

Development Management Sub-Committee Report

Wednesday 7 June 2023

**Application for Planning Permission
17 George IV Bridge, Edinburgh, EH1 1EE**

Proposal: Change of use from Class 4 office to aparthotel (serviced apartments only) to be operated and managed as one business. Internal alterations include removal of internal walls /partitions erection of new walls /mezzanine floors insertion of roof lights, dormer windows, roof terrace refurbishment of external features including windows, doors, commemorative plaques (as amended)

**Item – Committee Decision
Application Number – 22/05285/FUL
Ward – B11 - City Centre**

Reasons for Referral to Committee

Given the significance of the issue of short term lets to the public interest at present, the Chief Planning Officer considers this application should be decided by Committee.

Recommendation

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

Summary

The proposals would be acceptable with regard to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. The proposals comply with the relevant policies contained within National Planning Framework 4 and the Edinburgh Local Development Plan (LDP) and the Council's non-statutory guidance. The proposed use would retain city centre diversity and vitality and it would not have an unacceptable impact on neighbouring residential amenity. There are no other material considerations which outweigh this conclusion.

SECTION A – Application Background

Site Description

The site lies on the west side of George IV Bridge and relates to a building built by Patrick Wilson in 1860, which incorporated earlier fabric. Facing onto George IV Bridge the building is three storeys and five storeys to Merchant Street. There are shops on the ground floor on George IV Bridge. The application relates to changes on the upper floors.

The building is Category B listed and was listed on 14.12.1970 (LB ref 28888).

The site lies in Old Town Conservation Area and the Edinburgh World Heritage Site

Description of the Proposal

The proposal is for a change of use from Class 4 office to aparthotel (serviced apartments only) to be operated and managed as one business. Internal alterations include removal of internal walls /partitions erection of new walls /mezzanine floors insertion of roof lights, dormer windows, roof terrace refurbishment of external features including windows, doors, commemorative plaques.

Supporting Information

Design Statement
Planning Supporting Statement
Updated Design and Access Statement

Relevant Site History

92/00547/FUL
17 George Iv Bridge
Edinburgh
EH1 1EE
Change of use from hall, office & residential to offices on 1st & 2nd floors
Granted
7 May 1992

22/05282/LBC
17 George Iv Bridge
Edinburgh
EH1 1EE
Internal /external alterations include removal of internal walls /partitions, erection of new walls /mezzanine floors, insertion of new conservation roof lights, insertion of new dormer windows, insertion of new roof terrace. Internal /external refurbishment of external features including windows, doors, commemorative plaques.

Other Relevant Site History

No other relevant planning history.

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Environmental Protection

Archaeology

Transport

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

Publicity and Public Engagement

Date of Neighbour Notification: 28 October 2022

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 4 November 2022

Site Notices Date(s): 1 November 2022

Number of Contributors: 1

Section B - Assessment

Determining Issues

Due to the proposals relating to a listed building(s) and being within a conservation area, this report will first consider the proposals in terms of Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act"):

- a) Is there a strong presumption against granting planning permission due to the proposals:
 - (i) harming the listed building or its setting? or
 - (ii) conflicting with the objective of preserving or enhancing the character or appearance of the conservation area?

- b) If the strong presumption against granting planning permission is engaged, are there any significant public interest advantages of the development which can only be delivered at the scheme's proposed location that are sufficient to outweigh it?

This report will then consider the proposed development under Sections 24, 25 and 37 of the Town and Country Planning (Scotland) Act 1997 (the 1997 Act):

Having regard to the legal requirement of Section 24(3), in the event of any policy incompatibility between National Planning Framework 4 (NPF4) & Edinburgh Local Development Plan 2016 (LDP) the newer policy shall prevail.

Do the proposals comply with the development plan?

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

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

In the assessment of material considerations this report will consider:

- equalities and human rights.
- public representations; and
- any other identified material considerations.

Assessment

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

a) The proposals harm the listed building and its setting.

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

- Managing Change Roofs
- Managing Change Interiors
- Managing Change Use and Adaptation of Listed Buildings
- Managing Change Fire Safety Management

The building is the former Protestant Institute of Scotland, which has been in use as an office. The ground and basement floors (to the bridge and to Merchant Street) are in separate ownership and not part of this application.

The proposals are for the conversion to nine serviced apartments, mixed between studio, one-bedroom and two-bedroom units. It would include the subdivision of the former lecture hall, alongside the conversion of the attic, with a new external balcony to the rear and a new dormer housing the new stair to the attic.

The proposed use and alterations would retain the majority of the large rooms without subdivision.

The proposals for the former lecture hall would introduce a mezzanine with stairs. Revised plans have been submitted which would locate the mezzanine and stair further away from the tall round-headed windows, which gives this room its character. This would reduce their visibility from street level and assist in protecting the essential character of the space.

The proposed repairs to external decorative features are acceptable.

The attic conversion and rooftop terrace would be screened in part by the large chimneystack and alterations all occur to the rear pitches. The impact on the roofscape would be modest and acceptable.

Stone cleaning is proposed to the entrance of the front elevation of the building. This would be undertaken by a water-based method in compliance with the Council's Guidance on Listed Buildings and Conservation Areas. It would not adversely impact on the character of the listed building.

The fire safety appliance would be positioned to minimise its impact on the building's character.

Conclusion in relation to the listed building

The proposal is acceptable with regard to Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) The proposals harm the character or appearance of the conservation area.

The Old Town Conservation Area Character Appraisal emphasises the survival of the original medieval street pattern; the wealth of important landmark buildings; the survival of an outstanding collection of archaeological remains, medieval buildings, and 17th-century town houses; the consistent and harmonious height and mass of buildings; the importance of stone as a construction material for both buildings and the public realm; the vitality and variety of different uses; and the continuing presence of a residential community.

The proposed dormer would not dominate the form of the roof and would be partially hidden by the chimney stack. The proposed roof lights would not be readily visible in any public domain. The proposals would not have any adverse effect on the external appearance of the property and would not detract from the character and appearance of the conservation area.

Conclusion in relation to the conservation area

The proposal has regard to the desirability of preserving or enhancing the character or appearance of the conservation area. The proposal is acceptable with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

a) The proposals comply with the development plan.

National Planning Framework 4 (NPF4) was adopted by the Scottish Ministers on 13 February 2023 and forms part of the Council's Development Plan. NPF4 policies supports the planning and delivery of Sustainable Places, Liveable Places and Productive Places and are the key policies against which proposals for development are assessed. Several policies in the Edinburgh Local Development Plan (LDP) are superseded by equivalent and alternative policies within NPF4. The relevant policies to be considered are:

- NPF 4 Global Climate and Nature Crises Policy 1
- NPF 4 Historic Assets and Places Policy 7
- NPF 4 Design Policy 14
- NPF 4 City, Town, Local and Commercial Centres Policy 27
- NPF 4 Sustainable Transport Policy 13
- NPF 4 Tourism Policy 30
- LDP Design Policy Des 5
- LDP Housing Policy Hou 7
- LDP Delivering Policy Del 1
- LDP Archaeology Policy Env 9

The non-statutory 'Listed Buildings and Conservation Area' guidance is a material consideration that is relevant when considering NPF 4 Policy 7.

Principle of Development

The site lies within the City Centre and Urban Area. The LDP confirms that tourism is the third biggest source of employment in Edinburgh and that maintaining and developing this key sector in the city's economy relies upon sufficient provision of high-quality tourist accommodation. The LDP also confirms that the city centre is the preferred location for most visitors, but accessible locations, with good public transport within the urban area, also offer opportunities for new hotel development.

Although reference is made in the description of development to the change of use to an aparthotel, the layout of the units and the services to be provided are more accurately reflected as the provision of short term serviced apartments; whilst the definition of aparthotel varies and is subject to some degree of flexibility, the proposal has no services or communal facilities that would be routinely found in an hotel.

In these circumstances, given the existing lawful use of the building is commercial, the development would not result in the loss of residential units. Moreover, the provision of serviced apartments in this location, which is a busy, commercial street within the city centre, would have no adverse impact on the character and amenity of the locality.

The site is in a highly accessible area within easy walking distance to the City Centre core and the main tourist attractions and business locations. The principle of the proposed use is acceptable.

The proposal complies with NPF 4 Policies 1, 27 and 30.

Listed building and Conservation Area

This is assessed in sections a) and b) and the proposal complies with NPF4 Policy 7, as the proposal would preserve the character, special architectural or historic interest of the building. In addition, it would preserve the character and appearance of the conservation area.

Scale, Design and Materials

The design and form of the external alterations and choice of materials are compatible with the character of the existing building.

The proposal complies with NPF 4 Policy 14.

Amenity

Although it is proposed to provide an external roof terrace to one of the rooms, the location of the terrace and its restricted size would not impact on amenity.

Environmental Protection has no objections to the application.

The proposal complies with LDP Policies Hou 7 and Des 5.

Transport

George IV Bridge is a main road throughfare, serving a high volume of commercial traffic, public transport, and cars, throughout the day and into the night, with bus stops close to the site.

The proposed site is within scope of the operational Edinburgh Tram and a tram contribution is being sought (based on proposed 9-unit hotel (£19,000) and existing 323.7m² office (£10,552) in Zone 3 for the proposed works. It is recommended that a contribution of £8,448 be secured through a legal agreement.

The proposal meets the requirements of NPF 4 Policy 13 and LDP Policy Del 1.

Archaeology

The site is regarded as being of archaeological significance. The proposals would involve significant internal alterations which could reveal evidence of its original use and development during the 19th century. A condition has been attached requiring a survey be undertaken.

The proposal complies with LDP Policy Env 9.

Conclusion in relation to the Development Plan

The proposal complies with the National Planning Framework 4 and Edinburgh Local Development Plan. It would provide an appropriate alternative use of the building and the alterations would not have an adverse impact on its character or that of the character and appearance of the conservation area. It would not have an unacceptable impact on residential amenity.

d) There are any other material considerations which must be addressed?

The following material planning considerations have been identified:

Emerging policy context

On 30 November 2022, the Planning Committee approved the Schedule 4 summaries and responses to Representations made, to be submitted with the Proposed City Plan 2030 and its supporting documents for Examination in terms of Section 19 of the Town and Country Planning (Scotland) Act 1997. At this time little weight can be attached to it as a material consideration in the determination of this application.

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

material considerations

- Internal alterations to listed building - this is assessed in section a) above.
- Stone cleaning - this is assessed in section a) above; and
- Loss of historic fabric and character - this is assessed in section a) above.

non-material considerations

None

Conclusion in relation to identified material considerations.

The proposals are in compliance with the other material considerations that have been identified above.

Overall conclusion

The proposals would be acceptable with regard to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. They would comply with the relevant policies contained within National Planning Framework 4 and the Edinburgh Local Development Plan (LDP) and the Council's non-statutory guidance. The proposed use would retain city centre diversity and vitality and it will not have an unacceptable impact on neighbouring residential amenity. There are no other material considerations which outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. The development to which this permission relates must be begun not later than the expiration of three years beginning with the date on which this permission is granted. If development has not begun at the expiration of this period, the planning permission lapses.
2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, 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. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to safeguard the interests of archaeological heritage.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement relating to the tram for the sum of £8,448 has been concluded and signed.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6-month period, a report will be put to committee with a likely recommendation that the application be refused.

2. 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.
3. 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.
4. The applicant should consider the provision of secure and undercover cycle parking.
5. The applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood showing cycling, walking and public transport routes to key local facilities, timetables for local public transport.
6. The applicant should be advised that the development will not be eligible for residential parking permits.

Background Reading/External References

To view details of the application go to the [Planning Portal](#)

Further Information - Local Development Plan

Date Registered: 19 October 2022

Drawing Numbers/Scheme

1-11, 12A, 13A, 14-18, 19A, 20

Scheme 2

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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Appendix 1

Summary of Consultation Responses

NAME: Environmental Protection

COMMENT: No objections to the proposal

DATE: 4 April 2023

NAME: Archaeology

COMMENT: This site is regarded as being of archaeological significance. However, the proposals will see significant internal alterations which could reveal evidence for its original use and development during the 19th century. It is essential therefore recommended a programme of archaeological historic building recording is undertaken during any strip out and development to record the buildings historic fabric.

It is recommended that a condition is attached to ensure that a programme of archaeological mitigation is undertaken.

DATE: 8 November 2022

NAME: Transport

COMMENT: Transport have no objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant will be required to contribute the net sum of £8,448 to the Edinburgh Tram

(Based on proposed 9 unit hotel (£19,000) and existing 323.7m² office (£10,552) in Zone 3 in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment.

2. The applicant should consider the provision of secure and undercover cycle parking.

3. The applicant should consider developing a Travel Plan including provision of public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (Showing cycling, walking and public transport routes to key local facilities, timetables for local public transport.

4. The applicant should be advised that the development will not be eligible for residential parking permits.

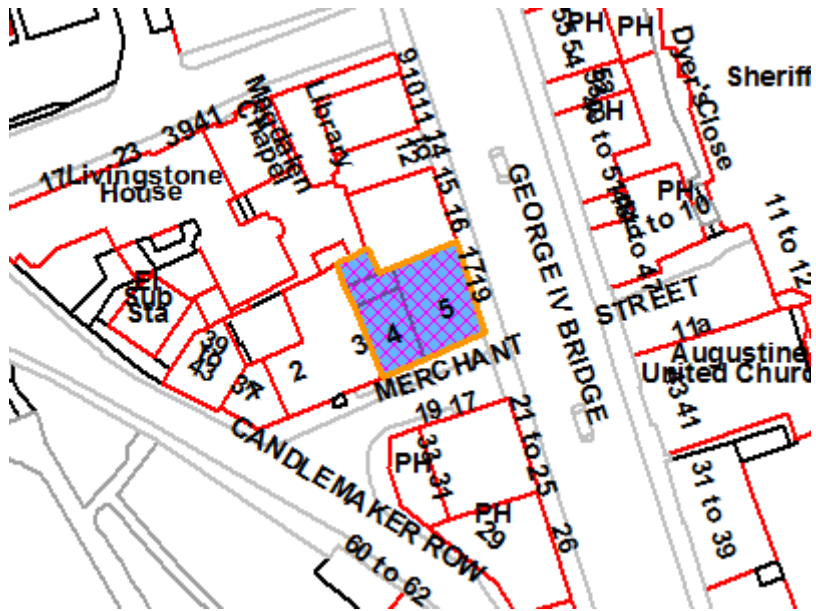
Note:

Zero car parking is considered acceptable.

DATE: 2 May 2023

The full consultation response can be viewed on the [Planning & Building Standards Portal](#).

Location Plan



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