

Development Management Sub-Committee Report

Wednesday 8 November 2023

**Application for Conservation Area Consent
Development At Pittville Street Lane, Edinburgh,**

Proposal: Full demolition of water tower and partial demolition of former laundry building (as amended).

**Item – Committee Decision
Application Number – 21/04594/CON
Ward – B17 - Portobello/Craigmillar**

Reasons for Referral to Committee

The application is referred to the Development Management Sub-Committee due to the numbers of letter of representation received exceeded the scheme of delegation in place and the time of submission.

Recommendation

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

Summary

The demolition of the water tower is justified on structural grounds and the revised scheme ensures that publicly visible original elements of the laundry building are retained. The proposal is acceptable with regard to Section 66 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

There are no material considerations that outweigh this conclusion.

SECTION A – Application Background

Site Description

The application site is situated on the east side of Pittville Street Lane. The proposal relates to a two-storey building, formerly a laundry associated with the public baths neighbouring the site to the west, and an associated water tower.

The former laundry was most likely a coach house associated with Marine Villa which was demolished in 1893. Following the construction of Portobello Baths in 1901, the building acted as a laundry and the associated water tower was constructed in 1926. In 1936 the first floor of the laundry building was significantly altered to facilitate the installation of a drier with a permanent louvred ventilation pop up built at the roof level directly over the drier position at that time.

North, south, and west walls of the laundry as well as the north wall of the outshoot comprise original stone walls. The east and south facing walls of the outshoot and east walls of the main building are not original. Non-original dash walls are visible on the upper level of the west elevation and concrete render has been applied to the non-original east and south facing walls of the outshoot, as well as the long east wall of the former laundry.

In terms of the surrounding area, to the north of the application site there is a narrow lane accessing the back of a tenement building and the common garden area to the east which belongs to the tenement properties. The garden is not shared by the former laundry. To the south is a neighbour's single storey garage. To the west, separated by the lane, is the east facing elevation of Portobello Baths.

The lane has undergone significant change. The east side of the lane in particular is characterised by a range of modern garages with some original stone walls remaining. The west side is more residential, with single storey dwellings on the north part of the lane and garden walls and garages to the south.

Description of the Proposal

The proposal is for the full demolition of a 10-metre high, concrete panelled water tower and the partial demolition of a neighbouring two storey former laundry. Sandstone walls on the north and west elevation are to be retained, whilst non-original concrete rendered walls on the east and south elevations are to be removed.

An associated application for planning permission has been submitted for the conversion of the former laundry building to a three-bedroom dwelling. Externally, original stonework to the west and north elevations of the former laundry building is to be repaired and retained. The application includes the formation of a new structure to replace the existing water tower which will house a garage at ground floor level and an upper-level garden deck. The new tower structure is to be finished externally with a concrete effect rain screen. The east elevation of the former laundry is to be replaced with a new rendered wall.

Revised Scheme

The revised scheme removes the proposed commercial use of the ground floor. The revised scheme reduces the height of the replacement tower structure, retains elements of the masonry walls of the neighbouring two-storey building and makes general design changes internally and externally.

Supporting Information

- Design Statement
- Building Condition Report

These are available to view on the Planning and Building Standards Online Service.

Relevant Site History

20/04260/FUL

Development At Pittville Street Lane

Edinburgh

Demolition of water tower and alterations to former laundry building. To be replaced with residential dwelling, with garage and garden deck (as amended).

Other Relevant Site History

No other relevant planning history.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Historic Environment Scotland

Archaeology

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): 31 March 2023 17 September 2021

Site Notices Date(s): 28 March 2023 14 September 2021

Number of Contributors: 11

Section B - Assessment

Determining Issues

Consent is required because section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (the "1997 Heritage Act") states that in making a decision on the demolition of a building in a conservation area section 6 to 25 of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings. The proposals therefore require to be assessed in terms of Section 64 of the 1997 Heritage Act:

- Having due regard to HES Policy and guidance, does the proposed demolition 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 on demolition in a conservation area, 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 on demolition in a conservation area, 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:

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

- Managing Change - Interim guidance on the Designation of Conservation Areas and Conservation Area Consent (2019).

a) Demolition of building(s) is acceptable?

Section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in making a decision on the demolition of a building in a conservation area, certain provisions of the same Act shall have effect in relation to buildings in conservation areas as they have effect in relation to listed buildings.

Historic Environment Scotland's Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019) outlines criteria to assess the acceptability of the demolition of unlisted buildings within conservation area, including:

- *the importance of the building to the character or appearance of any part of the conservation area, and of proposals for the future of the cleared site.*
- *if the building is considered to be of any value, either in itself or as part of a group, a positive attempt should always be made by the planning authority to achieve its retention, restoration, and sympathetic conversion to some other compatible use before proposals to demolish are seriously investigated.*
- *where demolition may be thought appropriate, for example, if the building is of little townscape value, if its structural condition rules out its retention at reasonable cost, or if its form or location makes its re-use extremely difficult, consent to demolish should be given only where there are acceptable proposals for the new building.*

The original scheme proposed the full demolition of both the concrete water tower and the former laundry building. A Structural Condition Report was submitted in relation to both buildings. The report identified significant structural failings in relation to the water tower. This report has been assessed by officers from Historic Environment Scotland (HES) and they have advised that they agree with the report findings in this regard. The full demolition of the water tower is justified on the basis that its structural condition rules out its retention.

The demolition of the water tower includes the removal of stone piers on the west elevation. The piers appear to be associated with Marine Villa which previously occupied the site to the north. The piers in themselves are in poor condition and are not typical of a lane of this type. Although they may have been associated with Marine Villa which previously occupied the site, it is not clear they are in their original position. The applicant has indicated they intend to carefully remove the piers to consider whether they can be utilised in the development at a later date. HES did not identify the piers specifically for retention and the overall contribution they make to the conservation area is limited. CEC Archaeology has been consulted on the scheme and has recommended a scheme of archaeological works is undertaken prior to initiation of development.

This will include a photographic record of the existing water tower and stone piers in situ. The removal of the piers is acceptable in this case.

In relation to the former laundry building, the Structural Condition Report noted a range of serious defects, but despite the poor condition of certain elements of the building it is deemed in generally good structural condition. HES has advised that in scale, form, and design it makes a positive contribution to the service, or mews character of Pittville Street Lane. Consequently, HES advised that it did not support the full demolition of the building and that any proposed development should explore the potential to retain the building's historic masonry external walls. HES did not object to the removal of non-original elements of the building, including the flat roofed southern addition.

Following discussions with HES, the scheme has been amended to retain original masonry walls on the west and north elevations. The north wall of the laundry has been reasonably protected. However, there is significant weathering of the wall, especially at the higher parts, and around an existing dormer window. Although it is proposed this wall is retained, some repairs will be required, including indenting, and replacing of rubble stone and the replacing of feature stones such as quoin stones, rybats sills and lintols where necessary. In addition, it is expected that partial picking and re-pointing of the joints will need to be undertaken.

The rubble and dressed stonework to the north elevation is mostly in good condition. However, some quoin stones and feature stones around the existing window and door require replacing. To ensure the continuing stability of the outshoot, it is proposed that the north elevation be carefully taken down and the wall re-formed as a cavity wall with a stone outer leaf. The feature stones around the apertures and at the quoin stones are to be retained in their original positions, with new stones to match existing included as required.

The Design Statement and drawings provided by the applicant indicate that where possible salvaged stone is to be used for repair work. However, where the use of new stone is necessary it is proposed that an equivalent matching stone will be used. A condition requiring full details of all materials to be used is included with application 20/04260/FUL.

The non-original east and south facing walls of the outshoot, as well as the long east wall of the laundry have been confirmed as likely to be structurally unsound by a structural engineer. A concrete render has been applied to all these walls. This was most likely a historical intervention introduced due to the stone being in a poor and weathered condition. Currently, the render is bossed and there is visual evidence of water penetrating to the rear of the render. Parts of the walls that have been exposed due to the spalling render show the stone to the rear is in poor condition. Additionally, the shrubs and climbing plants that have been growing up and into the external walls are expected to have caused further damage. Given the poor condition of the walls, the fact that they are non-original and not visible to the public, their removal is supported.

There are six connected roof elements over the former laundry building. It is proposed that the line, profile and, shape of the roofs over the laundry are retained, except for a non-original flat roof element which was introduced in the 1930s to facilitate the introduction of a dryer to the building. HES has identified that this element of the building can be removed without impacting its character.

Although the demolition of the water tower has been justified on structural grounds and the applicant has taken steps to retain elements of the former laundry building, the buildings are of historic interest. CEC Archaeology was consulted on the scheme and has recommended that a full programme of archaeological works, including a photographic survey of the site, is undertaken prior to initiation of development.

In summary, the demolition of the water tower is justified on structural grounds and the revised scheme ensures that publicly visible original elements of the laundry building are retained. The proposal is acceptable with regard to Section 66 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

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 which 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 Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high-quality architecture, and the predominant use of traditional building materials.

As detailed in the assessment for the parallel planning application (reference 20/04260/FUL), the proposed demolition will enable the development of the site in a coherent and positive way. Elements of the former laundry building that contribute to the character of the conservation area are to be retained.

In light of this, the demolition of this building will have a neutral impact on the character of the conservation area.

Conclusion in relation to the conservation area

The proposals will preserve the character and appearance of the conservation area with regard to Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

b) 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

The original scheme was advertised on 17 September 2021 and received nine objection comments and one comment taking a neutral stance.

The revised scheme was advertised on 31 March 2023 and received one comment in support of the proposals.

All comments relating to both the original and revised scheme are summarised and addressed below:

Material

- Objects to demolition and loss of original elements of the building including stone piers; this is addressed in section a).
- Plans are inaccurate; plans have subsequently been revised.

Support

- Reuse of derelict building; this is addressed in section a).
- Retention and repair of stone; this is addressed in section a).

Neutral

- Replacement stone should match existing; this is addressed in section a).
- Plans show trees to be removed; drawings have subsequently been revised. Permission was granted for the removal of these trees in September 2023 through application 3/03961/TCO.

Non-Material

- Comments relating to overall design of replacement building; these are addressed in detail in the parallel planning application (reference: 20/04260/FUL).
- Impact associated with demolition and subsequent construction; this is not a material planning consideration.
- Impact on amenity; not relevant to the assessment of Conservation Area Consent but addressed in the parallel planning application (reference: 20/04260/FUL).
- Concerns relating to proposed commercial use on ground floor; not relevant to the assessment of Conservation Area Consent but addressed in the parallel planning application (reference: 20/04260/FUL).
- Concerns relating to neighbour notification; the application was publicised in line with legislative requirements.
- Neighbour wishes to retain the right to build a shed in the neighbouring communal garden; this is not a material planning consideration.
- Access to neighbouring garden; this is not a material planning consideration.

Conclusion in relation to other matters considered.

The proposals do not raise any issues in relation to other material considerations identified.

Overall Conclusion

The demolition of the water tower is justified on structural grounds and the revised scheme ensures that publicly visible original elements of the laundry building are retained. The proposal is acceptable with regard to Section 66 Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the interim HES guidance.

There are no material considerations that outweigh this conclusion.

Section C - Conditions/Reasons/Informatives

The recommendation is subject to the following.

Conditions

1. No demolition shall start until the applicant has confirmed in writing the start date for the new development by the submission of a Notice of Initiation of Development for planning permission application reference 20/04260/FUL.
2. No demolition nor 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.

Reasons

1. In order to safeguard the character of the conservation area.
2. In order to safeguard the interests of archaeological heritage.

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: 10 September 2021

Drawing Numbers/Scheme

01A-10A

Scheme 2

David Givan
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PLACE
The City of Edinburgh Council

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Appendix 1

Summary of Consultation Responses

NAME: Historic Environment Scotland

COMMENT: Design solutions should be explored that would allow for the retention of the building's historic masonry external walls. The removal of the flat-roofed southern addition to the laundry building along with the water tower, which has significant structural failing, would provide considerable scope for a contemporary intervention/addition to the 2-storey, gabled building.

DATE: 11 January 2022

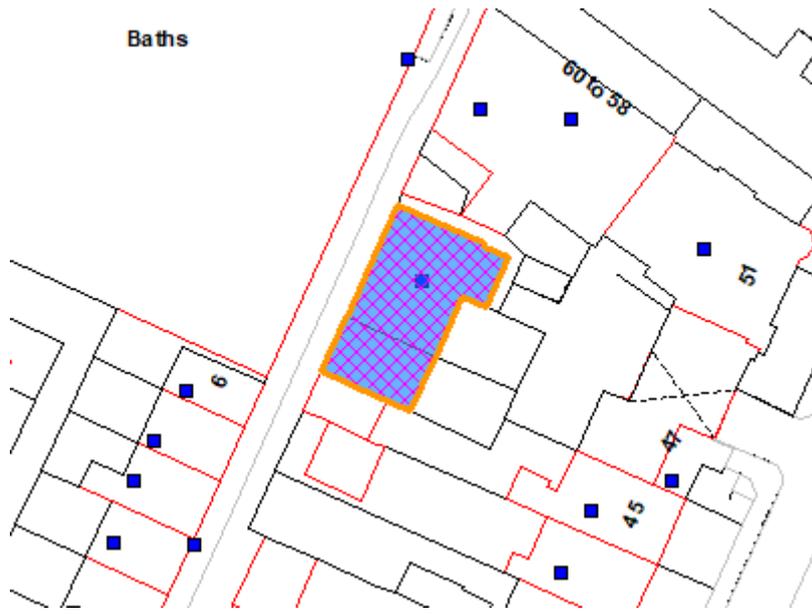
NAME: Archaeology

COMMENT: No objection, subject to a condition requiring a programme of archaeological works.

DATE: 15 September 2021

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

Location Plan



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