

Notice of meeting and agenda

Development Management Sub-Committee

10.00am, Wednesday, 24th May, 2023

Dean of Guild Court Room - City Chambers

This is a public meeting and members of the public are welcome to attend or watch the live webcast on the Council's website

Contacts

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1. Order of business

1.1 Order of Business

- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any items in part 4 or 5 of the agenda. Members must advise Committee Services of their request by no later than **1.00pm on Monday 22 May 2023** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

2. Declaration of interests

2.1 Declaration of interests

Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

3. Minutes

3.1 None.

4. General Applications, Miscellaneous Business and Pre-Application Reports

The key issues for the Pre-Application reports and the recommendation by the Chief Planning Officer or other Chief Officers detailed in their reports on applications will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1.

- | | | |
|---|---|---------|
| 4.1 | 137 Drum Street, Hyvots Bank, Edinburgh - Change of use from hotel to supported & secured tenancy shared residential accommodation - application no. 22/04659/FUL - Report by the Chief Planning Officer | 9 - 16 |
| It is recommended that this application be GRANTED . | | |
| 4.2 | 2 Dundrennan Cottages, Edinburgh, EH16 5RG - Change of use from a domestic dwelling to a 7-bedroom house of multiple occupancy - application no. 22/04724/FUL - Report by the Chief Planning Officer | 17 - 24 |
| It is recommended that this application be GRANTED . | | |
| 4.3 | 57 - 59 (2F - 3F) High Street, Edinburgh, EH1 1SR - Alterations and change of use of second and third floors, currently office space, of 5 storey listed building, to form 3 No. short term let apartments - application no. 22/05144/FULSTL - Report by the Chief Planning Officer | 25 - 34 |
| It is recommended that this application be GRANTED . | | |
| 4.4 | 26 Westgarth Avenue (Colinton Lawn Tennis Club), Edinburgh - To install controlled LED lighting to 3 courts by installing 6 new steel columns with 7m mounting height and utilise two existing columns that are already in situ for adjacent three court lighting system. The lights will have minimal physical tilt +incorporated integrated louvres to reduce spill and glare - application no. 22/04508/FUL - Report by the Chief Planning Officer | 35 - 42 |
| It is recommended that this application be GRANTED . | | |

5. Returning Applications

These applications have been discussed previously by the Sub-Committee. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer

and discussion on each item.

5.1 None.

6. Applications for Hearing

The Chief Planning Officer has identified the following applications as meeting the criteria for Hearings. The protocol note by the Head of Strategy and Insight sets out the procedure for the hearing.

- | | | |
|-----|---|-----------|
| 6.1 | 15 Dalkeith Road, Edinburgh, EH16 5BH - application no's 22/04766/FUL, 22/04768/LBC & 22/04769/CON - Protocol Note by the Service Director - Legal and Assurance | 43 - 46 |
| 6.2 | 15 Dalkeith Road, Edinburgh, EH16 5BH - Selective demolition, adaptation, extension and upgrading of Class 4 office building, demolition of car park and ancillary buildings and proposed development of residential accommodation with associated landscaping, parking and infrastructure (as amended)- application no. 22/04766/FUL - Report by the Chief Planning Officer It is recommended that this application be GRANTED SUBJECT TO LEGAL AGREEMENT. | 47 - 114 |
| 6.3 | 15 Dalkeith Road, Edinburgh, EH16 5BH - Selective demolition, adaptation, extension and upgrading of Class 4 office building, demolition of car park and ancillary buildings and proposed development of residential accommodation with associated landscaping, parking and infrastructure- application no. 22/04768/LBC - Report by the Chief Planning Officer It is recommended that this application be GRANTED. | 115 - 142 |
| 6.4 | 15 Dalkeith Road, Edinburgh, EH16 5BH - Demolition of the Jointers' Workshop - application no. 22/04769/CON - Report by the Chief Planning Officer It is recommended that this application be GRANTED. | 143 - 152 |

7. Applications for Detailed Presentation

The Chief Planning Officer has identified the following applications for detailed presentation to the Sub-Committee. A decision to grant,

refuse or continue consideration will be made following the presentation and discussion on each item.

- 7.1** 23 Water Street, Edinburgh, EH6 6SU - Change of use from warehouse to aparthotel including alteration and extension, landscaping and associated works - application no. 22/06426/FUL - Report by the Chief Planning Officer

153 - 172

It is recommended that this application be **GRANTED**.

8. Returning Applications Following Site Visit

These applications have been discussed at a previous meeting of the Sub-Committee and were continued to allow members to visit the sites. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.

- 8.1** None.

Nick Smith

Service Director – Legal and Assurance

Committee Members

Councillors Councillor Hal Osler (Convener), Councillor Alan Beal, Councillor Fiona Bennett, Councillor Chas Booth, Councillor Lezley Marion Cameron, Councillor James Dalglish, Councillor Neil Gardiner, Councillor Euan Hyslop, Councillor Tim Jones, Councillor Amy McNeese-Mechan, Councillor Joanna Mowat and Councillor Kayleigh O'Neill.

Information about the Development Management Sub-Committee

The Development Management Sub-Committee consists of 11 Councillors and is appointed by the City of Edinburgh Council. The Development Management Sub-Committee usually meets in the Dean of Guild Court Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

Further information

If you have any questions about the agenda or meeting arrangements, please contact Jamie Macrae, Committee Services, City of Edinburgh Council, Business Centre 2.1, Waverley Court, 4 East Market Street, Edinburgh EH8 8BG, Tel 0131 553 8242 / 0131 529 4085, email jamie.macrae@edinburgh.gov.uk / blair.ritchie@edinburgh.gov.uk.

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Development Management Sub-Committee Report

Wednesday 24 May 2023

**Application for Planning Permission
137 Drum Street, Hyvots Bank, Edinburgh.**

**Proposal: Change of use from hotel to supported & secured tenancy
shared residential accommodation.**

**Item – Committee Decision
Application Number – 22/04659/FUL
Ward – B16 - Liberton/Gilmerton**

Reasons for Referral to Committee

In accordance with the statutory scheme of delegation, the application has been referred for determination by the Development Management Sub-committee as it has received more than six material representations in objection and the recommendation is to grant planning permission.

Recommendation

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

Summary

The application for development is acceptable in relation relevant policies within National Planning Framework 4 and the Edinburgh Local Development Plan. The proposal would have no adverse effect on the character of the area or on neighbouring residential amenity. 121 representations were received in objection to the application, specifically in relation to anti-social behaviour and community safety; some weight has been given to these comments. There are no material planning considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site is a one and a half storey detached building, currently operating as a hotel. The application site is on Drum Street, close to where the road terminates and becomes Gilmerton Road. The immediate location has been subject to considerable residential development, with blocks of flats to the north-west and west. The housing estate accessed from Candlemaker's Park is situated to the north.

Description of the Proposal

The application is for the change of use from a hotel (Class 7) to a supported residential accommodation (Sui Generis) with 12 self-contained units. The proposal would have 24/7 on site management. No external alterations are proposed.

Relevant Site History

No relevant site history.

Other Relevant Site History

No other relevant site history.

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Roads Authority

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 5 October 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 121

Section B - Assessment

Determining Issues

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan?

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4.

The relevant NPF4 and LDP policies to be considered are:

- NPF4 Climate and Nature Crises - Policy 1.
- NPF4 Design, Quality & Place - Policy 14.
- NPF4 Quality Homes - Policy 16.
- NPF4 Health & Safety - Policy 23.
- NPF4 Infrastructure First - Policy 18.
- LDP Housing Policies Hou 2 and 7.

Principle

The proposed change of use would provide safe accommodation for vulnerable people within society. Whilst Planning cannot seek to control the end user of developments, it is recognised that provision of such accommodation is an essential element in ensuring individuals at risk are offered the opportunity to enjoy a secure environment. In addition to taking into account the exceptional circumstances of the proposal, the residents would also have access to inhouse staff twenty four hours a day.

This is acknowledged in both NPF 4 and the LDP, which identifies the need for such development in a number of policies:

NPF 4 Policy 14 supports the prioritisation of and improving physical and mental health, whilst NPF 4 Policy 16 promotes householder development that relate to people with health conditions. These objectives are reinforced through NPF 4 Policy 23, which identifies the need to provide safe places to protect human health

LDP Policy Hou 2 seeks to support more socially diverse and inclusive communities to meet a range of housing needs, including those of families, older people and people with special needs.

The proposal would provide safe and secure accommodation for vulnerable members of society and would be acceptable in relation to NPF4 Policies 1, 14, 16 and 23 and LDP Policy Hou 2. When specifically looking at NPF Policy 1, the proposal would have a neutral impact in terms of the global climate and nature crisis.

In terms of impacts on local services, these matters are adequately addressed under mechanisms that are separate to planning consent.

Amenity

A significant number of comments have been received from neighbouring residents, concerned about the impact of the use on public safety and anti-social behaviour and it is acknowledged that there is residential accommodation in close proximity to the property.

As set out above, the principle of providing secure accommodation is an important and recognised need within society.

The property is detached with a design that is essentially inward looking and self-contained. It is located on an 'A' road which is one of the main routes into the city from the south. These aspects of the site would provide some degree of amelioration from any potential disruption through the characteristics of the use. However, it should be noted that the proposal would seek to provide accommodation to residents for as long as necessary and it is not anticipated that there would necessarily be a high turnover of residents. Furthermore, the application proposes 12 units which would not represent a number that would have an erosive impact on local services. In addition, the property would be staffed 24 hours a day by qualified members of staff to ensure the safety of all residents.

A representation was received in terms of privacy. The application does not propose any additional windows and no additional privacy concerns would be created.

Environmental Protection was consulted, and no concerns were raised.

The proposals comply with NPF4 Policy 14 and LDP Policy Hou 7.

Conclusion in relation to the Development Plan

Whilst it is recognised that such uses can generate a high degree of local public concern, the provision of accommodation to vulnerable members of society is essential and supported by policies within NPF 4 and the LDP. The location of the site, being on a busy road, and in conjunction with the inward facing design of the building, is appropriate for such a use. Although Planning is unable to control the day-to-day functional operations of the property, it is clear that the applicant intends to create a safe and appropriately managed development, where transient occupation would not be a desired or anticipated characteristic.

The proposal is acceptable in terms of the relevant policies contained within NPF4 and the LDP.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

One hundred and twenty one comments were received (In objection).

Material Representation -

Anti-social behaviour: this is addressed in section a).

Community safety: this is addressed in section b).

Privacy: this is addressed in section a)

Impact on local resources; this is addressed in section a).

Non-Material Representation -

Attracting criminals; this is addressed in section a).

Property values: this is not a material planning consideration.

Representation conclusion -

The main elements of the representations relate to the proposed use and end-user having a detrimental impact on the surrounding area, specifically in terms of anti-social behaviour and community safety. Some weight must be given to these comments by virtue of their consistent theme and number.

Conclusion in relation to identified material considerations

The consideration of the material considerations do not outweigh the assessment in terms of the Development Plan.

Overall conclusion

The application for development is acceptable in relation relevant policies within National Planning Framework 4 and the Edinburgh Local Development Plan. The proposal would have no adverse effect on the character of the area or on neighbouring residential amenity. One hundred and twenty one representations were received in objection to the application, specifically in relation to anti-social behaviour and community safety; some weight has been given to these comments. There are no material planning considerations which outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. The proposal must provide twelve secure cycle parking spaces.

Reasons

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. In order to comply with Transport Planning.

Informatives

It should be noted that:

1. 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.
2. 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.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 15 September 2022

Drawing Numbers/Scheme

01-02

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Conor MacGreevy, Planning Officer
E-mail: conor.macgreevy@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Roads Authority
COMMENT: No objections.
DATE: 17 October 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 24 May 2023

**Application for Planning Permission
2 Dundrennan Cottages, Edinburgh, EH16 5RG**

Proposal: Change of use from a domestic dwelling to a 7-bedroom house of multiple occupancy.

**Item – Committee Decision
Application Number – 22/04724/FUL
Ward – B16 - Liberton/Gilmerton**

Reasons for Referral to Committee

In accordance with the statutory scheme of delegation, the application has been referred for determination by the Development Management Sub-committee as it has received more than six material representations in objection and the recommendation is to grant planning permission.

Recommendation

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

Summary

The application for development is acceptable in relation to the relevant policies within National Planning Framework 4 and the Edinburgh Local Development Plan. The proposal would not have an unacceptable impact on the character of the area or on neighbouring residential amenity. There are no material planning considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The property is an end-terrace, two storey dwelling, with front, side, and rear gardens. The internal floorspace of the property is approximately 91 sqm.

The surrounding area is residential in nature, with properties being mainly two storey terraced houses and three storey flats. The Inch Park lies to the north-west.

Description of the Proposal

The proposal is for the change of use from residential to a seven bed House in Multiple Occupancy (HMO). No external alterations are proposed.

Relevant Site History

No relevant site history.

Other Relevant Site History

No other relevant planning history.

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Roads Authority

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 6 October 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 11

Section B - Assessment**Determining Issues**

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights.
- public representations; and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan.

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4.

The relevant NPF4 and LDP policies to be considered are:

- NPF4 Climate and Nature Crises - Policy 1.
- NPF4 Design, Quality & Place - Policy 14.
- NPF4 Quality Homes - Policy 16.
- LDP Housing Policies - Hou 2 and Hou 7.
- LDP Transport Policy - Tra 2.

Principle

The building is located adjacent to a main route into the city centre, which provides good links to public transport infrastructure, shopping, and community facilities. The property is located within an existing urban environment that is characterised by a mix of house types.

The change to an HMO is acceptable in principle in that it would form a compatible use within the area. The proposal would increase the housing mix within the area, thereby meeting a range of housing needs. Although there are a number of HMOs in the surrounding area (five), the addition of this proposal would not represent an over intensification of the use, nor would it be detrimental to the residential character of the surrounding area.

When looking specifically at NPF4 Policy 1, the proposal would have a neutral impact.

The use of the property as an HMO is acceptable in principle and complies with NPF4 Policies 1 and 14 and LDP Policy Hou 2.

Amenity

HMO use is essentially a form of residential use where occupants generally rent a room and share facilities for extended periods of time. The change of use does not raise any issues around increased activity which may have a detrimental effect on the living conditions of nearby residents.

The change of use of the property to a House in Multiple Occupation would require it to be licensed under the Housing (Scotland) Act 2006 which requires a licence for allowing a property to be occupied as an HMO where various controls exist in terms of physical standards and tenancy management standards to ensure accommodation is properly managed and unlikely to cause undue public nuisance or result in overprovision of such accommodation

Concerns have been raised regarding the intensification of HMO use within the area as a whole. Whilst there is no specific policy that controls the number of HMOs within an area, LDP Policy Hou 7 seeks to preclude the introduction or intensification of non-residential uses incompatible with predominantly residential areas and the non-statutory Guidance for Businesses refers to Hou 7 in terms of amenity. Given that the area remains predominately residential in nature, the relatively modest scale of the property, and the controls that can be exercised through the licensing regime, the grant of planning permission would not lead to an unacceptable diminution of residential amenity.

This complies with NPF4 Policy 16, LDP Policy Hou 7 and the relative Guidance.

Parking

Transport Planning was consulted in relation to the proposal and no objections were raised. The scale and nature of the development is such that it is unlikely that it would create a material change to the number of vehicles occupying the surrounding road network.

This complies with LDP Policy Tra 2.

Conclusion in relation to the Development Plan

The proposal complies with NPF4 Policies 1, 14 and 16 and LDP Policies Tra 2, Hou 2 and Hou 7.

b) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022, the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

Eleven representations were received (Objections)

material considerations

Parking: This has been addressed in section a).

Noise: This has been addressed in section a).

Anti-social behaviour: This has been addressed in section a).

Over intensification of use: This is addressed in section a).

non-material

None

Conclusion in relation to identified material considerations

The material considerations contained within the representations have been taken into account in the above assessment, but do not outweigh the conclusion that the proposal constitutes an appropriate development in relation to the Development Plan.

Overall conclusion

The application for development is acceptable in relation relevant policies within National Planning Framework 4 and the Edinburgh Local Development Plan. The proposal would not have an unacceptable effect on the character of the area or on neighbouring residential amenity. There are no material planning considerations which outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.

Informatives

It should be noted that:

1. 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.

2. 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.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 5 October 2022

Drawing Numbers/Scheme

01-02

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Conor MacGreevy, Planning Officer
E-mail: conor.macgreevy@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

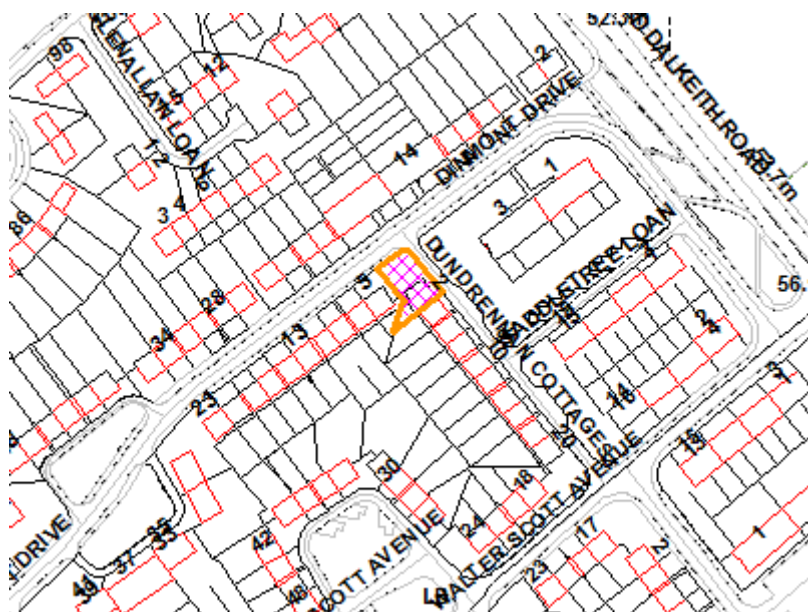
NAME: Roads Authority

COMMENT: No objections.

DATE: 28 October 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 24 May 2023

**Application for Planning Permission STL
2F - 3F 57 - 59 High Street, Edinburgh, EH1 1SR.**

Proposal: Alterations and change of use of second and third floors, currently office space, of 5 storey listed building, to form 3 No. short term let apartments.

**Item – Local Delegated Decision
Application Number – 22/05144/FULSTL
Ward – B11 - City Centre**

Reasons for Referral to Committee

Given the significance of the issue of short term lets to the public interest at present, the Chief Planning Officer considers this application should be decided by Committee.

Recommendation

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

Summary

The proposal is acceptable with regard to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the Listed Building or its setting and it will preserve or enhance the character or appearance of the Conservation Area.

The proposal is acceptable with regard to impact on residential amenity and the character of the area and does not result in loss of residential accommodation. It complies with LDP policy Hou 7 and NPF 4 policy 30(e) parts(i) and (ii).

SECTION A – Application Background

Site Description

The application site is a second and third floor property within a three storey tenemental mid-terrace building at 57-59 High Street. The property is office space which is currently used for storage. It has its own access off the High Street. A set of steps leads up to the second and third floor levels of the property. The immediate surrounding area has a mix of uses.

This property is a B Listed Building (LB29035, dated 14.12.1970).

The site lies within the Old Town Conservation Area and the Old and New Towns of Edinburgh World Heritage Site.

Description of the Proposal

The application is for alterations and change of use to form 3 no. short term let apartments. The proposal is to create a one-bed flat and 2 no. studio flats by removing original elements and installing new kitchens and bathrooms and associated fixtures, fittings and doors. Existing windows will be repaired and refurbished and some replaced. The property has listed building consent to undertake these external and internal alterations (22/05145/LBC).

Supporting Information

Planning and Heritage Statement: Upper Floors.
National Planning Framework 4 Planning Statement.

Relevant Site History

22/05145/LBC

2F - 3F 57 - 59 High Street

Edinburgh

EH1 1SR

Alterations and change of use of second and third floors, currently office space, of 5 storey listed building, to form 3 No. short term let apartments. Repair and refurbishment of existing windows, install new double glazing and internal window barriers.

Granted

7 December 2022

Other Relevant Site History

No other relevant planning site history.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Archaeology

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 14 November 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 18 November 2022

Site Notices Date(s): 15 November 2022

Number of Contributors: 2

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
 - (i) harming the listed building or its setting? or
 - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
- b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) Compliance with Planning Legislation on Listed Buildings and Conservation Areas

Setting of Listed Buildings

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:-

"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses."

Historic Environment Scotland's document 'Managing Change in the Historic Environment - Setting' states.

"Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced."

The document states that where development is proposed it is important to:

- *" Identify the historic assets that might be affected;*
- *define the setting of each historic asset; and*
- *assess the impact of any new development on this".*

These proposals will not have an adverse impact on or cause harm to the listed building. The setting of the listed building and the setting of neighbouring listed buildings will be unaffected by the proposal.

Conclusion in relation to the listed building

The proposal harms neither the listed building or its setting. It is therefore acceptable with regard to Sections 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals harm the character or appearance of the conservation area?

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The Old Town Conservation Area Character Appraisal emphasises the survival of the original medieval street pattern; the wealth of important landmark buildings; the survival of an outstanding collection of archaeological remains, medieval buildings, and 17th-century town houses; the consistent and harmonious height and mass of buildings; the importance of stone as a construction material for both buildings and the public realm; the vitality and variety of different uses; and the continuing presence of a residential community.

The proposed external changes at the property are detailed above. The impact on the appearance of the conservation area is acceptable. In terms of the character of the conservation area, the proposal will provide accommodation for tourists and individuals visiting the city, within an area of mixed use. The proposal will not have a negative impact on the character of the conservation area.

Conclusion in relation to the conservation area

The proposals are acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) The proposals comply with the development plan?

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF4 Sustainable Places Policy 1.
- NPF4 Historic Assets and Places Policy 7.
- NPF4 Productive Places Tourism Policy 30.
- LDP Housing Policy Hou 7.
- LDP Transport Policies Tra 2 and Tra 3.

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering historic assets.

The non-statutory 'Guidance for Businesses' (2023) is a material consideration that is relevant when considering change of use applications.

Listed Building, Conservation Area and World Heritage Site

The proposed external and internal works to the property are acceptable and there will not be a significant impact on historic assets and places. The proposal complies with NPF 4 Policy 7.

Proposed Use

With regards to NPF 4 Policy 1, the proposals do not involve operational development. The proposals will have a negligible impact on the global climate and nature crisis.

NPF 4 Policy 30 seeks to encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland. Criterion 30 (b) and (e) specifically relate to STL proposals.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas), seeks to protect residential amenity.

The non-statutory Guidance for Businesses states that an assessment of a change of use of dwellings to a short term let will have regard to:

- The character of the new use and of the wider area;
- The size of the property;
- The pattern of activity associated with the use including numbers of occupants, the period of use, issues of noise, disturbance and parking demand and
- The nature and character of any services provided.

Amenity

The applicant has provided a planning statement which lists the type of uses in the immediate surroundings of the application property. These are :- shops, restaurants bars, museums, serviced apartments, hotel use as well as residential. The statement suggests that the proposed short term let use is compatible with the mixed use profile of the area and as such there will be no unacceptable impact on local amenity.

The application property has its own access via steps from the High Street, and there is no garden ground to the front and rear. The character of the High Street is a busy thoroughfare, with considerable pedestrian footfall and vehicular traffic passing along the street. The application site is directly above a restaurant and in close proximity to a range of leisure and night-time uses, which contribute to high ambient noise levels in the street during the daytime and night-time.

In these circumstances, despite the presence of some residential properties in this section of the High Street, the impact of the STL use is acceptable given the background noise levels that existing residents would be used to.

The proposal complies with NPF 4 30(e) part (i) and LDP policy Hou 7.

Loss of residential accommodation

NPF 4 policy 30 (e) part (ii) requires that where there is a loss of residential accommodation, this will only be supported where the loss is outweighed by demonstrable local economic benefits.

The property is currently an office and being used temporarily for storage. Therefore NPF 4 policy 30 (e) part (ii) is not applicable to this application.

Car Parking

There is no off-street car parking available within the site. As the site is close to the city centre car use is discouraged. The site is accessible by public transport. There are no cycle parking standards for STLs. Bikes could be parked within the property if required. The proposals comply with policies Tra 2 and Tra 3.

Conclusion in relation to the Development Plan

The proposal is acceptable with regard to impact on residential amenity and the character of the area and does not result in loss of residential accommodation. It complies with LDP policy Hou 7 and NPF 4 policy 30(e).

d) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

City Plan 2030 represents the settled will of the Council, and it has been submitted to Scottish Ministers for examination. As such, limited weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

material considerations -objections

- Few benefits to the local economy. Addressed in c) above.
- Negative impact on World Heritage Site. Addressed in c) above.
- Contradicts LDP Policy Hou 7. Addressed in c) above.

material considerations - neutral

- Commenter accepts there must be some STLs to cater for visitors. Addressed in c) above.

non-material considerations

- Housing should be for living in and not for investment. This is not a material planning consideration.
- Shortage of housing for purchase or rent. There is no loss of housing with this application.

Conclusion in relation to identified material considerations

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposal is acceptable with regard to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the Listed Building, or its setting and it will preserve or enhance the character or appearance of the Conservation Area.

The proposal is acceptable with regard to impact on residential amenity and the character of the area and does not result in loss of residential accommodation. It complies with NPF 4 policy 30(e).

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. No demolition/development shall take place on the site until the applicant has secured and implemented a programme of archaeological and conservation work (Historic building recording, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to respect any archaeological factors on site.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 10 November 2022

Drawing Numbers/Scheme

01, 02, 03, 04, 05

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Lesley Porteous, Planning Officer
E-mail: lesley.porteous@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Archaeology

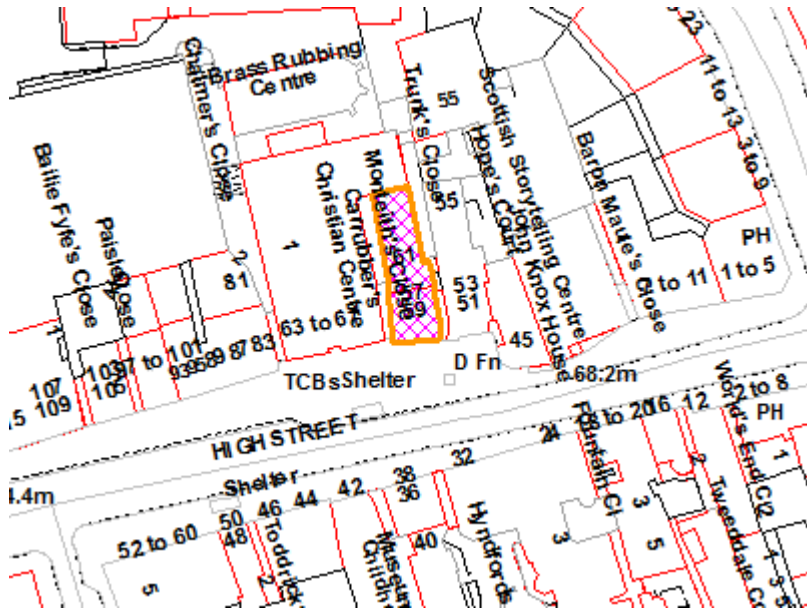
COMMENT: To secure this programme of archaeological works is undertaken it is recommended that the following condition is attached based upon the following CEC condition:

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

DATE: 23 November 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 24 May 2023

Application for Planning Permission

Colinton Lawn Tennis Club, 26 Westgarth Avenue, Edinburgh

Proposal: To install controlled LED lighting to 3 courts by installing 6 new steel columns with 7m mounting height and utilise two existing columns that are already in situ for adjacent three court lighting system. The lights will have minimal physical tilt +incorporated integrated louvres to reduce spill and glare.

Item – Committee Decision

Application Number – 22/04508/FUL

Ward – B08 - Colinton/Fairmilehead

Reasons for Referral to Committee

In accordance with the statutory scheme of delegation, the application has been referred for determination by the Development Management Sub-committee as it has received more than six material representations in objection and the recommendation is to grant planning permission.

Recommendation

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

Summary

The proposal would comply with the relevant policies contained with the Edinburgh Local Development Plan and NPF 4. It would be an appropriate visual introduction to the area and would not have an unacceptable impact on wildlife or on the climate crisis. With appropriate conditions, the development would not adversely affect neighbouring residential amenity.

There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The site is Colinton Lawn Tennis Club, which is located on the west side of Westgarth Avenue. It backs onto the rear gardens of residential properties in Dreghorn Loan

The site is located just outside the Colinton Conservation Area.

Description of the Proposal

To install controlled LED lighting to three courts by installing six new steel columns with seven metre mounting height and utilise two existing columns that are already in situ for adjacent three court lighting system.

Supporting Information

Lighting Calculation Report

Manufacturer's Report

Relevant Site History

21/04492/FUL
Colinton Lawn Tennis Club
26 Westgarth Avenue
Edinburgh
EH13 0BD

To Retrofit a new LED Sports Floodlighting System to the Existing courts 1-3 utilising the existing Infra-Structure including Columns & Electrical Installation. To Install a New LED Sports Floodlighting System on Courts 4-6 including New LED Floodlights, Columns & Electrical works required in accordance with LTA Guidance for Tennis.

Refused

18 January 2022

Other Relevant Site History

22/0674/ECOND - planning enforcement enquiry relating to the impact of approved floodlighting on neighbouring residential amenity.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Environmental Protection

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 23 September 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): Not Applicable

Site Notices Date(s): Not Applicable

Number of Contributors: 104

Section B - Assessment

Determining Issues

This report will consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights.
- public representations; and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals comply with the development plan.

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- LDP Design Policy Des 1
- LDP Design Policy Des 5
- NPF 4 Sustainable Places Policy 1
- NPF 4 Sustainable Places Policy 4
- NPF 4 Liveable Places Policy 14
- NPF 4 Liveable Places Policy 23

Design

Whilst the club is situated within a residential area, within the context of the tennis club, the floodlights and columns are functional additions that are compatible with the use of the site. They would have a slim profile and would not constitute an over-dominant or unsympathetic feature within the surrounding streetscape.

The proposal would comply with LDP Policy Des 1.

Climate/Nature Conservation

Concerns have been raised in respect of the effect of the floodlights on wildlife. Although there would be an increase in localised light levels, this has to be considered in the context of the surrounding area, which has streetlights that will be on for greater periods of time than the floodlights. In these circumstances, the effect of the lighting would not be unacceptable and would not be justification for refusing the proposal.

The floodlights would utilise energy but would also promote wellbeing through the increase in opportunities to use the courts. The increase in energy use would be modest and would be balanced by the improvements to public health. In these circumstances, it is recommended that an informative be added to encourage the potential use of solar power to generate the energy to operate the floodlights.

The proposal would broadly accord with NPF 4 Policies 1 and 4.

Amenity

Environmental Protection and Planning Enforcement have on-going complaints from residents about the effects of light spillage from the existing units that were approved in the 1990s and it is important that any additional lighting units do not lead to a decrease in amenity for neighbouring residents.

Information has been submitted with the application to demonstrate that the development would be controlled to ensure the additional floodlights would not adversely affect neighbouring residential amenity. Environmental Protection is satisfied that the proposal would not have an unacceptable impact on amenity subject to the imposition of conditions to restrict the hours of operation and prevent direct illumination of neighbouring gardens and homes.

The proposal, as conditioned, would not have an unacceptable effect on neighbouring residential amenity. It would accord with LDP Policy Des 5.

Health and Wellbeing.

The provision of additional lighting columns would allow the courts to be used for longer periods of time, particularly in the winter. The potential for greater opportunities to utilise the club's facilities would have a positive effect on health and wellbeing.

The proposal would meet the objectives of NPF 4 Policy 23.

Conclusion in relation to the Development Plan

The proposed development would form a visually compatible addition to the site and the surrounding area. The provision of additional lighting units would increase the opportunities to use the courts and would have a positive effect on health and wellbeing. Although the units would use additional energy, the modest increase in energy consumption would be partially offset through improvements to individuals' health, and consumption could be ameliorated by the use of solar panels. This is to be encouraged through the use of an informative. The use of the lights would not adversely affect wildlife, as the vicinity is already lit in the hours of darkness.

The development would not have an adverse effect on residential amenity, subject to the imposition of conditions to restrict the hours of operation and light spillage.

There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022, the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below:

material considerations

Impact on residential amenity - this is assessed in section b)

Impact on climate - this is assessed in section b)

Improvement to health and wellbeing - this is assessed in section b)

Impact on wildlife - this is assessed in section b)

non-material considerations

Anti-social behaviour

Conclusion in relation to identified material considerations.

These have been considered as part of the report of handling. As set out above, the development, with appropriate conditions, would not have an unacceptable effect on residential amenity or on wildlife., It would promote an improvement to the health and wellbeing of the users of the club's facilities.

Overall conclusion

The development would be an appropriate visual addition to the area and would not have an unacceptable impact on wildlife or on the climate crisis. With appropriate conditions, the development would not adversely affect neighbouring residential amenity.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. The lighting system shall be designed and installed as described in the approved Lighting Calculation report (Project Code MLS814, dated 26-04-22). The floodlighting system being so controlled so that no part of the floodlighting bulbs or floodlighting bulb reflective surfaces shall be visible from within any nearby residential property.
3. An automatic switch off timer shall be fitted to all lights to ensure that the hours of operation of the flood lighting system shall be restricted to between 8am to 10pm.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.

Informatives

It should be noted that:

1. shall be given to utilising solar power to generate the energy required to power the lighting units.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 8 September 2022

Drawing Numbers/Scheme

01-03

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Murray Couston, Planning Officer
E-mail: murray.couston@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

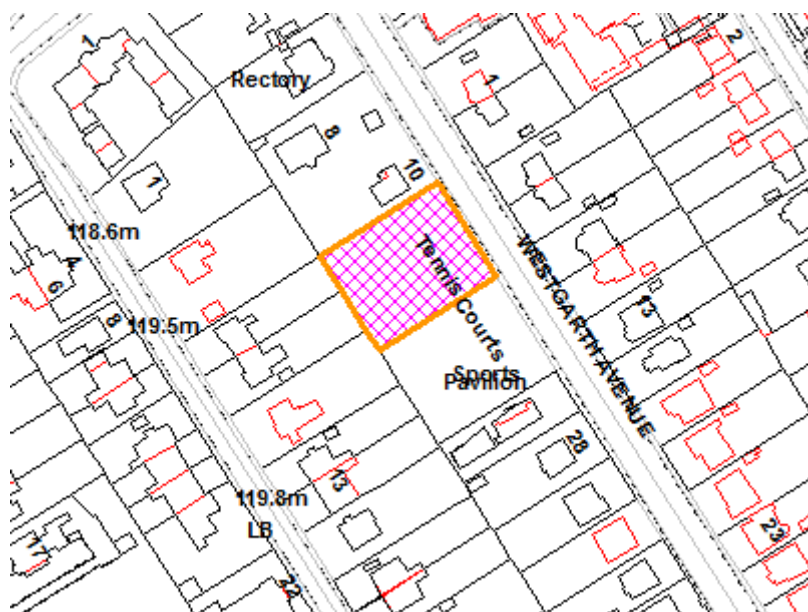
NAME: Environmental Protection

COMMENT: No objections, subject to conditions.

DATE:

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee

10.00am, Wednesday 24 May 2023

Protocol Note for Hearing

15 Dalkeith Road, Edinburgh, EH16 5BH - Selective demolition, adaptation, extension and upgrading of Class 4 office building, demolition of car park and ancillary buildings and proposed development of residential accommodation with associated landscaping, parking and infrastructure (as amended) application no's. – 22/04766/FUL, 22/04768/LBC and 22/04769/CON

| | |
|----------------------|---|
| Report number | 6.1 |
| Wards | Ward – B15 - Southside/Newington |

Nick Smith

Service Director – Legal and Assurance

Contacts: Jamie Macrae, Committee Services

Email: jamie.macrae@edinburgh.gov.uk

Summary

Protocol Note for Hearing

Summary

The Council is committed to extending public involvement in the planning process. Hearings allow members of the public to put their views on planning applications direct to the Councillors on the Development Management Sub-Committee.

The Sub-Committee members have a report on the planning application which contains a summary of the comments received from the public. Copies of the letters are available for Councillors to view online.

Committee Protocol for Hearings

The Planning Committee on 25 February 2016 agreed a revised general protocol within which to conduct hearings of planning applications as follows:

| | |
|---|-----------------------|
| - Presentation by the Chief Planning Officer | 20 minutes |
| - Questions by Members of the Sub-Committee | |
| - Presentation by Community Council | 5 minutes |
| - Presentations by Other Parties | 5 minutes, each party |
| - Questions by Members of the Sub-Committee | |
| - Presentation by Ward Councillors | 5 minutes each member |
| - Questions by Members of the Sub-Committee | |
| - Presentation by Applicant | 15 minutes |
| - Questions by Members of the Sub-Committee | |
| - Debate and decision by members of the Sub-Committee | |

Order of Speakers for this Hearing

| | | |
|---|---|--|
| 1 | Chief Planning Officer - presentation of report | 10.10 - 10.30 |
| 2 | Representors or Consultees East Parkside residents (Dr James Gilmour) Scotland's Garden and Landscape Heritage (Matthew Benians) Docomomo Scotland (Euan McCulloch) | 10.40 - 10.45 10.50 - 10.55 11.00 - 11.05 |
| 3 | Ward Councillors Councillor Burgess Councillor Flannery (TBC) Councillor Kumar (TBC) Councillor Pogson (TBC) | 11.10 - 11.15 11.20 - 11.25 11.30 - 11.35 11.40 - 11.45 |
| 4 | Break | 11.50 - 12.00 |
| 5 | Applicant and Applicant's Agent Steven Black (JLL) Nick Ball (Corran Properties) Guy Morgan (Morgan Architects) | 12.05 - 12.20 |
| 6 | Debate and Decision on Application by Sub-Committee | 12.25 |

Scheduled times are approximate but within this the time limits for speakers will be enforced – speakers will be reminded when they have 1 minute remaining. Speakers should keep to “material planning matters” that the Sub-Committee can take into account. Any visual material must be submitted to Committee Services at least 24 hours before the meeting. Decisions will generally be to approve or refuse. Conditions of approval or reasons for refusal may be considered at a subsequent meeting. If the application is continued for further information, the Hearing will not be re-opened at a later stage and contributors will not be invited to speak again. In such cases, the public can view the meeting via the webcast to observe the discussion.

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Development Management Sub-Committee Report

Wednesday 24 May 2023

**Application for Planning Permission
15 Dalkeith Road, Edinburgh, EH16 5BH.**

Proposal: Selective demolition, adaptation, extension and upgrading of Class 4 office building, demolition of car park and ancillary buildings and proposed development of residential accommodation with associated landscaping, parking and infrastructure (as amended).

**Item – Committee Hearing
Application Number – 22/04766/FUL
Ward – B15 - Southside/Newington**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because 69 material objections have been received and it is recommended for approval. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

It is recommended that this application be **Granted Subject to Legal Agreement** subject to the details below.

Summary

The proposal is acceptable with regard to Section 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 in terms of preserving a substantial part and features of the listed building that embody the special architectural interest that it possesses. The character and appearance of the conservation area will be preserved.

Overall, the development is in accordance with the development plan. The proposals will deliver a sustainable and well-designed, office and residential scheme that will contribute to climate mitigation and adaptation and will encourage biodiversity. The scheme will support the existing mixed uses surrounding the site and is consistent with the six qualities of successful places as set out in NPF4.

The design draws on the unique architectural and landscape character of the site and will create a strong sense of place.

Any deviations from Council policy or guidance are relatively minor and balanced by the wider benefits of the development in terms of the provision of high quality office accommodation and housing with an appropriate affordable element on a brownfield site, along with reduced reliance on car usage. Moreover, this is an exceptional situation where opportunities for development on this site are severely restricted by the need to preserve a substantial part of this category A listed building. Alternative uses are limited due to the unique form, massive scale and condition of this structure.

Other material considerations support the presumption to grant planning permission.

SECTION A – Application Background

Site Description

The application site measures 2.5 hectares and is located on the north side of Dalkeith Road to the east of Holyrood Park Road and west of Parkside Terrace. East Parkside runs adjacent to the north site boundary. The Old Town and city centre is approximately one mile to the north-west.

The site is occupied by the former Scottish Widows Headquarters building and its landscaped grounds which replaced a Baronial style printworks (Parkside Works), dating from 1872 with later additions. The current building is a category A-listed, modern Expressionist style, reinforced concrete, modular office by Sir Basil Spence, Glover and Ferguson constructed between 1972 and 1976 (reference LB50213, listed on 03.03.2006). The structure comprises a cluster of 12 interlocking hexagonal blocks ranging from one to four storeys in height, with a basement and sub-basement, with continuous curtain wall glazing formed in brown solar glass within bronzed metal frames. The open-plan layout follows the 'Burolandschaft' concept which evolved in German office architecture in the 1950s and 1960s and the hexagonal modular layout was influenced by the BP-Haus headquarters in Hamburg, although the dolerite formations of Salisbury Crags could also have inspired the design.

A concrete constructed, double-height undercroft car park and boiler house with 300 parking spaces and a few cycle spaces is located to the rear of the building in the northern section of the site, concealed beneath landscape terraces and a sunken garden area to the south-east of the car park. These structures connect to the main building via an underground tunnel. There are 50 surface car parking spaces under pilotis at lower ground level in the south-east section of the site.

The surrounding landscaping is integral to the building, occupying approximately 1.6 hectares of the site. The design was influenced by Dame Sylvia Crowe and transitions from a more formal character, with two reflecting pools and areas of lawn addressing the urban context of Dalkeith Road, to a naturally inspired landscape in the rear section of the site towards Holyrood Park. A key feature of the section is the landscaped decks over the undercroft car park. The original species mix comprised a selection of simple, robust, low level ground cover with a limited selection of hardy native trees. Some of this planting scheme is still evident, but much has been obscured by overgrowth and other invasive species. The seating areas along the walkway over the car park are later additions.

The interior comprises extensive open-plan floorplates with two service core stairs and lifts without any traditional corridors. The stairwells and feature internal walls and external walling at the lower levels are faced in riven Yorkstone. The original 'Dampaline' acoustic ceiling tiles, fluorescent strip lighting and yellow-green carpet tiles have been replaced with modern finishes and none of the 1970's office furniture or café fittings remain. Nothing is left of Dame Sylvia Crowe's original interior planting scheme and other notable internal landscape features. However, the original exposed coffered ceiling slabs are still in situ within the entrance area.

The building has been vacant since 2020 and has not changed use from an office since construction. The gross internal floor area is approximately 26,800 square meters.

The site includes an L-plan former stable and carriage-house block, known as the Jointers' Workshop, at the far north-east corner of the site. The building is named after its most recent use as a training venue for electrical cable jointers. This structure is not listed and comprises a two-storey, squared sandstone constructed range with a longer east-west running wing. The stables and carriage house form the shorter north-south running wing. The longer wing has decorative crowstepped gables. An electricity substation sits on the site of the former coachman's house to the immediate south of the Jointer's Workshop behind a high sandstone wall and the gated vehicular entrance from Holyrood Park Road is flanked by stone piers. The Jointer's Workshop was built up against a warehouse that was demolished in 1981 and replaced by the current brick retaining wall along its eastern edge. The range was altered when converted to garages in 1925 and is now in very poor structural condition.

The following listed buildings are located in the immediate vicinity of the site:

- the Royal Commonwealth Pool at 21 Dalkeith Road and Holyrood Park Road, category A listed (reference LB43148, listed on 29.03.1996);
- University of Edinburgh, St Leonard's Hall at 18 Holyrood Park Road, including boundary walls, category A listed (reference LB28619, listed on 12.12.1974);
- Preston Street Primary School at corner of East Preston Street and Dalkeith Road, category B listed building (reference LB30047, listed on 12.12.1974); and
- Newington Old Burial Ground at 31 East Preston Street and Dalkeith Road, boundary walls and watchtower, category B listed building (reference LB27934, listed on 14.12.1970).

Other key designations close to the site include:

- Holyrood Park, a scheduled monument (reference SM13032, designated on 07.02.2013);
- the Palace of Holyroodhouse Designed Landscape (designated on 01.07.1987); and
- Arthur's Seat Volcano, including Salisbury Crags, a Site of Special Scientific Interest (SSSI).

The site is within the South Side Conservation Area.

The site slopes downwards to the north-east following Holyrood Park Road towards Holyrood Park and there are changes of level within the site. There is no level access to the main entrance or undercroft car park. There are two pedestrian accesses to the main reception area from Dalkeith Road and Holyrood Park Road via bridges over the ponds. Vehicular access to the surface and undercroft car parks and drop off area is from Holyrood Park Road, whilst deliveries and loading bay access is via Parkside Terrace. The site is currently private and gated and is not permeable or integrated to the wider community for active travel.

The surrounding area is mixed-use in character, including predominantly four-storey, Victorian tenements on Parkside Terrace and Dalkeith Road to the north and west and a modern, four-storey flatted development at East Parkside to the north-east. The student residences of Pollock Halls lie to the east of the site, comprising mainly four to six storey blocks dating from the 1960s and 2000s. The Royal Commonwealth Pool - a low-lying Modernist structure, is to the south-west of Pollock Halls of Residence and there are four-storey, early 20th century tenements opposite the Pool on Dalkeith Road. The remaining section of Dalkeith Road to the south-west of the site is occupied by Newington Old Burial Ground sitting behind a high stone boundary wall and Preston Street Primary School - a three-storey, red-sandstone building dating from 1896-7.

Description of the Proposal

The proposal is for the demolition of five out of the twelve modules of the existing office building and the undercroft car park. The remaining structure will be adapted, extended and upgraded to form office accommodation comprising 19,252 square metres in gross internal floor area, including an ancillary café, creche and cycle store.

A residential development comprising 174 apartments in five separate blocks will be erected on the remainder of the site, including associated landscaping, parking and infrastructure.

Demolitions/Alterations of Existing Buildings

The five modules to be demolished (Modules 8-12) constitute the north section of the existing office building.

The seven retained modules (Modules 1-7) on the building's south section will be extensively altered and upgraded.

Externally, the glazed curtain wall system will be removed and replaced. The new system will be constructed primarily with tinted, opaque glass panels with openable windows on the upper levels. The proposed framing will largely replicate the uniform mullion pattern of the existing and will be constructed in Polyester Powder Coated (PPC) aluminium with dark bronze toned mullions and transoms.

The lower section of the module used as the reception area (Module 1) will be extended slightly with the same detailing, except for clear, butt-jointed glazing replacing the existing aluminium framed, clear glazing. The supporting columns over the pond and bridge leading to the front entrance will be retained with the formation of a larger entrance platt.

The roof structure of the module at the building's west corner (Module 4) will be removed and an additional storey will be added in matching design and materials. Half the roof of Module 3 in the central area of the building will be removed to incorporate a large sky light.

The undercroft car park and energy centre/boiler house in the north-east section of the site will be demolished.

Sections of the existing stone boundary wall and railings will be removed to form new vehicular/pedestrian accesses from Holyrood Park Road and Parkside Terrace.

New Buildings/Layout

Five new residential apartment blocks (Blocks A to E) will be erected in the north-eastern half of the site.

Proposed Blocks A, B and C on the eastern edge of the site are hexagonal in form and will be setback an equidistant distance from Holyrood Park Road. The two outer blocks (A and C) will be six storeys high, whilst the middle block (B) will be seven storeys in height.

Two 'L-shaped' buildings (Blocks D and E) will be constructed near Parkside Terrace and East Parkside respectively. Block D will be five storeys high at the west edge stepping down to four storeys in the centre of the site. Block E, to the north of this block, will be similarly shaped and six storeys high throughout.

The external walls of these buildings will be constructed mainly in bronze toned metal cladding and the windows, external doors and balcony balustrades will be formed in dark-grey finished metal.

Each roof will contain a blue roof system with soft planting, as well as plant equipment and photovoltaic (PV) panels.

The proposed layout includes a landscaped courtyard in the centre of the site. This will be accessed from Parkside Terrace and Holyrood Park Road by new pedestrian routes and a shared through road.

Accommodation Schedule

Block A: one-bedroom x 1, two-bedroom x 2, three-bedroom x 21 = 24

Block B: one-bedroom x 1, two-bedroom x 1, three-bedroom x 26 = 28

Block C: one-bedroom x 1, two-bedroom x 1, three-bedroom x 22 = 24

Block D: one-bedroom x 1, two-bedroom x 12, three-bedroom x 27, four-bedroom x 1 = 41

Block E: (affordable) one-bedroom x 25, two-bedroom x 29, three-bedroom x 3 = 57
(33% of total residential units)

Total: one-bedroom x 29, two-bedroom x 45, three-bedroom x 99, four-bedroom x 1 = 174

Landscaping/Amenity

The existing landscaping will be retained around Modules 1 to 7, except for the formation of a new external plant area to the immediate left of the existing vehicular entrance and an accessible ramp from Dalkeith Road.

Significant areas of new soft and hard landscaping are proposed on the north-eastern half of the site, including a garden-like zone in the central area of the site.

A total of 47 trees will be felled out of the existing 71 individual trees on the site and 81 new trees are proposed comprising mostly semi-mature, 18-20cm girth or 2.5-3m high multi-stem. These including locally successful species suited to the site context with emphasis on native species as key habitats for birds and invertebrates.

The proposed low-planting scheme includes evergreen blocks with limited foliage and flowering palettes around the office, hornbeam and laurel hedging to screen the ground floors of the residential flats and hardy, low-maintenance, evergreen groundcover with berries and flowers in the north-eastern part of the site.

The proposed hard landscaping will retain the original features in the front section of the site and the existing boundary walls and railings, with minor modifications for access. The proposed palette includes re-use of the existing hard surfacing and walling materials. Surfaces will be generally permeable to form part of the surface water drainage strategy, including permeable block paving, resin bound gravel and reclaimed sandstone flags from the site. The retaining walls around the new amphitheatre will be clad in Yorkstone and the retaining walls between blocks B and D and A and E will be faced in shuttered concrete. Steps will be of pre-cast concrete construction with stainless steel handrails and tactile paving will be employed on potentially hazardous areas throughout. The site furniture will include timber topped benches with solid concrete or steel bases and some will be integrated with planter walls.

A central play area will be created with sculptural natural elements, including existing boulders from the site and the section to the north of Block E will include a play trail with equipment formed in natural materials.

All flats in Blocks A, B and C will have small external terraces. The majority of flats at ground floor level in Blocks D and E will have small private, soft landscaped gardens and most upper flats at the ends of these blocks will have small external terraces with larger roof terraces for two flats in Block D. Otherwise, the external amenity areas comprise a series of landscaped residential courtyards with different characteristics.

Lighting

No details of the proposed lighting scheme have been included with this application, so a condition has been applied to ensure that the proposed fixtures and fittings are appropriately located and detailed.

Access

Pedestrian access to the office will remain mainly unchanged from the existing arrangement, with the addition of an accessible ramp to connect with the main bridged entrance from Dalkeith Road and inclusion of shared cycle access to new visitor cycle parking. There are two accessible routes to the office courtyard from the office building and new car park. A network of pedestrian routes will be formed within the new development, with gradients of less than 1:20 where possible and new entrance points will be formed in Parkside Terrace and Holyrood Park Road. These pedestrian routes include an accessible shared route to the lower level (north-east area of the site) from Holyrood Park Road.

All cycle routes through the site are shared with pedestrians and vary in width from 2.5-3 metres with gradients shallower than 1:20.

A one-way shared route will be created connecting Parkside Terrace and Holyrood Park Road, providing access for refuse, emergency and servicing vehicles.

Bus services to and from the city centre can be accessed from Dalkeith Road, at the Commonwealth Pool and near Parkside Terrace and from Newington Road/South Clerk Street which is a three-minute walk from the site.

The site is alongside a proposed pedestrian and cycle route (QuietRoute 30) from Holyrood Park Road to Ratcliffe Terrace, which includes a segregated cycleway on Holyrood Park Road.

Waste Strategy

Refuse will be collected from four bin stores at ground level located throughout the residential blocks and at lower ground level within the office building. These stores will contain a range of bin sizes and types for separate mixed, glass and food recycling, in addition to residual waste.

Car/Cycle Parking

Office Development

A total of 29 car parking spaces are proposed including 3 accessible bays, and 9 motorcycle spaces.

Most of these spaces (25, plus the motorbike spaces) will be located at courtyard level, in a new undercroft car park to the rear of Module 6, with ramp access from Holyrood Park Road. The remaining 4 spaces (including 1 of the accessible spaces) will be at ground floor level outside Module 6. All spaces will be fitted with EV charging points.

The proposed cycle parking provision for the office comprises a total of 170 spaces: 52 on semi-vertical racks, 44 on Sheffield stands, 27 non-standard spaces, 26 E-bike stands and 21 lockers for folding cycles. These will be located at courtyard level in Module 4, along with shower/changing facilities and a cycle repair station.

An additional 20 visitor cycle spaces will be provided for the office on 10 Sheffield stands at ground level, near Module 1 (accessed from Dalkeith Road) and outside Module 6.

Residential Development

A total of 117 car parking spaces are proposed, including 12 accessible bays and 9 motorcycle spaces. All spaces will be fitted with EV charging points.

The proposed residential cycle parking provision comprises a total of 469 bicycle spaces, including 324 on two-tier racks, 43 on Sheffield stands, and 102 non-standard spaces.

An additional 34 visitor cycle parking spaces will also be provided on 17 Sheffield stands, located externally near the entrances of each apartment block.

Most of this parking (except for the 2 accessible spaces outside Block B, and the visitor cycle racks) will be accommodated in a new two-level undercroft car park, accessed from Holyrood Park Road. Five separate cycle stores are proposed: four on the larger upper level and one on the level below.

Scheme 1

The original scheme proposed:

- a different curtain wall pattern and detailing for the office building;
- Blocks A, D and E one storey higher: seven storeys; six/five storey's and seven storeys respectively;
- Block B one storey lower (six storeys);
- 194 residential flats, including 68 affordable (35%)
- minor changes to the mix of housing in Blocks A-D;
- two fewer one-bedroom flats in Block E and
- 6 more car parking spaces and zero non-standard cycle parking spaces.

An associated application for listed building consent (reference 22/04768/LBC) has been submitted for the proposed demolitions and alterations of the listed structures on the site.

The proposed substantial demolition of the Joiners' Workshop is the subject of the associated application for conservation area consent (reference 22/04769/CON).

Supporting Information

- Pre-application Consultation Report;
- Heritage Statement;
- Planning Statement and Addendum;
- Design and Access Statement and Addendum;
- Townscape and Visual Appraisal and Addendum;
- Existing Building Performance Review Report (ARUP);
- Report on Suitability for Occupier Occupation;
- Economic Impact Assessment;

- Sustainability Form S1;
- Sustainability Statement;
- Surface Water Management Plan;
- Air Quality Impact Assessment;
- Ecological Assessment;
- Tree Survey;
- Landscape Planting Schedule;
- Landscape Maintenance Plan;
- Accommodation Schedule;
- Affordable Housing Statement and Addendum;
- Noise Impact Assessment;
- Daylight and Sunlight Availability Report and Addendum;
- Transport Statement;
- Swept path analysis and
- Waste Management information.

The application has been screened for an Environmental Impact Assessment (EIA) and no EIA is required.

Relevant Site History

13/03005/LBC
15 Dalkeith Road
Edinburgh
EH16 5BH

Internal alterations to remove existing partitioning, ceilings, panelling and remove asbestos materials and to upgrade power, data, lighting and air-conditioning. Installation of new raised access floor, ceilings, and the reconstruction of 6No rooms, including 1st floor offices and boardroom, salvaging existing elements where possible, and re-creating internal finishes, features, built in fixtures and furniture to match the detailing and appearance of the previous existing installation.

Granted

13 September 2013

Other Relevant Site History

There is no other relevant planning history.

Pre-Application process

Pre-application discussions took place including a review by the Edinburgh Urban Design Panel on 29 June 2022. The Panel's report can be viewed on the Planning and Building Standards Portal.

Consultation Engagement

Edinburgh Airport

Communities and Families

Historic Environment Scotland

Southside Community Council

Scottish Water

Flood Planning

Environmental Protection

SEPA

Affordable Housing

Transport Planning

Archaeologist

Waste Services

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 5 April 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 14 April 2023 14 October 2022

Site Notices Date(s): 11 April 2023 11 October 2022

Number of Contributors: 85

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
 - (i) harming the listed building or its setting? or
 - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
- b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations; and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

a) Compliance with Planning Legislation on Listed Buildings and Conservation Areas

The following Historic Environment Scotland (HES) guidance is relevant in the determination of this application:

- Managing Change: Use and Adaptation of Listed Buildings
- Managing Change: Setting

Character of Listed Building

Principle of Use and Adaptation

Historic Environment Scotland (HES) emphasises the importance of retaining listed buildings and only resorting to demolition if every other option has been explored. Keeping listed buildings in an existing use or finding a new use that has the least possible impact, is the best way to protect them. Alterations to a building, even if extensive, is better than losing the building entirely.

This proposal is assessed against HES's Managing Change publication "Use and Adaptation of Listed Buildings". HES's guidance, "Demolition of Listed Buildings" does not apply in this case, as only 5 out of 12 modules (Modules 8-12) will be removed, meaning that approximately two-thirds of the building will remain. "Demolition" is defined as the total or substantial demolition of a listed building, which is not applicable to the more selective level of demolition proposed in this development.

Section 4 on page 13 of the "Use and Adaptation" guidance concerns 'selective demolition' which is "*a different consideration from substantial demolition, which would involve the total or substantial loss of a listed building.*" 'Selective demolition' is described as involving "*the removal, or demolition, of parts of a listed building in order to enable the significant parts of a listed building to be retained.*"

The overarching principle of this development is to retain a significant, representative, part of the former headquarters building and use the form and architectural character of the structure to inspire positive change on the remainder of the site.

This development does not qualify as "enabling development" as defined in Section 5 of HES's "Use and Adaptation" guidance. Whilst a substantial element of new build development is proposed, the extent of demolition proposed is not dependent on the level of new development proposed on the rest of the site. The percentage of the building to be retained is primarily driven by the impracticality of the structure in its existing scale for conversion to an office fit for the current market, or any other viable use. Nor does the new build element comprise "*development which would normally be contrary to planning policies, in order to obtain a desired objective*." This acceptability of the development in terms of National Planning Framework 4 (NPF4) and the Edinburgh Local Development Plan (LDP) is assessed in Section B below.

Need for Selective Demolition

The category A listed, former Scottish Widows Headquarters was designed in 1970-71 by the architectural practice of Sir Basil Spence, Glover & Ferguson and engineered by Ove Arup and Partners. Spence's partner, John Hardie Glover, and his senior assistant, John Marnoch Legge, were the principal designers.

The design was informed by the Bürolandschaft type of office-planning (literally 'office-landscape') which evolved in Germany in the 1950s and 1960s, based on open-plan offices developed in the USA in the 1940s. The interior design concept comprised large open spaces that could be decently lit and serviced with informal layouts suggesting a landscape, enhanced by the inclusion of potted plants. Whether or not the modular hexagonal layout of this building was designed deliberately to reflect the dolerite formations of Salisbury Crags, this is a key characteristic of the structure, along with the differing heights of its constituent blocks, its reflective brown glazed walls, riven Yorkstone external finishes and boundary walls, and coffered concrete ceilings.

Current Building Condition

To understand the need for the level of selective demolition proposed, the unique circumstances of this building need to be explained. When the office became vacant in March 2020, the applicant carried out a comprehensive feasibility exercise to determine whether the building could be re-let to an office occupier in its current form and condition, or whether further intervention would be required. This work established that, in its current form, the building is no longer fit for purpose, particularly in terms of its energy performance - an Energy Performance Certificate (EPC) rating of G, the lowest category on the EPC scale). Against current standards, the levels of daylighting, sunlight and heat are also poor, as is fire safety. Also, the façade is in poor condition and contains significant amounts of asbestos.

When built, the headquarters represented a modern working environment of its time but is now a vast office space which, in its current scale, form and specification, cannot deliver many of the basic aspects of design and specification that companies now expect for their workforces. Furthermore, the basic elements of the structure make it extremely challenging to address many of these requirements, without undertaking substantial alterations at significant cost. The problems of the current building are categorised under the following.

Carbon Emissions

As stated above, the existing building performs very poorly with an EPC rating of G and consumes around 70% more energy than that of an equivalent benchmark building. Even if the entire envelope of the building were completely refurbished and all existing services replaced with modern high efficiency equipment, the highest achievable EPC rating would be C+. This is significant in terms of the current office market as the higher specification, the more likely the office space will attract blue-chip companies who are in the market for single occupancy statement buildings. These companies look at their carbon footprint as a marketing tool, so anything lower than an EPC rating of A would not attract such occupiers. Leasing the building as a single office space is the optimum way to incur the least alterations to the original building, especially internally. The various uses that have been explored by the applicant will be considered later in this section, as this also has a bearing on the level of demolition proposed.

Building Envelope Performance

The building envelope performance significantly impacts on the energy consumption and carbon emissions identified above. The façade is in poor condition with evidence of structural movement and with failed gaskets and seals to the extent that it has reached the end of its movement capacity. There is significant asbestos within the façade that provides fire protection at the floor slab edges and extends around the entire perimeter of the building at every level. This needs to be removed. The zinc roof covering has been frequently patch repaired and is now at the end of its serviceable life.

Daylighting and Thermal Comfort

The existing glazing has a dark tint which significantly reduces the amount of daylight passing through the façade. Modern standards of daylighting are set out in the Building Research Establishment Environmental Assessment Method (BREEAM) (Visual Comfort) and WELL standard (daylight simulation). The performance of the existing façade falls significantly below these performance requirements and the expansive floorplates, which restricts daylighting to mainly the perimeter areas, contribute significantly to this poor performance.

The internal office environment is also substandard in terms of temperature control as the existing façade is not able to achieve the required solar loads targets. Previous occupants have confirmed that temperatures near the south-facing windows were uncomfortably hot, whilst in winter, the opposite applied when workers on the north side of the building were almost always cold. The original double-skin façade arrangement has been decommissioned and is no longer in operation so, in winter, the current arrangement would have a performance similar to a poorly performing standard single glazed façade.

Building Services

The building is served by systems that are inefficient in operation, create on-site carbon emissions and are generally at or beyond their economic life expectancy. These need to be replaced/upgraded to decarbonise the building and make the office marketable for the intended class of occupier. The issue of fire safety is most relevant to the assessment of the proposed internal alterations which form part of the associated application for listed building consent.

Summary

It is clear, that in its current form, the building is no longer fit for purpose in terms of energy performance, daylight, sunlight and heat levels, as well as being sub-standard in terms of fire safety and health and wellbeing (presence of asbestos). Although the concrete frame is structurally sound and the building has been well maintained to date, the extent of the challenges identified above in terms of non-compliance with current environmental and safety standards, whether required by regulation or occupier expectation, are particularly onerous. The question then is whether the proposed use and extent of demolition/alteration is acceptable.

Alternative Uses and Office Market

Office

The building was designed as a headquarters for a single occupier and is a particularly large office premises with a gross internal floor area of approximately 26,800 square meters. An office of this scale is unlikely to appeal to any future occupiers in today's market, particularly in Edinburgh where the number of such requirements has diminished over the years. For example, since 1998, there has only been one letting in Edinburgh over 18,500 square metres and around 80% of transactions in the current office market is for space below 465 square metres. The building's configuration and floorplate would make repurposing it for multi, rather than single, occupancy exceptionally difficult and would create a heavily compromised space which would be unattractive to prospective occupiers. This is over and above the other problems of sustainability accreditation, building performance, fire safety and health and wellbeing, as well as the potentially harmful effects of sub-division on the building's interior configuration as originally designed.

Modern office accommodation places far more emphasis on staff welfare and wellness in terms of natural daylight and air circulation than that which this building can deliver in its current condition. For example, large areas of the building at its lowest levels were specifically designed for paper filing/storage and plant which is now not needed on this scale (in terms of paperwork) or volume/location (in the case of plant). The adaptability of these spaces in their current form is very limited due to their restricted size, height and levels of daylight, as well as arrangement and location.

Despite the pandemic, 2021 saw a significant increase in occupier activity, particularly large corporates who are relocating to new and more sustainable office buildings on the expiry of leases. Edinburgh has one of the lowest vacancy rates for offices and a depleted pipeline of new developments, so this lack of supply and high levels of demand is driving rental growth.

The options for existing Edinburgh businesses to relocate or expand will be limited, as will new build opportunities and this will result in a greater reliance on refurbished stock, such as 15 Dalkeith Road, being returned to the office market.

Residential

The extensive floor depth dimensions are such that it would be impractical to convert the building into residential apartments, particularly in terms of daylighting levels and ventilation without significant interventions that would harm the character of the listed building. Also, the size and depth of the floorplates would mean that large areas would become redundant once rooms requiring natural daylight and ventilation were positioned around the perimeter. The unsuitability of residential use for this office building reinforces the conservation principle that the original use for which a listed building was designed is often that in which it should remain to best protect its historic and/or architectural character. This large, open-plan 1970's office headquarters with its unusual hexagonal, modular composition was designed for a single non-domestic occupier, so any use that would involve compartmentation and require a level of occupier amenity would be problematic in terms of the extent of physical intervention required.

Other alternative uses were considered for the building, including a laboratory, sport and leisure complex, urban/vertical farming facility, data centre, archive store, a museum/art gallery, residences, a hotel, and student housing. For any these uses, the building would present a unique and complex set of challenges from economic viability to the need for more intrusive alterations to meet current building regulations. Whilst, technically, the building could continue to operate in office use in its existing configuration and condition with a minimum level of intervention to meet basic functionality and safety requirements, more substantial changes are unavoidable in terms of economic viability. However, of the other possible uses explored that would result in a similar level of interventions as those required for continued office use, these would not work in terms of financial viability.

Extent of Demolition

Office Building

Normally, with regards to selective demolition of listed buildings, the best options for removal are those parts which are least important in terms of historic and/or architectural character, such as later extensions. However, the constituent components of this modular building are contemporary and have less obvious hierarchy, externally and internally, than seen in traditional historic buildings. That said, the main entrance/reception area is architecturally distinct and the three modules at the north-east (rear) end are comparatively low. Also, the frontage facing Dalkeith Road with its reflecting pools is more formal than the Holyrood Park Road frontage, particularly around the vehicular entrance and surface car park. The selection of Modules 8-12 for demolition is therefore logical in terms of the relatively low impact of these elements on the overall composition.

The removal of Modules 8-12 will address multiple challenges that would arise were the building to remain in its current extent in terms of use and financial viability. This extent of demolition will also permit the retention of the majority part of the existing structure, including its most significant and characteristic elements.

Undercroft Car Park

The proposed demolition of the undercroft car park/boiler house structure is primarily to accommodate a high-quality residential redevelopment on a scale and configuration that is financially viability, whilst providing an appropriate level of residential amenity and accessibility for its future occupiers. The removal of the car park will also assist in the opening up of the previously private parts of the site for barrier-free public access. Whilst the structure is an interesting and integral feature of the original development, it occupies most of the south-east area of the site and its retention would not allow any beneficial residential development. Also, due to the structure's V-plan form and single-sided open edge, conversion to residential accommodation would be impractical. Other possible uses, such as a cycle/car park, would not address the fundamental need for, and benefits of, a residential development of the extent proposed.

Summary

The level of demolition proposed is significant. However, this is necessary and proportionate due to the particular circumstances and challenges of this atypical, modern listed building.

Other External Alterations

The principal parts of the building that are the most publicly visible, Modules 1 to 7, will be retained with some remodelling, but without this having any impact on their essential architectural character of hexagonal modules of differing heights. The most significant alterations proposed are examined in detail below.

Façade Replacement

The bronze exterior of the building is a significant element of the structures' architectural character, so the replacement of the original curtain walling in its entirety, albeit altered previously to an extent, is a major intervention. However, the existing curtain walling does not meet current energy standards and would not meet the requirements of potential future occupiers. It is also reaching the end of its movement capacities and requires asbestos removal throughout. Upgrading the building's performance to meet today's standards requires a wholesale replacement of the existing curtain walling, as a complete overhaul of the existing system would not resolve the major problems of daylighting, thermal comfort, glare, and ventilation of the floorplates. Accordingly, a new thermally efficient aluminium curtain wall system with 'intelligent' glass panels is proposed.

The curtain wall was designed as a ventilated double skin system with interstitial blind shading to temper internal temperatures and control glare. However, shortly after the first occupation, inefficiencies of the system became evident and the mechanical ventilation services were removed along with most of the interstitial blinds which were replaced with internal roller blinds. The replacement blinds have a negative impact on the appearance of the façade as originally designed by breaking its visual uniformity. New raised access floors were also installed which blocked the opening of the inner openable panes, preventing access and maintenance. On this basis and given the poor condition of the existing system and its inability to be upgraded to the required current performance standards, the principle of wholesale replacement is acceptable.

The design of the proposed replacement system has been informed by the need to retain a glazed exterior and its solid, reflective properties, along with the existing glazing pattern and bronze aesthetic of the façade. This is in addition to performance specifications. The existing curtain wall comprises bronze body-tinted glass with aluminium mullions which have bronzed face caps externally, with the exception of two areas - the Reception and Cafeteria, where clear glass and anodized aluminium caps were used. The treatment of the reception area is assessed in detail below.

Detailed analysis of possible glazed facade systems demonstrated that the use of bronze tinted glass would not be sufficient in providing the required amount of daylighting internally, so the proposed 'intelligent' glazing has been specified to re-create the dark, uniform and reflective appearance of bronze tinted glass, whilst providing the necessary daylighting levels.

The proposed system comprises thermally efficient aluminium curtain walling with 'intelligent' glass panels and 250mm deep vertical bronzed mullions internally and bronze finished transoms. A notable amendment to the original pattern is the positioning of the horizontal spandrel bands to low level on each floor rather than high level as existing. This is to allow additional daylight penetration, as the current position of the spandrels blocks natural daylight. However, this alteration will not be noticeable within the context of the overall façade composition. In the revised scheme, the size of the glazed panels has been adjusted to suit a 1500mm grid with 750mm panels at the corner junctions to match the existing pattern.

'Intelligent' glass uses electrochromic technology whereby applying a small electrical charge will cause lithium ions to transfer between microscopic thin layers of ceramic material and cause the glass to tint, reducing light levels as well as energy loads. The system and each individual panel can be fully automated, and the level of tinting is centrally determined based on live weather data, location, time and date. The system is therefore very efficient. Whilst this is a completely different glazing system to the original bronze tinted glass, the uniformity of the façade's appearance will be maintained, and the removal of the existing roller blinds will enhance this uniformity. Also, the facades of existing buildings with 'intelligent' glazing present a uniform appearance even when parts of the buildings' glazing are tinted fully and others are not, so there is no risk of a visually patchwork façade at 15 Dalkeith Road.

Whilst the proposed aluminium framing is light grey in tone and the 'intelligent' glazing will tint a warm grey rather than bronze colour, the incorporation of deep vertical bronzed mullions and bronze finished transoms will give a bronze tone appearance to the overall façade to mimic the original design, as well as its characteristic solid, reflectiveness. The new spandrel panels will match the tinted state of the intelligent glass in appearance, so these will not disrupt the visual uniformity of the façade. Neither will the proposed bronze toned metal louvred panels in concealed areas as part of the services strategy or the openable, inwards-tilting windows to provide night-time cooling. These openable windows are required due to the proposed exposure of the existing concrete floor structures internally. Finally, the external face cap profiling will match the original detailing as closely as possible and accentuate the vertical mullions.

The proposed new façade will therefore respect the original materiality of the building as well as the cutting-edge technology of the structure when it was designed, whilst contributing to the level of building performance that is required under current standards.

Reception Area Extension

The reception area is within Module 1 and comprises almost the whole module which has a distinct appearance from the rest of the building. Module 1 is in a prominent, advanced location on the Dalkeith Road frontage and, despite its relative low height, has visual prominence due its elevation on stilts over a moat with bridge accesses. The structure also has a distinctive, recessed lower level with clear glazing and a concrete cantilevered base which connects with the pond when filled.

However, in its current form, the reception area falls short of some of the main requirements now for the entrance of office buildings of similar size and quality, especially in terms of space for reception facilities, waiting areas and sanitary facilities. For this reason, some alterations are required.

The proposed external alterations are modest in extent and recognise the significance of Module 1 within the overall function and composition of the listed building. The retention of the module's primary function as main office reception and entrance, with the addition of a modest extension at lower level and moderate increase in the external entrance platt, will have minimal impact on Module 1's functional and architectural character. The concrete cantilevered base detailing will be recreated around the extended perimeter to match the existing form as this is an important component of the original design.

The most significant visual change to Module 1, apart from the extension at lower level, is the proposed replacement of the original aluminium-framed clear glazing with butt-jointed frameless clear glazing. The assumption is that the glazing in this section was clear, unlike the rest of the building, to allow relatively uninterrupted views from the exterior and interior over the water towards Arthur's Seat. A proposed frameless glazing system has been proposed to reinforce this concept by maximising transparency. Whilst this is a deviation from the original framed glazing, the existing system needs wholesale renewal for the same reasons as the curtain walling throughout the building needs replacing. In this location, the level of change is acceptable given that the appearance of the existing glazing system is already distinct from that of the rest of the building and the proposed frameless glazing is an attractive and appropriate contemporary addition to this 1970s' structure.

Module 4 Added Storey

The addition of a second storey on Module 4 in identical style is acceptable in principle, given that the building was constructed in modular form with the specific purpose of flexibility in terms of adding extra modules. This added height will increase natural daylight into the core of the building. Modules 1-10 are constructed with canted concrete roof structures to create falls to the perimeter gutters, whereas Modules 11 and 12 have flat concrete structures with secondary metal falls. These latter roofs were designed to take an additional storey or storeys. Although the additional storey on Module 4 will result in the loss of the existing roof, this is an acceptable compromise to achieve the required volume of office space.

Also, the existing zinc roof coverings through the building are in poor condition and need wholesale replacement, so only a comparative amount of sound original roof fabric will be lost.

The second storey on Module 4 is also acceptable in terms of architectural character as it will have no detrimental impact on the original compositional contrast in height between Module 4 and the adjoining higher modules.

Module 3 Atrium

Lack of daylight penetration into the building was an issue created in the original design. Apart from the impacts on energy consumption and relatively dark working environment for staff, there was not enough daylight in the centre of the building to sustaining the potted plants. In this respect, the Bürolandschaft concept failed.

The proposed alterations include the removal of sections of the existing roof of Module 3 to form a new full height atrium within this module. The increased levels of natural light will allow the re-introduction of a sustainable landscape concept to the interior of the building, but this time in the form of a green wall. This atrium will also have the wider purpose of enabling Modules 2 and 4-7 to function with appropriate levels of daylighting, accessibility, ventilation, acoustics and toilet facilities, as well as achieving the required fire safety and escape standards for prospective occupiers. At present, the existing stair cores are non-compliant in terms of current fire and escape regulations, including accessibility. Also, circulation within the building is inadequate in terms of the number and location of stair cores for the scale of the office. Legibility within the building is also poor and the proposed atrium will improve this significantly.

Roof Alterations

All existing roof covering will be replaced in like-for-like materials and photovoltaic solar panels will be installation to improve environmental performance. A communal office roof terrace will be formed on Module 7.

Boundary Wall Alterations

The existing stone boundary walls and railings enclosing the site will be retained with limited interventions to form new accesses or modify existing, including the addition of an accessible ramp alongside the original northern pedestrian access from Dalkeith Road. The loss of stone fabric from the 1970s' wall and 19th Century wall on Holyrood Park Road will be minimal and the visual solidity and continuity of the boundary walls will be maintained. The two gates to be removed on Parkside Terrace are not significant features of the building's original boundary treatment.

Summary

The external alterations proposed in addition to the removal of five modules are necessary to allow the remainder of the original structure to perform and operate adequately for the requirements of prospective occupiers. The interventions proposed will not be detrimental to the essential character of the listed building and will enhance its appearance from its current state.

Setting of Listed Buildings

Historic Environment Scotland's document 'Managing Change in the Historic Environment - Setting' states;

"Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced."

The proposed removal of Modules 8-12, along with the proposed new residential development and associated landscaping will have a significant impact on the setting of this category A listed building and other notable listed buildings in the immediate vicinity. However, the following assessment demonstrates that this impact will not be harmful.

Former Scottish Widows Headquarters

The setting of this listed building is defined primarily by its integral surrounding landscape, although the backdrop of Arthur's Seat and the Salisbury Crags is a significant element of its wider setting.

Landscaping

The extensive landscape around the office building is attributed to a concept by the celebrated landscape architect and garden designer, Dame Sylvia Crowe. Whilst it seems likely that the landscape design was in fact a more collaborative endeavour between the office architects and Dame Crowe, the resulting design is a key element of the building's setting. In essence, it comprises a landscape of more formal character within the front sections of the site (around the office building) which transitions to a more natural inspired landscape in the rear section of the site (around and above the car park and towards Holyrood Park).

However, whilst the public-facing landscape along Dalkeith Road and Parkside Terrace and at the corner of Holyrood Park Road has remained largely intact, the original planting of the rear garden area, including that on the undercroft car park roof, has failed in parts and has been re-planted in certain areas. Also, substantial sections of this rear landscaping are now overgrown, notably the planting on the roof of the car park which occupies a significant area of the site. In addition to later planting, there has been colonisation by opportunistic and invasive species and although some of the original planting scheme is still evident, much has been obscured by overgrowth and other unintended species.

Furthermore, certain species that were included in the original planting scheme, such as cotoneaster horizontalis and rosa rugosa, are now listed as controlled species under the Wildlife and Countryside Act 1981 and should be removed, as these pose a threat to native biodiversity and habitats.

The proposed landscaping will retain Dame Sylvia Crowe's design and planting scheme around Modules 1 to 7, including the reflecting pools, except for a new external plant area to the immediate left of the existing vehicular entrance. Any other proposed alterations to this landscape section are minor, such as the new accessible ramp from Dalkeith Road.

The ponds have been drained temporarily to enable repairs to the waterproofing which is in poor condition and the installation of new drain down facilities to prevent algae growth on the cobbles at base of the ponds.

The proposed external plant enclosure will be sited on the roof of the existing substation on the left side of the vehicular entrance. This is a necessary intervention given that this is the only viable location for the required plant area in technical terms, combined with having the least physical and visual impact on the building's setting.

There is a maximum distance that the plant can be sited from the office building and the site needs to remain permeable whilst retaining a central outdoor area separating its commercial and residential functions. The range of practical locations for the plant is therefore limited and the chosen site is less visually intrusive than the other possible locations. The new plant area will occupy a relatively modest section of the existing lawn and the enclosure will be inconspicuous from street views behind the site's stone boundary walls. Views looking north-eastwards across the main reflecting pool will not be affected to any significant degree as the plant enclosure will be concealed by a replacement (instant) hornbeam hedge to match the existing but extended across the south side of the enclosure to achieve full screening.

Whilst a substantial section of the original landscape is being redeveloped, the retention of the existing undercroft car park, on which a substantial area of this landscaping sits, is not viable. Also, the landscaping around and above this structure has changed significantly in terms of the original planting and intended appearance. For these reasons, the re-landscaping of this part of the site is acceptable in principle.

The overall concept for the new landscape is inspired by the original design maintaining the key element of a gradual transition from the more formal office setting, with its reflecting pools and open lawns, to a more informal and naturalised area towards the East Parkside boundary, albeit a reinterpretation of Dame Crowe's scheme. The proposed garden-like zone in the central area of the site between the office and new residential development is part of this gradual transition.

The ratio of building to landscape will increase in the proposed scheme from the present 43% to 64%, excluding the green roofs on the residential blocks, and approximately 48% of this landscaping will be soft. From elevated views, the green roofs will contribute further to the originally intended greener appearance of the north-east (rear) section of the site. The majority of car and cycle parking will be located in an underground car park in the centre of the site to minimise areas of hardstanding, although a new shared access through road is required for emergency vehicles and service vehicles. This road will be surfaced in stretcher-bond laid block pavements which will give an appropriate 'soft' appearance within the proposed green site landscape and wider landscape context.

The proposed landscape geometries will reflect the hexagonal mesh of the site which was particularly apparent in the original preliminary design of 15 modules, with an additional three extending towards East Parkside and a two-storey car park along the north-east boundary. In this earlier concept, significantly less green open space was proposed. Whilst the final version included more landscaping than the preliminary design, it was a stylised interpretation of a natural landscape. The proposed landscaping will recapture this key concept.

In terms of planting species, the original mix comprised native and non-native, including cotoneaster, buddleia, hebe and rhododendron with groundcover of ivy, cotoneaster, juniper, periwinkle and other species. This has become much denser than original designed, particularly over the undercroft car park and now obscures views from the site towards Arthur's Seat and the Salisbury Crags. This planting will be recreated in character, but in a more appropriate form and using a selection of different species in the interests of being resilient to and mitigating against climate change. The species chosen will also be appropriate to the various conditions within the new development as well as being valuable resources for the promotion and enhancement of biodiversity. The proposed planting includes hornbeam and laurel hedging as privacy screens for residential ground floors, evoking the existing hedging on site, and rich species lawn areas at the northern edge of the site. Around the office, the planting mixes have been specified to recreate strong evergreen blocks with limited foliage and flowering palettes. The north-eastern groundcover will be tough and low maintenance with berries, flowers and evergreen habitats, similar in overall appearance to the original mix of cotoneaster, periwinkle and ivy.

Of the 71 individual trees currently on site (minus two already removed due to Ash Dieback Disease), a total of 47 will be removed comprising 34 category B, 9 (out of the existing 11) category C and all four category U. Most of these trees were planted as part of the 1970s' landscape design around the periphery, as individual specimens within the landscape, and as informal groups and lines. The predominant species are typical of the era, including lime, Norway maple, sycamore and birch (silver and Himalayan). However, natural regeneration by pioneer species over the years means that there are now more trees on site than originally intended and lack of management and maintenance has led to overgrowth and invasion by oat willow, birch and sycamore, as well as other species. These 'intruder' trees are thin- and/or multi-stemmed and scrubby in character. Most trees to be retained are generally the better specimens along Dalkeith Road, Parkside Terrace and East Parkside and these trees contribute most to the existing setting.

A total of 81 new trees are proposed comprising mostly semi-mature, 18-20cm girth or 2.5-3m high multi-stem. The species chosen, including lime, birch, rowan, cherry, maple, are inspired by the existing on-site trees and include locally successful species suited to the site context and various conditions within the new development. The emphasis is on native species as key habitats for birds and invertebrates and those that can cope with changing climate conditions as well as providing visual interest. The proposed tree planting will enhance the landscape setting of the listed building and restore the original concept of individual specimens within the landscape, along with informal groups and lines of trees.

The removal of Modules 8 to 12 and the current car park will allow for a high-quality residential redevelopment that will include opening up the site for public access, and sustainable modes of travel will be encouraged to and from the site. In terms of accessibility, the original hard landscaping includes angular steps, changes of level, and lack of any tactile paving which does not comply with today's standards.

The proposed hard landscaping will retain many of the original features in the front section of the site and the existing boundary walls, with some minor modifications as detailed above. Much of the existing hard surfacing materials will be re-used.

The materiality of the new hard landscaping draws inspiration from the original design in form and type, including the angular shapes and alignments of paths and steps, and use of Yorkstone paving in the amphitheatre space and at the entrances to the residential blocks. Gravel paths will run through the more informal rear sections. The proposed palette is generally permeable to form part of the surface water drainage strategy, including permeable block paving, resin bound gravel and reclaimed sandstone flags from the site. Retaining walls, including around the amphitheatre will be sandstone clad in Scoutmoor Yorkstone, re-using the existing Yorkstone from the site where possible, and the retaining walls between blocks B and D and A and E (where there is a storey drop in level) will be in a concrete shuttered finish to mimic the undercroft car park structure. The existing setts will be reused for edgings to soft landscaped areas and kerbs will be formed in 'granite' textured concrete. The new steps will be of pre-cast concrete construction with stainless steel handrails to reflect the original design. Some of the existing setts will also be used to fill the fronts of Gabion baskets at the base of the slopes towards Holyrood Park Road at blocks A, B and C.

Whilst the original hard landscaping did not include external seating areas, it is appropriate to include such areas for modern office use and for residents of the new apartments, as well as members of the public. The materials selected for these features will be sympathetic to the existing and proposed landscape setting. The proposed site furniture includes timber topped benches with solid concrete or steel bases and some will be integrated with planter walls. This sensitive use of materials will continue into a central play area which will use sculptural natural elements integrated with the landscape, and the northern area of the site will include a play trail with equipment formed in natural materials.

Buildings

The scale of the building is such that the symmetry of the existing plan is only readily appreciable from elevated viewpoints. Whilst the reduced building will be symmetrical in plan, as opposed to the current asymmetrical plan, asymmetry will be returned to the site through the layout of the new residential blocks. The proposed extensions to parts of the retained Modules 1-7 are relatively discreet and will have no detrimental effect on views of the building from within or outwith the site.

In contrast, the proposed five new residential blocks ranging from four to seven storeys in height will change the setting of the retained part of the listed building to a significant extent. However, the heights of these new apartment blocks have been reconfigured to in the revised scheme to ensure that the impact on the building's setting is not harmful. This involves the careful placing of the lowest and tallest blocks to preserve key views within and outwith the site and a greater variation in height to respect the compositional character of the listed building. This amendment incorporates the comments of the Edinburgh Urban Design Panel (EUDP) regarding the use of verified view analysis to inform the siting, layout and massing of the new build element. In terms of relative heights, whilst Block B will be higher than the tallest office module and Block C will be roughly equivalent, the need for subservience to the listed building is not crucial in preserving the building's setting in this case. The Panel, recognising the need for a certain volume of residential development in terms of overall economic viability, suggested that the height could vary across the site and possibly exceed that of the original office building to protect key views from and to the site. The impact on existing views is explored in detail in a separate section below and this illustrates why the proposed heights of the new flatted blocks is acceptable in the context.

The design of the new residential blocks draws primarily upon the existing listed office building, rather than that of the surrounding area in which no clear building typology is apparent. The approach taken is particularly appropriate in terms of the setting of this modern category A listed building which was designed with its own entirely new landscaped grounds, as opposed to being placed within an existing landscape setting.

Proposed blocks A, B and C are hexagonal in shape to reinforce the hexagonal grid pattern of the 1970's former office headquarters but designed as distinct elements to allow views through the site. This separation is required to minimise the visual impact of these new buildings on the setting of the listed building. Blocks D and E, whilst picking up on the alignments of the hexagonal walls of Modules 1-7, are more typical of a standard flatted block, but their composition as connecting parallelograms pays tribute to the angular shape and massing of the existing undercroft car park.

The proposed materials and detailing of the new blocks will complement those of the listed office building. The proposed high-quality bronze cladding with glazed detailing will reflect the 1970's tinted curtain walling (and its proposed replacement) without competing with the individuality of the office facades. Also, the original design concept of a building sitting within a landscaped setting will be respected by using relatively dark-toned materials which will minimise visual conspicuousness from elevated viewpoints, especially from Arthur's Seat and the Salisbury Crag. The effect of this tone for the elevations is illustrated in Viewpoint 5: Salisbury Crag, Figure 10c, Viewpoint 6: Volunteers' Walk, Figure 11c and Viewpoint 7: Arthur's Seat, Figure 12c in which the Commonwealth Pool and newest buildings of Pollock Halls are visually prominent due to their white tones.

The roofscape materials have also been carefully selected to maintain an appropriate appearance from elevated viewpoints and the flat roof areas will be predominantly green in appearance due to their landscaped surfaces.

Views

The most important views of this category A listed building are 'panoramic', that is, those which provide an unrestricted view of the landscape giving a continuous and unbroken survey of the surrounding area. The only significant 'vista' - where the view from a specific point is restricted and controlled by firm containing edges - is in East Preston Street, where the building terminates views eastwards along the street. Also, it is important to note that all views analysed are snapshots of transient streetscapes and can change significantly, even just a short distance from the viewpoint location. Times of day, different climatic conditions and seasonal variations also have a bearing on key views.

The Townscape and Visual Appraisal (TVA) submitted demonstrates how the proposed development respects the setting of the listed building in terms of scale and form. This setting includes the immediate landscaped grounds around the building along with the wider landscape setting and surrounding townscape.

In terms of the listed office building in views, Viewpoint 3: Dalkeith Road, Figure 8c and Viewpoint 7: East Preston Street/Newington Road, Figure 7c show no detrimental impact on the existing views of the office frontage after the removal of Modules 8-12 and erection of new apartment Blocks C and D. Whilst the proposed flatted blocks are visually obvious in Viewpoint 3, these are not the main focus and will not detract from views of the listed office building when approaching or passing the site on Dalkeith Road or East Preston Street. From the junction of Dalkeith Road with Holyrood Park Road, the office will remain the most visually prominent structure within the site and the residential apartments will appear in as complementary built elements in the backdrop. The views of the Salisbury Crags and Arthur's Seat from Viewpoints 3 and 7 respectively will be preserved, with only a slight encroachment on the base of the Crags in Viewpoint 3, Figure 8c- an infringement which will be transient only.

The residential blocks start to appear in visual fields more prominently on Holyrood Park Road and Parkside Terrace. Viewpoint 9: Holyrood Park Road, Figure 14c depicts the most prominent view of proposed Blocks A and B. However, the original office building is barely visible in existing views within this section of Holyrood Park Road, so the only visual impact of the new structures on the setting will be the filling in of open sky above the gable end of the Joiner's Workshop. The crow-stepped stone gable of the Workshop will remain distinct against the bronze metal cladding of Block A, so there will be no detrimental impact on setting in terms of this part of the site which is characterised by the Joiner's Workshop. The new tree planting between the street and the new development will help to continue the soft edge to the listed building's setting on Holyrood Park Road.

From within the site, a particularly significant view is from the landscaped area between Dalkeith Road and Module 1 across the reflecting pool towards Arthur's Seat. The proposed extension of the reception area is modest in scale and will have no detrimental impact on this view. In fact, the frameless replacement glazing system will enhance visibility through the reception area and the sense of connection with the surrounding landscape as a result.

Throughout the site, views towards the Salisbury Crags and Arthur's Seat will be retained between the new apartment blocks with focussed views between Blocks A, B and C and Blocks D and E looking towards Holyrood Park. This will re-establish the originally intended view from the landscaped deck of the undercroft car park over to Holyrood Park, which is currently obscured by overgrowth. The gaps formed between the office and residential developments and between the individual residential blocks will retain many of the existing views towards Holyrood Park, whilst creating new vistas previously unavailable for occupiers of the office and the public. Also, new east-west views will be created through the removal of the three office modules in the centre of the site.

The appreciation of the landscape setting of the listed building from within the site will be enhanced through the creation of a suite of new internal views from within the altered office building towards Holyrood Park, especially from the new roof terrace on Module 7. The replacement curtain walling without blinds and with low-level spandrels will provide new and uninterrupted views in all directions, including from modules that will gain external facades once Modules 8-12 are removed.

As regards view of the listed building's landscape setting from outwith the site, the greatest change will be from within Parkside Terrace. The north-west boundary of the site forms the south-east side of Parkside Terrace and there is a Baronial style tenement on the opposite side. Currently, the view north-eastwards across the site from Parkside Terrace, shown in Viewpoint 1, Figure 6b(i) comprises a group of trees on the site boundary with the upper section of Arthur's Seat prominent in the background. Figure 6c(i) shows that Block D will have a significant impact on this view from this location, even at its reduced height. However, current views of Arthur's Seat and the Salisbury Crags looking north-eastwards from within Parkside Terrace vary considerably in terms of location within the street and the oblique view shown in Figure 6c(ii) is transitory. There will be a substantial gap between the retained office building and Block D, as well as a space between Blocks D and E that will allow views across the site, including a new unobstructed view westwards due to the demolition of Modules 8-12. The removal of the top storey of Block E in the amended scheme will ensure that the visual impact of this building is minimised, and the retention of a tree-lined green boundary to East Parkside will ensure that a key feature of the landscape setting is maintained. Whilst views from East Parkside are not included in the Townscape and Visual Appraisal, the impacts of the development from this street have been depicted in comparison visualisations. Views from this location are significant to the outlook of residents in East Parkside, but not in terms of the setting of the listed building.

From elevated viewpoints, the architectural composition of the listed building and its landscape setting are most apparent, so the impact of the proposed development - both in terms of the partial demolition of the existing building and new residential blocks is analysed in Viewpoints 5 and 7 from the Salisbury Crags and Arthur's Seat respectively. Currently, views from these locations to the office building (Viewpoint 5, Figure 10a and b and Viewpoint 7, Figure 12a and b) show the distinctive asymmetrical cluster of tiered hexagonal structures, reducing in height towards the northern edge of the green landscaped site. The removal of modules 8-12 and development of the residential units will have a significant effect on these views of the office building, and certain sections of the retained building will be obscured by the new apartment blocks (see Viewpoint 5, Figure 10c and Viewpoint 7, Figure 12c). However, broadly the same overall extent of Modules 5-7 will remain visible from these high-level viewpoints, given that some parts that are currently obscured by Modules 8-12 will be revealed once these rear modules are demolished.

The complementary forms and palette of the new residential development with its green roofs and surrounding soft landscaping will ensure that the impact of these flatted blocks on the setting of the retained office building is acceptable. Also, the revised heights and positioning of the new structures will reflect the height variations of the original office modules, and the reduced heights of Blocks A and E will respect the characteristic stepping down of the existing building towards the natural landscape of Holyrood Park.

The most affected existing view of the site from Holyrood Park will be from Volunteers Walk (Viewpoint 11b). However, only the top sections of Modules 5 and 6 of the section of the office building to be retained are currently visible, due to the presence of Modules 8 and 9. The obscuring of these top sections is acceptable, given that this view is transient and substantial parts of the listed building will be visible from many other viewpoints within Holyrood Park.

In terms of the wider setting of the listed building, Viewpoint 8, Figure 18c from the south side of Calton Hill, illustrates that the proposed development will not have any significant visual impacts on the existing topographical or urban scheme around the site.

Commonwealth Pool and Other Listed Buildings

The most prominent listed buildings in the surrounding area which will be impacted by the proposed development in terms of setting are the category A listed Royal Commonwealth Pool and St Leonard's Hall (part of Pollock Halls), and Preston Street Primary School and Newington Old Burial Ground, which are category B listed.

From Dalkeith Road and Holyrood Park Road, the new residential development will have no significant effect on any views of the Commonwealth Pool. The same applies from Holyrood Park, in terms of the more immediate setting of the Pool from elevated viewpoints. The listed Pool will remain dominant in these views due to its extensive flat roofscape and distinctive white tone, and the relatively dark-toned residential blocks will not detract from the Pool's setting. From within the Commonwealth Pool and its site, the existing views of Arthur's Seat will not be disrupted.

From street level, the current setting of the listed buildings within Pollock Halls is partly defined by views outwards from the main entrance on Holyrood Park Road (Viewpoint 4, Figure 9b(ii)). The mid ground view, which is visible from St Leonard's Hall, comprises the boundary trees of the former Scottish Widows Headquarters site. Whilst proposed flatted Block B will dominate this view, shown in Viewpoint 4, Figure 9c(ii), the setting of Pollock Halls is most defined by its own landscaped grounds and the wider topographical context. As the new trees planted on the site mature, the green aspect of this view will increase. There will be no perceptible impact on current views of Pollock Halls from views within Holyrood Park or from Calton Hill

The settings of the listed buildings on the opposite side of Dalkeith Road will not be affected to any significant degree as these settings are defined by the existing modules of the listed office building which dominate the east side of Dalkeith Road. No significant change is proposed to these frontage modules.

Conclusion in relation to the listed building

The proposed scheme involves a major intervention in this category A listed building and its conterminous and integral designed landscape, as well as in the building's wider urban and landscaping setting. However, the extent of demolition, extension, alteration and new build proposed is a necessary and proportionate response to the scale of the building, combined with its current (and original) functional failings and shortcomings, and to the extent and complexities of making the building fit for a viable use in today's market.

Historic Environment Scotland's assessment of the scheme is based on detailed discussions and site meetings with the applicant's team and the Council, including an assessment from the Council on the viability of the proposals and the wider Edinburgh office market. Whilst HES commends the design development and commitment to low carbon principles, some elements of the proposals are considered radical and harmful to both the listed building and its setting.

However, HES recognises the exceptional difficulties in ensuring the long-term future and reuse of this distinct, large-scale, modern listed building and considers it unlikely that a less harmful viable scheme for the listed building is possible. On this basis, HES does not object to the proposals.

The importance and special interest of the listed building and its landscape setting have been understood and recognised in the amended scheme which demonstrates a holistic evidence-based approach for the whole site, respecting the architectural character of the building and its conterminous landscaping. This is in keeping with the recommendations of the Edinburgh Urban Design Panel. The opportunities for a purely conservation-led approach are limited, due to the particular challenges of this building, and the proposed development will conserve and re-use what is reasonably possible in the circumstances detailed above.

Whilst the level of demolition is significant, this is the minimum action necessary to preserve a substantial part of the listed building and its most representative part in terms of scale, prominence on the site and architectural hierarchy. This modular building was designed to have modules added, or even removed, if required, and the original design was for a larger structure. The special interest of this listed building therefore lies more in its architectural concept than in the precise collection of modules that are on site today. As regards the current landscape setting, this is a substantially altered version of the landscape that was designed to surround and complement the headquarters building. Much of the original planting has been obscured or lost, including important visual connections with the building and its wider landscape setting.

On this basis, whilst the proposed development will have a significant impact on the listed building and its setting, this impact will not be harmful in terms of preserving the character and setting of the listed building. Also, this scheme is the best possible option available and if the building were to come onto the open market, it is likely that a harmful scheme would come forward, including for the proposed demolition of the entire structure.

A condition has been applied to ensure that all the existing structures on the site are officially recorded and that a robust methodology statement is submitted for approval before any of these structures or features are demolished/altered.

Further conditions have been applied to ensure that the details and specifications for all proposed external materials (including salvaged materials) for alterations and repairs to the retained historic assets on the site and proposed new buildings and hard landscaping are appropriate.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance as the proposals preserve a representative majority part of the listed building that embodies its special architectural interest.

Character and Appearance of Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

The South Side Conservation Area covers a large urban area which includes various historical periods and stages of development forming a variety of character areas with different spatial patterns. The character appraisal splits the conservation area into five sub-areas representing distinctive patterns of growth and development. This site falls within the "Fifth Expansion Area": a distinct section of the conservation area, added in March 2019, characterised by unique and individual buildings/groups of buildings within their own integral settings and the wider landscape setting of Holyrood Park. These buildings include the Royal Commonwealth Pool, former Scottish Widows Headquarters and Pollock Halls which, together, form an outstanding category A listed group.

The South Site Conservation Area Character Appraisal summarises the key characteristics of the Fifth Expansion Area as follows:

"The urban grain of the area is coarser than much of the Conservation Area as it comprises large scale buildings that are set back from the pavement within open space. The settings of the existing building, and Pollock Halls contains trees and shrubs, and a linear tree group separates the latter from the Royal Commonwealth Pool's rear car park'. Less of the historic layout and fewer historic buildings remain within the area surrounding the site, which is largely modern and atypical of central Edinburgh. These further divert from the typical characteristics of the Conservation Area'."

Whilst the impact of the proposed development on the listed building at 15 Dalkeith Road and its setting is significant, the effect of change within the South Side Conservation Area is far more moderate, given the scale and nature of the broad context.

The proposed removal of Modules 1-8 and alterations and extensions to remaining Modules 1-7 will have no significant impact on existing street level views of the site.

Whilst the new residential blocks will have significant impacts on views from certain specific locations within Parkside Terrace and Holyrood Park Road, as noted in the preceding section, these views are localised and transient. In terms of the urban character of the conservation area, the height of the proposed development does not extend to any noticeable degree beyond the prevailing height of buildings on the site or in the surrounding area, in which there are many new accommodation blocks several storeys high. In the revised scheme, the height of the proposed buildings has been adjusted to better respond to the topography of the site which slopes down towards Holyrood Park. The reduced heights of Blocks A, D and E have softened the hard edges adjacent to the existing residential blocks on Parkside Terrace and East Parkside.

As detailed in the section above, the proposed development will have a more significant impact on elevated views from Holyrood Park due to the removal of the five zinc-roofed 1970s' modules and existing landscaping in the rear section of the site, and replacement with the proposed apartment blocks. However, the varied heights, broken up massing, dark tones of the elevations and green roofs of these new structures will ensure that any impacts on the character and appearance of this part of the conservation area are not detrimental. The arrangement of the new residential blocks within a predominantly green landscape is similar to that of the student residences within the landscaped grounds of Pollock Halls. The variation in height and hexagonal forms of Block A, B and C will also relate successfully to the landforms within Holyrood Park, creating a gradual transition of scale dropping downwards towards the Park and echoing the stepped basalt rock formations of the Salisbury Crags.

Architecturally, the Fifth Expansion Area of the South Side Conservation Area is diverse in terms of ages, styles and materials, although there is a modernist theme running through. These variations are evident across the consistent residential, commercial, leisure and institutional buildings, although there is consistency in the residential element in terms of tenemental form and overall heights. The proposed new apartment blocks at 15 Dalkeith Road will be in keeping with the eclectic mix of the adjacent non-residential buildings, whilst providing a complementary contrast to the tenemental blocks in this part of the conservation area. The proposed forms, styles and materials represent an evolution of the modernist architecture within this area. The dark, simple forms of Block D will provide a 'quiet' backdrop to the Baronial-style tenement in Parkside Terrace with its picturesque, sandstone architecture.

As set out in the section on the setting of the listed building, the retention of trees has generally been prioritised around the perimeter of the site to preserve the character and appearance of the building's landscaped grounds as much as possible, until the proposed trees have become established. The species and size of the proposed trees will have an immediate positive impact in terms of foliage and colour and over time, the contribution of these trees to the landscape character of the site and natural backdrop of Holyrood Park will be significant. The existing hard boundary, comprising stone walls and railings, is an important part of the site's character and this will be retained, with only modest breaches for new entrances into the site.

In terms of uses, the proposed development will preserve and enhance the mixed-use character of the conservation area by preserving the existing office use and adding a significant number of new residential flats.

The proposed demolition of the Joiner's Workshop is assessed in the associated application for conservation area consent (reference 22/04769/CON).

Conclusion in relation to the conservation area

The proposed development will preserve the character and appearance of the Fifth Expansion Area of the South Side Conservation Area by safeguarding the listed office building for the future in an appropriate form and introducing new residential accommodation which is in-keeping with the area's eclectic architecture. The proposed landscaping will preserve the landscape character of the site and the wider landscape setting of the conservation area.

The proposals preserve the character and appearance of the conservation area in accordance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) Compliance with the Development Plan

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4.

The relevant NPF4 and LDP policies to be considered are:

- NPF4 climate and nature crises policies 1, 2, 3 and 9
- NPF4 historic assets and places policy 7a), c), d), h), j) and o)
- NPF4 successful places policies 14 and 15
- NPF4 affordable housing policy 16
- NPF4 infrastructure policies 13 and 18
- LDP employment policy Emp 10
- LDP environment policies Env 12 and Env 16
- LDP housing policies Hou 1, Hou 2, Hou 3 and Hou 4
- LDP Des 1, Des 3, Des 4, Des 5, Des 6, Des 7 and Des 8
- LDP transport policies Tra 2, Tra 3 and Tra 4
- LDP delivery policy Del 1

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering NPF4 Policy 7.

The 'Edinburgh Design Guidance' is a material consideration that is relevant in the consideration of several LDP employment, housing, design, and transport policies.

Uses

Policy Emp 9, as summarised below, states that proposals to redevelop employment sites or premises in the urban area for other uses will be permitted provided:

- a) employment uses will not be prejudiced or inhibited;
- b) the development will contribute to the regeneration and improvement of the area;
and
- c) if the site is larger than one hectare, provision is made for a range of business users.

The proposed office use is already established on this site and continued office use is appropriate, given the sites' sustainable location and proximity to the city centre.

Policy Hou 1 gives priority to the delivery of housing land supply on suitable sites in the urban area provided proposals are compatible with other policies in the plan.

Given the surrounding residential character, this is a suitable site for housing and the development will contribute to a mix of uses in the local area. The site has good access to public transport, active travel, a range of services and green open spaces. Compatibility with other policies is assessed throughout this report.

The proposed residential element on site includes appropriate noise mitigation measures. These will ensure that it does not prejudice or inhibit nearby employment uses. In addition, the proximity between office and residential use is already established in this area.

Part of a historic asset will be lost. However, the proposal is a comprehensive, well-integrated design which will help regenerate the area by upgrading an extensive unoccupied office space to an efficient modern standard, whilst significantly improving its useability for future occupants. The office use will be flexible to allow for a range of smaller office units if required. Furthermore, the proposed permeability through the site will help improve the area for all users.

Conclusion in relation to uses

The uses proposed will allow people to live and stay in their area with access to local shops, services and facilities.

This will reduce car dependency and is consistent with NPF4 Policy 15 which supports developments that contribute to local living, including 20-minute neighbourhoods.

Also, the location of housing within a contained, safe and pedestrian-friendly residential development with good access to public transport will support the prioritisation of women's safety.

Climate Mitigation and Adaptation

NPF4 Policy 1 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The proposed development contributes to the spatial principles of 'Compact Urban Growth' and 'Local Living' through the use of a brownfield site for sustainable, energy-efficient office use and housing within an existing community.

NPF4 Policy 9 intends to encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development. Part d) supports development proposals for the reuse of existing buildings, considering their suitability for conversion to other uses and emphasises the need to conserve embodied energy, with demolition regarded as the least preferred option.

The Sustainability Statement submitted compares the embodied carbon within the proposed partially retained and reused office building against that within a new build office development. It highlights that carbon savings are greater from the former by 60% from the buildings' construction and 43% from its operation over a 60-year life cycle. Overall, the embodied carbon footprint for the office as proposed is 43% lower than the industry (RIBA) benchmark.

Overall, the embodied carbon footprint for the proposed residential development is 29% lower than the industry benchmark.

Additional carbon reduction interventions are also incorporated in the proposed development, including re-use of existing materials, locally sourced new materials, and efficiencies in the design layout. Passive measures have been incorporated to reduce energy demand for heating, cooling, ventilation and lighting.

The submitted sustainability (S1) form details demonstrate that the development will comply with the relevant Building Standards in terms of sustainability. The standards will be met through use of equipment such as large photovoltaic (PV) panels and air source heat pumps.

Measures are incorporated to promote water conservation, include the use of 'blue' roofs for all the residential blocks and extensive soft landscaping across the site. A further sustainability measure will be the provision of dedicated recycling holding areas within the development. In addition, the sustainability form highlights that all materials will be locally sourced where possible. The proposals meet the essential criteria with additional desirable measures including green roofs, rainwater harvesting and communal recycling.

The office development will improve the current office EPC (Energy Performance Certificate) Rating from G to A, whilst a B rating will be achieved for the residential development. An 'Excellent' rating will also be targeted for 'BREEAM', a method used for assessing a building's sustainability credentials.

Sustainability

NPF4 Policy 2a) supports development proposals that are sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and, in 2b), those that are sited and designed to adapt to current and future risks from climate change.

The proposed development will provide a sustainable, high-quality office and residential development.

The site is located near to a range of bus services within close walking distance. The development will result in significant betterment to the site's permeability. New, publicly accessible pedestrian routes and shared surfaces will be formed, accessed from Parkside Terrace and Holyrood Park Road, which will result in a new ability to walk and cycle through the site. Internally, these routes will also link to landscaped garden spaces located towards the centre of the site.

The residential flats will be near to a range of shops, including within Nicholson/Clerk Street Town Centre which is approximately a five-minute walk westwards. National Cycle Route 1 lies to the north of the site at the end of Holyrood Park Road.

Although 149 car parking spaces will be provided, this is a significant reduction of the existing car parking provision on site by around 200 spaces. In tandem with the sites' proximity to public transport and services, this will help to encourage reduced reliance on private car journeys. Furthermore, the provision of electric vehicle charging points in the car park is an additional measure to support the use of electric vehicles. Also, accessible cycle parking spaces, and other non-standard cycle spaces, will be provided to encourage active travel for all users of the site.

The site is near the city centre Air Quality Management Area (AQMA), which has been declared for exceedances in NO₂, and traffic from this development could feed into this area. However, the submitted Air Quality Impact Assessment concludes that the development will have an overall negligible impact on local air quality. There is a significant predicted reduction in overall vehicle movements by 381 per day which will reduce this impact.

The development will therefore be sustainable.

Flooding and Drainage

As identified in SEPA online flood maps, the site has a medium surface water flood risk and no specific river or coastal flood risk.

The applicant has provided the relevant surface water management plan for the site as part of the self-certification process.

The proposed drainage systems will connect to the public sewer system and Scottish Water have confirmed there is capacity in the current network.

The office development will be reduced in size which will result in betterment to current surface water discharge rates. The current surface water system will remain with surface water flows unattenuated entering the sewer system.

The residential development is a new addition, that will be attenuated to the two-year greenfield run-off rate into the local sewer in line with council guidance. A discharge rate of 3.3 l/s has been set. To achieve this rate, SUDs measures have been incorporated including the addition of blue roofs, permeable paving, and an underground storage system. The latter will be located to the north-west of the site and will connect to the existing drainage route near East Parkside.

The proposals satisfy the Council's Flood Prevention requirements.

Biodiversity

NPF4 Policy 3 requires that proposals for local development include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance.

LDP policy Env 16 states that development will not be permitted which will be detrimental to the maintenance of protected species.

The submitted Preliminary Ecological Appraisal concludes that no bat roosts or badgers were recorded on site. Furthermore, the sites' redevelopment will not have an impact on these protected species. Protected species are not therefore a constraint to the development and no further surveys are required.

The Appraisal also recommends measures to be incorporated into the scheme to enhance biodiversity on-site. These include the creation of new habitat opportunities; natural/semi-natural opportunities on site for roosting and nesting. Such measures have been incorporated semi-naturally through a wide mix of planting areas and use of felled tree material as habitats for species. In addition, habitats will be provided through artificial means, including gabion walls. The incorporation of extensive blue roofs on the residential buildings will also encourage biodiversity. These on-site measures will link with the existing biodiversity in the surrounding area, including within Pollock Halls landscaped grounds and in Holyrood Park.

LDP policy Env 12 states that development will not be permitted if likely to have a damaging impact on protected trees, unless required for good arboricultural reasons. Where permission is granted, appropriate replacement planting will be required to offset the loss.

There are currently 71 individual trees on-site, of which 47 specimens will be lost (34 category B, 9 category C and 4 category U). In addition, overgrown landscaping on the roof of the underground car park will also be removed.

As identified in the submitted tree report, these specimens are generally in satisfactory health and condition. As a collective grouping, the trees make a positive contribution to the landscape value and amenity of the area. In this regard, there is a presumption against their loss and their removal is contrary to LDP policy Env 12.

However, many of the trees to be removed are to facilitate the part demolition of the existing office building and undercroft car park, and to accommodate the new residential blocks and new site accesses in appropriate and practical locations. The removal of some of the existing trees is also necessary to enable new landscaping around the proposed apartment blocks and re-developed office building in an appropriate and practical form.

As mitigation for the loss of these trees, the proposal includes a detailed landscape plan for new planting, including a total of 81 new trees. These trees will be mainly semi-mature specimens, planted around the site's edges, buildings and landscaped courtyards, and of scale and species that will complement the 24 retained trees (22 category B and two category C) near the adjacent streets. In addition to new trees, a wide range of smaller shrub planting is proposed.

This new planting will provide an appropriate degree of mitigation for the loss of trees on site, as well as providing green landscaped edges to the site and tree cover within the site, including around the new public spaces.

Whilst the development will result in the loss of trees worthy of retention, appropriate mitigation for this loss will be provided, including trees, shrubs and other types of planting that will encourage biodiversity. As a result, it is anticipated there will be an overall biodiversity enhancement from the proposals.

In this context, an infringement of LDP policy Env 12 is justifiable as the proposal accords with the overall objectives of NPF 4 Policy 3 and LDP policy Env 16.

Conclusion in relation to climate mitigation and adaptation

The development will result in the appropriate redevelopment of a brownfield site in a sustainable location, including the part retention and reuse of an existing office building, upgraded to meet modern environmental standards. The development, as a whole, will be highly energy efficient with a focus on active travel, biodiversity enhancement and surface water irrigation.

Due weight is placed on climate mitigation and adaptation in accordance with the principles of NPF4. The environmental benefits gained from the proposal justify the extent of tree loss on site.

The site is near public transport routes and active travel networks, providing convenient access to the city centre and encouraging sustainable and active travel.

The proposals will therefore contribute to climate change mitigation in the short and longer term.

Historic Assets and Places

The proposed scheme complies with the key principles of NPF4 Policy 7 in terms of the re-use and rejuvenation of a vacant listed building in a sustainable and productive use, as well as using this change as a catalyst for the regeneration of the area. The building will be transformed in terms of environmental performance and resilience to climate change and the site will be opened up for public access as an asset for the local community.

This development has been informed by a thorough understanding of the architectural and cultural significance of the building and its setting and will secure the long-term future of the building in its original use, in keeping with NPF4 7a).

Character and Setting of Listed Buildings

This has been assessed in section a). The proposals comply with NPF4 Policy 7c) with respect to the alteration or extension of a listed building, or works that impact on its setting, as the proposals will have no adverse effect on the building's special architectural character.

Character and Appearance of Conservation Area

This has been assessed in section a). The proposals comply with NPF4 Policy 7d) as the proposals will preserve the character and appearance of the conservation area and its landscape setting.

Scheduled Monument

Holyrood Park, a scheduled monument, is located to the east of the site. The proposed development will have no direct impact on the scheduled monument and will only affect certain views of the park as detailed in section a). These visual impacts are minor and will have no adverse effect on the integrity or setting of the scheduled monument, in accordance with NPF4 Policy 7h).

Designed Landscape

The Palace of Holyroodhouse Designed Landscape lies to the east of the site and is designated as such for its outstanding historical, architectural, scenic and nature conservation value.

The impact of the proposed development on these outstanding qualities of Holyrood Park is minimal. Whilst there will be changes to views of the site from parts of the Park and views of the Park from within and around the site, these will have no adverse effect on the values of the designed landscape or its setting. A planted buffer between the site and East Parkside will be retained and the green roofs and new site landscaping will soften the appearance of the new apartment blocks in broad views.

Therefore, the development will have no detrimental impact on the character of the designed landscape, in accordance with NPF4 Policy 7j).

Archaeological Remains

The site lies within an area of archaeological significance, as the Scottish Widows headquarters was built on the site of the former Victorian Nelson and Sons Parkside Works, dating from 1870, and the Edinburgh Geographical Institute, dating from 1888.

As the site has been extensively developed over the years, it is unlikely that any significant archaeological features are present. However, the proposals involve the removal of approximately 30% of the existing A listed building on the site, along with its original carpark and some original internal features. On this basis, a programme of historic building recording is required to be undertaken during demolition to record elements that are affected. Also, a detailed mitigation strategy is required for the temporary removal and storage of the commemorative opening inscription within the former staff restaurant during these works, and its reinstatement within the refurbished building.

In addition, a provision for public/community engagement during this programme of archaeological works should be put in place.

A condition has been applied to ensure that a comprehensive programme of archaeological work is undertaken, incorporating the above requirements. This is in accordance with NPF4 Policy 7o).

The implications of the proposed substantial demolition of the Joiner's Workshop and associated works in archaeological terms are assessed in the associated application for conservation area consent (reference 22/04769/CON).

Conclusion in relation to Historic Assets and Places

The proposed development will have an acceptable impact on the historic assets affected, in accordance with NPF4 Policy 7a), c), d), h), j) and o).

Site of Special Scientific Interest

The site is in proximity of the Arthur's Seat Volcano Site of Special Scientific Interest (SSSI), which includes the Salisbury Crags.

There is no direct connection between the site and the SSRI due to the existing residential development of East Parkside in between, and the low-level location of the development will have no adverse impact on the visual integrity of the SSSI's topographical formation.

The proposals are therefore in accordance with NPF4 Policy 4c).

Design, Quality and Place

NPF4 Policy 14 supports development proposals that are designed to improve the quality of an area and are consistent with the six qualities of successful places.

Built and Landscape Design

LDP Policy Des 1 provides that the design of a development should be based on an overall concept which draws upon the positive characteristics of the surrounding area, to create or reinforce a sense of place, security and vitality. It further provides that planning permission will not be granted for poor quality or inappropriate design, or for proposals which would be damaging to the area's character or appearance, particularly where this has a special importance. Likewise, LDP Policy Des 3 supports development where it is demonstrated that the existing characteristics and features worthy of retention on the site and in the surrounding area have been identified, incorporated and enhanced through its design. LDP Policy Des 4 states that development should have a positive impact on its surroundings in terms of height and form, scale and proportions and materials and detailing.

Sense of Place

The proposed development will create a new, distinguishable place which is rooted in the original architectural and landscape characteristics of the 1970s office development. This will be achieved through the interrelationship between the retained part of the original building and new residential blocks and landscaping. The new communal landscaped amenity spaces for each use on the site will be connected visually and physically and, along with access to the public, will further enforce a sense of place and encourage the site to become a hub for work, living and leisure activities.

The design will contribute to a pleasant and distinctive place to work and live, and the buildings will be adaptable, allowing for flexibility so that they can meet the changing needs of the office and residential markets over time.

Architecture and Materials

The design concept draws upon the positive characteristics of the site and surrounding area, clearly taking consideration of the modernist, geometric forms and tinted facades of the listed office building. The result is a coherent and integrated design from a variety of views and perspectives, which considers the importance and benefits of re-using the existing office structure and making the wider site sustainable in the long-term. A key component of the design is sustainable construction.

The height, mass, scale and materiality of the residential blocks does not detract from the views of the existing building as they were intended, even if the visual impact of the new build element is significant from certain viewpoints. The proposed building heights will be consistent with the listed office structure, as well as more recent developments within the surrounding townscape. The impact of the development from key viewpoints is assessed in detail in Section a) and the height of the new development will have no impact on any of Edinburgh's Protected Skyline Views.

In terms of form and detailing, the architecture of the proposed residential blocks is a contemporary interpretation of the listed office structure, with the individual hexagonal 'tower' blocks mimicking the forms of the taller office modules. This will create a coherent appearance across the site that will echo the geological formations of Salisbury Crags and provide visual continuity across the site, whilst maintaining a distinct contrast between the 1970's and 2020's architecture.

A high standard of design is incorporated in all details of the proposed development, including the proposed materials palette. This has been informed by the distinct materials of the listed office building but adapted to suit residential use. In particular, the bronze toned aluminium cladding for the elevations of the new apartment blocks will be better suited to residential use than extensive glazing, yet the overall appearance of the dark, reflective office façades will be evoked. The reuse of materials from the existing office building and its hard landscaping is sustainable and will create architectural continuity within the site. The proposed materials are also in keeping with the eclectic mix of materials of the surrounding area, which is evident in the modern buildings nearby.

A condition has been applied to ensure that the materials specifications are acceptable in terms of finer detailing, precise finish/tone and sustainability.

In addition, the design of the landscape setting around the proposed development will enhance the townscape appearance and connect the space around the building with the wider spatial network. Many of the trees bounding the site will also be retained.

Landscaping

The landscape concept draws inspiration from the original site landscaping associated with Dame Sylvia Crowe and uses landscape geometries that are strongly influenced by the site's hexagonal mesh. The retention of existing trees and planting of new trees on the boundaries, along with the balance of hard and soft landscaping proposed will evoke the original concept of a building within a landscape setting, albeit a series of structures rather than one large block.

The proposals include an extensive amount of planting throughout, introducing trees, shrubs, hedging and ground cover planting appropriate to the localised site conditions, as well as reflecting the original planting scheme. The size and species proposed are appropriate and will provide visual interest and shelter within the site, whilst contributing to rainwater attenuation and biodiversity enhancement.

The proposed hardstanding materials are appropriate to the site's original hard landscaping character and detailing, and will incorporate existing materials from the site, including from the demolished parts of the office building. At the same time, the siting and specifications will work effectively for the proposed office and residential uses and for water management purposes. The inclusion of more site furniture is an important addition to the original hard landscaping concept, and this will be constructed in sustainable and complementary materials.

Accessibility/Public Realm

LDP Policy Des 7 supports development which enhances community safety and urban vitality and provides direct and convenient connections on foot and by cycle.

The development design includes a comprehensive and integrated layout which supports the above policy objectives. The proposal will greatly improve the sites' permeability with areas for recreation and pedestrian and cycle priority. Transport nodes supporting active travel will be created through shared hard surfaces providing new convenient, connections through the site.

Internally, a network of paths will link directly to open spaces, building entrances and key services including cycle parking facilities. The proposed site layout has a focus on suitability for all users with all five paths into the site being fully accessible. Stepped access has been included where this is not possible.

The shared surface routes within the site will link to the adjacent streets of Parkside Terrace and Holyrood Park Road, improving access to nearby public transport, as well as to local shops and other facilities and services for users of the development.

Windows in the existing and new buildings on the site will generally face onto these surfaces and courtyards providing natural surveillance and enhanced security for users. Also, a lighting plan has been recommended by condition in the interests of ensuring community safety.

The new spaces that will be formed between the office building and new residential development, and between the individual apartment blocks, along with improved useability of the site through shared surfaces and public gardens and courtyards will enhance urban vitality. For these reasons, the site will be more attractive for a range of users, from office workers and residents to visitors and passers-by.

Density

LDP Policy Hou 4 states that the Council will seek an appropriate density on sites giving regard to the characteristics of the surrounding area, the need to create an attractive residential environment, accessibility and need to encouraging local services.

The density of the residential development is generally compatible with the character of the surrounding area.

The site area is large and good levels of open space (64% of the overall site area) will be achieved. The lower, five storey height of development on the south-west side of the site will be visually compatible with the scale of the historic tenements on Parkside Terrace, especially as Block D is set back from the street edge and less extensive in length than the tenement opposite. The increased height on the east side of the site, is appropriate as there is less uniformity to the scale and layouts of the existing buildings on Holyrood Park Road. The larger building along the north-west edge of the site (Block E) is sufficiently set back from the site edges to ensure that its impact on the adjacent residential buildings on East Parkside is acceptable.

Overall, the higher density of development proposed is appropriate on this site. It is relatively close to the city centre, benefits from good accessibility to public transport and makes efficient use of a brownfield site. Also, residential use on this site will help encourage and support the provision of local services and facilities.

Housing Mix and Sizes

LDP Policy Hou 2 seeks the provision of a mix of house types and sizes where practical.

The flat for sale on the open market will provide a mix of housing types from one-bedroom to four-bedroom family units. The three-bedroom apartments constitute 69% of the total provision, which meets the requirements of the Edinburgh Design Guidance (EDG). Most of the ground floor apartments have direct access to private gardens and almost all the flats on the upper floor have private terraces.

The affordable units are mainly one- and two-bedroom, with only 3 three-bedroom flats (5%). However, this deviation from the EDG standard of 20% is acceptable in order to accommodate the proposed 33% affordable element within a viable scheme. The issue of affordable housing provision, including unit sizes and tenure is assessed in a separate section below.

The Edinburgh Design Guidance includes minimal internal floor areas for flats and the units for open market sale and affordable flats all comply with these recommended minimum sizes, ranging from 52-72sqm for one-bedroom, 66-84sqm for two-bedroom and 86-139sqm for three-bedroom plus.

The number of dual aspect dwellings make up 72% of the overall units and this complies with the criterion of the Edinburgh Design Guidance.

The proposals are in compliance with LDP Policy Hou 2.

Summary

The development therefore complies with the development plan in terms of the proposed built and landscape design and scale and type of housing provision.

Affordable Housing

NPF4 Policy 16 supports development proposals for new homes where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes.

LDP Policy Hou 6 states that planning permission for residential development, including conversions, consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of 20 or more dwellings, the provision should normally be onsite.

The applicant has engaged early with the Affordable Housing and the Places for People group to find an onsite affordable housing solution and has submitted an Affordable Housing Statement which proposes the delivery of 57 affordable homes on-site (33% of the total number of units), which are to be a mix of social rent and mid-market rent. At this stage, the applicant is unable to confirm the tenure mix in detail. An outcome of on-going discussions between these parties has been the applicant's exploration of alternative options that would provide a more representative mix of units, with a higher number of family-sized flats, as the range proposed is not representative of the wider site. However, for various and complex reasons, none of these options are viable.

This scheme proposes a mix of 25 one-bedroom flats, 29 two-bedroom flats and 3 three-bedroom flats within tenure blind block (Block E), accessed from two stairwells. Block E is well integrated with the wider development and occupies one of the most advantageous areas of the site in terms of views north-eastwards to Holyrood Park. These homes will be close to regular public transport links and local amenities.

The applicant has made a commitment to provide 33% onsite affordable homes and this will be secured by a Section 75 Legal Agreement. This approach would assist in the delivery of a mixed sustainable community. However, at present, Affordable Housing cannot support the application as the applicant has not to date provided a proposal that would be financially viable for onsite affordable homes. The costings provided by the applicant for the 57 units currently proposed have a funding shortfall estimated at around £100,000 per unit for social rented homes and around £55,000 per unit for mid-market rented homes, meaning a substantial overall shortfall due to the scale of the development.

Notwithstanding the above, Affordable Housing would welcome further engagement with the applicant to find a viable means for the delivery of onsite affordable housing. The applicant has agreed to enter into a legal agreement with the Council to secure a minimum 25% onsite affordable housing provision, including the tenure type.

This bespoke approach is appropriate to the unique set of circumstances pertaining to this unique development, which is on behalf of a pension fund for the management of a significant property asset - a category A listed, 1970's office building of singular design by Sir Basil Spence and Partners. The preservation of a substantial part of this listed structure involves selective demolition and an extensive range of alterations and repairs to the remaining section to bring the office up to sufficient environmental, safety and health/wellbeing standards for viable lease in today's market.

The development requires a substantial new residential element to work overall, and the design and materials of the constituent blocks needs to be of a high and appropriate standard to avoid harming the setting of the listed office building. Most significantly, detailed information on construction costs is not known at this stage and will not be apparent until the Stage 4 build phase.

Exploring all possible options for securing onsite affordable housing within the process of formulating a Section 75 legal agreement is therefore appropriate in this exceptional case. Any alteration on the delivery of the onsite affordable units would require further planning approval based on the information available at that time.

Summary

The provision of 57 onsite affordable housing units complies with LPD Policy Hou 6 and this number of affordable units, or a minimum of 25% of the total units on site, will be secured by a Section 75 legal agreement, including the final tenure mix.

Residential Amenity

LDP Policy Des 5 seeks to ensure that the amenity of neighbouring residents is not adversely affected by development and that future occupiers of residential properties have acceptable levels of amenity.

The proposes residential use, along with the continuation of office use on the site, compatible with the mixed character of this area, which includes many residences in the vicinity, and will not lead to an unacceptable loss of amenity for any residential properties in the vicinity.

Communal/Private Outdoor Space

Residents will have access to the main communal gardens in the centre of the site where a series of courtyards will be created. In addition, there will be smaller landscaped spaces around the flatted blocks on the eastern area of the site.

The proposed courtyard designs include a mixture of hard and soft landscaping with various seated areas, children's play equipment and a range of planting. These spaces will be accessible from the residential buildings and streets on either side via new pedestrian/cycle routes.

In addition, the majority of flats will have large, terraced balconies and most ground floor flats will have private gardens.

The percentage of the site area which will be usable green space meets the 20% target of LDP policy Hou 3.

In addition, for the 157 units with no private gardens the total useable greenspace provision will meet the required provision of 10sqm per flat. In addition, private gardens at ground floor meet the 3m minimum depth as specified in the Edinburgh Design Guidance (EDG).

The site is also within walking distance of Holyrood Park and East Meadows Play Park.

Aspect

The EDG requires a minimum of 50% of flats to be dual aspect. In this case, 72% dual aspect flats are proposed within each residential block, so the proposal complies with this standard.

In addition, many flats will benefit from having full-length windows with balconies which will provide good levels of outlook and natural light internally.

Daylighting and Sunlight

Existing Occupiers

A solar study has been carried out to the specifications set out in the EDG during the Spring and Summer Equinox.

The site is near to the front gardens of the residential tenements on Parkside Terrace and Dalkeith Road to the west and north-west. The study shows that the nearest residential block on Parkside Terrace will result in additional shade on some of the front gardens at these times of the year. At the Spring Equinox, this additional shade will last until mid-morning and until early morning during the summer, but after this period, there will be no material impact on sunlight levels for these gardens. These properties benefit from large gardens at the rear which provide the main source of amenity space for the occupiers. Given this consideration and the limited hours of impact overall, the development will have no adverse impact on these residences in terms of sunlight.

The solar study also concludes that the proposals will have negligible impact on the external open spaces at the Parkside Bowling Club and East Parkside.

The EDG states that the amount of daylight reaching an external wall is measured by the Vertical Sky Component (VSC). This is required to be 27% or 0.8 of its former value. Where a development would not meet these requirements more detailed information such as the Average Daylight Factor (ADF) may be required.

A Daylight and Sunlight Report has been submitted which tests the effect of the proposed development on daylight levels for neighbouring residential properties. This includes properties facing the site at 1-14, 43 and 44 Parkside Terrace and at 1-6 East Parkside.

Overall, 92% of windows affected will meet the required VSC standards of the Edinburgh Design Guidance. For the 12 windows that fall short of these standards, ADF information has been submitted which shows that four bedroom windows at 1-6 East Parkside will marginally fall below the minimum standards, but the development will have a minor to negligible impact on these rooms.

The proposal demonstrates a high degree of compliance with the EDG in respect of daylighting. The degree of impact on neighbouring residents is minor and overall will not have an adverse impact on the amenity of neighbouring residents.

Future Occupiers

The EDG states that a measure of daylight, known as the 'no skyline' method, requires direct skylight to penetrate at least halfway into rooms.

For future occupiers, 91% of the rooms will meet this standard. For rooms that fail this standard, ADF information has been submitted. Only 12 rooms will fall short of the minimum ADF standard, comprising seven bedrooms and five living rooms. These results are comparable with other residential developments of this scale and density in Edinburgh. This level of daylighting is appropriate in this built up area, where full compliance with the standards is challenging.

The EDG sets out that new amenity areas should receive two hours of sunlight to at least 50% of their area at the Spring Equinox (March 21).

For future occupiers, 91% of the rooms will meet this standard. For rooms that fail this standard, ADF information has been submitted. Only 12 rooms will fall short of the minimum ADF standard, comprising seven bedrooms and five living rooms. These results are comparable with other residential developments of this scale and density in Edinburgh. This level of daylighting is appropriate in this built up area, where full compliance with the standards is challenging.

The EDG sets out that new amenity areas should receive two hours of sunlight to at least 50% of their area at the Spring Equinox (March 21).

A solar study has been carried out in line with the EDG. All six proposed garden spaces will exceed the minimum standards of receiving 50% sunlight for two hours. In addition, four spaces will achieve 80% sunlight for 3 hours or more.

It should be noted that some overshadowing is inevitable, mainly from the retained listed building on site due to its extent. However, a good proportion of the site will be useable green space, which is of good quality and well-designed, incorporating seated areas, a range of planting and children's play equipment.

In addition, the occupiers will benefit from the sites' proximity to large and local areas of greenspace. Holyrood Park and East Meadows Park are both within walking distance.

The level of sunlight for the new amenity areas is acceptable, given the proximity of the site to a public park and other outdoor amenity spaces.

Privacy/Overlooking/Outlook

The EDG states the pattern of development in an area will help define appropriate distances between buildings.

Almost all facing windows in the new apartments will be separated by over 20 metres to existing buildings. Generally, the new residential buildings will be separated from each other by between 13m to 15m at their closest point.

There is a range of separation distances evident in the area. Similar distances between flatted properties are evident nearby, on Oxford Street, for example. In this regard the position of buildings will not be at odds with the spatial pattern of the area. An appropriate degree of privacy will be achieved, compatible with the surrounding area.

Similarly, the space retained between buildings in tandem with the large openings and balconies will provide a good level of outlook for future occupiers.

Space Standards

All flats meet or exceed the minimum space standards in the EDG providing adequate internal space for future occupiers.

Noise

The site has residential properties nearby on Parkside Terrace, Dalkeith Road and East Parkside. The submitted Noise Impact Assessment (NIA) measures anticipated levels of noise at the closest existing dwellings to the site on each of these streets. This includes equipment to support the office and residential uses such as ventilation units and air source heat pumps. The NIA concludes that noise levels at these sources is anticipated to comply with the Councils' noise criteria.

As regards future occupiers, the NIA also includes glazing specifications to address road traffic noise which could affect residents in the new flats. Furthermore, it states that new amenity spaces within the site will comply with the relevant noise criteria.

Environmental Protection have been consulted on the proposals and raises no objection. Conditions have been applied in accordance with Environmental Protection's recommendations to ensure that the specified noise reduction measures are implemented, along with any other additional measures identified prior to occupation of the development.

In terms of noise generated from the proposed rooftop and rear terraces, noise can be generated at present from existing domestic and commercial external amenity spaces within the area and planning legislation has no control over the behaviour of future occupiers of the development using these spaces. Also, the proposed residential use is compatible with the character of this area where there are existing flats nearby. Office use has already been established on the site. In this respect, the use of the land for these purposes is not anticipated to give rise to any unreasonable noise levels.

Ground Contamination

Due to the previously developed nature of the site, a condition has been applied requiring a site contamination investigation to be carried out and any necessary mitigation measures to be put in place in the interests of future occupiers of the development, as recommended by Environmental Protection.

Summary

Overall, the proposed development will achieve acceptable levels of amenity for future occupiers. The amenity of neighbouring developments will not be adversely affected. The proposals therefore comply with LDP policy Des 5.

Transport, Road Safety and Infrastructure

NPF4 Policy 13 (Sustainable Transport) intends to encourage, promote and facilitate development that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

NPF4 Policy 18 supports development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs.

Traffic Generation, Access and Road Safety

Policy Tra 1 encourages major travel generating development to be located close to sustainable modes of transport.

A Transport Statement has been submitted in support of the application which provides an assessment of the transport considerations associated with the proposal.

Overall, it is anticipated the proposal will result in reduced traffic generation compared to the sites' existing lawful use as an office. Total trip generation for both the weekday morning and afternoon peak period will reduce with 23 and 20 fewer vehicular trips at these times respectively.

Vehicular access will be available through the site from Parkside Terrace via a one-way shared street, allowing vehicle movement at slow speeds while prioritising cyclists and pedestrians. This route will also provide access for refuse, emergency, and servicing. Existing two-way vehicular accesses to the surface level office car park will be retained, whilst the entrance into the undercroft car park will be relocated by approximately 3m on Holyrood Park Road.

The site layout creates new pedestrian and cycle access points into the site from Parkside Terrace to Holyrood Park Road. A network of routes will be created internally providing public access through the site, to open spaces and facilities and services beyond. The proposal will therefore significantly improve permeability throughout the site, creating east-west active travel corridors.

In addition, the site is located within a five-minute walk (less than 400m) of local bus stops on Dalkeith Road and East Preston Street. These include Lothian Service nos. 2, 14, 30, 33 and 51 providing regular bus services to the city centre and other areas of Edinburgh. Furthermore, there is existing active travel infrastructure in proximity to the site, including National Cycle Route 1 on East Parkside.

The site is within easy walking distance of a wide range of amenities including a designated Town Centre, a leisure facility and open space. The development will therefore contribute to an existing 20-minute neighbourhood.

An informative has been applied recommending the development of a Travel Plan by the applicant to encourage the use of sustainable modes of travel. This is in keeping with the NPF4 principles of connected and healthy places that make moving around easy and reduce car dependency.

Car Parking

Policy Tra 2 states that permission will be granted for development where car parking provision complies with and does not exceed parking levels set out in Council guidance. There is no minimum car parking level as set out in the EDG.

LDP policy Tra 4 (Design of Off-Street Car and Cycle Parking) states that design considerations should be taken into account for car parking.

The total car parking provision of 146 spaces (including 15 accessible spaces with an additional 18 motorcycle bays) for the office and residential uses combined is lower than the maximum number of spaces permitted under EDG standards. This provision will be approximately 200 spaces fewer than is currently on-site.

Cycle Parking

Policy Tra 3 states permission will be granted where proposed cycle parking and storage complies with standards in Council Guidance.

Policy Tra 4 states that cycle parking should be provided near building entrances and of an appropriate design.

The cycle parking factsheet states a principle for new development is for cycle parking provision to accommodate a minimum of 20% for non-standard bicycles. In addition, that no more than 50% of cycle parking spaces for new development should be via two-tier racks.

The combined cycle provision of 693 spaces (including 54 visitor stands) for the office and residential uses will be greater than the minimum provision required. This comprises a total of 190 spaces for the office and 503 spaces for the residential flats. Overall, the 129 non-standard cycles exceed the minimum number required but is slightly less than 20% of the overall total. In addition, approximately two-thirds of resident cycle parking will be provided via two-tier racks.

Summary

Overall, the proposal does not fully comply with the factsheet guidance as two-thirds of resident cycle parking will be provided via two-tier racks, whilst the provision of visitor cycle parking for the office is below the level specified in the EDG.

However, the development will provide good cycle parking provision across the whole site, significantly exceeding the required standards under this criterion. The location of the proposed cycle parking has a focus on accessibility for all users, with direct and convenient accessible routes into long and short stay provision via new shared surfaces across the site.

The office car parking provision exceeds EDG standards however overall, a significant reduction in car parking provision is proposed. In tandem with the provision of suitably designed cycle provision and EV chargers, the level of parking aligns with the LDP strategic transport objectives of encouraging a shift in travel to sustainable means. In addition, the provision of accessible car parking has regard to matters of equality. An informative has been included that these spaces should comply with the Disabled Persons Parking Places (Scotland) Act 2009.

Road Safety

With regards to road safety, there is a 20-mph speed limit on the road network around the site encouraging walking and cycling. In addition, a swept path analysis has been undertaken to outline how vehicles will safely move through the site and connect to the surrounding road network.

Transport planning have raised no objection on this matter. However, separate consent will be required for the works to the roads and an informative has been included to highlight this aspect to the applicant.

Education Infrastructure

This site falls within Sub-Area BJ-1 of the Boroughmuir/James Gillespie's Education Contribution Zone.

The proposed development is required to make a total financial contribution of £712,530 towards the delivery of secondary education infrastructure within this zone (additional secondary places at James Gillespie's High School and St Thomas of Aquin's RC High School) based on sums of £4,914 per flat and £17,267 per house. The proposed 29 one-bedroom flats have been excluded from this assessment.

An informative has been added to secure this contribution through a legal agreement.

Waste/Servicing

Waste will be collected via Dalkeith Road and Parkside Terrace and a Swept Path Analysis has been provided to demonstrate that an appropriately sized vehicle can enter the site. Detailed drawings have been submitted showing the locations and capacities of bin stores within the development, all of which will be located adjacent to the street in line with the Council's requirements. The type and capacity of bins, including recycling bins, will cater for different materials. There are also the requirements for trade waste producers to comply with other legislation, in particular the Waste (Scotland) Regulations.

An informative has been applied to ensure that the proposed waste and recycling strategy meets the requirements of the Council's Waste Planning services.

Summary

The proposed development will therefore have no detrimental impact on road safety or infrastructure. The scheme includes an appropriate level and type of car and cycle parking, including accessible parking spaces, to cater for the various transport needs of future users of this development. The proposal complies with LDP Policies Tra 1, Tra 2, Tra 3 and Tra 4.

Conclusion in relation to Design, Quality and Place

The development is in accordance with NPF4 Policy 14 in terms of improving the quality of this urban area and being consistent with the six qualities of successful places.

Conclusion in relation to the Development Plan

The proposed development broadly complies with the provisions of NPF4 and the LDP and there is not considered to be any significant issues of conflict.

c) Other matters to consider

The following matters have been identified for consideration:

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified. The scheme provides accessible access to all users of the office and residential elements of the development. There are internal lifts to access all floors, accessible car and cycle parking spaces and ramped access to all site facilities and external amenity spaces.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below.

Scheme 1

Grange/Prestonfield Community Council (GPCC)

material objections

- height and form of new blocks A, D and E will appear incongruous and not subservient to existing building on site or Arthur's Seat and Salisbury Crags;
- loss of 66% of existing trees on site is unacceptably high;
- Block D will dominate Parkside Terrace and both Blocks D and E could adversely affect daylight and sunlight for residents;
- percentage of affordable housing, including for social rent, needs to be confirmed before determination;
- insufficient mix for family needs in affordable housing element;
- question whether provision for useable greenspace meets LDP requirement of 20% of total site area - shouldn't count areas around office;
- welcomes improvements in pedestrian permeability through site, but urges Council to

- review pedestrian and cyclist safety and movement at major road junction; and
- nothing should impede scheme for Quiet Route 30 and could be scope for link from site.

support comments

- office use will provide local employment prospects compatible with residential development;
- re use of materials from demolitions;
- measures to improve environmental performance of office; and
- sustainability measures in proposed residential blocks.

other material objections

Historic Environment

- will destroy award-winning ensemble of Scotland's 20th architecture and landscape design, contrary to local, national and international conservation policy and practice;
- adverse effect on listed building through part demolition and inappropriate new development within setting;
- project does not demonstrate heritage-led approach and will result in significant and irreversible loss of fabric;
- no respect for original plan-form;
building could be retained and subdivided to accommodate variety of occupants with without need for extremely high sustainability aims;
- detrimental impact on views of listed building from Holyrood Park;
- adverse impact on views of Holyrood Park and Salisbury Crags from Dalkeith Road and Parkside Terrace;
- loss of green space detrimental to visual continuity from Holyrood Park;
- loss of Dame Sylvia Crowe's landscaped gardens and original car park;
- adverse effect on listed Commonwealth Pool;
- loss of part of listed building and loss of landscape setting does not preserve or enhance character or appearance of conservation area;
- tower blocks not in keeping with South Side Conservation Area; and
- negative impact on Edinburgh as tourist city due to blocking views of Arthur's Seat and Salisbury Crags.

The impact on the existing listed building on site and the adjacent listed buildings, including the setting of both and case for partial demolition of the office structure and undercroft car park, and the impact on the South Side Conservation Area is assessed in section a) of the assessment. The relevant determining issue is whether the proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance. In this case, the level of demolition proposed and other interventions are necessary to prevent the total loss of the heritage asset.

Use

- residential use inappropriate due to restricted space available and increased pressure on existing infrastructure;
- need more homes for rent and
- site could be used as school, care home or community hub.

The proposed uses on the site are assessed in section b) of the assessment and are judged to comply with the relevant LDP policies. The proposed affordable housing provision is assessed in a separate section within part b) and the issue of appropriate alternative uses is included in section a).

Sustainability

- adverse impact on biodiversity due to loss of trees and greenery;
- loss of trees;
- impact on wildlife during demolition;
- further development will cause strain on the drainage system;
- increase in noise and air pollution from extra traffic.

The sustainability of the development, effect on biodiversity and impacts on air pollution and infrastructure are assessed in section b) of the assessment and the proposals are judged to comply with the development principles of NPF4 and relevant LDP policies.

Design of New Buildings

- not in keeping with surrounding area;
- over-large height, scale and massing;
- buildings ignore scope of terrain;
- will dominate and loom over adjacent residences and
- inappropriate materials, especially dark bronze metal cladding.

The design of the development is assessed in section b) of the assessment and the proposals are judged to comply with the development principles of NPF4 and relevant LDP policies.

Amenity

- loss of daylighting, privacy, outlook for neighbouring properties in Parkside Terrace and East Parkside;
- noise from balconies will affect residents' amenity in East Parkside;
- removal of existing boundary wall with East Parkside will result in flats being directly overlooked;
- increased pedestrian activity will add to noise and disturbance in East Parkside;
- loss of open space;
- no play areas will be provided; and
- significant impact on health and wellbeing of local residents.

The impact of the proposed development on the amenity of existing and future residents of the area is assessed in section b) of the assessment and the proposals are judged to comply with the development principles of NPF4 and relevant LDP policies. Loss of private views are not protected in planning policy.

Access, Parking and Infrastructure

- increase in parking and traffic will affect safe and easy access for pedestrians and cyclists;
- increase duration of heavy traffic flow will cause congestion;
- Parkside Terrace will be used as drop off zone;
- insufficient social element to affordable housing provision and too many one-bedroom flats;
- insufficient local infrastructure, including health and education, for number of dwellings proposed; and
- will exacerbate existing bin collection problems.

The impact of the proposed development in terms of access, parking and infrastructure is assessed in section b) of the assessment and the proposals are judged to comply with the development principles of NPF4 and relevant LDP policies. The required infrastructure will be secured through a Section 75 legal agreement.

other support comments

- design of new buildings and masterplan for wider site is respectful of heritage
- value of office and location;
- will provide Grade A office accommodation which is lacking at present;
- project will create significantly more flexible workspace;
- proposed mixed-use in keeping with character of surrounding area;
- use of brownfield site for much-needed housing, including affordable element;
- retention of majority of existing building structure will avoid loss of substantial embodied carbon;
- sustainable scheme will support policy objectives for achieving net zero carbon;
- targeting of EPC rating of A and BREEAM 'Excellent' rating for office and
- provision of 35% affordable housing.

general comments

- existing Dame Silvia Crowe planting and hard landscaping should be documented;
- proposal to incorporate aquatic planting within pools should be based upon historic evidence;
- should consider new tree planting or establishment of scrub woodland along north-eastern boundary to act as screening device;
- opportunities should be taken to improve safe movement for all;
- accessibility through site to Holyrood Park should be improved and
- scheme should provide link into the proposed Quiet Route 30 scheme.

A condition has been applied to ensure that the existing landscaping on site will be documented and details of the proposed planting scheme are assessed in sections a) and b) of the assessment. The issue of accessibility through the site is addressed in sections b) of the assessment and the proposals will have no impact on proposed Quiet Route 30.

non-material comments

- noise, dust and disruption for residents during construction;
- danger to school children from construction traffic;
- structural damage to properties due to groundworks and construction traffic;
- impact on road surface in Parkside Terrace due to extra traffic;
- deferred residents' parking permits scheme should be reconsidered;
- antisocial behaviour of future residents;
- office workers smoking outside;
- use of flats as short-term lets and
- profits and dividends of applicant's pension fund.

The issues raised above are non-material in planning terms. However, an informative has been added recommending that a construction environmental management plan is submitted and approved by the Council in the interests of environmental protection.

Scheme 2

Grange/Prestonfield Community Council (GPCC)

material objections

- raising of Block B to seven storeys could have adverse visual impact on Salisbury
- Crags and landscape behind and
- computer generated images don't show how new buildings and foreground/background would look from further south along Dalkeith Road.

support comments

- lowering of Blocks A and E to six floors and Block D to five/four floors will better relate to existing housing on Parkside Terrace and East Parkside.

other material objections

Historic Environment

- loss of a substantial proportion of listed building not justified;
- part demolition will set dangerous precedent for other listed buildings;
- destruction of vast majority of designed landscape and building's relationship with Holyrood Park as consequence;
- risk of building's listing being downgraded from Category A listing if proposed works are implemented;
- adverse impact on setting of listed building;

- detrimental impact on view east from Dalkeith Road and view west/south from Arthur Seat; and
- proposed new development is inappropriate in terms of scale and architecture to nature of conservation area.

The impact on the existing listed building on site and the adjacent listed buildings, including the setting of both and case for partial demolition of the office structure and undercroft car park, and the impact on the South Side Conservation Area is assessed in section a) of the assessment. The relevant determining issue is whether the proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance. In this case, the level of demolition proposed, and other interventions are necessary to prevent the total loss of the heritage asset.

Sustainability

- loss of mature gardens and trees;
- destruction of existing wildlife habitats on site; and
- drainage runs under gardens of 1-7 East Parkside, so development could result in flooding of townhouses if linked.

The sustainability of the development, effect on biodiversity and impact on infrastructure are assessed in section b) of the assessment and the proposals are judged to comply with the development principles of NPF4 and relevant LDP policies.

Design of New Buildings

- new buildings too high and proposed plan and design unsympathetic and uninspired;
- height of proposed buildings will significantly change character of neighbourhood;
- scale of Block A out of character within Newington;
- too dense and heavy in design;
- dark façades of three tower blocks will change whole character of Holyrood Park Road due to proximity to boundary wall, compared with existing office building;
- colour/material of elevations is too dark should tone in with newer buildings in area;
- elevation of Block E facing East Parkside is dour and characterless and
- detailing of lower cost housing cheap and basic as seems to lose distinctive shape of rest.

The design of the development is assessed in section b) of the assessment and the proposals are judged to comply with the development principles of NPF4 and relevant LDP policies.

Amenity

- no viewpoint of proposed development from East Parkside and
- reduction of Block E by one storey insufficient, given proximity to existing flats;
- no viewpoint of proposed development from East Parkside Open Areas so can't assess effects of Block E on views and daylighting;

- Blocks A and B will dwarf all four storey neighbouring buildings and significantly reduce privacy and light for East Parkside residences;
- Block E will result in lack of privacy and sunlight for residents in East Parkside;
- no clearly discernible distinction between public and private spaces;
- proximity of footpaths to ground floor dwellings could impact on amenity and overlooking;
- proposed gate in new railings between site and East Parkside would give easy access to private estate and result in increased noise from pedestrians;
- 1.6m height of railings along length of mutual boundary with East Parkside should match 1.95m height of railings along Parkside Terrace to be effective barrier to pedestrian intruders;
- more appropriate to install proposed new railings along top of existing remnant stone wall; and
- negative impact on health and wellbeing of local residents.

The impact of the proposed development on the amenity of existing and future residents of the area is assessed in section b) of the assessment and the proposals are judged to comply with the development principles of NPF4 and relevant LDP policies. Loss of private views are not protected in planning policy.

Access, Parking and Infrastructure

- reduction of current site's car parking capacity by half will create significant parking issues for neighbouring residents;
- risk of overspill of parking into East Parkside due to new gate proposed boundary railings;
- lack of proper disabled access on ramped section and
- insufficient information about how number of new residents will be catered for in terms of local schools, GP surgeries and other services.

The impact of the proposed development in terms of access, parking and infrastructure is assessed in section b) of the assessment and the proposals are judged to comply with the development principles of NPF4 and relevant LDP policies. The required infrastructure will be secured through a Section 75 legal agreement.

support comment

- refurbishment of remaining Spence building is acceptable and supportable; and
- welcome proposals to refurbish associated landscaping and restore reflecting pools.

non-material comments

- right of access over East Parkside land;
- level of developer profit and
- developer's previous management of wildlife on site.

The issues raised above are non-material in planning terms.

Conclusion in relation to other matters considered

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposal is acceptable with regard to Section 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 in terms of preserving a substantial part and features of the listed building that embody the special architectural interest that it possesses. The character and appearance of the conservation area will be preserved.

Overall, the development is in accordance with the development plan. The proposals will deliver a sustainable and well-designed, office and residential scheme that will contribute to climate mitigation and adaptation and will encourage biodiversity. The scheme will support the existing mixed uses surrounding the site and is consistent with the six qualities of successful places as set out in NPF4. The design draws on the unique architectural and landscape character of the site and will create a strong sense of place.

Any deviations from Council policy or guidance are relatively minor and balanced by the wider benefits of the development in terms of the provision of high quality office accommodation and housing with an appropriate affordable element on a brownfield site, along with reduced reliance on car usage. Moreover, this is an exceptional situation where opportunities for development on this site are severely restricted by the need to preserve a substantial part of this category A listed building. Alternative uses are limited due to the unique form, massive scale and condition of this structure.

Other material considerations support the presumption to grant planning permission.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. A detailed methodology statement for the demolition of Modules 8-12 and alterations to the retained Modules 1-7 hereby approved shall be submitted and approved in writing by the Planning Authority before any works commence on these structures. This shall include details of the proposed re-use of any materials/architectural features and details of the proposed repair/replacement materials. No part of the residential development hereby approved shall be occupied until a substantial amount of the approved works to the retained part of the office building have been completed and before written approval has been obtained from the Planning Authority.

3.
 - i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
 - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
4. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, public engagement, interpretation analysis and reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This shall include detailed surveys to be undertaken prior to and during demolition/strip out works of the listed office building and the removal of the undercroft car park and existing landscaping on the site. These surveys will include surveyed elevations, phased plans, combined with photographic and written surveys and archival research to provide an accurate and permanent record of these assets.

A detailed mitigation strategy is also required for the temporary removal and storage of the commemorative opening inscription within the former staff restaurant during these works, and its reinstatement within the refurbished building.

5. A detailed specification, including trade names (where appropriate) and sources, of all the proposed external materials (including salvaged/recycled materials from the demolished structures) for repairs and alterations to the retained office building on the site and proposed new buildings and landscaping 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.
6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
7. Details of the proposed lighting strategy, including the proposed fittings and locations, shall be submitted to and approved in writing by the Planning Authority before construction of the new residential development hereby approved is commenced.

8. The electric vehicle charging points should be fitted with a minimum of 13- amp 3Kw (external three pin-plug) with capacity in mains for 32 - amp 7Kw electric vehicle charging sockets. They shall be fitted at every car parking space, installed and fully operational prior to the development being occupied.
9. The noise mitigation measures as specified within RMP Technical Report No. R-9328E-DJCRGM, dated 10 August 2022, shall be implemented prior to occupation of the development.
10. Prior to occupation of the development, a noise impact assessment (NIA) shall be provided which assesses all proposed plant on site. The NIA shall prescribe mitigation measures to ensure that noise from this plant will be within acceptable noise limits. These measures shall be agreed with and approved in writing by the Planning Authority and implemented before any part of the development is occupied.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to safeguard the character of the statutorily listed building.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to safeguard the interests of archaeological heritage.
5. In order to enable the planning authority to consider this/these matter/s in detail.
6. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
7. In order to enable the planning authority to consider this/these matter/s in detail.
8. In the interests of sustainability.
9. In order to safeguard the amenity of neighbouring residents and other occupiers.
10. In order to safeguard the amenity of neighbouring residents and other occupiers.

Informatives

It should be noted that:

1. Planning permission shall not be issued until a suitable legal agreement has been concluded to secure the following:

Affordable Housing

- 25% of the residential units to be of an agreed affordable tenure, delivered in accordance with the Council's affordable housing policy and guidance, including an appropriate social rent element.

Education Infrastructure

- the sum of £712,530 towards the delivery of secondary education infrastructure within Sub-Area BJ-1 of the Boroughmuir/James Gillespie's Education Contribution Zone (additional secondary places at James Gillespie's High School and St Thomas of Aquin's RC High School) based on sums of £4,914 per flat and £17,267 per house, excluding the proposed 29 one-bedroom flats.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

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. A construction environmental management plan, relating to biodiversity (CEMP: biodiversity) shall be submitted to and approved in writing by the Council. The CEMP shall include the following:
 - a) risk assessment of potentially damaging construction activities;
 - b) identification of "biodiversity protection zones";
 - c) practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
 - d) location and timing of sensitive works to avoid harm to biodiversity features;
 - e) times during construction when specialist ecologist need to be present on site to oversee works;
 - f) responsible persons and lines of communication;
 - g) role and responsibilities on site of ecological clerk of works (ECoW) or similar competent person and
 - h) use of protective fences, exclusion barriers and warning signs.
5. The applicant should develop a Travel Plan including the provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport.
6. All accessible parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles.

The applicant should therefore advise the Council these bays should be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All accessible parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

7. The applicant should consider the provision of car club vehicles in the area. A contribution would be required but this does not require to be included in any legal agreement.
8. The applicant should note that the proposed works to the road are not approved at this stage and require to be the subject of separate applications for road opening permits etc. The applicant should note that Dalkeith Road is a 'traffic sensitive street' and this may affect construction methods and timescales.
9. The applicant should be advised that, as the development is located in Zones 1 to 8, occupiers of the development not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See https://democracy.edinburgh.gov.uk/Data/TransportandEnvironmentCommittee/20130604/Agenda/item_77__controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf (Category A - New Build).
10. The proposed waste and recycling strategy shall be submitted to the Council's Waste Planning services for approved in writing to ensure that it meets the necessary requirements.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - [Local Development Plan](#)

Date Registered: 22 September 2022

Drawing Numbers/Scheme

01,02A-08A,09,10,11A,12,13A-20A,21,22,23A-26A,27-29,30A-36A,37,38,39A-40A,41,42A,43A,44,45A-66A,67,68,69A-71A,72,73A,74,74A,76,77A,78,79A,80,81A,82A,83+84A-86A

Scheme 2

**David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council**

Contact: Clare Macdonald, Senior Planning Officer
E-mail:clare.macdonald@edinburgh.gov.uk

Summary of Consultation Responses

NAME: Edinburgh Airport

COMMENT: The development does not conflict with aerodrome safeguarding criteria.

DATE: 18 April 2023

NAME: Communities and Families

COMMENT: This site falls within Sub-Area BJ-1 of the Boroughmuir/James Gillespie's Education Contribution Zone.

The proposed development is required to make a total financial contribution of £712,530 towards the delivery of secondary education infrastructure within this zone (additional secondary places at James Gillespie's High School and St Thomas of Aquin's RC High School) based on sums of £4,914 per flat and £17,267 per house. The proposed 29 one-bedroom flats have been excluded from this assessment.

DATE: 16 May 2023

NAME: Historic Environment Scotland

COMMENT: From the beginning of the pre-application process we have been aware that this is a distinctive, even unique, listed building with a particular set of complex issues, including the considerable scale of its existing open-plan floorplates, its use and location within the city, its largely-glazed facades and its landscaped and split-level site.

In our consideration of the applications, we have seen no issue with the principle of a mixed-use development on the site, welcoming the continued use of (the majority - and most visible portions of) the category A listed building as an office, assisting its intangible cultural significance. We are aware with the difficulties in converting the building to other uses that are perhaps more common in listed building casework in the city, and from an early stage accepted that the retention of the entire building in its current form and operation was unlikely.

However, it is clear that the current proposals are far from a conservation-based scheme. The demolition and truncation of the building, the extent and detail of the refurbishment and the scale of proposed new buildings would result in adverse, and harmful, impacts to both the listed building's special interest and its immediate and wider setting. There would also be impacts on the setting of the A-listed Royal Commonwealth Pool, the Royal Park of Holyrood and the inventory designed landscape of the Palace of Holyrood House.

Since the start of the pre-application process our objective has been to find a scheme that represents the least harmful viable scheme for the building and its setting, whilst retaining the elements that make up the building's special interest. We have tasked the applicants to substantiate that a less harmful set of proposals for the building's reuse does not exist, or is unlikely to exist.

We have received an assessment on the viability of the proposals, and the wider Edinburgh office market, from your Council, as well as an assessment from our in-house colleagues. We have also obtained additional information on the detailed design elements, including the glazing, foyer design and other internal features.

In conclusion, although we commend the design development and commitment to low carbon principles, the proposals are radical, and we consider they would be harmful to both the listed building and its setting. Having said this, after due consideration of the exceptional difficulties in ensuring the long-term future and reuse of a listed building of this scale and distinctiveness, and looking at the economic viability, on balance, we are not reasonably convinced that a less harmful viable scheme for the listed building and its setting is likely to exist. We think it possible that if these proposals were to fail and the building were to come onto the open market we may see a more harmful scheme for the building and its setting, or even proposals to demolish it completely. With this in mind, we have decided not to object to the current application(s).

If your Council is minded to approve the applications we would suggest a series of detailed conditions on the refurbishment of the listed building, including the glazing's appearance and detailing, salvage/reuse of existing stair cores, salvage/reuse of stone facings and timber panelling, foyer cantilever detail.

DATE: 1 May 2023

NAME: Southside Community Council

COMMENT: *Scheme 1*

Southside Community Council objects to the current proposal. We appreciate the problems with the buildings as they currently are, and have no objection to the principle of redeveloping the site, and no notable objections were made to the suggested modification of the office building and the existing carpark.

We also note that it is being planned to meet the upcoming requirements of 35% affordable housing, rather than the existing requirement. We hope that this is intended to be social rented accommodation, given the expectation of the City of Edinburgh's social housing policy that 70% of any affordable housing would be.

Summary of concerns:

1. affordable housing - does not appear to be tenure blind and is heavily slanted towards smaller flats, with few suitable for comfortable family living in conflict with the Guidance for
2. massing and design - potential impact of the new buildings on daylighting and privacy for current residents due to height and proximity;
3. area character impact - there are concerns about the way the buildings will fit into the character of the local area, particularly in terms of height;
4. capacity of local services - local services may not have capacity to accommodate the number of new residents; and
5. tree loss - the removal of a large number of trees, most of which are in a satisfactory condition and add to the amenity and landscape of the site.

Scheme 2

At present there is there is no pedestrian access between the Scottish Widows site and the East Parkside Development because that is prevented by a concrete 'baffle' wall which is approximately 4 metres high above ground level along most of its length.

There is a gate at the eastern end of that wall but it is kept permanently locked. It would be in the best long-term interests of the residents of both sites for that lack of pedestrian open access to continue, rather than the proposed arrangement of a gate in the new boundary railings.

The Developers do not intend to provide any formal paths through the garden along the northern boundary of the site, but planting with bushes and trees will not in any way deter pedestrians from walking across the open garden from East Parkside into the site or from the site into the East Parkside Development.

If the redevelopment of the site is approved, it should be subject to a condition requiring the developer to build a suitable secure barrier along the length of the mutual boundary to prevent access, perhaps a medium height wall surmounted by railings.

DATE: 2 May 2023

NAME: Scottish Water

COMMENT: No response received, but Scottish Water has confirmed in writing to the applicant that there is sufficient infrastructure capacity in the system to accommodate the anticipated demand from the proposed development.

DATE:

NAME: Flood Planning

COMMENT: This application can proceed to determination.

DATE: 26 April 2023

NAME: Environmental Protection

COMMENT: Environmental Protection has no objections to the proposed development, subject to conditions regarding site contamination, noise mitigation measures and electric vehicle charging points.

DATE: 16 May 2023

NAME: SEPA

COMMENT: The proposals should meet the aspirations of CEC's Water Vision, City Mobility Plan, Climate Strategy and Low Emissions Zone to meet the city's ambitions for net zero emissions.

The potential for flood risk at this appears to be surface water, so the appropriate climate change uplift should be applied to the peak rainfall intensity with a value of 39% for the Forth River Basin.

The site is within close proximity to an AQMA (400m to the east), and also the LEZ and has the potential to impact on the AQMA and the Council's AQ Action Plan, particularly during the construction stage where disruption to the traffic network is likely.

The Council needs to form its own view on the significance of the effects on air quality and that the cumulative impact of the development has been considered.

This development is a very good opportunity for the city's Water Vision to be enabled in an existing built-up area of Edinburgh.

The proposal for re-development could entail a significant amount of material from demolition, ground preparation, so SEPA would like to be involved in any discussions on sustainable waste management.

DATE: 7 November 2022

NAME: Affordable Housing

COMMENT: The applicant has made a commitment to provide 33% on site affordable housing and this will be secured by a Section 75 Legal Agreement. This approach would assist in the delivery of a mixed sustainable community: However, the applicant

has not provided a proposal that would be financially viable for onsite affordable housing and therefore this application is not supported by the Housing Service.

- The applicant has submitted an "Affordable Housing Statement", setting out their approach to the following points and which will be a public document available on the City of Edinburgh Council's Planning Portal.
- The applicant has to agree with the Council the tenure type and location of the affordable homes.
- The applicant has been in discussion with a Registered Social Landlord (RSL) to deliver the affordable housing on site, but no financially viable option has yet been presented.
- The applicant has provided a commitment to deliver a mix of social rent and mid-market rent homes on site
- In the interests of delivering mixed, sustainable communities, the affordable housing policy units is expected to be identical in appearance to the market housing units, an approach often described as "tenure blind".
- The affordable homes should be designed and built to the RSL design standards and requirements.
- The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal. This would be subject to a viable proposal for affordable housing.

The housing service would welcome further engagement with the applicant to find a viable means for the delivery of onsite affordable housing.

We would be happy to assist with any queries on the affordable housing requirement for this application.

DATE: 11 May 2023

NAME: Transport Planning

COMMENT: No objections to the proposals, subject to appropriate conditions/informatives regarding the office parking provision, the accessible parking spaces, development of a Travel Plan, provision of car club vehicles in the area, other consents for works to the road, and residents parking permits.

DATE: 16 May 2023

NAME: Archaeologist

COMMENT: The proposals with seek to remove roughly 30% of the current A-listed structure along with its original carpark and internal alterations. It is essential that a programme of historic building recording is undertaken during demolition to record elements that are affected.

A detailed mitigation strategy should be submitted for approval prior to any demolition works/development commencing for the taking down, securely storage and rebuilding of the Scottish Widows commemorative opening inscription.

The programme of archaeological works should contain provision for a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards), the scope of which to be agreed with CECAS.

Condition should be attached to ensure that these measures are undertaken.

DATE: 14 November 2022

NAME: Waste Services
COMMENT:
DATE:

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 24 May 2023

**Application for Listed Building Consent
15 Dalkeith Road, Edinburgh, EH16 5BH.**

Proposal: Selective demolition, adaptation, extension and upgrading of Class 4 office building, demolition of car park and ancillary buildings and proposed development of residential accommodation with associated landscaping, parking and infrastructure.

**Item – Committee Hearing
Application Number – 22/04768/LBC
Ward – B15 - Southside/Newington**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because 10 material objections have been received and it is recommended for approval. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The proposal is acceptable with regard to Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 in terms of preserving a substantial part and features of the listed buildings that embody the special architectural interest that it possesses, and there will be no detrimental impact on the setting of any listed buildings, or the character and appearance of the conservation area.

Overall, the proposals comply with Historic Environment Scotland policy and guidance, with particular regard to securing a sustainable and long-term use of the retained part of this category A listed building. Whilst the level of demolition and interventions will have a significant impact on the listed building, these are justified as being the minimum level of intervention necessary to preserve the building's special interest.

SECTION A – Application Background

Site Description

The application site measures 2.5 hectares and is located on the north side of Dalkeith Road to the east of Holyrood Park Road and west of Parkside Terrace. East Parkside runs adjacent to the north site boundary. The Old Town and city centre is approximately one mile to the north-west.

The site is occupied by the former Scottish Widows Headquarters building and its landscaped grounds which replaced a Baronial style printworks (Parkside Works), dating from 1872 with later additions. The current building is a category A-listed, modern Expressionist style, reinforced concrete, modular office by Sir Basil Spence, Glover and Ferguson constructed between 1972 and 1976 (reference LB50213, listed on 03.03.2006). The structure comprises a cluster of 12 interlocking hexagonal blocks ranging from one to four storeys in height, with a basement and sub-basement, with continuous curtain wall glazing formed in brown solar glass within bronzed metal frames. The open-plan layout follows the 'Burlandschaft' concept which evolved in German office architecture in the 1950s and 1960s and the hexagonal modular layout was influenced by the BP-Haus headquarters in Hamburg, although the dolerite formations of Salisbury Crags could also have inspired the design.

A concrete constructed, double-height undercroft car park and boiler house with 300 parking spaces and a few cycle spaces is located to the rear of the building in the northern section of the site, concealed beneath landscape terraces and a sunken garden area to the south-east of the car park. These structures connect to the main building via an underground tunnel. There are 50 surface car parking spaces under pilotis at lower ground level in the south-east section of the site.

The surrounding landscaping is integral to the building, occupying approximately 1.6 hectares of the site. The design was influenced by Dame Sylvia Crowe and transitions from a more formal character, with two reflecting pools and areas of lawn addressing the urban context of Dalkeith Road, to a naturally inspired landscape in the rear section of the site towards Holyrood Park. A key feature of the section is the landscaped decks over the undercroft car park. The original species mix comprised a selection of simple, robust, low level ground cover with a limited selection of hardy native trees. Some of this planting scheme is still evident, but much has been obscured by overgrowth and other invasive species. The seating areas along the walkway over the car park are later additions.

The interior comprises extensive open-plan floorplates with two service core stairs and lifts without any traditional corridors. The stairwells and feature internal walls and external walling at the lower levels are faced in riven Yorkstone. The original 'Dampaline' acoustic ceiling tiles, fluorescent strip lighting and yellow-green carpet tiles have been replaced with modern finishes and none of the 1970's office furniture or café fittings remain. Nothing is left of Dame Sylvia Crowe's original interior planting scheme and other notable internal landscape features. However, the original exposed coffered ceiling slabs are still in situ within the entrance area.

The building has been vacant since 2020 and has not changed use from an office since construction. The gross internal floor area is approximately 26,800 square meters.

The site includes an L-plan former stable and carriage-house block, known as the Jointers' Workshop, at the far north-east corner of the site. The building is named after its most recent use as a training venue for electrical cable jointers. This structure is not listed and comprises a two-storey, squared sandstone constructed range with a longer east-west running wing. The stables and carriage house form the shorter north-south running wing. The longer wing has decorative crowstepped gables. An electricity substation sits on the site of the former coachman's house to the immediate south of the Jointer's Workshop behind a high sandstone wall and the gated vehicular entrance from Holyrood Park Road is flanked by stone piers. The Jointer's Workshop was built up against a warehouse that was demolished in 1981 and replaced by the current brick retaining wall along its eastern edge. The range was altered when converted to garages in 1925 and is now in very poor structural condition.

The following listed buildings are located in the immediate vicinity of the site:

- the Royal Commonwealth Pool at 21 Dalkeith Road and Holyrood Park Road, category A listed (reference LB43148, listed on 29.03.1996);
- University of Edinburgh, St Leonard's Hall at 18 Holyrood Park Road, including boundary walls, category A listed (reference LB28619, listed on 12.12.1974);
- Preston Street Primary School at corner of East Preston Street and Dalkeith Road, category B listed building (reference LB30047, listed on 12.12.1974); and
- Newington Old Burial Ground at 31 East Preston Street and Dalkeith Road, boundary walls and watchtower, category B listed building (reference LB27934, listed on 14.12.1970).

The site is within the South Side Conservation Area.

Description of the Proposal

The proposal is for the demolition of five out of the twelve modules of the existing office building and the undercroft car park. The remaining structure will be adapted, extended and upgraded to form office accommodation comprising 19,252 square metres in gross internal floor area, including an ancillary café, creche and cycle store.

Demolitions/External Alterations

The five modules to be demolished (Modules 8-12) constitute the north section of the existing office building.

The seven retained modules (Modules 1-7) on the building's south section will be extensively altered and upgraded.

Externally, the glazed curtain wall system will be removed and replaced. The new system will be constructed primarily with tinted, opaque glass panels with openable windows on the upper levels. The proposed framing will largely replicate the uniform mullion pattern of the existing and will be constructed in Polyester Powder Coated (PPC) aluminium with dark bronze toned mullions and transoms.

The lower section of the module used as the reception area (Module 1) will be extended slightly with the same detailing, except for clear, butt-jointed glazing replacing the existing aluminium framed, clear glazing. The supporting columns over the pond and bridge leading to the front entrance will be retained with the formation of a larger entrance platt.

The roof structure of the module at the building's west corner (Module 4) will be removed and an additional storey will be added in matching design and materials. Half the roof of Module 3 in the central area of the building will be removed to incorporate a large sky light.

The undercroft car park and energy centre/boiler house in the north-east section of the site will be demolished.

Sections of the existing stone boundary wall and railings will be removed to form new vehicular/pedestrian accesses from Holyrood Park Road and Parkside Terrace.

Internal Alterations

The proposed internal adaptations to the building are associated with the aims of improving the interior's legibility and the retention, restoration and enhancement of existing original features. These works include the following:

- the formation of a full-height, central circulation core in Module 3 with concrete connecting walkways, and a feature spiral hanging stair and internal, irrigated, green wall;
- the hanging stairs in Modules 3 and 9, including the Yorkstone clad walling in the stairwells, will be relocated to new small stair cores in Module 5, but with replacement handrails and barriers;
- the existing steel "Management" stair located in the reception area (within Module 1) will be relocated to a new café in Module 7, along with its original decorative features;
- the relocation of the original double doors, and any original panelling remaining within the Boardroom at third floor level in Module 3, to first floor level to decorate the back wall of the office floor in Module 1; and
- areas of original Yorkstone cladding in various locations will be relocated in Module 1 (along with the commemorative opening inscription within the former staff restaurant), at courtyard and lower ground level as wall surfaces within the proposed circulation spaces, in the new café and within the landscaping (including around the amphitheatre outside Module 7).

Elsewhere the internal alterations involve the erection of new partitions to form a cycle store and changing facilities at lower ground level within Module 4, and other limited partitioning associated with the formation of new café and other facilities within other multi-function areas.

Non-original ceilings and partitions will be removed across all floors.

Scheme 1

The original scheme proposed:

- a different curtain wall pattern and detailing for the office building and
- less salvage and re-use of original internal materials within the new office.

An associated application for planning permission has been submitted for the erection of a new residential development comprising 174 apartments in five separate blocks on the remainder of the site, including associated landscaping, parking and infrastructure (reference 22/04766/FUL).

The proposed substantial demolition of the Joiners' Workshop is the subject of the associated application for conservation area consent (reference 22/04769/CON).

Supporting Information

- Heritage Statement;
- Planning Statement and Addendum;
- Design and Access Statement and Addendum;
- Townscape and Visual Appraisal and Addendum;
- Existing Building Performance Review Report (ARUP);
- Report on Suitability for Occupier Occupation and
- Economic Impact Assessment.

Relevant Site History

13/03005/LBC
15 Dalkeith Road
Edinburgh
EH16 5BH

Internal alterations to remove existing partitioning, ceilings, panelling and remove asbestos materials and to upgrade power, data, lighting and air-conditioning. Installation of new raised access floor, ceilings, and the reconstruction of 6No rooms, including 1st floor offices and boardroom, salvaging existing elements where possible, and re-creating internal finishes, features, built in fixtures and furniture to match the detailing and appearance of the previous existing installation.

Granted
13 September 2013

Other Relevant Site History

There is no other relevant planning history.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Historic Environment Scotland

Archaeologist

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 5 April 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 14 April 2023 14 October 2022

Site Notices Date(s): 11 April 2023 11 October 2022

Number of Contributors: 41

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) within a conservation area, this application for listed building consent requires to be assessed against Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- Having due regard to HES Policy and guidance, do the proposals:
 - a. harm a listed building or its setting? or
 - b. conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

Assessment

To address these determining issues, it needs to be considered whether:

a) The proposals harm the listed building or its setting?

The following Historic Environment Scotland (HES) guidance is relevant in the determination of this application:

- Managing Change: Use and Adaptation of Listed Buildings
- Managing Change: Setting
- Managing Change: Interiors

Character of Listed Building

Principle of Use and Adaptation

Historic Environment Scotland (HES) emphasises the importance of retaining listed buildings and only resorting to demolition if every other option has been explored. Keeping listed buildings in an existing use or finding a new use that has the least possible impact, is the best way to protect them. Alterations to a building, even if extensive, is better than losing the building entirely.

This proposal is assessed against HES's Managing Change publication "Use and Adaptation of Listed Buildings". HES's guidance, "Demolition of Listed Buildings" does not apply in this case, as only 5 out of 12 modules (Modules 8-12) will be removed, meaning that approximately two-thirds of the building will remain. "Demolition" is defined as the total or substantial demolition of a listed building, which is not applicable to the more selective level of demolition proposed in this development.

The proposal is acceptable with regard to Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 in terms of preserving a substantial part and features of the listed buildings that embody the special architectural interest that it possesses, and there will be no detrimental impact on the setting of any listed buildings, or the character and appearance of the conservation area.

Overall, the proposals comply with Historic Environment Scotland policy and guidance, with particular regard to securing a sustainable and long-term use of the retained part of this category A listed building. Whilst the level of demolition and interventions will have a significant impact on the listed building, these are justified as being the minimum level of intervention necessary to preserve the building's special interest.

Section 4 on page 13 of the "Use and Adaptation" guidance concerns 'selective demolition' which is "*a different consideration from substantial demolition, which would involve the total or substantial loss of a listed building.*" 'Selective demolition' is described as involving "*the removal, or demolition, of parts of a listed building in order to enable the significant parts of a listed building to be retained.*"

The overarching principle of this development is to retain a significant, representative, part of the former headquarters building and use the form and architectural character of the structure to inspire positive change on the remainder of the site.

This development does not qualify as "enabling development" as defined in Section 5 of HES's "Use and Adaptation" guidance. Whilst a substantial element of new build development is proposed, the extent of demolition proposed is not dependent on the level of new development proposed on the rest of the site. The percentage of the building to be retained is primarily driven by the impracticality of the structure in its existing scale for conversion to an office fit for the current market, or any other viable use. Nor does the new build element comprise "*'development' which would normally be contrary to planning policies, in order to obtain a desired objective.*" This acceptability of the development in terms of National Planning Framework 4 (NPF4) and the Edinburgh Local Development Plan (LDP) is assessed in Section B below.

Need for Selective Demolition

The category A listed, former Scottish Widows Headquarters was designed in 1970-71 by the architectural practice of Sir Basil Spence, Glover & Ferguson and engineered by Ove Arup and Partners. Spence's partner, John Hardie Glover, and his senior assistant, John Marnoch Legge, were the principal designers.

The design was informed by the Bürolandschaft type of office-planning (literally 'office-landscape') which evolved in Germany in the 1950s and 1960s, based on open-plan offices developed in the USA in the 1940s. The interior design concept comprised large open spaces that could be decently lit and serviced with informal layouts suggesting a landscape, enhanced by the inclusion of potted plants. Whether or not the modular hexagonal layout of this building was designed deliberately to reflect the dolerite formations of Salisbury Crags, this is a key characteristic of the structure, along with the differing heights of its constituent blocks, its reflective brown glazed walls, riven Yorkstone external finishes and boundary walls, and coffered concrete ceilings.

Current Building Condition

To understand the need for the level of selective demolition proposed, the unique circumstances of this building need to be explained. When the office became vacant in March 2020, the applicant carried out a comprehensive feasibility exercise to determine whether the building could be re-let to an office occupier in its current form and condition, or whether further intervention would be required. This work established that, in its current form, the building is no longer fit for purpose, particularly in terms of its energy performance - an Energy Performance Certificate (EPC) rating of G, the lowest category on the EPC scale). Against current standards, the levels of daylighting, sunlight and heat are also poor, as is fire safety. Also, the façade is in poor condition and contains significant amounts of asbestos.

When built, the headquarters represented a modern working environment of its time but is now a vast office space which, in its current scale, form and specification, cannot deliver many of the basic aspects of design and specification that companies now expect for their workforces. Furthermore, the basic elements of the structure make it extremely challenging to address many of these requirements, without undertaking substantial alterations at significant cost. The problems of the current building are categorised under the following.

Carbon Emissions

As stated above, the existing building performs very poorly with an EPC rating of G and consumes around 70% more energy than that of an equivalent benchmark building. Even if the entire envelope of the building were completely refurbished and all existing services replaced with modern high efficiency equipment, the highest achievable EPC rating would be C+. This is significant in terms of the current office market as the higher specification, the more likely the office space will attract blue-chip companies who are in the market for single occupancy statement buildings. These companies look at their carbon footprint as a marketing tool, so anything lower than an EPC rating of A would not attract such occupiers. Leasing the building as a single office space is the optimum way to incur the least alterations to the original building, especially internally. The various uses that have been explored by the applicant will be considered later in this section, as this also has a bearing on the level of demolition proposed.

Building Envelope Performance

The building envelope performance significantly impacts on the energy consumption and carbon emissions identified above. The façade is in poor condition with evidence of structural movement and with failed gaskets and seals to the extent that it has reached the end of its movement capacity. There is significant asbestos within the façade that provides fire protection at the floor slab edges and extends around the entire perimeter of the building at every level. This needs to be removed. The zinc roof covering has been frequently patched repaired and is now at the end of its serviceable life.

Daylighting and Thermal Comfort

The existing glazing has a dark tint which significantly reduces the amount of daylight passing through the façade. Modern standards of daylighting are set out in the Building Research Establishment Environmental Assessment Method (BREEAM) (Visual Comfort) and WELL standard (daylight simulation). The performance of the existing façade falls significantly below these performance requirements and the expansive floorplates, which restricts daylighting to mainly the perimeter areas, contribute significantly to this poor performance.

The internal office environment is also substandard in terms of temperature control as the existing façade is not able to achieve the required solar loads targets. Previous occupants have confirmed that temperatures near the south-facing windows were uncomfortably hot, whilst in winter, the opposite applied when workers on the north side of the building were almost always cold. The original double-skin façade arrangement has been decommissioned and is no longer in operation so, in winter, the current arrangement would have a performance similar to a poorly performing standard single glazed façade.

Building Services

The building is served by systems that are inefficient in operation, create on-site carbon emissions and are generally at or beyond their economic life expectancy. These need to be replaced/upgraded to decarbonise the building and make the office marketable for the intended class of occupier. The issue of fire safety is most relevant to the assessment of the proposed internal alterations which form part of the associated application for listed building consent.

Summary

It is clear, that in its current form, the building is no longer fit for purpose in terms of energy performance, daylight, sunlight and heat levels, as well as being sub-standard in terms of fire safety and health and wellbeing (presence of asbestos). Although the concrete frame is structurally sound and the building has been well maintained to date, the extent of the challenges identified above in terms of non-compliance with current environmental and safety standards, whether required by regulation or occupier expectation, are particularly onerous. The question then is whether the proposed use and extent of demolition/alteration is acceptable.

Alternative Uses and Office Market

Office

The building was designed as a headquarters for a single occupier and is a particularly large office premises with a gross internal floor area of approximately 26,800 square meters. An office of this scale is unlikely to appeal to any future occupiers in today's market, particularly in Edinburgh where the number of such requirements has diminished over the years. For example, since 1998, there has only been one letting in Edinburgh over 18,500 square metres and around 80% of transactions in the current office market is for space below 465 square metres. The building's configuration and floorplate would make repurposing it for multi, rather than single, occupancy exceptionally difficult and would create a heavily compromised space which would be unattractive to prospective occupiers. This is over and above the other problems of sustainability accreditation, building performance, fire safety and health and wellbeing, as well as the potentially harmful effects of sub-division on the building's interior configuration as originally designed.

Modern office accommodation places far more emphasis on staff welfare and wellness in terms of natural daylight and air circulation than that which this building can deliver in its current condition. For example, large areas of the building at its lowest levels were specifically designed for paper filing/storage and plant which is now not needed on this scale (in terms of paperwork) or volume/location (in the case of plant). The adaptability of these spaces in their current form is very limited due to their restricted size, height and levels of daylight, as well as arrangement and location.

Despite the pandemic, 2021 saw a significant increase in occupier activity, particularly large corporates who are relocating to new and more sustainable office buildings on the expiry of leases. Edinburgh has one of the lowest vacancy rates for offices and a depleted pipeline of new developments, so this lack of supply and high levels of demand is driving rental growth. The options for existing Edinburgh businesses to relocate or expand will be limited, as will new build opportunities and this will result in a greater reliance on refurbished stock, such as 15 Dalkeith Road, being returned to the office market.

Residential

The extensive floor depth dimensions are such that it would be impractical to convert the building into residential apartments, particularly in terms of daylighting levels and ventilation without significant interventions that would harm the character of the listed building. Also, the size and depth of the floorplates would mean that large areas would become redundant once rooms requiring natural daylight and ventilation were positioned around the perimeter. The unsuitability of residential use for this office building reinforces the conservation principle that the original use for which a listed building was designed is often that in which it should remain to best protect its historic and/or architectural character. This large, open-plan 1970's office headquarters with its unusual hexagonal, modular composition was designed for a single non-domestic occupier, so any use that would involve compartmentation and require a level of occupier amenity would be problematic in terms of the extent of physical intervention required.

Other alternative uses were considered for the building, including a laboratory, sport and leisure complex, urban/vertical farming facility, data centre, archive store, a museum/art gallery, residences, a hotel, and student housing. For any these uses, the building would present a unique and complex set of challenges from economic viability to the need for more intrusive alterations to meet current building regulations. Whilst, technically, the building could continue to operate in office use in its existing configuration and condition with a minimum level of intervention to meet basic functionality and safety requirements, more substantial changes are unavoidable in terms of economic viability. However, of the other possible uses explored that would result in a similar level of interventions as those required for continued office use, these would not work in terms of financial viability.

Extent of Demolition

Office Building

Normally, with regards to selective demolition of listed buildings, the best options for removal are those parts which are least important in terms of historic and/or architectural character, such as later extensions. However, the constituent components of this modular building are contemporary and have less obvious hierarchy, externally and internally, than seen in traditional historic buildings. That said, the main entrance/reception area is architecturally distinct and the three modules at the north-east (rear) end are comparatively low. Also, the frontage facing Dalkeith Road with its reflecting pools is more formal than the Holyrood Park Road frontage, particularly around the vehicular entrance and surface car park. The selection of Modules 8-12 for demolition is therefore logical in terms of the relatively low impact of these elements on the overall composition.

The removal of Modules 8-12 will address multiple challenges that would arise were the building to remain in its current extent in terms of use and financial viability. This extent of demolition will also permit the retention of the majority part of the existing structure, including its most significant and characteristic elements.

Undercroft Car Park

The proposed demolition of the undercroft car park/boiler house structure is primarily to accommodate a high-quality residential redevelopment on a scale and configuration that is financially viability, whilst providing an appropriate level of residential amenity and accessibility for its future occupiers. The removal of the car park will also assist in the opening up of the previously private parts of the site for barrier-free public access. Whilst the structure is an interesting and integral feature of the original development, it occupies most of the south-east area of the site and its retention would not allow any beneficial residential development. Also, due to the structure's V-plan form and single-sided open edge, conversion to residential accommodation would be impractical. Other possible uses, such as a cycle/car park, would not address the fundamental need for, and benefits of, a residential development of the extent proposed.

Summary

The level of demolition proposed is significant. However, this is necessary and proportionate due to the particular circumstances and challenges of this atypical, modern listed building.

Other External Alterations

The principal parts of the building that are the most publicly visible, Modules 1 to 7, will be retained with some remodelling, but without this having any impact on their essential architectural character of hexagonal modules of differing heights. The most significant alterations proposed are examined in detail below.

Façade Replacement

The bronze exterior of the building is a significant element of the structures' architectural character, so the replacement of the original curtain walling in its entirety, albeit altered previously to an extent, is a major intervention. However, the existing curtain walling does not meet current energy standards and would not meet the requirements of potential future occupiers. It is also reaching the end of its movement capacities and requires asbestos removal throughout. Upgrading the building's performance to meet today's standards requires a wholesale replacement of the existing curtain walling, as a complete overhaul of the existing system would not resolve the major problems of daylighting, thermal comfort, glare, and ventilation of the floorplates. Accordingly, a new thermally efficient aluminium curtain wall system with 'intelligent' glass panels is proposed.

The curtain wall was designed as a ventilated double skin system with interstitial blind shading to temper internal temperatures and control glare. However, shortly after the first occupation, inefficiencies of the system became evident and the mechanical ventilation services were removed along with most of the interstitial blinds which were replaced with internal roller blinds. The replacement blinds have a negative impact on the appearance of the façade as originally designed by breaking its visual uniformity. New raised access floors were also installed which blocked the opening of the inner openable panes, preventing access and maintenance. On this basis and given the poor condition of the existing system and its inability to be upgraded to the required current performance standards, the principle of wholesale replacement is acceptable.

The design of the proposed replacement system has been informed by the need to retain a glazed exterior and its solid, reflective properties, along with the existing glazing pattern and bronze aesthetic of the façade. This is in addition to performance specifications. The existing curtain wall comprises bronze body-tinted glass with aluminium mullions which have bronzed face caps externally, with the exception of two areas - the Reception and Cafeteria, where clear glass and anodized aluminium caps were used. The treatment of the reception area is assessed in detail below.

Detailed analysis of possible glazed facade systems demonstrated that the use of bronze tinted glass would not be sufficient in providing the required amount of daylighting internally, so the proposed 'intelligent' glazing has been specified to re-create the dark, uniform and reflective appearance of bronze tinted glass, whilst providing the necessary daylighting levels.

The proposed system comprises thermally efficient aluminium curtain walling with 'intelligent' glass panels and 250mm deep vertical bronzed mullions internally and bronze finished transoms. A notable amendment to the original pattern is the positioning of the horizontal spandrel bands to low level on each floor rather than high level as existing. This is to allow additional daylight penetration, as the current position of the spandrels blocks natural daylight. However, this alteration will not be noticeable within the context of the overall façade composition. In the revised scheme, the size of the glazed panels has been adjusted to suit a 1500mm grid with 750mm panels at the corner junctions to match the existing pattern.

'Intelligent' glass uses electrochromic technology whereby applying a small electrical charge will cause lithium ions to transfer between microscopic thin layers of ceramic material and cause the glass to tint, reducing light levels as well as energy loads. The system and each individual panel can be fully automated and the level of tinting is centrally determined based on live weather data, location, time and date. The system is therefore very efficient. Whilst this is a completely different glazing system to the original bronze tinted glass, the uniformity of the façade's appearance will be maintained, and the removal of the existing roller blinds will enhance this uniformity. Also, the facades of existing buildings with 'intelligent' glazing present a uniform appearance even when parts of the buildings' glazing are tinted fully and others are not, so there is no risk of a visually patchwork façade at 15 Dalkeith Road.

Whilst the proposed aluminium framing is light grey in tone and the 'intelligent' glazing will tint a warm grey rather than bronze colour, the incorporation of deep vertical bronzed mullions and bronze finished transoms will give a bronze tone appearance to the overall façade to mimic the original design, as well as its characteristic solid, reflectiveness. The new spandrel panels will match the tinted state of the intelligent glass in appearance, so these will not disrupt the visual uniformity of the façade. Neither will the proposed bronze toned metal louvred panels in concealed areas as part of the services strategy or the openable, inwards-tilting windows to provide night-time cooling. These openable windows are required due to the proposed exposure of the existing concrete floor structures internally. Finally, the external face cap profiling will match the original detailing as closely as possible and accentuate the vertical mullions.

The proposed new façade will therefore respect the original materiality of the building as well as the cutting-edge technology of the structure when it was designed, whilst contributing to the level of building performance that is required under current standards.

Reception Area Extension

The reception area is within Module 1 and comprises almost the whole module which has a distinct appearance from the rest of the building. Module 1 is in a prominent, advanced location on the Dalkeith Road frontage and, despite its relative low height, has visual prominence due its elevation on stilts over a moat with bridge accesses. The structure also has a distinctive, recessed lower level with clear glazing and a concrete cantilevered base which connects with the pond when filled.

However, in its current form, the reception area falls short of some of the main requirements now for the entrance of office buildings of similar size and quality, especially in terms of space for reception facilities, waiting areas and sanitary facilities. For this reason, some alterations are required.

The proposed external alterations are modest in extent and recognise the significance of Module 1 within the overall function and composition of the listed building. The retention of the module's primary function as main office reception and entrance, with the addition of a modest extension at lower level and moderate increase in the external entrance platt, will have minimal impact on Module 1's functional and architectural character. The concrete cantilevered base detailing will be recreated around the extended perimeter to match the existing form as this is an important component of the original design.

The most significant visual change to Module 1, apart from the extension at lower level, is the proposed replacement of the original aluminium-framed clear glazing with butt-jointed frameless clear glazing. The assumption is that the glazing in this section was clear, unlike the rest of the building, to allow relatively uninterrupted views from the exterior and interior over the water towards Arthur's Seat. A proposed frameless glazing system has been proposed to reinforce this concept by maximising transparency. Whilst this is a deviation from the original framed glazing, the existing system needs wholesale renewal for the same reasons as the curtain walling throughout the building needs replacing. In this location, the level of change is acceptable given that the appearance of the existing glazing system is already distinct from that of the rest of the building and the proposed frameless glazing is an attractive and appropriate contemporary addition to this 1970s' structure.

Module 4 Added Storey

The addition of a second storey on Module 4 in identical style is acceptable in principle, given that the building was constructed in modular form with the specific purpose of flexibility in terms of adding extra modules. This added height will increase natural daylight into the core of the building. Modules 1-10 are constructed with canted concrete roof structures to create falls to the perimeter gutters, whereas Modules 11 and 12 have flat concrete structures with secondary metal falls. These latter roofs were designed to take an additional storey or storeys. Although the additional storey on Module 4 will result in the loss of the existing roof, this is an acceptable compromise to achieve the required volume of office space. Also, the existing zinc roof coverings through the building are in poor condition and need wholesale replacement, so only a comparative amount of sound original roof fabric will be lost.

The second storey on Module 4 is also acceptable in terms of architectural character as it will have no detrimental impact on the original compositional contrast in height between Module 4 and the adjoining higher modules.

Module 3 Atrium

Lack of daylight penetration into the building was an issue created in the original design. Apart from the impacts on energy consumption and relatively dark working environment for staff, there was not enough daylight in the centre of the building to sustaining the potted plants. In this respect, the Bürolandschaft concept failed.

The proposed alterations include the removal of sections of the existing roof of Module 3 to form a new full height atrium within this module. The increased levels of natural light will allow the re-introduction of a sustainable landscape concept to the interior of the building, but this time in the form of a green wall.

This atrium will also have the wider purpose of enabling Modules 2 and 4-7 to function with appropriate levels of daylighting, accessibility, ventilation, acoustics and toilet facilities, as well as achieving the required fire safety and escape standards for prospective occupiers. At present, the existing stair cores are non-compliant in terms of current fire and escape regulations, including accessibility. Also, circulation within the building is inadequate in terms of the number and location of stair cores for the scale of the office. Legibility within the building is also poor and the proposed atrium will improve this significantly.

Roof Alterations

All existing roof covering will be replaced in like-for-like materials and photovoltaic solar panels will be installation to improve environmental performance. A communal office roof terrace will be formed on Module 7.

Boundary Wall Alterations

The existing stone boundary walls and railings enclosing the site will be retained with limited interventions to form new accesses or modify existing, including the addition of an accessible ramp alongside the original northern pedestrian access from Dalkeith Road. The loss of stone fabric from the 1970s' wall and 19th Century wall on Holyrood Park Road will be minimal and the visual solidity and continuity of the boundary walls will be maintained. The two gates to be removed on Parkside Terrace are not significant features of the building's original boundary treatment.

Internal Alterations

Key elements of the building internally have operated poorly from the outset, including the glazing system and extensive open-plan floorplates. As a result, the interior has altered significantly over time, including the removal of the original 'Bürolandschaft' layout and fittings. A major scheme was undertaken in 2013, when the original partitioning, ceilings, panelling and floors were removed and replaced, and new power, lighting and air conditioning systems were installed. The Boardroom and adjoining rooms were also relocated.

The current inefficiency and technical issues detailed above are such that minimal intervention will no longer be sufficient for a viable occupier for this scale and location of office building. More significant interventions are now necessary to improve fire safety, circulation space, legibility, accessibility, daylighting, and the provision of other facilities and amenities, all of an appropriately high standard and specification for modern office use.

The proposed internal adaptations also aim to retain, restore and enhance the most significant surviving original features.

Whilst the proposed full-height, central circulation core in Module 3 is the most significant alteration in terms of altering the original modular character of the interior, this intervention will create a new dimension to the experience of the building including views up and through the structure. The proposed detailing and materials of the new connecting walkways and feature spiral hanging stair will respect the modernist 1970s' character of the listed office.

The green wall within this space will be a modern interpretation of the original interior landscaping, none of which has survived, and the plant species in the wall will be of appropriate type in appearance and growth pattern, as well as being suited to this internal location.

The relocation of the existing matching hanging stairs is necessary to accommodate the new central circulation core. The stairs will be located symmetrically within Module 5 where they can be arranged to ensure compliance with current regulations. This will enable regular use of these stair, which was intended in the original design. Whilst the existing stair flights, landings, hanging supports and Yorkstone walls will be re-used, the handrails and barriers cannot be used for the re-sited stairs without losing key constituent parts and being altered to an extent that the retained fabric would become meaningless. The new handrails and barriers will be designed to match the original detailing as closely as possible.

The significance of the Management stair in Module 1 has been lost due to the previous dismantling and relocation of the Boardroom from its original location (which connected with the stair) to third floor level in Module 3, during the 2013 refurbishment works. This relocation resulted in the loss of much of the room's original panelling fabric. The proposed new location for the stair in Module 7 is both practical and fitting in terms of showcasing this original feature along with its original decorative features, including its mirror cladding, pebble plinth and suspended lighting. Also, the original orange colour will be restored to the stringers.

As regards the loss of the Boardroom, this is acceptable given its current non-original location and extent of remaining original fabric. The surviving original double doors, along with any original panelling, will be used to decorate the back wall of the office floor in Module 1 at first floor level. This is an appropriate approach to the salvage of this material and the doors will be symmetrical positioned on the wall to reflect the formality of the former Boardroom.

The areas of original Yorkstone cladding to be reused will be sited in prominent communal amenity areas, so the significance and hierarchical purpose of this architectural detailing will be respected.

Areas to be partitioned to any extent will be within areas of the building that are not importance in terms of visual volume. The removal of non-original ceilings across all floors will reveal the exposed coffered ceiling slabs as architecturally interesting and decorative features, which will also showing the structure of the building.

Setting of Listed Buildings

Historic Environment Scotland's document 'Managing Change in the Historic Environment - Setting' states;

"Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced."

This section assesses the impact of the removal of Modules 8-12, along with the extensions to the listed office building, and the demolition of the undercroft car park on the setting of this building and significant listed buildings nearby.

The impact of the new residential development and associated landscaping on these settings is assessed in the parallel application for planning permission (reference 22/04766/FUL).

Former Scottish Widows Headquarters

The setting of this listed building is defined primarily by its integral surrounding landscape, although the backdrop of Arthur's Seat and the Salisbury Crags is a significant element of its wider setting.

The extensive landscape around the office building is attributed to a concept by the celebrated landscape architect and garden designer, Dame Sylvia Crowe. Whilst it seems likely that the landscape design was in fact a more collaborative endeavour between the office architects and Dame Crowe, the resulting design is a key element of the building's setting. In essence, it comprises a landscape of more formal character within the front sections of the site (around the office building) which transitions to a more natural inspired landscape in the rear section of the site (around and above the car park and towards Holyrood Park).

However, whilst the public-facing landscape along Dalkeith Road and Parkside Terrace and at the corner of Holyrood Park Road has remained largely intact, the original planting of the rear garden area, including that on the undercroft car park roof, has failed in parts and has been re-planted in certain areas. Also, substantial sections of this rear landscaping are now overgrown, notably the planting on the roof of the car park which occupies a significant area of the site. In addition to later planting, there has been colonisation by opportunistic and invasive species and although some of the original planting scheme is still evident, much has been obscured by overgrowth and other unintended species.

Furthermore, certain species that were included in the original planting scheme, such as cotoneaster horizontalis and rosa rugosa, are now listed as controlled species under the Wildlife and Countryside Act 1981 and should be removed, as these pose a threat to native biodiversity and habitats.

The scale of the building is such that the symmetry of the existing plan is only readily appreciable from elevated viewpoints. Whilst the reduced building will be symmetrical in plan, as opposed to the current asymmetrical plan, asymmetry will be returned to the site through the layout of the new residential blocks. The proposed extensions to parts of the retained Modules 1-7 are relatively discreet and will have no detrimental effect on views of the building from within or outwith the site.

Whilst a substantial section of the original landscape is being redeveloped, the retention of the existing undercroft car park, on which a substantial area of this landscaping sits, is not viable. Also, the landscaping around and above this structure has changed significantly in terms of the original planting and intended appearance. For these reasons, the re-landscaping of this part of the site is acceptable in principle.

Views

The most important views of this category A listed building are 'panoramic', that is, those which provide an unrestricted view of the landscape giving a continuous and unbroken survey of the surrounding area. The only significant 'vista' - where the view from a specific point is restricted and controlled by firm containing edges - is in East Preston Street, where the building terminates views eastwards along the street. Also, it is important to note that all views analysed are snapshots of transient streetscapes and can change significantly, even just a short distance from the viewpoint location. Times of day, different climatic conditions and seasonal variations also have a bearing on key views.

The Townscape and Visual Appraisal (TVA) submitted demonstrates how the proposed development respects the setting of the listed building in terms of scale and form. This setting includes the immediate landscaped grounds around the building along with the wider landscape setting and surrounding townscape.

In terms of the listed office building in views, Viewpoint 3: Dalkeith Road, Figure 8c and Viewpoint 7: East Preston Street/Newington Road, Figure 7c show no detrimental impact on the existing views of the office frontage after the removal of Modules 8-12. The extension of Module 4 by one storey will have no significant impact on any key views of the building.

From within the site, a particularly significant view is from the landscaped area between Dalkeith Road and Module 1 across the reflecting pool towards Arthur's Seat. The proposed extension of the reception area is modest in scale and will have no detrimental impact on this view. In fact, the frameless replacement glazing system will enhance visibility through the reception area and the sense of connection with the surrounding landscape as a result.

The appreciation of the landscape setting of the listed building from within the site will be enhanced through the creation of a suite of new internal views from within the altered office building towards Holyrood Park, especially from the new roof terrace on Module 7. The replacement curtain walling without blinds and with low-level spandrels will provide new and uninterrupted views in all directions, including from modules that will gain external facades once Modules 8-12 are removed.

From elevated viewpoints, the architectural composition of the listed building and its landscape setting are most apparent, so the impact of the proposed development in terms of the partial demolition of the existing building is analysed in Viewpoints 5 and 7 from the Salisbury Crags and Arthur's Seat respectively. Currently, views from these locations to the office building (Viewpoint 5, Figure 10a and b and Viewpoint 7, Figure 12a and b) show the distinctive asymmetrical cluster of tiered hexagonal structures, reducing in height towards the northern edge of the green landscaped site. The removal of modules 8-12 will change the appearance of the building from these heights, but the remaining office structure will still be a prominent and striking built feature in panoramic views of the site.

Commonwealth Pool and Other Listed Buildings

The most prominent listed buildings in the surrounding area which will be impacted by the proposed development in terms of setting are the category A listed Royal Commonwealth Pool and St Leonard's Hall (part of Pollock Halls), and Preston Street Primary School and Newington Old Burial Ground, which are category B listed.

From Dalkeith Road and Holyrood Park Road, the demolition of Modules 8-12 and extensions to the retained part of the office building will have no measurable impact on any views of the Commonwealth Pool. Whilst these modernist buildings date from a similar era, they are distinct structures in form, architectural style and tone.

The settings of the listed buildings on the opposite side of Dalkeith Road will not be affected to any significant degree as these settings are defined by the existing modules of the listed office building which dominate the east side of Dalkeith Road. No significant change is proposed to these frontage modules.

Conclusion in relation to the listed building

The proposed scheme involves a major intervention in this category A listed building and its conterminous and integral designed landscape, as well as in the building's wider urban and landscaping setting. However, the extent of demolition, extension and alteration to the original office building and undercroft car park is a necessary and proportionate response to the scale of the building, combined with its current (and original) functional failings and shortcomings, and to the extent and complexities of making the building fit for a viable use in today's market.

Historic Environment Scotland's assessment of the scheme is based on detailed discussions and site meetings with the applicant's team and the Council, including an assessment from the Council on the viability of the proposals and the wider Edinburgh office market. Whilst HES commends the design development and commitment to low carbon principles, some elements of the proposals are considered radical and harmful to both the listed building and its setting. However, HES recognises the exceptional difficulties in ensuring the long-term future and reuse of this distinct, large-scale, modern listed building and considers it unlikely that a less harmful viable scheme for the listed building is possible. On this basis, HES does not object to the proposals.

The importance and special interest of the listed building and its landscape setting have been understood and recognised in the amended scheme which demonstrates a holistic evidence-based approach for the whole site, respecting the architectural character of the building and its conterminous landscaping. This is in keeping with the recommendations of the Edinburgh Urban Design Panel. The opportunities for a purely conservation-led approach are limited, due to the particular challenges of this building, and the proposed development will conserve and re-use what is reasonably possible in the circumstances detailed above.

Whilst the level of demolition is significant, this is the minimum action necessary to preserve a substantial part of the listed building and its most representative part in terms of scale, prominence on the site and architectural hierarchy. This modular building was designed to have modules added, or even removed, if required, and the original design was for a larger structure.

The special interest of this listed building therefore lies more in its architectural concept than in the precise collection of modules that are on site today. As regards the current landscape setting, this is a substantially altered version of the landscape that was designed to surround and complement the headquarters building. Much of the original planting has been obscured or lost, including important visual connections with the building and its wider landscape setting.

On this basis, whilst the proposed works will have a significant impact on the listed building and its setting, this impact will not be harmful in terms of preserving the character and setting of the listed building. Also, this scheme is the best possible option available and if the building were to come onto the open market, it is likely that a harmful scheme would come forward, including for the proposed demolition of the entire structure.

A condition has been applied to ensure that all the existing structures on the site are officially recorded and that a robust methodology statement is submitted for approval before any of these structures or features are demolished/altered.

Further conditions have been applied to ensure that the details and specifications for all proposed external materials (including salvaged materials) for alterations and repairs to the retained historic assets on the site are appropriate.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance as the proposals preserve a representative majority part of the listed building that embodies its special architectural interest.

b) The proposals harm the character or appearance of the conservation area?

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which states:

"In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area."

This section assesses the impact of the removal of Modules 8-12, along with the extensions to the listed office building, demolition of the undercroft car park, and alterations to the listed boundaries, on the conservation area. The impact of the new residential development and associated landscaping on the conservation area is assessed in the parallel application for planning permission (reference 22/04766/FUL).

The South Side Conservation Area covers a large urban area which includes various historical periods and stages of development forming a variety of character areas with different spatial patterns. The character appraisal splits the conservation area into five sub-areas representing distinctive patterns of growth and development. This site falls within the "Fifth Expansion Area": a distinct section of the conservation area, added in March 2019, characterised by unique and individual buildings/groups of buildings within their own integral settings and the wider landscape setting of Holyrood Park. These buildings include the Royal Commonwealth Pool, former Scottish Widows Headquarters and Pollock Halls which, together, form an outstanding category A listed group.

The South Site Conservation Area Character Appraisal summaries the key characteristics of the Fifth Expansion Area as follows:

"The urban grain of the area is coarser than much of the Conservation Area as it comprises large scale buildings that are set back from the pavement within open space. The settings of the existing building, and Pollock Halls contains trees and shrubs, and a linear tree group separates the latter from the Royal Commonwealth Pool's rear car park'. Less of the historic layout and fewer historic buildings remain within the area surrounding the site, which is largely modern and atypical of central Edinburgh. These further divert from the typical characteristics of the Conservation Area'".

Whilst the impact of the proposed development on the listed building at 15 Dalkeith Road and its setting is significant, the effect of change within the South Side Conservation Area is far more moderate, given the scale and nature of the broad context.

The proposed removal of Modules 1-8 and alterations and extensions to remaining Modules 1-7 will have no significant impact on existing street level views of the site.

As detailed in the section above, the proposed works will have a more significant impact on elevated views from Holyrood Park due to the removal of the five zinc-roofed 1970s' modules and existing landscaping in the rear section of the site. However, these impacts will not be detrimental to the character and appearance of this part of the conservation area, given that the essential character of the listed office building, defined as a substantial geometric mass echoing the stepped basalt rock formations of the Salisbury Crags, within a landscape setting, will not be altered.

The existing hard boundary, comprising stone walls and railings, is an important part of the site's character and this will be retained, with only modest breaches for new entrances into the site.

The proposed demolition of the Joiner's Workshop is assessed in the associated application for conservation area consent (reference 22/04769/CON).

Conclusion in relation to the conservation area

The proposed development will preserve the character and appearance of the Fifth Expansion Area of the South Side Conservation Area by safeguarding the listed office building for the future in an appropriate form.

The proposals preserve the character and appearance of the conservation area in accordance with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) Other matters to consider

The following matters have been identified for consideration:

Archaeological Remains

The site lies within an area of archaeological significance, as the Scottish Widows headquarters was built on the site of the former Victorian Nelson and Sons Parkside Works, dating from 1870, and the Edinburgh Geographical Institute, dating from 1888.

As the site has been extensively developed over the years, it is unlikely that any significant archaeological features are present. However, the proposals involve the removal of approximately 30% of the existing A listed building on the site, along with its original carpark and some original internal features. On this basis, a programme of historic building recording is required to be undertaken during demolition to record elements that are affected. Also, a detailed mitigation strategy is required for the temporary removal and storage of the commemorative opening inscription within the former staff restaurant during these works, and its reinstatement within the refurbished building.

In addition, a provision for public/community engagement during this programme of archaeological works should be put in place.

A condition has been applied to ensure that a comprehensive programme of archaeological work is undertaken, incorporating the above requirements.

The implications of the proposed substantial demolition of the Joiner's Workshop and associated works in archaeological terms are assessed in the associated application for conservation area consent (reference 22/04769/CON).

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below.

Scheme 1

Grange/Prestonfield Community Council (GPCC)

The GPCC's comments regarding the principle and adaptability of office use, sustainability, affordable housing, height of the new residential blocks, loss of trees and car parking relate to the associated application for planning permission (reference 22/04766/FUL).

material objections

- will destroy award-winning ensemble of Scotland's 20th architecture and landscape design, contrary to local, national and international conservation policy and practice;

- adverse effect on scale and form of listed building through part demolition;
- project does not demonstrate heritage-led approach and will result in significant and irreversible loss of fabric;
- no respect for original plan-form;
- building could be retained and subdivided to accommodate variety of occupants with without need for extremely high sustainability aims;
- relocation of spandrels panels of façade glazing from top to base of windows;
- extension of reception area and removal of management stair will disturb original composition of staircase, pond and entry bridge;
- loss of original layout, hanging staircases, fixtures and finishes and creation of new central circulation zone,
- adverse effect of demolitions on relationship with listed Commonwealth Pool when viewed from key vantage points and
- loss of part of listed building does not preserve or enhance character or appearance of conservation area;

The impact on the proposed works on existing listed building on site and the adjacent listed buildings, including the setting of both and case for partial demolition of the office structure and undercroft car park, and the impact on the South Side Conservation Area is assessed in sections a) and b) of the assessment. The relevant determining issue is whether the proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance. In this case, the level of demolition proposed and other interventions are necessary to prevent the total loss of the heritage asset.

support comment

- retention and re-use of significant part of listed building.

non-material comments

The objection comments regarding the loss of the existing landscaping, sustainability issues, loss of trees, the impact on wildlife, scale and design of the new residential blocks, affordable housing provision, amount of green open space, impact on residential amenity and services, pedestrian access and safety, increase in noise and traffic congestion, car parking and waste collection are non-material to this application for listed building consent. These grounds of objection are addressed in the associated application for planning permission (reference 22/04766/FUL).

Scheme 2

- loss of a substantial portion of the listed building;
- adverse effect on scale and form of listed building through part demolition; and
- adverse effect of demolitions on relationship with listed Commonwealth Pool when viewed from key vantage points.

The impact on the proposed works on existing listed building on site and the adjacent listed buildings, including the setting of both and case for partial demolition of the office structure and undercroft car park, is assessed in sections a) and b) of the assessment. The relevant determining issue is whether the proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and relevant HES guidance. In this case, the level of demolition proposed and other interventions are necessary to prevent the total loss of the heritage asset.

non-material comments

Similar objection comments on the same non-material grounds as in Scheme 1 have been received. These grounds of objection are addressed in the associated application for planning permission (reference 22/04766/FUL).

Conclusion in relation to other matters considered

The proposals do not raise any issues in relation to other matters identified.

Overall conclusion

The proposal is acceptable with regard to Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 in terms of preserving a substantial part and features of the listed buildings that embody the special architectural interest that it possesses, and there will be no detrimental impact on the setting of any listed buildings, or the character and appearance of the conservation area.

Overall, the proposals comply with Historic Environment Scotland policy and guidance, with particular regard to securing a sustainable and long-term use of the retained part of this category A listed building. Whilst the level of demolition and interventions will have a significant impact on the listed building, these are justified as being the minimum level of intervention necessary to preserve the building's special interest.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

1. No demolition of any listed structures on the site shall commence until the applicant has confirmed in writing the start date for the new development by the submission of a Notice of Initiation for the associated planning application reference 22/04766/FUL.
2. A detailed methodology statement for the demolition of Modules 8-12 and alterations to the retained Modules 1-7 hereby approved shall be submitted and approved in writing by the Planning Authority before any works commence on these structures. This shall include details of the proposed re-use of any materials/architectural features and details of the proposed repair/replacement materials.

No part of the development hereby approved shall be occupied until a substantial amount of the approved works to the retained part of the office building have been completed in a manner satisfactory to the Planning Authority and before written approval has been obtained from the Planning Authority.

3. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, public engagement, interpretation analysis and reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This shall include detailed surveys to be undertaken prior to and during demolition/strip out works of the listed office building and the removal of the undercroft car park and existing landscaping on the site. These surveys will include surveyed elevations, phased plans, combined with photographic and written surveys and archival research to provide an accurate and permanent record of these assets.

A detailed mitigation strategy is also required for the temporary removal and storage of the commemorative opening inscription within the former staff restaurant during these works, and its reinstatement within the refurbished building.

4. Details of the proposed junction of the clear-glazed curtain wall and concrete base of the extended reception area hereby approved shall be submitted to and approved in writing by the Planning Authority before construction of this structure is commenced.

Reasons

1. In order to retain and/or protect important elements of the existing character and amenity of the site.
2. In order to safeguard the character of the statutorily listed building.
3. In order to safeguard the interests of archaeological heritage.
4. To ensure that the detailing and appearance of this element closely matches that of the existing structure.

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.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 22 September 2022

Drawing Numbers/Scheme

01,02A-08A,09,10,11A,12,13A-20A,21,22,23A-26A,27-29,30A-36A,37,38,39A-40A,41,42A,43A,44,45A-66A,67,68,69A-71A,72,73A,74,74A,76,77A,78,79A,80,81A,82A,83+84A-86A

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Clare Macdonald, Senior Planning Officer
E-mail: clare.macdonald@edinburgh.gov.uk

Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: From the beginning of the pre-application process we have been aware that this is a distinctive, even unique, listed building with a particular set of complex issues, including the considerable scale of its existing open-plan floorplates, its use and location within the city, its largely-glazed facades and its landscaped and split-level site.

In our consideration of the applications, we have seen no issue with the principle of a mixed-use development on the site, welcoming the continued use of (the majority - and most visible portions of) the category A listed building as an office, assisting its intangible cultural significance. We are aware with the difficulties in converting the building to other uses that are perhaps more common in listed building casework in the city, and from an early stage accepted that the retention of the entire building in its current form and operation was unlikely.

However, it is clear that the current proposals are far from a conservation-based scheme. The demolition and truncation of the building, the extent and detail of the refurbishment and the scale of proposed new buildings would result in adverse, and harmful, impacts to both the listed building's special interest and its immediate and wider setting. There would also be impacts on the setting of the A-listed Royal Commonwealth Pool, the Royal Park of Holyrood and the inventory designed landscape of the Palace of Holyrood House.

Since the start of the pre-application process our objective has been to find a scheme that represents the least harmful viable scheme for the building and its setting, whilst retaining the elements that make up the building's special interest. We have tasked the applicants to substantiate that a less harmful set of proposals for the building's reuse does not exist, or is unlikely to exist.

We have received an assessment on the viability of the proposals, and the wider Edinburgh office market, from your Council, as well as an assessment from our in-house colleagues. We have also obtained additional information on the detailed design elements, including the glazing, foyer design and other internal features.

In conclusion, although we commend the design development and commitment to low carbon principles, the proposals are radical, and we consider they would be harmful to both the listed building and its setting. Having said this, after due consideration of the exceptional difficulties in ensuring the long-term future and reuse of a listed building of this scale and distinctiveness, and looking at the economic viability, on balance, we are not reasonably convinced that a less harmful viable scheme for the listed building and its setting is likely to exist. We think it possible that if these proposals were to fail and the building were to come onto the open market we may see a more harmful scheme for the building and its setting, or even proposals to demolish it completely. With this in mind, we have decided not to object to the current application(s).

If your Council is minded to approve the applications we would suggest a series of detailed conditions on the refurbishment of the listed building, including the glazing's appearance and detailing, salvage/reuse of existing stair cores, salvage/reuse of stone facings and timber panelling, foyer cantilever detail.

DATE: 1 May 2023

NAME: Archaeologist

COMMENT: The proposals with seek to remove roughly 30% of the current A-listed structure along with its original carpark and internal alterations. It is essential that a programme of historic building recording is undertaken during demolition to record elements that are affected.

A detailed mitigation strategy should be submitted for approval prior to any demolition works/development commencing for the taking down, securely storage and rebuilding of the Scottish Widows commemorative opening inscription.

The programme of archaeological works should contain provision for a programme of public/community engagement (e.g. site open days, viewing points, temporary interpretation boards), the scope of which to be agreed with CECAS.

Condition should be attached to ensure that these measures are undertaken.

DATE: 14 November 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 24 May 2023

**Application for Conservation Area Consent
15 Dalkeith Road, Edinburgh, EH16 5BH.**

Proposal: Demolition of the Jointers' Workshop.

**Item – Committee Hearing
Application Number – 22/04769/CON
Ward – B15 - Southside/Newington**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because 8 material objections have been received and it is recommended for approval. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The demolition of the existing building is acceptable in terms of Section 66 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

SECTION A – Application Background

Site Description

The application site measures 2.5 hectares and is located on the north side of Dalkeith Road to the east of Holyrood Park Road and west of Parkside Terrace. East Parkside runs adjacent to the north site boundary. The Old Town and city centre is approximately one mile to the north-west.

The site is occupied by the former Scottish Widows Headquarters building and its landscaped grounds which replaced a Baronial style printworks (Parkside Works), dating from 1872 with later additions. The current building is a category A-listed, modern Expressionist style, reinforced concrete, modular office by Sir Basil Spence, Glover and Ferguson constructed between 1972 and 1976 (reference LB50213, listed on 03.03.2006). The structure comprises a cluster of 12 interlocking hexagonal blocks ranging from one to four storeys in height, with a basement and sub-basement, with continuous curtain wall glazing formed in brown solar glass within bronzed metal frames. The open-plan layout follows the 'Burolandschaft' concept which evolved in German office architecture in the 1950s and 1960s and the hexagonal modular layout was influenced by the BP-Haus headquarters in Hamburg, although the dolerite formations of Salisbury Crags could also have inspired the design.

A concrete constructed, double-height undercroft car park and boiler house is located to the rear of the building in the northern section of the site, concealed beneath landscape terraces and a sunken garden area to the south-east of the car park. These structures connect to the main building via an underground tunnel.

The surrounding landscaping is integral to the building, occupying approximately 1.6 hectares of the site. The design was influenced by Dame Sylvia Crowe and transitions from a more formal character, with two reflecting pools and areas of lawn addressing the urban context of Dalkeith Road, to a naturally inspired landscape in the rear section of the site towards Holyrood Park. A key feature of the section is the landscaped decks over the undercroft car park. The original species mix comprised a selection of simple, robust, low level ground cover with a limited selection of hardy native trees. Some of this planting scheme is still evident, but much has been obscured by overgrowth and other invasive species. The seating areas along the walkway over the car park are later additions.

The subject of this application for conservation area consent is an L-plan former stable and carriage-house block, known as the Jointers' Workshop, at the far north-east corner of the site. The building is named after its most recent use as a training venue for electrical cable jointers. This structure is not listed and comprises a two-storey, squared sandstone constructed range with a longer east-west running wing. The stables and carriage house form the shorter north-south running wing. The longer wing has decorative crowstepped gables. An electricity substation sits on the site of the former coachman's house to the immediate south of the Jointer's Workshop behind a high sandstone wall and the gated vehicular entrance from Holyrood Park Road is flanked by stone piers. The Jointer's Workshop was built up against a warehouse that was demolished in 1981 and replaced by the current brick retaining wall along its eastern edge. The range was altered when converted to garages in 1925 and is now in very poor structural condition.

The site is within the South Side Conservation Area.

Description of the Proposal

The application is for the substantial demolition of the Jointers' Workshop, retaining the front gable wall (propped up by a steel structure to the rear) and reconstruction of a short section of the flanking wall and roof behind the crowstepped gable facing Holyrood Park Road.

The existing slates will be reused to cover the part reconstructed roof, and a new stone gable wall will be erected to support this reconstructed section of roof and flanking wall. The rear stone walls of the Workshop will also be retained or reinstated to boundary wall height as reasonably practicable, and the existing brick wall at the northern end will be reduced in height for stabilisation purposes.

Scheme 1

The original scheme proposed full demolition of the Workshop.

An associated application for planning permission has been submitted for the erection of a new residential development comprising 174 apartments in five separate blocks on the remainder of the site, including associated landscaping, parking and infrastructure (reference 22/04766/FUL).

A parallel application for listed building consent (reference 22/04768/LBC) has been submitted for the proposed demolitions and alterations of the listed structures on the site.

Relevant Site History

No relevant site history.

Other Relevant Site History

No other relevant site history.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Historic Environment Scotland

Archaeologist

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 5 April 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 14 April 2023 14 October 2022

Site Notices Date(s): 11 April 2023 11 October 2022

Number of Contributors: 22

Section B - Assessment

Determining Issues

Consent is required because section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act") states that in making a decision on the demolition of a building in a conservation area section 6 to 25 of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings. The proposals therefore require to be assessed in terms of Section 64 of the 1997 Heritage Act:

- Having due regard to HES Policy and guidance, does the proposed demolition conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
- If the proposals do not comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

Assessment

To address these determining issues, it needs to be considered whether:

a) Demolition of building(s) is acceptable, or the proposals harm the character or appearance of the conservation area?

Section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in making a decision on the demolition of a building in a conservation area, certain provisions of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings.

Historic Environment Scotland's Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019) outlines criteria to assess the acceptability of the demolition of unlisted buildings within conservation area, including:

- *the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site;*
- *if the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated; and*
- *where demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult, consent to demolish should be given only where there are acceptable proposals for the new building.*

The South Side Conservation Area covers a large urban area which includes various historical periods and stages of development forming a variety of character areas with different spatial patterns. The character appraisal splits the conservation area into five sub-areas representing distinctive patterns of growth and development. This site falls within the "Fifth Expansion Area": a distinct section of the conservation area, added in March 2019, characterised by unique and individual buildings/groups of buildings within their own integral settings and the wider landscape setting of Holyrood Park. These buildings include the Royal Commonwealth Pool, former Scottish Widows Headquarters and Pollock Halls which, together, form an outstanding category A listed group.

The South Site Conservation Area Character Appraisal summarises the key characteristics of the Fifth Expansion Area as follows:

"The urban grain of the area is coarser than much of the Conservation Area as it comprises large scale buildings that are set back from the pavement within open space. The settings of the existing building, and Pollock Halls contains trees and shrubs, and a linear tree group separates the latter from the Royal Commonwealth Pool's rear car park'. Less of the historic layout and fewer historic buildings remain within the area surrounding the site, which is largely modern and atypical of central Edinburgh. These further divert from the typical characteristics of the Conservation Area."

The Jointers Workshop is of local historic significance as a survivor of the Edinburgh's industrial/commercial past and contributes to the character of this part of the conservation area.

However, the building is structurally unsound and in danger of collapse. Remedying its poor structural condition would involve the erection of complex supporting structures which would occupy the entire existing footprint, making any future use impractical. Also, there is an existing Scottish Water sewer running directly below the building, so the process of installing any propping framework would be extremely difficult, if not impossible. In addition, the cost of these works would outweigh the value of the building in terms of its contribution to the character and appearance of the conservation area.

The proposed retention of a representative and significant part of the Jointers' Workshop will preserve the character and appearance of this part of the conservation area, especially in terms of the existing streetscape of Holyrood Park Road, which is partly defined by this remnant of the area's industrial past. The crowstepped gable wall and a typical part of the traditional range form will be retained, along with the original (or reconstructed) boundary walls demarcating the original extent of the workshop complex.

A condition has been applied to ensure that the level of salvage of the original sections of the Workshop is appropriate and that any new build elements of the Workshop and its boundary walls are appropriately detailed.

Normally, a condition would be attached to ensure that no structures are demolished prior to being notified of the start date for the associated main development on the wider site. However, this condition has not been applied due to the poor structural condition of the Workshop and potential need for demolition works to commence with short notice due to public safety concerns.

Conclusion

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) There are any other matters to consider?

The following matters have been identified for consideration:

Archaeological Remains

The site lies within an area of archaeological significance, as the Scottish Widows headquarters was built on the site of the former Victorian Nelson and Sons Parkside Works, dating from 1870, and the Edinburgh Geographical Institute, dating from 1888.

Although not listed, the Jointers' Workshop is of local historic and archaeological significance as a survivor of the Edinburgh's industrial/commercial past and contributes to the local character of the conservation area.

Accordingly, a condition has been applied to ensure that a comprehensive programme of historic building recording is undertaken prior to and during demolition and that a provision for public/community engagement during this programme of archaeological work is put in place.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below.

material objections

- the height of the existing brick wall between the site and East Parkside should be kept consistent.

The proposed wall height is designed to match the eaves height of the Jointers' Workshop whilst keeping the wall as stable as possible. The retention of this eaves height along the whole length of the wall would risk reducing its stability.

support comments

- demolition is acceptable as professional surveys have confirmed that the present structure is unsound and could not be made safely usable at reasonable cost;
- the revised proposal to retain the crowstepped east gable wall and erect a shortened, roofed building will conceal the essential supporting frame behind the gable and
- the retention of a north boundary wall at an appropriate height.

non-material comments

The objection comments relating to the proposed development comprising the works to the listed office building and erection of a new residential development on the wider site, including the formation of an access gate between the site and East Parkside, are non-material to this application for conservation area consent. These grounds of objection are addressed in the associated applications for planning permission (reference 22/04766/FUL) and listed building consent ((reference 22/04768/LBC).

Also, the issues of ownership of the mutual brick wall and structural damage to nearby properties are non-material in planning terms.

Conclusion in relation to other matters considered

The proposals do not raise any concerns in relation to other matters identified.

Overall conclusion

The demolition of the existing building is acceptable in terms of Section 66 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

1. Details of the proposed re-use of any materials/architectural features of the Joiners' Workshop and its associated boundary walls, and details of any proposed new materials shall be submitted to the Planning Authority for written approval before any demolition works commence.
2. No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, public engagement, interpretation analysis and reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority. This shall include detailed surveys to be undertaken prior to and during demolition works.

Reasons

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

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 22 September 2022

Drawing Numbers/Scheme

01 + 02A-09A

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Clare Macdonald, Senior Planning Officer
E-mail: clare.macdonald@edinburgh.gov.uk

Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: The unlisted Joiner's workshop, an altered former stable block in the Scots Baronial style, makes a positive contribution to the South Side conservation area. Previously, we were minded to object to its full demolition. However, after receiving additional reports and discussing the case with our own conservation engineers, we accept there are significant issues with the building, including in its original construction, later alteration and ongoing structural movement to its walls and roof. The revised, more sympathetic approach now allows for the retention of the most significant gable onto Holyrood Park Road and rebuilding a small section of the side and rear walls in stone with reused slates on a new roof. While this approach would also entail the removal of the existing roof (agreed as necessary by our engineers) and rear sections of the unlisted building, we consider it would protect its most visible and architecturally significant element and we are therefore supportive of this revision. We would advise that the building is made accessible for some form of ongoing use, and that the low-carbon approach adopted to the wider development is followed here, with dressed stone, bricks, slates and any timber, salvaged for reuse in the rebuilding and elsewhere on site.

DATE: 1 May 2023

NAME: Archaeologist

COMMENT: The site lies within an area of archaeological significance, as the Scottish Widows headquarters was built on the site of the former Victorian Nelson and Sons Parkside Works, dating from 1870, and the Edinburgh Geographical Institute, dating from 1888.

Although not listed, the Joiners' Workshop is considered to be of local historic and archaeological significance as a survivor of the Edinburgh's industrial/commercial past and contributes to the local character of the conservation area.

Accordingly, a condition is required to ensure that a comprehensive programme of historic building recording is undertaken prior to and during demolition and that a provision for public/community engagement during this programme of archaeological work is put in place.

DATE: 9 November 2022

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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Development Management Sub-Committee Report

Wednesday 24 May 2023

**Application for Planning Permission
23 Water Street, Edinburgh, EH6 6SU.**

Proposal: Change of use from warehouse to aparthotel including alteration and extension, landscaping and associated works.

**Item – Committee Decision
Application Number – 22/06426/FUL
Ward – B13 - Leith**

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because 34 material objections have been received and it is recommended for approval. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The proposed development is in compliance with the development plan. It complies with the aims and objectives of the above policies of National Planning Framework 4 and the Edinburgh Local Development Plan, providing a sustainable use, with good access to local facilities, without reliance on private car use. It is in compliance with NPF4 Policy 1, which underpins NPF4 in seeking to tackle global climate crises.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

There are no material considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The site is a four storey, red brick, industrial building located on the west side of Water Street at its junction with Broad Wynd. An adjoining car park/courtyard area also forms part of the proposed redevelopment site. The site is currently occupied by a sound engineering use which is a mix of Class 4 and Class 6 uses.

There are a range of building styles and heights in the immediate locale with a range of uses including commercial and residential. Adjoining the courtyard to the south is the Category A listed 'Lambs House' and to the north, over Broad Wynd, the Category A listed 'Flour Mill/Carpet Wynd'.

The site is within Leith Conservation Area.

Description of the Proposals

The application proposes the change of use from an existing warehouse to a 45 bedroom apart hotel (Class 7) with ancillary uses including guest amenity space, laundry room and reception area. Various alterations to the existing building associated with the change of use are proposed.

A new single storey rooftop extension will be added to the existing building, raising the height from 4 to 5 storey. This upward extension is proposed to be finished in metal cladding with a solar PV array to the roof.

A single storey side extension is also proposed within the existing car park of the building. This will be finished in brick to match the existing building with a predominantly glazed east elevation. These extensions combined will create 418sqm of gross additional floorspace to the existing building.

The remainder of the existing car park courtyard is to be converted into a landscaped area which will provide amenity for guests along with covered cycle parking and bin stores. There will be a mix of hard and soft landscaping with plants chosen to encourage biodiversity.

No car parking is proposed. Within the landscaped courtyard, 8 cycle parking spaces will be provided in a secure, covered store for guests and visitors. Two of these spaces are for non-standard cycles.

Supporting documents

The following documents have been provided to support the application:

- Design & Access statement;
- Planning statement;
- NPF4 statement;
- Heritage statement;
- Surface Water Management Plan;
- Desktop site investigation;
- Noise Impact Assessment;

- Archaeological Research Design;
- Travel Plan and
- Sustainability statement form.

These documents are available to view on the Planning and Building Standards Online Service.

Relevant Site History

No relevant site history.

Other Relevant Site History

No additional history.

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Transport

Archaeology

Environmental Protection

Historic Environment Scotland

Flooding

Scottish Water

Refer to Appendix 1 for a summary of the consultation response.

Publicity and Public Engagement

Date of Neighbour Notification: 27 January 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 3 February 2023

Site Notices Date(s): 31 January 2023

Number of Contributors: 41

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
 - (i) harming the listed building or its setting? or
 - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?
- b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling material considerations for not approving them?

If the proposals do not comply with the development plan, are there any compelling material considerations for approving them?

In the assessment of material considerations this report will consider:

- equalities and human rights;
- public representations and
- any other identified material considerations.

Assessment

To address these determining issues, it needs to be considered whether:

To address these determining issues, it needs to be considered whether:

a) The proposals harm the listed building and its setting?

The following HES guidance is relevant in the determination of this application:

- Managing change in the Historic Environment - Setting'

There are several listed buildings in close proximity to the proposed development. The applicant has submitted a Heritage Statement to assess the impact of the proposals on the setting of these buildings.

Lambs House, which adjoins the application site to the south is Category A listed and is of architectural interest as one of the largest and most architecturally important early 17th century merchant's houses in Scotland.

The proposed design has considered the view north along Water Street towards Lamb's House to ensure that it would sit in the main below the ridge line of this view. This means that the distinctive roofline of the listed building seen against the skyline would remain relatively unaffected by the proposed rooftop extension when moving north along Water Street. For the single storey side extension, the height of this element, set back within the street block means it would not affect longer distance views towards Lamb's House from the adjacent streets which formed part of the historic street pattern.

The Category A listed building of 3 Carpet Lane and 42 The Shore (Donaldson's Warehouse) is located to the north of the site, separated from it by the road of Broad Wynd and an area of car parking. The scale of this building and the separation between this listed building and the proposal is such that it is considered unlikely that its setting and special interest would be affected. This is also the case for other listed buildings in the vicinity,

Conclusion in relation to the listed building

Section 59 (1) the Planning (Listed Buildings and Conservation Areas) (Scotland) (Act) states that the proposals are required to preserve the setting of the listed building including any special architectural or historic interests it possesses. The ability to experience, understand and appreciate the special interest of the listed buildings would not be harmed by the proposed development. The application, therefore, complies with Section 59 of the Act.

b) The proposals harm the character or appearance of the conservation area?

The Leith Conservation Area Character Appraisal notes that "the character derives from Leith's history both as a port and an independent burgh. Several fine Georgian and Victorian warehouses survive, some now converted for residential or office use. A rich mixture of civic buildings and mercantile architecture survives particularly at Bernard Street and The Shore. Significant earlier buildings include Lamb's House and St Ninian's Manse (both early 17th Century). The present street pattern of The Shore area closely follows that of the historic town.

The proposals would introduce a new single storey rooftop extension to the existing 1950's warehouse building, increasing the building from 4 to 5 storey height. The use of folded metal cladding for this extension means it would be readily distinguishable as a later addition to the building, but would also have an appropriately industrial appearance, fitting with the wider character of the area. The new five storey height of the building would fit with the prevailing character of the area where buildings are generally of 4 or 5 storey height.

The single storey addition within the courtyard of the warehouse would also be legible as a later addition, with a glazed eastern elevation distinguishing it from the rest of the warehouse building. Single storey buildings within the interior of blocks (set back from the street), are found on other buildings in this part of the conservation area and are part of the established character. In this respect the proposals will have a neutral impact and preserve the character of the Leith conservation area.

Conclusion in relation to the conservation area

The proposal preserves the character and appearance of the conservation area in accordance with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) Compliance with the Development Plan

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4.

The relevant NPF4 and LDP policies to be considered are:

- NPF4 sustainable places policies 1, 2, 3, 7, 8, 9, 12, 13
- NPF4 liveable places policies 14, 15, 18, 19, 20, 22, 23
- NPF4 productive places policies 25, 26, 30, 31
- LDP environment policies Env 16, Env 21 and Env 22
- LDP design principles for new development policies Des 1, Des 3, Des 4, Des 5, Des 8 and Des 12
- LDP transport policies Tra 3 and Tra 4
- LDP delivery policy Del 1
- LDP housing policy Hou 7
- LDP employment policy Emp 9 and Emp 10.

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering NPF4 Policy 7.

The 'Edinburgh Design Guidance' is a material consideration that is relevant in the consideration of several LPD design, and transport policies.

Principle

LDP policy Emp 9 (Employment Sites and Premises) states that proposals to redevelop employment sites or premises in the urban area for uses other than business, industry or storage will be permitted provided: (i) the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use; (ii) the proposal will contribute to the comprehensive regeneration and improvement of the wider area.

Policy Emp 10 (Hotel Development) supports hotel uses in locations within the urban area with good public transport access to the city centre.

NPF4 policy 30 (Tourism) states that proposals for tourism related development will take into account:

- i) The contribution made to the local economy;
- ii) Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;

- iii) Impacts on communities, for example by hindering the provision of homes and services for local people;
- iv) Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
- v) Accessibility for disabled people;
- vi) Measures taken to minimise carbon emissions;
- vii) Opportunities to provide access to the natural environment.

The application site is located on an existing developed site within Edinburgh's urban area. The existing warehouse building on the site is proposed to be retained with alterations and extensions to facilitate the change of use. The proposed hotel use will retain an employment use element based on tourism and will contribute to the wider area.

The site is within a highly accessible location with good public transport links to the city and beyond on several bus routes accessed at the Shore or Bernard Street. The site is approximately 200 metres from a future tram stop on Constitution Street.

The development will contribute to the local economy through jobs supported during the construction phase and those created through the operational phase. The development will not hinder the provision of homes and services for local people as it does not propose the conversion of existing residential accommodation.

The impact on sustainable travel, carbon footprint, access for disabled and natural environment are assessed later in this report.

Policy Hou 7 aims to preclude the introduction or intensification of non-residential uses in predominantly residential areas and to prevent further deterioration in living conditions in more mixed use area which nevertheless have important residential functions.

Water Street and Broad Wynd are quiet streets in comparison to busier streets close by such as The Shore. Although much of the surrounding buildings are residential in nature, there is a mix of uses found in streets bounding the site including offices and creative industries. There are no restaurants or public bars proposed with this hotel use and nighttime noise is likely to be from guests entering and leaving the premises. The existing commercial use of the warehouse means that there will be existing traffic movements and deliveries with bulky goods loading/unloading. The proposal includes single/double rooms only and are unlikely to be suitable for large groups seeking communal accommodation.

The proposal will not result in an unreasonable loss to neighbouring residential amenity.

Climate mitigation

NPF4 Policy 1 (Tackling the climate and nature crisis) gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. The proposed development contributes to the spatial principles of 'Compact Urban Growth' and 'Local Living' through the use of an existing developed site for alternative uses.

NPF4 Policy 2 a) (climate mitigation and adaption) supports development proposals that are sited and designed to minimise lifecycle greenhouse gas emissions as far as possible and in 2 b) those that are sited and designed to adapt to current and future risks from climate change.

NPF4 Policy 8 encourages the use of previously developed land over greenfield development. In particular, criterion 'd' supports development proposals for the reuse of existing buildings where they are suitable for conversion to other uses. Demolition is regarded as the least preferred option given the need to conserve embodied energy.

The repurposing and alteration of the existing building would have both the least environmental impact during construction and provide an efficient building going forward, thus minimising the carbon impact of the proposed development.

Measures are proposed to improve the building fabric performance and ensure that the overall energy consumption and associated carbon emissions are as low and as efficient as possible. The energy strategy removes all requirements for fossil fuels and is dependent on an electrical heating system which will help to decarbonise with the grid. Twenty-six solar PV panels are proposed on the roof to provide renewable energy for use by the development.

The applicant has stated that they will attempt to reuse bricks from the new window openings for the side extension and the contractor during construction would aim to have 85%+ material waste being diverted from landfill for recycling.

Sustainable transport is prioritised by the lack of car parking proposed in the new development and provision of secure cycle parking.

Historic Environment

NPF4 Policy 7 (Historic assets and places) requires that proposals with a potentially significant impact on historic assets or places should be informed by national policy and guidance on managing change in the historic environment, and information held within Historic Environment Records.

Setting of Listed Buildings

NPF4 Policy 7 supports proposals for the alteration or extension of a listed building, or works that impact on its setting, where its character, special architectural or historic interest are not adversely affected.

This has been assessed in section a) and the proposal complies with NPF4 Policy 7-part b).

Character and Appearance of Conservation Area

NPF4 Policy 7 only supports development proposals in conservation areas where they preserve or enhance the character and appearance of the conservation area and its setting.

This has been assessed in section a) and the proposals comply with NPF4 Policy 7 parts d)- g).

Archaeological Remains

NPF4 Policy 7 seeks to ensure that development does not have an adverse impact on archaeological features. The site occurs with the historic core of the medieval port of Leith where well-stratified archaeological deposits can survive in situ, of potentially national significance in terms of preservation. The foundations for the single storey side extension have been re-designed to minimise both the depth and area of dig required. The design makes use of a lightweight steel structure with a series of reinforced concrete pads.

Given that there remains a chance of archaeological disturbance, albeit on a reduced scale, a condition is applied regarding a programme of archaeological work.

Design and Materials

NPF4 Policy 14 (Design, quality and place) supports development proposals that are designed to improve the quality of an area and are consistent with the six qualities of successful places.

LDP Policies Des 1 (Design Quality and Context), Des 3 (Development Design - Incorporating and Enhancing Potential Features) and Des 4 (Development Design - Impact on Setting) ensure that developments will create or contribute towards a sense of place, based upon positive characteristics of the surrounding area, and planning permission will not be granted for poor quality or inappropriate design that would damage the surrounding character of the area.

The Edinburgh Design Guidance (EDG) seeks to ensure that new developments will have a positive impact on their surroundings through height and form, scale and proportions, site layouts and materials utilised.

The purpose of Policy Des 1 is to encourage innovation in the design and layout of new buildings, streets and spaces, provided that the existing quality and character of the immediate and wider environment are respected and enhanced, and local distinctiveness is generated. LDP Policy Des 4 states 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.

The footprint and height of the currently proposed building would see a modest increase as well as some minor amendments to the fenestration. The new roof form will have a contemporary appearance which will not detract from the character of the existing warehouse by retaining an industrial appearance. The existing building is being retained and refurbished with bricks from the new window openings used for the side extension. Various steel and fire doors are intended to be retained from the existing building and reused in the final design of the courtyard or entrance areas.

The existing building is located in an area which is historically characterised by dense development with narrow streets and tall buildings. The design and materials of the proposed alterations will not detract from this established character.

Amenity

LDP Policy Des 5 (Development Design - Amenity) and Des 12 (Alterations and Extensions) state that planning permission will be granted for development where it is demonstrated that the amenity of neighbouring residential properties is not adversely affected in terms of loss of privacy or natural light.

A Noise Impact Assessment (NIA) has been submitted and advises that the hotel will focus on providing sleeping accommodation with limited additional facilities. A supporting statement states that it is the intention of the proposed operator to have this manned 24 hours, although this cannot be controlled by condition.

The NIA also advises that plant noise from the hotel premises will be within acceptable noise levels within all nearby residential properties. However, due to the mixed nature of the surrounding premises and the existing background traffic noise travelling over cobbles, the proposed use is unlikely to impact upon residential amenity any more than the existing and surrounding premises do at present.

NPF4 Policy 31(d) requires proposals within the vicinity of existing arts venues to fully reflect the agent of change principle and will only be supported where they can demonstrate that measures can be put in place to ensure that existing noise and disturbance impacts on the proposed development would be acceptable and that existing venues and facilities can continue without additional restrictions being placed on them as a result of the proposed new development.

There are several businesses operating in close proximity to the development site which are occupied by creative industries. However, the proposed use of the building as a Class 7 hotel, without bar or kitchen facilities, is not considered to be a noise generating use. As a result, it is considered that the change of use will have a neutral impact on the vitality of neighbouring businesses. The impact during the construction period is not a material consideration in the assessment of this application and would be controlled using Environmental Protection measures.

In terms of privacy, there will be over 20 metres to the flats on the other side of Broad Wynd. There will be 9.7 metres to the east over Water Street, but only the corner of the building directly faces existing residential windows and there are no new windows proposed which would directly face. To the south facing Lambs House is a distance of 12.6 metres to the nearest facing window. This building has relatively small and irregular window openings. An analysis has been submitted to show where there is potential direct window to window overlooking between the new openings formed and the existing windows of Lambs House. This has shown that 4 of the proposed openings would benefit from the use of opaque glazing to reduce the loss of privacy to this property. Overall, the application is acceptable in terms of privacy and overlooking.

Both the roof extension and the side extension to the building will not significantly impact on the levels of daylight to existing residential properties.

Natural surveillance onto communal areas has been encouraged by design to create safer and more communal shared amenity.

LDP Policy Des 8 (Public Realm and Landscape Design) supports proposals where all external spaces, and features, including streets, footpaths, green spaces and boundary treatments have been design as an integral part of a scheme as whole.

An outline landscaping plan has been provided. It contains areas of permeable paving and planters. A condition has been added requiring specification details and that the landscaping is carried out within a specified timescale.

Flooding and Drainage

A Flood Risk Assessment and Surface Water Management Plan (SWMP) has been submitted which includes a drainage strategy. The proposed SUDS includes a combination of blue roof system attenuation and retention/raingarden areas. The proposed SUDs measures are acceptable for a high-density urban development on a constrained site.

The proposal causes no flood risk to the surrounding area, and Scottish Water comments offer no objection to the proposal. The proposal complies with NPF policy 22 and LDP policies Env 21 (Flood Protection) and RS 6 (Water Supply and Drainage) which all seek to ensure sustainable water management and flood risk measures are in place for new development.

Biodiversity

NPF4 Policy 3 (Biodiversity) seeks to protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

Biodiversity enhancements will be delivered through the landscape plan. It is recommended that an informative be added encouraging other measures such as swift bricks in the new roof form.

The new roof is a flat roof laid to 1:40 fall which accommodates plant and will require regular access for plant, PVs, and general maintenance. This will discourage roosting and nesting in accordance with the Edinburgh Design Guidance.

Transport

NPF4 Policy 13 (sustainable transport) requires proposals to demonstrate that the transport requirements generated have been considered in line with sustainable travel priorities.

LDP policy Tra 3 (Private Cycle Parking) and Tra 4 (Design of Off-Street Car and Cycle Parking) ensures that private car parking and cycle parking in new developments complies with and does not exceed the parking levels set out in the Edinburgh Design Guidance with appropriate design and layout.

The application is for a parking free development with the conversion of 7 existing spaces to a new extension and landscaped area. The site is located close to a range of sustainable transport options. Walking and cycling connections are provided adjacent to the site with multiple bus stops, and future tram connections, within a short walking distance of the site.

The cycle parking provision proposed consist of 8 covered spaces which exceeds the 5 spaces required in guidance using Sheffield style racks. A Travel Plan has been submitted with the application which supports sustainable travel.

The Transport Statement submitted with the planning application demonstrates the sustainable travel characteristics of the proposed development given its highly accessible urban location.

NPF4 Policy 18 (Infrastructure First) states that development proposals which provide (or contribute to) infrastructure in line with that identified as necessary in LDPs and their delivery programmes will be supported. LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) requires contributions to the provision of infrastructure to mitigate the impact of development.

The sum of £113,065 to the Edinburgh Tram is required in line with the approved Tram Line Developer Contributions report. The sum is to be secured by legal agreement and is to be indexed as appropriate.

Health and Safety

Policy 23 (Health and safety) seeks to protect people and places from environmental harm, mitigate risks arising from safety hazards and encourage, promote and facilitate development that improves health and wellbeing.

A condition is added in respect of a site survey for contamination given the previous use of the site.

The proposed development is in accordance with NPF4 Policy 23 in terms of protecting people and places from environmental harm.

Conclusion in relation to the Development Plan

The proposed development broadly complies with the provisions of NPF4 and the LDP and there is not considered to be any significant issues of conflict.

Other matters to consider

The following matters have been identified for consideration:

Emerging policy context

On 30 November 2022 the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified. The development will be accessible for disabled people with step free access to the building and lift to upper floors. Three of the proposed rooms have been designed as accessible, two of which are located on the ground floor, and another on level 04. A range of parking and drop off options are available in close proximity to the development for use by blue badge holders.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

Public representations

A summary of the representations is provided below. Responses to these representations have been addressed in Section A and B above.

Material comments - objection:

- Loss of privacy
- Noise disturbance from guests
- Noise from plant/operations
- Increased traffic
- Insufficient parking provision
- Pedestrian safety due to inadequate pavement width
- Loss of daylight to neighbours
- Increased energy consumption to neighbours from blocked sunlight
- Adverse impact on setting of listed buildings
- Design not in character with surrounding area
- Heritage statement fails to recognise other neighbouring listed buildings
- Overdevelopment of the site
- No bay for servicing on street
- Landscaping proposals do not provide optimum conditions for trees
- Insufficient refuse collection provision
- Loss of existing business premises
- Proposals make no reference to Leiths history
- Adverse impact on air quality
- Inappropriate use in a residential area
- Use of metal not appropriate and out of keeping with the character of the CA
- Inappropriate materials to roof
- Failure to comply with HESP - HEP 4
- Failure to comply with Des 1 - Des 7 and ENV 6, Env 3, Emp 9 of the LDP
- Overdevelopment of the site
- Adverse impact on health of neighbours
- Adverse impact on neighbouring business premises
- No analysis of the impact of the proposed Low Traffic Neighbourhood
- Fails to comply with NPF4 Policy 26, 30 & 31
- No assessment on agent of change
- Noise and vibration during the construction period

Material comments - support

- use of all electric heating system, including solar panels, provides a net zero response to tackling climate change;
- car-free and development would have disabled access;
- inclusion of a landscaped courtyard;
- environmental benefits to the reuse of the building;
- supports the development of tourism beyond the city centre;
- boosting the local economy;

Non-material comments

- Impact on property values;
- An alternative scheme of residential units should be proposed;
- Failure to apply for conservation area consent;
- Failure to apply for listed building consent;
- Failure to consult neighbours;
- Noise impact during the construction period;
- Failure to submit CEMP;
- Failure to advertise as bad neighbour development;
- Access from neighbours during construction.

Community Council comments

The Leith Harbour and Newhaven Community Council provided a comment of support for the application for material reasons as detailed above.

Conclusion in relation to other matters considered

The proposals do not raise any issues in relation to other material considerations identified.

Overall conclusion

The proposed development is in compliance with the development plan. It complies with the aims and objectives of the above policies of National Planning Framework 4 and the Edinburgh Local Development Plan, providing a sustainable use, with good access to local facilities, without reliance on private car use. It is in compliance with NPF4 Policy 1, which underpins NPF4 in seeking to tackle global climate crises.

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Other material considerations support the presumption to grant planning permission.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. No development shall take place on the site until the applicant has secured and implemented a programme of archaeological work (excavation, historic building recording, analysis & reporting, publication & public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
3.
 - i) Prior to the commencement of construction works on site:
 - a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
 - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
 - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.
4. Prior to the commencement of development, specification details of the proposed permeable roof finish shall be submitted to and approved by the planning authority.
5. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
6. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
7. Prior to the commencement of development, a detailed drawing showing the areas of obscured glazing proposed shall be submitted to and approved by the Planning Authority. Thereafter the obscured glazing shall be retained in perpetuity.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to retain and/or protect important elements of the existing character and amenity of the site.
3. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.
4. To ensure appropriate provision of blue/green infrastructure is provided.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to ensure that the approved landscaping works are properly established on site.
7. In order to protect the privacy of adjoining neighbours.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement relating to the tram for the sum of £113,065 has been concluded and signed.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

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. The incorporation of swift nesting sites/swift bricks into the scheme is recommended. Further details on swift bricks can be found at www.edinburgh.gov.uk/biodiversity.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 25 January 2023

Drawing Numbers/Scheme

01-31

Scheme 1

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer
E-mail: rachel.webster@edinburgh.gov.uk

Appendix 1

Summary of Consultation Responses

NAME: Transport

COMMENT: No objections subject to appropriate conditions or informatives.

DATE: 1 February 2023

NAME: Archaeology

COMMENT: No objections subject to condition.

DATE: 20 April 2023

NAME: Environmental Protection

COMMENT: No objection subject to site contamination condition.

DATE: 1 March 2023

NAME: Historic Environment Scotland

COMMENT: No objection.

DATE: 21 February 2023

NAME: Flooding

COMMENT: No objection - Comments relating to surface water discharge rate to the combined network.

DATE: 7 March 2023

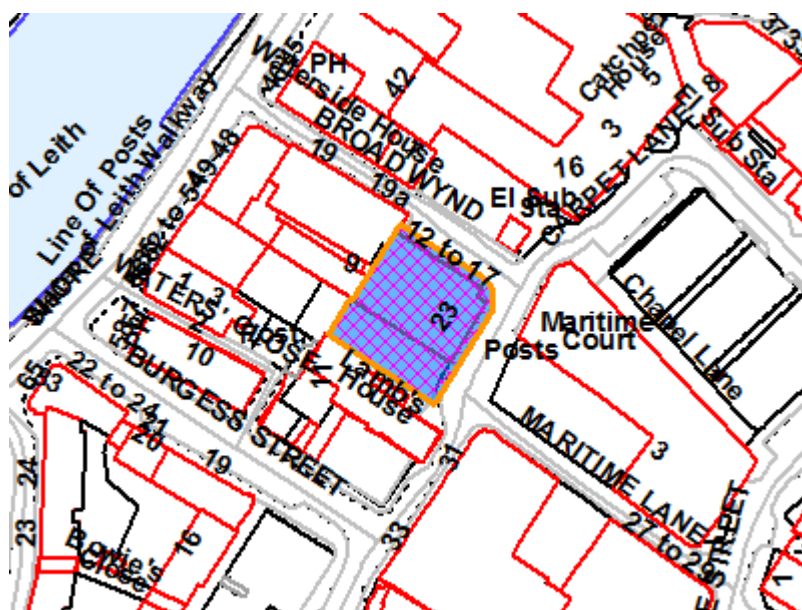
NAME: Scottish Water

COMMENT: No objections.

DATE: 24 February 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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