

Development Management Sub Committee

Wednesday 13 January 2016

**Application for Listed Building Consent 15/05010/LBC
At 4B Gayfield Place, Edinburgh, EH7 4AB
Demolition works and alterations forming 5 proposed flats
including creation of bedrooms, new kitchens, construction
of new insulated floor and re-opening/creation of windows
(as amended).**

Item number	4.3(b)
Report number	
Wards	A11 - City Centre

Summary

The proposal is acceptable in this location and will not have an adverse impact upon the character of the listed building, the New Town Conservation Area or the Edinburgh World Heritage Site. The application complies with the Development Plan and the relevant non statutory guidelines. There are no material considerations that outweigh this conclusion and approval is recommended.

Links

<u>Policies and guidance for this application</u>	CITE1, CITE3, CITE4, CITE6, NSLBCA, CRPNEW, CRPWHS,
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Report

Application for Listed Building Consent 15/05010/LBC At 4B Gayfield Place, Edinburgh, EH7 4AB Demolition works and alterations forming 5 proposed flats including creation of bedrooms, new kitchens, construction of new insulated floor and re-opening/creation of windows (as amended).

Recommendations

1.1 It is recommended that this application be Granted subject to the details below.

Background

2.1 Site description

The application site is located on at the corner of Gayfield Place and Gayfield Place Lane and relates to the lower ground floor and sub-basement levels of a classical and near-symmetrical four storey (with basement and attic) tenement block. The site is currently in office use (use class 4). The surrounding area is in mixed use.

Stepped entry is provided to the lower ground and sub-basement levels from Gayfield Place, and an entrance platt and steps provide entry to the lower ground and sub-basement levels from Gayfield Place Lane. There is a small communal garden to the rear accessed by steps from the sub-basement level, and a small landscaped terrace fronting part of Gayfield Place.

The site is category A listed (listed on 19 April 1966, ref. 28798), and is located within the Edinburgh World Heritage Site.

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

2.2 Site History

Minded to grant pending conclusion of a legal agreement for change of use from office accommodation to guesthouse/B&B (application number 14/01197/FUL).

30 April 2015 - Listed building consent granted for demolition works and alterations including creation of bedrooms, new kitchen, construction of new insulated floor and re-opening/creation of windows (application number 15/01192/LBC).

25 May 2015 - Enforcement investigation into alleged unauthorised internal works was concluded following confirmation that the works undertaken were minor and would not have required listed building consent (investigation number 14/00789/ELBB).

Decision pending for planning permission for proposed change of use and conversion of offices to form five residential flats including re-instatement of existing windows (as amended) (application number 15/05009/FUL).

Main report

3.1 Description Of The Proposal

The application seeks listed building consent for demolition works and alterations associated with the change of use from offices to five residential flats.

External Works

To the front, external works comprise the removal of non-original security bars from a window at lower ground level, the reopening of two bricked up windows at sub-basement level, and the creation of a new window opening with stone cill and lintel at sub-basement level. The new and reinstated windows will be fitted with timber sash and cases with astragals to match the existing windows.

To the rear, external works comprise the reopening of an existing bricked up window at sub-basement level, the replacement of the existing timber door with a timber framed glazed door, the replacement of a non-original window frame with a traditional timber sash and case at lower ground level, and three extraction vents. The new and reinstated windows will be fitted with timber sash and cases with astragals to match the existing windows.

Two extraction vents are also proposed to be located to the side elevation fronting Gayfield Place Lane.

Internal Works

The internal alterations proposed are summarised as follows:

- Create new partition walls to subdivide rooms to form new living accommodation.
- Remove various unoriginal or insignificant partitions and walls.
- Position kitchen units within the bow-ended room to the front and rear at the lower ground floor level.
- Remove existing stone stair between the lower ground and sub-basement level.
- Excavate and reconstruct floor in proposed bedroom and hall associated with flat 5 at sub-basement level.

The proposed change of use is assessed under the associated application planning permission (application number 15/05009/FUL).

Scheme 1

The following amendments have been made to the original application:

- Vents have been removed from the front elevation and relocated to the rear and side elevations.

- A stone lintel and cill has been added to the new window at sub-basement level.
- Bedroom 1 in flat 4 has been removed and changed to a storage area only.
- The application boundary has been amended to include the curtilage of the development.

3.2 Determining Issues

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 harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

3.3 Assessment

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

- a) there is any adverse impact on the character of the listed building or its setting;
- b) there is any adverse impact on the character and appearance of the conservation area and Edinburgh World Heritage Site;
- c) any impacts on equalities or human rights are acceptable; and
- d) comments raised have been addressed.

a) Impact on Listed Building

The proposed change of use to residential is acceptable from a listed building perspective particularly given that it is likely that the building's original use was residential, albeit in townhouse form rather than flatted.

The reopening of three bricked up windows at sub-basement level, the removal of non-original security bars from a window at lower ground level, and the replacement of a non-original window frame with a traditional timber sash and case at lower ground level represents a conservation gain.

The principle of the creation of a new window on the front elevation at sub-basement level has already been established in the previous applications for the conversion of the site to a guest house (application numbers 15/01192/LBC and 14/01197/FUL). The addition of a stone cill and lintel will ensure that the new window is in keeping with the existing window openings.

All new windows will be timber sash and case with astragals to match the existing windows, which is acceptable. A condition has been added to ensure that new glazing is slimline with a cavity of no more than 6 mm in compliance with non-statutory guidance. A condition has also been added to ensure that glazing panels within the reopened bay windows on the front elevation are curved to match the existing detailing on the ground floor bay window. The replacement of the existing timber door with a timber framed glazed door to the rear sub-basement level is acceptable.

Ventilation outlets will be positioned on the rear and side elevations only. This is acceptable and complies with the Council's non-statutory guidance on Listed Buildings and Conservation Areas.

Internally the floor plan, proportions and level of architectural detailing is not as significant or precious as that contained within the more formal and grand upper tenement levels. Furthermore, the property exhibits clear signs of neglect with many unsympathetic alterations to its fabric and features.

The only areas that contain decorative features of merit are the two bow ended rooms to the front and rear upon the lower ground level. These features comprise a heavily painted/plastered non-repairable cornice to the front and incomplete dado panelling to the rear. It is appropriate to condition the consent requiring the insertion of an appropriately designed new cornice along with the retention and repair of the dado panelling.

The remaining reconfigurations and alterations proposed within the lower ground floor are acceptable, many of which were approved as part of the previous applications for the conversion of the site to a guest house (application numbers 15/01192/LBC and 14/01197/FUL).

The sub-basement level has remained unoccupied for a significant number of years. The floor plan, proportions and detailing are representative of a basement store and there is no decorative detailing evident. The proposed alterations including the partial excavation and reconstruction of the floor and removal of the stone stair is acceptable.

The principle of converting the sub-basement rooms to habitable accommodation was established in the previous applications for the conversion of the site to a guest house (application numbers 15/01192/LBC and 14/01197/FUL).

The proposal will not have an adverse impact on the architectural or historic interest of the building. As the work is related to the existing built fabric, the proposal will not have an adverse impact on its setting.

The proposal complies with ECLP policies Env 3 (Listed Buildings - Setting) and Env 4 (Listed Buildings - Alterations and Extensions), and the Council's guidance on Listed Buildings and Conservation Areas.

b) Impact on Conservation Area and Edinburgh World Heritage Site

The New Town Conservation Area Character Appraisal notes that:

Gayfield, standing between the main routes to Leith has always been varied in character. It is beyond the commercial core of the City Centre yet not wholly within a clearly residential area. As a result there has always been a substantial residential population living amongst other uses. This variety has been extended by redevelopment and by the conversion of residential property to office use.

The change of use to residential flats will be in keeping with the mixed use character of this part of the New Town Conservation Area and the Edinburgh World Heritage Site.

The reinstatement of original window openings represents a conservation gain and the creation of a new window at sub-basement level will be in keeping with other windows at sub-basement level.

Ventilation outlets will be directed to the side and rear of the building and therefore will not have an adverse impact on the character and appearance of the conservation area or the Edinburgh World Heritage Site.

There will be no adverse impacts on the character and appearance of the New Town Conservation Area or the Edinburgh World Heritage Site.

The proposal complies with ECLP policies Env 1 (World Heritage Site) and Env 6 (Conservation Areas - Development), and the Council's guidance on Listed Buildings and Conservation Areas.

c) Equalities and Human Rights

Three out of the five flats are accessible only by stair. Subject to the design being acceptable, stair lifts could be explored to facilitate access for people with mobility difficulties if required. An alteration of this nature would require planning permission and listed building consent. All of the flats have level access internally.

There are no issues of concern with regard to equalities and human rights.

d) Public Comments

Nineteen representations have been received including one from the Gayfield Place Owners Association. All of the representations raise objections to the proposal.

Three representations also confirm support for the principle of the change of use.

The objections are summarised as follows:

Material Representations - Objections

- Overdevelopment - this has been addressed in the associated application for planning permission (application number 15/05009/FUL).
- Sub-basement level does not provide adequate living environment particularly with regard to daylight and outlook - this has been addressed in section 3.3d) of the assessment.
- Vents detrimental to listed building - this has been addressed in section 3.3b) of the assessment.

- Detrimental to character of building - this has been addressed in section 3.3b) of the assessment.
- Refuse storage is not acceptable - this has been addressed in the associated application for planning permission (application number 15/05009/FUL).
- Detrimental impact on privacy - this has been addressed in the associated application for planning permission (application number 15/05009/FUL).
- Plans in relation to window alterations are unclear and inappropriate - revised plans were submitted to clarify this aspect of the proposal and relevant conditions have been added.
- Original parts of the building should not be removed - this is addressed in section 3.3a) of the assessment.
- Detrimental impact on drainage and sewage - this has been addressed in the associated application for planning permission (application number 15/05009/FUL).
- Inaccuracies/lack of detail on drawings - revised drawings were subsequently submitted to address concerns.
- Principle of change of use unacceptable - this has been addressed in the associated application for planning permission (application number 15/05009/FUL).

Non-material Representations

- Ventilation inadequate at sub-basement level - this aspect of the proposal will be dealt with under separate legislation in associated with Building Standards.
- Stability of building - this aspect of the proposal is not a planning matter and will be dealt with under separate legislation in association with Building Standards.
- Site could be used as a hostel or HMO.
- Unclear as to whether flats will be sold or let and how many occupants there will be.

A comment was raised regarding the publicity of the application, stating that listed building consent notice letters were not sent. Publicity for listed building consent applications are undertaken via a site notice and newspaper advert only. The application was advertised on 10 November 2015.

A number of comments also raised concerns that the land within the application boundary is not owned solely by the applicant, particularly with regard to the solum at sub-basement level. The applicant has reconfirmed that they own everything indicated within the application boundary (as amended). On this basis of this confirmation the correct land ownership certificate has been completed as part of this application.

Community Council

No comments received.

Conclusion

The proposal is acceptable in this location and will not have an adverse impact upon the character of the listed building, the New Town Conservation Area or the Edinburgh World Heritage Site. The application complies with the Development Plan and the relevant non statutory guidelines. There are no material considerations that outweigh this conclusion and approval is recommended.

It is recommended that this application be Granted subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. All new double glazing hereby approved shall be slimline with a cavity of no more than 6 mm.
2. New glazing panels within the reopened bay windows on the front elevation associated with the kitchen/dining /living room for flat 4 hereby approved shall be curved to match the profile of the existing glazing panels on the bay windows on the upper floors.
3. Details of the new cornice and dado repair/retention to the front and rear bow-ended rooms at lower ground level shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Reasons:-

1. In order to safeguard the character of the statutorily listed building.
2. In order to safeguard the character of the statutorily listed building.
3. In order to safeguard the character of the statutorily listed building.

Informatives

It should be noted that:

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

Nineteen representations have been received including one from the Gayfield Place Owners Association. All of the representations raise objections to the proposal. Three representations also confirm support for the principle of the change of use.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

The site is located within the Urban Area, the New Town Conservation Area and the Edinburgh World Heritage Site. The site is category A listed.

Date registered

30 October 2015

Drawing numbers/Scheme

01B, 02A, 03A, 04B, 05C,

Scheme 2

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Links - Policies

Relevant Policies:

Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its settings.

Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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.

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.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

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including creation of bedrooms, new kitchens, construction
of new insulated floor and re-opening/creation of windows
(as amended).**

Consultations

Historic Environment Scotland

Historic Environment Scotland does not object to this application and we do not have any comments to make on the proposals.

Location Plan

