

## Full Planning Application 04/04052/FUL

at

**23A Northumberland Street**

**Edinburgh**

**EH3 6LR**

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

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#### 1 Purpose of report

To consider application 04/04052/FUL, submitted by Mr + Mrs Prentice. The application is for: **Erect single storey extension (in retrospect)**

It is recommend that this application be **REFUSED AND ENFORCED** for the reasons in Appendix B.

#### 2 The Site and the Proposal

##### Site description

The application property is the basement flat of a three storey, sandstone constructed, terraced tenement by Robert Reid and William Sibbald, dating from the early 19th century. The building, which is on the north side of Northumberland Street, is category A listed (New Town Ward) and situated within the New Town Conservation Area and World Heritage Site.

Northumberland Street North East Lane containing single storey garages runs along the rear of the terrace.

##### Site history

March 1986 - consent granted to form a car parking space in the rear garden (2190/85).

September 1997 - consent granted for alterations including the replacement of patio doors to the rear with a new sash and case window (A 01840 97).

November 2002 - consent granted to demolish two outhouses and replace with a single storey extension (02/03194/FUL).

December 2002 - consent granted to demolish two outhouses and replace with a single storey extension (02/03194/LBC).

27 May 2004 - letter received from a neighbour stating that the erected extension is not in accordance with the approved plans.

An associated listed building consent application (04/004052/LBC) accompanies this application for planning permission.

### **Description of the Proposal**

The application is for the erection of a new contemporary style garden room, in retrospect.

The new structure, measuring 18sqm in area, has a grey painted mild steel structural frame with natural finish hardwood-framed glazed panels. The flat roof and slope of the ridge light is finished in a dark grey metal membrane. The section of the garden room immediately below the existing two storey extension is constructed in natural stone matching the coursing and finish of the existing stonework. A 1.8m wide strip of timber decking abuts the new extension.

The apex of the ridge light of the erected structure is 25cm higher than that approved in the previous applications.

The exposed upper section of the east wall of the extension will be finished in sandstone to match the mutual boundary wall. This will replace the unauthorised cedar boarding on the east elevation.

### **Supporting Statement**

The agent has submitted a supporting statement, which is available in the Group Rooms.

The statement explains why for structural reasons cedar cladding was erected on the exposed section of the east wall of the extension and confirms that this will be replaced with sandstone.

As regards that increased apex height of the ridge light, the agent states that this resulted from Building Control's requirement to construct roof insulation on top of the roof deck rather than between the joists and as a result of inaccurate survey drawings prepared by another firm. The agent argues that

the change in level is minimal and does not affect the amenity of the neighbour above. The agent also claims that the extension is largely hidden from the lane and surrounding properties therefore the increased height does not materially affect the rear of the building.

### **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 adversely affect the listed building or its setting;
- c) whether the proposals are detrimental to residential 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."*

The rear elevation of this terrace at ground level is punctuated with single and two storey stone built outshoots dating mainly from the 19th century. The proposed garden room is therefore acceptable in principle as its footprint and single storey height is in keeping with existing extensions in the terrace.

The introduction of a contemporary style glazed extension is considered acceptable in this context as the design and materials are high quality. The structure includes a stone section that provides visual support for the remaining section of the existing two storey outshoot above and an appropriate ratio of solid to void. The replacement of the unauthorised section of cedar cladding on the east elevation will improve the appearance of the structure in the historic context.

However, the installed ridge light projects vertically to an unacceptable degree in terms of visual impact on the character and appearance of the conservation area. The approved apex height is discreet lying below the level of the cill of the window above. While there are two storey outshoots within the terrace, including one on this building, these are historic stone built structures, which were erected prior to listing and conservation area status. The existence of these outshoots does not justify the encroachment of a modern structure significantly above ground floor level. The agent has been given ample opportunity to submit an alternative design for the ridge light that reduces its visual impact. However, no such design has been forthcoming.

b) The proposed garden room is generally sympathetic to the listed building and its setting in terms of geometric design, vertical fenestration proportions and blend of high quality traditional and modern materials. However, the raised apex height of the ridge light has a detrimental impact on the appearance of the rear elevation of the listed building.

c) There are no residential amenity concerns as the raised ridge light only affects an individual's view from the window above.

The proposals do not comply with the development plan and non-statutory policies and have an adverse effect on the character or appearance of the conservation area and setting of the listed building.

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

It is recommended that the Committee refuses this application, for reasons relating to the setting of the listed building and the character and appearance of the conservation area.. It is also recommended that enforcement action is taken to remove the unauthorised ridge light.

Alan Henderson

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Clare Macdonald on 0131 529 3510
<b>Ward affected</b>	18 - New Town
<b>Local Plan</b>	Central Edinburgh
<b>Statutory Development Plan Provision</b>	Housing and Compatible Uses
<b>Date registered</b>	5 November 2004
<b>Drawing numbers/ Scheme</b>	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](http://www.edinburgh.gov.uk/planning).

If you require further information about this application you should contact the following Principal Planner, Nancy Jamieson on 0131 529 3916. Email: [nancy.jamieson@edinburgh.gov.uk](mailto:nancy.jamieson@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](mailto:blair.ritchie@edinburgh.gov.uk) or [sarah.bogunovic@edinburgh.gov.uk](mailto:sarah.bogunovic@edinburgh.gov.uk)

**Application Type** Full Planning Application  
**Application Address:** 23A Northumberland Street  
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**Proposal:** Erect single storey extension (in retrospect)  
**Reference No:** 04/04052/FUL

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## Consultations, Representations and Planning Policy

### Consultations

#### *Historic Scotland*

*Under the terms of the 1992 GDPO, Historic Scotland wishes to object to this retrospective application for planning permission.*

*It is a matter of considerable concern that the extension as built does not reflect the drawings submitted and approved under listed building application no. 02/03194/LBC. The discrepancies between the plan and the building result in an undesirable increase in height leading to obstruction of the lower part of the ground floor window of the category A listed building.*

### Representations

The application was advertised on 26 November 2004 and attracted three letters of representation from the AHSS and neighbours.

The material concerns raised relate to:

- detrimental impact of raised ridge light on neighbouring properties in terms of daylight and general amenity;
- adverse effect of raised ridge light on category A listed building within World Heritage Site.

The replacement of the unauthorised cedar cladding with sandstone is welcomed.

***Full copies of the representations made against this application are available in Group Rooms or can be requested for viewing at the Front Counter, 1 Cockburn Street.***

## **Planning Policy**

The site is located within the Central Edinburgh Local Plan, in an area of Housing and Compatible Uses.

### 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.

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.

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## Conditions/Reasons associated with the Recommendation

### Recommendation

To recommend that this application be **Refused and Enforced** for the following reasons;

### Reasons

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD2, in respect of Listed Buildings, as the proposed ridge light adversely affects the setting of .
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD4, in respect of Conservation Areas, as the proposed ridge light adversely affects the character and .
3. The proposal is contrary to Central Edinburgh Local Plan Policy CD5, in respect of Conservation Areas - Redevelopment, as the proposed ridge light neither preserves nor enhances the character or appearance of the conservation.
4. The proposal is contrary to Non Statutory Guidelines in respect of the Setting of Listed Buildings, as the proposed ridge light adversely affects the setting of

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End

**Application Type** Listed Building Consent Application

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**Location Plan**

