

Development Management Sub Committee

Wednesday 2 December 2015

Application for Conservation Area Consent 15/02783/CON At 15 - 17, 19 South St Andrew Street, 28-48, 50 West Register Street, Edinburgh Complete Demolition in a Conservation Area

Item number	7.3 (b)
Report number	
Wards	A11 - City Centre

Summary

The existing buildings do not make a positive contribution to the conservation area. As such, their proposed demolition complies with both the Scottish Historic Environment Policy and local planning policy for the demolition of unlisted buildings in conservation areas.

Links

Policies and guidance for this application	LPC, CITCA1, CITE1, CITE5, CITE8, CITE9, CITE16, LDPP, NSG, NSLBCA, NSGD02, NSDCAH, NSGESS, CRPNEW,
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Report

Application for Conservation Area Consent 15/02783/CON At 15 - 17, 19 South St Andrew Street, 28-48, 50 West Register Street, Edinburgh Complete Demolition in a Conservation Area

Recommendations

1.1 It is recommended that this application be Minded to Grant - Historic Scotland subject to the details below.

Background

2.1 Site description

The application site is 0.23 hectares in area. It comprises four existing buildings, three of which are interconnected (19-23 South St Andrew Street / 46-52 West Register Street, 28 West Register Street & 38 West Register Street) and one which is adjacent (15-17 South St Andrew Street). The building at 19-23 South St Andrew Street / 46-52 West Register Street is also connected to 41-42 St Andrew Square by a bridge link at third floor level and together with 41-42 St Andrew Square the interconnected buildings formed the head office for the Royal Bank of Scotland.

The listed building, on the south side of West Register Street, is 28-48 West Register Street. These buildings are two distinct buildings in terms of architectural style and composition but form one listing, are listed category B and were listed on 14 December 1970 (LB Ref: 29620).

The following surrounding public streets and footways are included within the site boundary:

- The public footway on the frontage of 19 - 23 South St Andrew Street and 41 -42 St Andrew Square.
- West Register Street, between the junctions of South St Andrews Street and West Register Place.
- West Register Lane.
- The public footway on the west side of Register Place and West Register Street, south of its junction with West Register Place.

The site is in the Registers Lanes area of the New Town. This has a character of narrow streets and finely detailed historic sandstone buildings, some of which are listed. Neighbouring listed buildings include:

- Category A listed 42 St Andrew Square (LB Ref: 29708, 8 December 1987);
- Category A listed Cafe Royal, (LB Ref: 29619, 8 January 1970);

- Category A listed New Register House, boundary walls, gate piers, gates, railings and lamp standards (LB Ref: 27641, 14 December 1970);
- Category C listed 5-17 (odd no's) West Register Street (LB Ref: 43365, 28 March 1996); and
- Category B listed 5-9 (odd no's) South St Andrew Street (LB Ref: 29709, 20 February 1985).

The site is in the heart of the city centre and there is a mix of uses in surrounding buildings including shops, offices, bars, hotels and flats. Diagonally opposite the site, there is a garden on Register Place that is associated with New Register House. It is surrounded by railings and has trees within it.

The site is well served by public transport and is close to the St Andrew Square tram stop, Edinburgh Bus Station, Waverley Station and bus routes along Princes Street, George Street, North Bridge and Leith Street.

The site is in the Edinburgh World Heritage Site.

This application site is located within the New Town Conservation Area.

2.2 Site History

South St Andrew Street

22 August 2006 - Planning permission granted for removal of existing entrance doors and replacement with new frontage at 15-17 South St Andrews Street (application number 06/02832/FUL).

14 December 2007 - application refused for change of use from retail use to class 2 business use (bookmakers) with new internal fit out at 15-17 South St Andrew Street (application number 07/04399/FUL).

13 August 2008 - planning permission granted for change of use from kitchen and bathroom showroom and studio to estate agents and coffee shop, including new shop front at 15- 17 South St Andrew Street (application number 08/01618/FUL).

Note: the detailed planning history for no. 9 South St Andrew Street is omitted as it relates to the listed building immediately south of the application site).

West Register Street

19 January 2007- planning permission granted to remove high level bridge link between 42 St Andrew Square and 52 West Register Street and associated façade restoration (planning application number 06/04806/FUL).

27 August 2014 - Proposal of Application Notice submitted for forthcoming application by St Andrew Square (Property) Limited, for a mixed use development including residential, office, hotel serviced apartments, class 1, 2 and 3 uses, including partial demolition, refurbishment and new build (reference 14/03550/PAN) (Note: the site of the proposed development included the building at 41 - 42 St Andrew Square, as well as that of the current planning application).

12 June 2015 - application submitted for retention and refurbishment of facade of Venetian Gothic warehouse at 28 West Register Street, demolition of remaining building at 28-38 West Register Street and alterations at roof level to create additional office accommodation at 28 West Register Street, to accommodate mixed use development comprising grade A offices, class 1, 2 and 3 uses at 15 - 17, 19 South St Andrew Street 28 - 48, 50 West Register Street, Edinburgh, EH2 2AU. This application is currently under consideration and is being reported to this Committee (application number 15/02784LBC).

15 June 2015 - application submitted for mixed use development comprising: demolition of office and retail buildings. Erection of mixed use development comprising Class 1 (retail), and Class 2 (business) uses at ground floor, with Grade A offices (Class 4) above. Retention of facade of Venetian building and alterations at roof level; five car parking spaces, associated cycle parking and public realm upgrade. (Amended Scheme) at 15 - 19 South St Andrew Street 28 - 50 West Register Street, Edinburgh, EH2 2AU. This application is currently under consideration and is being reported to this Committee (application number 15/02788/FUL).

History for neighbouring site at 42 St Andrew Square

5 February 2015 - Listed building consent granted for internal strip out of non original building alterations (listed building consent 14/ 05150/LBC).

Other current planning/listed building and CON applications

12 June 2015 - Planning application submitted for mixed use development at 41-42 St Andrew Square, comprising change of use of former bank building to class 1,2,3,11 public house and hot food uses at ground floor and flats at first floor level and above; alterations of windows to doors on south elevation and additional accommodation at roof level. This application is currently under consideration. (Application number 15/02786/FUL).

12 June 2015 - Application for listed building consent submitted for alterations to windows to form doors on south and east elevations, and erection of roof extension (Application number 15/02782/LBC).

Main report

3.1 Description Of The Proposal

It is proposed to demolish the unlisted office and retail buildings at 15 to 23 South St Andrew Street and 28 to 52, West Register Street.

The other unlisted buildings on site would also be demolished, as well as the bridge link between these premises and the category A listed, former bank building at no. 42 St Andrew Street, on the opposite side of West Register Street.

Supporting Documents

The following supporting documents are available to view on the Planning and Building Standards Online Services:

- Planning Statement;
- Heritage Report;
- Viability and economic assessment; and
- Explanatory statement.

3.2 Determining Issues

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.

3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) Demolition is acceptable with regard to the Scottish Historic Environment Policy;
- b) Demolition is acceptable with regard to local planning policy;
- c) Equalities and Rights have been addressed; and
- d) Representations have been addressed.

a) Demolition and the Scottish Historic Environment Policy

The Scottish Historic Environment Policy states:

The demolition of even a single building and the construction of a new building or buildings in its place could result in harm to the character or appearance of a conservation area, or part of it. In deciding whether conservation area consent should be granted, planning authorities should therefore take account of 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. In some cases, 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.

The unlisted buildings do not make a positive contribution to the New Town Conservation Area. These have been referred to as an opportunity for redevelopment in the Princes Street Development Brief. Although finished in sandstone, their design is ordinary in character. The front elevation of 19 - 23 South St Andrew Street, with its bands of windows and infill panels of stone, has an overly vertical appearance. This is contrary to the general appearance of buildings in the conservation area where there tends to be more of a balance between verticality and horizontality in the design of facades. On West Register Street there is a very low proportion of window area to wall area. This creates an unattractive appearance. The neighbouring building at 15 - 17 South St Andrew Street has the appearance of having a very large window opening on its frontage that is completely out of scale with typical window features of the Conservation Area.

The demolition of these unlisted buildings complies with Scottish Historic Environment Policy.

b) Demolition and local planning policy

Policy Env 5 - Conservation Areas - Demolition of Buildings of the ECLP states:

Proposals for the demolition of an unlisted building within a conservation area but which is considered to make a positive contribution to the character of the area will only be permitted in exceptional circumstances and after taking into account the considerations set out in Policy Env 2 above.

Proposals for the demolition of any building within a conservation area, whether listed or not, will not normally be permitted unless a detailed planning application is submitted for a replacement building which enhances or preserves the character of the area or, if acceptable, for the landscaping of the site. Conservation Area Consent will be subject to conditions or legal agreement to ensure that demolition does not begin until evidence has been given that contracts have been let for the approved replacement development.

As set out in section a), the existing buildings do not make a positive contribution to the conservation area. It is therefore not necessary to assess the proposals against the tests set out in Policy Env 2 - Listed Building Demolition.

There is an accompanying planning application (15/02788/FUL) which accompanies this application for conservation area consent. As the buildings do not make a positive contribution to the conservation area it is not necessary to require a condition or legal agreement that ensures that demolition does not begin until evidence has been given that contracts have been let for the any approved replacement.

Policy Env 5 is echoed by policy Env 5 Conservation Areas - Demolition of Buildings of the proposed LDP.

The demolition is acceptable in relation to policy Env 5 of both the ECLP and the LDP.

c) Equalities and Rights

There are no impacts on equalities or rights resulting from the proposed demolition.

d) Representations

Material Comments - Objections

- Loss of historic building fabric - assessed in section a) and b);
- Loss of architectural heritage - assessed in section a) and b); and
- Re-use considered more appropriate - as the proposals do not make a positive contribution to the conservation area and demolition is acceptable, it is not necessary to consider their re-use.

Non Material Representations

- Impact resulting from loss of category b listed building; and
- Impact caused by loss of 1850's building.

A number of objections received were based on the impact of the proposed demolition of the adjoining category b listed building, which is the subject of application ref; 15/02784/LBC).

Representations - support

- All representations in support of the application were received late.

It is recommended that this application be Minded to Grant - Historic Scotland subject to the details below.

3.4 Conditions/reasons/informatives

Conditions:-

1. The application shall be notified to the Scottish Ministers prior to determination.

Reasons:-

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

The application has been assessed and has no impact in terms of equalities or human rights.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 26 June 2015.

A total of 67 letters were received, 52 of which were objections to the proposals and 15 of which were in favour.

Objections to the proposed development were received from the Lord Cockburn Association, Stockbridge and Inverleith Community Council, The Architectural Heritage Society of Scotland and 49 individuals.

A number of objections received were based on the impact of the proposed demolition of the adjoining category b listed building, which is the subject of application ref; 15/02784/LBC).

The 15 representations in favour of the development were all received late.

Background reading/external references

- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development
Plan Provision**

The site is designated within the Central Area in the Adopted Edinburgh City Local Plan and in the Second Proposed Local Development Plan.

The site is included within the remit of the Princes Street Block 1-7A Development Brief (approved by Planning Committee May 2009).

The site is also within the area covered by the Register Lanes Public Realm Plan - approved by the Transport and Environment Committee 25 August 2015.

This plan was produced by the West Register Lanes Delivery Group, which is Chaired by Councillor Ross and made up of five local land owners (including the Chris Stewart Group) and Essential Edinburgh; and the Economic Development led, Register Lanes Working Group.

Date registered 12 June 2015

Drawing numbers/Scheme 01 - 34,

David R. Leslie

Acting Head of Planning and Building Standards

Contact: David Givan, Team Manager

E-mail:david.givan@edinburgh.gov.uk Tel:0131 529 3679

Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Ca 1 (Central Area) sets criteria for assessing development in the Central Area.

Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its settings.

Policy Env 5 (Conservation Areas – Demolition of Buildings) sets out criteria for assessing proposals involving demolition of buildings in conservation areas.

Policy Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

Policy Env 16 (Species) sets out species protection requirements for new development.

Relevant policies of the Proposed Local Development Plan.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

Non-Statutory guidelines Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings and landscape, in Edinburgh.

Non-statutory guidelines on Developer Contributions and Affordable Housing gives guidance on the situations where developers will be required to provide affordable housing and/or will be required to make financial or other contributions towards the cost of, providing new facilities for schools, transport improvements, the tram project, public realm improvements and open space.

Non-statutory guidelines 'The Edinburgh Standards for Streets' sets out principles and guidance whose aim is to achieve a coherent and enhanced public realm.

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.

Appendix 1

Application for Conservation Area Consent 15/02783/CON At 15 - 17, 19 South St Andrew Street, 28-48, 50 West Register Street, Edinburgh Complete Demolition in a Conservation Area

Consultations

Historic Scotland comment

We note that the two sides of the site have been split for the purposes of the application, although much of the supporting information views the site, and benefits pertaining to it, as a whole. In order to address this issue we have prepared both individual consultation responses and a covering letter for all the works.

We have no concerns with the loss of the unlisted post-war buildings facing South St Andrew Street and West Register Street. They are of limited architectural or historic interest and do not make a positive contribution to the conservation area in their own right.

However, the buildings have the benefit of retaining the historic building line of the street, (with the exception of the projecting ground-floor shopfronts) and being lower than the adjacent Category A listed building at 42 St Andrew Square.

The current building-line retains the primacy and corner-return of the adjoining Category A listed building, especially in views from the south. Two buildings in this stretch of the street already project from the original building line (3 and 5-9 South St Andrew Street), with the corner building to Princes Street being an altered building from the original development of the street. The existing post-war buildings also have the benefit of being lower in height than the adjacent listed building, important if the dominance of No.42, which is built on the top of the New Town ridge, is to be maintained.

In looking at the redevelopment proposals your Council should consider the importance of retaining the original building-line to the development, and the height of any replacement. We have commented further on this under the linked consultation for planning permission.

CEC Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning these linked applications for mix use development comprising: demolition of office plus retail buildings; erection of mixed use development comprising Class 1, 2, 3, public house and hot food take away uses at ground floor with Grade A offices (Class 4) above; retention of facade of Venetian building plus alterations at roof level; five car parking spaces; associated cycle parking and public realm upgrade.

The site comprise a group of buildings located at the core of the UNESCO World Heritage Georgian New Town designed by James Craig in 1766/7, and occupies two main plots the frontage of South St Andrews Street and a separate square plot to the rear (28-50 West Register Street). The site was developed by the end of the 18th century with Ainslie's 1804 plan showing domestic town houses along South St Andrew's Street and the central square to the rear occupied by mews. Like the adjacent sites by the mid 19th century many of domestic buildings were taken over and or replaced by commercial premise. This can be seen in the 1851 1st Edition OS map which shows the NW corner of the West Register Block being occupied by the Prince of Wales Hotel and Tavern.

The West Register Street block was extensively redeveloped in the mid 1800's with the construction of the Prince of Wales Hotel on the NW corner and two warehouses used by Cowan's one in the 1850's (No.38) and second the B-listed Venetian Gothic warehouse (No.28) in 1864. The Georgian/Victorian occupying the South St David Street part of this site survived until demolition ion the 1950's to make way for the current former bank buildings which occupy part of the site today.

This application must be considered under terms of the Scottish Government's Scottish Planning Policy (SPP), PAN2/2011 and Scottish Historic Environment Policy (SHEP) and also CEC's Edinburgh City Local Plan policies ENV4, ENV5, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

Buried Archaeology

The scheme proposes renewal and alterations to the surrounding streetscape along with significant demolitions. Ground breaking works (e.g. demolitions, construction of new pavements) could reveal archaeological evidence for earlier the earlier New Town buildings which occupied the site e.g. below street cellars. Such an impact is regarded as potentially low-moderate, however it is recommended that a suitable programme of archaeological work is undertaken during such works to fully excavate and record any significant remains which may be impacted upon.

Historic Buildings

This scheme will require significant demolitions to the buildings occupying the site. Although the loss of the 1960's former bank building occupying 15-19 South St David Street is not considered to be significant, the demolitions to the remaining two 19th century warehouses (No.28 & No.38 West Register Street) are considered to a have significant adverse impacts. The scale of demolitions proposed to the Venetian Gothic Cowan's Warehouse is of concern and is only marginally offset by the proposed retention of its facade.

However it is the complete loss of the 1850's warehouse which is of particular concern. In my opinion this building not only plays an important part of character of this part of the World Heritage Site but it is also an important survivor of the New Town's 19th century commercial past. As such the application is considered to be contra to Policy ENV8 (b) and it is therefore recommended that this application is refused consent on archaeological grounds.

If consent is granted however it is essential that an historic building survey (level 3: internal and external elevations and plans, photographic and written survey and analysis) of all the buildings affected is undertaken prior to and during demolition in order to provide a permanent record of these historic structures. The work will build upon and augment the work previously undertaken by Andrew PK Wright and others. This work will be linked to a suitable programme of archaeological work during demolition and other associated ground breaking activities

It is recommended that these programme of works be secured using a condition based upon the model condition stated in PAN 42 Planning and Archaeology (para 34), as follows;

'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, reporting and analysis, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

Location Plan



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