

Development Management Sub Committee

Wednesday 18 December 2019

**Application for Listed Building Consent 19/00946/LBC
at Jury's Inn 43 Jeffrey Street, Edinburgh.
Alterations to nos. 55-61 Jeffrey Street associated with the
erection of a new adjoining hotel affecting the lower two
floors (as amended).**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposals have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest it possesses and are acceptable.

Links

[Policies and guidance for this application](#)

LDPP, LEN04, LEN06, NSG, NSLBCA, CRPOLD,

Report

Application for Listed Building Consent 19/00946/LBC at Jury's Inn 43 Jeffrey Street, Edinburgh. Alterations to nos. 55-61 Jeffrey Street associated with the erection of a new adjoining hotel affecting the lower two floors (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 a category C listed, five-storey, sandstone tenement on the south side of Jeffrey Street (LB reference 29191, listed on 13 August 1987).

The building sits to the west of the Jury's Inn Hotel and north of a vacant site to the rear of the hotel, known as "The Tannery Site". North Gray's Close runs along the west side of the tenement.

The lower two floors contain office accommodation and there are six residential flats on the three floors above.

The application site falls within the Old and New Towns of Edinburgh World Heritage Site.

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

2.2 Site History

5 December 2002 - listed building consent granted for external and internal alterations, including new pend access (application reference 02/03312/LBC). Consent implemented.

Current application for planning permission (reference 19/00945/FUL) under consideration to erect new 131 bed boutique hotel, 101 bed extension to existing Jurys Inn Hotel, two residential blocks containing 31 flats and retail units. Convert two lower floors of existing category C listed tenement building to new hotel entrance and lounge. Create public space with pedestrian links into the site from existing closes, including new access ramp. (As amended to 125 bed boutique hotel and 100 bed extension to existing Jurys Inn hotel.)

Main report

3.1 Description of the Proposal

The application is for external and internal alterations associated with the annexation of a new seven storey and attic hotel extension to the rear of this category C listed tenement at the lowest two levels as follows:

- remove two first floor windows, the stonework below and part of the stone pier between;
- remove one basement window, the stonework below and one side pier and form a doorway from an existing window at basement level;
- install a new internal stair between ground and first floor level, involving removing a section of the first floor;
- erect internal partitions with double doors at the ground floor entrance forming a lobby.

The proposed access ramp to the north of Trinity Apse does not require listed building consent as this structure is not attached to the category A listed church in the associated application for planning permission, as amended (application reference 19/00945/FUL).

Scheme 1

The original scheme proposed the infilling of two rear windows due to the position of the west hotel wall.

Supporting Documents

The following information was submitted in support of the application: -

- Archaeological Report.

This document is available to view on the Planning and Building Standards Online Services.

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 building and
- b) the proposals preserve or enhance the character or appearance of the conservation area.

a) Character of Listed Building

Nos. 55-61 Jeffrey Street is a category C listed, five-storey, Scots Baronial style tenement by Robert Hamilton Paterson, dating from 1889. The building has been significantly altered by the formation of a wide, double-height pend through its east side.

The building is of local historic and architectural significance due to its architectural style, which is typical of later Victorian tenements in the Old Town, many of which are situated on streets formed as part of the City Improvement Act of 1867. The rear elevation of these tenements is usually informal, and the rear fenestration pattern is often irregular, particularly at the lower levels, as is the case with 55-61 Jeffrey Street.

The proposed external alterations are acceptable, as no significant architectural composition will be affected, and the degree of fabric loss is not extensive.

Internally, there are no significant architectural spaces or features, so the proposed new stair and entrance lobby are acceptable.

The proposals will preserve the character of the listed building without any serious detriment, in accordance with Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

c) Character and Appearance of Conservation Area

The essential character of the conservation area is summarised in the Old Town Conservation Area Character Appraisal as follows: -

- the survival of the little altered medieval 'herringbone' street pattern of narrow closes, wynds and courts leading off the spine formed by the Royal Mile;
- its 16th and 17th century merchants' and nobles' houses;
- important early public buildings such as the Canongate Tolbooth and St Giles Cathedral;
- the quality and massing of stonework and
- the density and height of its picturesque multi-storey buildings.

The section of the proposed new hotel that is attached to the listed tenement at 55-61 Jeffrey Street is at low level to the rear and will not be conspicuous from any of the main public viewpoints. The connection of these two structures will have no detrimental impact on the essential character of this section of the Old Town which is typified by a dense urban grain comprising high tenements with north-south interconnecting closes between.

The proposals therefore preserve the character and appearance of the conservation area, in accordance with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Conclusion

The alterations are minor and have no significant impact on the architectural composition or significant fabric.

The proposals have special regard to the desirability of preserving the building and its setting and any features of special architectural or historic interest it possesses and are acceptable.

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

3.4 Conditions/reasons/informatives

Conditions: -

1. Details of the junctions of the new hotel with the stonework of this listed building shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
2. 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.

Reasons: -

1. In order to safeguard the character of the statutorily listed building.
2. In order to safeguard the interests of archaeological heritage.

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

No representations have been received.

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 within the City Centre, Edinburgh World Heritage Site and Old Town Conservation Area as defined by the Edinburgh Local Development Plan (LDP).

Date registered

26 February 2019

Drawing numbers/Scheme

01 + 02A,

Scheme 2

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

Contact: Clare Macdonald, Senior Planning Officer
E-mail: clare.macdonald@edinburgh.gov.uk Tel: 0131 529 6121

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

Relevant Non-Statutory Guidelines

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

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

Application for Listed Building Consent 19/00946/LBC at Jury's Inn 43 Jeffrey Street, Edinburgh. Alterations to nos. 55-61 Jeffrey Street associated with the erection of a new adjoining hotel affecting the lower two floors (as amended).

Consultations

Historic Environment Scotland

We would have no locus to comment to the proposed works to the Category C listed tenement on Jeffrey Street.

However, we did contact your Council to note that the proposals also involved the erection of a wheelchair compliant access ramp onto (or against) the northern façade of the Trinity College Apse, a Category A listed medieval building reconstructed in 1872-7 to serve as an annex to a new church facing Jeffrey Street (itself demolished in 1964).

The northern wall of the Apse contains two blocked arched openings that formally opened into the demolished church. The Category A listed apse is an open unencumbered space with, due to its significance, very real constraints on any alterations or constructions within it. The three other facades would also have restrictions on any external alterations.

In order to allow the beneficial reuse of the Apse we would suggest that an area of ground adjacent to the north façade could be retained free of development. Even a couple of metres may allow scope for the removal of the arch infills and the fitting of additions in their place. The fitting of e.g. services like toilets and kitchens in these spaces could allow the apse's interior to remain unencumbered.

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.

Archaeology - response dated 01/04/2019

Further to your consultation request I would like to make the following comments and recommendations concerning these linked FUL and LBC applications for the development of a new 131 bed boutique hotel, a 101 bed extension to the existing Jurys Inn hotel, two residential blocks containing 31 flats and retail units and also the conversion of lower two floors of existing Grade C listed 19th century tenement building to new hotel entrance, creation of public space with pedestrian links into and through the

site from existing Closes, including non-stepped link from Jeffrey Street to High Street, wheelchair accessible from Jeffrey Street to the top of the site.

The site occupies the eastern side of the historic North Gray's Close formerly occupied by an extensive 19th century Tannery. Situated at the heart of the medieval Old Town the area is of considerable archaeological importance as was born out by the programme of archaeological excavations carried out principally in 2008 by Headland Archaeology in relation to conditions attached to planning application 07/03931/FUL. The results demonstrated that areas of well-preserved medieval and post-medieval archaeology had survived across the site principally within two large areas (A & B) beneath the industrial 19th century tannery. Across the area subject to this application (AREA B) a deep sequence of 13-14th century deposits (boundary walls, cobble surfaces, terracing etc) sealed below 15th century midden layers in turn sealed by the remains of 17th century tenements. The later in particular contained a significant quantity of artefacts including rare examples in Scotland of Spanish Majolica tiles, with the excavations published in 2016 by the Society of Antiquaries of Scotland (SAIR 58; <https://doi.org/10.9750/issn.1773-3808.2014.58>)

Accordingly, this application must be considered under the terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy, CEC's Edinburgh Local Development Plan (2016) Policies ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Although most of this site was excavated in 2008, a linear stretch of broadly 5m wide running north-south along North Gray's Close was unable to be excavated at the time. This area is known to contain significant archaeological remains, in particular, the frontages of the 17th century buildings identified 2008 and also associated, earlier, medieval remains. As was discussed at the time, this area was to be finally excavated prior to development commencing on site when engineering solutions could be deployed to ensure deep working immediately adjacent to North Gray's Close in order to record the 'upstanding' buried remains of these buildings and early deposits.

It is essential therefore this area is fully excavated. In addition, the proposals will require works in areas not covered by earlier application, principally to the rear of the current Hotel and adjacent to Trinity Apse. Appropriate archaeological mitigation will be required in these areas to record, excavate and analysis any significant remains uncovered.

Lastly subsequent site clearance has uncovered upstanding remains associated with the site's earlier Tannery and tenements. It is essential that these remains are recorded in detail as part of the overall programme of archaeological work

Interpretation & Public Engagement

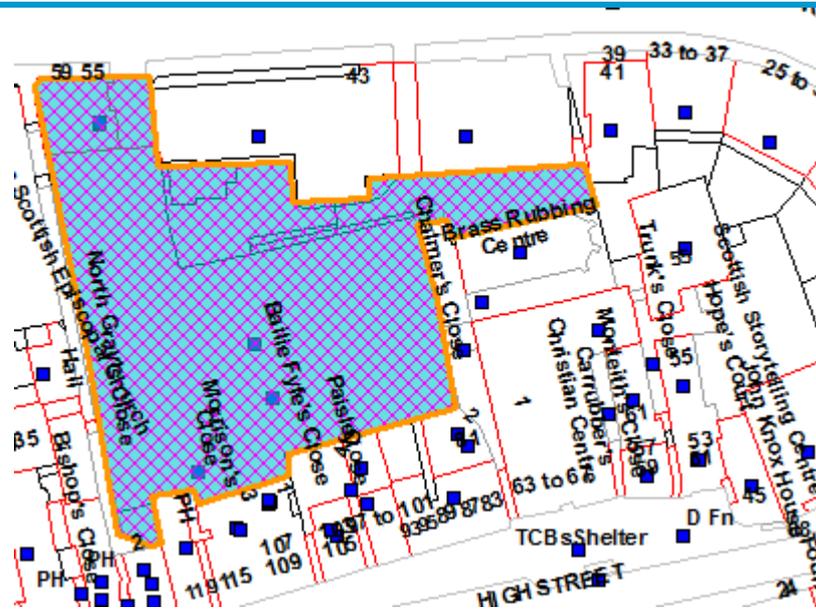
In addition, the site has the potential for unearthing important archaeological remains. Accordingly, it is essential that the archaeological mitigation strategy contain provision for public/community engagement (e.g. site open days, viewing points, temporary interpretation boards), the scope of which will be agreed with CECAS.

It is recommended that these programmes of work be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (Excavation, historic building recording, reporting and analysis, publication, interpretation & public engagement) 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