

**Full Planning Application 05/01418/FUL
at
26 Hillside Crescent
Edinburgh
EH7 5EF**

**Development Quality Sub-Committee
of the Planning Committee**

1 Purpose of report

To consider application 05/01418/FUL, submitted by Mr Melville. The application is for: **Erection of a timber gate (temporary) to be replaced by metal gate, either salvaged or purpose built in the style of surrounding gates, 1.6m in height max and laying timber decking**

It is recommended that this application be **REFUSED AND ENFORCED**

2 The Site and the Proposal

Site description

The site is a town house converted from flats, on the east corner of Wellington Street. The front garden is screened by a high privet hedge, behind which on two sides of the building is low level timber decking. The remainder of the properties in this segment of the Crescent have similar hedges and metal gates.

The building is category 'B' listed, John Chesser, 1880s. Long classical near-symmetrical 4-storey tenement range of common stair and main door flats.

The site is in the New Town Conservation Area.

Site history

April 1991 - Listed building consent granted to alter dwellinghouses to form one house (91/333/LBC).

Description of the Proposal

The application is in retrospect for the retention of low level hardwood decking over the whole of the front garden, plus a proposal to erect a metal gate in place of a timber door that has now been removed.

3 Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issues are:

- Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against the granting of permission;
- Do the proposals preserve the building or its setting or any features of special architectural or historic interest which it possesses? If they do not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to a building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character
- 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 the determining issues, the Committee needs to consider:

- a) Whether the proposals have an adverse impact on the character or appearance of the conservation area;
- b) Whether the proposals have an adverse impact on the listed building, or its setting;

c) Whether the design and materials are satisfactory given the setting of the site;

d) Whether the proposals are detrimental to amenity.

a) The character of the New Town Conservation Area is described in the Central Edinburgh Local Plan as follows:-

"A planned urban concept of European significance, the New Town has an overriding character of Georgian formality. The First New Town, built to James Craig's 1767 plan, has experienced significant redevelopment, while the Second, Third and Fourth New Towns, which were laid out on estates to the north, east and west retain most of their original buildings. 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 therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves. Many of the New Town's buildings are listed category 'A' of national importance and the area contains some of the city's finest interiors."

a) The proposed new gate is acceptable. However decking does not at present affect the appearance of the conservation area because it is screened by the hedgerow, it does affect the character of the conservation area because this is an alien feature in an area of stone flags and stone built properties which form the character of the area. Timber ground surface treatments are not prevalent.

The proposal therefore has an adverse impact on the character of the conservation area.

b) Planning permission is required for the decking because it is in a conservation area. Although the site is not within the World Heritage Site and the decking complies with the non-statutory guidelines on decking because it is located on, or near ground level, it is still intrusive to the appearance of the house and its setting and, if approved, would set an unfortunate precedent encouraging other planning applications which the planning authority would find difficult to resist in future.

The proposal has an adverse impact on the listed building and its setting.

c) The design of the decking is low lying. The use of timber is alien to the area and to such a classical property, particularly on the street frontage. A more appropriate treatment would be flagstones or gravel.

The proposal is not satisfactory given the quality New Town setting of the site.

d) The proposals are not detrimental to residential amenity.

Two neighbours have written in support of retaining the decking and cite mainly non-planning reasons for its retention.

In conclusion, the proposals do not comply with Policy CD2 because the decking affects the setting of the listed building despite the partial hedge screening, is in an inappropriate material and style (CD17) and is not compatible with the character of the original building (CD19). It follows that the proposals do not fully comply with the relevant non-statutory policies stated.

The proposals are detrimental to the setting of the building, the character of the conservation area and will set an unacceptable precedent if approved.

There are no other material planning considerations which outweigh this conclusion.

It is recommended that the Committee refuses this application, and takes steps to enforce the removal of the decking from the site.



Alan Henderson
Head of Planning and Strategy

Contact/tel	Duncan Robertson on 0131 529 3560 (FAX 529 3717)
Ward affected	20 - Calton
Local Plan	Central Edinburgh Local Plan
Statutory Development Plan Provision	Housing and Compatible Uses
Date registered	9 June 2005
Drawing numbers/ Scheme	01 - 03 Scheme 1

Advice to Committee Members and Ward Councillors

The full details of the application are available for viewing on the Planning and Building Control Portal: www.edinburgh.gov.uk/planning.

If you require further information about this application you should contact the following Principal Planner, Martin Easson on 0131 529 3989. Email: martin.easson@edinburgh.gov.uk.

If this application is not identified on the agenda for presentation, and you wish to request a presentation of this application at the Committee meeting, you must contact Committee Services by 9.00a.m. on the Tuesday preceding the meeting on extension 4229/4239. Alternatively, you may e-mail blair.ritchie@edinburgh.gov.uk or sarah.bogunovic@edinburgh.gov.uk

Application Type

Application Address:

Proposal:

Reference No: 05/01418/FUL

Consultations, Representations and Planning Policy

Consultations

No consultations undertaken.

Representations

The application was advertised on 24 June 2005. Two letters of support for the retention of the decking have been received from neighbours

Full copies of the representations made in respect of this application are available in Group Rooms or can be requested for viewing at the Main Reception, City Chambers, High Street.

Planning Policy

The site is allocated as Housing and Compatible Uses in the Central Edinburgh Local Plan.

Relevant Policies:

Policy CD2 (LISTED BUILDINGS) sets out criteria for assessing proposals affecting listed buildings and seeks to safeguard their character and setting.

Policy CD4 (CONSERVATION AREAS) requires that developments in a conservation area retain all features which contribute to the area's character and appearance.

Policy CD5 (CONSERVATION AREAS - REDEVELOPMENT) sets out the criteria against which new development in conservation areas will be assessed, and seeks to preserve or enhance their character and appearance.

Policy CD17 (MATERIALS) sets out requirements for materials in new developments and seeks a greater use of stone, roofing slate and other traditional materials in appropriate cases.

Policy CD19 (BUILDING ALTERATIONS) sets out requirements for the design, form, materials and positioning of alterations and extensions.

Non-statutory guidelines on the 'SETTING OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance for the protection and enhancement of the setting of listed buildings.

Non-statutory guidelines on 'HOUSE EXTENSIONS AND ALTERATIONS' set out the design principles against which proposals will be assessed.

Application Type

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Conditions/Reasons associated with the Recommendation

Recommendation

It is recommended that this application be **REFUSED AND ENFORCED**

Reasons

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD2, in respect of Listed Buildings, as the decking diminishes the architectural integrity of the building and its setting.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the design, materials and positioning are not compatible with the character of the New Town Conservation Area.
3. The proposal is contrary to Central Edinburgh Local Plan Policy CD17, in respect of Materials, as the timber decking is not an appropriate material in this sensitive New Town Conservation Area location.
4. The proposal is contrary to Central Edinburgh Local Plan Policy CD19, in respect of Building Alterations, as the design, materials and positioning are not compatible with the character of the original building.
5. The proposal is contrary to Non Statutory Guidelines in respect of the Setting of Listed Buildings, as the decking adversely affects the setting of the listed building.

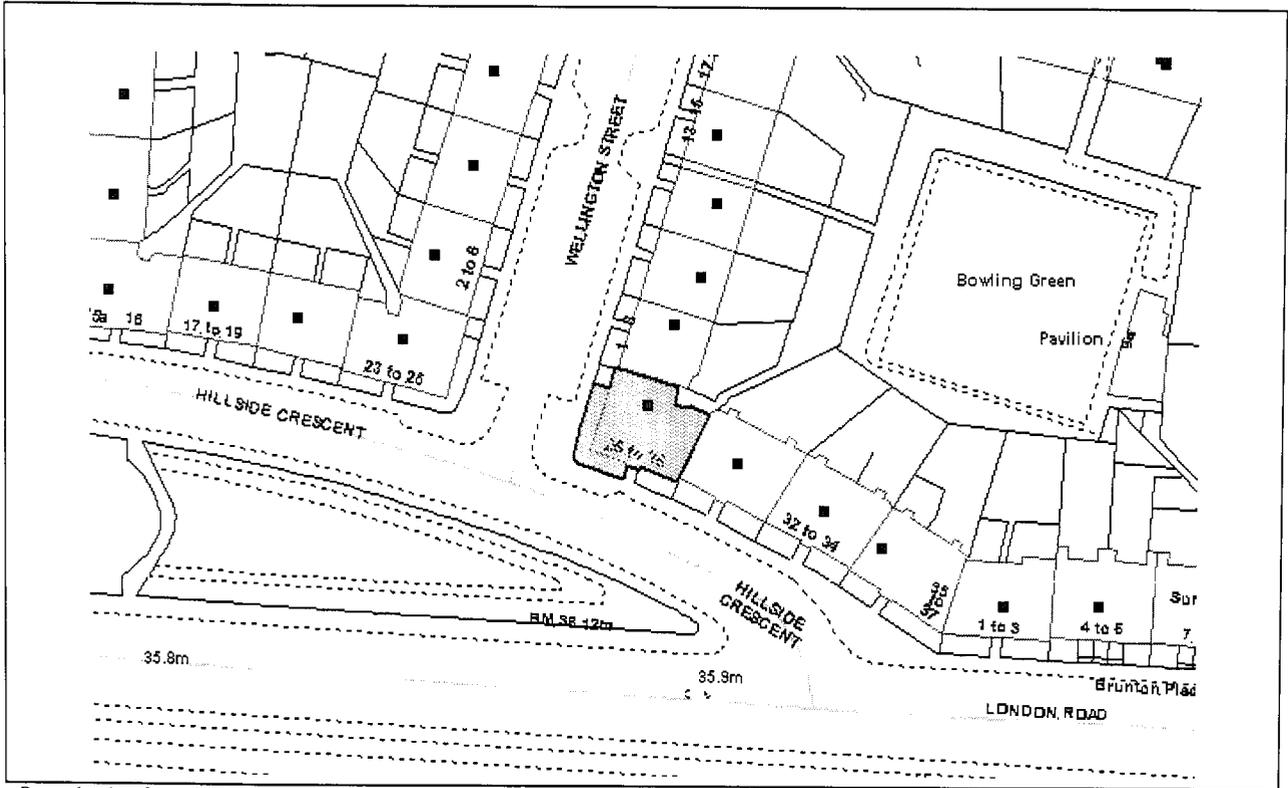
End

Application Type

Proposal:

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Location Plan



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