

## Listed Building Consent Application 04/04356/LBC

at

**4 Bellevue Crescent**

**Edinburgh**

**EH3 6ND**

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

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### **1 Purpose of report**

To consider application 04/04356/LBC, submitted by Mr + Mrs Miller. The application is for: **Wooden children's playhouse on wooden deck adjoining existing garage at end of back garden**

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 refers to the garden of a three storey with basement townhouse by Thomas Bonnar, dating from 1819-32. To the west is a neighbour's garden and to the east and south are a shared lane. The building is category A listed and situated within the New Town Conservation Area and World Heritage Site.

#### **Site history**

27.07.2001 - consent granted for the use of ground floor only of townhouse as an art gallery.

23.06.2000 - consent granted to separate sunken storey to form a flat.

21.10 .1998 - consent granted for a change of use from residential to art gallery.

### **Description of the Proposal**

This a retrospective application for the construction of a raised timber deck to the rear of the garden of this site incorporating children's play house and play area. The deck and play area occupy a large part of the rear garden and are built on a series of concrete piers. The height of the deck above ground level varies but is approximately a metre above the garden. The deck is built up against an existing garage and against the boundary walls.

## **3 Officer's Assessment and Recommendations**

### **DETERMINING ISSUES**

The determining issues are:

- 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 consent;
- do the proposals comply with the development plan?
- if the proposals do comply with the development plan, are there are 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 whether the proposals have an adverse impact on the character of the listed building.

The materials and scale of the raised timber decking and play structure are not appropriate to the character of the structures that form part of the listed building. Although no damage has been caused, the visual interference of these alien structures has an adverse impact on the integrity of the original stone walls.

The proposals do not comply with the development plan and non-statutory policies and have an adverse impact on the character 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 the reasons relating to visual impact and adverse effect on the character of the listed building and takes enforcement action.

*Alan Henderson*

**Alan Henderson**  
Head of Planning and Strategy

<b>Contact/tel</b>	Barbara Stuart - Tuesday, Thursday Only on 0131 529 3927 - (FAX 529 3717)
<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>	1 December 2004
<b>Drawing numbers/ Scheme</b>	1-2 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** Listed Building Consent Application  
**Application Address:** 4 Bellevue Crescent  
Edinburgh  
EH3 6ND  
**Proposal:** Wooden children's playhouse on wooden deck adjoining existing garage at end of back garden  
**Reference No:** 04/04356/LBC

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## Consultations, Representations and Planning Policy

### Consultations

No consultations undertaken.

### Representations

The application was advertised on December 17th. Two letters of representation were received.

A neighbour objects on the grounds that it:

- contrary to planning policies
- will detrimentally affect the character of the area
- will detrimentally affect the character of the green space
- additional noise and traffic

Another neighbour wrote to support the scheme.

***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 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.

Non-statutory guidelines 'ALTERATIONS TO LISTED BUILDINGS' provide general guidance for assessing proposals for both internal and external alterations.

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

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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 structure is detrimental to the character of the listed building.
2. The proposal is contrary to Non Statutory Guidelines in respect of Alterations to Listed Buildings, as the structure detracts from and alters the character of the listed building.
3. The proposal is contrary to Non Statutory Guidelines in respect of House Extensions, as the decking is visually intrusive.

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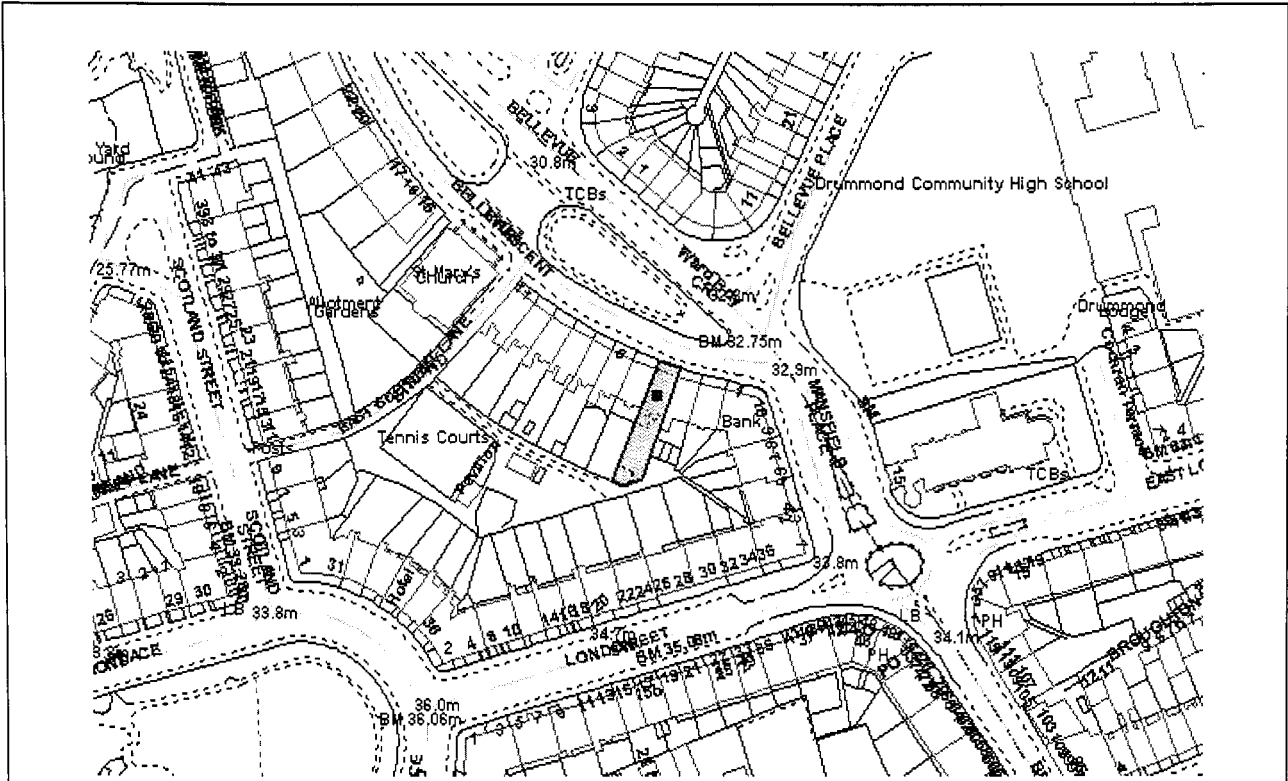
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**Location Plan**



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