

Development Management Sub Committee

Wednesday 22 September 2021

**Application for Planning Permission 21/02973/FUL
at Hilton Edinburgh Grosvenor, 5 - 25 Grosvenor Street and
21A Grosvenor Street.**

**Refurbishment and alterations to create new bedrooms;
change of use of existing flat 21A Grosvenor Street from
domestic flat to hotel class use; internal alterations and
convert 1st floor rear mews from staff quarters to new suited
accommodation; and upgrade external M&E plant (as
amended).**

Item number

Report number

Wards

B11 - City Centre

Summary

The amended proposals comply with the Development Plan. The proposals preserve the listed building and its setting and the character and appearance of the conservation area. There will be no adverse impact on residential amenity. There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LEN01, LEN04, LEN06, LEMP10, LHOU07, LDEL01, HES, HEPS, HESEXW, NSG, CRPNEW,

Report

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accommodation; and upgrade external M&E plant (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 consists of a series of Victorian tenements on the east side of Grosvenor Street, all being part of the Grosvenor Hotel. The buildings date from 1865 and are category B listed (Listing reference: LB28977). The buildings are 3 storeys in height with basement and attics.

To the front, there is a large canopy denoting the entrance to the hotel. To the rear, there are mews buildings accessed through the hotel and from Palmerston Place Lane. The original spaces between the mews and the front tenements have largely been filled in.

Internally, the buildings have been significantly altered with few original details remaining.

The buildings are largely in hotel use. No. 21A is residential although connected to the hotel and the mews buildings were last used as staff quarters, this being ancillary to the hotel use.

The buildings lie within the Edinburgh World Heritage Site. They are also within the boundary of the 'New Town Gardens' Inventory Designed Garden & Landscape.

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

2.2 Site History

14 December 1999 - listed building consent granted for internal alterations to form leisure facilities (planning reference: 99/02601/LBC)

2 November 2000 - planning permission granted to erect six new condenser units on flat roof (in retrospect) (planning reference: 00/02380/FUL)

15 November 2000 - listed building consent granted to erect six new condenser units on flat roof (in retrospect) (planning reference: 00/02380/LBC)

6 September 2006 - listed building consent granted for minor alterations to existing ground floor of hotel (planning reference: 06/02836/LBC)

10 July 2008 - planning permission granted to fit new double gates in existing railings (as amended) (planning reference: 08/01683/FUL)

22 July 2008 - listed building consent granted to fit new double gates in existing railings (as amended) (planning reference: 08/01683/LBC)

17 February 2011 - listed building consent granted to replace timber sash and case windows with timber sash and case slimlite double glazed windows (planning reference: 11/00046/LBC)

18 March 2011 - planning permission granted to erect new glass screens and automatic doors sliding doors under the existing entrance canopy (planning reference: 11/00357/FUL)

18 March 2011 - listed building consent granted to erect new glass screens and automatic doors sliding doors under the existing entrance canopy (planning reference: 11/00356/LBC)

29 July 2014 - planning permission granted to install two gates into the existing railings and install two small external hydraulic lifts (planning reference: 14/02558/FUL)

4 August 2014 - listed building consent granted to install two gates into the existing railings and install two small external hydraulic lifts (planning reference: 14/02559/LBC)

18 February 2020 - listed building consent granted to replace existing single glazed timber units with "slimlite" double glazed timber units, to match the original and previously installed double glazed units, installed under planning consent reference: 11/00046/LBC. Remove existing single-glazed rooflights and replace with timber, double-glazed rooflights (planning reference: 19/06025/LBC)

Main report

3.1 Description of the Proposal

The application is for the refurbishment of the existing hotel and its reconfiguration to create extra bedroom space from existing hotel accommodation. It is also proposed to convert the basement flat at No 21A Grosvenor Street, a self-contained basement flat, into hotel accommodation. This would be a self-contained three bedroom suite with self-catering facilities but will also have full access to hotel facilities.

There is no change to the existing function room apart from internal re-organisation to form a pre-events space. The existing servicing arrangements which are from the front are also unchanged.

Externally, the main changes are to the mews buildings to the rear of the hotel. New Juliette balconies will be added to the first floor windows. A timber hoist door will be changed to a double glazed window. Rooflights will be reconfigured with some removed and new heritage ones added on the rear slopes of the mews. Existing ventilation and other mechanical services will be upgraded to the rear of the mews and a screen will be placed round this. Plant at roof level will also be replaced. The skylight above the pre-events space will be re-instated. Repair and maintenance work will be carried out such as stone repairs, roof repairs and window refurbishment.

The internal works largely involve reconfiguration and this is assessed in more detail in the associated listed building consent.

Previous scheme

The proposals have been amended so that the accommodation in the mews building will only be accessed through the hotel and the proposed changes to open up the ground floor on the mews have now been deleted.

Supporting documents

The following documents have been submitted in support of the application:

- planning statement
- heritage assessment
- noise impact assessment

These are available to view on the Planning Portal.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority 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.

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.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of the development is acceptable;
- b) the proposals will have an adverse impact on the character of the listed building;
- c) the proposals will adversely affect the character and appearance of the conservation area;
- d) the proposals will affect the World Heritage Site;
- e) the proposal will result in an unreasonable loss of neighbouring amenity;
- f) Parking and traffic issues have been addressed and
- g) any comments received are addressed.

a) Principle of Development

The site is a well established hotel and the only change of use is the change from a domestic flat at No 21A to hotel accommodation. The creation of additional bedrooms in the existing hotel is being done using ancillary areas such as storage and disused staff accommodation. As such, the creation of the new bedrooms does not constitute a material change of use as these spaces are already in hotel use.

In terms of the change of use of No. 21A, policy Emp 10 (Hotel Development) supports hotel development in the urban area provided it has good transport facilities. The property is well served by buses, trains and the tram. The change of use is acceptable in principle. It is noted that the new suite will have self-catering facilities and its own access but the applicant has confirmed the occupants will have full use of the hotel facilities. As such policy Emp 10 is the correct policy to apply and the proposals comply with this.

In the original scheme, it was proposed that the hotel suites converted using the staff quarters in the first floor of the rear mews would essentially be self-catering apartments akin to short stay lets with access being available through Palmerston Place Lane. In the amended scheme, the visitors using the new suites will only be able to access them through the hotel and there will be no access to the lane apart from a fire exit at ground floor - there are already other fire exits leading to the lane. These suites are therefore part of the hotel rather than separate short term lets. The conversion of these existing hotel spaces to additional bedrooms is not a change of use as such.

The principle of the use is well established and the change of use from a domestic flat to hotel use is compatible with policy Emp 10.

b) Impact on the 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"

Historic Environment Scotland's (HES) Guidance Notes on Managing Change in the Historic Environment set out the principles for alterations to listed buildings including physical alterations.

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.

Externally, the main changes to the listed building are the introduction of Juliette balconies and the conversion of the hayloft door to a window. There is one other Juliette balcony in the lane opposite the application site. This sits comfortably within the mews context. It is acknowledged that the introduction of these balconies is a significant change to this part of the mews frontage. However, the balconies are needed to meet building regulations as the floor level of the rooms is only slightly below the sill level of the windows. A condition has been applied to ensure that the balcony details are as minimalist as possible to ensure there is no adverse impact on the special interest of the listed building.

The hayloft door is the last remaining one in the mews but it currently prevents the re-use of the room beyond. Its conversion to a window will be in character with the rest of the listed mews buildings in Palmerston Place Lane.

The other external works such as new rooflights and new mechanical and ventilation equipment only affect secondary areas of the listed building and do not affect its special interest. The re-instatement of the skylight above the pre-events space is a conservation gain. All proposed materials are compatible with the character of the listed building.

The proposed new openings at ground floor in the mews have been deleted from the proposals.

Internally, the building has been extensively altered since becoming a hotel nearly a hundred years ago. There are few original features left apart from pieces of cornices which will remain and be re-run where appropriate. The re-organisation of the rooms to form better proportions and further en-suites will not affect any features which are part of the special interest of the listed building. The removal of the later staircase is acceptable.

The proposal complies with LDP Policy Env 4 and Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997 and HES Managing Change guidance.

c) Character and appearance of 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.

The New Town Conservation Area Character Appraisal also notes that *"The New Town Conservation Area represents a planned urban concept of European significance with an overriding character of Georgian formality. Stone built terrace houses and tenements, built to the highest standards, overlook communal private gardens; to the rear are lanes with mews buildings, many of which are now in housing use. The importance of the area lies in the formal plan layout of buildings, streets, mews and gardens and in the quality of the buildings themselves."*

The appearance of the conservation area will be preserved. The external changes are largely the introduction of juliette railings over the 1st floor windows which, subject to a condition, can be designed sympathetically. The conversion of the hayloft door to a window is acceptable as hayloft doors do not feature in the rest of the mews and the new window will be compatible with its character. The new rooflights will not be highly visible being on the rear slopes. The metal shuttered opening is existing and does not form part of this application. The new mechanical and electrical equipment is largely replacement and will be to the rear and at roof level and so not highly visible. The main works are repair and restoration and these will enhance the appearance of the conservation area.

In terms of the character of the conservation area, the juliette railings can be found in many parts of the New Town and whilst Palmerston Place Lane only has one other juliette balcony, overall the impact will be neutral. Rooflights are common within the conservation area and are in character as is mechanical and electrical equipment.

The proposals preserve and enhance the character and appearance of the conservation area.

d) World Heritage Site

LDP Policy Env 1 states development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh and/or the Forth Bridge as World Heritage Sites or would have a detrimental impact on a Site's setting will not be permitted.

The inscription reasons are set out in the Edinburgh World Heritage Site Management Plan as follows:

The Old and New Towns of Edinburgh World Heritage Site (WHS) met two criteria -

Criterion (ii) - Have exerted great influence, over a span of time or within a cultural area of the world, on developments in architecture, monumental arts, or town planning and landscape design. The successive planned extensions of the New Town, and the high quality of its architecture, set standards for Scotland and beyond, and exerted a major influence on the development of urban architecture and town planning throughout Europe, in the 18th and 19th centuries.

Criterion (iv) - Be an outstanding example of a type of building or architectural ensemble or landscape which illustrates (a) significant stage(s) in human history.

The proposals involve the upgrading of the existing hotel and will improve the hotel offer as well as creating an improved area to the rear of the hotel. There will be no impact on the reasons for inscription of the WHS. It complies with policy Env 1.

e) Residential Amenity

Policy Hou 7 (Inappropriate Use in Residential Areas) states that developments, including changes of use which would have a materially detrimental impact on the living conditions of nearby residents, will not be permitted.

As stated above, the only change of use relates to the domestic flat becoming hotel use. Objectors' concerns about the rear mews being short term lets and impacting on residential amenity have been addressed in the amended scheme ensuring that the hotel suites are only accessed via the hotel, with no access from the lane, and therefore fully in hotel use.

The change of use of No. 21A creates a standalone hotel suite at basement level which is largely surrounded by hotel bedrooms and facilities. However, there are residential properties to the rear. There is a small private patio area to the rear but the use of this would be no different from residential use. There will be no adverse impact on residential amenity. The hotel will be responsible for ensuring the proper management of this facility.

Concerns were raised by objectors about noise from the function suite by the opening up of the ground floor mews to let more light in. The actual function suite operation is not changing. However, in acknowledgement of the concerns of local residents, the applicants have removed these changes from the proposals and the original openings will remain blocked up and sound proofed.

A noise impact assessment has been submitted. The proposals include introducing new building services plant at a number of locations to the rear of the main hotel building and at roof level on the main building. The new plant is generally replacing older plant units which will be removed. Part of the roof of the existing events space is to be removed and replaced with a glass skylight.

The raised back of house space, adjacent to the pre-events space will be opened up to form part of the pre-events space. A new door lobby will be introduced to control any

noise breakout into Palmerston Place Lane. The rest of the external mews façade of the pre-events space will remain unchanged.

The façade doors will only be used for occasional operational use outwith events. Hotel customers attending the events space will not have any access to Palmerston Place Lane. The event space will be used in a similar manner as the existing space, typically for conferences, dinners and event functions, such as wedding receptions.

The noise impact assessment has looked at noise from fixed building services noise and noise from music created in the events space, such as wedding bands. Noise breakout predictions to the nearest residential properties indicate that there will be no significant environmental noise impact from the event space. Noise breakout predictions to the nearest residential properties indicate that with appropriate attenuation the proposed plant will meet the local authority NR 25 criteria.

Although there is no change of use apart from No.21A, the noise impact assessment indicates there will be no adverse impact on neighbouring amenity.

Concerns have also been made in relation to privacy but the only new window is that formed by the conversion of the hayloft door. This will not impact on neighbours. Concerns have also been raised about light pollution from new rooflights but these are to the rear and do not impact on residential amenity.

f) Parking and traffic

There is no change to the proposals in terms of this. Deliveries will still be from Grosvenor Street to the front and there is no parking provision for hotel visitors. The rear lane will only be used intermittently as at present. A condition has been added in respect of providing two cycle spaces as requested by the Roads Authority. The applicant has confirmed an internal store can be used for this.

There is currently a ramp and automatic door for wheelchair access at the front albeit not at the main entrance which has too many steps.

g) Public comments

Material comments - objections

- use as short term lets - addressed in section a)
- potential noise impacts - addressed in section e)
- increased traffic - addressed in section f)
- parking issues - addressed in section f)
- use of materials - addressed in section b)
- impact on traditional character of mews - addressed in section b)
- use of patio to the rear of 21A - addressed in section e)
- privacy concerns - addressed in section e)
- loss of hayloft doors - addressed in section b)
- M & E fitting impact on historic character - addressed in sections b) and c)
- no precedent for Juliette balconies - addressed in section b) and c)
- light pollution - addressed in section e)

Non-material comments

- neighbour notification missing - records show this was carried out correctly
- creation of pre-event space - this does not require planning permission
- use of green space for gatherings - there is no change proposed to the green area at the rear of the hotel
- contravention of title deeds - this is a legal not a planning matter
- personal security - this is a matter for the police
- creation of an open air bar and nightclub - this does not form part of the proposals

Conclusion

The amended proposals comply with the Development Plan. The proposals preserve the listed building and its setting and the character and appearance of the conservation area. There will be no adverse impact on residential amenity. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions :-

1. Prior to the commencement of development, details of the proposed Juliette balconies shall be submitted for the further approval of the planning authority.
2. Two cycle parking spaces shall be provided in compliance with the Edinburgh Design Guidance. Details shall be submitted for the further approval of the planning authority.

Reasons:-

1. In order to safeguard the character of the conservation area.
2. To ensure cycle parking standards are met.

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. 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.

3. 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.

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

Fifty eight objections 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

Urban area.

Date registered

17 June 2021

Drawing numbers/Scheme

01-12, 13A, 14-16, 17A, 18A, 19-25, 26A, 27-36, 39-46,

Scheme 2

David Givan

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 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

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.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

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: External Walls sets out Government guidance on the principles that apply to altering the external walls of listed buildings.

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.

Appendix 1

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amended).**

Consultations

Archaeology

The application concerns a group of Victorian, B-listed, townhouses (9) and tenement flats (3) and mews joined together during the latter 19th and 20th centuries to form the Grosvenor (Hilton) Hotel. A detailed historic account is contained within the applications Heritage Statement produced by Nick Haynes. These buildings are regarded as being of historic and archaeological significance.

Having assessed the potential impacts, taking into account also the significant development history, I concur with the general conclusions contained within the Heritage Statement, that overall this scheme will not have a significant archaeological impact upon the historic fabric of this group of buildings.

I have therefore concluded that this application has no known archaeological implications.

Roads Authority

Summary Response

No objections.

Full Response

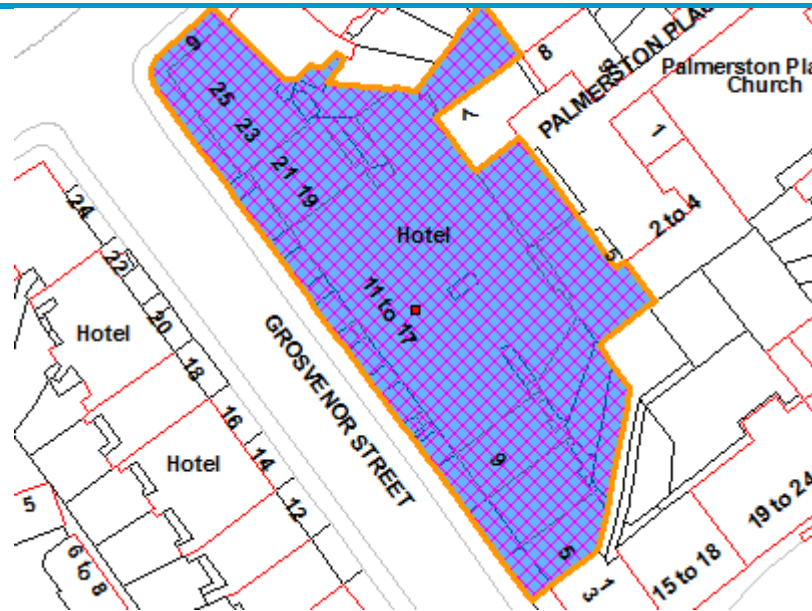
No objections to the proposed application subject to the following being included as conditions or informatives as appropriate:

- 1. The applicant should consider the provision of additional cycle parking spaces for the proposed bedrooms in a secure and undercover location;*
- 2. The applicant should consider the provision of facilities to enable wheelchair access.*

Note:

- It is considered that only 4 of the bedrooms fall within the scope of the tram contributions policy and there is therefore no contribution due;
- The proposed zero additional car parking is considered acceptable.

Location Plan



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