

# Development Management Sub Committee

Wednesday 20 February 2019

**Application for Planning Permission 18/09751/FUL  
At 14 Regent Terrace, Edinburgh, EH7 5BN  
Proposed garden room (as amended).**

<b>Item number</b>	4.3
<b>Report number</b>	
<b>Wards</b>	B11 - City Centre

## Summary

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The proposal will not have an adverse impact on the character or appearance of the building and will not have a detrimental impact on the New Town Conservation Area or the Edinburgh World Heritage Site. The proposal complies with the relevant provisions of the local development plan and relevant non-statutory guidance, and is acceptable. There are no material considerations which outweigh this conclusion.

## Links

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<a href="#"><u>Policies and guidance for this application</u></a>	NSHOU, LDPP, LEN03, LEN06, NSG, NSLBCA, CRPNEW,
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# Report

## **Application for Planning Permission 18/09751/FUL At 14 Regent Terrace, Edinburgh, EH7 5BN Proposed garden room (as amended).**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site is a three storey (and basement) property that forms part of the long terrace of classical townhouses on the west side of Regent Terrace designed by William Playfair in 1825. The surrounding area is predominantly residential in use.

The site is part of the Calton A group/Eastern New Town Scheme designed by Playfair.

The application site is category A listed (ref: 49767 listed on 16 December 1965). The garden boundary wall and railings also form part of the A listing designation.

The application site is located within the Edinburgh World Heritage Site.

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

#### **2.2 Site History**

28 January 2002 - Listed building consent granted for internal alterations and alterations to windows and doors at rear of basement (reference: 01/04207/LBC).

17 January 2002 - Planning permission granted for internal alterations and alterations to windows and doors at rear of basement (reference: 01/04207/FUL).

### **Main report**

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#### **3.1 Description Of The Proposal**

Planning permission is sought for the erection of a garden room in the rear curtilage of the property. The building is a free standing structure measuring 3000mm in width, 2000mm in length and 3000mm at its highest point from ground level. The building has a shallow pitched roof and will be finished in cedar panelling with hardwood windows and doors.

Amended scheme:

A small degree of underbuild, which incorporates a reconstituted stone base, has been included in the scheme. In addition, the pitch of the roof has been slightly amended.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

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 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, the Committee needs to consider whether:

- a) the proposal will detract from the setting of the listed building;
- b) there is any adverse impact on the character and appearance of the conservation area;
- c) the proposal will result in an unreasonable loss of neighbouring amenity; and
- d) any public comments raised have been addressed.

#### **a) Listed Buildings Setting**

Local Development Plan policy Env 3 states that development affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting. The key setting of the properties at Regent Terrace are their rear gardens, with extended views onto Regent Gardens and the historic Calton Hill which is a key landmark of the New Town Conservation Area and World Heritage Site. The proposed building is minor in scale and will not impact upon the setting of the listed building or on the important views of Regent Gardens and Calton Hill.

## b) Impact on Conservation Area

The New Town Conservation Area Character Appraisal states:

*New development should be of good contemporary design that is sympathetic to the spatial pattern, scale and massing, proportions, building line and design of traditional buildings in the area.*

The proposed garden room, by virtue of its situation in the rear curtilage of the property, would not be visible from the public realm. In this location, the impact on the appearance of the conservation area would be negligible. In terms of the impact of the development on the character of the conservation area, there are a number of other outbuildings of various sizes and designs in the neighbouring gardens of Regent Terrace. The development, while closer to the house than some of these examples, is restrained in height and scale and through the utilisation of sympathetic materials it would not detract from the character of the conservation area. The contemporary design is also compatible in the context of other modern outbuildings such as that found at No.1 Regent Terrace.

The character and appearance of the conservation area will therefore be preserved. The proposal complies with Local Plan Policy Env 6.

The application is small in scale and has no impact on the Outstanding Universal Value of the Edinburgh World Heritage Site. It has not therefore been assessed against Env 1.

## c) Neighbouring Amenity

The windows on the side elevations will face onto the applicant's garden and no privacy issues will arise. The doors on the south-west elevation will face onto a stone boundary wall which will also safeguard the privacy of the neighbouring property.

The development will not have an unacceptable impact on neighbouring amenity in terms of overshadowing or daylighting when assessed against the relevant guidance in the non-statutory Guidance for Householders.

## d) Public comments

### **Material considerations**

- Loss of sunlight and daylight to neighbouring properties - addressed in section 3.3 (c).
- Position of outbuilding is not keeping with others on Regent Terrace - addressed in section 3.3 (b).
- The building would detract from the conservation area and World Heritage Site - addressed in section 3.3 (b).
- The building would detract from the setting of the listed building - addressed in section 3.3 (a).
- Approval would set a precedent - every planning application is assessed on its own merits.

## **Non-material considerations**

- The drawings do not provide exact measurements - dimensions can be obtained from the scaled drawings.

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

## **3.4 Conditions/reasons/informatives**

### **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.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 4 December 2018 and the proposal attracted nine objections. A full assessment of the representations can be found in the main report in the Assessment section.

## **Background reading/external references**

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- 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**

Adopted Edinburgh Local Development Plan

**Date registered**

9 November 2018

**Drawing numbers/Scheme**

01, 02A, 03A, 04A,

Scheme 2

**David R. Leslie**

Chief Planning Officer

PLACE

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**Links - Policies**

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**Relevant Policies:**

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

**Relevant policies of the Local Development Plan.**

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.

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

**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.



# Appendix 1

## Application for Planning Permission 18/09751/FUL At 14 Regent Terrace, Edinburgh, EH7 5BN Proposed garden room (as amended).

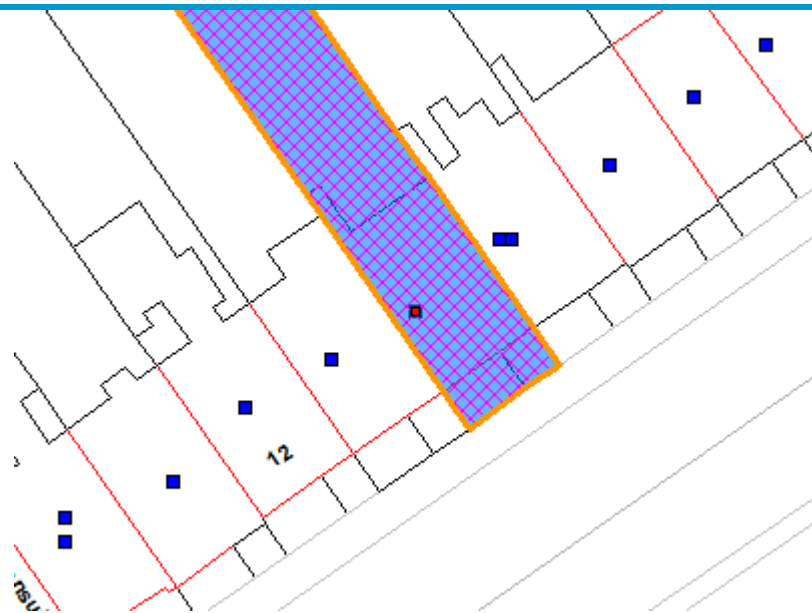
### Consultations

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No consultations undertaken.

### Location Plan

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