

# Development Management Sub Committee

Wednesday 5 May 2021

**Application for Listed Building Consent 21/00867/LBC  
at 8 Shandwick Place, Edinburgh, EH2 4RP.  
Alterations to form short stay self-catering units on first and  
second floor. Internal alterations to third floor flats.**

Item number

Report number

Wards

B11 - City Centre

## Summary

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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

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[Policies and guidance for this application](#)

HES, HEPS, HESINT, HESUSE, LDPP, LEN04, LEN06, NSG, CRPNEW, NSLBCA,

# Report

## **Application for Listed Building Consent 21/00867/LBC at 8 Shandwick Place, Edinburgh, EH2 4RP. Alterations to form short stay self-catering units on first and second floor. Internal alterations to third floor flats.**

### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application relates to the first and second floors above a retail unit on the north side of Shandwick Place and immediately adjacent to the corner unit on Shandwick Place and Queensferry Street.

The current use of the building is as storage for the retail unit below. There are two residential units on the third floor.

The building was designed by Robert Paterson and built in 1880 and was C listed on 22 July 2009 (Ref. 51342)

The site is located within the World Heritage Site.

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

#### **2.2 Site History**

15 January 1997 - planning permission granted for alterations (Planning reference: 95/13125/FUL)

27 May 2011 - planning permission refused for alterations and part change of use of existing building to form 3 no new flats at first and second floors and retain 2no existing flats at third floor level (Planning reference: 11/01095/FUL)

30 May 2011- listed building consent granted for alterations and part change of use of existing building to form 3 no new flats at first and second floors and retain 2no existing flats at third floor level. Third floor flats to be altered and refurbished (Planning reference: 11/01095/LBC)

13 August 2013 - listed building consent granted for internal alterations to create holiday hostel on 3 floors (Planning reference: 13/02509/LBC)

24 May 2017 - Planning application withdrawn for the change of use from vacant storage of a shop and residential accommodation to a hostel (class 7) (Planning reference: 13/02490/FUL). Although the application was minded to grant, the tram contribution was not paid.

3 July 2017 - no further action taken in enforcement investigation regarding unauthorised hostel use as the use ceased (Enforcement reference: 17/00165/ECOU).

## **Main report**

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### **3.1 Description of the Proposal**

The proposal is for change of use to the first and second floors to form four self-contained, self-catering short term holiday let units. Minor alterations are also proposed to the existing residential units on the third floor.

Two units each would be formed on the first and second floors. The existing toilets would be removed along with some minor walls. The main alteration is on the first floor where a new partition will be formed to separate the bed from the bathroom.

On the third floor, a wall will be removed to make the flat open plan.

### **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;
- b) the proposals preserve or enhance the character or appearance of the conservation area.

## a) Listed Building

Section 14 (2) 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"*

Historic Environment Scotland's (HES) Guidance on Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings states: "New uses may enable us to retain much of the fabric and special interest of a building, but they will always have an impact on its intangible value. The process of conversion will have some impact on a building's special interest, regardless of how well it is handled. The continued use of a listed building for its original function will normally be the best way to retain its historic character".

Historic Environment Scotland's Guidance on Managing Change in the Historic Environment: Interiors states: *"the interior of a historic building is important in defining its character and special interest. The interest, experience and enjoyment of a historic interior can be derived from a number of factors including its design, structural plan and layout, the quality of its decorative scheme, materials and craftsmanship, fixtures and fittings, any associated archaeology, and historical and cultural associations."*

LDP Policy Env 4, Listed Buildings - Alterations and Extensions, permits alterations to listed buildings when they are justified, in keeping with its character and can be undertaken without damage to historic structures or diminution of interest.

The interior of this listed building has been significantly altered and the rooms on the second floor and the third floor have had partitions added. These rooms were not of special significance and the alterations to them to improve the layouts are acceptable.

The rear room of the first floor is also already altered and the changes are acceptable.

The main intervention of note is the front room on the first floor which could be termed a principal room in the context of the building although there is evidence it has been altered from its original symmetrical layout e.g. the chimney breast is not centred on the wall. The room has good panelling round the windows which will be retained and a good quality cornice.

A new bathroom will be inserted into this room but provided it is not full height and is designed to integrate with the other furniture this will allow the cornice to be untouched and the room proportions to be appreciated. A condition is added to get further details of the bathroom pod. On this basis the special interest of the listed building will be preserved.

The proposal complies with the relevant HES guidance.

## b) 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."*

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.

There are no proposed external alterations to the building and the appearance of the conservation area will be unaffected. In addition, there would be little change to the character of the conservation area in terms of the alterations proposed.

The proposal meets the statutory test.

### 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 the character and appearance of the conservation area.

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

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. Details of the proposed bathroom pod in the first floor front room shall be submitted for the approval of the planning authority prior to the commencement of the works. The pod shall not be full height and should be designed to integrate with the studio furniture.

#### **Reasons:-**

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

## **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**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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**5.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **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**

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### **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**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

No representations have been received.

## Background reading/external references

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- 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**

**Date registered** 22 February 2021

**Drawing numbers/Scheme** 01-05,

Scheme 1

### **David Givan**

Chief Planning Officer

PLACE

The City of Edinburgh Council

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## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant Government Guidance on Historic Environment.**

The Historic Environment Policy for Scotland 2019 outlines Government policy on how we should care for the historic environment when taking planning decisions.

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: 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.

#### **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**

**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.

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

# Appendix 1

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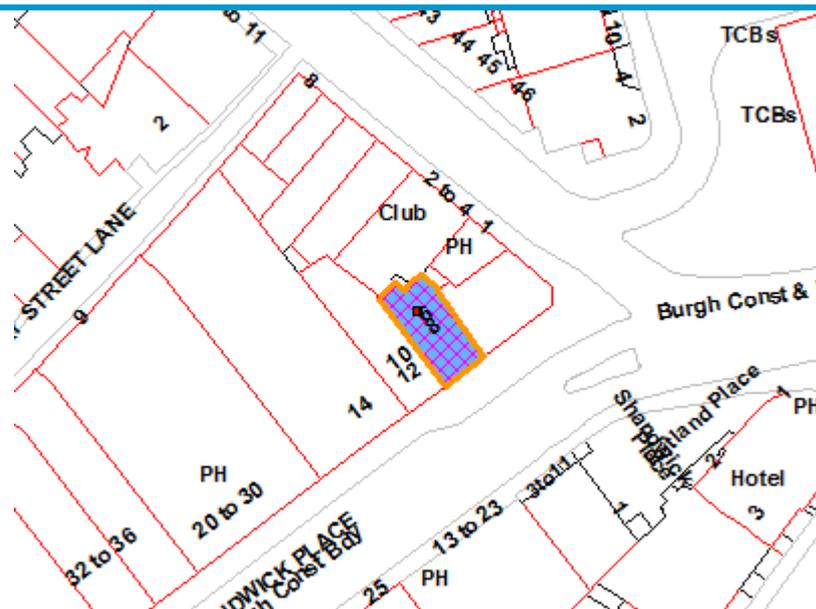
## Consultations

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No consultations undertaken.

## Location Plan

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