

# Development Management Sub-Committee Report

**Wednesday 7 February 2024**

**Application for Conservation Area Consent  
3 Queensferry Street Lane, 4 - 8 Queensferry Street & 10 - 14  
Shandwick Place, Edinburgh**

**Proposal: Substantial demolition in a conservation area.**

**Item – Committee Decision  
Application Number – 23/01948/CON  
Ward – B11 - City Centre**

## **Reasons for Referral to Committee**

The application has been referred to the Development Management Sub-Committee as it relates to a concurrent planning and listed building consent applications that are of significant public interest.

### **Recommendation**

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

### **Summary**

The proposed demolitions are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, NPF 4 policy 7 and the interim HES guidance.

## **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 bank building. 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 food and drink unit (class 3) at no. 7-8.

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 at 2 Queensferry Street.

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 Towns of Edinburgh World Site.

## **Description of the Proposal**

Demolish first floor of extension to rear of 10-14 Shandwick Place and one and a half storey building at 3 Queensferry Street Lane.

## **Supporting Information**

- Architect consultation Response
- Design and Access Statement
- Ecology Survey
- Heritage Statement
- Planning Statement
- Sustainability Statement and S1 Form

## **Revised plans**

- Extent of down takings reduced with existing roof slope retained on 4-8 Queensferry Street.
- No change to the proposed demolition works that require conservation area consent.

## **Concurrent applications**

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

## **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).

23/01940/FUL

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

Edinburgh

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

06/01651/FUL

3 Queensferry Street Lane

Edinburgh

EH2 4PF

Change of use from former storage area to form extension to existing night club premises.

Granted

7 July 2006

## **Other Relevant Site History**

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

26 June 2012 - Planning application 12/00652/FUL and listed building consent application 12/00652/LBC withdrawn.

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.

## **Pre-Application process**

Pre-application discussions took place on this application.

## Consultation Engagement

HES

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):** 26 May 2023

**Site Notices Date(s):** 23 May 2023

**Number of Contributors:** 10

## 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:

**a) Demolition of building(s) is acceptable, or the proposals harm the character or appearance of the conservation area?**

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.

NPF 4 policy 7 f) (Historic Assets and Places) states demolition of buildings in a conservation area which make a positive contribution to its character will only be supported in certain circumstances.

Historic Environment Scotland's (HES) Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent (April 2019) outlines criteria to assess demolition of unlisted buildings in a conservation area including a buildings' importance to the character or appearance of the conservation area.

The New Town Conservation Area Character Appraisal summaries as follows:

*"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 one and a half storey building proposed for demolition has a functional appearance including large metal roller shutter doors fronting Queensferry Street Lane. It may retain some historic stone; however, it has an overall dilapidated appearance through its disuse and previous alterations with a random mix of materials on its front. Similarly, the rear extension on 10-14 Shandwick Place is a later, modern addition of simple design with a large, flat roof expanse and limited detailing.

In this regard, these structures are not characteristic of older historic buildings in the conservation area, such as those outlined in the appraisal above. Through their functional design and limited architectural merit they make no specific, positive contribution to its character.

The demolition is acceptable with regard to Section 66 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. It does not conflict with NPF 4 policy 7 f) or HES guidance. It will have a neutral impact on the character and appearance of the conservation area and is acceptable, subject to planning permission being granted for an acceptable replacement development.

## **b) Replacement Development**

HES interim guidance also states where demolition is acceptable consent to demolish should generally only be given where there is an acceptable proposal for a new building.

Similarly, NPF 4 policy 7 g) (Historic Assets and Places) states demolition in a conservation area will only be supported where an acceptable design, layout and materials are being used for the replacement development.

It is recommended that planning permission reference 23/01940/FUL and listed building consent reference 23/01947/LBC are granted for alterations and extensions to buildings on-site to form a hotel. This re-development will be of an appropriate high-quality design, whilst its layout and materials will have a positive impact on the conservation area.

The proposal therefore complies with NPF 4 policy 7 g).

**c) There are any other matters to consider.**

The following matters have been identified for consideration:

**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.

The site is located in an area of archaeological significance with a number of historic buildings dating from the 19th and early 20th century.

No objections have been received from the City Archaeologist for the proposed demolitions subject to the submission of a programme of archaeological works.

A condition has therefore been applied for a comprehensive programme of historic building recording to be undertaken prior to and during demolition and that a provision for public/community engagement during this programme of archaeological work is put in place.

Subject to this condition, the proposal complies with NPF 4 policy 7 o).

**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**

A summary of the representations is provided below:

*support comments*

*material comments*

- Preserve character and appearance of Conservation Area: Addressed through sections a) and b)
- High quality design: Addressed in section b).
- Complies with relevant material considerations: Addressed through the above report.

*non-material comments*

- Preserve World Heritage Site
- Sustainability credentials of development
- Well-connected location
- Economic and social benefits from hotel use
- Complies with Local Development Plan

- Reputation of developer

The above matters are not material to the assessment of this conservation area consent application which relates to the acceptability of proposed demolition works only.

### **Conclusion in relation to other matters considered.**

The proposals do not raise any concerns in relation to other matters identified.

### **Overall conclusion**

The proposed demolitions are acceptable in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997. It complies with NPF 4 policy 7 and the interim HES guidance.

## **Section C - Conditions/Reasons/Informatives**

The recommendation is subject to the following.

### **Conditions**

1. No demolition shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording and analysis, dendro-chronological assessment and analysis, reporting, publication, public engagement) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. 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 application reference 23/01940/FUL.

### **Reasons**

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

### **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: 3 May 2023**

**Drawing Numbers/Scheme**

01-14, 15 A - 16A, 17 B, 19 A - 24 A, 26 A - 39 A

Scheme 2

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

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Appendix 1

**Summary of Consultation Responses**

NAME: HES

COMMENT: No concerns regarding conservation area demolition proposals.

DATE: 12 December 2023

NAME: Archaeology

COMMENT: Demolitions are acceptable on archaeological grounds subject to condition.

DATE: 10 November 2023

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



# Location Plan



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