

Development Management Sub Committee

Wednesday 13 December 2017

**Application for Listed Building Consent 17/03973/LBC
At 24C Learmonth Terrace, Edinburgh, EH4 1PG
Internal alterations to remove kitchen, bathroom, dividing
walls and doors and form a new single storey rear extension
and replace existing garages with 1 1/2 storey mews
building.**

Item number	7.2(b)
Report number	
Wards	B05 - Inverleith

Summary

The proposal will have a detrimental impact on the character and setting of the listed building and will neither preserve nor enhance the character and appearance of the conservation area. The proposal does not comply with the development plan and the non-statutory guidance.

Links

<u>Policies and guidance for this application</u>	LDPP, LEN04, LEN06, LEN03, NSG, NSLBCA, NSGD02, NSHOU, OTH, CRPNEW,
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Report

Application for Listed Building Consent 17/03973/LBC At 24C Learmonth Terrace, Edinburgh, EH4 1PG Internal alterations to remove kitchen, bathroom, dividing walls and doors and form a new single storey rear extension and replace existing garages with 1 1/2 storey mews building.

Recommendations

1.1 It is recommended that this application be Refused for the reasons below.

Background

2.1 Site description

Three storey with basement, former hotel, now flatted, that is the end of a terrace of B listed townhouses (ref. 29247 listed on 12.08.1965) at the corner of Learmonth Terrace and South Learmonth Avenue. To the rear (north) are lockups on Learmonth Terrace Lane. The application property is a basement flat that occupies approximately half of the floor plate to the rear of the building at garden level. It has sole use of a large rear garden. The flat is accessed via the garden gate from South Learmonth Avenue.

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

2.2 Site History

27 June 2016 - Applications refused for internal alterations with internal partitions being removed. Construction of a new single storey rear extension and two existing openings to be altered. (Application reference nos. 16/01933/FUL and 16/01844/LBC).

02 November 2016 - The refusal of the above planning application was upheld at Local Review Body.

Main report

3.1 Description Of The Proposal

The application is for a single storey extension to the basement flat and also for a single storey mews development with attic level that would replace two of the existing lockups that are accessed off the rear lane.

The existing, small, two bedroom flat occupies the rear of the building at garden level and has sole use of the garden. It is proposed to extend the flat into the garden by creating a single storey structure that would accommodate the living/kitchen/dining area. Three bedrooms would be accommodated within the existing flat.

The extension would be linked to the existing building by a glazed entrance corridor which, in itself, covers approximately 50% of the width of the rear elevation. The rest of the extension would be considerably wider as it splays to the west to run parallel with the boundary wall. A fin wall extends into the garden on the east side and would extend north into the garden by approximately 9.5 metres (m). The footprint of the extension would be 64.3 square metres (sqm). The extension would have a shallow pitched zinc standing seam roof. The walls will be a combination of cedar timber cladding, zinc and an aluminium glazing system. The height of the structure will not protrude above the boundary wall to the street.

New steps will be formed to the west of the existing building to enable access from South Learmonth Avenue to the new glazed entrance corridor. The current opening in the garden wall on South Learmonth Avenue would be infilled.

A set of double windows currently divided by a stone mullion which are on the rear elevation of the listed building, are to be altered by lowering the cills and removing the mullion, to form French doors.

The interior plan of the flat will be re-arranged.

To the rear, the two most westerly existing lockups on Learmonth Terrace Lane will be replaced by a mews building containing a garage and offices that are to be ancillary to the dwelling. It will be slightly larger in terms of footprint than the existing garages (46.8 sqm), occupying a 50.8 sqm footprint, but will have two floors of accommodation. The building will have a garage for one car and office accommodation at ground floor level and more office space within an attic level. The pitched roof of the structure will rise up above the existing stone wall on South Learmonth Avenue and above the height of adjacent single storey lockups to a height of approximately 5.5 m above the level of the lane. A gable end with a window will face the street and pitched roofs with dormers will face the lane and garden. The materials will be predominantly zinc with some elements of timber.

Supporting Statement

As part of this application the following documents have been submitted which are available to view on Planning and Building Standard's Online Services:

- Design Statement

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) the proposals will impact on the character of the listed building;
- b) the proposals will adversely impact on the setting of the listed building;
- c) the proposals will preserve or enhance the conservation area;
- d) any impacts of equalities and human rights have been addressed; and
- e) any comments raised have been addressed.

a) Impact on the Character of the Listed Building

Policy Env 4 of the Edinburgh Local Development Plan (LDP) says that extensions should be justified and that there should be no diminution of the interest of the historic structure.

The proposals are to extend the dwelling into the garden to a degree that a small flat will become a family home. The primary living space will be accommodated within the new extension. The extension at 64.3 sqm and approximately 9.5 m long would dominate the garden and the rear elevation of the listed building. It has been designed to exploit the splay in the garden as it widens, locating a large amount of its mass against the boundary wall. However, the design of the fin wall and overhanging roof means that very little of the original external wall of the listed building will be seen from the garden. The extension will dominate the rear of the building at ground level and will diminish its interest. There is no justification for an extension of this size, which is not subordinate to the original dwelling, other than the applicant's desire to create a larger home.

The Non-statutory Guidance on Listed Buildings and Conservation Areas states that "Proposals to increase the glazing area by removing stone or timber mullions (vertical members between windows which form the divisions between windows) will not normally be granted consent". The alterations to the paired windows on the rear of the existing building will result in the loss of the mullion between the windows and the altered proportions of this rear opening will damage the character of the rear of the building.

The construction of the mews building to the rear will impact the listed boundary wall but this is not considered to be significant.

In conclusion, the proposed extension to the listed building will result in the diminution of its interest and is not in keeping with other parts of the building. The proposal is therefore contrary to LDP policy Env 4.

b) Impact on the Setting of the Listed Building

LDP Policy Env 3 states that development affecting the setting of a listed building should not be detrimental to the architectural character or appearance of the building or its setting.

The creation of a two storey mews building to the rear of the garden would introduce a structure that is more characteristic of the First New Town, where town houses were designed with a formal relationship with a mews building. There is no such relationship with mews buildings on this terrace of listed buildings and to introduce such an element is contrary to the prevailing pattern and would distort the established relationship of the listed building with its garden and its setting.

The proposed extension is excessive in scale and will occupy a large amount of the garden that contributes positively to the setting of the listed building. By dominating the rear elevation it will detract from the relationship of the house to its garden.

The proposal will have a detrimental impact on the setting of the listed building and is contrary to LDP policy Env 3.

c) The Impact on the Character and Appearance of the Conservation Area

The New Town Conservation Area Character Appraisal notes:

The grid hierarchy of grand streets, lesser streets, lanes and mews throughout the conservation area.

and with respect to views and vistas:

Terminated vistas within the grid layouts and the long distance views across and out of the conservation area are an important feature. Layouts follow the topography to create vistas and views both inward and outward, to and from, high ground all round and particularly northwards over the estuary. Landmark buildings, usually churches as well as monuments, establish formal punctuation.

Policy Env 6 of the Edinburgh Local Development Plan (LDP) says that development within a conservation area will be permitted where it either preserves or enhances the special character and appearance of the conservation area.

The area is characterised by large terraced townhouses on Learmonth Terrace and South Learmonth Gardens that are served by low rise single storey lockups to the rear from Learmonth Terrace Lane. With the exception of a large and unattractive extension to the Travelodge, the lockups are uniformly low in scale and utilitarian in character. Unlike other parts of the New Town, this is not a traditional mews lane with two storey mews buildings. The introduction of a two storey structure would break with the traditional pattern of the area. Although there is no intrinsic merit to the lockups, they are modest in scale. The Edinburgh Design Guidance states that "Where the scale of proposed new development is different to that of surrounding buildings, ensure there is a compelling reasoning for the difference." No compelling justification has been presented as to why the prevailing scale of the back lane should be altered, apart from the applicants desire to extend his accommodation. The mews building, by breaking with the prevailing scale and building type that is intrinsic to the area, will neither preserve nor enhance the character or appearance of the conservation area

The proposed extension to the basement flat is low lying and will not protrude above the height of the garden wall. It will not, therefore, impact the appearance of the conservation area. Although there are other extensions and outshots to the rear of this terrace, the scale of the extension at 64.3 sqm in area, will be uncharacteristic of the prevailing pattern in the area and will intrude on the green, leafy quality that is characteristic the gardens on the rear of these terraces. It will not preserve the character of the conservation area.

The New Town Conservation Area Character Appraisal highlights the importance of the view down South Learmonth Avenue, which is terminated by Fettes College. The introduction of a modern building on the right when looking down the avenue would impact, but not obstruct, those views. It is unlikely that these views will be compromised.

The extension and the mews building will be well designed and detailed. However, the cumulative impact of a large extension and an ancillary office development in the lane is considered excessive, and contrary to the urban grain of the area. The character and appearance of the conservation area will not be preserved.

d) Equalities and Human Rights Issues

The proposals will have a neutral impact on equalities and human rights. An Equalities and Human Rights Impact Assessment has been completed.

e) Public Comments

Material Objections

Material reasons for objection relate to:

- Impact on the listed building - this is addressed in section 3.3.a).
- Impact on the conservation area - this is addressed in section 3.3.b).
- View down South Learmonth Avenue - this is addressed in section 3.3.b).
- Scale - this is addressed in sections 3.3.a) and 3.3.b).

Material Reasons for Support

Material reasons for support relate to:

- Impact on the listed building - this is addressed in section 3.3.a).
- Impact on the conservation area - this is addressed in section 3.3.b).
- Good design - this is addressed in section 3.3.b).

Comments that are non-material to the assessment of this listed building consent application relate to:

- Property prices.
- Security issues.

In conclusion, the proposal will have a detrimental impact on the character and setting of the listed building and will neither preserve nor enhance the character and appearance of the conservation area. The proposal does not comply with the development plan and the non-statutory guidance.

It is recommended that this application be Refused for the reasons below.

3.4 Conditions/reasons/informatives

Reasons:-

1. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the extension is not justified and will result in damage to the listed building and diminution of its interest.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposals neither preserve nor enhance the special character of the conservation area.
3. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as extensions should be subservient to the main building.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 29 September 2017. There were 213 letters of representation, 96 material letters of objection from neighbours, members of the public in Edinburgh and across the UK as well as the Architectural Heritage Society of Scotland and 73 material letters of support from both neighbours and members of the public in Edinburgh and across the UK. There were 44 non-material letters received that gave no reason for support or objection or raised issues that are non-material to the assessment of this listed building consent application.

A full assessment of the representations can be found in the main report in the Assessment section.

Background reading/external references

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

Statutory Development

Plan Provision

The site is within the urban area as defined by the Local Development Plan.

Date registered

5 September 2017

Drawing numbers/Scheme

1-15,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer

E-mail: barbara.stuart@edinburgh.gov.uk Tel: 0131 529 3927

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP 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.

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.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

Other Relevant policy guidance

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.

Appendix 1

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Consultations

Historic Environment Scotland

Our Advice

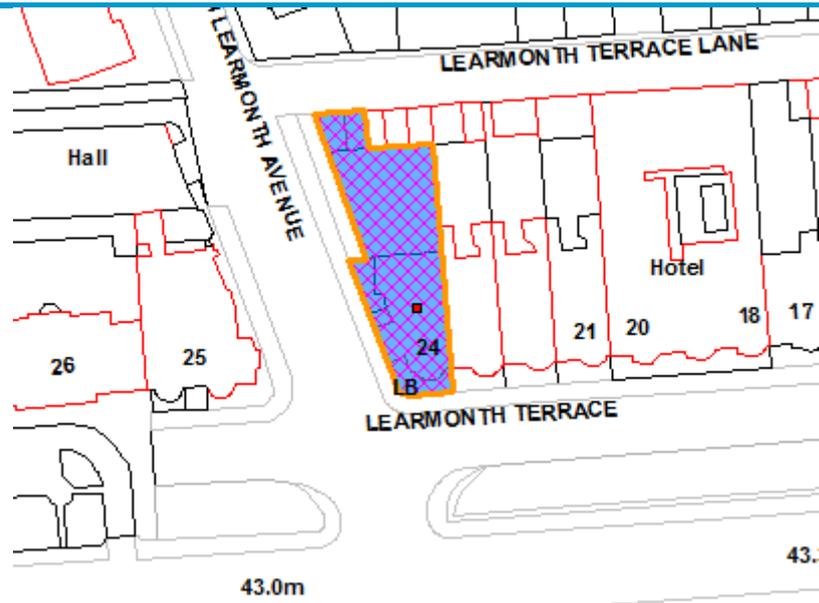
We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Further Information

This response applies to the application currently proposed. An amended scheme may require another consultation with us.

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Location Plan



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