

DECISION NOTICE AND REPORT OF HANDLING

Application address - 11 Glenfinlas Street Edinburgh EH3 6AQ

Application Ref. No - 14/03071/FUL

Review Ref No - 15/00003/REVREF

Review Lodged Date 13.01.2015

COPY

Lorn Macneal Chartered Architects.
3 St Vincent Street
Edinburgh
EH3 6SW

Mr & Mrs Peter Howell.
C/o Agent.

Date: 22.01.2015

Your ref:

TOWN AND COUNTRY PLANNING (SCOTLAND) ACTS

**DEVELOPMENT MANAGEMENT PROCEDURE (SCOTLAND) REGULATIONS
2013**

Proposed Alterations & Improvements internal & garden works & alterations to rear elevation.

At 11 Glenfinlas Street Edinburgh EH3 6AQ

Application No: 14/03071/FUL

DECISION NOTICE

With reference to your application for Planning Permission registered on 30 July 2014, this has been decided by **Local Delegated Decision**. The Council in exercise of its powers under the Town and Country Planning (Scotland) Acts and regulations, now determines the application as **mixed decision** in accordance with the particulars given in the application.

Any condition(s) attached to this consent, with reasons for imposing them, or reasons for refusal, are shown below;

1. This permission relates to all of the alterations other than the slapping and balcony. **** **.

2. This refusal relates to the slapping / double doors and the balcony **** **.

1. In order to recognise which elements of the proposals are recommended for approval

2. In order to recognise which elements of the proposals are recommended for refusal.

Reason for Refusal:-

1. The proposals are contrary to the Edinburgh City Local Plan Policies E4 and E4 and to the relevant Non-Statutory Guidelines on 'Listed Buildings and Conservation Areas' as the positioning of an balcony will seriously prejudice the architectural and historic interest of the listed building adversely affecting the character and appearance of the conservation area.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

Please see the guidance notes on our [decision page](#) for further information, including how to appeal or review your decision.

Drawings 01 - 03, 04A, 05 - 06, represent the determined scheme. Full details of the application can be found on the [Planning and Building Standards Online Services](#)

The reason why the Council made this decision is as follows:

The proposals partly comply and are partly contrary with the development plan and non-statutory guidelines. A mixed decision is therefore considered appropriate.

This determination does not carry with it any necessary consent or approval for the proposed development under other statutory enactments.

Should you have a specific enquiry regarding this decision please contact Daniel Lodge directly on 0131 529 3901.

D R Leslie

David R. Leslie

Acting Head of Planning and Building Standards

NOTES

1. If the applicant is aggrieved by the decision to refuse permission for or approval required by a condition in respect of the proposed development, or to grant permission or approval subject to conditions, the applicant may require the planning authority to review the case under section 43A of the Town and Country Planning (Scotland) Act 1997 within three months beginning with the date of this notice. The notice review should be addressed to the City of Edinburgh Planning Local Review Body, G2, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG.

2. If permission to develop land is refused or granted subject to conditions and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, the owner of the land may serve on the planning authority a purchase notice requiring the purchase of the owner of the land's interest in the land accordance with Part 5 of the Town and Country Planning (Scotland) Act 1997.

Report of Handling

Application for Planning Permission 14/03071/FUL

At 11 Glenfinlas Street, Edinburgh, EH3 6AQ

Proposed Alterations & Improvements internal & garden works & alterations to rear elevation.

Item	Local Delegated Decision
Application number	14/03071/FUL
Wards	A11 - City Centre

Summary

The proposals partly comply and are partly contrary with the development plan and non-statutory guidelines. A mixed decision is therefore considered appropriate.

Links

<u>Policies and guidance for this application</u>	LPC, CITE4, CITE6, NSG, NSLBCA, CRPNEW,
--	---

Report of handling

Recommendations

1.1 It is recommended that this application be mixed decision to part-approve and part-refuse this application subject to the details below..

Background

2.1 Site description

Category 'A' listed building by James Gillespie Graham, designed 1822. 3-storey and basement, 12-bay classical terrace. Polished ashlar sandstone; V-jointed rustication at principal floor. Base course; band course between basement and principal floor; cill course at 1st and 2nd floors. Ashlar steps and entrance platts oversailing basement.

Listed on the 14.12.1970 (ref: 28922).

This application site is located within the New Town Conservation Area.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description Of The Proposal

The application seeks planning permission that includes:

1. Proposed cast iron Juliet balcony upon the first floor level window to the rear serving the proposed kitchen.
2. Proposed window to door conversion at basement level upon the rear elevation.

3. Proposed installation of slim-profiled double glazing within all of the existing astragal timber sash and case windows
4. Proposed stone wall delineating the site boundary between the townhouse and basement level flats external space.

3.2 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 consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. 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 plan, are there any compelling reasons for approving them?

3.3 Assessment

To address these determining issues, it needs to be considered whether:

(a) the proposals will prejudice the special architectural or historic interest of the listed building or adversely affect the special character or appearance the conservation area.

(a) The existing single glazing is to be replaced with slim-profiled double glazing retaining the existing astragal sashes and cases. No historic crown glazing was evident and the retention of the historic fabric is appropriate and most welcomed.

However, the proposed cast iron balcony is not considered in-keeping with the architectural interest of the building given that there exists no other instances of balconies upon this or direct neighbours within this stretch of Glenfinlas Street. Although, evidence of similarly articulated balconies has been supplied, this level of supporting information is of insignificant weight to alter this view.

In conclusion and notwithstanding the proposed cast iron balcony upon the rear elevation, the proposed alterations will not prejudice the special architectural or historic interest of the listed building preserving the character and appearance of the conservation area.

It is therefore considered appropriate to issue a mixed decision refusing consent for the balcony whilst granting consent for the remainder of the external alterations.

There are no material considerations that would outweigh this recommendation.

It is recommended that this application be mixed decision to part-approve and part-refuse this application subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. This permission relates to all of the alterations other than the slapping and balcony. **** **.

2. This refusal relates to the slapping / double doors and the balcony **** **.

1. In order to recognise which elements of the proposals are recommended for approval

2. In order to recognise which elements of the proposals are recommended for refusal.

Reason for Refusal:-

1. The proposals are contrary to the Edinburgh City Local Plan Policies E4 and E4 and to the relevant Non-Statutory Guidelines on 'Listed Buildings and Conservation Areas' as the positioning of an balcony will seriously prejudice the architectural and historic interest of the listed building adversely affecting the character and appearance of the conservation area.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

Risk, Policy, compliance and governance impact

4.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

5.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Consultation and engagement

6.1 Pre-Application Process

Pre-application discussions took place on this application.

6.2 Publicity summary of representations and Community Council comments

No representations have been received.

Background reading / external references

- To view details of the application go to
- [Planning and Building Standards online services](#)

COPY

David R. Leslie

Statutory Development

Plan Provision The Edinburgh City Local Plan identifies the site as falling within the general 'Urban Area'.

Date registered 30 July 2014

Drawing numbers/Scheme 01 - 03, 04A, 05 - 06

Scheme 2

Acting Head of Planning and Building Standards

Contact: Daniel Lodge, Planning officer
E-mail: daniel.lodge@edinburgh.gov.uk Tel: 0131 529 3901

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Env 4 (Listed Buildings – Alterations & Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

COPY

Appendix 1

Consultations

Historic Scotland

We have considered your consultation and have no comments to make on the proposals. We confirm that your Council should proceed to determine the application without further reference to us.

END