

**Listed Building Consent Application 08/01420/LBC**  
**at**  
**3F1 26 Nelson Street**  
**Edinburgh**  
**EH3 6LJ**

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

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**1 Purpose of report**

To consider application 08/01420/LBC, submitted by Mr McDonald. The application is for: **Third floor - domestic flat refurbishment, formation of new kitchen and bathroom/en-suite (in retrospect)**

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons below.

**2 The Site and the Proposal**

**Site description**

The application property is a third floor flat in a four storey with basement tenement by Robert Reid and William Sibbald, dating from 1812-14. The flat is on the top floor of traditional Georgian tenement. The rooms are of good quality on all levels in such properties. The living room is the principal room and has very good quality plasterwork in the ceiling. The rear bow ended bedroom is also of very good quality with curved timber doors in the bow end.

The building is category A listed (ref. no. 29392, listed on 22.09.65) and situated within the World Heritage Site.

This property is located within the New Town Conservation Area.

## **Site History**

There is no relevant planning history for this site.

## **Description of the Proposal**

This retrospective application is for the creation of an en-suite shower room in a bow ended bedroom to the rear of the property, the slapping through of a double door width opening from the living room to the kitchen that is now in the former boxroom, and the removal of a partition between the former kitchen and a bedroom to create a larger bedroom. It is also for minor alterations to a store and bathroom to create a larger bathroom

## **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 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 consent.

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 these determining issues, the Committee needs to consider whether the proposals have an adverse impact on the character of the listed building.

The ensuite in the corner of the bow ended room subdivides the room and obscures the original cornice. New cornices have been rerun around the new partitions but are clearly unlike the original. The sub-division destroys the symmetry and integrity of the room and is extremely detrimental to the character of the listed building.

The slapping from the principal front room is also detrimental to the character of the room as double door openings are not characteristic of this style of flat, especially leading to what was formerly a box room. The doors are an awkward addition to the room and sit uncomfortably in the room elevation.

The removal of the partition between the former kitchen and bedroom and alterations to the bathroom are minor and would not have required consent.

The proposals do not comply with the development plan and non-statutory guidelines 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 and authorises enforcement action to remove the ensuite bathroom, reinstate the cornices, remove the slapping in the front room and fill in the opening and make good; for the reasons stated pertaining to its detrimental impact on the character of the listed building.

Alan Henderson

**Alan Henderson**  
Head of Planning and Strategy

Contact/tel	Barbara Stuart on 0131 529 3927
<b>Ward affected</b>	A11 - City Centre (NEW)
<b>Local Plan</b>	Central Edinburgh Local Plan
<b>Statutory Development Plan Provision</b>	Housing & Compatible Uses
<b>Date registered</b>	18 April 2008
<b>Drawing numbers/ Scheme</b>	1 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, Jenny Bruce on 529 3521. Email: [jenny.bruce@edinburgh.gov.uk](mailto:jenny.bruce@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

No consultations undertaken.

### Representations

The application was advertised on 28.04.08. One letter of representation was received. The Architectural Heritage Society of Scotland comments that an ensuite unit within a bow ended room seems clumsy.

***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; and the finalised Edinburgh City Local Plan in the Urban Area.

### Relevant Policies:

#### **Relevant policies of the Central Edinburgh Local Plan.**

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

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

### **Relevant policies of the Finalised Edinburgh City Local Plan.**

Policy Des 11 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Policy Env 3 (Listed Buildings – Alterations & Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

### **Relevant Non-Statutory Guidelines**

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

**Non-statutory guidelines** on 'SUB-DIVISION OF LISTED BUILDINGS' supplement local plan conservation and design policies, providing guidance on sub-division with the aim of protecting the character and appearance of listed buildings.

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## Conditions/Reasons associated with the Recommendation

### Recommendation

It is recommended that this application be **REFUSED AND ENFORCED** for the reasons below.

### Reasons

1. The proposal is contrary to Central Edinburgh Local Plan Policy CD2, in respect of Listed Buildings, as the ensuite and slapping diminish the architectural integrity of the listed building.
2. The proposal is contrary to Central Edinburgh Local Plan Policy CD19, in respect of Building Alterations, as the works are not compatible with the character of the original building in respect of the ensuite shower room and slapping in the living room.
3. The proposal is contrary to Edinburgh City Local Plan Policy Des 11 in respect of Alterations and Extensions, as the ensuite and slapping are not compatible with the character of the listed building
4. The proposal is contrary to Edinburgh City Local Plan Policy Env 3 in respect of Listed Buildings – Alterations and Extensions, as the ensuite and slapping cause unnecessary damage to the historic structure and diminish its interest
5. The proposal is contrary to Non Statutory Guidelines in respect of Alterations to Listed Buildings, as major works of alteration should be limited to areas of secondary importance

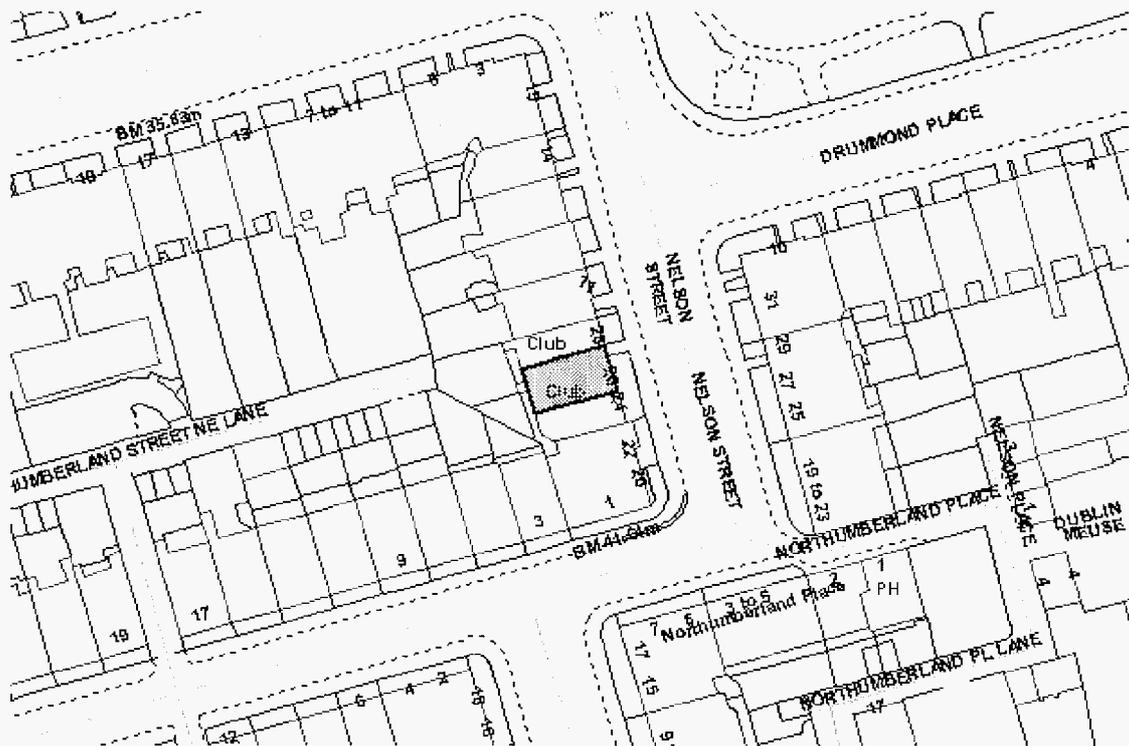
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End

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## Location Plan

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