listed neo-Jacobian flatted building, 12 Wester Gardens, immediately east of the site.

The Appraisal states, 'the original development pattern has been eroded by unsympathetic changes and extensions' such as the introduction of new houses in back gardens around Wester Coates Gardens.'

Although the area is characterised by a mix of architectural styles and materials, there is 'considerable uniformity by maintaining front building lines' a generosity of proportions, traditional stone walls and pitched slate roofing.'

The existing 1970s prefabricated bungalow has yellow monotone bricks and non-traditional roof tiles of low architectural quality. The building is not listed as a building of architectural or historic interest under the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997.

When assessed against the Coltbridge and Wester Coates Conservation Area Character Appraisal which highlights the essential characteristics of the area, the building is atypical. The building is a Post War infill development in the former gardens of an Edwardian villa. The scale and lack of distinctive detailing is not consistent with the stylistic influences of Victorian/Edwardian architecture throughout the area.

Whilst atypical buildings can make a positive contribution to conservation areas, in this case the building and its detailing are not of sufficient quality to merit retention on this basis. As the building does not positively impact on the character and appearance of the conservation area, there is no strong presumption against its demolition.

The Edinburgh Design Guidance (2020) states that when assessing whether or not an unlisted building makes a positive contribution to the special architectural or historic interest of a conservation area, questions of age, style, material and historical significance should be considered.

The age, style and materials of the existing building do not reflect the substantial built character of the conservation area and do not relate in any historically significant way to the adjacent C listed building, nor do they contribute to its setting.

The existing building reflects the development of the conservation area to the extent that it is one of multiple local Post War examples, however these buildings typically detract from the character of the area.

The building does not have significant historic associations and does not have landmark quality by virtue of only the roof being visible from the street. The existing bungalow therefore does not reflect in style or material the traditional grandeur of the Victorian and Edwardian villas.

Guidance states that redevelopment of buildings which are considered by their appearance and scale to be detrimental to the character of the area will be encouraged.

Historic Environment Scotland was consulted on the proposal and have no comments to make, subject to the application being determined in accordance with national and local policy. In its guidance on conservation area consent they state:

'in deciding whether conservation area consent should be granted, planning authorities should take account of the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site.'

The scale, form and design of the building does not play any significant role in the character or appearance of the surrounding streetscape. In addition, the building does not contribute to any important views within the area. As the building is of limited importance to the character and appearance of a conservation area, a condition survey or the marketability of alternative uses is not required to be demonstrated. The demolition of the building is to facilitate a development of high quality and the merits of the alternative proposals outweigh the loss of the existing building.

The merits of the replacement building are addressed in the concurrent application for planning permission, 22/03600/FUL.

Conclusion in relation to the conservation area

With regards to Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the demolition of the building is therefore acceptable.

b) 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

A summary of the representations is provided below:

material considerations

- The building should be saved as it makes a neutral contribution to the character of the conservation area. Addressed in the assessment section.

non-material considerations

- Reference to the inappropriate design of the replacement building - this is assessed under planning application 22/03600/FUL.
- Amenity issues in relation to demolition and construction phase - this does not preclude assessment of the proposal. Addressed in 22/03600/FUL.
- Proposal for demolition as opposed to refurbishment is not fully justified with regard to embodied carbon emissions. Addressed in 22/03600/FUL.

Conclusion in relation to other matters considered

The material issues have been identified and addressed. There are no new material issues to address.

Overall conclusion

The proposed demolition of the existing building is acceptable with regards to Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions:-

1. The proposed demolition of the existing building will not commence until planning permission for the associated development has been granted (22/03600/FUL).

Reasons: -

1. In order to safeguard the character of the conservation area.

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 20 July 2022

Drawing Numbers/Scheme

01-04

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Simon Wasser, Assistant Planning Officer
E-mail:simon.wasser@edinburgh.gov.uk

Summary of Consultation Responses

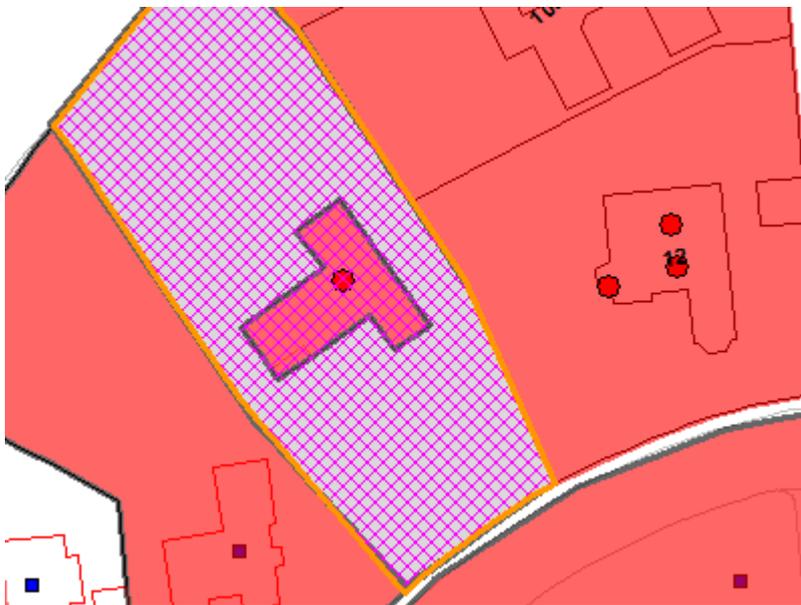
NAME: Historic Environment Scotland

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

DATE:

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

Location Plan



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