

Development Management Sub-Committee Report

Wednesday 7 February 2024

Application for Planning Permission

2 - 14 Shandwick Place, 1 - 8 Queensferry Street & 1 - 3 Queensferry Street Lane, Edinburgh

Proposal: Part change of use, alterations, and erection of hotel /aparthotel (Class 7). (as amended)

Item – Committee Decision

Application Number – 23/01940/FUL

Ward – B11 - City Centre

Reasons for Referral to Committee

The application has been referred to the Development Management Sub-Committee because the Chief Planner considers the proposal to be of significant public interest. Consequently, under the Council's Scheme of Delegation, the application must be determined by the Development Management Sub-Committee.

Recommendation

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

Summary

The proposal is acceptable with regard to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as overall it will not harm the listed buildings, their setting and will preserve the character and appearance of the Conservation Area. Overall, it complies with the Local Development Plan and NPF4.

The hotel use is acceptable in this city centre location. It has regard to the global climate and nature crises. It is of an appropriate design and will not harm the Outstanding Universal Value of the World Heritage Site.

Conditions are recommended to ensure implementation of measures to safeguard neighbour's amenity and the operation of nearby uses. Full detail of external materials is required to ensure these are appropriate with regard to the conservation area and listed buildings. A programme of archaeological work is required to safeguard archaeological heritage. A site survey is required to ensure land is safe and stable for the end use.

No other material considerations identified outweigh this conclusion.

SECTION A – Application Background

Site Description

The site includes four separate buildings as per the following:

4-8 Queensferry Street is an early 19th century, category B -listed building (LB ref: 29577, date added 14/12/1970). A three-storey classical terrace which is one of the last surviving of the original James Tait plan. Similar town houses at 1-3 Queensferry Street were later replaced by the former bank building described below. It contains later 19th century dormers on its roof slope with evenly proportioned sash and case windows below. Its upper floors have lawful use as a hostel. The site also includes the ground floor commercial units on this terrace.

2-4 Shandwick Place and 1-4 Queensferry Street is an early 20th century category B-listed building (LB ref: 30180, date added 30/01/1981). It has five storeys in total (four and an attic) and occupies a prominent location on the corner of Shandwick Place and Queensferry Street. Some key features include a turret with curved gable features either side. It was originally a bank and most recently the upper floors have been a hostel with 4-8 Queensferry Street. The existing entrance is taken from Queensferry Street. The site includes the ground floor betting unit and hostel entrance at ground floor.

6-8 Shandwick Place is a late 19th century category C-listed building (LB ref: 51342, date added: 22/07/2009) of four storeys. Key detailing includes a bay window feature at ground floor and arched openings on its uppermost floor with intricate astragal detailing. The upper floors contain four flats.

10-14 Shandwick Place is an unlisted four storey Victorian tenement with bay window features. It has been extended to the rear which connects to the tenement building on Queensferry Street Lane and adjacent 1.5 storey building. The upper floors have lawful use as a nightclub and restaurant.

These buildings have mainly been constructed in traditional building materials (sandstone, slate, timber sash and case windows). The upper floors of all buildings are currently unoccupied.

The site is located within the City Centre where there are a range of uses are evident. It is near to public transport facilities including bus services on Queensferry Street and a tram stop on Shandwick Place.

The site is also located in the New Town Conservation Area and Old and New Town of Edinburgh World Heritage Site. The site is 0.19 hectares in total.

Description of the Proposal

The hotel development will comprise of 129 bedrooms in total and connect all four of the above buildings internally.

The main hotel entrance for guests will be taken from Queensferry Street where the existing betting unit will be replaced, with a staff entrance from Queensferry Street Lane. Lifts will be located near each entrance providing access to all floors, near to accessible bedrooms on the Queensferry Street side of the development.

At basement level there will be a gym, staff facilities, plant machinery and bicycle store. 14 cycle spaces will be provided in total (11 sheffield stands and 3 non-standard racks). A landscaped courtyard will be formed at first floor level at the rear bordered by the development on all four sides.

In total, 1,631.6 m² new build floorspace will be added with the external alterations to each building including the following:

6-8 and 10-14 Shandwick Place

A dark zinc pitched roof top extension with four projecting dormers centrally positioned over windows below (no. 10-14) and a bay window feature (no. 6-8). A new four storey rear extension will be constructed with light, sand coloured render and bronze zinc sections for the walls, a dark grey zinc flat roof and dual-pane windows and juliet balconies facing an internal courtyard area. This will connect to other buildings at detailed below.

The first floor of the existing rear extension, rear windows, chimneys, and roof lights will be removed to accommodate these works.

1-2 Queensferry Street Lane

The four-storey extension will project the length of the site onto Queensferry Street Lane to the north-west. It will replace the existing 1.5 storey building here. Its materials fronting the lane will include a stone facade at ground floor with roller shutter doors, light render on its upper levels with a dual and single pane vertical window arrangement.

2-4 Shandwick Place and 1-4 Queensferry Street

The ground floor betting unit on Queensferry Street will be replaced with a new entrance for the hotel including dual paned timber panelled door set within glazed arched opening with timber frames. A new gate will be added over the existing hostel entrance on Queensferry Street.

Roof lights will be removed or replaced on the former bank buildings' roof slope.

4-8 Queensferry Street

Five new dark zinc clad dormers will replace the existing dormers and one chimney stack on the front elevation facing the street. To the rear, windows and a staircase will be removed to accommodate the new, four storey extension which will project from the terrace' north-east side at its rear. New windows will be installed on the gable side of the terrace facing the lane.

The proposed hotel includes various change of uses (total 1,946 m²) detailed below:

- 10-14 Shandwick Place (upper floors and basement) from a night club (sui generis) / restaurant (class 3) to a hotel (class 7)
- 6-8 Shandwick Place (upper floors) from storage and residential (Class 9) to hotel (class 7)
- 4-8 Queensferry Street (upper floors) partly from residential (class 9) and hostel (class 7) to a hotel (class 9)
- 2 Queensferry Street (ground floor) from betting office (sui generis) to hotel (class 7).
- 1-3 Queensferry Street Lane from nightclub (sui generis) to hotel (Class 7)

Revised Scheme

Internal alterations

- Number of bedrooms increased from 115 to 129.
- Increase in cycle parking and changes to layout.
- Changes to room layouts including increased retention of historic features (as set out in concurrent listed building consent application).

6-8 and 10-14 Shandwick Place

- Design of roof top extension changed with gable form of east section replaced with pitch roof of lower height and window design changed.
- Change to form of rear extension to retain existing pitch roof of tenement building on Queensferry Street Lane and materials from brick to sandstone / light render and dark to light bronze zinc clad.

Queensferry Street

- Proposed additional storey on front elevation and wall structure to house plant equipment to rear omitted on 4-8 Queensferry Street.
- New glass panel to front entrance of existing hostel on 3 Queensferry Street replaced with a gate.

1-3 Queensferry Street Lane

- Material of extension on upper levels changed from dark grey zinc to light render.

Supporting Information

- Bat surveys
- Daylight report
- Design and Access Statement
- Drainage Statement
- Heritage Statement
- Noise Impact Assessment
- Planning Statement
- Sustainability Statement and S1 form

Concurrent applications

3 May 2023 - Listed building consent application 23/01947/LBC submitted for part change of use, alterations, and erection of hotel / aparthotel (Class 7) and Conservation area consent application 23/01948/CON submitted for substantial demolition in a conservation area. These applications are presently under consideration and are related to this planning application 23/01940/FUL.

Relevant Site History

23/01947/LBC

2 - 14 Shandwick Place, 1 - 8 Queensferry Street &

1 - 3 Queensferry Street Lane

Edinburgh

Alterations to create hotel /aparthotel (as amended).

23/01948/CON

3 Queensferry Street Lane, 4 - 8 Queensferry Street &

10 - 14 Shandwick Place

Edinburgh

Substantial demolition in a conservation area.

Other Relevant Site History

5 November 2010 - Planning permission granted for residential flats at 12 Shandwick Place - application reference: 06/03775/FUL.

19 November 2015 - Planning permission granted for renewal of application 06/03775/FUL at 12 Shandwick Place - application reference 15/04522/FUL.

3 April 2019 - Planning permission granted for Section 42 application to amend noise conditions at 12 Shandwick Place - application reference 18/08608/FUL.

23 June 2021 - Planning permission granted for change of use to short stay lets at 8 Shandwick Place - application reference 21/02525/FUL.

3 May 2023 - Concurrent listed building consent application reference 23/01949/LBC at 2-14 Shandwick Place, 1-8 Queensferry Street, 1-3 Queensferry Street Lane, and conservation area consent application reference 23/01948/CON at 1-3 Queensferry Street Lane were submitted which relate to this current planning application.

Pre-Application process

Pre-application discussions took place on this application.

Consultation Engagement

Transport Planning

Archaeology

Flood Planning

Environmental Protection

Edinburgh World Heritage

Scottish Water

Archaeology

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

Publicity and Public Engagement

Date of Neighbour Notification: 23 May 2023

Date of Renotification of Neighbour Notification: Not Applicable

Press Publication Date(s): 2 June 2023

Site Notices Date(s): 29 May 2023

Number of Contributors: 15

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 in the Historic Environment: Setting
- Managing Change in the Historic Environment: Extensions
- Managing Change in the Historic Environment: Roofs
- Managing Change in the Historic Environment: Windows

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."

6-8 Shandwick Place, LB ref 51342, dated 22/07/2009.

HES guidance on extensions states these should play a subordinate role and not dominate the original building. It should not threaten the original design concept. Where external form is significant to a buildings' character a roof extension will not be appropriate that destroys this.

The roof top extension will change the buildings' appearance and the new, pitched roof is not characteristic of its original form. However, its overall design takes appropriate cues from the listed building. Its height is in proportion to the storeys below, which in tandem with its slight setback and sloped form will achieve an appropriate degree of subservience.

The bay window feature has larger glazed openings than the floors below. However, each floor level of the building differs in its window arrangement whilst the simple design of this feature will avoid competing with the bold classical detailing on this façade from public view. Its perceived scale will be further reduced by the separation of its glazing with vertical frames. The roof skew will help separate this building at roof level from the extension proposed at 10 to 14 Shandwick Place.

Removal of existing features on the roof (rooflights, chimneys) to facilitate this extension are acceptable. As small-scale additions of limited visibility from public view their loss will not adversely impact on the buildings' overall character.

The buildings rear elevation has previously been altered and its concealed location is not visible from public view. Given this, the proximity of all new development to the sites' rear will have no impact on the wider appreciation, character, or historic interest of this listed building.

2-4 Shandwick Place, 1-4 Queensferry Street LB ref: 51342, 22/07/2009

HES guidance on extensions also states that the presence of a neighbouring high building should not be taken as a reason for an inappropriate roof extension to a historic building.

The former bank building occupies a highly visible position on the corner between Shandwick Place and Queensferry Street.

An important aspect of its wider setting is its level of prominence from the east on Princes Street. The buildings' form such as its curved gables and turret feature at roof level are clearly articulated against the sky's backdrop. The height of the building is accentuated by the lower scale of buildings either side.

The new rooftop extension on Shandwick Place will change this view however its lower scale, simple pitched form and use of a dark muted colour will avoid competing with the form and detailing of the former bank building. The simple design will similarly avoid interfering with views onto this key detailing from oblique angles on Shandwick Place.

Small scale alterations to remove or replace rooflights are acceptable with the replacement slate to match the existing roof slope.

Alterations to the existing hostel entrance will result in the doors not being used. However, this change is reversible, and the installation of a gate will still allow its detailing here to be visible. This alteration is justifiable in the context of overall improvements that will occur to the buildings' frontage. The existing modern glazed shopfront being replaced with a new entrance where its arched form, panelling and materials taking cues from older frontages either side.

New development to the rear will be in some proximity to this buildings' simpler plain elevation that is not readily visible from public view. Given this context and the space that will be retained here there will be no adverse impact on its setting.

4-8 Queensferry Street LB 29577 dated 14/12/1970.

HES guidance on roofs states historic dormers should be retained. The addition of new features to principal roof slopes should generally be avoided. New dormers should be appropriately designed and located with care.

As per the listing description, this row of townhouses are among the last remaining of the original James Tait plan, well-proportioned and represent their original 19th century design.

The dormers on the roof slope are later 19th century additions. They are historic but appear in a state of some disrepair externally and their inconsistent size is at odds with the regular window pattern below. The chimney to be removed is proportionally small in relation to the townhouse' other chimneys fronting the street. It occupies a more discreet position, its form partly masked by the former bank buildings' gable side. In this context, these removals and a small loss of historic fabric is appropriate.

The new dormers will be of a high-quality modern design, with a scale and form that will sit well on the roof slope. This change will clearly introduce new, distinguishable additions on its principal elevation. However, this townhouse is unique to the immediate context with its scale differing from buildings either side and this change will not break a uniform pattern of development on the street. In these specific circumstances, this change to this townhouse is appropriate. The replacement roof will appropriately match the existing slate.

To the rear, it is recognised the townhouse form will be altered by the new, four storey extension on Queensferry Street Lane with subsequent loss of rear windows. This will impact on a glimpsed view of its subsidiary elevation only. The extension will be set down from the roof slope with the traditional pitched roof form retained. In this context, the development will not adversely impact on its overall setting. New gable windows facing the lane will be of a traditional 'six over six' arrangement appropriately matching those existing.

In light of the above, the proposal will not have a detrimental impact on the architectural character, historic interest or setting of this listed building.

Windows will be retained and refurbished where practicable or replaced with double glazing if required. Full details of this are required by condition to assess this matter in detail. Similarly, detail of all external materials is required by condition for this reason.

All other listed buildings in the sites' vicinity will not materially be impacted on by the development.

Conclusion in relation to the listed building

Subject to condition, 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.

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 New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone-built terraces, broad streets, and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four-storey corner and central pavilions.

The historic environment generally has consistency in the use of traditional materials (stone, slate), however there is some variety to buildings form and scale. Later, alterations are also evident including roof extensions on Shandwick Place.

This historic townscape is therefore not defined by one architectural style. Whilst the proposed changes to the roof will clearly be modern, their simple design, proportionate scale and dark muted tones will blend suitably with this historic context where change has occurred.

Space to the rear has significant large existing extensions which are also characteristic within nearby former courtyards. The extension is appropriately scaled given this context and its lighter shades of render will be compatible with the existing use of this material and stone nearby.

Similarly, its height facing onto Queensferry Street Lane will be in-keeping with the generally continuous line of buildings on its south side. Buildings here vary in quality, age, and design. In this context, an appropriately scaled modern building will not appear at odds with its surroundings.

Larger down takings will include removal of structures in some state of disrepair (dormers and building on Queensferry Street & Lane) or more modern additions of functional design (part of rear courtyard extension, Queensferry Street shopfront). Their removal is appropriate as they do not presently make positive contributions to the conservation area. All other removals will have no material impact on this historic environment as a whole as they are small parts of the buildings on-site.

The full details of material specification will be required by condition to ensure these details are appropriate to the conservation area.

The hotel use is also in keeping with the range of uses evident in this part of the New Town.

Conclusion in relation to the conservation area

Overall, the proposal in scale form and design will preserve the character and appearance of the conservation area. It is therefore 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 Sustainable place policies 1, 2, 3, 4, 7, 9, 11, 12, 13
- NPF 4 Productive place policies 27, 30
- LDP City Centre policy Del 2
- LDP Design policies Des 1, Des 2, Des 3, Des 4, Des 5, Des 12
- LDP Developer Contributions policy Del 1
- LDP Employment policy 10
- LDP Environment policy Env 21
- LDP Transport policies Tra 2, Tra 3, Tra 4,
- LDP Retail policy Ret 9

The non-statutory Listed Buildings and Conservation Area and the Edinburgh Design Guidance are material considerations.

Use

LDP policy Emp 10 (Hotel Development) states hotel development will be permitted in the city centre subject to considerations of impacts on diversity and vitality.

LDP policy Ret 9 (Alternative use of shop units in defined centres) states in the City Centre Retail Core, change of use proposals which undermine the retailing function of the centre will not be permitted.

NPF 4 policy 27 a) states development proposals that enhance and improve the vitality and viability of city, town, and local centres, including proposals that increase the mix of uses, will be supported.

NPF 4 policy 30 a) (Tourism) states development proposals for extended tourist accommodation in locations identified in the LDP will be supported.

Part b) outlines the considerations for tourism related development including economic, community, transport, accessibility, and environmental impacts. Community considerations include impact on the provision of homes and services for local people.

The hotel use is supportable in principle in this city centre location, near to tourist attractions and public transport facilities. It will increase the provision of tourist accommodation and will have positive economic impacts such as job creation and increased footfall. In tandem with the retention of shop units at ground floor, provision of a new hotel and use of vacant floors will help improve city centre vitality.

In addition, as the change of use of the unit on Queensferry Street is for a betting shop (sui generis) to form part of the hotel entrance, no loss of a shop use (class 1) will occur. Similarly, basement level changes to form ancillary hotel space will result in loss of an existing nightclub only. Therefore, there is no conflict with retail policy Ret 9.

With regard to NPF 4 policy 30, the hotel will change the lawful use of four residential units on the upper floors. Consequently, this would result in loss of residential accommodation, and it is recognised the provision of homes forms part of assessing community impacts under this policy. Additionally, that residential use contributes to the economy including occupiers use of shops, services, resultant employment in addition to making contributions to the local community.

In this case, the four units have an extant planning permission 21/02525/FUL to be converted to short term lets. Therefore, there is the potential for their residential use to be lost out with consideration of this planning application. Additionally, the units appear to have been unoccupied for several years since 2015.

The conversion of these units' forms part of a wider hotel redevelopment which will bring a new use to unoccupied upper floors. Whilst detailed economic impacts have not been provided, it is anticipated the hotel will result in 30 new jobs. Moreover, it will result in increased provision of high-quality accommodation for visitors with a 129-bedroom capacity. The potential resultant local economic benefits from this have been highlighted above.

In consideration of this, the hotel will make a positive contribution to the local economy. These benefits are considered to outweigh the loss of the four residential units in these specific circumstances.

The change of use of the nightclub to a hotel is appropriate in this centre location.

Overall, the proposal complies with LDP policy Emp 10, Ret 9, NPF 4 policies 27, 30. Other aspects of policies highlighted above, (accessibility, environment, transport etc) are assessed through relevant sections of this report.

Conservation Area and Listed Building

NPF 4 policy 7 c) (Historic Assets and Places) states development proposals for the reuse, alteration or extension of a listed building will only be supported where they will preserve its character, special architectural or historic interest and setting.

NPF 4 policy 7 d) (Historic Assets and Places) states development proposals in or affecting conservation areas will only be supported where the character and appearance of the conservation area and its setting is preserved or enhanced.

Impact on listed buildings and the conservation area have been assessed through sections a) and b). The proposals comply with NPF 4 policy 7 c) and d).

World Heritage

NPF 4 policy 7 l) states development proposals affecting a World Heritage Site (WHS), or its setting will only be supported where their Outstanding Universal Value is protected and preserved.

Modern interventions have occurred in the townscape. The extent of changes to historic roofscapes will be proportionally modest and in keeping with buildings nearby. Scale of extensions will be in keeping with development nearby. There will be no significant impact on views that contribute positively to the outstanding universal value of the WHS. The hotel use is in keeping with the WHS where a range of uses are evident.

The proposal will therefore protect and preserve the Outstanding Universal Value of the World Heritage Site and its setting. It complies with NPF 4 policy 7 I).

Sustainability

NPF 4 policy 9 (Brownfield, vacant and derelict land) a) states development resulting in the sustainable reuse of brownfield land will be supported.

Part 9 d) states given the need to conserve embodied energy, demolition will be regarded as the least preferred option.

NPF 4 policy 12 (Zero Waste) policy intent is to encourage, promote and facilitate development that is consistent with the waste hierarchy.

The proposed development incorporates a decarbonisation strategy to improve the sustainability credentials of the existing building.

Its thermal performance will be improved through secondary glazing and upgrades to building fabric where appropriate. Low carbon technologies such as Air Source Heat (ASH) pumps will be incorporated with no use of fossil fuels.

The existing heritage assets will be retrofitted and re-used in line with the waste hierarchy with down takings minimised. As outlined in the sustainability statement, such measures will contribute towards a significant reduction in carbon emissions when compared with continual use of the site without renovation.

These aspects will also be assessed through any subsequent building warrant process where there will be requirement to comply with Section 6 (energy) of the current Building Standards.

Overall, the development is sustainable. It re-uses a brownfield site, incorporates sustainability measures and is in a well-connected location.

The proposal complies with the objectives of NPF 4 policy 9 a) d) and intentions of policy 12.

Ecology

NPF 4 policy 4 f) (Natural Places) states development proposals likely to have an adverse effect on protected species will only be supported where the proposal meet relevant statutory tests.

The submitted preliminary bat roost assessment and bat emergency surveys have been reviewed. No sightings of bats or roosts were found within the building during the second survey. Therefore, bats are not currently a constraint to the development and the proposal does not conflict with NPF 4 policy 4 (f).

However, the applicant should note the report recommends a repeat survey to be carried out by the start of the next bat roosting season if work has not have started. An informative has therefore been included to highlight this matter.

Drainage

NPF 4 policy 22 c) (Flood risk and water management) states development proposals will not increase the risk of surface water flooding.

LDP policy Env 21 (Flood Protection) states permission will not be granted for development that would increase flood risk.

The submitted drainage strategy has been reviewed by CEC Flood Planning and no objections have been received. It is anticipated the surface water discharge rate will be unchanged due to the sites' unchanged impermeable area.

The applicant will require further approval from Scottish Water and an informative has been included in regard to this.

Overall, the proposal complies with LDP policy Env 21 and NPF 4 policy 22.

Design, Quality and Place

NPF4 Policy 14 supports development proposals that are designed to improve the quality of an area and are consistent with the six qualities of successful places. These qualities include a place being healthy, pleasant, connected, distinctive, sustainable, and adaptable.

LDP policy Des 1 (Design Quality and Context) refers to development creating or contributing to a sense of place based on positive characteristics of the surrounding area.

LDP policy Des 3 (Development Design) refers to development incorporating existing characteristics and features worthy of retention on site and surrounding area.

LDP policy Des 4 (Development Design - Impact on Setting) sets out criteria for development to have a positive impact on the character of the wider townscape and landscape.

LDP policy Des 12 (Alterations and Extensions) states planning permission will be granted for extensions which are compatible with the character of the existing building.

The interventions to the existing buildings will result in distinctive modern changes which take cues from the local character. The scale and form of the publicly visible extensions will appear proportionate to the existing buildings. Further, they align with existing building heights on each street.

The window design of the additions at roof level on Shandwick Place take reference from buildings' historical pattern through their scale, vertical alignment, and detailing. New dormers on Queensferry Street are similarly well proportioned and are of a high-quality design.

The larger scale of the change to the site's rear is appropriate in this less visible location where sizeable development is characteristic. Positive characteristics here are still retained such as historic buildings traditional pitched roof form.

Materials will mainly be modern. It is important these are high-quality and relate well to this sensitive, historic context. A condition has therefore been included for submission of all material specifications.

The hotel entrance on Queensferry Street fits well with the building and street taking design inspiration from detailed arched openings either side. The traditional gate over the existing entrance preserves its historic detailing.

New windows serving habitable rooms onto the lane side will create additional overlooking onto a quieter secondary route. This design aligns with wider considerations of creating a safer, more pleasant, and healthy place through increased surveillance.

In addition, it is conceivable the proposal could be adaptable in future to accommodate a different use if necessary. However specific alternative uses have not been identified and cannot be assessed under this submission.

In this regard, the proposal supports the delivery of a health, pleasant, distinctive, and adaptable place. Other identified place qualities are considered through other sections of the report.

The scale, height, form, and materials are of similar character and urban grain to the surrounding buildings. The overall design concept is therefore appropriate in this location complying with relevant sections of the EDG and design policies.

Amenity

LDP policy Des 2 (Co-ordinated Development) states planning permission will be granted for development which will not compromise the effective development of adjacent land.

LDP policy Des 5 (Development Design - Amenity) states planning permission will be granted for development where it is demonstrated the amenity of neighbouring development is not affected.

NPF4 policy 23 e) (Health and Safety) states development proposals that are likely to raise unacceptable noise issues will not be supported. The agent of change principle applies to noise sensitive development. A Noise Impact Assessment may be required where the nature of the proposal or its location suggests significant effects are likely.

LDP policy Ret 11 (Food and Drink Establishments) states the change of use of a shop or other premises to a café / pub will not be permitted if likely to lead to unacceptable effects to the detriment of living conditions for nearby residents.

The EDG offers specific guidance in relation to assessing impact on daylight, sunlight, privacy, and immediate outlook.

Daylight

The applicant has demonstrated that the levels of daylight to all affected residential properties will be within accepted thresholds of the EDG. A Vertical Sky Component (VSC) of equal to or greater than 0.8 of the former value will be achieved. This reduced level of daylight is therefore unlikely to be noticeable within these rooms to the occupiers of these properties.

The exception to this, are the upper floors at 18 to 18 A Shandwick Place where the use is assumed to be commercial. Planning permission 06/04089/FUL was granted to convert these floors from commercial to residential use however it appears this permission was never taken up. The openings to the rear have been boarded up for over 10 years and there is no evidence of domestic rates having been paid.

Overall, the degree of impact on daylight to residential properties will not be adverse and complies with the EDG.

Privacy

Where new openings from the roof top extensions may have some outlook onto residential windows facing the street (Shandwick Place, Queensferry Street) and rear (Queensferry Street Lane), separation distances between openings do not materially change from the existing situation. Therefore, the net impact on privacy on occupiers' will be minimal.

The closest proximity of over 8m to residential windows on Queensferry Street Lane from outlook on from the new extension is acceptable. Openings will not directly face each other and similar distances between windows are evident further west on this lane. The closer 5m distance between the new top floor gable opening in the townhouse and the facing property is also acceptable given this will face an opening that is a secondary source of outlook into this room.

In terms of privacy, the proposal will be in keeping with the spatial pattern of the area and complies with the EDG.

Sunlight

There are no garden spaces in the vicinity of the site that will be impacted upon by the proposal.

Co-ordinated Development

The development generally avoids direct overlooking onto private land as openings either face into the site or out onto streets. Whilst of a large scale, the position of the rear extension near the boundary is acceptable given this is similar to the existing situation.

Overall, the development would not prejudice any potential neighbouring re-development.

Noise and Odours

The NPF4 definition for the Agent of Change principle states where an application is likely to be affected by noise from existing development, the applicant is required to demonstrate potential impact on occupants of the proposed development and include appropriate measures to mitigate this impact.

The submitted noise impact assessment (NIA) considers impact of existing noise on the development and noise impacts from the development on nearby noise sensitive properties.

In regard to the former, hotel bedrooms will be located above potentially noise-generating premises. There are commercial units at ground floor on Shandwick Place and Queensferry Street with Mathers Bar detected in the NIA as the likely most noisy source.

The NIA includes mitigation measures such as minimum sound insulations to ensure noise from such sources are below the required thresholds within hotel bedrooms. It is anticipated such measures will ensure uses can co-exist without impacting on each other's operations.

A condition has been imposed for the above mitigation to be installed and operational prior to first use of the hotel to safeguard the operations of existing noise sources and hotel occupiers' amenity.

The hotel has potential to increase transient visitors to this area where some impacts on noise may be anticipated. However, given this use has already been established on-site, is appropriate in the city centre and in part replaces a nightclub there are no specific concerns regarding its impact on residents living conditions.

With regard to traffic noise, façade sound insulation performance is required to achieve appropriate conditions within each bedroom. Noise sources from the hotel include plant machinery (roof level and courtyard) and the gym at basement level. Mitigation measures are recommended to keep noise contained below the appropriate level and a condition has been recommended to ensure its installation prior to the hotel's occupation.

In regard to odours, submitted details show ventilation from cooking operations will terminate at roof height which should avoid adverse impact on neighbouring residents.

Environmental Protection have been consulted and have raised no objection to the proposals subject to conditions in relation to installation of submitted ventilation details and noise mitigation measures prior to start of operations on-site. Conditions to that effect have therefore been imposed.

Subject to condition, the proposal complies with LDP policy Des 5 (Amenity), NPF 4 policy Ret 11 and NPF 4 policy 23 e).

Transport

Cycle parking

LDP policy Tra 3 (Cycle Parking) states permission will be granted where proposed cycle parking and storage complies with standards in Council Guidance.

LDP policy Tra 4 (Design of Off-Streetcar and Cycle Parking) refers to the design considerations for cycle parking including ease of its accessibility.

The EDG states for hotels 1 cycle space should be provided for 10 bedrooms. The cycle fact sheet requires 20 % provision to be non-standard spaces.

For the 129 bedrooms, the 14 cycle spaces provided at basement level including 3 nonstandard spaces exceeds the above guidance. Step-free access to this facility will be provided via the adjacent lift.

The proposal complies with LDP policy Tra 3, Tra 4 and relevant guidance.

Car parking

NPF 4 policy 13 e) (Sustainable transport) states development with no car parking will be supported, particularly in urban locations well-served by sustainable transport modes and which do not create barriers to access by disabled people. The policy intent seeks development to prioritise travel by sustainable transport.

NPF 4 policy 14 b) refers to connectivity supporting a successful place. Including supporting well-connected networks that make moving around easy and reduce car dependency.

Policy Tra 2 (Private Car Parking) states permission will be granted for development where car parking provision complies with and does not exceed parking levels set out in council guidance.

The development is located on a suitable site in the city centre as it is well-connected to sustainable transport modes.

No car parking is proposed which is appropriate in this urban location as the site is well-served by sustainable transport modes and no barriers to access are created for disabled people. Transport is near the site which will provide convenient fully accessible transport options for all users.

The proposal complies with NPF 4 policies 13, 14 and LDP policy Tra 2.

Archaeology

NPF4 Policy 7 o) states that non-designated historic environment assets, places and their setting should be protected and preserved in situ wherever feasible.

LDP policy Env 8 (Protection of Important Remains) and LDP policy Env 9 (Development Sites of Archaeological Significance) aim to protect archaeological remains.

The City Archaeologist has been consulted on the proposals and has raised concern regarding the archaeological impact from loss of original features including the central staircase in the former bank building. However, overall, it is concluded that the proposals will have a moderate archaeological impact and a condition is recommended for a detailed programme of archaeological historic building recording and reporting to be undertaken.

Subject to condition, the proposal overall complies with NPF 4 policy 7 o) and Env 8.

Developer Contributions

LDP policy Del 1 (Developer Contributions and Infrastructure Delivery) states proposals will be required to contribute to infrastructure provision where relevant and necessary to mitigate any negative additional impact and where commensurate to the scale of the proposed development.

The applicant will be required to contribute the sum of £170,816 (based on additional 76 bed hotel (£231,000) and existing uses, 1,261sqm class 11 use (£31,645), 140.8sqm Class 3 use (£28,539), 206sqm class 2 use (£0.00), and 4 class 9 use in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report.

An informative has been included to detail that this sum is required by legal agreement.

Subject to this agreement, the proposal complies with LDP policy Del 1.

Other Matters

Air Quality

NPF 4 policy 23 d) states development proposals likely to have significant adverse effects on air quality will not be supported.

The development will be well served by sustainable transport modes, encourages use of cycling and reduced reliance on private car. Opportunities to improve the sustainability credentials of the buildings on-site have been incorporated and the extent of down takings generally minimised.

Overall, a significant adverse effect on air quality is not likely therefore there is no conflict with NPF4 policy 23 d).

Contaminated Land

As the proposal involves some works to previously developed land at ground floor a condition has been applied for a site survey to ensure the land is safe and stable for its end use.

Conclusion in relation to the Development Plan

Overall, the proposal complies with the Local Development Plan.

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

The development is suitable for a range of users. Level access is provided into the building from Queensferry Street with lift access to all floors near this entrance. Accessible bedrooms are provided on each floor near to the lifts. A fully accessible route is provided for staff into the building and non-standard cycles are incorporated.

Due regard has been given to section 149 of the Equalities Act 2010 through consideration of the above.

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:

objection

material considerations

- Adverse impact on listed buildings through external changes: Addressed in section a)
- Additional information sought regarding windows, plans: The information received (as revised) is considered sufficient to accord with relevant legislation in order to determine the application.

non-material considerations

- Impact on trading and structural damage of ground floor commercial units: these matters cannot be assessed under planning.
- Adverse impact on listed buildings through internal alterations: Assessed under concurrent listed building consent application.

- Contrary to LDP policy Env 4: This policy has been superseded by NPF 4 policy 7.

support

material considerations

- Preserve World Heritage Site and Conservation Area: Addressed in section a) and b) Conservation Area and WHS
- Positive impact on area through design and new use: Addressed in section b) Use and Design
- Sustainability credentials of development: Addressed in section b) Sustainability.
- Well-connected location: Addressed in section b) Sustainability and Transport
- Economic and social benefit from hotel use: Addressed in section b) Use.
- Complies with Local Development Plan and other material considerations: Addressed through the above report.

non-material considerations

-Reputation of developer: This matter cannot materially be assessed under this planning application

neutral

material considerations

- Additional information required (heritage, access): The information received (as revised) is considered sufficient to accord with relevant legislation in order to determine the application.
- Good use of site and retention of existing ground floor commercial use: Addressed through section b) - Use.
- Cumulative servicing impact from hotels: These comments are noted. Each case is assessed on its own, individual merits and potential transport impacts have been considered. The implementation of any wider plans would be out with the remit of what is required under this planning application.

Conclusion in relation to identified material considerations.

The material considerations support the presumption to grant planning permission.

Overall conclusion

The proposal is acceptable with regard to Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 as it will not harm the listed buildings, their setting and will preserve the character and appearance of the Conservation Area. Overall, it complies with the Local Development Plan and NPF4.

The hotel use is acceptable in this city centre location. It has regard to the global climate and nature crises. It is of an appropriate design and will not harm the Outstanding Universal Value of the World Heritage Site. Conditions are recommended to ensure implementation of measures to safeguard neighbour's amenity and the operation of nearby uses. Full detail of external materials is required to ensure these are appropriate with regard to the conservation area and listed buildings. A programme of archaeological work is required to safeguard archaeological heritage. Use of sustainable transport modes are encouraged. No unacceptable impacts on transport, ecology and flooding are raised. The proposal is acceptable with regard to equalities and no human rights impacts have been identified.

No other material considerations identified 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. (a) A site survey (including initial desk study as a minimum) must be carried out to demonstrate, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that the remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

(b) Where necessary, a detailed schedule of any remedial and/or protective measures, including their programming, must be submitted to, and approved in writing by the Planning Authority. Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the Planning Authority prior to occupation of the development.
3. 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.
4. A detailed specification of the proposed alterations to all existing windows as detailed on approved plan reference 66 A, 67 A, 68 A, 70 A and 71 A shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

5. No demolition/alterations/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, interpretation, conservation, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
6. The noise mitigation measures and recommended maximum plant specifications detailed in the submitted Buro Happold Noise Impact assessment referenced 0050479 Rev P07 (detailed under sections titled 'Environmental Noise Break-in', 'Agent of Change' and 'Noise Break-Out') dated 8 November 2023 and approved plan reference 75 A should be installed and operational prior to the start of operations on-site.
7. The ventilation details as shown on approved plan reference 75 A and detailed on pages 24 and 25 of the submitted Buro Happold Noise Impact Assessment (reference 0050479 revision P07, dated 08 November 2023) should be installed and operational prior to the start of operations on-site.

Reasons

1. To accord with Section 58 of the Town and Country Planning (Scotland) Act 1997.
2. In order to ensure the site is made safe for the proposed use.
3. In order to enable the planning authority to consider this/these matter/s in detail.
4. To safeguard the character of listed buildings and the conservation area.
5. In order to safeguard the interests of archaeological heritage.
6. In the interests of neighbours' amenity and to safeguard the operations of adjacent uses.
7. To safeguard neighbours' amenity.

Informatives

It should be noted that:

1. Planning permission shall not be issued until a suitable legal agreement, including those requiring a financial contribution payable to the City of Edinburgh Council, has been concluded in relation all of those matters identified in the proposed Heads of Terms. -

These matters are:

The applicant will be required to contribute the net sum of £170,816 (based on additional 76 bed hotel (£231,000) and existing uses, 1,261sqm class 11 use (£31,645), 140.8sqm Class 3 use (£28,539), 206sqm class 2 use (£0.00), and 4 class 9 use in Zone 1) to the Edinburgh Tram 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.

A legal agreement will be required to secure these funds.

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. A repeat bat survey should be undertaken if work has not commenced on-site by the next bat roosting season. Any demolition or refurbishment work should be supervised by a suitably experienced ecological clerk of works.
5. The proposed site is adjacent to the operational Edinburgh Tram. To ensure that work on or near the tramway is carried out safely, it is necessary to obtain authorisation to agree a safe system of work. It is a legal obligation to comply with the Authority to Work (AtW) process whilst working on or near the tramway. See <https://edinburghtrams.com/atw>.
6. Prior to the commencement of construction works on site the applicant should submit to the planning authority confirmation that Scottish Water accept the proposed surface water discharge rate to the combined network.

Background Reading/External References

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

Further Information - [Local Development Plan](#)

Date Registered: 10 May 2023

Drawing Numbers/Scheme

01-04, 06-14,15B, 16A-22A, 23C, 24B, 25A-28A,29B-30B, 31C, 32A-37A, 38A-43A, 44B-46B, 47A-52A,53B, 54A-56A, 57B-64 B, 65B, 66A-71A, 72C, 75A

Scheme 3

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

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Appendix 1

Summary of Consultation Responses

NAME: Transport Planning

COMMENT: No objections subject to conditions or informatives as appropriate in relation to tram contributions, cycle parking and discussions with the Councils' tram team.

DATE: 8 December 2023

NAME: Archaeology

COMMENT: No objections subject to condition regarding a programme of archaeological works.

DATE: 13 July 2023

NAME: Flood Planning

COMMENT: No objections subject to condition requiring Scottish Water approval of proposed surface water discharge rate.

DATE: 19 September 2023

NAME: Environmental Protection

COMMENT: No objections subject to conditions in regard to noise mitigation measures and ventilation details.

DATE: 29 November 2023

NAME: Edinburgh World Heritage

COMMENT: Revised proposal will have an improved impact on the World Heritage Site and welcome the proposed changes.

DATE: 15 November 2023

NAME: Scottish Water

COMMENT: No objections. Further submissions to SW required.

DATE: 15 September 2023

NAME: Archaeology

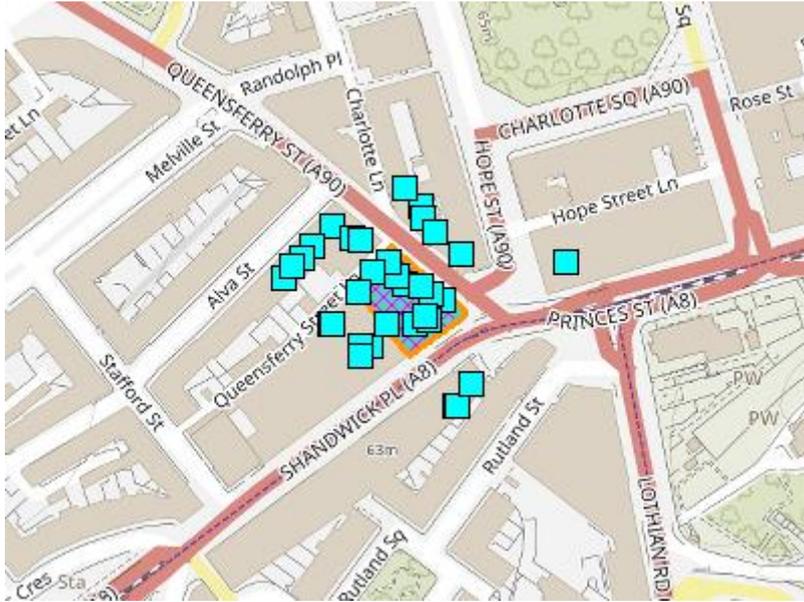
COMMENT: Concern regarding removal of staircase to 4-8 Queensferry Street however overall proposals are considered to have a moderate archaeological impact.

A condition for a programme of archaeological works is recommended should consent be granted.

DATE: 10 November 2023

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

Location Plan



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