

Enforcement Report into Alleged Breach of Control

at

1F

2A Albany Street

Edinburgh

EH1 3QB

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

Owner/s

Occupier

Reference No: 06/00023/E01

1. Purpose of Report

Breach of Control:

Unauthorised removal of original internal doors, flat entrance door and the blocking up of fanlights and their replacement throughout with timber fire doors.

Recommendation:

It is recommended that Committee authorises the initiation of enforcement action to i) secure the removal of the unauthorised fire doors ii) unblock the fanlights iii) reinstate the previous internal doors located in the common stair and iv) reinstate/acquire/construct the/a flat entrance door.

The Site

Site Description

The property is a first floor flat in an early 19th century corner tenement forming part of a classical terrace. It is located on the north side of Albany Street on the north east corner of the Dublin Street/Abercromby Place/Albany Street crossroad.

It is a category 'B' listed building (Item no. 28227 Date of listing 13.09.1964) within the New Town Conservation Area and World Heritage Site.

Site History:

December 2005- A complaint was received regarding the unauthorised removal of doors from a listed building and their storage in the entrance hall of the common stair.

January 2006- Letter with Notice under Section 272 attached sent to the owner advising of the unauthorised works and requesting that the doors and fanlights be reinstated.

February 2006- Letter to owner sent, following telephone conversation with owner, advising on requirements set out by the HMO Joint Inspection Team report.

February 2006- Letter received from owner's solicitors advising that the replacement of the doors and the blocking of the fanlight were carried out following instructions from the Council's HMO Joint Inspection Team Report.

February 2006- Letter sent to owner's solicitors advising that planning authority is responsible for taking action against unauthorised works that affect the character and/or appearance of listed buildings and that HMO Licensing is a separate regime administered by Environmental and Consumer Services (now Services for Communities).

Representations

Two representations received regarding the unauthorised removal of doors from a listed building and their storage in the entrance hall of the common stair.

Description of Development

Removal of flat entrance door, internal doors and blocking up of fanlights

3. Officer's Assessment and Recommendations

DETERMINING ISSUES

The determining issue is the effect the new fire doors and the blocking up of the fanlights have on the character and appearance of the listed building.

ASSESSMENT

The property is currently let out and the owner has applied for a licence to be used as a house in multiple occupation (HMO). The owner's solicitors advised that in order for the doors to comply with the Joint Inspection Team (JIT) report they had to be replaced. In fact, the JIT report did not advise that the doors should be replaced; it suggested ways in which the doors could be upgraded to achieve the standard of a self-closing 30 minute fire door. The fanlights could also be upgraded to a 30 minute fire resistance standard.

Alternatives to the upgrading work were suggested in the report; this included the installation of new fire doors fitted with the necessary ironmongery and fire safety additions. This was the option taken by the owner.

Planning and Strategy are consulted on HMO licence applications and, in this instance, advised that the property was a category 'B' listed building and that any alterations or extensions of a listed building which will affect its character as a building of special architectural or historical interest will require listed building consent. They also advised that the listing applies to the whole building and all interior features and that proposals should be discussed with the Listed Building Team.

The Planning and Strategy response was not included in the Joint Inspection Team report but the owner intimated during a conversation that she was aware the property was listed.

Non-statutory Guideline 'Alterations to Listed Buildings' states that "new doors...should be panelled to match existing doors with matching architraves."

The first floor flat entrance door is a bland timber door with a blocked off fanlight in the same timber. The timber door and fanlight appear untreated, giving the impression that the property is boarded up and unoccupied.

The internal doors are similar in style and material, although they appear to have been treated. The doors installed are unsympathetic and fail to respect the importance attached to the building.

The doors installed prior to the alterations were six panel doors in two different styles, white in colour and much more suited to a building of this status.

The alterations are therefore contrary to policies CD2 of the Central Edinburgh Local Plan and Non-statutory Guideline 'Alterations to Listed Buildings'.

RECOMMENDATION

It is recommended that Committee authorises the initiation of enforcement action to i) secure the removal of the unauthorised fire doors ii) unblock the fanlights iii) reinstate the previous internal doors located in the common stair and iv) reinstate/acquire/construct the/a flat entrance door.

Alan Henderson

Alan Henderson
Head of Planning and Strategy

Contact/tel Brian Fleming on 0131 529 3518

Ward affected Ward 18 - New Town

Local Plan Central Edinburgh Local Plan

**Statutory
Development Plan
Provision** Housing and Compatible Uses

File

**Date Complaint
Received** 21 December 2005

Planning Policy

The property forms part of a category 'B' listed building within the New Town Conservation Area and World Heritage Site. It falls within an area of 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.

Non-statutory Guideline 'Alterations to Listed Buildings' provides general guidance for assessing proposals for both internal and external alterations.

Appendix A

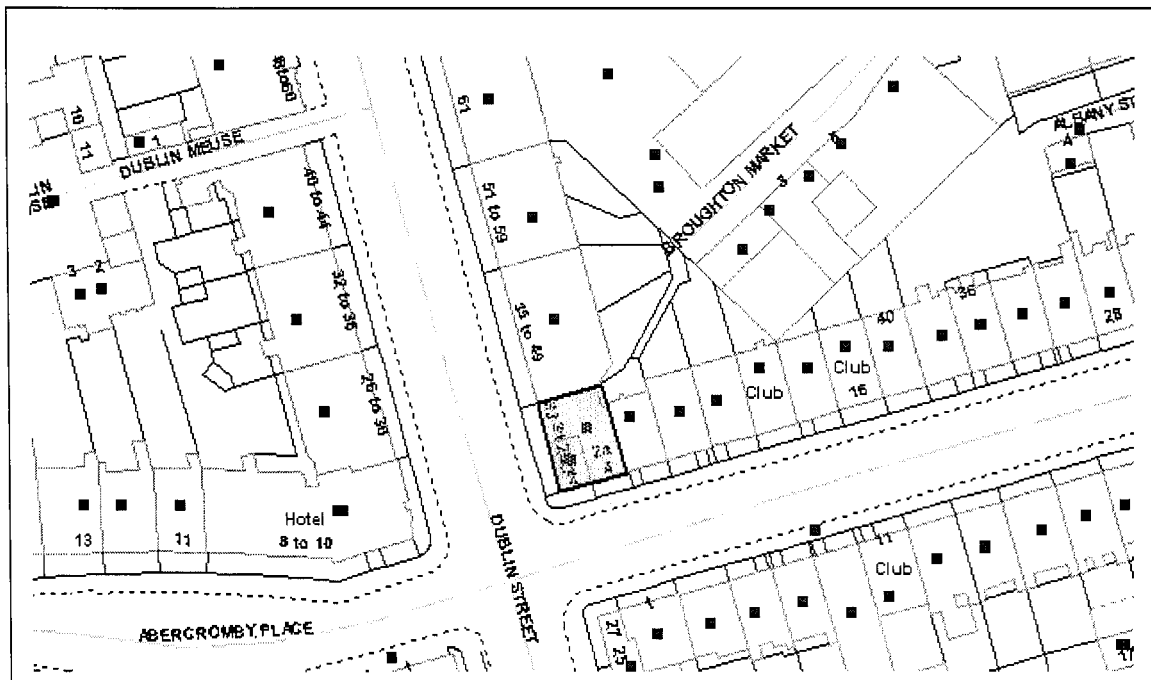


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Location Plan



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