

Development Management Sub Committee

Wednesday 6 March 2019

**Application for Listed Building Consent 18/09901/LBC
At 20, 22 & 24 Windsor Street, Edinburgh, EH7 5JR**
The proposal is to link the 3 properties of 20, 22 and 24 Windsor Street to the adjoining hotel. This will be achieved by forming a new door opening at basement level in the party wall between number 18 and 20 Windsor Street. Replacement of 3 no. doors are also proposed. Reinstatement of original staircases from ground floor to basement level. Internal alterations to non-original partitions at ground and first floor level to help reinstate principal rooms to original proportions and insertion of bathroom pods (as amended).

Item number	4.9
Report number	
Wards	B12 - Leith Walk

Summary

The works will not result in adverse loss of the buildings' historic fabric and they will not result in unreasonable harm to the special interest of the listed buildings. The proposed alterations as a whole will result in gains in terms of the character of the listed buildings and an exception to the non-statutory Guidance to allow podded bathrooms within principal rooms is justified. The works will not have a detrimental impact on the character and appearance of the conservation area.

Links

[Policies and guidance for this application](#)

LDPP, LEN04, LEN06, NSG, NSLBCA, OTH, CRPNEW,

Report

Application for Listed Building Consent 18/09901/LBC At 20, 22 & 24 Windsor Street, Edinburgh, EH7 5JR

The proposal is to link the 3 properties of 20, 22 and 24 Windsor Street to the adjoining hotel. This will be achieved by forming a new door opening at basement level in the party wall between number 18 and 20 Windsor Street.

Replacement of 3 no. doors are also proposed.

Reinstatement of original staircases from ground floor to basement level. Internal alterations to non-original partitions at ground and first floor level to help reinstate principal rooms to original proportions and insertion of bathroom pods (as amended).

Recommendations

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

Background

2.1 Site description

The site lies on the west side of Windsor Street and relates to three individual former townhouses designed in 1822 by William H Playfair. The buildings are part of a classical range of terraced houses with Greek Doric doorpieces of fluted engaged columns supporting an entablature. They are 2-storey with a basement.

Properties No. 6 - 28 Windsor Street are category A listed (date of listing: 16 December 1965, Reference: LB29944).

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

2.2 Site History

Applications relating to 20 - 24 Windsor Street

30 January 2004 - Planning permission granted for a change of use, subdivision to form 3 original townhouses (as amended to omit the 2 mews flats to rear and reduce parking provision) (Application reference 03/04116/FUL).

9 February 2004 - Listed building consent granted for alterations to re-instate to three town houses (as amended to omit the proposed 2 mews flats to rear and reduce parking provision) (Application reference 03/04116/LBC).

2 February 2006 - Planning permission refused for change of use from office to a bed and breakfast hotel (with internal alterations) (Application reference 05/03145/FUL).

9 February 2006 - Mixed decision issued for Listed building consent for the conversion of former offices to bed and breakfast hotel (internal alterations only). The refusal related to the window vents (Application reference 05/03145/LBC).

17 August 2010 - Listed building consent granted for alterations to form lower ground floor flat and two storey house (No. 24) (Application reference 10/01092/LBC).

10 September 2010 - Planning permission granted for the subdivision of town house to form basement flat and two storey house (works only apply to No.24) (Application reference 10/01092/FUL).

13 May 2011 - Planning permission granted to sub divide dwelling to form a lower ground floor flat and a two storey townhouse (no.20) (as amended) (Application reference 11/00953/FUL).

13 May 2011 - Planning permission granted for the sub-division of residential property to form lower ground floor flat and a two storey townhouse (No.22) (as amended) (Application reference 11/00956/FUL).

30 May 2011 - Listed building consent granted for alterations to sub divide dwelling to form a lower ground floor flat and a 2 storey townhouse (no.20) (as amended) (Application reference 11/00954/LBC).

3 June 2011 - Listed building consent granted for alterations to sub-divide residential property to form lower ground floor flat and a two storey townhouse (No.22) (as amended) (Application reference 11/00957/LBC).

16 July 2018 - Enforcement enquiry into an alleged unauthorised change of use - short term commercial visitor accommodation closed (Enforcement reference 12/00306/ECOU).

9 April 2018 - Listed building consent refused for internal alterations to link the three properties of 20, 22 and 24 Windsor Street to the adjoining main hotel by forming a new door opening at ground floor level in the party wall between number 18 and 20 Windsor Street (Application reference 17/04738/LBC).

Main report

3.1 Description Of The Proposal

The application seeks to link the three townhouses of 20, 22, and 24 Windsor Street to the adjoining hotel at 10 - 18 Windsor Street. In doing so, 9 new openings on the basement level will be created to link the party wall between number 18 and 20 Windsor Street. A number of internal alterations are proposed, including the following:

- the reinstatement of the original staircases from the basement to the ground level;
- reinstatement of primary rooms to the rear to their original proportions;

- original doors/architraves are to be retained and locked shut where no longer required;
- replace non-original front basement doors to 20 and 24 Windsor Street with 'in character' doors;
- alterations to non-original partitions at ground and first floor level; and
- reconfigure the location of bathrooms and install en-suites within principal rooms on the ground floor.

No external front or rear elevation drawings of the existing townhouses were submitted. Repair works that match the original materials and methods and not affecting the character of the building do not require an application for listed building consent. This relates to the proposed preservation works, including ornate stonework details, original windows and roofing.

Scheme One

The original drawings were amended to address concerns raised by Historic Environment Scotland, with the size of the en-suites on the ground floor principal rooms reduced and retaining a number of walls and the reconfiguration of bathrooms on the first floor.

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.

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

3.3 Assessment

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

- a) the proposals will harm the architectural or historic interest of the listed building;
- b) the proposals will adversely affect the special character or appearance of the conservation area; and
- c) any issues raised in representations have been addressed.

a) Listed Building

Policy Env 4 Listed buildings - Alterations and Extensions states that proposals to alter or to extend listed buildings will be permitted where those alterations are justified; would not result unnecessary damage to historic structures or diminution of its interests; and where any additions would be in keeping with other parts of the building.

Historic Environment Scotland's (HES) guidance note Managing Change in the Historic Environment: Interiors, sets out the principles that apply to altering historic buildings.

The current application differs from the previous refused scheme (application number 17/04738/LBC) in that a link between the three townhouses and the neighbouring hotel is no longer proposed on the ground floor but at basement level instead. The basements of the individual townhouses do not possess significant features of architectural merit. While the proposed horizontal link is an intervention to the historic floor plan of the townhouses, the basement level in terms of the hierarchy of the building is located in a secondary area of importance. HES welcomes the relocation of the proposed link to basement level and potential for reinstatement. The formation of a link will not result in an adverse loss of the buildings historic fabric or cause harm to the character of the listed buildings.

The non-statutory 'Listed Buildings and Conservation Areas' do not support the installation of bathrooms/kitchens within principal rooms. While HES acknowledges that new bathrooms within principal rooms on the ground floor of A listed buildings would not normally be supported, they recognise that improvements are being made to the plan-form of the townhouses elsewhere, including the reinstatement of the rear rooms on the ground floor to their original proportions and reinstatement of the existing staircases vertical circulation. Interventions to the rear rooms, including the removal of non-original partitions relate to secondary areas of importance and the changes as a whole will result in greater net gains on the character of the listed building. The drawings have been amended to introduce smaller pod size bathrooms with lightweight glazed screens, thus allowing the original features and the historic plan form of the principal rooms to be preserved. Therefore, an exception to the guidance is justified to allow podded bathrooms within principal rooms in this instance.

The drawings for the first floor were revised to re-use the existing spaces for the bathrooms in secondary areas of importance and this is in line with HES comments.

The replacement of non-original front basement doors to 20 and 24 Windsor Street with 'in character' doors is welcomed. However, a condition requiring further details of the proposed door replacement is required. This is to ensure that the replacement door is of appropriate detail to the character of the listed building.

The formation of a horizontal link between the three townhouses will not result in adverse loss of the buildings' historic fabric and it will not result in unreasonable harm to the character of the listed buildings. The proposed alterations as a whole will result in greater gains to the character of the listed buildings and an exception to the non-statutory guidance to allow podded bathrooms within principal rooms is justified. The works will not adversely diminish the architectural or historical interest of the buildings possessing special interests.

b) Conservation Area

Policy Env 6 Conservation Areas- Development states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant character appraisal.

The site is located within the New Town Conservation Area. The character appraisal states the following:

The Conservation Area is characterised by Georgian and early Victorian rectilinear development of grand formal streets lined by fine terraced building expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces. They create a regular pattern of stately streets, squares and crescents, interspersed by formal gardens, and containing a series of major classical buildings by architects of the stature of Robert Adam.

The First New Town was planned to be essentially residential - a neighbourhood for elegant living. The majority of buildings were originally residential, non-residential buildings were confined to ancillary uses such as churches and the Assembly Rooms. Shops were planned in Rose Street, Hill Street and Thistle Street'. Throughout the area property has often been rebuilt or extended or converted for office or institutional use. Residential use only remains significant in the western and northern fringes of the First New Town'.

The premises is located near to the city centre with a mix of surrounding uses. The existing Cairn Hotel at No. 10-18 and the Ukrainian Consulate at No. 8 also occupies Windsor Street, alongside residential uses. Therefore, hotel uses are characteristic and are already established on this street. However, it is not the remit of this assessment to assess the acceptability of hotel expansions on this street against the ambience of residential uses.

With the exception of the proposed replacement of the non-original doors to the basement levels of the townhouses, the extent of the alterations are internal where it will not have a direct impact on the external character and appearance of the conservation area. Works to the external façade are intended to be repair works and this would result in conservation gains.

c) Comment

Material Representations- Objection

- Contrary to Policy Env 4 of the Edinburgh Local Development Plan - Addressed in Section 3.3 (a).
- Planning history - consent was previously refused- Addressed in Section 3.3 (a).
- Principle of linking the townhouses will have an adverse impact on the character and historic interests of the listed building - Addressed in Section 3.3 (a).
- Will impact on the character and appearance of the conservation area- hotel use will impact on the residential ambience of the area - Addressed in Section 3.3 (b).

Non-Material Representations- Objection

- Amenity (noise and parking) impact as a result of the operational use of the premises as a hotel - these issues cannot be addressed as part of this application for listed building consent. A separate application for planning permission would be required.
- Planning history of the site- the premises is not authorised to operate as a hotel use and listed building consent should not be issued until such lawful use of the premises is established - the assessment of the application for listed building consent is limited to Section 3.3 (a) and (b). A separate application for planning permission would be required to establish the lawful use of the premises. However, this does not preclude assessment of the current application for listed building consent.
- Will impact on a World Heritage site - the premises are not part of a World Heritage site as designated in the Edinburgh Local Development Plan Map.

Conclusion

In conclusion, the works will not result in adverse loss of the buildings' historic fabric and it will not result in unreasonable harm to the character of the listed building. The proposed alterations as a whole will result in greater gains on the character of the listed building and exception to the non-statutory guidance to allow podded bathrooms within principle rooms is justified. The works will not have a detrimental impact on the character and appearance of the conservation area. The proposal accords with policy Env 4 and Env 6 of the LDP. It is recommended that Committee approves this application.

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 works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. This consent is for listed building consent only. Work must not begin until other necessary consents, eg planning permission, have been obtained.

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 first advertised on 14 December 2018 and then re-advertised on the 18 January 2019. The proposal attracted 9 letters of objections. Only seven of the comments were relevant to this application for listed building consent.

The comments made are addressed in the Assessment section of the report.

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

Date registered 29 November 2018

Drawing numbers/Scheme 01-05, 06A - 07A and 08.,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Laura Marshall, Planning Officer

E-mail:laura.marshall@edinburgh.gov.uk Tel:

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.

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.

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

Application for Listed Building Consent 18/09901/LBC

At 20, 22 & 24 Windsor Street, Edinburgh, EH7 5JR

The proposal is to link the 3 properties of 20, 22 and 24 Windsor Street to the adjoining hotel. This will be achieved by forming a new door opening at basement level in the party wall between number 18 and 20 Windsor Street.

Replacement of 3 no. doors are also proposed.

Reinstatement of original staircases from ground floor to basement level. Internal alterations to non-original partitions at ground and first floor level to help reinstate principal rooms to original proportions and insertion of bathroom pods (as amended).

Consultations

Historic Environment Scotland

Our Advice

The application relates to three individual former townhouses, forming part of a fine Category A listed early 19th century classical terrace by the noted architect William Henry Playfair. The terrace formed part of Playfair's Calton scheme, originally planned to proceed towards Leith.

Overall

We welcome these revisions to the previous application that sought to link the three townhouses at ground floor level through the principal rooms. It is now proposed to link the individual houses at basement level, with new staircases replacing the original provision.

We have the following detailed comments;

Ground floor

We would normally not support the introduction of bathrooms within principal rooms on the ground floor of A listed buildings, but we note improvements to the plan-form elsewhere, notably the removal of later partitions in the rear ground floor rooms. Having said this, we have concerns with the size and design of these elements; put simply they are far too big. Normally, we would be looking for a 'pod' unit of limited size. Here the bathroom area contains a bath, large bath-sized shower tray, two sinks and a separate w.c.! The bathroom is set behind a partition taken from the wall at the edge of the chimneybreast/area and would be a substantial intrusion within the room.

We would suggest, instead, a combined shower and WC within a pod set centrally against the rear wall of the front room. It could be veneered or otherwise faced (obscured glass) to resemble a piece of furniture.

With the ground floor rear rooms we would suggest that the new links proposed to access the ante-room (room behind the stair) are taken towards the rear of the rear room - placed symmetrically on the wall with the entrance door to the rear room.

First floor

The first floor principal room is linked in No.22 to its ante-room with an arched opening. However, it is unlikely that this was an original feature throughout the terrace. We would suggest a single door opening for No.20 and 24, again placed symmetrically on the wall with the entrance door to the room, would be preferable.

In the front room a free-standing pod or partition would be preferable, although reusing the existing spaces for bathrooms would be the best option.

To the rear, similar comments to the ground floor rear rooms would apply - new doorways should be symmetrically placed on the walls.

Conclusion

We welcome the revisions, but would suggest further revisions, or conditions are applied to address the above comments.

Additionally, we note no specific works are proposed for the external elevations, besides essential repairs. We would suggest any repair works are outlined and could include the removal of paint from the stonework, specifically from the Doric columned doorpieces. Other conservation benefits that could be achieved include the reinstatement of chimneypieces in principal rooms (they appear to have been removed without LBC) and the reinstatement of a part-glazed door to No.18.

Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object 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.

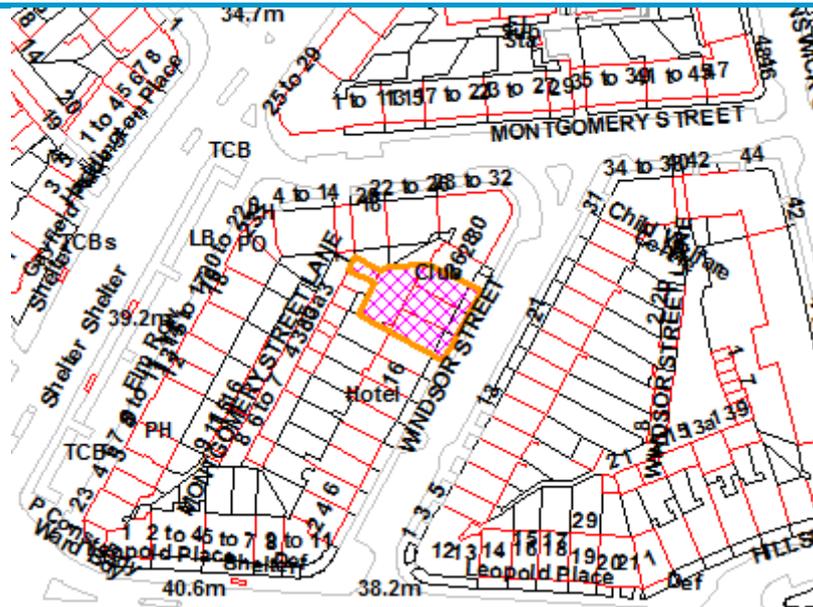
Further Information

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.

Please contact us if you have any questions about this response. The officer managing this case is Steven Robb who can be contacted by phone on 0131 668 8089 or by email on Steven.Robb@hes.scot.

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420
END