

Development Management Sub-Committee Report

Wednesday 6 September 2023

**Application for Listed Building Consent
24 Canning Street, Edinburgh, EH3 8EG**

Proposal: Exterior alterations include changes to roof lights, replacing doors with windows and re-glazing existing windows with slim double glazing; internal alterations include addition of partitions to divide rooms, installation of lift and part-mezzanine floors and replacing linings and doors (as amended).

**Item – Other Item at Committee
Application Number – 22/01763/LBC
Ward – B11 - City Centre**

Reasons for Referral to Committee

This application is linked to planning application 22/01764/FUL which requires to be considered by Development Management Sub Committee because, under the Scheme of Delegation in place at the time the application was submitted, 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 application will also be considered by the Development Management Sub Committee.

Recommendation

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

Summary

The proposal will not harm the special architectural and historic interest of the building. The proposals will preserve the character and setting of the listed building and accord with sections 59 and 64 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. The proposal, with the use of conditions, is acceptable.

SECTION A – Application Background

Site Description

The application site is a former school, now operating as a business centre, located on the corner of Torphichen Street and Canning Street. It is a sandstone building of mainly two storeys with a smaller width central third storey plus roof accommodation and has a slate roof. The building has a symmetrical design and sits behind railings. There is parking for 14 vehicles in the tarmac grounds to the side and rear.

To the west there is a traditional terrace of tenements and to the east two storey stone terraced houses and traditional mews style buildings. To the north (rear) there are also mews style buildings including modern terraced houses. Opposite the site is a modern building operating as an hotel and further eastwards there is a modern tall office building on the south side of Canning Street.

The building is a category B listed building (Ref: LB43888; date of listing 2/5/1997; listed under 27 Torphichen Street). The listing includes the Janitor's House, gates, gatepiers, boundary walls and railings. It was designed as Torphichen Street School in 1887 by Robert Wilson architect to the Edinburgh School Board and is a two-storey symmetrical school in classical style on a corner site. The principal elevation is cream sandstone polished and the side and rear elevations are squared and snecked rubble. There is a base course, dividing band course, consoled cornice and blocking course and architraved windows. The school building carefully aligns with the street plan as well as the proportion and detail of the earlier 19th century tenements next to it. The school was planned as a combined infant and juvenile school set across two classroom blocks linked by a central stair hall that also divided the building east and west to separate male and female pupils.

Internally the building is almost as originally built with a few alterations such as partitions. The original plan form is mostly intact including the larger classrooms, staircase, and symmetry. Original features such as fireplaces, doors, cupolas, and cornicing are also still found in the building.

There are adjacent and nearby listed buildings including:- 3-25 (Odd Nos) Torphichen Street, Including Railings B Listing (Ref: Lb29848 12/14/1970); 14-22 (Even Nos) Torphichen Street And 1, 1a Torphichen Place, Including Railings B (Ref: Lb29850 12/14/1970); 1-11 (Inclusive Nos) Canning Street Lane And 2 Canning Street, Atholl House C (Ref: LB46521 10/27/1999); and 1-22 (Inclusive Nos) Atholl Crescent, Including Railings, Lamp Standards And 9, 10, 13, 15, 18 And 20 Atholl Crescent Lane A (Ref: Lb28260 12/14/1970).

A mix of land uses is found in the surrounding area including residential, offices, hotels, and retail. Haymarket Railway Station and two tram stops (Haymarket Terrace and Shandwick Place) are within walking distance as are bus stops offering a range of routes. Local facilities and the city centre are within walking and cycling distance. The street is a busy city centre thoroughfare.

The application property is in West End Conservation Area and adjacent to New Town Conservation Area. It is in the Old and New Towns of Edinburgh World Heritage Site (Western New Town).

Description of the Proposal

Both external and internal changes are proposed to the listed building. The proposed alterations to the listed building are sought in parallel to a proposed change of use to serviced accommodation (planning application 22/01764/FUL).

Exterior alterations include additional rooflights in conservation style and removal of some existing rooflights in the central front section of the roof plane. Doors on the western-most and eastern-most doors positions on the front facade on the ground floor will be replaced with a window occupying the whole of the existing door opening space. Slimlite double glazing units will be installed in the existing windows and secondary glazing will also be installed. Current entry and escape points are retained including the ramp access on the western door fronting Torphichen Street. No changes are proposed to the grounds.

Internal alterations include addition of partitions to divide rooms, part-mezzanine floors, and installation of a lift. Shower rooms and kitchens will be installed in the rooms. Subdivision of some of the larger rooms will involve new walls and the creation of space for the installation of a lift. Downtakings are also proposed and mainly include non-original partitions.

A few doors will be widened, and a few will be removed and infilled to form a niche and those doors/door openings not needed will be permanently locked. Redundant doors in the main circulation space will be retained and will be closed in on the inside of the rooms. It is proposed to replace some doors with fire resistant doors. Some historic or early doors will be removed. Fireplace surrounds will be retained with a few being boxed. Some existing linings will remain, and some will be removed with new linings installed for fire rated, acoustic and thermally performing linings. This will include wall and ceiling linings.

Internally the works proposed will accommodate studio, 1, 2 and 3 bed units for serviced accommodation (refer to planning application 22/01764/FUL).

A proposed change of use from offices to form 33 serviced accommodation apartments will be considered in the parallel application 22/01764/FUL.

Revised Scheme

Revised drawings submitted to address concerns of HES and to enhance clarity of the drawings.

Supporting Information

- Conservation Statement and Heritage Impact Assessment
- Design and Access Statement

Relevant Site History

22/01764/FUL
24 Canning Street
Edinburgh
EH3 8EG

Proposal to convert serviced offices into serviced accommodation within an existing building. Formation of additional floor space by adding mezzanines decks which primarily hold the sleeping accommodation (as amended).

Other Relevant Site History

23/03010/FUL

Propose to install automatic barriers and bollards at vehicular entrances to the site.
Pending Consideration

23/03009/LBC

Propose to install automatic barriers and bollards at vehicular entrances to the site.
Permission Not Required 14.07.2023.

Pre-Application process

There is no pre-application process history.

Consultation Engagement

Historic Environment Scotland (HES)

Historic Environment Scotland

Historic Environment Scotland (HES)

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): 13 May 2022

Site Notices Date(s): 10 May 2022

Number of Contributors: 2

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. harms 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.

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

- Managing Change in the Historic Environment: Use and Adaption of Listed Buildings
- Managing Change in the Historic Environment: Windows
- Managing Change in the Historic Environment: Roofs
- Managing Change in the Historic Environment: Accessibility
- Managing Change in the Historic Environment: Interiors
- Managing Change in the Historic Environment: Fire Safety Management
- Managing Change in the Historic Environment: Setting

Historic Environment Scotland (HES) originally advised that it has no issue with the principles of the proposal, but that detailed consideration is given to the protection of surviving historic fabric, including fireplaces, cornicing, timber panelled doors and intact elements of the school's original/historic plan form. Revised drawings were provided to address HES concerns and following further consultation it advised that it maintains its original comments and welcomes that more of the surviving original/historic fireplaces will be left visible.

The proposed change of use will enable the listed building to remain in use and prevent it from becoming empty and deteriorating. Consideration of the listed building consent proposals will enable change to be managed to protect the listed building's special interest allowing it to remain in active use.

Externally the proposed changes, such as repairing/refurbishing windows and which is welcomed, will not change the appearance of the building within the streetscape or the symmetry of the windows on the front elevation. Re-glazing the windows with slimlite double glazing will not detract from the overall appearance of the facades of the listed building. To ensure that the proposed secondary glazing will not interrupt the glazing pattern of the existing sash and case windows, it is recommended that a condition be used, in order to demonstrate that there will be a minimal impact visually on the building's fenestration pattern. Whilst the proposed windows which will replace existing glazed doors at the eastern-most and western-most extremities of the front elevation are a modern design, they will retain the width and height and not alter the existing opening sizes. They will also contribute to the symmetry of the building's front elevation. A condition is recommended to require the windows to be timber framed.

Although conservation style rooflights will be introduced into the roof plane, a large amount of original roof plane will remain and some existing rooflights will be removed thus re-instating more roof plane area.

Details of external fixtures such as drainage pipes, air conditioning units and HVAC (Heating Ventilation and Air Conditioning) are required, and a condition is recommended requiring detailed drawings. There is no indication that key safes are proposed to be attached to railings or to other parts of the listed building and listed building consent would be required for such a proposal.

Accessibility to the listed building will be provided by the existing ramp to the western door (fronting Torphichen Street) which will remain and by the proposed installation of a lift. HES accepts the subdivision of a larger room to facilitate the provision of a lift inside the building to improve accessibility of the listed building.

The building has experienced some alterations and subdivision in its use as an office/business space. However, most of the original historic fabric has survived such as the staircases, fireplaces and cornicing and the building is in good condition inside. One of the building's key internal features is the relationship between the circulation space and the classrooms and this will not be lessened by the proposals. The quality of the decorative scheme particularly in the stairwell and hallway, such as the staircase, ceiling and cupolas will not be diminished by the proposals.

The interrelationship of rooms and circulation space is a reflection of the building's design, function, status, and period. The circulation space in the hallway and original staircases will remain and the plan form in terms of the relationships of rooms to the hall and stairs will also remain. These are key historical design elements which strongly contribute to the building's special interest and its original use.

In terms of the plan layout many of the larger classrooms and communal space remains. The proposals will keep much of the internal features and fixtures and although some rooms will be divided and mezzanine floors added to most rooms, the original plan layout will still be legible. This will retain the cultural importance of the building, its specific design character and special interest.

Mezzanine floor levels are not a traditional characteristic of the building. However, they will enable the actual floor plan form to remain largely intact and retain ceiling heights. They would also be reversible. The introduction of kitchens and en-suite shower rooms in each of the proposed serviced apartments should be done in a sympathetic manner and not compromise original cornicing or skirtings. In order to protect the historic fabric detailing, a condition is recommended that kitchen units are not attached to walls.

HES urges a more sympathetic conversion of the small office to the west of the west escape exit which will be converted to a 1 bed unit. The room retains its form, proportions, and mirrors the small office at the east end of the building, which makes it significant to the building's surviving symmetrical plan form. Its conversion will introduce a kitchen and shower room compared to the equivalent small room on the east side which shall be used for amenity space thus retaining its original form. Although this will reduce the symmetry of the building's plan form, the room itself will remain the same size and from the outside the building will still appear as being symmetrical. In this context, this alteration is acceptable.

Many of the fireplaces will be left visible within the rooms and it is proposed that a few will be protected behind timber and plasterboard. However, the fireplaces are an important surviving element and, thus, a condition is recommended to maintain the visibility of the fireplaces within the rooms.

Original doors will be replaced with fire resistant doors. Managing Change Guidance: Fire Safety Management in the Historic Environment states that, "In historic buildings, the aim is to achieve a balance between fire safety provision and the protection of a building's historic character. Where physical intervention is necessary, careful consideration should go into design and installation in order to respect and minimise impact on the building's character." HES has stated that it encourages the retention of original doors and advises refurbishing them with intumescent strips and paint where possible. Therefore, it is recommended, should listed building consent be granted, that a condition is used with the aim of retaining the original doors where possible and should it not be possible, e.g. if not able to provide the required fire resistance, then justification is provided and original doors stored for re-hanging in future. The proposed treatment to fix-shut redundant original/historic doors on the hallway side is welcomed and will retain these original doors in place.

The overall appearance of the listed building in the streetscape and in its grounds will not change. Trees at the front will continue to contribute to the setting of the listed building. Therefore, its setting and the setting of adjacent and neighbouring listed buildings will not be changed or compromised by the proposals.

The proposal will enable the listed building to remain in use. The proposed changes, with the use of conditions, 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 is acceptable in terms of 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 following HES guidance is relevant in the determination of this application:

- Managing Change in the Historic Environment: Conservation Areas

The West End Conservation Area Character Appraisal states that the conservation area, "... is a large diverse area with a rich mix of historical periods and stages of development. The area is characterised by mixed, residential, and commercial buildings with the Georgian and Victorian tenements being mainly 4-6 storeys, constructed of stone with pitched, slated roofs. The area is generally characterised by irregularly shaped tenemental blocks, comprising buildings from a variety of periods,

some with mews to the rear." The West End Conservation Area is also diverse in terms of its activities and uses ranging over city wide cultural activities, small offices and major headquarter offices, conference facilities and a wide variety of shops and restaurants.

In relation to Torphichen Street and Canning Street, the West End Conservation Character Appraisal recognises the Victorian school on Torphichen Street, is one of three buildings of interest. The other two buildings of interest are the former electricity offices and depot and Conference House. The Character Appraisal also states that, "The presumption of retaining and reusing buildings of merit within the area must continue..."

Lying in the western part of the conservation area, the application site is in a street containing both original and modern buildings. The modern buildings are of a different scale, height, materials, and street relationship to neighbouring historic buildings and compared to that of the application site, the former Torphichen Street School.

The proposed external alterations are minor and will not alter the overall appearance of the building within the streetscape or the conservation area. It is in a prominent corner position and its symmetrical facing of the two streets, Canning Street and Torphichen Street, will not be altered by the proposal. Whilst the landscape setting will not be enhanced, the existing setting around the building, in the street and in the conservation, area will preserve the existing appearance of the conservation area.

Commercial land uses, such as hotels and STL properties, are found in the conservation area. The proposed change of use from one commercial use to another commercial use is compatible with the mixed-use character in this part of the conservation area. The character of the conservation area will be preserved.

Conclusion in relation to the conservation area

In relation to the conservation area the proposals preserve the character and appearance of the conservation area. The proposals 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. A ramp will give access up the steps to the western entrance and a lift will be installed. Accessibility of the building will be improved.

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

A summary of the representations is provided below:

material considerations

- fails to preserve or enhance the special architectural character of the B-listed building. Addressed in section a).
- loss of historic features. Addressed in section a).
- loss of form and plan. Addressed in section a).
- Heritage Impact Assessment - fails to properly assess changes against significance of building; downplays impact; no justification or alternative schemes. The updated Conservation Statement and Heritage Impact Assessment provides sufficient information to enable the planning authority to consider the proposals.
- inappropriate changes to window (Gym - Room 0/07). Addressed in section a).
- omits details of proposed drainage, ventilation, and HVAC (Heating Ventilation and Air Conditioning). Addressed in section a).
- adverse impact on conservation area and will not enhance the local landscape setting. Addressed in section b).

non-material considerations

- overdevelopment.
- contradicts guidance and conflicts with the Local Development Plan policies DES 1, ENV 4, ENV 6 and HOU 7. *A listed building within a conservation area is assessed against Sections 14 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and HES Managing Change in the Historic Environment guidance. An assessment in terms of Development Plan policies and of guidance will be undertaken in the consideration of parallel application 22/01764/FUL.*

West End Community Council

- exterior - detail lacking, e.g., key safes, ducting for drainage and ventilation for kitchens and bathrooms, secondary glazing.
- interior - sub-division of classrooms, create mezzanine floors, etc.
- loss of historic features.
- Heritage Impact Assessment - states: states classrooms to be an "area of highest significance" and "The existence of the original classroom plan is also a significant element to be considered".

West End Community Council comments are addressed in sections a) and b).

Conclusion in relation to other matters considered.

The proposals do not raise any issues in relation to other material considerations identified. Therefore, 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 will preserve the character and setting of the listed building and accord with sections 59 and 64 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. The proposal is acceptable, with the use of conditions.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. Notwithstanding the approved drawings:
 - all the original fireplaces shall remain in place and visible/open to view and shall not be boxed in.
 - no kitchen units to be attached to the original internal walls or skirting boards; and
 - no services shall interfere with the original decorative elements of the rooms.
2. Notwithstanding the approved drawings, details of services, such as extract vents etc, on the external walls and roof shall be submitted to and approved in writing by the planning authority prior to the commencement of development.
3. Notwithstanding the drawings, the original doors shall be kept in place and not removed or replaced. Should the original doors be required to be removed for fire resistance purposes, justification should be provided and a detailed storage strategy for the doors before they are removed shall be submitted to and approved in writing by the planning authority.
4. Prior to the commencement of development full details of the secondary glazing shall be submitted to and approved in writing by the planning authority and the secondary glazing shall be implemented in accordance with the agreed details.
5. The window frames for the proposed windows at ground floor on the front elevation shall be timber.

Reasons

1. In order to safeguard the character of the statutorily listed building.
2. In order to safeguard the character of the statutorily listed building.
3. In order to safeguard the character of the statutorily listed building.
4. In order to safeguard the character of the statutorily listed building.
5. In order to safeguard the character of the statutorily listed building.

Background Reading/External References

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

Further Information - Local Development Plan

Date Registered: 21 April 2022

Drawing Numbers/Scheme

01,02,03C,04B,05,06,07,08C,09C,10C,11A,12A13A,14A,15A16A,17A,18A,19A,20A,21,22,23A.

Scheme 3

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Jackie McInnes, Planning officer
E-mail: jackie.mcinnnes@edinburgh.gov.uk

Summary of Consultation Responses

NAME: Historic Environment Scotland (HES)

COMMENT: Overall, we consider the revisions are an improvement on the original scheme.

Plan Form - Our main concern with the previous scheme was the subdivision of the larger, central rooms to the North and South of the ground and first-level floorplans. While we note the historic plan form of Suite 8 would now be protected, we can therefore accept the sensitive subdivision of Suites 3, 14 and 20 - the subdivision of Suites 3 and 20 will also improve the listed building's accessibility through installation of a lift shaft in these spaces.

We do however maintain our previous recommendation for a more sympathetic conversion of the small front-facing office adjacent to the west escape exit.

Windows - we advise the secondary glazing does not interrupt the glazing pattern of the existing sash and case windows.

Historic Features - We note the majority of fireplaces would be protected behind timber and plasterboard. Our preference would be that more of these are allowed to remain visible.

We encourage the retention of the original/historic timber-panelled doors and advise refurbishing them with intumescent strips and paint where possible. We welcome the proposed treatment to fix-shut redundant original/historic doors on the hallway side.

DATE: 16 March 2023

NAME: Historic Environment Scotland

COMMENT: Having considered the latest drawings (submitted 05 May 2023 on the planning portal), we would like to maintain the comments given in our previous consultation response (dated 14 March 2023) because there appear to be no significant changes proposed since this advice.

we understand the only notable change is that more of the surviving original/historic fireplaces would be left visible.

DATE: 1 June 2023

NAME: Historic Environment Scotland (HES)

COMMENT: While we see no issue with the principle of the proposals, our advice is that further consideration is given to the protection of surviving historic fabric, including fireplaces, cornicing, timber panelled doors and intact elements of the school's original/historic plan form.

Our main concern is the subdivision of the larger, central rooms to the North and South of the ground and first-level floorplans.

While we understand the requirement to install a lift shaft in the location of the north facing principal rooms to provide access to all floors, we would ask consideration is given to a more sympathetic subdivision of the remaining space in these rooms and to the

principal south-facing rooms at ground and first floors.

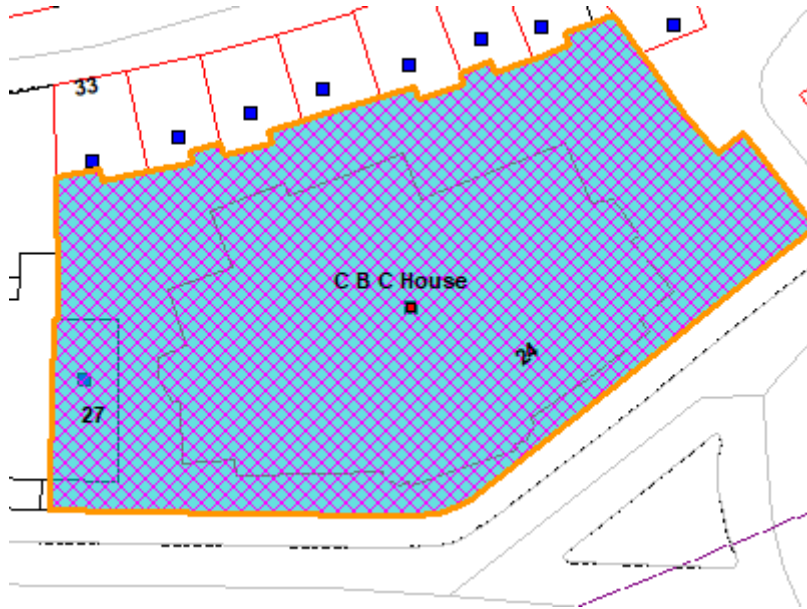
Similarly, we recommend a more sympathetic conversion of the small front-facing office adjacent to the west escape exit, which would become a 1 bed apartment.

We note many doors are proposed for removal. Where these are original/historic, we advise they are either upgraded and re-used for new doorways or fixed shut on the hallway side if they would become redundant through implementation of the proposals.

DATE: 12 May 2022

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

Location Plan



© Crown Copyright and database right 2014. All rights reserved. Ordnance Survey License number 100023420