

# Development Management Sub Committee

Wednesday 28 October 2020

**Application for Listed Building Consent 20/00466/LBC  
at 1 - 5 Baltic Street, And 7-27 Constitution Street,  
Edinburgh.**

**Internal and external alterations to Category B- listed gas works buildings and conversion to mixed use development, partial demolition including removal of remnants of gasometer building and northern extension to retort house, removal of other 20th century extensions and formation of new openings with associated fabric repairs. Reinstatement and alteration to boundary walls (as amended)**

**Item number**

**Report number**

**Wards**

B13 - Leith

## Summary

---

This proposal will deliver new uses for the retained listed buildings on the site whilst preserving their main features of architectural and historic interest. The works comply with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as they preserve the character and setting of the listed building and preserve the character and appearance of the Leith Conservation Area. The internal alterations do not involve the loss of any features which contribute to the special interest of the listed building and the external works preserve the frontages and involve acceptable changes to the exterior of the listed buildings. The demolition of buildings as set out is acceptable.

## Links

---

[Policies and guidance for this application](#)

HES, HESDEM, HESSET, HESUSE, HESINT, HESEXW, HESWIN, HESBND, HEPS, HESEXT, LDPP, LEN02, LEN03, LEN04, LEN06, CRPLEI,

# Report

## **Application for Listed Building Consent 20/00466/LBC at 1 - 5 Baltic Street, And 7-27 Constitution Street, Edinburgh.**

**Internal and external alterations to Category B- listed gas works buildings and conversion to mixed use development; partial demolition including removal of remnants of gasometer building and northern extension to retort house, removal of other 20th century extensions and formation of new openings with associated fabric repairs. Reinstatement and alteration to boundary walls (as amended)**

### **Recommendations**

---

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

### **Background**

---

#### **2.1 Site description**

The site lies to the north of Baltic Street, south of Tower Street and east of Constitution Street. It has an area of approximately 1.05 hectares. The eastern part of the site comprises an old gas works site which has a number of existing buildings and structures. These include a former retort house, an original gasholder, a later gasholder, an office, a former purifying building, and a later warehouse. The western part of the site comprises the existing Daltons scrapyard. The total area of buildings on the site is approx. 8846 square metres. Main access is from Baltic Street and Constitution Street.

The buildings within the old gasometer site are category B listed. They fall within group listing (LB26744) listed 14 December 1970. They comprise: the later gasholder to the west of the site, offices, original gasometer and Retort House to the east of the site, a Coal Store in the centre of the site, and the Purifying Building to the northern site boundary. The A listed Corn Exchange lies just out with the application site boundary to the south west (LB27140) listed 14 December 1970. To the south of the site fronting Baltic Street is an arch which is included within the category A listing of the Corn Exchange building. The Purifying Building is on the Buildings at Risk Register.

A Heritage Statement has been included with the application and this notes the significance of the buildings as follows:

- The eastern façade of the Retort House and Original Gasometer, by virtue of their architecture, rarity as substantial surviving buildings from the earliest days of the gas industry, and their relative state of preservation have the highest significance. A section of screen wall adjacent to the Corn Exchange and the south east courtyard, where three well preserved buildings from different periods of the development of the gasworks can be viewed in their original spatial relationship are also deemed to be of high significance.
- The Office Building has a quite different historical significance from the rest of the site. It is domestic in scale and design and although its interior is in poor condition, it is still intact. This building has medium significance.
- Coal Store. The present-day form of the Coal Store is the result of a series of additions and demolitions over an extended period but remains a substantial and relatively rare survival from Leith's industrial past. It therefore has medium significance and is worthy of retention.
- Purifying Building. The Purifying Building is the last remaining part of a group of processing buildings which defined the northern boundary of the gasworks site, adjacent to the platform of South Leith railway station. It has been abandoned for many years and has been on the Buildings at Risk Register since 2011. It is of medium significance.
- Western Gasometer Building. The Western Gasometer building was the largest and most prominent building on the site until its substantial demolition in the late 1970s to allow it to be used as a builder's yard. The cathedral like roof, an important feature of the original structure, was removed entirely. The monumental character of this building in the Leith townscape has been lost. It is deemed to have some significance but is basically a remnant.

The Heritage Statement also gives an understanding of the historical development of the site. The Leith Gas Light Company was formed in 1823, and by 1829 owned the eastern feu of the site and submitted petitions to the Leith Dean of Guild for the gas works. They later purchased land to the west of this and soon the whole site rapidly developed especially with the development of the South Leith Station to the north to bring coal easily into the site. The site was fully developed by the mid-18th century and maps from that period show the site almost completely covered by buildings. However, this was not big enough for the needs of a growing population and the gasworks were moved to Granton in the early 20th century. Since then various uses and changes have taken place on the site and what remains today is only part of what once covered it.

The group listing for the site was amended in August 2019. This addressed the significance of the surviving buildings, reiterating their special architectural and historic importance as a highly significant industrial site for the production of gas in Scotland. The surviving historic buildings are an important reminder of an industrial process that is now largely redundant.

The amended listing excludes the interior of all structures (except the office building), flat roofed and harled extensions to west of the office block, modern metal extension and roller doors to west of northeast range and single storey brick building adjoining the east and north of northwest range, north boundary brick wall and brick walling adjacent to site entrance.

In the wider area, there are listed buildings at 37-43 Constitution Street and 49 Assembly Street which are category A listed (LB27147) listed 14 December 1970, and 2 Bernard Street/28 Constitution Street which are category B listed (LB26886, listed 14 December 1970).

The site is characterised by coursed and random sandstone rubble walls and pitched roofs finished in industrial materials. The block is enclosed and there is no pedestrian or public links through the site.

To the north of the site is Tower Street which has commercial/industrial type buildings and car parking, with Forth Ports beyond. To the south are mainly tenemental residential properties. To the east of the site is an industrial/ commercial area which is to be developed for housing. To the west are a mix of commercial and residential properties which have a maximum height of seven storeys. The predominant materials in the area are polished ashlar to public elevations and a variety of coursed rubble, brick render and industrial materials. Roofing material ranges from dark grey slate, red artificial slates, corrugated metal or asbestos panels, seamed metal or flat asphalt roofs.

This application site is located within the Leith Conservation Area.

## **2.2 Site History**

1-5 Baltic Street was originally the premises of the Leith Gas Light Company (formed in 1823) and successor businesses, processing coal into gas which was stored on site within the on-site gasometers before being piped into the surrounding locality. Since the early 20th Century 1-5 Baltic Street has been occupied by a timber merchant and more recently a builders' merchant with associated trade counters.

7-27 Constitution Street was originally occupied by a naval yard, but later was the site of a granary and coal yard. It has operated as a scrapyards since the Victorian buildings were demolished in the early 1970s.

19 August 1999 - Installation of traffic calming measures approved (application number 99/01033/FUL).

31 January 2020 - Planning application was submitted to demolish some existing buildings, convert existing buildings and develop new build accommodation for student housing, affordable housing, offices, digital co working space and cafe (application number 20/00465/FUL).

31 January 2020 - Conservation Area consent application submitted to demolish unlisted buildings within the conservation area (application number 20/00463/CON).

11 February 2020 - Partial demolition of wall on Tower Street granted consent (application number 19/05902/CON).

14 February 2020 Planning permission was granted for installation of gates to Tower Street opening (application number 19/05903/FUL).

### **History of nearby sites**

5 August 2019 - Planning permission granted for a flatted development of 212 flats and ground floor commercial units and associated works on the adjacent site to the immediate east at 1 Bath Road (application number 18/08206/FUL).

19 March 2020 - Planning application pending determination for a residential development and associated works on the nearby site to the north east of the site at 57 Tower Street and 1 Bath Road. (application number 20/01313/FUL).

04 September 2020 - PAN submitted for the demolition of existing buildings and erection of mixed-use flatted residential and commercial development with associated access, car parking, greenspace and ancillary works at Bath Road/ Salamander Street (application number 20/03799/PAN).

## **Main report**

---

### **3.1 Description Of The Proposal**

The overall proposals comprise a mixed-use development comprising student accommodation, affordable housing, offices and digital co-working space with a café. Accommodation is provided in six blocks; three new build and three conversion. Five of the blocks are arranged around a courtyard; one block fronts Constitution Street.

The student accommodation consists of 66 HMO apartments to accommodate a total of 558 student bedrooms. The student flats would each have between 4 and 11 bedrooms. Two warden's flats are to be provided in the listed building to the south east of the site. Shared common spaces are provided such as common rooms, laundry rooms and music practice rooms.

The affordable housing comprises eight one bed roomed flats; six two bed roomed flats and four three bed roomed flats. The office units which are located below the affordable housing each have a floor area of averaging 79sqm. The digital co-working space is envisaged as being used by both students and local businesses.

The height of the proposed new buildings would be five and six storeys. All are five storeys with the exception of the building proposed at the junction of Constitution Street and Tower Street and part of the proposed new building in the centre of the site. There would be a three storey high section of building fronting Constitution Street adjoining the existing Corn Exchange.

A central courtyard area is proposed with connections to Baltic Street, Constitution Street and Tower Street from the eastern site boundary. Pedestrian access points are proposed to/from the south, west and east site boundaries.

Materials proposed for new build elements are: zinc cladding to roofs and facades, panelling and brick. Infilling areas are proposed to be brick. The materials proposed for the repair/ development of existing listed structures are brick to walls, slate to roofs.

The works involve demolition and alterations to the listed buildings and structures within the site as follows:

#### *Retort House and original Gasometer*

Works involve the removal of a modern profiled steel extension to the west elevation of the Retort House. A number of wide historic openings lie behind the modern structure and these will be filled with glazed panels matching the design of the glazing in the new buildings. The proposed new windows to the first floor will be modern, distinguishing them from the original windows. The space created behind these openings will provide light to a proposed common room. The original openings will be opened up and infilled with a dark metal glazing system. The bricked up arched windows and doors on the south elevation of the west hall of the Retort House will be re-opened. The western elevation of the original gasometer building will retain the historic window pattern and colour.

The removal of the two storey lean-to northerly extension of the building is also required to provide a safe access for a fire engine to the centre of the proposed development. This is not an original part of the Retort House.

A new opening is proposed for the ground floor in the north elevation of the Retort House to provide access to an escape stair and a new electricity substation to serve the development.

New window openings will be formed to the east facade. The scale of the windows would match the smaller original ground floor level windows. Dark metal facings are proposed. New windows will follow the pattern established by earlier changes to the building, with dressed stone surrounds and slimline double glazed astragalled sash and case windows painted green.

The existing modern roof will be removed and replaced with slate. The centre valley will be infilled with a new flat roof in metal profiled cladding. The flat roof will not be visible from ground level within the site.

The western section of the Retort House accommodation will have three floors, and this results in the requirement of a dormer structure in metal cladding to the west pitch of the roof to house the additional floor. This will be detailed as a continuous box and will be contemporary in form.

#### *Office building and perimeter wall (Baltic Street)*

It is proposed that the office building be converted to two warden flats; this enables the retention of the form of the Edwardian offices and will preserve the interior fixtures and fittings.

The remaining perimeter wall which is connected to the office will be retained; the modern brick extension to the wall to the west will be removed.

A lean-to building abutting the north elevation will be used for cycle storage; historic windows will be re used. The roof will be a flat sedum roof and will sit below the wallhead so will not be visible from outside the site.

The later rendered extensions to the west elevation will be removed.

### *The Coal Store*

A modern wall connected to the southern part of the outcrop of buildings facing Baltic Street will be demolished. This will be replaced with a low stone wall with railings above.

The existing corrugated roof covering will be removed and replaced with slate. Existing window openings (currently bricked up) will be re-opened. Two larger new openings are required to the ground floor in a simple rectangular form and with contemporary detailing and the arched windows on the north and south elevations will be reopened and reused using dark metal glazing system. The redundant windows and wallhead will be re infilled with brick. The 1970's brick column at the south west corner will be retained.

The building will be converted to student accommodation and three floors are proposed. The new upper floor requires the addition of a dormer window within the roof structure (similar design principles as Western Retort House).

### *Purifying Building*

The modern brick, profiled steel and asbestos lean-to which encases the north and east elevations will be removed. Part of the original boundary wall which connected the purifying building to the north gable of the western gasometer building will also be demolished.

Several new windows are proposed to the north elevation of the building. These will be provided in a modern style. A small number of windows will be infilled in facing brick set back from the facade.

The proposed replacement for the granary building is built hard against the west gable of the purifying building. The east gable will be joined to the proposed new building by a glazed link.

The removal of a section of wall which separates the scrapyards site from the gasworks site is necessary to enable development of the site as a whole.

### *Western Gasometer and commercial facade and screen wall to Baltic Street*

The two storey commercial western facade to Baltic Street of the western Gasometer building will be retained. The proposed new building is to be set back from it. The remaining sections of the Western Gasometer building will be demolished.



### *Perimeter walls to 7-27 Constitution Street*

The remaining fabric of the ground floor of the now demolished granary building is to be demolished. The screen wall which connects the retained commercial facade to the Corn Exchange will be retained.

The retained ground floor commercial facade will be incorporated as new ground floor shop fronts within the new affordable housing block for the site.

It is proposed that the retained stonework be painted.

### Previous Scheme

- The revised scheme proposes the replacement of a retail use within the units along Constitution Street with an office use;
- Elevations facing Constitution Street and Tower Street have been revised together with proposed changes to the use of materials including use of stone instead of brick;
- The arched windows to the Retort House have windows resized and positioned;
- The bike store fronting Baltic Street has been altered to create a communal area;
- the revision to the treatment of the retained façade of the Western Gasometer on Baltic Street, to activate the frontage;
- A new 2.1 metre wide footpath is now to be provided to the north boundary of the site running in an east west direction;
- The substitution of traditional slate for metal on the roofs of the restored listed buildings;
- Redesign of the dormer windows proposed for the west elevation of the Retort House, reducing its scale and visual impact;
- The removal of metal flashings from the skewers of certain of the listed buildings;
- Changes to the façade treatment of the two storey section of the affordable housing block on Constitution Street;
- Reduction in size of the new windows within the blind arches on the east elevation of the Retort House;
- Changes to the NW corner of the Tower Street elevation, reflecting the relocation of a bin store from Constitution Street to Tower Street;
- Areas of ground floor finished floor levels increased to +5.6mAOD;
- incorporation of more porous surface materials and water garden planting; and
- the carved keystone bearing a triple anchor motif from the arched opening to the former granary building will be re-used in the scheme.

The following documents have been submitted in support of the application:

Townscape Study;  
Townscape Study appendices;  
Heritage Statement;  
Planning statement;  
Design and Access Statement;  
Structural condition report and  
Townscape views.

These are available to view on the Planning Portal.

### **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 of the listed buildings;
- b) the proposals preserve or enhance the character or appearance of the conservation area;
- c) all public comments received have been addressed.

#### **a) Character of the Listed Building**

In determining applications for planning permission or listed building consent, the Council is required to have special regard to the desirability of preserving the buildings, their setting or any features of special architectural or historic interest that they possess.

Paragraph 4 of Historic Environment Policy for Scotland 2019 (HEPS) identifies that:

*The documents that should be referenced for the management of the historic environment are Scottish Planning Policy, Our Place in Time: The Historic Environment Strategy for Scotland, the associated primary and secondary legislation and Historic Environment Scotland's Managing Change series of guidance notes.*

HEPS outlines how we should undertake our duty of care whenever a decision affects the historic environment. It contains a number of policies including a policy statement that decisions affecting the historic environment should be informed by an inclusive understanding of its breadth and cultural significance. Other policies stress that detrimental impacts should be avoided. Where appropriate opportunities for enhancement should be sought.

Historic Environment Scotland (HES) guidance note Managing Change: Use and Adaptation of Listed buildings, sets out the principles that apply to converting historic buildings to new uses. Other HES Managing Change guidance which applies to this case includes Demolition, Interiors, Extensions, Boundary Wall Alterations and Setting.

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. A building's long-term future is at risk when it becomes hard to alter and adapt it when needed. Proposals that keep buildings in use, or bring them back into use, should be supported as long as they do the least possible harm.*

The Purifying Building, Retort House and offices have been empty for over a number of years, and the Purifying Building has been on the Buildings at Risk register since 2011. The gasometer building (western) has been severely altered and is of low significance. The current proposals represent a scheme which causes the least possible harm whilst creating a new use for the site and buildings.

An Engineering Report submitted with the application states that none of the buildings are considered to be habitable in their current condition, with all buildings requiring maintenance plus additional refurbishment to bring them up to the necessary current standards required for habitable spaces. The changes are assessed below in more detail.

#### *Demolition of buildings*

Policy Env 2 of the adopted Edinburgh Local Development Plan (LDP) states that proposals for the total or substantial demolition of a listed building will only be supported in exceptional circumstances, taking into account the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value to be derived from its continual use.

- the building is no longer of special interest;
- the building is not capable of meaningful repair;
- the demolition of the building is essential to delivering significant benefits to economic growth or the wider community;

- the repair of the building is not economically viable, and it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

These principles reflect HES's Managing Change Guidance on Demolition of Listed Buildings.

The western gasometer building is proposed for demolition with only the two storey commercial frontage to Baltic Street being retained.

The Heritage statement sets out the history of the buildings on the site. It states that a series of substantial demolitions took place in the late 1970s to facilitate the conversion of the site to trade counter use. This required the creation of a roadway into the centre of the site from Baltic Street and the reduction of the western gasometer building with the roof and the whole of the smaller extension removed and the wallhead reduced from 18metres to 5.6metres. In doing so, all of the 5m tall round arched windows were removed. The cathedral like roof was removed completely. The internal buttresses were cut down to the height of the new wallhead. A new roof was added to allow the internal space to be used as an industrial unit. The western part of the coal store was demolished at the same time.

The tests set out in Historic Environment Scotland's Managing Change guidance on Demolition must be applied.

The key test in this case are whether the buildings proposed to be demolished are of special architectural or historic interest. If they are, then the other tests would have to be applied to justify demolition. The applicant's Heritage Statement assesses the significance of these buildings.

The applicant has also submitted a financial appraisal of converting the western gasometer building. This has also been assessed and concluded that conversion of the western gasometer would not be economically viable.

The site's listed status is a principal factor which has determined how the site can be best developed without adversely affecting the character and setting of the listed buildings. The developer has stated that without redevelopment of the western gasometer building it would be impossible to acquire the scrapyards site. It would be necessary to develop far more densely on the remainder of the site, and could involve proposals to demolish the purifying building and the coal store.

The proposed removal of the gasometer building should be seen within the context of being part of a larger development and this provides a sustainable new use for the great majority of this group of listed buildings. In addition, the acquisition and development of the adjacent scrapyards site at 7-27 Constitution Street within the development scheme is positive in the context of the overall design layout of the wider area.

Historic Environment Scotland has confirmed they are satisfied that there is justification for demolition on the grounds that Historic Environment Scotland's (HES) Managing Change in the Historic Environment guidance note on the Demolition of Listed Buildings states that if one of the following situations applies then the loss of a listed building is likely to be acceptable, as long as this is clearly demonstrated and justified. HES consider that while the proposals include the demolition of the remnant parts of the former large west range gasometer house, they acknowledge that compelling evidence is submitted to show that retention of this building is not economically viable in relation to the wider proposed regeneration scheme, including restoration and adaptation of other listed former gasworks buildings on the site. They note that there would be a significant conservation deficit if the former west range gasometer house was retained. HES consider that given this building is much altered, and in the interests of progressing a worthy wider heritage-based regeneration scheme, they are content with the proposed demolition. They are pleased that the distinctive Baltic Street classical facade of this range would be retained and restored, to form the street frontage to the proposed replacement building (Building B).

Based on the information submitted, the demolition of the building and structures are considered acceptable. In assessing against the statutory tests in Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, their demolition would preserve the special interest of the remaining listed buildings and their setting.

#### *Alterations to Main Listed Buildings*

Policy Env 4 (Listed Buildings - Alterations and Extensions) in the Edinburgh Local Development Plan (LDP) 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 building's interest; and any additions would be in keeping with other parts of the building.

In addition, HES's Managing Change Guidance sets out principles for altering listed buildings.

The report sets out all the proposed alterations to the listed buildings to be retained on the site. The principles that have been applied are based on sound conservation practice - retention of historic fabric of significance where possible and alterations which are sympathetic to the historic and architectural context but are of their own time. Where, for instance, floor levels are increased to make best use of interior spaces, modern dormers have been created which complement the character of the host building. New openings and bricked up openings are signified by a modern treatment so the history of the site can continue its journey. Traditional detailing has still been sought where this is important e.g. slate rather than metal was agreed for visible roof slopes and metal skews will be replaced by stone skews but this has been balanced with more modern materials such as metal roofs for sections of roofs not visible to the public eye.

The removal of some of the later extensions and additions will allow a greater appreciation of the character of the buildings remaining from the old gasworks.

Internally, the works to restore the office building ensure this important historic fabric is retained.

HES has no adverse comments in relation to the proposals and state the alterations to the listed buildings do not affect their special interest and are acceptable. HES recommend that a full specification of repair and restoration works for the listed buildings be obtained, including works of making good following proposed removals. This should include masonry repair, lime mortar work, slate specification, and restoration work for the Baltic Street high boundary walls, including the Dalton's arch adjoining the Corn Exchange, and the distinctive former board room oriel window. They also suggest that larger scale drawings for proposed replacement timber framed windows and doors be obtained, and material samples for significant replacement/new work be reviewed and agreed in advance of works commencing. These are covered by condition.

The proposed alterations to the listed buildings will result in the preservation of their special interest and bring the buildings into use.

### *Setting*

LDP Policy Env 3 (Listed Buildings - Setting) states that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the appearance or character of the building or its setting.

In terms of setting, the proposed development seeks to sensitively respond to the historic and architectural character of the site and its buildings, whilst enabling the site to be regenerated in a positive physical way. The proposals will enhance the setting of the listed buildings, introducing a new use for them, and being sympathetic to their architectural character and appearance. New public realm is to be created to respond to the historic environment and brings the existing category B listed buildings back into an attractive and beneficial use. All new buildings will complement the industrial heritage of the site.

The setting of the A listed Corn Exchange listed building will be preserved. New buildings are set back from the main dome and its importance will not be diminished by the new development proposals within the site. The stepdown in height of the new build elements along Constitution Street assist in retaining the importance significance of the listed building in the streetscape.

HES broadly support the approach towards this important urban site, which features a mix of repaired and reused historic buildings, together with new build within a landscaped series of courtyards with increased connectivity across the site.

The setting of the listed buildings will be preserved.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve the setting and character of the listed building.

## b) Character and Appearance of 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.*

LDP Policy Env 6 (Conservation Areas - Development) states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The site lies within the Leith Conservation Area. The Leith Conservation Area Character Appraisal emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value. The character of the Leith Conservation Area comprises a broad range of buildings and a variety of architectural styles. The site lies just within the Old Leith and Shore sub area of the Leith Conservation Area. Historically this area was the centre of port activities. Constitution Street forms the eastern boundary of this area.

The proposed formation of new street elevations to Constitution Street and Tower Street will infill historic gap sites and will complete the perimeter street block pattern consistent with the conservation area character. New-build heights are generally in keeping with the surrounding townscape and the industrial character of retained gaswork buildings. The scale, form, roof profiles and materials are compatible with the essential character of the area. The use of sandstone on a significant part of the building frontage, which has been significantly increased since Scheme 1, also reflects the conservation area's character.

Overall, the development will enhance the character of the conservation area by re-invigorating a site that is currently unused and in danger of falling into disrepair. It will retain and re-use buildings in commercial use.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve and enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6.

## c) Public Comments

### **Public Comments - Support**

The site is currently an eyesore;  
Massive improvement;  
Retains and enhances character of the historic buildings;  
Conservation Area character enhanced;  
Well landscaped courtyard area.

## **Community Council comments**

Leith Harbour and Newhaven Community Council is supportive of the application. They consider it to be a high quality scheme, which is sympathetic and imaginative in terms of its design, providing a positive contribution to the conservation area, with steep roof pitches which are attractive. They consider student housing is a good solution to adapt difficult listed buildings.

### Conclusion

This proposal will deliver new uses for the retained listed buildings on the site whilst preserving their main features of architectural and historic interest. The works comply with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as they preserve the character and setting of the listed building and preserve the character and appearance of the Leith Conservation Area. The internal alterations do not involve the loss of any features which contribute to the special interest of the listed building and the external works preserve the frontages and involve acceptable changes to the exterior of the listed buildings. The demolition of buildings as set out is acceptable.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. 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, excavation, analysis, reporting, publication, preservation, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. Prior to the commencement of development and following consultation with the City's Archaeologist the applicant shall submit and gain approval from Planning Authority a public archaeological and historic interpretation scheme for the site.
3. Prior to the commencement of works on site, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for the written approval of the Planning Authority.
4. Prior to the commencement of works on site, specification and detailed drawings of adequate scale, indicating the arrangement of material junctions on external elevations and details of replacement timber framed windows and doors shall be submitted for the written approval of the Planning Authority. The details shall be implemented as approved.



5. The keystone (with triple anchor motif) in the wall to be demolished along Constitution Street should be retained and re-used within the proposed café or other sheltered location within the site. Full details of this shall be submitted to and approved by the Planning Authority prior to development commencing.
6. A full specification of repair and restoration works for the listed buildings shall be submitted, including works of making good following proposed removals, for the further approval of the Planning Authority prior to works commencing. This should include masonry repair, lime mortar work, slate specification, and restoration work for the Baltic Street high boundary walls, including the Dalton's arch adjoining the Corn Exchange, and the former board room oriel window. The details shall be implemented as agreed.

#### **Reasons:-**

1. In order to retain and/or protect important elements of the existing character and amenity of the site.
2. In order to retain and/or protect important elements of the existing character and amenity of the site.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. In order to retain and/or protect important elements of the existing character and amenity of the site.
6. In order to retain and/or protect important elements of the existing character and amenity of the site.

#### **Informatives**

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

#### **Financial impact**

---

##### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

#### **Risk, Policy, compliance and governance impact**

---

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

## **Equalities impact**

---

### **6.1 The equalities impact has been assessed as follows:**

The application has been considered 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**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 14 February 2020. Comments have been received from 31 objectors, one in support and one making general comments. It should be noted that the 31 objection comments and the one making general comments do not raise issues which relate to this listed building application but to planning matters relevant to application 20/00465/FUL.

The application was readvertised on 11 September 2020. This generated one objection which raises points relating to the planning application submission, and a support comment, again in relation to the planning application.

Leith Harbour and Newhaven Community Council support the proposals.

## **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**

**Local Development Plan**

The site is within the Leith Waterfront Development Area in area EW 1b Central Leith Waterfront.

Proposals will be expected to:

- locate any major office development within the strategic business centre identified on the Proposals Map;
- create a publicly-accessible waterside path connecting east and west;
- help meet the Council's open space standards through financial contributions to major improvements to or creation of off-site spaces;
- design new housing to mitigate any significant adverse impacts on residential amenity from existing or new general industrial development; and
- review the flood risk assessment that has already been provided for this site.

A route is safeguarded for the tram and a stop along Constitution Street.

**Leith Docks Development Framework 2005**

The Framework sets out an overall vision for the wider area to provide an extension of Leith and the city which integrates the old and new areas in a mixed, balanced and inclusive waterfront community while responding to contemporary aspirations, concerns and ideas regarding urban planning.

The LDDF anticipated that residential development would be the dominant use throughout the majority of the development parcels.

**Date registered**

31 January 2020

**Drawing numbers/Scheme**

1,2a,3,4a-40a,41-48,49a,50,51a,52,53a,54,55a,56-62,,  
63a,64,65,66a,67a,68-87,

Scheme 2

**David R. Leslie**  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council

Contact: Karen Robertson, Senior planning officer  
E-mail: karen.robertson@edinburgh.gov.uk

## **Links - Policies**

---

### **Relevant Policies:**

#### **Relevant Government Guidance on Historic Environment.**

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

Managing Change in the Historic Environment: Setting sets out Government guidance on the principles that apply to developments affecting the setting of historic assets or places.

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings sets out Government guidance on the principles that apply to enable the use, the reuse and adaptation of listed buildings.

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: External Walls sets out Government guidance on the principles that apply to altering the external walls 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: Boundaries sets out Government guidance on the principles that apply to altering boundary treatments of listed buildings.

The Historic Environment Policy for Scotland 2019 outlines Government policy on how we should care for the historic environment when taking planning decisions.

Managing Change in the Historic Environment: Extensions sets out Government guidance on the principles that apply to extending listed buildings.

#### **Relevant policies of the Local Development Plan.**

LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

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.

**The Leith Conservation Area Character Appraisal** emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value

# Appendix 1

## **Application for Listed Building Consent 20/00466/LBC At 1 - 5 Baltic Street, And 7-27 Constitution Street, Edinburgh**

**Internal and external alterations to Category B- listed gas works buildings and conversion to mixed use development; partial demolition including removal of remnants of gasometer building and northern extension to retort house, removal of other 20th century extensions and formation of new openings with associated fabric repairs. Reinstatement and alteration to boundary walls (as amended)**

### **Consultations**

---

#### **Historic Environment Scotland 28 February 2020**

*The listing for the site (LB26744) was amended last August. This addressed the significance of the surviving buildings, reiterating their special architectural and historic importance as a highly significant industrial site for the production of gas in Scotland. The surviving historic buildings are an important reminder of an industrial process that is now largely redundant. The amended listing excludes the interior of all structures, flat roofed and harled extensions to west of the office block, modern metal extension and roller doors to west of northeast range and single storey brick building adjoining the east and north of northwest range, north boundary brick wall and brick walling adjacent to site entrance.*

*We broadly welcome the design approach to embrace the traditional character of the early to late 19th century former gasworks buildings and their courtyard setting, and for complementary new build and landscaping. We are encouraged by the inclusion of the adjoining scrapyards site to the west (7-27 Constitution Street) to help unlock more of the regeneration potential, and are pleased to note that the submitted scheme includes proposals for the retention and restoration/adaptation of more listed buildings than previously envisaged at pre-application stage, including the former purifying/processing building on the north site boundary (Building G) which is currently derelict and on the national Buildings at Risk Register, and the central former coal store building (Building A).*

*While the proposals also include the demolition of the remnant parts of the former large west range gasometer house, we acknowledge that compelling evidence is submitted to show that retention of this building is not economically viable in relation to the wider proposed regeneration scheme, including restoration and adaptation of other listed former gasworks buildings on the site. We note would be a significant conservation deficit if the former west range gasometer house was retained. Given that this building is much altered, and in the interests of progressing, in our view, a worthy wider*

*heritage-based regeneration scheme we are content with the proposed demolition. We are pleased that the distinctive Baltic Street classical facade of this range would however be retained and restored, to form the street frontage to the proposed replacement building (Building B).*

*With regard to the detailed listed building works, we have the following specific comments:*

*North east range former retort building (Building E) - We accept the need to remove the adjoining north two-storey building (processing building/small office) to facilitate access to the site, including access for fire service vehicles. We do not consider that this would unduly affect the overall special interest of the listed building group.*

*South east range former offices (Building E) - We welcome retention of the first-floor board room oriel window and special decorative interior. The current submitted elevation and roof plan drawings omit the existing ridge chimney stack (shown in the perspective drawing view 4), which contributes to the architectural interest of this building. We suggest that an updated elevation and roof plan drawings be obtained to show retention of the chimney. We also suggest that the timber panelled single door street entrance be retained, (at least as a feature) instead of altering this as a window.*

*Northwest range former purifying building (Building G) - The submitted elevation drawings suggest removal of the existing gable skew. As a traditional feature, we would prefer that this be retained and therefore suggest that amended drawings be obtained to show this.*

*General - We recommend that a full specification of repair and restoration works for the listed buildings be obtained, including works of making good following proposed removals. This should include masonry repair, lime mortar work, slate specification, and restoration work for the Baltic Street high boundary walls, including the Dalton's arch adjoining the Corn Exchange, and the distinctive former board room oriel window.*

*We also suggest that larger scale drawings for proposed replacement timber framed windows and doors be obtained, and material samples for significant replacement/new work be reviewed and agreed in advance of works commencing.*

*To conclude, we broadly support the approach towards this important urban site, which features a mix of repaired and reused historic buildings, together with new build within a landscaped series of courtyards with increased connectivity across the site. We would be happy to discuss the proposals further if helpful.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building consent, together with related policy guidance.*

*This response applies to the application currently proposed. An amended scheme may require another consultation with us.*



## **Historic Environment Scotland- further comments 10 September 2020**

*HES are content with the amended LBC application details. This include revisions to address the suggestions we made in our consultation reply letter of 28 February 2020, specifically:*

*South east range former offices (Building E) - Updated elevation drawing and roof plan now showing the existing ridge chimney stack to be retained.*

*East elevation, North Assembly St - Retention of timber panelled single door street entrance to former office building, as shown in updated elevation drawings. It would be desirable to also update the Townscape Views document (View 3 - Salamander St, looking west) in sync with the elevation drawings.*

*Northwest range former purifying building (Building G) - Retention of existing gable skews as shown in the updated elevation drawings.*

*As per our letter of 28 February, we recommend that a full specification of repair and restoration works for the listed buildings be obtained, including works of making good following proposed removals. This should include masonry repair, lime mortar work, slate specification, and restoration work for the Baltic Street high boundary walls, including the Dalton's arch adjoining the Corn Exchange, and the distinctive former board room oriel window.*

*We also again suggest that larger scale drawings for proposed replacement timber framed windows and doors be obtained, and material samples for significant replacement/new work be reviewed and agreed in advance of works commencing.*

*We request that our above comments be considered as supplementary to our main consultation reply letter of 28 February which sets out our views on the overall scheme.*

### **City Archaeology**

*The site comprises the former 19th and 20th century Edinburgh and Leith Gasworks site and comprises a B listed group of surviving gasworks industrial and commercial buildings and boundary walls. The site historically occurred on the medieval beach and foreshore immediately outwith the medieval port and to the east of the 16th century and later Timberbush fortification and harbour. Archaeological evidence indicates that this foreshore area was being reclaimed from the 15th century onwards.*

*Historic mapping between the 16th (Petworth 1559-60 Siege of Leith) and Naish's 1709 Naval Survey indicate that site was starting to be reclaimed with Gen. Roy's map suggesting that this process had been completed with the foreshore now formed by the northern limits of this site. This appear to be born out by archaeological result form the current Tram construction work on Constitution Street which has unearthed 17th century midden dumps and levelling deposits outside Daltons Scrapyard at a depth in excess of 1.2m below current road surface.*

*The first major development on the site is the construction in the 1790s of a Naval Yard across the area. This was followed by the construction of the Leith Gasworks in the*

*1820s firstly across the eastern third of the site. The gas works expanded across the site during the 19th century, a detailed account of which is in Edinburgh 2020: Leith 1-5 Baltic Street & 7-27 Constitution Street. 00466 contained in the accompanying Heritage Statement undertaken by Sundial Properties in support of this application.*

*As such the site has been identified as not only containing historic industrial buildings of Regional significance but also occurring within an area of archaeological significance both in terms of its buried potential but also its upstanding industrial heritage. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP) and Historic Environment Scotland Policy Statement (HESPS) 2016 and CEC's Edinburgh Local Development Plan (2016) Policies ENV2, ENV3, ENV4, ENV5, ENV6, 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.*

*Historic Buildings and Boundary walls - Outwith the Western Gasometer building, discussed below, it is welcomed this scheme's design approach to the site's and Leith's important industrial heritage as it will see the retention and reuse of the majority of the site's main industrial buildings. However, although retained, the proposals will see significant impacts to the historic fabric of these important industrial buildings and structures. The loss of the 20th century extensions to these listed buildings is not considered significant to warrant the refusal of consent.*

*It is essential that a permanent record of these historic buildings and boundary walls is undertaken prior to demolition/alteration, in conjunction with the programme of conservation and repair as outlined in HES's response (HES Ref 300043173) to the LBC application dated the 28th February 2020.*

*In terms of the required archaeological mitigation this will necessitate the undertaking of a detailed historic building survey (internal and external elevations and plans, photographic and written survey and analysis) prior to and during any demolition and or alterations. This will also be linked to the earlier photographic work undertaken in 1970 by the RCAHMS and with an appropriate programme of archaeological works to deal with any associated buried remains.*

*Western Gasometer Building - The proposals also seek to demolish entirely the surviving 19th century Western Gasometer House. Such a loss must be considered as having a significant and adverse archaeological and heritage impact upon this B-listed group of buildings and potentially contra to Policies ENV 2, ENV8b & ENV9.*

*However, having assessed the submitted Heritage Statement it is clear, that the applicants have considered carefully its retention and economic viability of doing so. However, it is with reluctance that I concur with their report that to successfully deliver the proposed development and see the restoration and adaptation of the sites other listed buildings that this building will required to be demolished. This decision is added in this instance also by the fact that only the shell of the lower storey of this once imposing building survives today.*

*To mitigate its loss and to ensure that a permanent record of it is undertaken, it is essential that a detailed historic building survey is undertaken prior to and during any*

*works. This will also be linked with an appropriate programme of archaeological works to deal with any associated buried remains.*

### *Buried Archaeology*

*The proposals will require significant ground-breaking works regarding the construction of the various phases of development. Such works will have significant impacts upon any surviving archaeological remains, expected to range from 19th/20th century industrial gas-works through to medieval /post-medieval deposits. It is essential that if permission is granted for this scheme, that a programme of archaeological mitigation is undertaken prior to demolition or development.*

*In essence this strategy will require the undertaking of phased programme of archaeological investigation, the first phase of which will be the undertaking of archaeological evaluation (min 10%). The results from Edinburgh 2020: Leith 1-5 Baltic Street & 7-27 Constitution Street.00466. This initial phase of work will allow for the production of appropriate more detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, recording and analysis of any surviving archaeological remains is undertaken.*

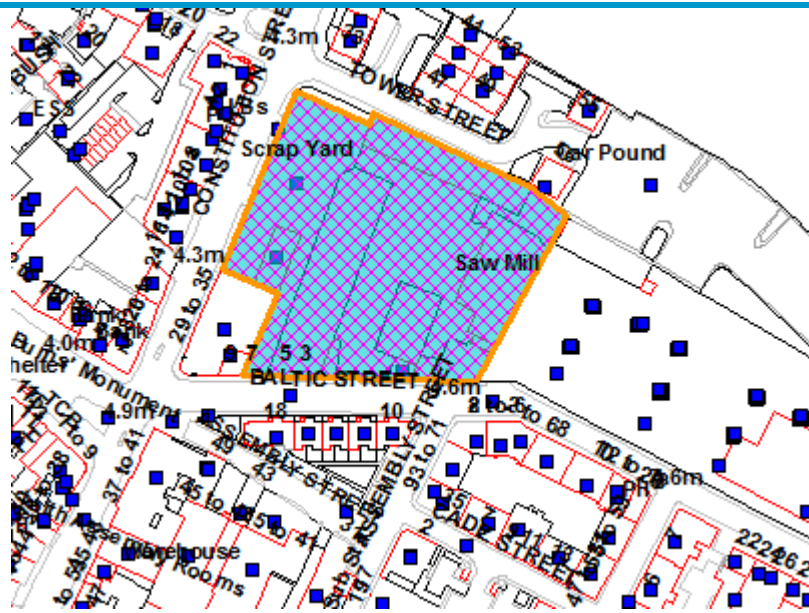
*If consented, it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition:*

*'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, excavation, analysis, reporting, publication, conservation) 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

---



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420  
**END**