

Development Management Sub Committee

Wednesday 24 October 2018

**Application for Listed Building Consent 18/03274/LBC
At 37 - 38, 39 St Andrew Square, Edinburgh, EH2 2AD
Internal and external alterations to enable change of use
from banking hall and associated offices to hotel, including
roof-top extension and alteration to boundary wall (as
amended).**

Item number	7.3(c)
Report number	
Wards	B11 - City Centre

Summary

The proposals have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest it possesses and are acceptable.

Links

[Policies and guidance for this application](#) LDPP, LEN04, LEN06, NSG, NSG, CRPNEW,

Report

Application for Listed Building Consent 18/03274/LBC At 37 - 38, 39 St Andrew Square, Edinburgh, EH2 2AD Internal and external alterations to enable change of use from banking hall and associated offices to hotel, including roof-top extension and alteration to boundary wall (as amended).

Recommendations

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

Background

2.1 Site description

The application relates to Nos. 38-39 St Andrew Square: a colossal three-storey, five-bay, ashlar sandstone, Imperial Roman style building by David Bryce, dating from 1846. The first and second floors are set back behind fluted Corinthian columns with statues topping the entablatures. The interior features an elaborately detailed cruciform banking hall with a central dome. The entrance hall with main stair and Boardroom at first floor level are also finely detailed with compartmented ceilings.

The building is category A listed (reference 29707, listed on 13 April 1965) and within the World Heritage Site.

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

2.2 Site History

14 March 1996 - listed building consent granted for internal alterations, external fabric repairs and replacement of air conditioning plant (application reference 96/00024/LBC).

Related Planning History

10 February 2016 - listed building consent granted for internal alterations to former bank building, alterations to windows to form doors on south and east elevations and erection of roof extension at Nos. 41 - 42 St Andrew Square (application reference 15/02782/LBC).

Main report

3.1 Description Of The Proposal

The application is for external and internal alterations to form a 33-bedroom hotel with ancillary bars, restaurants, meeting rooms, retail and commercial units within this building and the adjoining building at No. 37 St Andrew Square.

The proposed alterations to No. 37 are the subject of associated application reference 18/03273/LBC.

The proposed alterations to Nos. 38-39 are summarised as follows:

External Alterations

- erect a full-width, recessed roof extension with an external terrace on the front section of the building to house a bar with associated kitchen/store, WCs and access stairs, comprising a metal-framed glazed façade with a profiled single-ply membrane roof and slated rear pitch with zinc-surround windows;
- form a new opening for access to the basement in the existing sandstone wall at the rear of the banking hall on Register Place;

Internal Alterations

- remove former telling stalls in the banking hall and install a freestanding bar/servery in the same location;
- remove sections of walls and erect new partitions in the hallway, relocate the entrance door of one of the main rooms and erect partitions in these rooms to form ensuite facilities within the former Accountant's House at third floor level;
- install a new lift in the south end of the building to access all floors.

Scheme 1

The original scheme set the new rooftop extension further forward and proposed an alternative design for the glazed facade and the removal of the upper flight of the main stair in the Accountant's House.

Supporting Documents

The following key documents have been submitted in support of the application and are available to view on the Planning and Building Standards Online Services:

- Planning Statement;
- Townscape and Visual Appraisal;
- Heritage Statement;

- Conservation Plan;
- Structural Condition Report;
- Structural Design Statement; and
- Archaeological Desk-Based Assessment.

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 preserve the character of the listed buildings;
- b) the proposals preserve or enhance the character or appearance of the conservation area;
- c) any impacts on equalities or human rights are acceptable; and
- d) public comments have been addressed.

a) Character of Listed Buildings

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

LDP Policy Env 4 permits proposals to alter or extend a listed building where the alterations or extensions are justified; there will be no unnecessary damage to the building's historic structure or diminution of its interest; and any additions are in keeping with other parts of the building.

External Alterations

The proposed rooftop bar is the most significant alteration and Historic Environment Scotland (HES) objected to this invention its originally proposed form. However, HES has withdrawn this objection on the basis of the revised scheme submitted which proposes a slightly reduced footprint and amended facade. The applicant requires this rooftop bar as a prestigious facility for its members, although this alone does not justify the associated loss of original roof fabric and additional floor over a significant portion of this category A listed building. Rather, the acceptability of this extension has been assessed against the physical impact on the listed building and historic townscape, including a thorough analysis of the relative significance of each part of the building recorded in a detailed conservation plan and a townscape impact analysis which assesses the existing and proposed roofscape from key verified viewpoints.

The roof surfaces of Nos. 38-39 are categorised as being of moderate significance only, as the main surfaces are functional in design and concealed by parapets from views within St Andrew Square and from key views outwith the square. In addition, the front section of the roof has been punctured by seven later rooflights. The defining features of this roofscape are the six statues topping the entablatures of the columns which dominate the principal facade along with the heavy stone balustrade. That said, the silhouette of these skyline features has been compromised from certain viewpoints by the construction of the adjacent 1940s building at Nos. 41-42 St Andrew Square. On this basis, a rooftop extension is acceptable in principle in this particular location and will not set a precedent for similar extensions on other listed buildings within the New Town Conservation Area.

The revised footprint of the rooftop extension ensures that it will not be visible from key viewpoints which have been defined by Historic Environment Scotland as being close-up views of the building, in particular from the opposite side of the road at various points where noted photographs were taken in the 1860s, including a famous photograph titled and signed by David Bryce in 1865. In certain more distant views from within St Andrew Square and beyond, the glazed facade of the extension will be visible. However, the roofscape is not seen in isolation from these viewpoints and is visible within the wider townscape context, which includes larger and more substantial commercial buildings with notable rooftop elements. The glazed facade with visually lightweight framing has been refined to ensure that the impact of the extension on any of these further away viewpoints is minimal and will allow the key rooftop features of the stone statues and balustrade to remain dominant.

Any negative impact of the removal of part of the original roof is balanced by the addition of an architecturally quiet rooftop feature which will have no adverse impact on the historic townscape whilst satisfying the business model of the hotel. This alteration is also offset by significant conservation gain through the proposed three-storey extension to the rear of No. 37 which will complete the basic form of the entrance court to Dundas House as it was originally intended. A thorough assessment of the proposed external and internal alterations to this adjoining building is carried out the associated application for listed building consent (reference 18/03273/LBC).

The proposed new opening for access to the basement in the existing sandstone boundary wall to Register Place is acceptable in terms of scale and detailing.

Internal Alterations

The proposed internal alterations will retain and restore the banking hall, which is the most significant architectural space within this building, through the removal of modern bank tellers which infill part of the south wing. The proposed freestanding bar/servery will allow views of the original proportions of this wing, including its elaborate ceiling.

The principal floor of the Accountant's House at third floor level is also maintained in the conversion, albeit with a degree of alteration. However, the revised scheme omits the previously proposed removal of the upper section of the main stair and proposes minimal interventions to five of the rooms on the third floor to form bedrooms with ensuite facilities. The hallway to be partitioned is relatively plainly detailed and its partitioning will allow the use of both rooms off the east side of the hall as bedrooms with the required standards of accommodation. The proposed repositioning of the original entrance door to the central main room is an acceptable compromise in order to make this room work as an adjoining room with the other main room.

Elsewhere in the building, the proposed alterations are relatively minor and/or affect plainly detailed spaces. The proposed lift will be located in utilitarian rooms in the south end of the building.

Extensive fabric repairs will be carried out in traditional matching materials and these are shown on detailed drawings. Also, a condition has been applied requiring a detailed programme of historic building recording prior to and during alteration work.

The proposed alterations and extensions are therefore justified and will cause no unnecessary damage to the building's historic structure or diminution of its interest, in accordance with LDP Policy Env 4. The proposals have special regard to the desirability of preserving the building and its setting and the special features of historic and architectural interest that it possesses.

b) Character and Appearance of Conservation Area

LDP Policy Env 6 permits development within a conservation area which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal.

The New Town Conservation Area Character Appraisal identifies the key characteristics of the First New Town as:

- *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 with controlled vistas and planned views;*
- *the important feature of terminated vistas within the grid layouts and the long distance views across and out of the conservation area.*

The external alterations proposed will not alter the essential hierarchical urban plan form of the First New Town nor interfere with its important vistas and views. The scale, form, design and materials of the proposed extensions are in keeping with the regularity and geometric forms of buildings within the First New Town.

The character and appearance of St Andrew Square will be enhanced by bringing these important category A listed buildings back into a sustainable and viable use. The associated extensions and external alterations are sensitive to the historic environment and involve a degree of conservation gain.

The proposals will therefore preserve and enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6.

c) Equalities and Human Rights

The development respects the provisions of the Equality Act 2010 by including accessible access to all floors of the buildings.

d) Public Comments

Material Objections

- the proposed glazed roof extension will spoil the design concept of the façade and involves an unacceptable loss of historic fabric - this has been addressed in section 3.3 a).

The other objections relate to the associated alterations to No. 37 St Andrew Square.

Supporting Comments

- important listed buildings will be brought back into sustainable use.

Conclusion

The proposals have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest it possesses and are acceptable.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed programme of historic building recording (annotated plans and elevations, photographic and written description and analysis) shall be undertaken prior to and during alteration work. The findings shall be submitted to an approved in writing by the planning authority.

2. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
3. Details of the proposed bar/servery in the former banking hall shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. 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:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

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 20 July 2018. A total of six representations were received comprising two objections, one from the Architectural Heritage Society of Scotland Association, and four supporting comments.

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 located within the City Centre as defined in the Edinburgh Local Development Plan.
Date registered	2 July 2018
Drawing numbers/Scheme	01,05A,07,08A,10,11A,12,13,14A,16,17A,18,19,20A,21,22A,23-33, 34A+35-60, Scheme 2

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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

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

Scheme 2

We objected to this application in August because we considered the rooftop extension, as originally presented, would result in significant negative impacts on the special interest of the Category A-listed Nos. 38-39 St Andrew Square.

The rooftop extension has since been revised by reducing the footprint and providing an angled detail to the top part of the gazing. While on both plan and elevation drawing these changes appear more minor in nature, the accompanying visualisations do illustrate a more pronounced reduction in the extension's visibility in close-up views of the building. In certain more distant views the extension would still be seen as a sizable addition.

The rooftop extension, in its revised form, would therefore still bring negative impacts, including the removal of the original David Bryce roof. However, we consider the more severe visual impact have been significantly reduced in order that we can now withdraw our objection to the application. While we are removing our objection, the rest of the advice set out in our letter of 26 July still applies.

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.

Scheme 1

We object to this application because we consider the rooftop extension in its current form would result in a significant negative impact on the special interest of the Category A-listed Nos. 38-39 St Andrew Square.

This listed building consent (LBC) application concerns alterations to Nos. 38-39 St Andrew Square to enable change of use from banking hall and offices to hotel, including rooftop extension. A separate LBC application (18/03273/LBC) has been submitted for the adjacent No. 37 St Andrew Square. While both applications are clearly linked and share the same supporting information, the focus of this letter is the application for Nos. 38-39.

Nos. 38-39 St Andrew Square is a substantial 3-storey and 5-bay Victorian commercial bank (occupying the site of two former townhouses) designed in a Roman Imperial style to be a striking and prominent headquarters of The British Linen Company. It was designed by David Bryce in 1846 and survives largely intact, including the impressive banking hall.

These current proposals, incorporating both No. 37 and Nos. 38-39 St Andrew Square, would have the benefit in bringing back into use two highly significant and visible Category A-listed buildings. This would include retention as a single space the former banking hall at Nos. 38-39. We clearly recognise these benefits.

Rooftop Extension

This is our most significant concern with the application and the reason for our objection.

Our initial pre-application advice (letter dated 23 March) was that a rooftop extension would have a negative (potentially significant) visual impact in certain views towards No. 38-39 from St Andrew Square. While the removal of the original 1846 David Bryce roof would also be a negative impact, it is the visual impact which we consider to be more significant.

The façade of Nos. 38-39 is dominated by six monumental free-standing Corinthian columns surmounted by a decorative entablature articulated to accommodate both the columns and the corresponding statues above, which help give the building its notable profile. The slate roof is shallow pitched in order not to intrude upon the building's main profile, and a stone balustrade, sitting behind the statues, helps to further hide the roof structure. In close-up views of Nos. 38-39 the balustrade is open to the sky. While in more distant views the roof does start to reveal itself behind the balustrade, the building was clearly not intended to be seen with accommodation above the balustrade. The likely visual appearance of the proposed extension from the ground is provided in a series of visualisations. We consider this shows a significant impact, especially in close-up views, upon the listed building.

The Heritage Statement recognises that the 'principle of a roof-top bar on this highly significant building, and location, is in itself difficult to reconcile...' We agree with this statement. We also note the Heritage Statement references the Historic Environment Policy Statement (HESPS; paragraph 3.47) which outlines what should be considered in cases where adverse impacts are proposed. This includes the exploration of options, which could include the reduction of the footprint of the extension to reduce the more severe impacts. We do not consider this has been fully explored.

While our objection is based on the current form of the rooftop extension, looking in more detail at the remaining components of the proposals for Nos. 38-39 we have the following additional comments to make on the internal alterations;

Internal Alterations

The application proposes a range of internal alterations. The majority appear to be reasonable in terms of what would be required for the conversion of the building. The character of the former banking hall would be retained, and we consider the alterations proposed to some of the adjacent spaces do not cause us any issues.

The principal floor of the Accountant's House (third floor of the building) is more domestic in character, and we have encouraged this to be maintained in the conversion. Existing walls will be retained, although partitioning in the hall would impact upon the plan form. Our preference is that this impact should ideally be avoided. We would also advocate retaining existing door positions to the principal rooms.

The most significant impact we see internally is the removal of the Accountant's House stair, indicated by the proposed demolition plans, to be replaced by a new stair (that appears to run the entire height of the building). The existing stair is original, contributes to the special interest and character of the listed building, and we had expected it to be retained. We do not see any justification provided for its removal. One of the reasons we accepted removal of the historic stair in the adjacent No. 37 was the retention of the remaining stairs of interest in Nos. 38-39. We would recommend further discussion about removal of this staircase, with a presumption in favour of retention.

Conclusion

The alterations to Nos. 38-39 St Andrew Square would bring both positive and negative impacts.

We consider the impact of the rooftop extension in its current form represents a significant negative impact on the special interest of the listed building. We are also not convinced that the rooftop extension can be justified as part of the wider, and generally positive, re-use of both No. 37 and Nos. 38-39 St Andrew Square. While the arguments put forward in the Heritage Statement allow us to be sympathetic to some form of extension, we are not convinced that the solution presented with this application is the best option. We would be happy to re-assess our position in the light of an amended scheme reducing this impact, or the submission of further supporting information.

We have responded separately to your Council's consultation request for No. 37. We will also assess the impact of the proposals on adjacent A-listed buildings and the Outstanding Universal Value (OUV) of the Old and New Towns of Edinburgh World Heritage Site once we have received the consultation on the associated planning application.

If you are minded to grant consent, with or without conditions, you are required under the terms of the Planning (Listed Buildings and Conservation Areas) (Notification of Applications) Direction 2015 to notify Scottish Ministers.

