

Development Management Sub Committee

Wednesday 25 May 2016

**Application for Conservation Area Consent 15/04555/CON
At 11 - 15 Victoria Street, Edinburgh, EH1 2HE
Demolition of existing portacabins and structures. Land to
the rear of 11-15 Victoria Street and India Buildings,
Cowgate, Edinburgh**

Item number	6.1(e)
Report number	
Wards	A11 - City Centre

Summary

The application complies with the Development Plan and Non-Statutory Guidelines. The buildings are temporary structures that have no positive impact on the conservation area. Their removal and replacement with a high quality development results in an enhancement of the conservation area.

Links

[Policies and guidance for this application](#) LPC, CITE5, CITE6, NSG, NSLBCA,

Report

Application for Conservation Area Consent 15/04555/CON At 11 - 15 Victoria Street, Edinburgh, EH1 2HE Demolition of existing portacabins and structures. Land to the rear of 11-15 Victoria Street and India Buildings, Cowgate, Edinburgh

Recommendations

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

Background

2.1 Site description

The application site forms part of a wider development proposal which extends to 0.46 hectares in total, situated in the heart of Edinburgh's Old Town and subject of planning application ref: 15/04445/FUL.

The properties subject to this consent are a series of temporary structures and portacabins located on the gap site to the rear of India Buildings.

The site is bounded by Victoria Street to the north, Cowgate to the south, Central Library to the east and further tenements and commercial units to the West.

The application site is located in the World Heritage Site.

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

2.2 Site History

21 February 2006 - Listed Building Consent granted to alter the commercial building to back packers hostel and coffee shop (as amended) (application number 05/04077/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 (application number 05/04077/FUL).

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

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

1 February 2013 - Planning Permission granted for change of use to form hotel (as amended) (application number 12/04336/FUL)

Main report

3.1 Description of the Proposal

The application proposes the removal of the portacabins and structures that sit within the gap site where new development is proposed.

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) the existing buildings make a positive contribution to the character of the conservation area;
- b) the replacement building enhances or preserves the character of the conservation area;
- c) any impact on equalities and human rights is acceptable; and
- d) any public comments have been addressed.

a) Existing Buildings

The Old Town Conservation Area Character Appraisal states that *the townscape of the Old Town forms one of the most spectacular and romantic townscapes in Europe. The plan of the Old Town has retained much of its ancient medieval 'herringbone' street pattern and distinctive character. It is an environment of enclosed streets and dramatic changes of level. The spatial structure of the Old Town is a microcosm of urban development, reflecting the multiple layering of built heritage and responding to the drama of the topography and setting.*

The existing buildings are temporary portacabins/buildings that do not reflect the architectural character of the conservation area and do not make a positive contribution to its character. Accordingly it is not necessary to assess the proposal against the policy considerations in Edinburgh City Local Plan (ECLP) policy Env 2: Listed Buildings - Demolition. The site occupies a prominent location in the heart of the Old Town Conservation Area and the loss of the existing buildings would only be considered acceptable if a suitable redevelopment was forthcoming. This is because a vacant, undeveloped site would have an adverse impact on the character and appearance of the conservation area and would be contrary to ECLP policy Env 5: Conservation Areas - Demolition of Buildings. The redevelopment proposals are considered in the related application reference number 15/04445/FUL.

b) Equalities and Human Rights

The development would improve the accessibility to the site.

The proposed public realm works would improve accessibility, including those with mobility issues.

Impacts on equalities and rights are acceptable.

c) Representations

No representations were received that raised points material to the demolition of buildings in the conservation area.

Conclusion

In conclusion, the proposals comply with the development plan and relevant non-statutory guidelines. The existing buildings are temporary structures that offer no positive contribution to the character or appearance of the conservation area. There are no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No demolition shall take place until the applicant has submitted a notice of initiation of development for the related planning application.

Reasons:-

1. In order to safeguard the character of the conservation area.

Informatives

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

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:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application meets 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 16 October 2015. 8 letters of representation were received. None of these were material to the loss of unlisted buildings in a conservation area.

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 application site is located in the Central Area in the Edinburgh City Local Plan

Date registered

1 October 2015

Drawing numbers/Scheme

01 - 04,

Scheme 1

John Bury

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PLACE
City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

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

Policy Env 6 (Conservation Areas Development) sets out criteria for assessing development in conservation areas.

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.

Appendix 1

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Consultations

Historic Scotland - response received 9 October 2015

Historic Environment Scotland does not object to this application and we do not have any comments to make on the proposals.

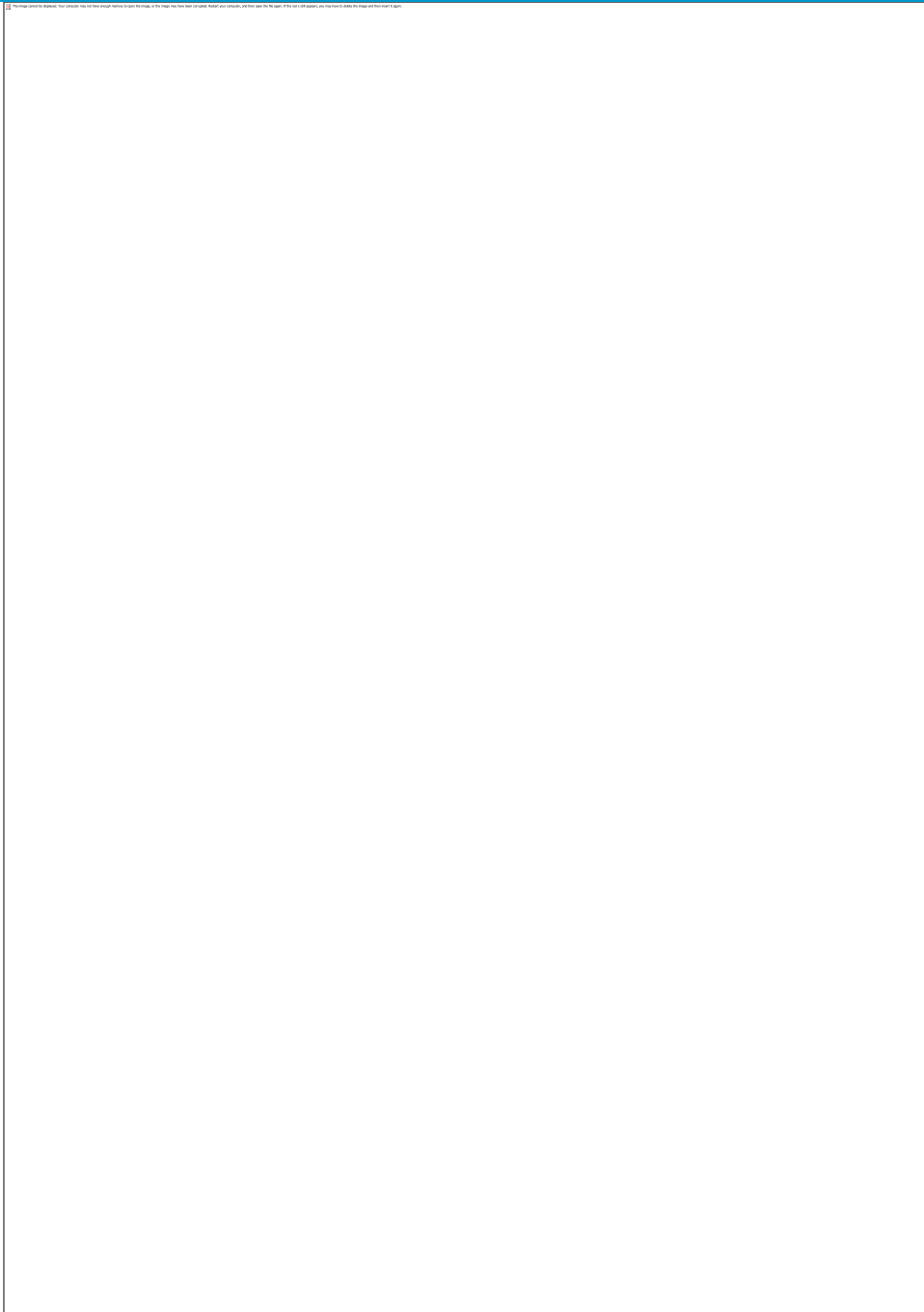
Note

Historic Environment Scotland has a national remit for the Historic Environment, and as such does not provide detailed comments on every application. We consider consultations in national terms, and will decide whether to provide detailed advice depending on the scale, nature or complexity of the proposals.

A decision not to provide detailed comments or not to object should not be taken as support for the proposals by Historic Environment Scotland, and the application should be assessed as normal by your Council against local and national policy and guidance on the Historic Environment.

Detailed guidance on the application of National policy is set out in our 'Managing Change in the Historic Environment' series available online at <http://www.historic-scotland.gov.uk/managingchange>. Technical advice is available through our Technical Conservation website at <http://conservation.historic-scotland.gov.uk/>.

Location Plan



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