

Development Management Sub Committee

Wednesday 8 May 2019

**Application for Planning Permission 19/00574/FUL
At 146 Princes Street, Edinburgh, EH2 4BL
Change of use from retail to whisky-themed visitor
experience with ancillary retail, bars, offices, training and
event space, including roof-top extension and other
external alterations.**

Item number	7.1(a)
Report number	
Wards	B11 - City Centre

Summary

The proposals comply with the Local Development Plan, with the exception of Policy ERC1 in the supplementary guidance. However, an exception from this guidance is justified as the proposed development complies with the key aims of the LDP in terms of the main shopping function of the city centre.

The proposals comply with the non-statutory guidelines and have no adverse effect on the character or appearance of the conservation area or character of the listed buildings and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on significant architectural remains, residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL02, LRET01, LRET02, LEMP01, LEN06, LEN04, LEN01, LDES01, LEN09, LTRA02, LTRA03, NSG, NSLBCA, NSGD02, CRPNEW,

Report

Application for Planning Permission 19/00574/FUL At 146 Princes Street, Edinburgh, EH2 4BL Change of use from retail to whisky-themed visitor experience with ancillary retail, bars, offices, training and event space, including roof-top extension and other external alterations.

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 the former Fraser's department store, occupying two adjoining buildings at the north-west corner of Princes Street at its confluence with Hope Street, Lothian Road and Shandwick Place. The building is within the World Heritage Site.

Nos. 144-147 Princes Street is the six storey and basement, inter-war classical style, former Binns department store by J R MacKay, dating from 1935. The building is constructed in ashlar sandstone with a canted corner featuring a cantilevered clock at second floor level and bronze-finished steel-framed casement windows. The ground floor shopfront is modern with a polished black marble fascia. The building is category B listed (reference 43328, listed on 28 March 1996).

The vacant department store incorporates a former bank of similar style and height at No. 3 Hope Street with a return to Hope Street Lane by Sydney H Miller, dating from 1930. The windows are bronze-finished steel-framed casement and the roof is pend and platform with a copper external pitch. The building is category B listed (reference 43307, listed on 28 March 1996).

The current building replaced older constructions which were developed from the original late 18th century tenements of the First New Town. In 1873, these tenements were altered significantly and converted into a hotel with shops at street level. This hotel subsequently became Maule's department store which was taken over by Binns in 1935. At this point a significant section of the frontage was demolished and rebuilt by J R McKay.

The interior was modernised throughout in the mid-1970s for retail use, including new stairs and lifts. In the early 1980s, the north-east corner of the building, formerly the warehouse, was entirely demolished and to incorporate escalators.

Elements of the bank telling hall, including columns and a coffered ceiling, survive within No. 3 Hope Street and there are remnants of 1930s and earlier corncicing throughout the building above later suspended ceilings.

The surrounding area is in mixed, predominantly commercial, use including shops, offices, hotels, restaurants and bars.

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

2.2 Site History

Associated application for listed building consent under consideration (application reference 19/00573/LBC).

22 August 2002 - planning permission granted to install cooling plant/pipework on roof of building (application reference 02/01100/LBC).

9 July 2002 - listed building consent granted to install cooling plant/pipework on roof of building (application reference 02/01100/LBC).

Main report

3.1 Description Of The Proposal

The application is for a change of use from Class 1 retail to a sui generis whisky-themed visitor experience with ancillary uses comprising retail on the ground floor, a training academy, office and double-height event space on the fourth floor, staff offices and back of house spaces on the fifth floor and two bars at sixth floor level. The main exhibit spaces will be on the first, second, third and basement floors.

The proposed external alterations are summarised as follows:

- remove the existing roof plant and associated enclosures, gantries and louvred perimeter screen, remove the inner roof pitch on the Hope Street/Hope Street Lane elevations and one chimney;
- erect a partially set back sixth floor comprising a contemporary style, bronze-finished, metal-clad framing bar with glazed frontages leading to an open stone-paved terrace facing Princes Street and Hope Street; a bronze finished mesh-clad plant room behind this structure; a copper-clad hipped roof behind the existing outer copper roof pitches; and a flat sedum roof with a zinc pitched edge over the remaining area of the roof covering a second bar and associated facilities;
- form a contemporary style, copper-framed dormer window in the existing copper roof pitch to the Hope Street Lane elevation;
- remove the modern shopfront glazing and framing, fabric canopies and entrance doors from the Princes Street/Hope Street shopfront, retaining the surviving original bronze frames and restore the ground floor frontage to its original form and detailing in matching materials, including the recessed entrance doors and bronze-faced canopy above the main entrance on Princes Street;

- replace the modern entrance doors to the former bank building on Hope Street with a bronze door to match the original scale and design;
- replace the existing blockwork screen to the plant shaft on Hope Street Lane with a perforated bronze finished metal screen with a metal roller shutter door to a new goods entrance at ground floor level;
- remove the modern staff doors in the stairwell bay adjoining the plant shaft on Hope Street Lane and install a timber-boarded panel with staff doors;
- remove all the existing single glazing from the existing bronze-finished steel framed windows and install slimline double glazing in the existing frames; and
- replace the existing timber doors and infill panels on the decorative section of the Hope Street Lane elevation with bronze panelled doors to match the original pattern.

No car parking is proposed and there are existing Sheffield cycle stands providing parking for 12 cycles. These spaces will be supplemented by additional covered cycle racking for staff within the building at ground floor level.

Service vehicles will access the development from Hope Street Lane.

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;
- Economic and Social Benefits Assessment;
- Design and Access Statement;
- Heritage Statement;
- Conservation Plan;
- Visual Impact Assessment;
- Archaeological Written Scheme of Investigation;
- Noise Impact Assessment;
- Transport Statement;
- Air Quality Assessment; and
- Surface Water Management Plan.

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - 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 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 is acceptable in principle in this location;
- b) the proposals preserve or enhance the character or appearance of the conservation area;
- c) the proposals preserve the character of the listed buildings;
- d) the proposals harm the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site;
- e) the proposals have an adverse impact on significant archaeological remains;
- f) the proposals are detrimental to residential amenity, road safety or infrastructure;
- g) any impacts on equalities or human rights are acceptable; and
- h) public comments have been addressed.

a) Principle

The site is located within the City Centre as designated by the Edinburgh Local Development Plan (LDP).

LDP Policy Del 2 guides development in the city centre, stating that development will be permitted which, "retains and enhances its character, attractiveness, vitality and accessibility and contributes to its role as a strategic business and regional shopping centre and Edinburgh's role as a capital city". Proposals are required to meet various criterion including, a use or mix of uses appropriate to the location of the site and, in the case of major mixed-use developments, offices (particularly on upper floors) and other uses at street level to maintain city centre diversity, especially retail use in important shopping frontages.

The proposed whisky-themed visitor experience use with associated ground floor retail is consistent with the objectives of this policy in the context of the city centre and its culture and tourism function and particularly if it is expected to improve footfall at the west end of Princes Street.

LDP Policy Ret 1 states that, "planning permission will be granted for retail and other uses which generate a significant footfall including commercial leisure use, offices, community and cultural facilities'." A key objective of the LDP is "to sustain and enhance the city centre as the regional focus for shopping, entertainment, commercial leisure and tourism related activities and encourage appropriate development of the highest quality".

The proposed development is a prestigious, high-quality, potentially world-wide, visitor/tourist attraction in the city centre which will help to sustain footfall levels in this area, especially given that the new St James development is expected to move the centre of gravity of the city's retail to the east. In addition, the proposal includes an element of retail on the ground floor which also represents a cultural facility given Scotland's renowned whisky industry.

There will be a net loss of retail floor space. However, the proposed use is consistent with the retail policy intentions set out in the LDP of reinforcing the retail vitality of the shopping streets in the retail core by providing a mixed-use retail/leisure experience. In addition, the proposal has "paid special attention to upper floors, if not used for retail purposes, and how these may be put to, or brought into beneficial use which will enhance the city centre character" by providing a tourism/leisure experience, including ancillary offices, training facilities, bars and event spaces.

Policy Ret 9 presumes against changes of use in the city centre retail core which would undermine the retailing function of the area, but the proposed development is not likely to have this effect. The city centre retail core supplementary guidance states that there are benefits in allowing shops to change to other uses that preserve and enhance the city centre's vitality and viability. The proposal does not comply with Policy ERC1 in the guidance regarding the change of use of shop units to non-shop uses in Princes Street in terms of use class. However, this is countered by the LDP which allows a more flexible approach to the introduction of complementary uses that support the main shopping function of the city centre and encourages use into the evening "in order to achieve a diverse, thriving and welcoming city." Also, the guidance does not specifically address circumstances such as this, where the proposal seeks to retain some retail floorspace with direct access to Princes Street, whilst combining it with an associated tourism/leisure use.

LDP Policy Emp 1 is supportive of high quality office development within the city centre. Whilst the office element of the proposal is small scale and associated with the leisure proposal, it is consistent with LDP policy.

The development is therefore acceptable in principle as it will sustain and enhance the city centre and its various roles including retail, commercial leisure and tourism-related activities.

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

The proposed tourism/leisure use is in keeping with the predominantly commercial character of the First New Town in which the site is located.

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 rooftop extensions are in keeping with the geometric forms of the historic and later roof structures within the First New Town.

The character and appearance of the west end of Princes Street will be enhanced by bringing this important category B listed building back into a sustainable and viable use. The associated extensions and external alterations are sensitive to the historic environment and involve a significant 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) Character of Listed Buildings

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.

The external appearance of the former Art Deco department store frontage and bank building is to remain as existing to a large extent and exterior works are to be undertaken to restore the Princes Street and Hope Street facades to their original primacy date, involving the repair and reinstatement of original features.

Alterations to the building were carried out in the late twentieth century that have had a 'negative' or 'neutral' impact on the building, as identified in the Conservation Plan, including new services and plant. These elements will be removed and replaced with more appropriate interventions.

The most significant of these interventions is the proposed rooftop extension comprising a series of individual structures tailored to complement the original roof elements and proposed functions. The existing roof is covered with plant equipment, including condensers, associated pipework, access gantries and a metal louvred screen along the parapet edge on Princes Street. The removal of these insensitive features and addition of high-quality, contemporary style rooftop extensions in appropriate traditional materials will rationalise and enhance the appearance of the roof. The most significant section of the roof - the copper outer pitch to Hope Street and Hope Street Lane - will be retained and the roof fabric to be removed is utilitarian and of no special historic or architectural merit. The chimney to be removed is later and in an inner position on the roof, so the removal of the structure will have no impact on the composition of the principal elevations.

The proposed bronze-framed rooftop bar facing Princes Street is a striking piece of contemporary architecture, the openings of which align with the bays of the principal facades. The structure will be set back from the building edges to reduce its visual impact and the proposed perimeter planter, required for public safety, will replace the existing unsightly louvred screen.

The other proposed rooftop structures employ a limited palette of robust, low maintenance cladding and roofing materials which relate to and complement the existing elevations and roof.

The proposed hipped roof structure over the bank building will match the copper finish of the historic external pitch to Hope Street and the new roof will sit behind the existing ridge to reduce the visual impact on the original roof. This roof originally extended further along the north elevation and part of this section was removed previously, so the new roof structure will provide a more unified north elevation. The proposed contemporary style dormer window in the remaining original section of copper roof on the Hope Street Lane elevation is an acceptable intervention to provide a viewing window for the new bar within this space without disrupting the principal elevation on Hope Street.

The remainder of the rear and inner side roof pitches will be of zinc-clad which is an appropriate material in this context and the sedum top surface requires a very low pitch which assists in keeping the roof height to a minimum.

The proposed plant housing structure is semi-sunk and finished in bronze-finished mesh to blend in with the new bar extension on the Princes Street elevation.

The Visual Impact Assessment which analyses the existing and proposed roofscape from key verified viewpoints demonstrates that the impact of the new roof extensions will be minimal. This intervention is also offset by significant conservation gain elsewhere in the building.

The key conservation gain is the removal of the modern shopfront glazing and framing and fabric canopies and restoration of the original bronze-framed shopfront, including the removal of the later corner entry doors and reinstatement of main entrance doors in the original position along with an entrance canopy to replicate the original design and materials. The details have been based on existing detailing and historic evidence in the form of drawings and photographs. The restored shopfront will be complemented by new black-finished steel security gates, the design of which is based on photographic evidence of the original balustrades within the millinery department of Binn's department store, and decorative mosaic-tiled entranceways.

A further conservation gain is the replacement of the modern entrance doors to the former bank building on Hope Street and Hope Street Lane bronze doors to match the original scale and pattern.

Another positive intervention is the removal of the utilitarian blockwork screen to the plant shaft on Hope Street Lane and replacement with a bronze-finished metal screen which will match the existing and new copper roof pitches on the north elevation.

Elsewhere, the scheme involves the repair/restoration of other significant elements of the listed building, including the Binns' cantilevered clock on the Princes Street/Hope Street corner and the original steel windows.

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 compliance with LDP Policy Env 4.

d) Outstanding Universal Value of World Heritage Site

The Outstanding Universal Value of the Old and New Towns of 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 development includes a rooftop extension which is in keeping with the scale of the existing buildings in this area. The proposals will therefore have no detrimental impact on the character or appearance of the Georgian New Town, nor its relationship with the medieval Old Town.

The development will therefore cause no harm to the Outstanding Universal Value of the Old and New Towns of World Heritage Site, in compliance with Edinburgh Local Development Plan Policy Env 1.

e) Archaeological Remains

The site has been occupied since start of the New Town development and it is possible that elements of earlier buildings may have survived the twentieth century redevelopment of the site. Whilst the development will have an impact upon the fabric of these historic buildings, in archaeological terms, such impacts are relatively low and not considered to be adverse.

However, the works may reveal important information regarding the development of these buildings, so a condition has been applied to ensure that an archaeological Watching Brief takes place during construction works, to allow investigation works should any excavations require to be deeper than anticipated. This Brief will be based upon the Written Scheme of Investigation submitted.

f) Residential Amenity, Road Safety and Infrastructure

There are no existing residential properties in close proximity to the development, so no issues of overshadowing, privacy, noise, odours or disruption arise from the proposed commercial use or physical extensions/alterations.

Environmental Protection has concerns regarding potential noise from the rooftop bars and external terrace, particularly if operating after 21:00 hours, although no significant noise issues are anticipated before 23:00 hours, given the location and background noise levels.

The Noise Impact Assessment (NIA) only calculates background noise levels up to 23:28 hours, although the current proposal is that the bars and event space may be open until 02:00 hours. Environmental Protection has therefore recommended a restriction on the hours of operation of the premises to between 07.00 hours and 23.00 hours, based on background noise levels reducing after this time as the number of bus/tram services and road traffic reduces.

This restriction has not been applied, given that the proposed bars are ancillary to the main use as a tourist/visitor attraction and not likely to emit any more noise than any of the nearby public houses and clubs, many of which have late licences. The use of any external spaces would be controlled by the licence regime.

Environmental Protection has also requested further information regarding the ventilation and window specifications of the proposed event space and bars, the sound insulation performance of the external doors and noise levels from the plant within the rooftop compound and the kitchen exhaust terminals.

The agent has confirmed that the entire building is mechanically vented, which is to the satisfaction of Environmental Protection and detailed, annotated drawings have been submitted which provide the required information to acceptable standards. The slimline double glazing with the original steel window frames has a total thickness of approximately 26mm, with a 12mm cavity. This is an acceptable compromise in terms of the specification requested by Environmental Protection, given that any thicker glazing would not fit within the original frames and the replacement of this historic fabric with new frames would not be acceptable in terms of the building's listed status.

No car parking spaces are proposed which complies with the Council's 2017 parking standards in Zone 1 and a secure cycle parking store will be provided for staff at ground floor level to complement the existing external cycle racks.

The development is within close proximity of the West End tram stop and bus stops on Princes Street and within walking distance of Waverley and Haymarket Stations.

No financial contribution towards the tram infrastructure is required as the existing retail use would generate a higher sum than the proposed tourism/leisure use and its ancillary facilities.

There are no air quality constraints on the proposed development as confirmed by the submitted Air Quality Assessment.

The proposed development will therefore have no detrimental impact on residential amenity, road safety or infrastructure, in compliance with LDP Policies Des 12, Tra 2 and Tra 3.

g) Equalities and Human Rights

The development respects the provisions of the Equality Act 2010 by including accessible access throughout the building.

h) Public Comments

The Architectural Heritage Society of Scotland welcomes the constructive re-use of the building and sympathetic approach adopted and is mainly concerned about the visual impact of the rooftop extension and potential of the new window on the north elevation to detract from the roofline as viewed from the south or east. These concerns have been addressed in section 3.3 c).

The other comments support the proposed scheme on the grounds that it will compensate for the loss of shops from the area and bring substantial benefits to the city in terms of its economy and tourism.

Reservations have been raised regarding noise levels, increased footfall and traffic and pollution levels. However, these are observations rather than objections.

Conclusion

The proposals comply with the Local Development Plan, with the exception of Policy ERC1 in the supplementary guidance. However, an exception from this guidance is justified as the proposed development complies with the key aims of the LDP in terms of the main shopping function of the city centre.

The proposals comply with the non-statutory guidelines and have no adverse effect on the character or appearance of the conservation area or character of the listed buildings and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on significant architectural remains, residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A programme of archaeological works, in the form of a Watching Brief during construction works, shall be undertaken to mitigate any potential impacts on archaeological remains. Details of this programme shall be submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
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.

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.

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.
4. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984.
5. TRAMS - Important Note:

The proposed site is on or adjacent to the operational Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:

 - Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;
 - Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;
 - Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
 - Any excavation within 3m of any pole supporting overhead lines;
 - Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;
 - The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.
 - See our full guidance on how to get permission to work near a tram way
 - <http://edinburghtrams.com/community/working-around-trams>

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 22 February 2019. A total of four representations were received, comprising one general comment from the Architectural Heritage Society of Scotland and eight 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

13 February 2019

Drawing numbers/Scheme

01 - 60,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

LDP Policy Ret 1 (Town Centres First Policy) sets criteria for retail and other town centre uses following a town centre first sequential approach.

LDP Policy Ret 2 (City Centre Retail Core) sets criteria for assessing retail development in or on the edge of the City Centre Retail Core.

LDP Policy Emp 1 (Office Development) identifies locations and circumstances in which office development will be permitted.

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

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 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

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.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

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 19/00574/FUL At 146 Princes Street, Edinburgh, EH2 4BL Change of use from retail to whisky-themed visitor experience with ancillary retail, bars, offices, training and event space, including roof-top extension and other external alterations.

Consultations

Historic Environment Scotland

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments 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.

Economic Development

Commentary on existing use

The application relates to 146 Princes Street, a 'B' listed department store dating from 1935, and 3 Hope Street, a 'B' listed bank dating from 1930. The two adjoining buildings were combined by the retailer House of Fraser which traded out of the building from 1953 to 2018. The building has a net internal area of 6,699 sqm.

The building supported 127 jobs (headcount) prior to closure. Based upon the ratio of part-time to full-time workers in the retail sector of Edinburgh, it is estimated that this would represent 90 full-time equivalent (FTE) employees. Based upon the mean gross value added per employee for the retail sector in Edinburgh - £29,484 - the jobs could be expected to support £3.74 million of gross value added (GVA) per annum (2016 prices). It is estimated that multiplier effects could support a further 24 FTE jobs and £1.72 million of GVA per annum, giving a total projected impact of 114 FTE jobs and £5.46 million of GVA per annum (2016 prices).

Commentary on proposed uses

The application proposes a change of use of the building from a department store to "a whisky themed visitor experience with ancillary retail, bars, offices, training and event space." Alterations to the external building envelope are limited, with the most significant being a "contemporary" rooftop extension. The floor-space of the building would be expanded by 908 sqm (gross). The building interior would be reconfigured to provide the different types of space set out above.

The applicant has estimated that the development would directly support "up to" 180 FTE jobs and a further 80 FTE jobs via multiplier effects. The Employment Densities Guide (3rd edition) states that on average commercial visitor attractions support one FTE job per 120 sqm - which for a 6,699 sqm attraction would give an estimated direct employment impact of 56 FTE jobs - but the Guide notes that employment densities of visitor attractions are highly variable. The direct employment impacts therefore appear high but not wholly unfeasible given the mix of uses within the development.

Multiplier tables published by the Scottish Government indicate that every job in the "sports and recreation" sector in Scotland supports on average 0.34 jobs elsewhere in the Scottish economy; for a development directly supporting 180 FTE jobs this would translate to an estimated 56 FTE jobs supported by multiplier effects. The figure of 80 FTE jobs quoted by the applicant therefore appears credible.

The applicant has estimated that the development would support "up to" £11.5 million of gross value added per annum. Given the development is projected to in total support 260 FTE jobs, this translates to an estimated annual impact of £44,230 per FTE employee. This appears high but not unfeasibly so.

Other considerations

It is reasonable to assume that a development such as this would potentially attract visitors to Edinburgh who would not otherwise have visited the city. In addition to spending money at the attraction itself, these visitors could be reasonably expected to spend money elsewhere in the city over the course of their visit, for example on accommodation, travel, and eating and drinking. This expenditure would in turn support additional jobs. The extent of this expenditure and the jobs supported thereby is challenging to predict but could be substantial (for example, the Scotch Whisky Experience attracts over 300,000 visitors per annum). The existing use of the building in question as a department store would not in itself be expected to attract visitors to Edinburgh who would not otherwise have visited the city and so these jobs would be net additional in relation to the existing use.

The development would add a new visitor attraction to the west end of Princes Street. The west end of Princes Street has historically had a weaker offering than the east end and this has been greatly exacerbated in recent years with major investments in St Andrew Square and the St James Centre. With significant pressures on the retail sector, this leaves the west end of Princes Street vulnerable to falling footfall and rising vacancy rates. Rather than seek to preserve the west end of Princes Street as a retail destination of the same calibre as the east end - highly challenging given the limited scope to deliver modern retail space coupled with the weaker connectivity and other factors - a more pragmatic response may be to promote the evolution of the west end to accommodate alternative uses, for example visitor attractions, food and drink, residential, hotel and office. The proposed development would help facilitate this by delivering a flagship visitor attraction on a prominent site at the west end of Princes Street, potentially acting as an anchor for further such developments.

SUMMARY RESPONSE TO CONSULTATION

The applicant estimates that the proposed development could, if fully occupied, directly support approximately 180 FTE jobs. By comparison, it is estimated that the existing use of the building in question could, if fully occupied, directly support approximately 90 FTE jobs. Even allowing for some degree of optimism bias in the applicant's projections, the proposed development can be expected to support an increase in employment.

In addition to directly supported jobs, the development could be expected to support additional jobs via the impact of expenditure by people visiting Edinburgh in order to visit the attraction.

The development could help rebalance Princes Street and compensate for the movement of the centre of gravity of the city's retail offering eastward, helping sustain footfall levels at the west end of Princes Street in the face of significant investment in the east end. The shift of the building in question to non-retail uses could help increase the resilience of the street in the face of sustained pressures on the retail sector.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning these linked LBC & FUL applications for the change of use from retail to whiskey themed visitor experience with ancillary retail, bars, offices, training and event space including roof-top extension and other alterations.

A full historic background is contained with Simpson & Brown's Conservation Statement however in summary the development principally affects two B-listed buildings constructed in the 1930's the former House of Fraser (Binns) Store and adjacent B-listed former RBS building at 6 Hope Street. The site however has been occupied since start of the New Town development and it is possible that elements of earlier buildings may have survived the 20th century redevelopment of the site.

The site is therefore considered to be of historic significance and these applications must be considered under the terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and also CEC's Edinburgh Local Development Plan (2016) Policies ENV 4 and ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

As outlined in both Simpson & Browns Conservation Statement and the accompanying Archaeological WSI produced by Addyman Archaeology, the development will have an impact upon the fabric of these historic buildings. However, I concur with their general conclusions that, on archaeological terms, such impacts are not considered to be adverse and relatively low. That said the works may reveal important information regarding the development of these buildings. It is therefore recommended that a programme of archaeological work (historic building survey and excavation) are undertaken during development to record and protect the historic fabric of these buildings and any below floor deposits.

This will be based upon the WSI submitted by Addyman Archaeology and build upon the work carried out on the site for Simpson & Browns Conservation Statement. It is therefore recommended that the following condition is attached to these consents to ensure that this works is undertaken.

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation analysis & reporting) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Roads Authority

No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984.

Note:

- Zero car parking is considered acceptable for this development.*
- There are no specific cycle parking standards for this type of Class 10 development. Staff cycle parking is to be provided within the building and there are 12 existing on-street cycle parking spaces.*
- There is no net tram contribution.*
- A draft travel plan has been submitted as part of the application.*

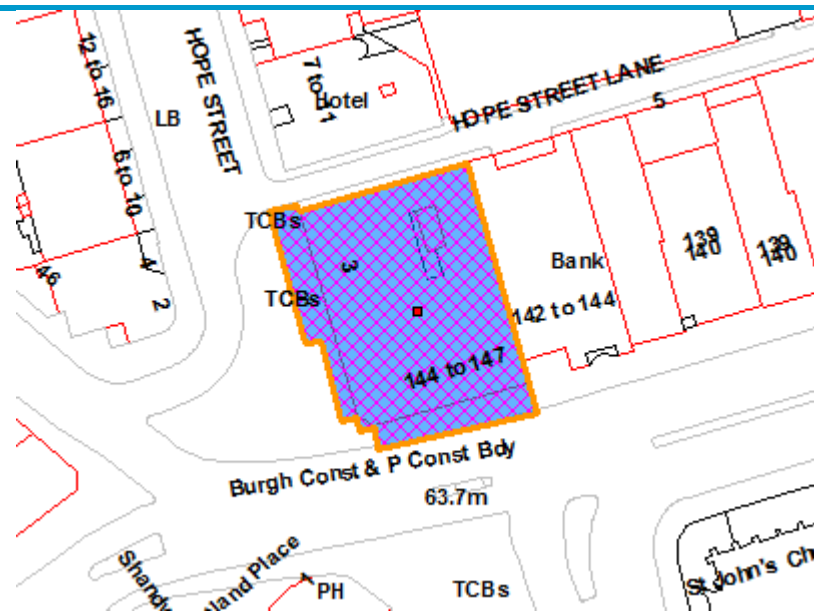
TRAMS - Important Note:

The proposed site is on or adjacent to the operational Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:

- Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;*
- Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;*

- Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
- Any excavation within 3m of any pole supporting overhead lines;
- Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;
- The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.
- See our full guidance on how to get permission to work near a tram way
- <http://edinburghtrams.com/community/working-around-trams>

Location Plan



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