

# Development Management Sub-Committee Report

**Wednesday 15 June 2022**

**Application for Listed Building Consent  
13 - 17 Forth Street & 6 Broughton Street Lane, Edinburgh,**

**Proposal: Internal and external alterations relating to the reconfiguration and refurbishment of Forth House to accommodate the redevelopment of the site for the change of use from office to apart hotel.**

**Item – Committee Decision  
Application Number – 22/00148/LBC  
Ward – B11 - City Centre**

## **Reasons for Referral to Committee**

This application is linked to planning application 22/00147/FUL which requires to be considered by Development Management Sub Committee because there are more than six objections and the recommendation is to grant planning permission. In the public interest and to enable a holistic approach to considering the proposed development, this Listed Building Consent application will also be considered by Development Management Sub Committee.

## **Recommendation**

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

## **Summary**

The proposal will preserve the special architectural and historic interest of the listed building and its setting and complies with Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The character and appearance of the conservation area will be preserved.

## **SECTION A – Application Background**

### **Site Description**

The application site consists of two connected buildings on Forth Street and Broughton Street Lane.

Forth House, on Forth Street, is a 9-bay, three storey and basement, palace-fronted classical tenement designed in 1800. The building is category B listed (LB reference LB45947; date of listing 16 June 1966). Playfair House, on Broughton Street Lane, is a modern four storey office block with car access leading to car parking underneath the building and in the space between the two buildings. Playfair House is connected to Forth House at the rear.

Both buildings were last used as class 4 offices (for Radio Forth). Forth House has been altered significantly internally and the original plan form has been lost. There are few original features remaining.

Forth street is predominantly residential with shops, hotel and, offices concentrated mainly to the western end of the street. Broughton Street Lane also contains a mix of uses with residential use being more concentrated to the east and the commercial units mostly to the west of the lane. Broughton Street lies to the west with a mix of uses and Leith Walk is nearby with a mix of shops, restaurants, hotels and leisure facilities.

The buildings in Forth Street are nearly all Category B listed and on the south side of Broughton Street Lane is the rear of the listed buildings on Picardy Place. There are no listed buildings on the north side of Broughton Street Lane.

The site lies within the New Town Conservation Area and the Old and New Towns of Edinburgh World Heritage Site.

### **Description Of The Proposal**

The proposal is for a change of use to a hotel including internal and external alterations and an extension. The hotel will be an aparthotel with small kitchen areas in the rooms, a communal lounge/bar area and no restaurant or dining room. There will be 55 rooms and there will be reception facilities on a 24/7 basis. The gross internal area will be 3125 sqm of which 224 sqm is new additional floor space.

The front of Forth House will remain mostly unchanged. In the basement a wide non-original infill is removed beneath the main entrance platt and the basement frontage is restored to its original form and appearance. Minor changes are proposed on the rear elevation, such as changing an existing opening to a door. Sash and case windows, the stone elevations and roof will be made good where necessary. Playfair House will remain similar on its rear elevation with the front elevation seeing new window pattern and style, materials and balconies on top floor.

Internally, walls and partitions will be removed to reconfigure the inside of the buildings for hotel use. This will include the reinstatement of the former, but non-original lift shaft and the installation of a new lift. A lounge/bar, gym and reception will be provided in the hotel.

The existing vehicular access on Broughton Street Lane will remain with a new security gate being installed. It is also proposed to install a new access ramp to Playfair House in Broughton Street Lane.

Seven parking spaces are proposed including one disabled persons parking bay and five parking spaces for electric vehicles to be charged. Ten bicycle parking spaces will be provided internally plus four external spaces in the car park.

Materials proposed include natural stone cladding, aluminium framed windows, painted render, pre-cast concrete, steel and galvanised.

### **Supporting Information**

- Planning Statement.

### **Relevant Site History**

22/00147/FUL

13 - 17 Forth Street & 6 Broughton Street Lane

Edinburgh

Change of use from offices to apart hotel including alteration and extension of existing premises.

### **Other Relevant Site History**

No other relevant site history.

### **Pre-Application process**

Pre-application discussions took place on this application.

### **Consultation Engagement**

Historic Environment Scotland

City Archaeologist

Refer to Appendix 1 for a summary of the consultation response.

### **Publicity and Public Engagement**

**Date of Neighbour Notification:** Not Applicable

**Date of Renotification of Neighbour Notification:** Not Applicable

**Press Publication Date(s):** 28 January 2022;

**Site Notices Date(s):** 25 January 2022;

**Number of Contributors:** 11

## **Section B - Assessment**

### **Determining Issues**

Due to the proposals relating to a listed building(s) within a conservation area, this application for listed building consent requires to be assessed against Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- Having due regard to HES Policy and guidance, do the proposals:
  - a. harm a listed building or its setting? Or
  - b. conflict with the objective of preserving or enhancing the character or appearance of the conservation area?
  
- If the proposals do comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for not approving them?
  
- If the proposals do not comply with HES Policy and guidance, are there any compelling reasons (including but not limited to the public sector equality duty) for approving them?

## **Assessment**

To address these determining issues, it needs to be considered whether:

### **a) The proposals harm the listed building or its setting?**

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. "

The following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings
- Managing Change in the Historic Environment: Windows
- Managing Change in the Historic Environment: External Walls
- Managing Change in the Historic Environment: Roofs
- Managing Change in the Historic Environment: Setting
- Managing Change in the Historic Environment: Interiors

Historic Environment Scotland's guidance note Managing Change in the Historic Environment: Use and Adaptation of Listed buildings states that the majority of listed buildings are adaptable and change should be managed to protect a building's special interest while enabling it to remain in active use.

Historic Environment Scotland (HES) has advised that it is content with the external alterations on Forth House. In terms of the interior, it noted that the interior has already been extensively altered but advises that any surviving historic fabric is protected and incorporated into the scheme, such as timber panelled doors and decorative plasterwork. HES commented on the bowed room shown on the plans at ground floor which suggest there could have been a buffet recess and that it should be retained. Although the existing plans indicated the bowed room still existed, a site visit confirmed that this was no longer the case.

HES has also advised that it has no concerns regarding the proposed works for Playfair House and that these are acceptable.

The proposed change of use will enable the listed building to remain in use and prevent it from becoming empty and deteriorating.

The proposed external changes to the listed building (Forth House) will be minor and will not detract from its appearance, setting nor the setting of adjacent and neighbouring listed buildings. Maintenance work will be carried out if necessary relating to the windows, stonework and roof. Such works will enhance the appearance of the listed building and will not detract from its special architectural or historic interest.

Internally, most of the original features of Forth House have been lost. Significant alterations have taken place with the opening up and subdivision of rooms and spaces.

The City Archaeologist has advised that Forth House is of historic and archaeological significance and that redevelopment of Forth House may reveal historical and architectural features. Therefore, it is recommended that a condition requiring a detailed programme of archaeological historic building recording (photographic, drawn and written records, phased internal and external plans and elevations, dendro-chronological assessment and analysis, research and publication) is undertaken both before and during development and alterations. It is acknowledged that very few original features remain; however, features of historic significance or interest may be found in the refurbishment works in Forth House.

In terms of Playfair House, the proposed changes will be modern changes to a modern building. Buildings on Broughton Street Lane are a mix of architectural styles, materials, heights, periods of development and land use. As such, the proposed changes, particularly those to the front elevation, will have a neutral effect on the setting of the adjacent and neighbouring listed buildings, including Forth House.

The proposal will enable the listed building to remain in use. It will not harm the special architectural or historic interest of the building and will not detract from its setting or the setting of adjacent and neighbouring listed buildings.

### **Conclusion in relation to the listed building**

The proposal complies with Section 59 (1) of the Planning (Listed Building and Conservation Areas) (Scotland) Act 1997.

#### **b) The proposals harm the character or appearance of the 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."

The site is located within the New Town Conservation Area. The character appraisal states 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.

Hotels and aparthotels are found throughout the New Town conservation Area and the change of use will contribute to this feature of the conservation area's character.

The minor changes to Forth House, on Forth Street, will preserve the appearance of the conservation area.

The proposed changes to Playfair House, on Broughton Street Lane, will change the appearance of the existing modern building which currently does not contribute positively to the conservation area. In the context of the existing buildings on Broughton Street Lane, the proposed changes to the front of the building will sit within a street of different architectural styles, materials and heights. In these circumstances, the proposed changes will have a neutral effect on the conservation area and, thus, will preserve the character and appearance of the conservation area.

The proposal will preserve the character and appearance of the conservation area.

### **Conclusion in relation to the conservation area**

The works are of benefit to the conservation area and comply with Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

#### **c) there are any other matters to consider?**

The following matters have been identified for consideration:

##### Equalities and human rights

Due regard has been given to section 149 of the Equalities Act 2010. No impacts have been identified.

Consideration has been given to human rights. No impacts have been identified through the assessment and no comments have been received in relation to human rights.

##### Public representations

Eleven public comments were received including from The Cockburn Association and the Architectural Heritage Society Scotland (AHSS). Only a few comments were material representations.

A summary of the representations is provided below:

*material considerations*

- change of use. Addressed in a) and b).
- internal features; hidden features; survey and recording of feature. Addressed in a).
- design and architecture. Addressed in a) and b).

*non-material considerations*

- number of hotels and apart hotels.
- loss of privacy.
- noise and disturbance.
- traffic generation.
- impact on World Heritage Site.

The above matters are addressed in the parallel detailed application 22/00147/FUL.

- residential or more suitable use.
- Playfair House should be reduced in scale/height to match mews. Would improve daylighting to neighbouring properties.
- re-instate original feu patterns.
- re-introduce entrance platts on Forth Street.
- impact on small businesses.
- need housing.
- strain on infrastructure.
- light pollution.
- anti-social behaviour.
- disturbance and damage of construction works.
- soundproofing of building.
- creating real community.

**Conclusion in relation to other matters considered**

There are no material considerations which indicate that the proposals should be refused.

**Overall conclusion**

The proposal will not harm the special architectural and historic interest of the building. The proposals preserve the character and setting of the listed building and accord with section 59 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997. It will also preserve the character and appearance of the conservation area. There are no material considerations that outweigh this conclusion.

## Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following;

### Conditions :-

1. No development shall take place until the applicant has secured the implementation of a programme of archaeological work (historic building recording, interpretation, public engagement, analysis & reporting, publication), in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.

### Reasons: -

1. In order to retain and/or protect important elements of the existing character and amenity of the site.

### 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.

### Background Reading/External References

To view details of the application go to the Planning Portal

**Further Information - [Local Development Plan](#)**

**Date Registered: 17 January 2022**

### Drawing Numbers/Scheme

1-30

Scheme 1

**David Givan  
Chief Planning Officer  
PLACE  
The City of Edinburgh Council**

Contact: Jackie McInnes, Planning officer  
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## Appendix 1

### Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: If any original fabric or historic elements remain these should be incorporated into the scheme.

DATE: 1 February 2022

NAME: City Archaeologist

COMMENT: Historic elements may remain. Suggest a standard archaeological condition.

DATE: 1 February 2022

The full consultation response can be viewed on the Planning & Building Standards Portal.

### Location Plan



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