

# Development Management Sub-Committee Report

**Wednesday 4 October 2023**

**Application for Conservation Area Consent  
107 - 108 Princes Street, Edinburgh, EH2 3AA**

**Proposal: Demolition of retail and office building. (As amended).**

**Item – Committee Decision  
Application Number – 23/01425/CON  
Ward – B11 - City Centre**

## **Reasons for Referral to Committee**

### **Recommendation**

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

### **Summary**

The demolition of the existing building is acceptable in terms of Section 66 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

## **SECTION A – Application Background**

### **Site Description**

The application site totals 0.22 hectares of land, and is comprised of three buildings located on the northern side of Princes Street operated as a mix of retail units and offices. The site is bounded to the rear by Rose Street South Lane and to the east and west by other buildings.

Two of the three buildings on the site are category B listed. 104-105 Princes Street is the former Clarendon Hotel and Arcade (ref: LB29511; date: 20/02/1985) and 106 Princes Street is a late 18th century townhouse (ref: LB43324; date: 28/03/1996). To the immediate west of the site are the category B listed buildings 109, 110 and 111 Princes Street (ref: LB30147; date: 12/12/1974). To the north of the site across Rose Street South Lane are the category B listed buildings 116 Rose Street (ref: LB29648; date 28/03/1996) and 138-142 (even nos) Rose Street (ref: LB29649; date 28/03/1996). There is an extant permission in place at 109 - 112 Princes Street and 144-150 Rose Street for the site's redevelopment and change of use to form a hotel with retail on the lower floors and associated ancillary uses (application ref: 20/05444/FUL).

The site is located within the New Town Conservation Area, the Old and New Towns World Heritage Site, the New Town Gardens and Dean Historic Garden Designed Landscape, the City Centre, the City Centre Retail Core, and the designated Urban Area.

Public transport links are highly accessible from the site.

### **Description Of The Proposal**

The proposal is for the demolition of 107-108 Princes Street, a six storey with basement unlisted building dating from the 1970s. An associated application for planning permission (reference: 23/01417/FUL) has been submitted for the development of the site for hotel use (Class 7) with ancillary bar and restaurant facilities and retail use at basement and ground levels including associated alterations and extensions. The associated application includes the including demolition of 107-108 Princes Street.

### **Supporting Information**

- Planning Statement
- Design and Access Statement (Revised)
- Heritage and Townscape Statement (Revised)
- AVR Visualisations

### **Schedule Two**

Application amended to accord with amendments made to associated planning application (reference: 23/01417/FUL) regarding downtakings the narrow the link between the newbuild and historic frontage buildings, to introduce a setback to the upper most storey at the rear of 104-105 Princes Street, and to alter the Princes Street elevation roofscape of 107-108 Princes Street.

### **Relevant Site History**

23/01417/FUL

104 - 106, 107 & 108 Princes Street

Edinburgh

EH2 3AA

Redevelopment including demolition for hotel use (Class 7) with ancillary bar /restaurant facilities and retail use at basement and ground levels including associated alterations and extensions. (As amended).

23/01420/LBC

104-105 Princes Street

Edinburgh

EH2 3AA

Internal and external alterations including partial demolition and rear extension to form new hotel. (As amended).

23/01422/LBC  
106 Princes Street  
Edinburgh  
EH2 3AA

Internal and external alterations, including partial demolition and rear extension, to form new hotel. (As amended).

### **Other Relevant Site History**

No other relevant site history was identified.

### **Pre-Application process**

Pre-application discussions took place on this application.

### **Consultation Engagement**

Historic Environment Scotland

Archaeologist

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

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** Not Applicable

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** 28 April 2023

**Site Notices Date(s):** 25 April 2023

**Number of Contributors:** 2

## **Section B - Assessment**

### **Determining Issues**

Consent is required because section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act") states that in making a decision on the demolition of a building in a conservation area section 6 to 25 of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings. The proposals therefore require to be assessed in terms of Section 64 of the 1997 Heritage Act:

- Having due regard to HES Policy and guidance, does the proposed demolition conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
- If the proposals do comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?

- If the proposals do not comply with HES Policy and guidance on demolition in a conservation area, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

## Assessment

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

The following HES guidance is relevant in the determination of this application:

- Managing Change - Interim guidance on the Designation of Conservation Areas and Conservation Area Consent (2019).

The Princes Street (Blocks 1-7a) Development Brief is material consideration to the acceptability of the application.

### a) Demolition of building(s) is acceptable?

Section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in making a decision on the demolition of a building in a conservation area, certain provisions of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings.

Historic Environment Scotland's Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019) outlines criteria to assess the acceptability of the demolition of unlisted buildings within conservation area, including:

- *the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site;*
- *if the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated;*
- *where demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult, consent to demolish should be given only where there are acceptable proposals for the new building.*

107-108 Princes Street was constructed in 1971 as part of a wider plan devised by the Princes Street Panel to comprehensively redevelop Princes Street by controlling the height, materials and floor levels, frontage widths of buildings along it, whilst introducing a continuous elevated walkway with shop fronts at first floor level. It is one of seven panel style buildings constructed during this period. Constructed around a single bay with a cantilevered upper roof form, the building is of a quite different architectural form to the 19th Century buildings which it replaced. The building is somewhat unsympathetic to its surroundings, and though representative of a period in Princes Street's development, it does not relate well to the nearby listed buildings, disrupting the established building line of the street at higher levels and emphasising an atypical horizontality in its built form that does not tie in well with neighbouring architecture.

107-108 Princes Street is not considered of value to the character or appearance of the New Town Conservation Area. A condition has been attached to ensure that the buildings are not demolished before a detailed scheme has been granted and the Notification of Initiation of Development has been received with a start date for the detailed development.

### **Conclusion in relation to the demolition and replacement**

The demolition of the existing building is therefore acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

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

As detailed in the assessment for the parallel planning application (reference 22/05886/FUL), the demolition of these buildings would enable the development of the site in a coherent and positive way.

### **Conclusion in relation to the conservation area**

The proposals are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

### **c) there are any other matters to consider?**

#### Equalities and human rights

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

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

#### Public representations

The majority of comments, including those from Legal and General and the Architectural Heritage Society of Scotland relate to the associated application for planning permission (reference 23/01417/FUL) or are non-material in planning terms.

#### *material comments*

- Impact to Listed Buildings. No impact to Listed Buildings is identified.
- Impact to the New Town Conservation Area . Addressed in Section B.
- Impact on buildings of heritage value. Addressed in Section A.

### **Conclusion in relation to other matters considered**

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

## Overall conclusion

The demolition of the existing building is acceptable in terms of Section 66 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

## Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

### Conditions

1. No demolition shall start until the applicant has confirmed in writing the start date for the new development by the submission of a Notice of Initiation of Development for planning permission application reference 23/01417/FUL.

### Reasons

1. In order to safeguard the character of the conservation area.

### Informatives

It should be noted that:

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

### Background Reading/External References

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

### Further Information - Local Development Plan

**Date Registered: 6 April 2023**

### Drawing Numbers/Scheme

01-03, 04A, 05-33, 34A, 35, 36A-39A, 40-42, 43A

Scheme 2

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

Contact: James Armstrong, Assistant Planning Officer  
E-mail:james.armstrong@edinburgh.gov.uk

## Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: We have been re-consulted following the submission of further information, and a revised design, which we have now assessed. We have no further advice to give regarding the demolition of the unlisted Nos.107-108 Princes Street and our previous consultation response remains. The revised proposals for the new building are discussed in the other consultation responses regarding the rest of the site.

DATE: 13 September 2023

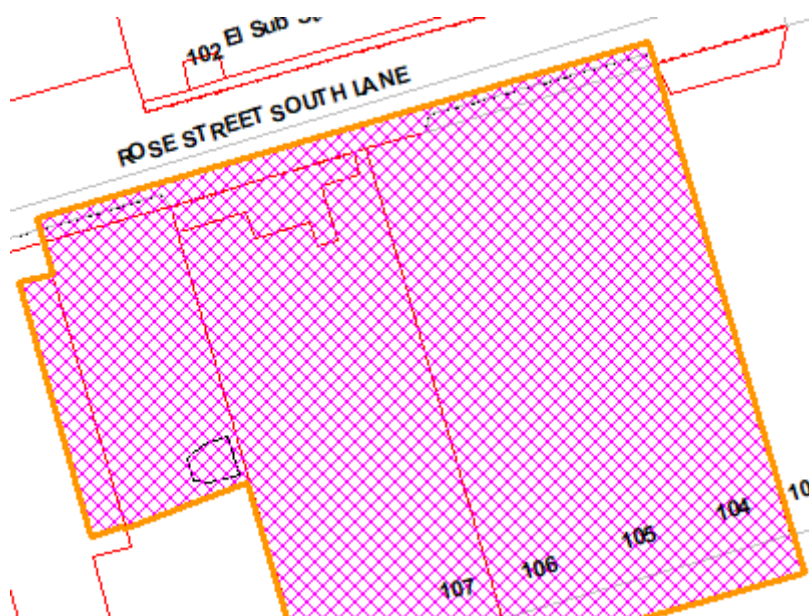
NAME: Archaeologist

COMMENT: No objections subject to appropriate conditions and informatives.

DATE: 27 April 2023

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

## Location Plan



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