

Development Management Sub Committee

Wednesday 28 August 2019

Application for Planning Permission 19/02318/FUL

At 329 High Street, Edinburgh

Change of use from offices to class 1 and 3 uses at ground, basement and mezzanine level, with serviced apartments above; alterations to form new door and altered window openings; alterations at roof level to form new and realigned roof lights and plant enclosure (as amended).

Item number

Report number

Wards

B11 - City Centre

Summary

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

Links

[Policies and guidance for this application](#)

LDPP, LRET01, LRET11, LEN04, LEN06, LEN01, LEN09, LTRA02, LTRA03, NSG, NSBUS, NSLBCA, NSGD02, CRPOLD,

Report

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At 329 High Street, Edinburgh

Change of use from offices to class 1 and 3 uses at ground, basement and mezzanine level, with serviced apartments above; alterations to form new door and altered window openings; alterations at roof level to form new and realigned roof lights and plant enclosure (as amended).

Recommendations

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

Background

2.1 Site description

The application relates to the west wing of the City Chambers on the north side of the High Street, backing onto Roxburgh's Court. The City Chambers by John Adam and John Fergus, dates from 1754-61 with significant alterations and additions by David Cousin in the 1850s and Robert Morham in 1898-1904.

The east and west wings to the High street were built by Ebenezer MacRae in the 1930s and involved the demolition of flanking tenements. These wings are four storey, attic and basement, sandstone structures. The west wing is currently vacant and was last in office use.

The City Chambers is category A listed (listed on 14 December 1970, reference LB17597) and within the World Heritage Site.

The surrounding area is in mixed use in character, including serviced apartments in the Old Town Chambers development directly north of the site, St Giles Cathedral directly opposite, institutional buildings, residences, offices, hotels and restaurants, bars and shops at ground floor level.

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

2.2 Site History

6 February 1995 - listed building consent granted for alterations to entrance area (application reference 94/00074/CEC).

16 February 1995 - planning permission granted to form access ramp and steps. application reference 94/00056/CEC).

5 May 2017 - planning permission granted to alter internal floor plan to create separation of building at no. 329 High Street from rest of City Chambers and form new circulation and protected lobbies within existing corridors and office areas (application reference 17/01217/LBC).

Main report

3.1 Description Of The Proposal

The application is for a change of use from offices to Class 1 (retail) and Class 3 (café/restaurant) uses at ground, basement and mezzanine level, with 24 serviced apartments (sui generis) above. Twenty-one of the apartments are studio type, including three DDA compliant and the remaining three are one-bedroom.

The proposed development is an expansion of the existing serviced apartments at the Old Town Chambers development on Advocate's Close and the reception area for both sets of apartments will be located at 329 High Street.

The proposed external alterations are summarised as follows:

- remove the cills of two existing ground floor windows on the front (south) elevation - the window with side lights and a fanlight to the west of the main entrance and the single window adjacent to Writers' Court entrance and install timber-framed glazed double doors with solid panelled bases;
- lower the cill and raise the lintol height of the existing basement window on the rear (north) elevation facing Warriston's Close and install a new glazed screen and increase the lintol height of the adjacent door;
- lower the cills of the existing basement windows on the rear elevation facing Roxburgh's Court, install louvres in the upper sections and install new timber-framed sash and case windows to match the existing pattern and proportions at the lower level;
- install four Sheffield type cycle stances to the east of the main entrance in Roxburgh's Court;
- remove a section of the slate mansard roof on the west side of the building, install new plant within this area and erect plastic powder-coated louvred screens;
- remove/modify the existing rooflights on the north and south elevations and install new matching rooflights.

The proposed internal alterations form part of the associated application for listed building consent (application reference 19/02319/LBC).

Scheme 1

The original scheme proposed fully glazed doors in the altered window openings on the High Street elevation, new planters on the High Street to the east of the access ramp and no cycle stances.

Supporting Documents

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

- Planning Statement;
- Design Statement;
- Sustainability Statement; and
- Drainage Statement.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority 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.

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.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the development is acceptable in principle;
- b) the proposals preserve the character of the listed building;

- c) the proposals preserve or enhance the character or appearance of the conservation area;
- d) the proposals harm the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site;
- e) the proposals have an adverse impact on significant archaeological remains;
- f) the proposals are detrimental to residential amenity, road safety or infrastructure;
- g) any impacts on equalities or human rights are acceptable; and
- h) public comments have been addressed.

a) Principle

The site is located within the City Centre as designated by the Edinburgh Local Development Plan (LDP). Whilst there is no specific policy relating to serviced apartments, this use is similar to a hotel and Policy Emp 10 supports hotel development in the City Centre.

There is no LDP policy applicable to the loss of office use in the City Centre.

The non-statutory Guidance for Business states that for a change of use to short term commercial visitor accommodation, special regard will be made to the following:

- 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.

The site is located within the heart of the Old Town in which there is a large tourist and transient population. During the Fringe Festival, there are numerous street performers in the High Street directly opposite the building.

The serviced apartments will occupy the upper floors of the property, accessed directly via the High Street, and the rest of the building will be in commercial use, so there will be no direct interaction between users of the serviced apartments and long term residents of the surrounding residential properties.

This is a busy city centre location within easy walking of public transport, so the development will not diminish the quality of the residential environment in terms of noise generation, disturbance and parking demand.

The conversion of the building to residential use has been considered. This would involve the formation of minimum size apartments in accordance with the specifications set out in the Edinburgh Design Guidance. The level of internal alteration required would be significantly greater than for serviced apartments which have no minimum floor area requirements and would involve either a) the raising of floors or b) the alteration of window heights on the front elevation to achieve adequate amenity for the residences. Either of these options would have potentially negative impacts on the character and fabric of this category A listed building, including views into the building from the High Street.

Local Development Plan Policy Ret 1 supports retail use within the City Centre. The site is not within a defined shopping frontage.

Local Development Plan Policy Ret 11: Food and Drink Establishments sets the criteria for judging when a Class 3 use will not be acceptable, with the aim of ensuring that such establishments do not have a detrimental impact on the amenity of nearby residents.

The proposed café/restaurant use in this busy city centre location, where there are many existing such establishments, will not cause any significant disruption for residents.

The development is therefore acceptable in principle.

b) Character of Listed Building

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

The east and west wings of the City Chambers are interesting inter-war interpretations of the original circa 1750 building and its 19th alterations with classical Neo-Georgian style rear elevations.

The proposed external alterations will have no significant impact on the overall architectural composition.

The proposed new doorways on the front elevation onto the High Street are to provide DDA compliant access and fire escape from the proposed retail and café/restaurant units. Historic Environment Scotland has no objection to these new doorways in principle, subject to careful detailing of the stonework, but request that the doors are traditionally detailed rather than fully glazed. The proposed doors have been modified in the revised scheme to an appropriate traditional style with solid panelled bases matching the original cill height. A condition has been attached to ensure that the detailing of the doors and stonework is appropriate.

Ventilation is required at basement level and the least visually intrusive way to achieve this is through ventilation louvres in the windows to Roxburgh's Court. These windows are relatively high level as existing and the proposed lowering of the cills and installation of windows to match the original proportions and detailing will preserve an appropriate ratio of solid to void. The colour of the louvres has been conditioned to ensure that it will match the existing stonework.

The proposed conversion of the existing squat window opening facing Warriston's Close to a door and extension of the existing door height are acceptable alterations to maximise views down the close and over the city beyond. The proposed fully glazed screen and door are appropriate contemporary style interventions in this relatively inconspicuous part of the building.

The removal of a section of the slate mansard roof on the west side of the building is an appropriate means of accommodating new plant within this area, given that the alteration will not be conspicuous from public viewpoints in its location between two large chimney stacks. The proposed louvred screens will conceal any plant that is not hidden by the existing roof structure.

The proposed reorganisation of rooflights on all elevations is acceptable on the basis that the new rooflights are similar in number, scale and style as the existing. As requested by Historic Environment Scotland, any individual rooflights have been centred on the windows below to as near an extent as possible without unnecessary disruption to the original roof fabric.

The other proposed external alterations are minor, involving sundry installations and the re-grading of the surface of the existing access ramp for DDA compliance.

The proposals will therefore have no adverse impact on the character of the listed building, in compliance with LDP Policy Env 4.

c) Character and Appearance of Conservation Area

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

The Old Town Conservation Area Character Appraisal identifies the key characteristics of the Old Town as including:

- *the survival of the little altered medieval 'herringbone' street pattern of narrow close, wynds and courts leading off the spine formed by the Royal Mile;*
 - *important early public buildings such as the Canongate Tolbooth and St Giles Cathedral; and*
 - *the quality and massing of stonework.*

The character appraisal also identifies the "*breath of facilities and attractions [that establish] the Old Town as a cultural, leisure, entertainment and tourism centre of national importance*" and emphasises the importance of maintaining "*a productive balance between the interests of residents, businesses, institutions and visitors*".

The proposed use as serviced apartments on the upper floors with retail and café/restaurant uses on the ground and basement floors is in keeping with the mixed-uses and location of uses which characterise the Old Town Conservation Area. The separation of the west wing of the City Chambers from the main central block is acceptable on the basis that the latter has been modified under listed building consent application reference 17/01217/LBC to allow continuing functioning in its current institutional use without any connection to the west wing. However, any proposed further sub-division of the City Chambers involving the loss of institutional use would have an adverse effect on the essential character of the Old Town Conservation Area.

The proposed external alterations will not affect the medieval street pattern nor the essential architectural composition or integrity of the building.

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

d) Outstanding Universal Value of World Heritage Site

The Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

The Statement of Outstanding Universal Value emphasises the importance of maintaining the authenticity of the Site which "*continues to retain its historic role as the administrative and cultural capital of Scotland, while remaining a vibrant economic centre.*"

For the reasons stated in section c), the proposed development will not threaten this authenticity.

The proposed external alterations will have no detrimental impact on the character or appearance of the medieval Old Town, nor its relationship with the Georgian New Town.

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

e) Archaeological Remains

The site lies within an area of archaeological significance. The remains of the earlier 17th/18th century tenements, which were demolished to accommodate the current building, survive over Roxburgh's Close and the site is at the heart of Edinburgh's medieval Old Town, opposite the 12th century St Giles Cathedral, occupying the site of several medieval burgh plots.

The proposed external and internal alterations and excavations could reveal important evidence regarding earlier buildings on the site and its development and ground/ground floor breaking works could disturb earlier archaeological remains.

A condition has therefore been applied to ensure that an archaeological investigation is undertaken prior to works commencing.

f) Residential Amenity, Road Safety and Infrastructure

Environmental Protection has raised concerns regarding noise from the proposed Class 3 use and has requested a noise impact assessment to demonstrate that all associated plant machinery noise will meet NR25 in the nearest noise-sensitive receptor (with window open for ventilation). This is not necessary in planning terms given the level of ambient noise in the vicinity and any condition to restrict noise levels would be essentially unenforceable given the number of noise sources that are in close proximity to the site. Also, soundproofing measures will be required to obtain a building warrant for the development.

The nearest residential properties are on the upper floors of the neighbouring tenements to the west on Advocates Close and Roxburgh Court. These are currently subject to noise and disruption due to their location in this busy tourist and events area and the proposed serviced apartments and café/restaurant uses will not generate any significant additional noise. There are existing serviced apartments on Advocates Close and restaurants and bars in the immediate vicinity, so residents are accustomed to living within a mixed-use environment.

The plant rooms will be at basement level with air source heat pumps and ventilation termination points at roof level. To address any odour issues, any ventilation systems for the proposed café/restaurant unit will terminate above the eaves height of any sensitive receptor within 30 metres and be capable of at least 30 air changes per hour. These details are shown on the submitted drawings.

There are no overshadowing or privacy issues arising from the proposed physical alterations.

No car parking spaces are proposed which complies with the Council's 2017 parking standards in Zone 1 and four Sheffield cycle parking stances have been provided in Roxburgh's Court. Whilst these will accommodate eight parking spaces, they will not be secure or covered. However, opportunities for such cycle parking are limited due to the basement area's restricted footprint, the building's location on a busy public highway and the steep, stepped access routes to the rear of the site. A condition has been added requiring further details of the proposed cycle stances to ensure that the cycle parking provision is of appropriate specification.

The development will not generate any significant additional traffic being within easy walking distance of major public transport links. An informative has been applied recommending the development of a Travel Plan by the applicant.

No financial contribution towards the tram infrastructure is required as the existing office use would generate a higher sum than the serviced apartments and retail/restaurant uses.

There is sufficient refuse storage space within the building for the proposed serviced apartments and waste management vehicles can stop on the High Street for bin collections.

The site is not at risk from flooding from any source and the development is for change of use and alterations to an existing building with no change in the impermeable surface area.

The proposed development will therefore have no detrimental impact on residential amenity, road safety or infrastructure.

g) Equalities and Human Rights

The development respects the provisions of the Equality Act 2010 by including accessible access to the building via the main entrances, lift access to all floors and three accessible serviced apartments.

h) Public Comments

Material Objections

- there is an over-provision of hotels and holiday lets in this part of the Old Town - this has been addressed in section 3.3 a);
- permanent residents are being pushed out of the city centre - this has been addressed in section 3.3 a);
- the lowering of window cills to the High Street and installation of glazed doors is unacceptable - this has been addressed in section 3.3 b);
- the louvres on the rear elevation are detrimental to Roxburgh's Court - this has been addressed in section 3.3 b); and
- the street tables and planters will clutter the High Street - these have been omitted in the revised scheme.

Non-material comments

- The objections on the grounds of the Council selling off its property for profit are non-materials in planning terms.

Conclusion

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

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.
2. Details of the new doors hereby approved on the High Street elevation, including the alterations to the flanking stonework shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
3. The louvres hereby approved on the Roxburgh Court elevation shall be coloured to match the surrounding stonework.
4. The approved ventilation system shall be installed and operational before the change of use is effected.
5. Details of the cycle stances hereby approved shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the planning authority to consider this/these matter/s in detail.
3. In order to safeguard the character of the statutorily listed building.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.
5. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including 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.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 24 May 2019. A total of 11 objection comments were received, including one from the Old Town Development Trust.

A full assessment of the representations can be found in the main report in the Assessment Section.

Background reading/external references

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

**Statutory Development
Plan Provision**

The site is located within the City Centre as defined in the Edinburgh Local Development Plan.

Date registered

14 May 2019

Drawing numbers/Scheme

01-08, 09A, 10A, 11-14, 15A, 16, 17, 18A, 19A + 20-23,

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

LDP Policy Ret 11 (Food and Drink Establishments) sets criteria for assessing the change of use to a food and drink establishment.

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

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

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

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

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

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

The 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.

Appendix 1

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Change of use from offices to class 1 and 3 uses at ground, basement and mezzanine level, with serviced apartments above; alterations to form new door and altered window openings; alterations at roof level to form new and realigned roof lights and plant enclosure (as amended).

Consultations

Historic Environment Scotland

The works are proposed for the western wing of the Category A listed City Chambers. Both the western and eastern wings were added by City Architect, E.J. MacRae in the early 1930s. The added wings are an interesting inter-war interpretation of both the original c1750 building and its C19th alterations, with the western wing replicating the general form and design of the original City Chambers' western wing. The rear elevation of the western wing is a classical Neo-Georgian composition, matched on the rear of the eastern wing. Whilst, the interiors of these wings are rarely of great architectural interest, we would recommend any internal finishes e.g. panelling, doors etc. are retained or at least recorded.

As before, the main issues for HES will be the proposed new doorways on the High Street and the proposed roof alterations on the front and rear elevations.

New doors

We have no objection to new doorways being opened onto the High Street, subject to the careful detailing of stonework. We would suggest, however, that the new doors are detailed traditionally, either panelled, with upper panels glazed if required, or ideally, glazed internal doors fronted by solid timber storm doors, to match the adjacent Mary King's Close High St entrance. These could be conditioned.

Care should be taken with the positioning of uplighters (shown on drawings on the architrave of the adjacent door).

Rooflights

We would also have no objection to the reorganisation of rooflights on the front elevation to the High Street, and the side hipped roofs. We welcome the change to use rooflights on the rear elevation, rather than horizontal box dormers, which would have been harmful. As before, MacRae's facades are polite and Neo-Georgian, obviously designed to be visible, and with a surprisingly fine architectural treatment, including a pediment and partial balustrade parapet centred on the openings below. Although rooflights will have less impact, we would still recommend that individual rooflights are symmetrically centred on the windows below.

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

Old Town Community Council

The Community Council objects most strongly to this proposed development. To us it seems another example of the Council disposing, albeit as a long lease, of public assets to developers with the assumption of planning consent being granted. Although this proposal might return the highest financial return for the Council, it does not follow that it would provide best value in the long term, or even would be in the best public interest at all. It is now being realised that over-saturation by tourism is ultimately adverse to the universal value of the City.

For certain it has already proven to be extremely adverse to the local community through the loss of residential accommodation, loss of employment due to loss of business space, local shops becoming tat emporiums, local pubs becoming entertainment venues. The loss of amenity through over crowded streets, general noise in addition to noisy events, litter, smell from many extra food outlets, etc cannot be measured, but for certain has resulted in a decline in the genuine population of the Old Town.

Over the last few years, every single development of any significance in the Old Town, has resulted in an increase in visitor accommodation, and in nearly all cases a loss of provision for the local population. If this is allowed to continue, the end result will soon be a dead City, of less attraction.

For these reasons we consider that this application should only be considered only on its merits, of which the only one we see is a notionally higher income for the Council, whereas the demerits certainly outweigh that heavily. To help compensate for some of what has already been lost, this important piece of publicly owned property should instead be converted to residential accommodation, homes for the people of Edinburgh. Alternately, it should become small business office space to stimulate local employment. The Council has the power to do this.

Archaeology

This A-listed former council office was designed by E J Macrae and constructed in the early 1930's and formed part of the larger City Chambers. It replaced earlier 17th/18th century tenements, the remains of the western most still survive over Roxburgh's Close and for the western side of this building. The Eastern side of the building is formed by an earlier 18th century wing of the City Chambers. The building is also situated at the heart of Edinburgh's medieval Old Town's UNESCO World Heritage site occurring opposite the 12th century St Giles Cathedral. The site therefore occupies the site of several medieval burghage plots date back to the foundation of the burgh in the 12th century, with evidence from beneath St Giles suggesting possible earlier Anglo-Saxon development in this area.

Accordingly, this building and site is regarded as being of archaeological and historic significance and important contributor to the character of this section of the UNESCO World Heritage site. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and 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.

The proposals will require internal alterations and excavations. Such works, in particular those affecting the western and eastern gables formed by earlier historic buildings, could reveal provide important evidence regarding these earlier buildings and the development of the site. Similarly ground/ground floor breaking works such as for new services and construction of new lift shafts may disturb earlier archaeological remains dating back to the medieval period. It is therefore considered that this scheme will have some low but potentially significant localised archaeological impacts.

It is recommended therefore that a programme archaeological work combining historic building survey (phased elevations, photographic and written survey) and excavation are undertaken prior to and during development to provide a permanent record of any historic fabric exposed and affected and to fully excavate and record any buried remains affected. It is recommended that the following condition is attached to any granted permissions to ensure that this programme of archaeological works is undertaken prior to construction.

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

The work would 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.

Flood Prevention

Flood Prevention have no concerns or comments about this application and so it can proceed to determination without further comment from our department.

Roads Authority

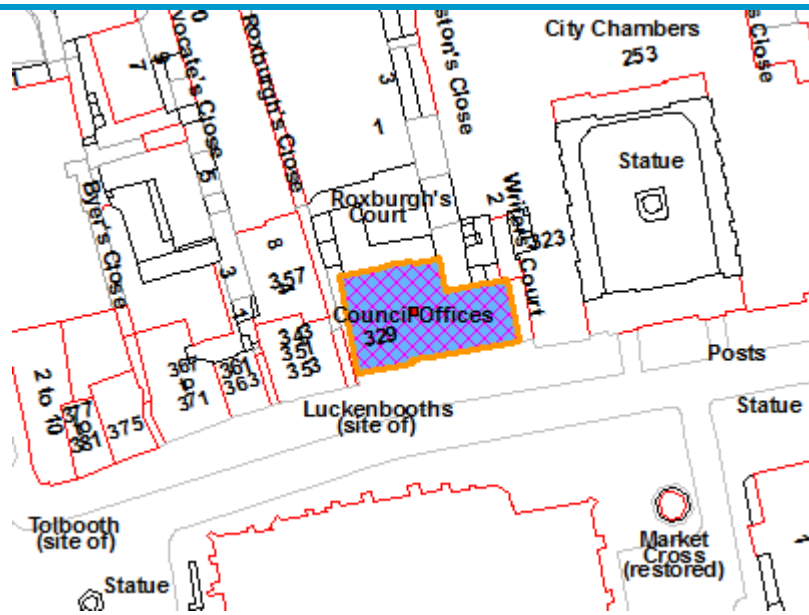
No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. The applicant should be required to provide 4 cycle parking spaces for the serviced apartments, 2 cycle parking spaces for the retail element and 2 cycle parking spaces for the food / drink element in a secure and under cover location. It is noted that the opportunities for such cycle parking are limited;*
- 2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including 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), timetables for local public transport;*
- 3. The proposed planters are not approved at this stage. The applicant should note that the proposed planters are on an area of adopted footway and will require further discussion and application. The applicant should note that such approval may not be granted.*

Note:

- The proposed zero car parking is acceptable.*
- No tram contribution required. Proposed Service apartment 24 rooms= £68,000; proposed 280sqm class 3 use =£43,073.11 or 280sqm class 1 retail use =£14, 512.41. Service apartment with Class 3 use = £111,073 or Service apartment with class 1 use = £82,512; Existing 1806sqm office use = £123,850. Proposed use contribution - existing use contribution = 0; therefore no net tram contribution required.*

Location Plan



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