

Development Management Sub Committee

Wednesday 28 October 2020

**Application for Listed Building Consent 20/02212/LBC
At 23 - 24 Greenside Place, Edinburgh, EH1 3AA
Internal reconfiguration of existing floorspace to create serviced apartments with new, refurbished and replacement dormer windows (as amended).**

Item number

Report number

Wards

B11 - City Centre

Summary

The development complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the character and setting of the listed building and preserves or enhances the character and appearance of the conservation area.

Links

[Policies and guidance for this application](#)

LDPP, LEN04, LEN06, LEN09, HES, HESINT, HESWIN, HESROF, NSG, NSLBCA, OTH, CRPNEW,

Report

Application for Listed Building Consent 20/02212/LBC At 23 - 24 Greenside Place, Edinburgh, EH1 3AA Internal reconfiguration of existing floorspace to create serviced apartments with new, refurbished and replacement dormer windows (as amended).

Recommendations

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

Background

2.1 Site description

Originally built as a tenement block designed by John Baxter and constructed c. 1798, the application site has undergone significant internal renovation and now houses two pubs at ground floor, with open plan office space on the upper floors. The building was Category B Listed on 19 June 2001 (Reference number LB48035).

The Playhouse Theatre lies to the south and a hotel to the north on the other side of the lane. There are some flatted dwellings at the bottom of this lane to the east with Calton Hill beyond. A main arterial route (Leith Walk up to Leith Street) lies to the west of the site and the surrounding area is a mix of largely commercial uses with some flats above.

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

2.2 Site History

An application for planning permission has been submitted in parallel to this application (Application Reference: 20/02211/FUL).

Main report

3.1 Description Of The Proposal

The proposal is for a change of use from the existing eight office units on the four upper floors of the building to 31 serviced apartment units. The proposal includes the complete reconfiguration of the internal space with new partitions to form the new apartment units. External changes include the removal of four non-original dormer windows located to the rear of the building. These will be replaced with two dormer windows of traditional design with timber framed sash and case windows and Scots slate to match existing. Existing non-original rooflights are to be replaced with conservation style rooflights.

Access would be from the front in Greenside Place where stairs and a lift will lead up to the upper floors. There is an area shown for an office and reception but no dining facilities apart from vending machines; however each unit will have its own kitchen. Given the level of management of the site, the use is more akin to hotel use than short stay lets.

Previous Scheme

Proposed lead clad dormer windows with aluminium framed, slim line double glazed windows and glass balustrades have been removed from the scheme. The two proposed dormer windows to the rear will be smaller, with timber framed sash and case windows and a slate roof.

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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

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

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the proposals preserve the character and setting of the listed building;
- b) the proposals preserve or enhance the character or appearance of the conservation area;
- c) the proposals will have any adverse impacts on archaeological remains; and
- d) all public comments received have been addressed.

a) Character and Setting of Listed Building

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."

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result in unnecessary damage to historic structures or result in a diminution of the buildings interest; and any additions would be in keeping with other parts of the building.

Historic Environment Scotland's (HES) Managing Change in the Historic Environment guidance note on the use and adaptability of listed buildings is applicable. It states that *for a building to remain in use over the long term, change will be necessary. This reflects changes over time in how we use our buildings and what we expect from them.....We need to make sure they have a long term future if we want to benefit from them in the long term.*

The application site was originally a tenement building, constructed in the late 18th century. It is one of the last remaining examples of the Georgian tenements which occupied the east side of Leith Walk. However, the building has undergone significant change. The ground floor is occupied by two public houses and the remaining upper floors underwent significant alteration in 2002 to accommodate open plan office spaces. Consequently, nothing of the original decorative scheme or plan form remain. The proposed internal alterations to form 31 apartment units will have no impact on anything of architectural or historic significance.

Externally, alterations are limited to the roof. The proposal includes the removal of four, small, non-original dormer windows to the rear which are to be replaced by two larger dormer windows. This element of the scheme has been amended. Originally the replacement dormer windows were larger and of a modern design. In the revised scheme, the replacement dormer windows will be smaller and of a traditional design, mirroring the existing dormers on the principal elevation and others in the surrounding area through the use of matching slate and timber framed sash and case window units. Non-original rooflights are to be removed and replaced with conservation rooflights which will be flush with the roof line. The applicant has not specified the material of the rooflights. A condition has been added to this consent requiring information about the specific rooflight units to be submitted to and approved in writing by the Planning Authority before work is commenced on site.

The proposal will preserve the character of the listed building.

b) Conservation Area

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

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

"Georgian and early Victorian rectilinear development of grand formal streets lined by fine terraced building expressing neo-classical order, regularity, symmetry, rigid geometry, and a hierarchical arrangement of buildings and spaces with controlled vistas and planned views."

The rear of the application site is visible from Calton Hill, a protected view. However, the traditional design of the new dormer windows is in keeping with the existing building and other dormer windows in the wider area. The external alterations proposed will not alter essential characteristics of the conservation area or interfere with important vistas and views.

The proposal will not have a detrimental impact on the New Town Conservation Area.

c) Archaeology

The application concerns a B-listed Georgian tenement constructed in 1798 by John Baxter at the top of Leith Walk as part of his wider development including Baxter's Place. This building is regarded as being of archaeological and historic significance and accordingly. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Although the building was converted into open plan offices c.2002 at the time no archaeological work was undertaken to record the surviving historic fabric. The current proposals will see the stripping out of the 2002 alterations including the suspended ceiling. Such works will accordingly provide an opportunity to not only record any surviving significant historic fabric (which inform us of the development history and changes of use) but also importantly allow for the preservation and conservation of any such fabric.

Therefore, it is necessary to undertake a programme of historic building recording during internal alterations and downtakings in order to record the buildings historic fabric and ensure appropriate measures are put in place to conserve any such fabric within the final development. This has been made a condition of the consent.

d) Public Comments

Material Comments - Objections

- Negative impact on roofscape and a protected view; this is addressed in 3.3a and 3.3b.
- Formation of 31 apartments would have a negative impact on the building's form, quality and setting; this is addressed in 3.3a.
- Proposed changes to the dormer windows would have a negative impact on the character of the listed building; this is addressed in 3.3a

Non-Material Comments

- Commercial venues generate too much noise and would impact amenity of users of proposed apartments; this is addressed in the parallel application for planning permission but is not relevant to this application for Listed Building Consent.

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

3.4 Conditions/reasons/informatives

Conditions:-

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. This consent is for Listed Building Consent only. Work must not begin until other necessary consents, eg Planning Permission, have been obtained.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application received two comments, both objecting to the proposals. The content of these representations is summarised and addressed in the Assessment section of the main report.

Background reading / external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development**Plan Provision**

Edinburgh Local Development Plan.

Date registered

2 June 2020

Drawing numbers/Scheme

01-02, 03A, 04A, 05A, 06, 07A, 08A, 09A, 10A, 11A,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:**Relevant policies of the Local Development Plan.**

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

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

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

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Interiors sets out Government guidance on the principles that apply to alterations to the interiors of listed buildings.

Managing Change in the Historic Environment: Windows sets out Government guidance on the principles that apply to altering the windows of listed buildings.

Managing Change in the Historic Environment: Roofs sets out Government guidance on the principles that apply to altering the roofs of listed buildings.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

Other Relevant policy guidance

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Appendix 1

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Consultations

Historic Environment Scotland

No objection.

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the change of use from offices to serviced apartments with associated upgrading and refurbishment works with minor exterior alterations (construct two larger dormers).

The application concerns a B-listed Georgian tenement constructed in 1798 by John Baxter at the top of Leith Walk as part of his wider development including Baxter's Place. This building is regarded as being of archaeological and historic significance and accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policies ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Although the building was converted into open plan offices c.2002 at the time no archaeological work was undertaken to record the surviving historic fabric. The current proposals will see the stripping out of the 2002 alterations including the suspended ceiling. Such works will accordingly provide an opportunity to not only record any surviving significant historic fabric (which inform us of the development history and changes of use) but also importantly allow for the preservation and conservation of any such fabric.

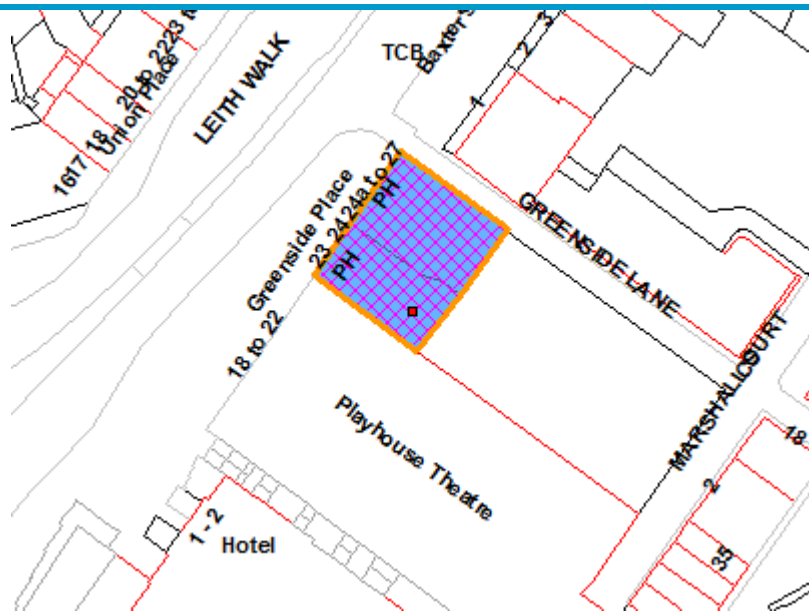
Therefore, it is recommended that a programme of historic building recording is undertaken during internal alterations / down takings in order to record the buildings historic fabric and ensure appropriate measures are put in place to conserve any such fabric within the final development.

It is recommended that that the following condition is attached to any granted permission to ensure that this programme of archaeological works is undertaken;

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

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

Location Plan



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