

Planning Application 22/05657/FUL - 30 Mansionhouse Road EH9 2JD

OBJECTION from Grange Association

7 December 2022

1. Summary

The Grange Association has reviewed application [22/05657/FUL](#) and submits this objection, both to the principle of a new dwelling on this site between two B-listed villas in the Grange Conservation Area, and to some specific elements of the detailed proposals.

We also object to the inadequacy of the submitted documentation, in that there is no overall site plan for the whole original listed villa, showing the effect on the grounds of the villa, nor on the proposed street elevation with reference to the adjacent villas.

More specifically, our objections relate to incompatibilities with the following policies in the Local Development Plan ([LDP – Nov 2016](#)):

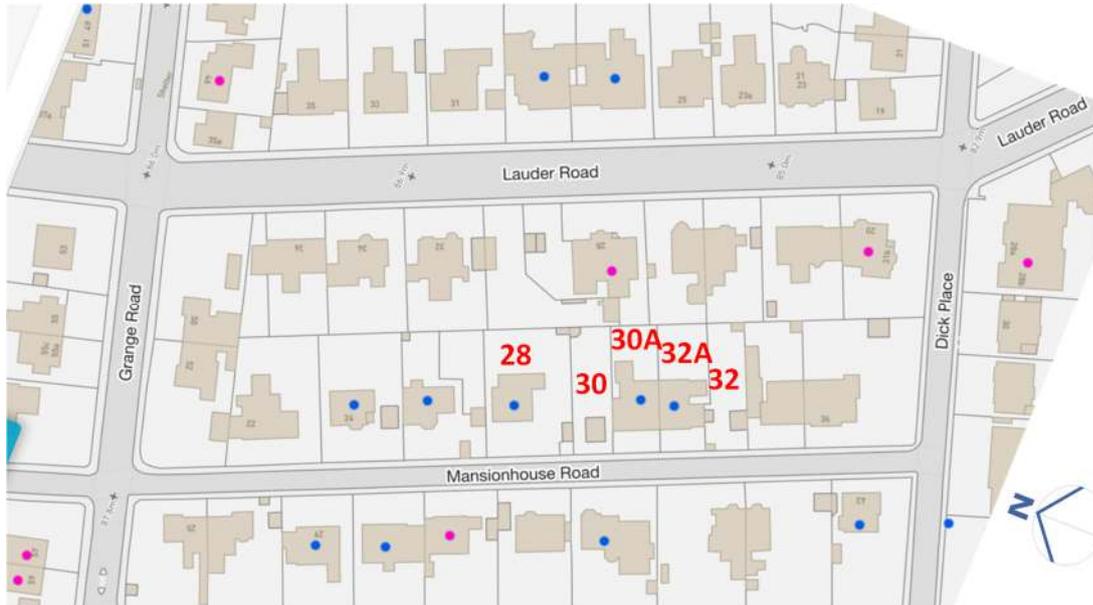
- [ENV3](#): Development within the curtilage of a listed building;
- [ENV6](#): Development within a conservation area;
- [DES1](#): New development damaging to the character or appearance of the area;
- [DES4](#): Impact of new development on surroundings and existing views;
- [DES12](#): Alterations to existing buildings and impact on appearance and character of existing buildings and street scene;

and incompatibility with:

- [Edinburgh Design Guidance](#): Integration with existing buildings and spaces.

2. Site background and history

The property that forms 30 Mansionhouse Road is the upper flat of a semi-detached villa, forming part of a row of fine B-listed villas that epitomise the historic character of the Grange Conservation Area.



Feuing layout – Mansionhouse Road and Lauder Road (Source: HES portal)

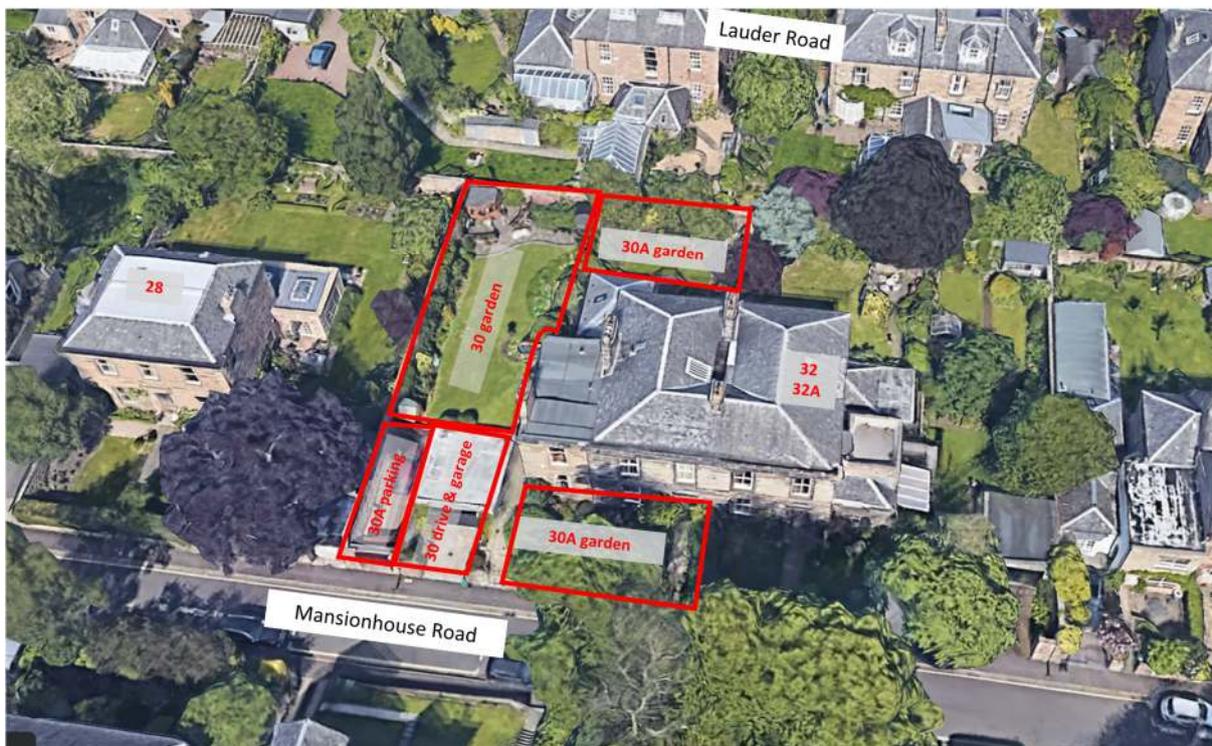
Although some of the villas in Mansionhouse Road and Lauder Road have been subdivided, there are few two-storey or habitable lateral extensions. The block layout therefore remains largely unchanged from the original feuing plan, with substantial spaces between the villas providing a characteristic rhythm to the streets.



30 Mansionhouse Road EH9 2JD: Google Streetview July 2019 – gaps between buildings with views to distance

30 Mansionhouse Road lies on the East side of Mansionhouse Road, between Dick Place and Grange Road, backing onto 26-28 Lauder Road. The existing building was built in 1853 as one of a pair of semi-detached villas which share their [B-listed building](#) status. 30 Mansionhouse Road was extended to the north in 1900 with a matching two-storey bay – visible in the streetview above, and an exception to the observed conservation of the original forms of the houses in the road. The building was then divided in 1945 into two flats, with No 30 becoming the upper flat and 30A the ground floor. At the same time a garage was built for No 30 and a parking space provided for 30A. The designs of the garage and car parking space are an aberration of the immediate post-war modernising development, prior to the listing of the villas, and for which planning permission would be unlikely today.

The gardens provide a valuable respite from the line of buildings in Mansionhouse Road and reflect the character of the Grange Conservation area, providing “*glimpse views of rear and side gardens*”. Even with the unsympathetic garages, the street view is unimpeded at first floor level over the boundary walls, and the gaps between the original properties remain characteristic of the Grange.



Aerial view of site, showing existing site boundaries (Google Earth)

The gaps between the buildings and their contribution to the feeling of spaciousness are critical elements of the character of the area, as described in the [Grange Conservation Area Character Appraisal](#) (GCACA). Despite the unattractive garages, the sense of space remains above them with views to the distance.

The separation of dwellings creates a characteristic rhythm and solid-void repetition between precisely-sited structures of similar scale and massing. The spacious gardens provide an important setting for the buildings and mature trees within.

The gaps between buildings are important in maintaining the dominant green character, a sense of generous space, and glimpse views of rear and side gardens.

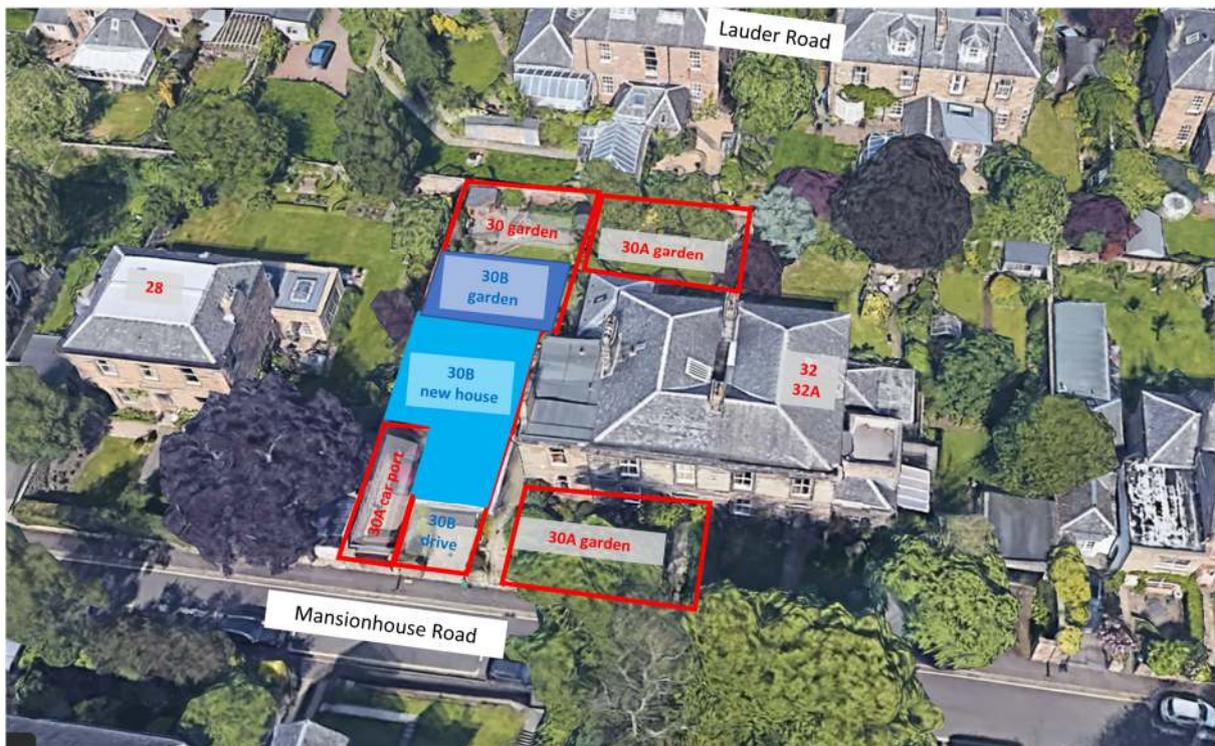
Grange Conservation Area Character Appraisal (page 15)

3. Proposed new development

The present application is for a new house to replace the double garage of No 30 and a new car port over the parking space of 30A. The new house (30B) will extend to the rear and consume much of the garden of No 30.



Proposed street elevation – 30A car port, and 30B Mansionhouse Road



30 – 30B Mansionhouse Road EH9 2JD: Proposed site layout (inferred)

The street elevation of the new house would be of a modern style, wholly different from the consistent Victorian stone villas in the street. This would introduce an alien architecture to the street where there are no modern elevations visible from the street.

The site of the original villa would be further subdivided as shown above, leaving the present No 30 (top floor flat) with a much-diminished garden space and no off-street parking. The whole site would become a patchwork with small garden plots divided by fencing.

4. Inadequacies of submitted documentation

The drawings submitted with the application do not show the whole curtilage of the listed building. It is therefore not possible to assess the effect of the proposals on the settings of the listed buildings. The illustrations we have included above are inferred from the available documentation but could not be relied upon for any future enforcement action concerning boundaries or relative dimensions.

Likewise, there is no drawing showing the proposed elevation from the street of the new property between the adjacent B-listed villas. It is therefore not possible to assess the effect of the new property on the settings of those villas or their relative heights. Neither is there any drawing to specify the extent to which the proposed new property will be forward of the building line of the adjacent villa No 28.

We therefore request that the applicant be required to submit additional drawings to show the full site layout (existing and proposed) of the listed villa, including the building lines of the adjacent villas (28, 30 and 32) and a drawing showing the street elevation with the full frontages of 28, 30 and 32 Mansionhouse Road (existing and proposed).

We also observe that the application is made solely under the title of 30 Mansionhouse Road. The proposed works include development on the land of 30A (the new carport roof), which is a separate planning unit, and we challenge the absence of any documentation that will be filed against that property's address. It would be difficult for those searching the records in future to check for planning permission if there is no documentation lodged against 30A to demonstrate permission for the new roof. It would also be difficult to assign responsibility in the event of a challenge for non-compliance with the approved drawings. The owner of which property would be responsible for correcting the non-compliance? We suggest that a second planning application should be lodged for the new car port roof for 30A under that property's address and in the name of its owner.

5. ENV3: Development within the curtilage of a listed building

Development within the curtilage or 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.

LDP Policy ENV3

We recognise that development within the curtilage of a listed building, which is not physically attached to listed structures, does not require listed building consent. Nonetheless, in assessing the

acceptability of proposals for development within the curtilage, the Council's [Guidance on listed buildings and conservation areas](#) (page 23) gives clear guidance:

*Where new development within the grounds of a listed building is acceptable, the siting, design, scale, form, density and materials should be sympathetic to the listed building, including ancillary buildings. **The feeling of spaciousness of the grounds in relation to the main building should be protected** for the amenity of the property. The scale of new development should be controlled so as not to crowd or obscure the house. [...]*

Views

***New development should always be set back from the original building line of the main house** to avoid interfering with oblique views of the listed building and disrupting formal approaches. [...] The principal elevations should remain visible in their entirety from all principal viewpoints. [...] Distant views of features and landmarks which may have been exploited in the design of the building should not be obstructed by the development.*

Landscape

*The landscape setting of the building should be analysed as the loss of garden ground can seriously affect the setting of a listed building. Planting which forms part of the original landscape should be retained and, where appropriate, the original landscape restored. New landscaping should be used imaginatively to screen and enhance new development and to retain the landscape setting of the building. Immediate surroundings should be maintained communally, **avoiding individually defined gardens. Conservation areas are areas of special architectural or historic interest which have a character and appearance which is desirable to preserve or enhance.***

Guidance on Listed Buildings and Conservation Areas (page 23)

The proposals contravene ENV3 because they would harm the “*feeling of spaciousness of the grounds*”; the new house is not “*set back from the original building line*” of No 30, and is well forward of the building line of No 28. The proposed patchwork of small gardens does not “*avoid individually defined gardens*”. The proposals would harm the character and appearance of the conservation area.

6. ENV6: Development within a conservation area

Development within a conservation area or affecting its setting will be permitted which:

a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal;

b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area; and

c) demonstrates high standards of design and utilises materials appropriate to the historic environment.

LDP Policy ENV6

In considering compliance with ENV6, it is instructive to refer to a previous planning application nearby, at 42 Grange Road EH9 1UN: [18/10070/FUL](#). That too was for a new property to be built in place of an unattractive garage that was in a gap between villas. In that case, the villas were not listed. Nonetheless, the application was refused and the Case Officer was explicit in the Handling Report:

This part of the conservation area is characterised by large villas in substantial garden grounds. Building an additional house within the garden area of the application property would be at odds with the urban grain of the area. The proposals would result in the erosion of the established character of the area of large houses with leafy garden spaces between those houses, a risk identified in the GCACA [Grange Conservation Area Character Appraisal], and to the detriment of the character of the conservation area.

.....
...the gradual diminution of the traditional urban grain of large houses separated by garden grounds is occurring as a result of [] new developments. The cumulative impact of these types of developments is adversely impacting the character of the Grange Conservation Area.

The proposed dwelling will have far more visual impact from Grange Road than the existing structure [the garage] and will adversely impact the appearance of green gardens and sense of generous space that is highlighted in the GCACA. The proposed new dwelling is contrary to Policy Env 6 of the LDP in that it neither preserves nor enhances the special character and appearance of the conservation area, is inconsistent with the relevant CACA and does not demonstrate a high level of design suitable to its historic environment.

18/10070/FUL Handling Report, refusing planning consent – 42 Grange Road EH9 1UN

This refusal was subsequently overturned by the Local Review Body, citing the unique circumstances and disability of the applicant (*“the LRB were sympathetic to the needs to transform a residence for health purposes”; “it was important that the applicant was able to stay within their community”*). After receiving this grant of planning permission to create a new dwelling, the property was offered for sale undeveloped at the end of 2019 as two separate lots and the original applicant moved away.

Those exceptional conditions do not apply here in Mansionhouse Road and the major additional factor of the proposals affecting adjacent B-listed properties militates against any more lenient approach in this case. We therefore assert that the observations of the Case Officer in 18/10070/FUL apply to the present application which should be refused on the same grounds.

Specifically, the application is incompatible with LDP Policy ENV6.

7. DES1: New development damaging to the character or appearance of the area

Planning permission will be granted for development where it is demonstrated that the proposal will create or contribute towards a sense of place. Design should be based on an overall design concept that draws upon positive characteristics of the surrounding area. Planning permission will not be granted for poor quality or inappropriate design or for proposals that would be damaging to the character or appearance of the area around it, particularly where this has a special importance

LDP Policy DES1

The proposals would make no contribution to any sense of ‘place’ in Mansionhouse Road and demonstrate no empathy with the characteristics of the area. The design of the new property does not appear to be influenced by the architecture of its surroundings and so would be damaging to the character and appearance of the area around it.

The proposals therefore contravene LDP Policy DES1.

8. DES4: Impact of new development on surroundings and existing views

Planning permission will be granted for development where it is demonstrated that it will have a positive impact on its surroundings, including the character of the wider townscape and landscape, and impact on existing views, having regard to:

- a) height and form;
- b) scale and proportions, including the spaces between buildings;
- c) position of buildings and other features on the site; and
- d) materials and detailing

LDP Policy DES4

The proposed development would reduce the spaces between buildings and reduce views from Mansionhouse Road. The materials and detailing proposed demonstrate no regard to the character of the wider townscape and landscape.

The proposals therefore contravene LDP Policy DES4.

9. DES12: Alterations to existing buildings and impact on appearance and character of existing buildings and street scene

Planning permission will be granted for alterations and extensions to existing buildings which:

- a) in their design and form, choice of materials and positioning are compatible with the character of the existing building*
- b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties*
- c) will not be detrimental to neighbourhood amenity and character*

LDP Policy DES12

The proposals include alterations to the existing properties at 30 and 30A (the car port and the garden boundaries) and therefore DES12 is relevant. The proposed development would be manifestly detrimental to neighbourhood amenity and character, with an alien architectural style, form and materials introduced to this characterful residential street.

The proposals therefore contravene LDP Policy DES12.

10. Edinburgh Design Guidance

The [Edinburgh Design Guidance](#) (Jan 2020) makes the following provisions relating to “Historic Environment” (page 13):

Development should relate to the historic context in terms of the following principles:

- *New developments should be sensitive to historic character and attain high standards in design, construction and materials.*
- *[...]*
- *Facades should respond to the rhythm, scale and proportion of neighbouring properties.*
- *Development should respect the established building line.*
- *The density and architectural style of new development should respect the scale, form and grain of the historic context.*
- *[...]*
- *The use of materials should respect and strengthen local traditions, reflecting the naturally predominant material.*
- *[...]*
- *Development should retain significant gaps or open spaces which contribute to the street scene or provide the setting for buildings of architectural or historic importance.*

Edinburgh Design Guidance (page 13)

The proposed development:

- is not sensitive to the historic character of the street in its use of design or materials;
- does not respond to the rhythm, scale and proportion of neighbouring properties;
- does not respect the building line of No 28;
- has an architectural style that does not respect the scale, form and grain of the historic context of the street;
- uses materials (e.g. zinc roof) that do not respect or strengthen local traditions or use naturally predominant material;
- does not retain the significant gaps and open spaces that contribute to the street scene and provide the setting for the adjacent listed villas which are of architectural importance.

Therefore, the proposed development contravenes the Edinburgh Design Guidelines.

11. Conclusions

We note the marked similarities between the present proposal in Mansionhouse Road and the 2018 proposal at 42 Grange Road EH9 1UN. The comments of the Case Officer for that application [18/10070/FUL](#) appear very relevant to the present application with similar factors creating similar incompatibilities with LDP Policies and the Edinburgh Design Guidance.

A new dwelling in the garden grounds of the villa would be inappropriate in terms of positioning and would fail to contribute positively towards a sense of place and would be damaging to the character and appearance of the area around it. It would be incompatible with the original building. It is therefore contrary to Policies Des 1, Des 4, Des 12 and the Edinburgh Design Guidance.

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The loss of the existing unattractive garage structure is not justification for the building of a new dwelling in this area.

18/10070/FUL Handling Report, refusing planning consent

The situation of 30 Mansionhouse Road is even more marked, as it is a proposal to infill a gap between two B-listed villas and is on a quiet residential street that has seen few post-war lateral extensions or new properties (other than by sub-division). We therefore consider the case for refusal to be stronger than for [18/10070/FUL](#).

In summary, we request that the application be refused because it contravenes the following policies in the Local Development Plan ([LDP – Nov 2016](#)):

- [ENV3](#): Development within the curtilage of a listed building;
- [ENV6](#): Development within a conservation area;
- [DES1](#): New development damaging to the character or appearance of the area;
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and is incompatible with:

- [Edinburgh Design Guidance](#): Integration with existing buildings and spaces.

**Grange Association
7 December 2022**