

Development Management Sub Committee

Wednesday 22 February 2017

**Application for Planning Permission 16/05292/FUL
At 64 Princes Street, Edinburgh, EH2 2DJ
Application for planning permission proposing the
refurbishment and redevelopment of existing premises to
form retail (Class 1) and restaurants (Class 3) at Princes
Street and Rose Street levels and at basement levels below,
with hotel (Class 7) / restaurants (Class 3) above (within
underused upper floors of premises and at new rooftop
levels) together with associated works. (as amended)**

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

Summary

The proposed development is in accordance with the Development Plan and non-statutory guidelines. The proposed uses represent a positive contribution to the aims of the Princes Street Development Brief through the delivery of retail and hotel use with new uses for the vacant upper floors of the listed building. The proposal introduces uses considered appropriate to the site's central location. The design of the new elements are respectful and reflect the historic context of this part of the city and the complicated site of varying characteristics. There will be no adverse impact on the character or appearance of the conservation area, the setting of adjacent listed buildings or the Outstanding Universal Value of the World Heritage Site. It will not significantly impact on the amenity of neighbouring residents and it will not introduce any implications in terms of road or pedestrian safety. The proposals are acceptable in terms of sustainability.

Links

[Policies and guidance for this application](#)

LDPP, LDEL02, LRET02, LEMP10, LEN01, LEN03, LEN04, LEN06, LDES01, LDES12,

Report

**Application for Planning Permission 16/05292/FUL
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Recommendations

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

Background

2.1 Site description

The application site extends to approximately 0.24 hectares in total and is situated in the heart of Edinburgh's New Town. It is bounded by Princes Street Gardens to the south and Rose Street to the north with a mix of retail and office use in surrounding buildings.

The site is located within a vibrant part of the City Centre with links through to George Street and provides good access for delivery vehicles to Rose Street South Lane. The building benefits from tremendous open views to the south of the city.

This purpose-built store for the retailer British Homes Stores (BHS) was designed as the first flagship store of the chain in Scotland and represented bespoke 1960s modern design for the latest development in retailing. Much thought has been given to the integration of the entire plan (including the rooftop) and interiors and the sensitivity of the external materials. The building was meant to be viewed not only as integral component of the existing streetscape but also from many vantage points in the city centre, including Edinburgh Castle. The building is category B listed and was listed on 26.11.2008 (LB Ref: 51249).

The building is one of only 2 listed Panel buildings, following the comprehensive redevelopment of Princes Street proposed in the Abercrombie Plan of 1949. In 1958 the Princes Street Panel, taking heed of suggestions going back to the 1930s, instigated a policy of introducing 1st floor walkways to all new buildings on Princes Street, with the ultimate intention of creating a continuous 2nd street. BHS, along with the category A listed New Club are the only two surviving listed Panel buildings on Princes Street.

The design of the building championed a new era for British retail with the open floor plans and central circulation space representing a pioneering new approach to the design of large scale city centre retail stores. The character of the space and heritage value is, therefore, defined not purely by the architectural expression and composition but also by the experience that this approach offered to customers. The lack of elaborate architectural detail present in no way diminishes the significance of the space as it is the space itself, as a whole, the proportions and design ethos that creates the significance in this instance. Buildings are often listed for reasons beyond architectural composition but in this instance it is a combination of both the tangible architectural design along with the intangible experience offered by such a design philosophy that combine to create the significance and special character of the listed building.

The Princes Street element comprises 4 full floors of accommodation and a set back partial 5th floor. The Rose Street element comprises 3 storeys.

The enclosed walkway at second floor over Rose Street South Lane and the extension facing Rose Street are later additions to the listed building, constructed in 1971.

Being located in the New Town the building is in close proximity to a large number of listed buildings. The majority of these buildings are category B or category C listed.

This application site is located within the World Heritage Site.

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

2.2 Site History

22 January 2009 - Change of use application of 3 existing uppermost levels of Princes Street building to hotel use withdrawn (application number 08/03456/FUL).

06 September 2016 Pre-Application Notice approved for the refurbishment and redevelopment of existing premises to form retail (class 1) and restaurants (class 3) at Princes Street and Rose Street levels and at basement levels below with Hotel (Class 7) restaurants (Class 3) above (within underused upper floors of premises and at new rooftop levels) together with associated works (application number 16/03655/PAN).

28 October 2016- listed building application for internal and external alterations submitted (application number 16/05293/LBC).

Main report

3.1 Description Of The Proposal

The Princes Street structure is retained and will comprise retail use at basement, ground and first floor levels. Hotel accommodation is proposed on the second, third and fourth floors with a separate restaurant at fifth floor. The fourth floor structure replaces the existing structure and the fifth floor is a new level of accommodation. The fifth floor is set back 8.6 metres from the main facade to Princes Street. New plant rooms are proposed above the fifth floor.

The existing Rose Street three storey structure, and bridge link over Rose Street South Lane, is being demolished and replaced with a five storey building with a bridge link at first, second, third and fourth floors. At ground floor and basement, the building comprises two units for retail or restaurant use, accessed from Rose Street. The upper floors comprise hotel accommodation, which is also accessed off Rose Street.

The new elements to the Princes Street facade include a new bronze framed glazed shopfront, replacement metal windows to match the existing design. The roof is finished in standing seam copper cladding and the plant area finished in copper coloured metal louvres. The new facades on the Rose Street building are finished in natural sandstone. The roof is finished in copper cladding and the plant area finished in copper coloured metal louvres. Both buildings are serviced from Rose Street South Lane.

Scheme 1

The scheme has been amended to setback the fifth floor to Rose Street by 2.9 metres. The proposed number of hotel bedrooms has been reduced from 137 to 133.

The applicants have submitted the following information in support of the application:

- Form S1 together with a Sustainability Statement;
- Design & Access Statement including public realm strategy and assessment; against Protected Key Views together with Daylight Study;
- Heritage Assessment;
- Structural Survey Report;
- Transportation Statement;
- Drainage Strategy Plan;
- Air quality statement; and
- Noise Impact Assessment.

These documents are available to view on the Planning and Building Standards Online Services.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

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

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

3.3 Assessment

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

- a) The principle of development is acceptable;
- b) The impacts on the listed buildings are acceptable;
- c) The design, impact on the conservation area and Edinburgh World Heritage Site are acceptable;
- d) The impact on neighbouring amenities is acceptable;
- e) The impact on transport and road safety is acceptable;
- f) The impact of archaeology is acceptable;
- g) Environmental factors are acceptable;
- h) Sustainability has been addressed;
- i) Impacts on equalities and rights are acceptable; and
- j) Representations have been considered.

a) Principle

The development lies within the City Centre Retail Core as identified in the Local Development Plan (LDP). Policies Del 2 and Ret 2 provide support for the retention of retail space and the new hotel and restaurant uses proposed within the existing building and the new structure on Rose Street. The intensification of the use of the upper floors with appropriate uses meets specific objectives for the city centre. Del 2 seeks the provision of office accommodation where practical and retail use in important shopping frontages. The commercial units at ground floor on Rose Street may be operated as retail. However, restaurant use would also be appropriate in this location, were it to be taken up, bringing vitality to this section of the street. At upper floor level, a hotel is proposed rather than office accommodation. While this does not comply with Del 2, Policy Emp 10 provides support for the proposed hotel use in the city centre where part of a mixed use proposal. There remains a need for additional Grade A office space in the city centre. However, given the location and characteristics of this building, hotel use is appropriate in this instance. The proposed retail/restaurant uses, hotel and restaurant entrance to Rose Street will increase vitality in this location.

It is estimated that the development could, if fully occupied, be expected to support between 355 and 457 FTE jobs and between £8.26 million and £10.75 million of GVA per annum (2014 prices). The applicant has estimated 250 jobs which appears a conservative estimate given average employment densities. It is estimated that the building is currently supporting approximately 150 jobs and £3.75 million of GVA per annum pro rata (2014 prices). The redevelopment is therefore expected to significantly increase the economic activity supported by the building.

The Princes Street Development Brief notes the success of retail and hotel uses within this block. The proposed retention of retail use and activation of upper floor accommodation accords with the aims of the brief.

In conclusion, the proposed uses are acceptable in principle, subject to other policy considerations.

b) Impact on listed buildings

There are two main aspects to the consideration of the impact on listed buildings:

- Impact on features of special architectural or historic interest; and
- Impact on setting.

Impact on features of special architectural or historic interest

The special interest of this building not only encompasses its modernist architectural quality, but also the cutting-edge retail function, layout and circulation. The proposals seek to retain these vital components of the listed building, repairing and maintaining the principal facade whilst retaining the primary retail space within the listed building.

The loss of the existing copper roof and 3rd floor of accommodation has an impact on the character of the listed building. However, it is accepted in the context of the wider proposals to be a necessary alteration to ensure the long term use of the building. The proportions, materiality and quality of detailing of the principal facade are an integral part of the building's listing and the new rooftop floor reflects the existing structure both in design philosophy and materials. While the new roof structure would be visible from long views, the proposals maintain the low level roofline from local views, positioning the top storey to sit back and stop it from becoming visible from street level. Whilst affecting the composition and integrity of the building, it does not have an adverse impact on the special character of the building representing a high quality addition.

The demolition of the existing extension on Rose Street does not have a negative impact on the character of the listed building. While this extension reflected the design philosophy and materials of the original listed building, it is not an essential component of the building's special character. Therefore, the removal of this element of the building has no adverse impact on the character of the building. The new building on Rose Street, though significantly higher, remains an extension to the listed building. The materials proposed reflect those used in the principal listed building. While the size, scale and massing of the building is significantly greater than the existing extension, and fails to be subservient, in this City Centre context, and with the wider benefits provided by the overall scheme, it is considered that the new extension has no adverse impact on the character of the listed building.

Overall, the proposals provide an opportunity to offer an important listed building a long term sustainable future. In this instance, the benefits of providing a viable use outweigh any adverse impacts to the character of the listed building. The areas of most architectural and historic value have been retained. The impact on the listed building is assessed in full in the parallel listed building consent application ref 16/05293/LBC.

Setting

The proposals impact on the setting of a number of listed buildings given the site's City Centre location. These buildings are predominantly category B and C listed. The design of the new storeys of accommodation are articulated to ensure that the impact on the setting of the building and its wider environment is minimal. In long views, predominantly from the Esplanade and Castle, the extra height will be visible. However, the articulation, detailing and materiality ensures that this impact is minimised. The high quality nature of the rooftop extension ensures that the proposals comply with Policy Env 3 of the LDP.

c) Design, Conservation Area and World Heritage Site

The essential character of the New Town Conservation Area as identified in the conservation area character appraisal includes:

- The use of grid layout forms throughout the area provides a formal hierarchy of streets with controlled vistas and planned views;
- The central position, grid layout and uniform building heights make the area extremely sensitive to the effects of high buildings; and
- Terminated vistas within the grid layouts and the long distance views across and out of the conservation area are an important feature.

Policies Env 6 and Env 1 seek to ensure that the unique qualities of the city, its historic environment and the character of its urban areas are safeguarded for the future including protection of the skyline and key townscape features.

Townscape

The First New Town was carefully planned with an architectural hierarchy across its blocks. Expensive accommodation was provided on the major streets and less grand, but still substantial accommodation on the streets between, with service lanes between them. The development site includes all three elements.

Rose Street is a street of varying building heights with a predominant and historic pattern of lower scale buildings bookended on Frederick Street, Hanover Street and North Castle Street by taller buildings running on a North/South axis. Between South Charlotte Street and Frederick Street, the building heights rarely breach three storeys in height. This pattern helps establish a hierarchy of streets within the New Town Conservation Area with Rose Street being a secondary street in this context. In sections, particularly the section between Hanover Street and Frederick Street, the building heights have, over time, increased significantly. However, the character of the street is not defined by any particular section but the street as a whole, which in turn contributes to the character and appearance of the conservation area and the OUV of the World Heritage Site. It is a street that was never designed to be a canyon of tall buildings, but one of a more human scale. As such, the perceived reduction in height of the new build element on Rose Street is important as it allows for a more human scale of building.

In this context, the scale, massing, architectural treatment, roofscape and choice of materials are of fundamental importance. Activity at street level and the potential for public realm improvements are also important considerations.

The proposed new building on Rose Street is a high quality, contemporary development designed to sit comfortably in its context with minimal impact on the historic built environment. The height and massing of the building is broken up using a mix of materials and set backs. The use of sandstone and copper, to reflect the materiality of both the Princes Street building and surrounding area is appropriate.

The new roof level of the development is designed to sit comfortably in the skyspace of the New Town. Though there is an increase in height, the articulation, design and materiality of the roof level sits comfortably in its historic context and, overtime the copper will weather to match the green of the existing roofscape.

The Outstanding Universal Value of the Edinburgh World Heritage Site (WHS) is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides clarity of urban structure unrivalled in Europe.

In the context of this development the proposals support the WHS objectives of the development of high quality architecture, support the economic growth of the city whilst still maintaining a positive relationship with the WHS and support the liveability of the city's streets through the improvements to the public realm within the vicinity of the site.

Views and Skyline

The new floor to the Princes Street building has an impact on the character of the conservation area, particularly in the evening. A new restaurant with associated outdoor terrace changes the use and the character of the building. However, the use is compatible with the policies of the LDP and would enhance the character of the conservation area. While representing an increase in height, the articulation, design and materiality of this new roof top ensures that the proposed roofscape would not have an adverse impact on the appearance of the conservation area.

The increased height to Princes Street has little impact on long views from the Mound as these structures are seen against the backdrop of higher buildings on George Street and the surrounding built environment and the additional storey is set back from the front building line. On balance, the proposed development will have a neutral impact on long views from the Mound.

The view from the Castle highlights that the proposal would have an impact on the historic relationship between the heights of buildings on Princes Street and those to Rose Street South Lane. While the proposed massing on Rose Street and Rose Street South Lane is in excess of that envisaged in the original James Craig plan, it is not out of context and has no impact on key views sitting comfortably in long views.

Public Realm

It is appropriate to seek a developer contribution towards public realm in accordance with Policy Del 1(d). Rose Street and Princes Street are identified within the red line of the development site. Public realm contributions have been calculated as follows:

Cost estimate for the future public realm improvements for this section is £724,122. These costs are estimated by reference to the latest, pre-tender estimates for the adjacent section of Rose Street public realm improvements. A pro-rata cost for BHS red line area of Rose Street is approx 30% equalling costs of £220,000. An additional contribution of 10% (£70,000) covering the new developments use of the lanes for access for servicing.

The total contribution for Rose Street public realm is £290,000.

The Council proposes to pay for new sandstone paving and would require the developer to lay the new material instead of relaying the existing concrete paving. This provides an overall enhancement and contribution in kind.

Options for the relocation of the police box are being discussed with Essential Edinburgh. A condition is attached to allow the relocation of the box within the red line to allow construction to commence. A further planning application would be required for any location outwith the site boundary.

Overall, the proposals would enhance the character and appearance of the conservation area, respecting the historic context of the site and improving the surrounding environment. As such, the development would not harm the outstanding universal value of the World Heritage Site. Furthermore, the appropriate re-use of the building providing enhanced street activity undoubtedly has a positive impact on the World Heritage Site creating value, meaning and life; essential attributes of OUV.

The proposal complies with the relevant policies of the LDP and the provisions of the Edinburgh Design Guidance.

d) Neighbouring Amenity

The application site lies within a dense urban context but is not in close proximity to residential properties.

A detailed sunpath analysis demonstrates that the increased massing on top of the primary listed building and to Rose Street will have a modest negative impact to properties on the opposite side on the street. These properties are predominantly office use at upper levels and commercial uses at ground floor.

The proposals are not detrimental to neighbouring amenity.

e) Transport and Road Safety

The site lies on Princes Street which is a main transport corridor served by a number of bus services and the tram. The site is also a short walk from Waverley Train Station. Pedestrian, cycle and public transport connectivity are all excellent.

Given the sites' accessibility the proposals do not include any car parking. The only vehicular access to the site is for delivery and service vehicles. Zero parking is acceptable for development in this area.

The development can be appropriately serviced from Rose Street South Lane. There are no concerns with these arrangements subject to standard conditions and suitable informatives. It is appropriate to seek a financial contribution towards the tram in accordance with LDP policy Del 1 and the consultation Draft Supplementary Guidance Developer Contributions and Infrastructure Delivery.

The tram contribution has been calculated as follows:

- Contribution for existing retail use = £781,199 (11,289m²).
- Contribution for proposed use = £964,392 (£412,038 for 4,469.8m² retail, 405,800 for 133 bed hotel, £146,544 for 855.79m² restaurant).

Total tram contribution will be £183,193.

The proposed development will positively contribute to improving the pedestrian environment and will not introduce any unacceptable road safety or transport implications.

f) Archaeology

There are no significant archaeological implications regarding this application.

g) Environmental factors

Flood Risk

A Level 1 Flood Risk Assessment (FRA) was undertaken for the development site. Based on SEPA flood map information, the site is not located in a designated flood risk area for River, Coastal or Surface Water flood events. The FRA concluded that there was no flood risk associated with the development site.

The need for a suitable 'Sustainable Urban Drainage Scheme' has been recognised and site appropriate solutions incorporated within the design proposals for the surface water system. Sufficient evidence has now been submitted and it is accepted that there will be no risk of flooding.

Air Quality

The applicant will need to provide details of the proposed energy plant for this development. If the energy in/out puts exceeds trigger levels set out in the Clean Air Act then a chimney height calculation must be submitted. Environmental Protection have recommended an informative to ensure that the applicant is aware of this requirement.

Environmental Protection offers no objection, subject to a condition relating to ventilation and filtration.

Noise

The applicant has provided a supporting noise impact assessment which has investigated plant noise and noise breakout from the proposed hotel and restaurant area including the proposed terrace.

No noise mitigation measures are required mainly due to the distance between the proposed development and the nearest residential receptor.

h) Sustainability

The applicant has submitted a sustainability statement in support of this application.

Essential Criteria	Available	Achieved
Section 1: Energy Needs	20	20
Section 2: Water Conservation	10	10
Section 3: Surface Water run-off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	30
Total Points	80	80

i) Equalities and rights are acceptable

The development would improve the accessibility of the building. Although there are significant challenges to providing direct access to historic buildings the building would be easily accessible for all both at Princes Street and Rose Street. The development would:

- Embrace the policies of inclusive design.
- Ensure safe, easy and inclusive access for all people regardless of disability, age or gender, both into the building or site and to local amenities such as shops, hotel and restaurant facilities.

- Provide hotel accommodation suitable or readily adaptable for mobility impaired guests by ensuring the needs of wheelchair users have been addressed. Accessible accommodation is enhanced by the proximity of the building to routes to local amenities and public transport.

Impacts on equalities and rights are acceptable.

j) Public Comments

Material objections

No material objections/comments were received. Objections/comments regarding disturbance during development are non-material as it is not controllable through planning legislation.

Conclusion

In conclusion, the proposed development is in accordance with the Development Plan and introduces uses considered appropriate to the site's central location. The proposed uses represent a positive contribution to the aims of the Princes Street Development Brief through the delivery of retail and hotel use with new uses for the vacant upper floors of the listed building. The design of the new elements are respectful and reflect the historic context of this part of the city and the complicated site of varying characteristics. There will be no adverse impact on the character or appearance of the conservation area, the setting of adjacent listed buildings or the Outstanding Universal Value of the World Heritage Site. It will not significantly impact on the amenity of neighbouring residents and it will not introduce any implications in terms of road or pedestrian safety. The proposals are acceptable in terms of sustainability. There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the commencement of above ground works on site, building material sample panels shall be erected on site, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Planning Authority.
2. Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, as show in the 'Air Quality Statement' ref 416.010.00 dated 14 10/2016 shall be implemented.
3. Deliveries and collections, including waste collections, shall be restricted to 07.00 - 20.00 hours, Monday to Sunday.
4. Prior to the commencement of development, the relocation of the police box within the red line boundary shall be submitted for written approval by the Planning Authority.

Reasons:-

1. In order to ensure the adequacy of external building materials.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to enable the planning authority to consider this/these matter/s in detail.

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.
2. Planning permission shall not be issued until a suitable legal agreement has been concluded for the following developer contributions.

Transport

A financial contribution towards the tram.

Total tram contribution is £183,193

Public Realm

The public realm contribution shall be for the upgrading of a section of Rose Street and shall be £290,000. This contribution must be spent within two years of the first opening of any part of the scheme or the full amount must be reimbursed.

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.

3. 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.
4. The proposed site is on or adjacent to the Edinburgh Tram which is now operational. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:

- Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;
 - Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;
 - Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
 - Any excavation within 3m of any pole supporting overhead lines;
 - Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use; and
 - The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.
 - See our full guidance on how to get permission to work near a tram way.
5. A ventilation and filtration system incorporating at least the following elements shall be installed and operational before the use commences. The elements to be included are:-
- a. Canopies - A canopy (or canopies) shall be located above all cooking appliances.
 - b. Air Flow - The canopy face velocity shall be in accordance with the requirements of the Heating and Ventilating Contractors Association (HVCA) Specification for Kitchen Ventilation Systems, guide DW172
 - c. Primary Grease Filtration shall be installed within the canopy or canopies
 - d. Air Input - An air input system shall be provided to provide a supply of clean air for make-up of the extracted air.
 - e. A maintenance management scheme for the ventilation and filtration system, including all aspects referred to above, shall be submitted to and approved by the Landlord, before the use commences and shall be implemented for the duration of the tenancy
 - f. The management system will be documented to ensure that the ventilation system is in operation during periods when the premises are open for the preparation and/or cooking of food.
6. The installation of the energy plant must comply with the Clean Air Act.
7. 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.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

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

A Proposal of Application Notice (16/03655/PAN) was submitted to City of Edinburgh Council on 22 July 2016.

The Council confirmed approval of the proposed programme of consultation as set out within the PAN on 18 August 2016. The Proposal of Application Notice (PAN) set out the following consultation strategy:

- A public consultation event took place on Thursday 22 September 2016 at the George Hotel, 19 - 21 George Street, Edinburgh. Details of the event were published in the Evening News on 14 September 2016.
- Councillors and stakeholders were invited to attend a preview of the exhibition at 9.00am before the Public Event commenced.
- A copy of the notice was submitted to the local councillors and the New Town / Broughton Community Council. The Edinburgh City Centre Neighbourhood Partnership also received notification of the submission of the PAN, as have a number of other stakeholders.
- The applicants have sought to engage with the Council and stakeholders including Historic Environment Scotland, Edinburgh World Heritage and the Cockburn Association.

8.2 Publicity summary of representations and Community Council comments

The application was originally advertised on 4 November 2016. Two letters of representation were received. One letter of objection and one comment. Neither raised material planning issues.

Scheme two was advertised on 6 January 2017. No further representations were received.

Background reading/external references

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

**Statutory Development
Plan Provision**

The application property is located in the City Centre and City Centre Retail Core within the Local Development Plan.

The site is held within block five of the Princes Street Development Brief.

Date registered

28 October 2016

Drawing numbers/Scheme

1-24, 25A-30A, 31B, 32-33A, 34, 35 and 36A,

Scheme 2

David R. Leslie

Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Euan Mcmeeken, Planning Officer
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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

LDP Policy Ret 2 (City Centre Retail Core) sets criteria for assessing retail development in or on the edge of the City Centre Retail Core.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

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

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

Appendix 1

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Consultations

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for planning permission proposing the refurbishment and redevelopment of existing premises to form retail (Class 1) and restaurants (Class 3) at Princes Street and Rose Street levels and at basement levels below, with hotel (Class 7) / restaurants (Class 3) above (within underused upper floors of premises and at new rooftop levels) together with associated works.

The B-listed application site was originally purpose built as a flagship store British Homes Stores in the mid 1960's, with the Rose Street extension added in 1971. The Building is a prominent and important modernist building contributing significantly to the character of Princes Street and this section of the World Heritage Site. Although large scale impacts are proposed (principally demolition of 1971 Extension onto Rose St and replacement of original copper roof) to the fabric of the building, in archaeological terms these are not considered to be significant.

Given also that it is unlikely that any earlier 18/19th century fabric will be exposed/affected, it has been concluded that there are no significant archaeological implications regarding this application.

Transportation

No objections to the application subject to the following being included as conditions or informatives as appropriate:

- 1. Consent should not be issued until the applicant has entered into a suitable legal agreement to contribute the sum of £183,193 to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report (see Note below).*

Note:

- a. The tram contribution of £183,193 is calculated as the net contribution for the existing retail use and the proposed use. Contribution for existing retail use = £781,199 (11,289m²). Contribution for proposed use = £964,392 (£412,038 for 4,469.8m² retail, 405,800 for 133 bed hotel, £146,544 for 855.79m² restaurant);
- b. Zero parking is acceptable for development in this area.

TRAMS - Important Note:

The proposed site is on or adjacent to the Edinburgh Tram which is now operational. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:

- o Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;
- o Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;
- o Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
- o Any excavation within 3m of any pole supporting overhead lines;
- o Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;
- o The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line. See our full guidance on how to get permission to work near a tram way <http://edinburghtrams.com/community/working-around-trams>

Environmental Assessment

The proposal is for the refurbishment and redevelopment of the existing commercial building into a 140- bed hotel, including retail units (Class 1) and restaurants (Class 3) on lower levels and restaurant on upper level.

The proposals for the basement, lower and upper ground floors on both the Rose Street and Princes Street façades are for retail and restaurant units. The hotel development is proposed to be accommodated between first and fourth floor, while the fourth floor on the Princes Street façade is proposed to be a restaurant with an outdoor terrace.

The nearest residential property is at no. 21 Hanover Street the horizontal distance between the rear windows at no. 21 Hanover Street and the rooftop of the commercial building on Rose Street and Rose Street Lane is 20m.

The applicant has provided a supporting noise impact assessment which has investigated plant noise and noise breakout from the proposed hotel and restaurant area including the proposed terrace.

No noise mitigation measures are required mainly due to the distance between the proposed development and the nearest residential receptor.

The applicant has also provided supporting commercial ventilation details as the development proposals include the provision for three class 3 units, all to be formed as shell accommodation. At this stage the future tenants/operators for each unit are not defined therefore in preparing the development proposals consideration has been given to future installation of kitchen extract systems to the satisfaction of Environmental Protection. The plan show vertical risers from each class 3 unit to roof level plant enclosures. The vertical risers are designed to permit installation of kitchen extract ductwork by tenants at a future date. The vertical risers connect to roof plant enclosures and these are designed to accommodate tenant's ventilation plant, including kitchen extract fans. The kitchen extract discharge from the plant areas will terminate at the highest building point behind the roof level plant screens. Environmental Protection recommends that a condition is attached to ensure this provision is made.

The applicant will need to provide details of the proposed energy plant for this development. If the energy in/out puts exceeds the Clean Air Acts trigger levels then a chimney height calculation must be submitted. Environmental Protection shall recommend an informative to ensure that the applicant is aware of this requirement.

Therefore Environmental Protection offers no objection subject to the following condition;

Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, as show in the 'Air Quality Statement' ref 416.010.00 dated 14/10/2016 shall be implemented.

Informative

1. A ventilation and filtration system incorporating at least the following elements shall be installed and operational before the use commences. The elements to be included are:-

- a. Canopies - A canopy (or canopies) shall be located above all cooking appliances.
- b. Air Flow - The canopy face velocity shall be in accordance with the requirements of the Heating and Ventilating Contractors Association (HVCA) Specification for Kitchen Ventilation Systems, guide DW172
- c. Primary Grease Filtration shall be installed within the canopy or canopies
- d. Air Input - An air input system shall be provided to provide a supply of clean air for make-up of the extracted air.
- e. A maintenance management scheme for the ventilation and filtration system, including all aspects referred to above, shall be submitted to and approved by the Landlord, before the use commences and shall be implemented for the duration of the tenancy
- f. The management system will be documented to ensure that the ventilation system is in operation during periods when the premises are open for the preparation and/or cooking of food.

2. The installation of the energy plant must comply with the Clean Air Act.

Historic Environment Scotland

Thank you for the above consultation which we received on 04 November. We have considered it for our historic environment interests. That is world heritage sites, scheduled monuments and their setting, category A-listed buildings and their setting, gardens and designed landscapes (GDLs) and battlefields in their respective Inventories.

Our Advice

We have no comments to make on the proposals.

Our decision not to provide comments and not to object should not be taken as our support for the proposals. You are the primary decision maker and assess proposals against local and national historic environment policy and guidance.

This response applies to the application currently proposed, an amended scheme may require another consultation with us.

Edinburgh World Heritage

The site touches on a significant number of elements relating to outstanding universal value of the World Heritage Site, making it an exceptionally challenging location to develop sensitively. Key points of outstanding universal value include:

- First New Town structure*
- The set pieces of The Mound*
- Juxtaposition of two contrasting urban forms*
- Views and skyline*

The First New Town was carefully planned with an architectural hierarchy repeated across its blocks. The plan represents the embodiment of Enlightenment ideals of the democratised city, with its major buildings as public institutions rather than palaces, catering to the growing middle classes. Expensive accommodation was provided on major streets, and less grand - but still substantial accommodation on the streets between, with service lanes between them. The BHS site includes all three elements.

The Mound forms the key link across the Waverley Valley, and is home to two major architectural set pieces in the form of the Doric order Royal Scottish Academy and the somewhat less severe Ionic order of Scottish National Gallery. Both are outstanding buildings by an exceptional architect in a key location at the heart of the capital city. The BHS site is one of three large modern buildings close to the Mound, all of which emphasise the horizontal, and two of which (The New Club and the BHS building) are protected through statutory listing.

The Waverley Valley provides breathing space between the Old and New Towns, and hence one of the few places where the juxtaposition between two contrasting urban forms can be easily understood: even with the mixture of Georgian horizontality and Victorian verticality, the wall of building that Princes Street presents to the garden still appears relatively ordered compared to the way in which the Old Town tumbles down the volcanic tail. The BHS site presents a relatively low lying element that fits into the Princes Street "wall" with a degree of discretion.

The building of Princes Street are viewed from above in the Old Town, and below from the street and the gardens - at which point they start to form a part of the skyline of the city. The BHS building includes significant set backs on both Princes Street elevation and the Rose Street elevation, to give the impression of a low lying skyline at this point, while attention has been given to its roofing materials and articulation from the Old Town.

We recognise that significant efforts have been made - and continue - to reuse and adapt the structure of the existing building and this is to be welcomed. These serve to ensure the impact on the Mound should, compared to earlier iterations of the proposals, be minimised. We urge that great care is taken in considering the treatment of the roofscape, where the proposal seeks to raise the general height.

Our chief concern relates to the loss of the New Town plan on this site in terms of the hierarchy of building, which the existing buildings have sought to retain. The greatly increased mass of the Rose Street elevation results in a loss of the sense of scale. The width of Rose Street directly relates to the original height of the buildings, and in increasing the height of the buildings hard up to the street with only a notional set-back for the upper floor, the sense of the First New Town's hierarchy is lost.

We would strongly urge the reconsideration of the Rose Street element of this scheme, which lets down what would otherwise be a scheme with a broadly neutral impact on outstanding universal value. To give consent to the scheme as it stands would impact negatively on the reading of the First New Town and hence on outstanding universal value

Edinburgh Urban Design Panel

In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:

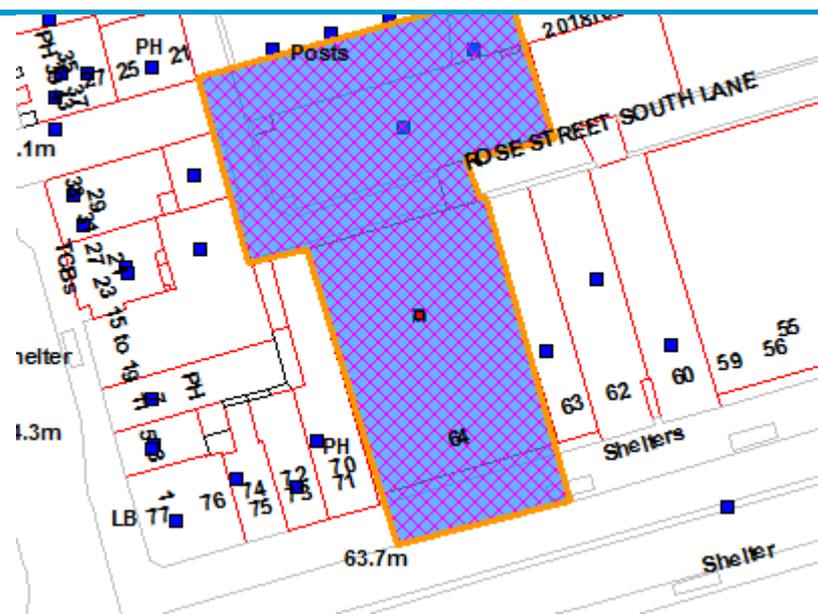
- o The proposed mix of uses including the re-use of the existing retail floorspace*
- o Re-opening of the first floor terrace to Princes Street for public use*
- o The development of food and drink uses on Rose Street which could act as a catalyst for the public realm improvements*
- o The potential upgrading of Rose Street public realm as part of the development*
- o Proposed sustainable design measures including the re-use of built fabric and upgrading of building to maximise energy efficiency*

In developing the proposals the Panel suggests the following matters should be addressed:

- o The design team should work collaboratively with Historic Environment Scotland and the Council to establish the conservation value of the listed building, in order to further inform the design development of the project*
- o Further consider the nature and importance of the site in relation to the Outstanding Universal Value (OUV) of the Old and New Town of the Edinburgh World Heritage Site*
- o Further consider the nature and importance of the site in relation to the character and appearance of the New Town Conservation Area*
- o Establish the heritage value of all parts of the listed building to inform the design approach*

- o Further consider the heritage value and architectural treatment of the Princes Street frontage
 - o Further consider the heritage value of the Rose Street frontage and provide clear justification for any demolition
 - o The proposed height and scale of any new development on Rose Street including the articulation of the elevation and impact on daylighting and sunlighting levels to the street
 - o Consider the design approach to the Rose Street public realm and how this will relate to the context of the wider street
- Edinburgh Urban Design Panel Report - 64 Princes Street - August 2016
- o The impact of the proposed development on key views across the World Heritage Site, particularly any changes to the roofscape of the listed building and arising from the introduction of a proposed roof terrace
 - o The proposed servicing arrangements for the development particularly requirements arising from an increased number of occupiers.

Location Plan



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