

# Development Management Sub-Committee Report

Wednesday 17 April 2024

**Application for Planning Permission STL  
2F & 3F 7 - 8 Randolph Place, Edinburgh, EH3 7TE**

**Proposal: Proposed change of use from class 4 offices to sui-generis self-catering flats for holiday accommodation.**

**Item – Committee Decision  
Application Number – 24/00653/FULSTL  
Ward – B11 - City Centre**

## Reasons for Referral to Committee

Given the level of public interest in relation to the issue of short term lets, it is considered appropriate that this application be determined by Committee.

### Recommendation

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

### Summary

The proposal complies with sections 64 and 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will preserve or enhance the character or appearance of the conservation area and does not harm the character of the listed building, its setting, or the setting of neighbouring listed buildings.

The change of use to STL is acceptable with regards to residential amenity, the character of the area, and will not result in a loss of residential accommodation, complying with LDP policy Hou 7 and NPF4 Policy 30(e). The application is acceptable with regard to heritage and transport matters. The application is in accordance with the development plan. It is therefore recommended that the proposal be granted.

## SECTION A – Application Background

### Site Description

The application site relates to the second and third floor of a building located on the northwestern side of Randolph Place. The properties subject to this application share a communal stair with other properties in use as offices located below the application site.

Randolph Place is of mixed character, featuring both residential and commercial uses as well as a moderate degree of activity during the day and at night. The proximity of the site to the junction of Randolph Place with Queensferry Street and Melville Street results in a significant degree of traffic noise outside the application property. Directly neighbouring the site is a property in use as a restaurant and bar. Public transport links are highly accessible from the site.

The application property is part of a category A listed building, 1-8 (Inclusive nos) Randolph Place, and Randolph Crescent, including railings, with 1, 1A Randolph Lane, LB29602, 14/12/1970.

The application property is in the New Town Conservation Area and the Old and New Towns of Edinburgh World Heritage Site.

### **Description of the Proposal**

The application is to change the use of the second and third floors of the building from offices to form four one-bedroom short term let flats, with associated internal alterations. Access is to be via the existing communal stair onto Randolph Place.

### **Supplementary Information**

Planning supporting statement.

### **Relevant Site History**

24/00654/LBC

2F & 3F 7 - 8 Randolph Place

Edinburgh

EH3 7TE

Alter existing office layouts on second and third floor to provide new holiday accommodation use.

### **Other Relevant Site History**

No other relevant site history was identified.

### **Pre-Application process**

### **Consultation Engagement**

Historic Environment Scotland

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

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** 21 February 2024

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

**Press Publication Date(s):** 1 March 2024

**Site Notices Date(s):** 27 February 2024

**Number of Contributors:** 0

## Section B - Assessment

### Determining Issues

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

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

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

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

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

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

### Assessment

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

#### **a) The proposals harm the listed building and its setting.**

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

- Managing Change in the Historic Environment: Guidance on the principles of listed buildings
- Managing Change in the Historic Environment: Interiors

Managing Change in the Historic Environment: Interim Guidance on the principles of listed building consent sets out the principles for assessing the impact of a development on a listed building.

Managing Change in the Historic Environment: Interiors sets out the principles that apply to alterations to the interiors of historic buildings.

The proposal at second floor level involves internal alterations necessary for the conversion of the second and third floor into two flats each, including the introduction of a wall to subdivide the larger office space at second floor level and alterations to the proportions of the shower, bathrooms and second floor entrance hallway. At third floor level the alterations involve the relocation of walls within the hall and bathroom to enable the change of use.

These works do not result in changes to the building that would impact on the special architectural interest of the building, or any internal features or fittings of heritage interest. Little of the building's original interior fit out remains, having been previously converted to a modern office.

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

### **Conclusion in relation to the listed building**

The proposal does not harm the listed building or its setting. It is therefore acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

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

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

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

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

The proposed works do not involve external changes. Consequently, the proposal will not have an impact to the character and appearance of the conservation area. The proposal does not conflict with the objective of preserving or enhancing the character or appearance of the conservation area.

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

The proposals comply with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

### **c) The proposals comply with the development plan.**

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

The relevant NPF4 and LDP 2016 policies to be considered are:

- NPF4 Sustainable Places Tackling the climate and nature crises Policy 1.
- NPF4 Productive Places Tourism Policy 30.
- NPF4 Historic Assets and Places Policy 7.
- Local Development Plan Delivering the Strategy policy Del 1.
- Local Development Plan Housing Policy, Hou 7.
- Local Development Plan Transport Policies, Tra 2 and Tra 3

The non-statutory Listed Building and Conservation Area Guidance is a material consideration when considering NPF 4 Policy 7.

The non-statutory Guidance for Business (2024) is a material consideration that is relevant when considering LDP Policy Hou 7 and NPF4 policy 30.

The Edinburgh Design Guidance is a material consideration when considering LDP Policies Tra 2 and Tra 3.

The Developer Contributions and Infrastructure Delivery Supplementary Guidance is a material consideration when considering LDP Policy Del 1.

### Listed Buildings, Conservation Area, and World Heritage Site

The impact on the listed building and on the setting of neighbouring listed buildings has been assessed in section a) above which concluded that this would be preserved.

The impact on the conservation area has been assessed in section b) above which concluded that this would be preserved. The proposed works do not involve external changes. Consequently, the proposal will not have an impact on the outstanding universal value of the world heritage site.

The proposal complies with NPF 4 Policy 7.

### Proposed Use

With regards to NPF 4 Policy 1, the operational development proposed is of a scale that its impacts are not significant when considering the climate and nature crises. The proposals will therefore have a negligible impact on the global climate and nature crisis.

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

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

The non-statutory Guidance for Businesses (2024) states that an assessment of a change of use of dwellings to an STL will have regard to:

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

### *Amenity*

The level of activity and patterns of movement created by the proposed short term lets are unlikely to result in an unreasonable impact to neighbour's amenity when considering the high level of ambient background noise in the area, the presence of late night uses in the street and the distance to nearby residential properties.

The proposal complies with NPF4 policy 30(e) part (i) and LDP policy Hou 7.

### *Loss of residential accommodation*

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

The proposed change of use from office to STL use means there will be no loss of residential accommodation, therefore the proposal complies with NPF 4 policy 30(e) part (ii).

### Parking

No parking is proposed. This is in compliance with the standards described in the Edinburgh Design Guidance. No tram contribution is required as the total number of bedrooms to be created falls below the minimum threshold set out in the Developer Contributions and Infrastructure Delivery Supplementary Guidance.

The proposals comply with LDP Policies Tra 2, Tra 3 and Del 1.

### **Conclusion in relation to the Development Plan**

The change of use to STL is acceptable with regards to residential amenity and will not result in a loss of residential accommodation, complying with LDP policy Hou 7 and NPF4 Policy 30(e). The application is acceptable with regard to heritage and transport matters. The application is in accordance with the development plan.

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

The following material planning considerations have been identified:

Emerging policy context

On 5 April 2024, the Planning and Environmental Appeals Division published its report into the examination of the Proposed City Plan 2030 and supporting documents in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. The Council is currently considering the recommendations and modifications required to the Proposed City Plan 2030. It is the intention that the modifications will be considered by the Council before the end of June 2024. At this time in the context of the consideration of this particular application limited weight can be given to the relevant policies of City Plan 2030 until the proposed modifications have been fully considered.

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

No public representations were received in relation to the application.

**Conclusion in relation to identified material considerations.**

The identified material considerations have been assessed above and do not raise issues which outweigh the conclusion in relation to the development plan.

**Overall conclusion**

The proposal complies with sections 64 and 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will preserve or enhance the character or appearance of the conservation area and does not harm the character of the listed building, its setting, or the setting of neighbouring listed buildings.

The change of use to STL is acceptable with regards to residential amenity and will not result in a loss of residential accommodation, complying with LDP policy Hou 7 and NPF4 Policy 30(e). The application is acceptable with regard to heritage and transport matters. The application is in accordance with the development plan. It is therefore recommended that the proposal be granted.

**Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following.

## Conditions

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

## Reasons

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

## Informatives

It should be noted that:

1. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
2. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

## Background Reading/External References

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

## Further Information - Local Development Plan

**Date Registered: 20 February 2024**

## Drawing Numbers/Scheme

01, 02, 03

Scheme 1

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

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



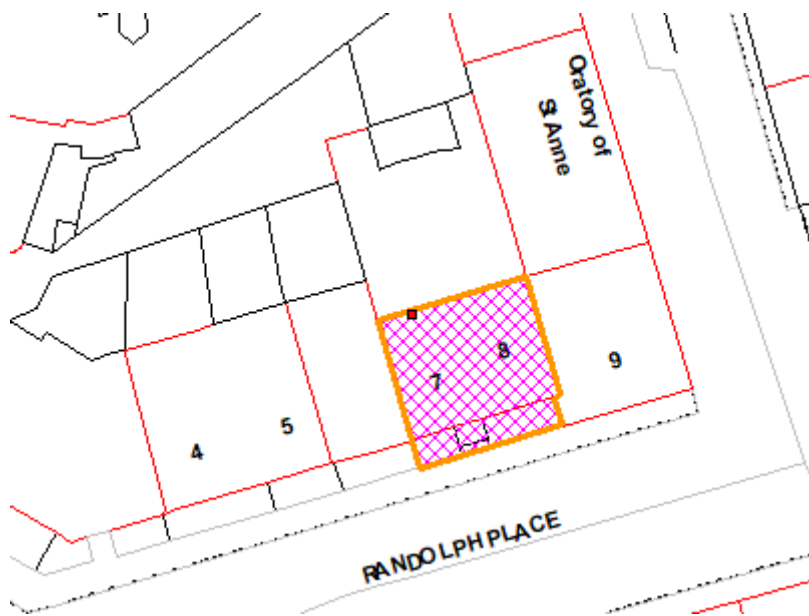
Appendix 1

**Summary of Consultation Responses**

NAME: Historic Environment Scotland  
COMMENT: No comments or objections.  
DATE: 21 February 2024

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

**Location Plan**



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