

# Development Management Sub-Committee

Wednesday 29 July 2015

## REPORT ON FORTHCOMING APPLICATION BY DREAMVALE PROPERTIES LTD. FOR A MIXED USE DEVELOPMENT COMPRISING HOTEL, BAR, RESTAURANT, CAFE, RETAIL AND COMMERCIAL USES WHICH WILL INCLUDE ALTERATIONS AND PARTIAL DEMOLITION OF EXISTING BUILDINGS AT 1-6 INDIA BUILDINGS, 11-15 VICTORIA STREET, 18-20 COWGATE.

Item number 10.1

Report number

Wards A11 – City Centre

### Summary

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The purpose of this report is to inform the Development Management Sub-Committee of a forthcoming planning application in respect of a major development for a mixed use development comprising hotel, bar, restaurant, cafe, retail and commercial uses which will include alterations and partial demolition of existing buildings.

In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicants submitted a Proposal of Application Notice (reference: 15/02212/PAN) on 11 May 2015.

### Links

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Coalition pledges

Council outcomes [CO7](#), [CO19](#), [CO23](#)

Single Outcome Agreement [SO4](#)

# **Report on forthcoming application by Dreamvale Properties Ltd. a major development for a mixed use development comprising hotel, bar, restaurant, cafe, retail and commercial uses which will include alterations and partial demolition of existing buildings.**

## **Recommendations**

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**1.1 It is recommended that the Committee note the key issues at this stage and advise of any other issues.**

## **Background**

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### **2.1 Site Description**

The site relates to 1 to 6 Victoria Street, known as India Buildings. This is category A listed (listed on 14 December 1970, reference 29868) and was designed by David Cousin and dates back to the late nineteenth century. It is described as a four storey Scots Baronial office block, and lies curved to the street frontage. The site also includes 11 to 15 Victoria Street which is category C listed (listed on 13 August 1987, reference 29877) which is a later nineteenth century, with a twentieth century brick extension to the rear. It is also four storeys and is bowed to the streetline.

The site extends to and is bounded by the Cowgate to the south, which lies at a much lower level. The site incorporates the Cowgatehead Church which is category B listed (listed on 29 March 2001, reference 47859). There are some temporary buildings lying to the east part of the site, with the eastern boundary of the site being the rear of the Edinburgh Public Library which fronts George IV Bridge.

There is no vehicular access into the site, but there are four north/south closes, Anderson Close, Pollock's Close, Allison's Close and Machonochie's Close which run or ran through the site in the past.

The site is located within the Old Town Conservation Area and the Edinburgh World Heritage Site.

## 2.2 Site History

13 February 2014 – Planning permission granted for change of use from office/retail to bar/restaurant. Form new French doors (as amended) at 4, 5 India Buildings (ref. 13/02772/FUL).

6 March 2014 – Listed Building Consent granted to form bar/restaurant and form new openings into no.4 at ground floor and basement. Form new French doors (as amended) at 4, 5 India Buildings (ref. 13/02772/LBC).

1 February 2013 – Planning permission granted for change of use to form hotel (as amended) at 1, 2 – 3, 6 India Buildings (ref. 12/04336/FUL).

1 February 2013 – Listed Building Consent granted for alterations to form hotel including replacement of existing escape stair to rear (as amended) at 1 India Buildings (ref. 12/04317/LBC).

11 August 2010 – Planning permission refused for change of use to a restaurant at 5 India Buildings (ref. 10/01523/FUL).

15 July 2008 - Planning Permission granted for a change of use to form hotel (as amended) (ref: 07/03417/FUL).

18 January 2008 - Listed Building Consent granted for alterations to form hotel including replacement of existing escape stair to rear (as amended) (ref: 07/03417/LBC).

23 June 2006 - Planning permission granted for a change of use from commercial building to backpacker's hostel with coffee shop at ground floor and basement at 1 – 6 India Buildings (ref: 05/04077/FUL).

21 February 2006 – Listed Building Consent granted to alter commercial building to back packers hostel and coffee shop at 1 – 6 India Buildings (as amended) (ref. 05/04077/LBC).

13 May 2004 – Planning permission refused for part change of use from office and nightclub complex to nightclub complex at 4 – 5 India Buildings (ref. 03/03525/FUL).

5 October 1999 – Planning permission granted to alter frontage at 4 India Buildings (ref. 99/01291/FUL).

### 3.1 Description of the Proposal

A detailed application will be submitted for a mixed use development comprising hotel, bar, restaurant, cafe, retail and commercial uses which will include alterations and partial demolition of existing buildings.

### 3.2 Key Issues

The key considerations which the eventual application will be assessed include whether:

**a) the development would be acceptable in principle having regard to the development plan;**

Within the adopted Edinburgh City Local Plan (ECLP) and the Second Proposed Edinburgh Local Development Plan (LDP), the site is located in the Central Area. The suitability of the proposed use in this area will therefore require to be assessed against policy Ca 1 of the ECLP and Del 3 of the LDP (Development in the Central Area).

**b) the design and layout are acceptable within the character of the area; and does the proposal comply with the Edinburgh Design Guidance;**

The proposals will come forward as a detailed application. In addition, a Design and Access Statement will accompany the application.

The proposed development will be assessed under the relevant design policies of the ECLP and the LDP, as well as the provisions of the Edinburgh Design Guidance.

The development will be assessed against policies Env 2 and Env 3 (demolition and setting of listed buildings), Env 4 (listed buildings, alterations and extensions), and policies Env 5 and Env 6 (demolition and development in Conservation Areas). It will also be required to be assessed against policy Env 1 (Development in the World Heritage Site) of the ECLP.

The suitability of the proposals in relation to the conservation area, the impact of the development on listed buildings and their setting, the impact on the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site will require to be demonstrated.

**c) access arrangements are acceptable in terms of road safety and public transport accessibility;**

The application should have regard to transport policies of the ECLP and the LDP. Transport information will be required to support the proposals.

**d) there are any other environmental factors that require consideration;**

The applications will be required to submit sufficient information to demonstrate that the site can be developed without having a detrimental impact on the environment, including:

- Planning Statement;
- Pre-Application Consultation Report ;
- Detailed Plans and Illustrations;
- Design and Access Statement;
- Townscape and Visual Impact Assessment;
- Heritage Impact Assessment;
- Structural Condition and Window Surveys;
- Archaeological Evaluation;
- Sustainability Statement;
- Economic Impact Assessment;
- Viability Assessment;
- Air Quality Assessment;
- Noise Assessment;
- Site Investigation Report
- Flood Risk and Drainage Strategy;
- Transport information;
- Framework Travel Plan; and
- Delivery and Servicing Plan.

### **3.3 Conclusion**

This report highlights the main issues that are likely to arise in relation to the various key considerations. This list is not exhaustive and further matters may arise when the new application is received and consultees and the public have the opportunity to comment.

## Financial impact

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4.1 It is likely that the application will be subject to a legal agreement.

## Risk, policy, compliance and governance impact

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5.1 Provided planning applications are determined in accordance with statutory legislation, the risk is low.

## Equalities impact

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6.1 This is a pre-application report. When a planning application is submitted it will be assessed in terms of equalities and human rights.

## Sustainability impact

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7.1 A sustainability statement will need to be submitted with the application.

## Consultation and engagement

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8.1 The Proposal of Application Notice (reference 15/02212PAN), outlined a public event to be held at India Buildings, Victoria Street, on Thursday 25 June 2015 between 2pm and 8pm and Saturday 27 June 2015 between 10am and 4pm. An advert in the Evening News will be published seven days prior to this event and posters will be displayed in the local libraries and public buildings. Meetings are to be held with the Community Council and other stakeholder groups.

The results of the community consultation will be submitted with the application as part of the Report on Community Consultation.

## Background reading/external references

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- To view details of the Proposal Of Application Notice go to
- [Planning and Building Standards online services](#)

### David R Leslie

Acting Head of Planning and Building Standards

Contact: Emma Wilson

E-mail: [emma.wilson17@edinburgh.gov.uk](mailto:emma.wilson17@edinburgh.gov.uk)

## Links

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### **Coalition pledges**

**Council outcomes** CO7 Edinburgh draws new investment in development and regeneration.  
CO19 Attractive Places and Well Maintained – Edinburgh remains an attractive city through the development of high quality buildings and places and the delivery of high standards and maintenance of infrastructure and public realm.  
CO23 Well engaged and well informed – Communities and individuals are empowered and supported to improve local outcomes and foster a sense of community.

### **Single Outcome Agreement**

SO4 Edinburgh's communities are safer and have improved physical and social fabric.

### **Appendices**

Location Plan

## Location Plan

