

Development Management Sub Committee

Wednesday 26 August 2015

**Application for Listed Building Consent 15/01178/LBC
At 18 India Street, Edinburgh,
Minor alterations to originally approved design of new roof
to rear outshoot, installation of traditional style cast iron
balcony to rear window at first floor level, blocking up of
non-original windows to rear (in retrospect), erection of new
internal partitions at first floor level and widening of opening
between rear outshoot and main building.**

Item number	8.2
Report number	
Wards	A11 - City Centre

Summary

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the character of the listed building or character or appearance of the conservation area and do not harm the Outstanding Universal Value of the World Heritage Site. There are no equalities or human rights concerns and no material considerations that outweigh this conclusion. Approval is recommended.

Outcome of previous Committee

This application was previously considered by Committee on 17.06.2015.

Site visit - This application was continued by the Committee for a site visit. The application is returning to Committee for a decision.

Links

[Policies and guidance for this application](#)

LPC, CITE4, CITE6, NSG, NSLBCA, CRPNEW,

Report

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Recommendations

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

Background

2.1 Site description

The application refers to a three storey and basement, sandstone constructed, terraced townhouse, dating from 1819-1823 (item no. 29135, listed on 03.10.1967).

There is a mezzanine floor between first and second floor level to the rear of the property.

The building is located on the west side of India Street and is within the World Heritage Site.

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

2.2 Site History

Non-material variation to consent 13/05228/FUL involving minor alterations to originally approved design of new roof to rear outshoot building currently under consideration.

02.09.2014 - planning permission granted to install two rooflights in the valley roof pitches and remove the existing pitched roof outshoot extension on the north side (14/02792/FUL).

02.09.2014 - listed building consent granted to adjust the existing stair layout to enter the lower ground floor directly from the main stair, install two new conservation type rooflights in the valley roof pitches and remove the existing pitched roof outshoot extension on the north side (14/02793/LBC).

07.02.2014 - planning permission granted to partially remove the outshoot on the north side and alter the outshoot on the south side, reinstate an original full height opening and expose the original window width by removing non-original rybats, enlarge a door opening and fit new French doors in the rear outshoot to the south and reinstate original window openings on the rear elevation by dropping cills (13/05228/FUL).

09.01.2014 - listed building consent granted to partially remove the outshoot on the north side and alter the outshoot on the south side, reinstate an original full height opening and expose the original window width by removing non-original rybats, enlarge a door opening and fit new French doors in the rear outshoot to the south and reinstate original window openings on the rear elevation by dropping cills (13/04833/LBC).

21.11.2003 - listed building consent granted for internal alterations (03/01700/LBC).

20.04.1999 - listed building consent granted for internal alterations and changes to doors, restoration of paving and removal of paint from stonework (99/00293/LBC).

Main report

3.1 Description Of The Proposal

The application is for minor alterations to the originally approved design of the new roof on the rear outbuilding on the south side, installation of a traditional style cast iron balcony to a rear window at first floor level, blocking up of non-original windows to the rear (in retrospect), erection of new internal partitions at first floor level and widening of the opening between the rear outshoot and main building.

Planning permission and listed building consent were granted in February 2014 for the alteration of the existing outshoot on the south side of the rear elevation. However, the submitted plans were inaccurate in terms of the existing window proportions and the location and height of the mutual rear boundary wall between 18 and 16A India Street. The current plans have addressed these discrepancies and show the correct profile of the mutual boundary wall in elevation and section.

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 adversely affect the character of the listed building or character or appearance of the conservation area;

- b) the proposals harm the Outstanding Universal Value of the World Heritage Site;
- c) any impacts on equalities or human rights are acceptable; and
- d) comments raised have been addressed.

a) Character of Listed Building and Character and Appearance of Conservation Area

The character of the New Town Conservation Area is summarised in the Character Appraisal as follows:

"A planned urban concept of European significance, the New Town has an overriding character of Georgian formality. The First New Town, built to James Craig's 1767 plan, has experienced significant redevelopment, while the Second, Third and Fourth New Towns, which were laid out on estates to the north, east and west retain most of their original buildings. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area therefore lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves. Many of the New Town's buildings are listed category 'A' of national importance and the area contains some of the city's finest interiors".

The principle of altering the outbuilding was established in the planning permission and listed building consent granted in February 2014.

The section drawing shows that the greatest part of the extended roof will lie below the height of the mutual boundary wall. The structure projects approximately 3.8m out from the rear elevation of the main house and 2.9m of this projection will be below the height of the boundary wall. The wall slopes down gradually from the main building line, then takes a steeper slope downwards for approximately 0.8m till it levels out at a height of approximately 2.1m.

There is an existing mono-pitched, slated-roofed outshoot at 16A India Street which projects out to the point where the boundary wall takes a steep slope downwards. Although a section of the new roof structure will project above the height of the mutual boundary, this section is relatively small. The new roof will project 1.2m above the boundary wall height at its lowest point. However, the rest of the projection above the height of the boundary wall will decrease with the upwards slope of the wall.

Furthermore, the design of the new roof has been changed to incorporate a sloping section of roof approximately 300mm wide following the line of the boundary wall where it slopes steeply down. This is to further minimise the visual impact of the new structure by setting the section that projects above the boundary wall back by 300mm.

A condition has been applied to ensure that the proposed roof material is appropriate. Apart from lead or zinc, an appropriate material would be a profiled single-ply membrane which would give the appearance of a traditional lead roof.

Every proposal for listed building consent is considered on its own merits and within its particular context. In this case, the visual impact of the proposed extension is acceptable. This does not imply that a similar intervention would be appropriate in a different context.

While the new roof height is higher in reality than shown on the drawings for the February 2014 consents, the impact of the proposed structure is still acceptable in terms of its visual effect on the rear elevation of the listed building.

The proposed traditional style cast iron balcony around the rear window on the south side at first floor level is necessary for safety reasons to obtain the required Building Warrant. This is a minimal intervention in terms of the effect on the rear elevation which has an existing cast iron balcony on the larger window on the north side at first floor level. There are similar balconies along the rear elevation of the terrace.

The sash and case window immediately above the new flat roof on the outbuilding is not being extended further, but rather restored to its original proportions. The planning permission and listed building consents from February 2014 included this alteration, although the drawings were inaccurate in their depiction of the existing and proposed window proportions.

This restoration is part of a general restoration of the original windows proportions on the rear elevation, including the blocking up of non-original windows which were not in keeping with the location and proportions of the Georgian fenestration pattern. While access could be gained from the lowered ground floor window to the new flat roof, this application has to be judged on what is currently proposed, rather than what could be proposed in the future.

The existing roof slates (Scots slate) were in poor condition and needed replacing. The replacement slates are second-hand Scots slate from Aberdeen and these are acceptable in terms of type, size and texture. The building is being re-pointing using a lime-base mortar. These works constitute repair in appropriate traditional materials and do not therefore require listed building consent as there is no effect on the character of the listed building.

Internally, a non-original wall has been removed between the principal front room and rear room at first floor level. It is possible that the front room was originally L-shaped. Whatever the original pattern was, the proposed arrangement of a rectangular front room with a bow-ended rear room and a utility space between is an appropriate configuration for this age and style of building.

The proposed widening of the existing opening between the outhouse and main building is acceptable as this part of the rear elevation is concealed by the outshoot and the affected room in the main building is a minor, plainly detailed rear room.

The proposals will therefore have no adverse impact on the character of the listed building or character or appearance of the conservation area.

b) Outstanding Universal Value of World Heritage Site

The Outstanding Universal Value of the Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

The proposed alterations affect the rear elevation of the building, the most significant at garden level, and will have no detrimental impact on the character or appearance of the Georgian New Town, nor its relationship with the medieval Old Town.

The proposed works will therefore cause no harm to the Outstanding Universal Value of the World Heritage Site.

c) Impact on Equalities and Human Rights

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

d) Representations

Material Objections

The material concerns raised are as follows:

- the drawings are misleading - this has been addressed in section 3.3 a). The drawings approved in the planning permission and listed building consent in February 2014 were inaccurate. However, the current drawings are correct.
- the proposals detract from the character of the listed building - this has been addressed in section 3.3 a). The proposed alterations to the outhouse and other external and internal alterations will have no adverse affect on the character of the listed building.
- the height of the new roof is excessive - this has been addressed in section 3.3 a). Only a small section of the new roof structure will project above the height of the mutual boundary wall.
- there is no specification for the proposed roof material - this has been addressed in section 3.3 a). A condition has been applied to ensure that the specified roof material is appropriate.
- the proposed alterations will set a dangerous precedent - this has been addressed in section 3.3 a). Every proposal for listed building consent is considered on its own merits and within its particular context.
- the flat roof will form a large balcony - this has been addressed in section 3.3 a). No balcony is proposed as part of this application and the restoration of the original proportions of the sash and case window immediately above the new flat roof is a conservation gain.

- the colour of new roof slate and the pointing on the main facade are inappropriate - this has been addressed in section 3.3 a). These works constitute repair and do not require listed building consent.

Non-Material Objections

- The comments relating to the impact of the proposed flat roof on daylighting and privacy are non-material in terms of listed building consent. These issues are relevant in the consideration of planning permission.

Conclusion

The proposals comply with the development plan and non-statutory policies, have no adverse effect on the character of the listed building or character or appearance of the conservation area and do not harm the Outstanding Universal Value of the World Heritage Site. There are no equalities or human rights concerns and no material considerations that outweigh this conclusion.

Addendum to Assessment

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

3.4 Conditions/reasons/informatives

1. Details of the proposed material and profiling for the flat roof hereby approved shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 27 March 2015. Sixteen representations were received, including one from the Cockburn Association and a petition with 37 signatures. The following material objections were raised:

- drawings misleading;
- detracts from character of listed building;
- height excessive;
- no specification for roof material;
- set dangerous precedent;
- flat roof will form large balcony; and
- inappropriate colour of new roof slate and pointing on facade.

Non-material comments

- detrimental impact on daylighting and privacy.

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](#)
- [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 with the Central Edinburgh Local Plan in an urban area.

Date registered

17 March 2015

Drawing numbers/Scheme

01a, 02a, 03 + 04,

Scheme 1

David R. Leslie

Acting Head of Planning and Building Standards

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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.

Appendix 1

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Consultations

No consultations undertaken.

Location Plan



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