

Development Management Sub Committee

Wednesday 31 July 2019

**Application for Listed Building Consent 19/01855/LBC
At 18,19,20,21,22,23 & 24 John's Lane, Edinburgh, EH6 7EU
Alterations to an existing derelict warehouse linked to the
creation of 20 residential units.**

Item number

Report number

Wards

B13 - Leith

Summary

The proposals have special regard to the desirability of preserving the building and its setting and do not adversely affect any features of special architectural and historic interest. The proposals preserve the character and appearance of the conservation area.

Links

[Policies and guidance for this application](#)

LDPP, LEN04, LEN06, NSG, NSLBCA, OTH, CRPLEI, HES, HESROF, HESUSE,

Report

Application for Listed Building Consent 19/01855/LBC At 18,19,20,21,22,23 & 24 John's Lane, Edinburgh, EH6 7EU Alterations to an existing derelict warehouse linked to the creation of 20 residential units.

Recommendations

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

Background

2.1 Site description

The property is a two storey and attic warehouse, dating from the early 19th century, located on a narrow back lane. The lane is a cul-de-sac. The property has been derelict for almost four decades. Sections of the building are supported by scaffold. There is considerable plant growth at roof level. Parts of the building visibly lean over the lane. The majority of windows are bricked up, especially on the west side. The structure has been on the Buildings at Risk Register since 2012. There is evidence that historically the building was at least one storey higher.

The rear is of different design, with blind arches at ground floor. On this side, an extra storey of brick was added in the 1970s to act as a fire wall between properties. The properties that this side attached to were demolished in the 1980s and the large warehouse beyond is now converted to residential use.

The north roof collapsed around 2017 and the final sections of the roof have been removed during the course of the application.

The building was listed category C on 5 March 1991 (reference: 27530).

This application site is located within the Leith Conservation Area.

2.2 Site History

15 October 2015 - listed building consent granted for alterations similar to those now proposed (planning reference: 15/03225/LBC).

26 March 2018 - parallel application for planning permission for 30 residential units refused for multiple reasons including density (planning reference: 15/03226/FUL).

Main report

3.1 Description Of The Proposal

The application proposes physical alterations to the existing structure in anticipation of a future application for change of use to residential.

Alterations are extensive, including total rebuilding of the roof to a new profile to allow accommodation at attic level. This includes six zinc-clad dormers on the frontage and an almost continuous linear dormer on the rear wallhead. On the frontage, bricked windows are re-opened as windows and some doors and hoist-doors are also partly glazed. To the rear (due to this being on a mutual boundary for most of its length) re-opening of windows is restricted to those areas where the applicant has some degree of ownership on adjacent land. The majority of bricked windows, and the blind arches, will necessarily remain solid, but will be over-clad in zinc to better express the original architectural concept.

Internally, the volume is subdivided to potentially create 20 units.

Although the drawings notionally indicate removal of later buildings on the south side, these lie beyond the site boundary and are not part of the current application.

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 works impact on the character of the listed building;
- b) the works impact on the character and appearance of the conservation area;
and
- c) comments are addressed.

a) Character of the Listed Building

Policy Env 4 in the Edinburgh Local Plan (LDP) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result 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.

The Historic Environment Scotland (HES) documents on Managing Change: Roofs and Managing Change: Use and Adaptation of Listed Buildings offer further guidance. The latter states "proposals that keep buildings in use, or bring them back into use, should be supported as long as they do least possible harm". In addition, the guidance accepts that alterations, even if they are extensive, will be better than losing the building entirely.

The property has been derelict for several decades and is on the Buildings at Risk Register. Several past approvals (see History) have failed to materialise and the building condition is now critical. The degree of intervention reflects the alterations required to bring the building back into use. These echo the previously approved (but now lapsed) scheme of 2015.

HES Managing Change guidance on roofs states that the addition of new features such as dormers or rooflights to principal or prominent roof slopes should generally be avoided. In this case, the addition of dormers is necessitated by the scale of work required to the building as a whole. As the building was not originally designed with dormers, the use of lead-clad dormers is seen as a more honest intervention than cladding the dormers in slate. The form will be a clear-cut modern alteration. Whilst the existing roof character is lost, this loss is outweighed by the overall improvement to the building and the new use, which will secure the long term survival of the listed building. The very long period of vacancy means that a more radical solution is justifiable in this instance.

Although window design is criticised by objectors, the building has no windows at present and historically appears to have had timber shutters rather than glazed openings. There is therefore no objection to the style of window proposed. A condition is added to clarify that windows should be of timber.

The interior of the building is of no architectural or historic merit and its subdivision has no adverse impact upon character.

The changes are balanced by the comprehensive re-use of the lower masonry and the reopening of the majority of windows on the lane. The net impact is one of conservation gain. Overall, the proposed alterations would enhance the beneficial use of the building without harming the special interest or setting of the listed building.

b) The Impact on the Character and Appearance of the Conservation Area

LDP policy Env 6 considers the impact on the character and appearance of the conservation area. The Leith Conservation Area Character Appraisal recognises that Leith now has a mix of old and new buildings, including many warehouse conversions. Warehouse buildings are an important part of the area's character.

The long-derelict building has the potential to make a positive contribution to the conservation area if brought back to a new use. Continued dereliction risks total loss as the building continues to deteriorate.

The alteration will retain the essential stone elements and the industrial background to the building will remain visible.

The location is both visually isolated and on a cul-de-sac. For this reason, the condition of the building has limited impact on the appearance of the conservation area. As a whole, the works will enhance the character of the conservation area.

c) Public Comments

Material Comments

- Materials are unclear - materials are all stipulated;
- Listed building character will be lost - addressed in section 3.3a);
- Roof design is inappropriate - addressed in section 3.3 a);
- Design is substandard - addressed in section 3.3 a);
- Window material is not specified - addressed by condition; and
- Window design inappropriate - addressed in section 3.3a).

Non-Material Comments

The majority of issues raised would be pertinent to an application for planning permission but are not relevant in the assessment of listed building consent.

- The scheme is unchanged since the last application;
- There is no parallel planning application;
- No Design and Access Statement;
- Lack of parking/traffic issues;
- No information on affordable housing;
- Site boundary is wrong;
- Drawings are misleading/inaccurate;
- Access is unclear;
- Mix of units is insufficient;
- No open space;
- Access during construction;
- Previous scheme was refused; and
- Overshadowing.

Community Council

Leith Links Community Council generally raised the same issues as neighbours.

Conclusion

The works will secure the long term future of the listed building.

On balance, the works preserve the special interest and setting of the listed building.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. Windows and doors to be of timber construction. Details to be submitted for further approval of the planning authority prior to commencement of works.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to enable the planning authority to consider this/these matter/s in detail.

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.
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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 3 May 2019.

Twenty representations were received, one in support, 19 in objection. This included objection from AHSS and two from Leith Links Community Council. However, only seven of these raised issues material to the assessment of listed building consent.

Representations are addressed in section 3.3 c) of the assessment.

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 property lies in the Leith Conservation Area as shown in the LDP.

Date registered

15 April 2019

Drawing numbers/Scheme

1-7,

Scheme 1

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 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.

Other Relevant policy guidance

The Leith Conservation Area Character Appraisal emphasises the area's unique and complex architectural character, the concentration of buildings of significant historic and architectural quality, the unifying effect of traditional materials, the multiplicity of land use activities, and the importance of the Water of Leith and Leith Links for their natural heritage, open space and recreational value.

Relevant Government Guidance on Historic Environment.

Managing Change in the Historic Environment: Roofs sets out Government guidance on the principles that apply to altering the roofs of listed buildings.

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings sets out Government guidance on the principles that apply to enable the use, the reuse and adaptation of listed buildings.

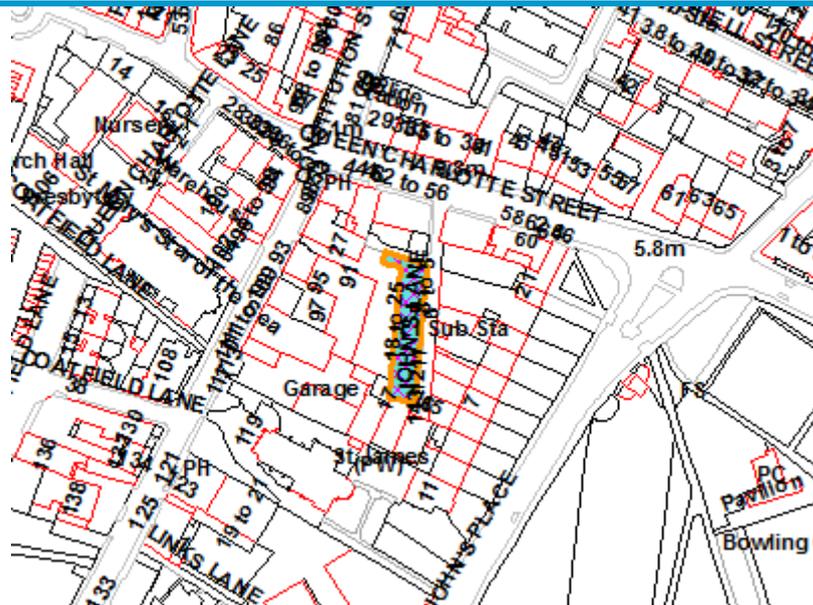
Appendix 1

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Consultations

No consultations undertaken.

Location Plan



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