

**Full Planning Application 06/03666/FUL  
at  
20-22A Nelson Street  
Edinburgh  
EH3 6LJ**

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

22 November 2006

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**Supplementary Report**

This application was previously considered by Committee on **22 November 2006**.

An addendum is included at the end of Section 3 of this report.

**1 Purpose of report**

To consider application 06/03666/FUL, submitted by Playfair Properties. The application is for: **Alterations to existing flat (22B) and reinstate the room and window under the entrance plat, sub-divide existing approved single flat (22a/20A) into 2 no. flats existing entrance door at basement level to swap places with existing window, internal alterations**

It is recommended that this application be **GRANTED** subject to the conditions below.

**2 The Site and the Proposal**

**Site description**

The application site forms part of a four-storey and basement five-bay terraced tenement by Robert Reid and William Sibbald, 1804-1819. The

building is category A listed (on 20.09.65, ref: 29445) and lies within the World Heritage Site.

This property is located within the New Town Conservation Area.

### **Site History**

May 2006 - Consent granted for internal works and change of use from shop and flat to 2 flats (as amended) (06/00012/FUL and LBC)

September 2006 – Listed building consent for alterations to flat 22B and subdivision of 22A/20A into two flats minded to grant (reference 06/03666/LBC), subject to the views of Historic Scotland

### **Description of the Proposal**

The application proposes alterations to the existing approved flat (22b) the reinstatement of the room and window under the entrance platt, and the subdivision of the existing single flat (approved in May 2006) into two flats.

A metal 'cage' beneath the entrance platt will be removed, and the original wall and window reinstated. The access to the flat (22b) will be taken from the existing door into this area.

At lower ground level, a door will be formed from an existing window opening to allow access to flat 20a and it is proposed to extend existing light wells on the east elevation of the property (flat 20a).

Mechanical ventilation will be introduced and will be terminated discreetly in keeping with the previous application.

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

### **Determining Issues**

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against 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 not, there is a presumption against the granting of permission. For the purposes of this issue, "preserve", in relation to the 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, are there any compelling reasons for approving them?

## **ASSESSMENT**

To address these determining issues, the Committee needs to consider whether:

- a) The proposed use is acceptable in this location;
- b) The proposals have an adverse impact on the building or its setting;
- c) The proposals have an adverse impact on the character and appearance of the conservation area;
- d) The proposals affect neighbouring amenity.

a) The sub-division of residential accommodation is supported by local plan policy provided there is no loss of architectural or historic character, a satisfactory standard of accommodation is achieved and on-street parking difficulties are not worsened. The proposals involve minimal intervention to this already much altered ground and lower basement property and an appropriate standard of accommodation is proposed. In terms of parking, a city car club contribution of £6,500 is required. It was originally proposed to sub-divide the property into three residential units (February 2006), which would have required a contribution to the car club. This was amended by the applicants to two residential units, and this further application again proposes to sub-divide the original unit into three separate flats.

b) The original scheme submitted in February 2006 proposed three residential units, incorporated the infill of the area beneath the entrance platt to create an additional room, with pavement lights set into the stone platt. This was amended and involved minimal intervention to the external appearance of the property. Although Historic Scotland previously considered the proposed infill of the area beneath the entrance platt inappropriate when they were consulted, the applicants have amended their proposals and have submitted a supporting statement justifying the infill of this area based on physical evidence that a basement room existed in this location. Historic Scotland now offers no comment in respect of this application.

Extending the lightwells will have a minimal impact on the building and its setting; a condition is recommended, however, requiring that they are lined in stone with plain grilles to match those existing.

Where it is proposed to form a door in an existing window opening on the south east elevation at lower ground level, this will be finished in timber and detailed to match existing openings on this elevation.

Extract vents will be in the same position as that approved under 06/00012/FUL and LBC and will be discreetly located.

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

*"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 alterations will preserve the character and appearance of the conservation area. The proposed formation of a door will have no impact on the character of the conservation area; lightwells are a relatively common feature throughout the New Town and those proposed would be in keeping with the surrounding area; and the infill of the area beneath the entrance platt is a reinstatement of an historic feature in this location. It should be noted however that this will in no way be considered a precedent for the infill of such areas elsewhere in the New Town.

d) There are no implications for neighbouring amenity provided a legal agreement is concluded in respect of the City Car Club.

The proposals comply with the development plan and non-statutory guidance, have no adverse effect on the character and appearance of the New Town Conservation Area or the setting of the listed building and have no detrimental impact on neighbouring amenity.

There are no material planning considerations that outweigh this conclusion.

It is recommended that Committee approves this application, subject to a condition requiring further details of the proposed lightwells, and subject to a legal agreement requiring a contribution to the City Car Club.

## ADDENDUM

This application was approved by the Committee on 22 November 2006 subject to a legal agreement that a contribution be made to the City Car Club as 3 flats were being created. The applicant has brought it to our attention that there are in fact only 2 new units being formed as 1 of the units is in existing residential use. This confusion appears to have arisen because of the street numbering and it has been confirmed that what the applicant thought was 22B Nelson Street is in fact 20(GF) Nelson Street and this has been in residential use for over 20 years and registered as such for Council Tax.

Transport now has no objections.

In the circumstances, there is no requirement for a City Car Club contribution and it is recommended that Committee approves this application subject to details of the lightwells.

Alan Henderson

**Alan Henderson**  
Head of Planning and Strategy

Contact/tel	Jenny Bruce on 0131 529 3510
<b>Ward affected</b>	18 - New Town
<b>Local Plan</b>	Central Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Residential
<b>Date registered</b>	4 September 2006
<b>Drawing numbers/</b>	01
<b>Scheme</b>	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 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 [gavin.king@edinburgh.gov.uk](mailto:gavin.king@edinburgh.gov.uk) or [carol.richardson@edinburgh.gov.uk](mailto:carol.richardson@edinburgh.gov.uk)

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## Consultations, Representations and Planning Policy

### Consultations

#### Historic Scotland

*Historic Scotland offers no comment.*

#### Transport Planning (Development Control)

*Consent should not be issued until the developer enters into a legal agreement to contribute £6,500 to the Edinburgh City Car Club.*

*Letter of 14.12.06 - no objections*

### Representations

The application was advertised on 22 September 2006. One letter of representation from a neighbouring resident objecting to the proposals on the grounds that extract fans will exhaust through a principal south facade and a principal east facade, which will be a visual, aesthetic and environmental intrusion. This is addressed in section b) of the assessment.

***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 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.

Policy H4 (HOUSING - SUBDIVISION OF PROPERTY) supports, and sets out criteria for assessing, proposals for the subdivision of property to form residential accommodation.

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**

It is recommended that this application be **GRANTED**

### **Conditions**

1. The development hereby permitted shall be commenced no later than five years from the date of this consent.
2. The stone with plain grilles to match the existing shall be finished in extended lightwells to the satisfaction of the Head of Planning & Strategy.

### **Reasons**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. In order to safeguard the character of the conservation area.

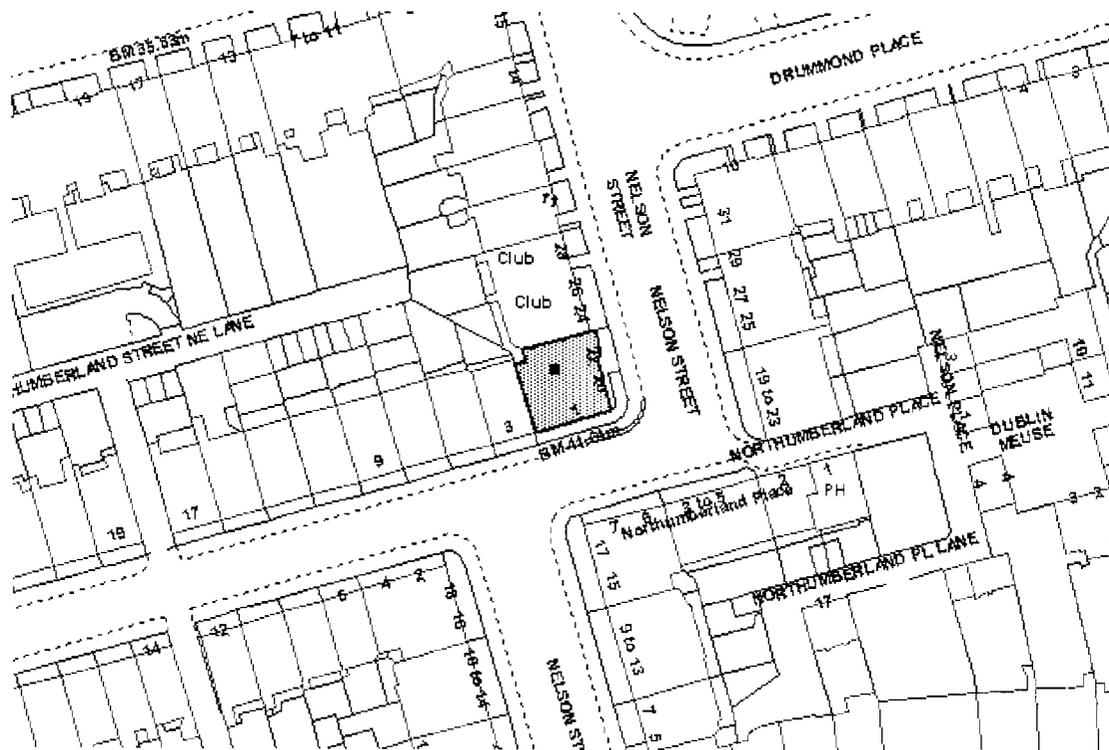
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End

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**Location Plan**

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