

Development Management Sub Committee

Wednesday 29 July 2020

**Application for Listed Building Consent 20/01897/LBC
at 13 Castle Street, Edinburgh.
Alterations to form serviced apartments from offices(as
amended).**

Item number

Report number

Wards B11 - City Centre

Summary

The development complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the character and setting of the listed building and preserves or enhances the character and appearance of the conservation area.

Links

[**Policies and guidance for
this application**](#)

LDPP, LEN04, LEN06, HES, HESINT, HESDOR,
NSG, NSLBCA, OTH, CRPNEW,

Report

Application for Listed Building Consent 20/01897/LBC at 13 Castle Street, Edinburgh. Alterations to form serviced apartments from offices(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 site forms part of a terrace of classical houses with flats above, set within Edinburgh's original New Town development. Dating from circa 1792-4, this three-storey and attic building was formerly arranged in a symmetrical pair with the adjoining property to the south and has since had alterations and additions that include a link passage to the ancillary building at first floor level and a new roof level. The first and second floor of the building have undergone significant change and are currently used as office space and a photography studio. A number of the units within this historic terrace have been altered significantly at ground and first floor level to support commercial units.

The application site was category B listed on 3 March 1966 LB reference 28461.

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

2.2 Site History

23 April 2020 - Planning permission granted for alterations to convert offices at first and second floors and existing dwelling at third and fourth floor level into five residential apartments (as amended) (application reference: 20/00027/FUL).

22 April 2020 - Listed building consent granted for change of use from offices at first and second floor and one residential unit over third and fourth floor into five residential apartments (as amended) (application reference: 20/00028/LBC).

An application for planning permission has been submitted in parallel with this application and is pending decision (ref: 20/01896/FUL).

Main report

3.1 Description of the Proposal

The proposal is for alterations to change the use from office space to three short stay visitor accommodation apartments. The proposal includes the reinstatement of an original door at ground floor level located on Rose Street Lane, the subdivision of a communal storeroom to form a new bin store, the formation of a new roof vent and two rooflights and the removal of partition walls on the first, second and third floors.

Previous Scheme

The scheme has been amended to retain nibs of internal walls removed.

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 and setting of the listed building;
- 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 Listed Building

Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 states:

"In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, 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."

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) 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 buildings interest; and any additions would be in keeping with other parts of the building.

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.....We need to make sure they have a long term future if we want to benefit from them in the long term.*

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. Once a building is empty or underused its long term future is immediately at risk.

The property is vacant and in a state of disrepair. It does not appear to meet the modern needs and requirements of small businesses due to the point of access being located down a small alley; as well as the restrictive internal layout of the property and the resultant limited size of the offices available. The limited size of the application site also mean it is not suitable for residential development, as it is not possible to provide sufficient internal floorspace in line with current non-statutory guidance.

The reconfiguration of the internal space will allow much needed refurbishment work to take place which will ensure the building's future. Where walls are to be removed nibs are retained to allow the original layout of the building to be read. Given the poor condition of the building, the loss of some historic fabric, including a fireplace on the third floor, to ensure the reuse of the building is considered acceptable.

Externally, the proposal includes the reopening of an original doorway on the east elevation looking out to Rose Street Lane. This is a secondary elevation and the alteration will not impact the character of the building. The proposed formation of two rooflights on the west elevation, a new smoke vent on the east elevation and the infill of existing vents will not be visible from public viewpoints.

Although the proposals will result in the loss of some historic fabric, given the poor overall condition of the building and the otherwise limited potential for the building's reuse, the alterations are considered acceptable in this instance.

b) Character and Appearance of the Conservation Area and the World Heritage Site

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 New Town Conservation Area Character Appraisal highlights the important role of the varied commercial/residential character of the New Town in contributing to the character of the conservation area stating:

Moving north from Princes Street retail use decreases. Rose Street and George Street have considerable shop frontages, particularly in their central and western ends but retail use has not achieved the saturation level of Princes Street. Further north, Thistle Street and Queen Street only house a very modest amount of retail use. The cross streets in the area also reflect these changes. Throughout the area property has often been rebuilt or extended or converted for office or institutional use. Residential use only remains significant in the western and northern fringes of the First New Town.

In terms of the character of the conservation area; the proposal will provide accommodation for tourists and individuals visiting the city, within an area of already mixed use. The site is highly accessible and will also not result in the loss of any residential properties within the city. The proposal will not have a detrimental impact on the character of the conservation area.

In terms of the appearance of the conservation area, the proposal includes the reopening of an original doorway on the east elevation looking out to Rose Street Lane. This is a secondary elevation and the alteration will not impact the character of the streetscape. The proposed formation of two rooflights on the west elevation, a new smoke vent on the east elevation and the infill of existing vents will not be visible from public viewpoints.

The proposal will preserve the character and appearance of the conservation area and complies with LDP policy Env 6.

c) Public Comments

Non-Material comment

- short term lets eroding residential community resulting in negative impact on the character of the conservation area; this is not a matter for listed building consent

Conclusion

The work complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the character and setting of the listed building and preserves and enhances the character and appearance of the conservation area. The proposals allow for the re-use of a redundant listed building in compliance with the Historic Environment Policy for Scotland and associated Managing Change guidance.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Further details of acoustic linings and external insulation shall be submitted for the prior approval of the planning authority before work commences

Reasons:-

1. In order to safeguard the character of the statutorily listed building.

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. This consent is for Listed Building Consent only. Work must not begin until other necessary consents, eg Planning Permission, have been obtained.

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application received one objection comment. The content of this representation is summarised and addressed in the Assessment section of the main report.

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	Edinburgh Local Development Plan.
Date registered	6 May 2020
Drawing numbers/Scheme	01, 02A, 03A, 04-06, 07A, 08A, 09-11, Scheme 2

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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 Government Guidance on Historic Environment.

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: Doorways: Govenment guide sets out the principles that apply to altering the doorways of historic buildings.

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.

Other Relevant policy guidance

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.

Appendix 1

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Consultations

Historic Environment Scotland

13 Castle Street is category B listed and is part of a terrace of former classical houses with flats above, set within Edinburgh's original New Town development that represents one of the most important and best-preserved examples of urban planning in Britain. Dating from circa 1792-4, this three-storey and attic building was arranged in a symmetrical pair with the adjoining property to the South and has since had alterations and additions that include a new roof level and a link passage to the rear ancillary building at first floor level.

This separate structure to the rear of the property is currently unused from the first floor up. It is accessed via Rose Street South Lane as well as the main tenement townhouse. Originally, the two buildings would not have been attached. The arrangement of internal spaces appears to be largely unaltered and represents an unusual example of architectural design in Rose Street, most likely from the early 19th century, owing to its unconventional height for a rear sited building of the First New Town, as well as its historic plan form. The ancillary building therefore reflects the social, historical and architectural development of the wider New Town between the late 18th and early 19th centuries.

The proposals are for the conversion of the rear ancillary building into three serviced apartments. We consider the current scheme would have a detrimental impact on the character and appearance of the rear ancillary building, which makes a significant contribution to the special interest of the listed building as a whole. Our comments are set out below.

Historic Plan Form

Proposals to alter a listed building should be informed by and respond to its particular character and architectural interest. The significance of a listed building's interior is usually derived from several factors, including the degree to which it remains intact from key periods in history. The plan form, or arrangement and division of internal spaces such as rooms, halls and corridors, forms a key part of the character and special interest of this property, with many of these spaces remaining reasonably intact. The ancillary building is particularly well preserved, and there should be a presumption in favour of retaining its historic plan form. Where walls are proposed for removal, we suggest that nibs are retained to protect the understanding of the historic layout.

Historic Features

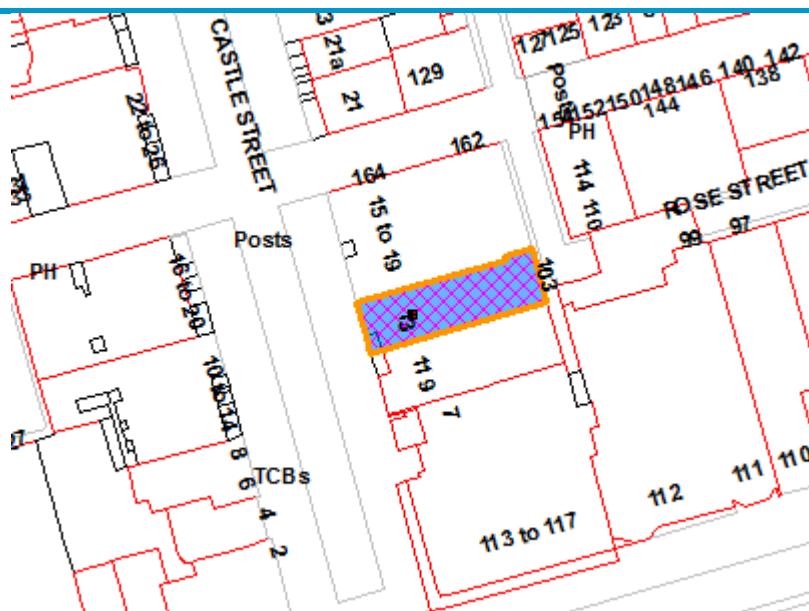
Original and historic features make a significant contribution to the special interest of a listed building's interior. The ancillary building retains its historic cornicing, windows and a fireplace on the third floor. We would ask that the new walls proposed for insulation do not damage or remove any of these features, to protect the building's character and appearance.

Services

From the information provided, it is unclear what impact the required ventilation extraction flues for the proposed bathrooms and kitchen would have on the historic fabric of the ancillary's interior, and so we are unable to provide an assessment of this. For the avoidance of doubt, the siting of these services should not damage any of the existing interior decorative elements, including cornicing, to preserve the historic character and special architectural interest of this listed building.

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.

Location Plan



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