

Development Management Sub Committee

Wednesday 2 March 2022

**Application for Listed Building Consent 21/04480/LBC
at 9-11 Maritime Street, Edinburgh, EH6 6SB.
Proposed internal alterations and upwards extension to
facilitate change of use from office to residential (as
amended).**

Item number

Report number

Wards

B13 - Leith

Summary

The development complies with Sections 14 and 64 of 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.

Links

[Policies and guidance for this application](#)

HES, HEPS, HESCAC, LDPP, LEN04, LEN06, NSG, CRPLEI,

Report

Application for Listed Building Consent 21/04480/LBC at 9-11 Maritime Street, Edinburgh, EH6 6SB. Proposed internal alterations and upwards extension to facilitate change of use from office to residential (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 is a part of a former warehouse and office block, a B listed building dating from 1892 (Listed 1 January 2003; LB ref. 27800). The building to the street is two storeys high, with an ashlar frontage and contains some interesting architectural features internally, including a timber staircase and elegant board room. The frontage has canted bays and arched windows and dormers at roof level

There is a stair projection, with two tall transomed tripartite stair windows to the rear and a three-storey warehouse behind. This has been weather-boarded in grey panelling and has a modern single storey lean-to addition.

The south western section is a 1950's addition, with a large gated pend and plain frontage. There are no features of interest internally.

There is a parking area to the rear.

The surrounding area is largely residential, with some office use. The conversion of these office/warehouse buildings is common.

To the west, there is an adjacent listed building which is Category B and to the east, opposite the road, three buildings which are Category C.

This application site is located within the Leith Conservation Area.

2.2 Site History

15 May 1998 - Planning application granted for: Modification to internal layout, addition to lean-to roof at first floor and five Velux windows to main roof (ref. 98/00435/FUL).

5 April 2001 - Planning application refused for: Erection of office premises (651sqm) and eight, flatted dwellings and associated car parking (ref. 01/00371/FUL).

Main report

3.1 Description of the Proposal

It is proposed to alter and convert the existing office/warehouse, with an additional one and half floors upwards extension, to provide a total of 22 residential flats.

There are not any changes being proposed to the frontage of the building, with the main changes to the rear. Internally, the main features, such as the staircase, boardroom and cupola, would remain in situ.

The proposal seeks removal of the modern cladding on the rear warehouse, with the original stonework/brickwork that is hidden behind, being revealed and repaired. The warehouse will be extended upwards in a contemporary design, with appropriate materials.

External refuse and recycling storage and cycle parking are also proposed with landscaping to the rear. Approximately 20% of the total site area will be provided as usable greenspace within the area to the rear of the proposed development.

Supporting Statement

- Planning Statement
- Design Statement
- Heritage Statement

These are available to view on the Planning Portal.

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 will adversely impact on the character of the listed building;
- b) the proposal will preserve or enhance the character and appearance of the conservation area and
- c) public comments have been addressed.

a) 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.

In addition, 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. 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.

The proposal retains the main features of special architectural and historic interest in the front building. Internally, the building has been extensively altered. There are few original features left, apart from the main staircase, which will be re-used and the boardroom, with its Victorian detailing and doors, that would be retained. In addition, a decorative cupola will remain in-situ, with a suspended ceiling in a room at the rear.

The main changes are proposed to the warehouse building to the rear. The proposal removes the cladding to expose the original brickwork/stonework, which would be repaired, as well as the removal of a lean-to conservatory. Lightweight, copper toned metal cladding, which is proposed for the upwards extension, will introduce contemporary features as a juxtaposition to the more traditional lower floors. A number of small private balconies have also been introduced to add interest to the facade.

Increasing the roof height of the rear warehouse and the introduction of a sedum roof will preserve the character of the building, while improving its overall usability of the space. Most of the new windows on the front and rear elevations will be timber sash and case, closely matching the style of the existing original windows. On the principal elevation the units will be predominantly situated within existing openings, maintaining the general character of the elevation. New openings will be created on the courtyard elevation and the fenestration arrangement on this elevation will differ more noticeably from the original arrangement when compared to the principal elevation.

However, the overall fenestration arrangement is appropriate and balances the maintenance of a distinct original historic character with the formation of a functional modern conversion. A condition has been applied to ensure all original windows in the front building are retained.

The Edinburgh City Archaeologist has identified the site as being a site of archaeological significance. Accordingly, a condition will be attached requiring a programme of archaeological work to be undertaken to preserve a record of any items of historical significance.

It should be noted that assessment of this application is restricted solely to the impact of the proposal on the character of the listed building and no regard can be had to the contents of the text that is displayed on the plaque.

The proposals effectively re-uses a listed building and adapts it for future use, in compliance with Managing Change guidance and Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997.

b) 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 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.

Beyond the application site's immediate adjoining context, a variety of building scales and use classes exist, making this location a dense and urban part of Leith. The spatial structure of the immediate context is characterised by a varied street pattern, the foundations of which are medieval, and are a dense arrangement of late Georgian, Victorian, Post-war and latterly 20th/21st century development.

The proposals convert the buildings, whilst ensuring any features of special interest, such as the boardroom and staircase, are retained. The rear warehouse is currently compromised by the modern cladding and its removal is positive. The additional floors, in contemporary design and materials, have been sensitively formed to add contrast to the rear warehouse in a sympathetic way.

In terms of the appearance of the conservation area, this is largely unchanged as the front office will remain with minimal alterations. The new upper floors of the rear warehouse may be partially visible from long views but will fit into the mix of old and new architectural styles in Leith.

The character of Leith Conservation Area will be enhanced by the re-use and adaptation of these listed buildings, in a high quality contemporary way.

The proposal complies with LDP Policy Env 6.

c) Public Comments

Material comments - objection

- Proposed height would impact on listed building - assessed in section 3.3 (a)
- Materials will affect the traditional character of the area - assessed in section 3(b)
- Poor design - assessed in sections 3.3 (a) and (b)

Non- Material comments

- Diminish the light - this is not relevant to listed building consent
- Surface water would have to be considered - this is not relevant to listed building consent
- Lack of parking - this is not relevant to listed building consent
- Damage of the building due to construction
- Loss of tourism - this is not relevant to listed building consent
- Developer did not consult with neighbour's prior application - this is not relevant to listed building consent
- Noise and disturbance of the construction - this is not relevant to listed building consent
- Loss of view - this is not relevant to listed building consent
- Overshadowing - this is not relevant to listed building consent
- Overlooking - this is not relevant to listed building consent
- No drawings for the cycle and bin storage -these are included within the application for planning permission

Conclusion

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.

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

3.4 Conditions/reasons/informatives

Conditions: -

1. No demolition, development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation, analysis, reporting, 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.
2. 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.
3. Original windows in the front office building shall be retained and repaired unless further approval is given by the Planning Authority.

Reasons: -

1. In order to safeguard the interests of archaeological heritage.
2. In order to safeguard the character of the statutorily listed building.
3. 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

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 meets 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 has attracted four letters objecting to the proposal.

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- Urban Area.

Date registered

23 August 2021

Drawing numbers/Scheme

01-14,15A,16A, 17-24,

Scheme 2

David Givan

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

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.

HES Interim Guidance on Conservation Area Consent sets out Government guidance on the principles that apply to the demolition of unlisted buildings in conservation areas

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 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

Appendix 1

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Consultations

Archaeology

Historic Buildings

Although it is welcomed that the key historic fabric (See Nick Haynes Heritage Statement and Morgan McDonnell's Design Statement) of this late Victorian B-listed warehouse and offices will be retained, the development will nonetheless require significant alterations to these buildings including the removal of sections of the roof, stripping back to original fabric, internal alterations etc. The most significant impact is the removal of the roof and construction of a new upper story.

Although significantly impacting upon the fabric and character of this structure, on archaeological grounds this impact in this instance is not considered to be significantly adverse, to merit refusal of permission. It is recommended however, that a detailed programme archaeological historic building survey (annotated plans/elevations, photographic and written survey) of the existing building is undertaken prior to and during any alterations, to provide a permanent record of this important historic structure and understand its development history. As it is not uncommon in Leith to reuse ships timbers and historic building timbers within latter 19th century buildings, the recording of the roof to be removed must take this into account and have provision for dendrochronological recording and analysis of such timbers if encountered.

Buried Archaeology

The proposals will require significant ground-breaking works associated with the associated principally with the linked proposed FUL application 21/04479/FUL. As stated in my response to the FUL application, such works will have significant impacts upon any surviving archaeological remains both externally and internally at ground floor level, dating from the 19th century back to the medieval period and potentially the foundation of the burgh in the 12th century. It is therefore essential that a programme of archaeological work is carried out prior to development to fully excavate, record, analysis and publish the results from the excavation of any surviving archaeological remains affected by development.

In consented it is essential therefore that a condition be applied to any permissions and consents if granted to secure this programme of archaeological works based upon the following CEC condition;

'No demolition, development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation, analysis, reporting, publication) 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.

HES

The proposed development relates to category B listed 11, 13 & 14 Maritime Street, a particularly well detailed, ornate late 19th century Renaissance style street fronting office block with warehouse block behind. The application is for conversion to residential use of part of the street facing office building, and for conversion and extension of the warehouse to residential use.

The significance of a listed building's interior, or part of its interior, is usually derived from a number of factors, including the degree to which an interior remains intact from key periods in its history. The plan form, that is the arrangement and division of internal spaces into rooms and circulation spaces such as halls and corridors is a key component of the character and special interest of any building. Historic features such as doors, Historic Environment Scotland - Longmore House, Salisbury Place, Edinburgh, EH9 1SH Scottish Charity No. SC045925 VAT No. GB 221 8680 15 windows, fireplaces, cupboards and decorative plasterwork also make a significant contribution to the building's special interest.

The office block's interior spaces have particularly fine original decorative detailing with grape and vine theme. The quality of the building's interior includes: a tripartite inner entrance door with etched glass panels; open-plan ground floor with fluted Corinthian columns, compartmental ceiling and ornate cornices, timber partitions with etched glass panels, safe with original door and fittings. Carved timber staircase, etched glass to stair windows and 17th century style plaster ceiling to stair hall. Principal room (former Board Room) at 1st floor with compartmental ceiling and elaborate grape cornice. Smaller room with oval cupola, coved ceiling decorated with plaster garlands, doves and laurel wreaths.

Any scheme for conversion of the listed building to residential use must be able to demonstrate that the building's cultural significance, expressed by the fine quality of its interior design and detailing would be preserved or enhanced by the proposals. Our detailed comments, which relate to proposed works to the office block are set out below:

Rear first floor room

The scheme would see the subdivision of the oval cupola-lit first floor room to form two bedrooms and an ensuite. This would result in the loss of this historic space and its particularly finely decorated coved ceiling decorated with plaster garlands, doves and laurel wreaths, and cupola. We would ask that this element of the scheme be resisted,

and consideration given to alternative solutions for this room that would avoid its subdivision.

Former Board Room

The proposals show the former board room converted to create a living room/kitchen. The high quality original decorative scheme for this room includes 6-panel timber doors that flank a central chimneypiece. The scheme would see both doorways infilled, and kitchen units fixed over both doors, this would in our view significantly diminish the character and architectural interest of this significant space and should in our view be resisted. Alternative potential design solutions to sensitively incorporate kitchen facilities into this high-status space should be explored.

Entrance door

The proposals show the removal of the original timber panelled double doors at the main entranceway. These original features make a considerable contribution to the building's Historic Environment Scotland - Longmore House, Salisbury Place, Edinburgh, EH9 1SH Scottish Charity No. SC045925 VAT No. GB 221 8680 15 cultural significance and should, in our view be retained and overhauled as necessary. The list description notes that behind the entrance doorway is a tripartite inner entrance door with etched glass panels. The proposals show the removal of the inner doorway. For the avoidance of doubt, if this is a historic doorway we would ask that it be retained.

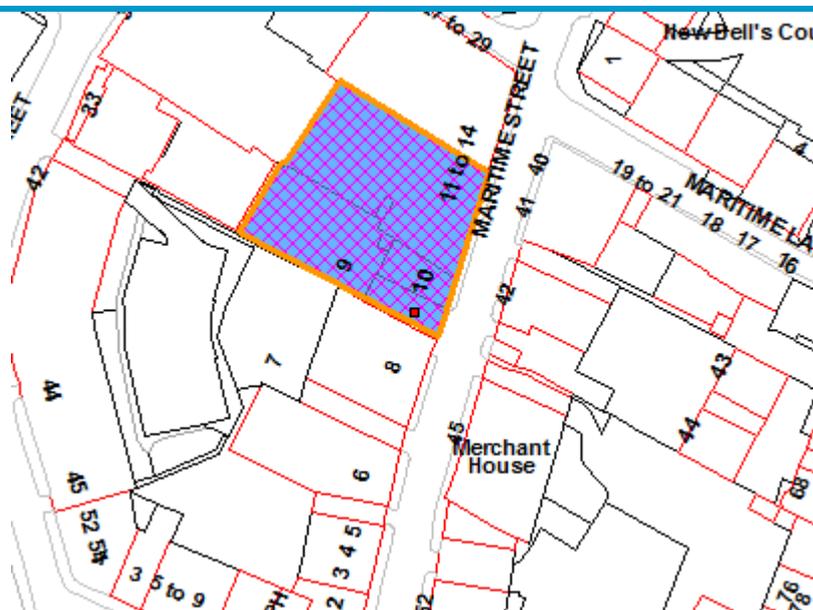
Additional ground and first floor alternations

Further downtaking and subdivision of ground and first floor rooms are shown on the application drawings. The submitted heritage statement notes that most rooms and spaces in the office block have lowered ceilings but that it is known that decorative grape and vine motif plasterwork exists above. The list description for the building states that the open-plan ground floor has fluted Corinthian columns, compartmental ceiling with ornate cornices, timber partitions with etched glass panels. Along with a safe with original door and fittings.

Further information on the quality of surviving original and historic layout, fabric and decorative features would be required to enable us to fully assess the potential impacts of the proposals on the category B listed building's cultural significance. However, for the avoidance of doubt, there is a presumption in favour of retention of historic features such as doors, windows, fireplaces, cupboards and decorative plasterwork that make a significant contribution to the building's special interest.

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.

Location Plan



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