

Development Management Sub Committee

Wednesday 24 April 2019

**Application for Listed Building Consent 18/10256/LBC
At 177 Portobello High Street, Edinburgh, EH15 1EU
Alterations in connection to facilitating a new class 3 use
on the ground floor, including the installation of two
ventilation pipes on the rear elevation and the installation
of a suspended ceiling with associated acoustic measures
(as amended).**

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|----------------------|------------------------------|
| Item number | 4.16 |
| Report number | |
| Wards | B17 - Portobello/Craigmillar |

Summary

While the insertion of a suspended ceiling has the potential to impact on the special interest of the listed building, it is required to facilitate the adaptation of the premises to a beneficial new use. The works as part of the proposed conversion will not result in the loss of the original fabric of the building and overall preserve the building and its setting. The works will not detract from the character and appearance of the conservation area.

Links

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| <u>Policies and guidance for this application</u> | LDPP, LEN04, LEN06, NSG, NSLBCA, OTH, CRPPOR, |
|---|---|

Report

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the ground floor, including the installation of two ventilation
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suspended ceiling with associated acoustic measures (as
amended).**

Recommendations

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

Background

2.1 Site description

The site is a three storey, four bay, rectangular-plan, Renaissance palazzo style building, forming part of a terrace, and is located on the south side of Portobello High Street. The building was the former Royal Bank of Scotland. The upper floors are currently being converted into residential flats.

The building is category B listed, (date of listing: 09/04/1995 and reference: LB27398).

This application site is located within the Portobello Conservation Area.

2.2 Site History

The following planning history is relevant:

14 February 2018 - Planning permission granted for change of use from class 2 to class 1 on the ground floor, and to residential use (class 9) on the first and second floor (Application number 17/05359/FUL).

16 February 2018 - Listed building consent granted for internal alterations to implement change of use from class 2 to class 1 on ground floor and residential use on the first and second floor (Application number 17/05360/LBC).

1 April 2019- Planning permission granted for the change of use of the ground floor to class 3 (food and drink). The upper two levels will remain residential with their own common staircase access from a separate door. No external changes to the principal high street elevation. Insertion of ventilation duct/flues to the rear (as amended) (Application number 18/10257/FUL).

Main report

3.1 Description Of The Proposal

The application seeks to carry out a number of alterations in connection to facilitating the conversion of the ground floor premises to a Class 3 (Food and Drink) use. The proposals include the installation of two ventilation pipes (200mm wide each) on the existing rear elevation of the building. Suspended ceilings are proposed as part of the proposed acoustic measures.

Scheme One

The original scheme was amended to revise the design of the external flue to the rear of the building.

3.2 Determining Issues

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - 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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

In determining applications for listed building consent, the Development Plan is not a statutory test. However the policies of the Local Development Plan (LDP) inform the assessment of the proposals and are a material consideration.

3.3 Assessment

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

- a) the proposals will harm the architectural or historic interest of the listed building;
- b) the proposals will adversely affect the special character or appearance of the conservation area; and
- c) any issues raised in representations have been addressed.

a) Listed Building

Historic Environment Scotland's guidance note Managing Change in the Historic Environment: Interiors, sets out the principles that apply to altering historic buildings.

Policy Env 4 Listed buildings - Alterations and Extensions states that proposals to alter or to extend listed buildings will be permitted where those alterations are justified; would not result unnecessary damage to historic structures or diminution of its interests; and where any additions would be in keeping with other parts of the building.

The non-statutory 'Listed Buildings and Conservation Areas' guidance advises the following:

Care should always be taken with works to old plaster to avoid destroying early decoration. All decorative features from a simple cornice or cove to elaborate wall and ceiling decoration should be preserved. Suspended ceilings should never be formed in principal rooms or entrance halls which have decorative plasterwork. They may be acceptable in minor rooms provided they are above window height.

Floors which are original to the building and/or of interest because of their materials, form or surface treatment should be respected, and repaired and retained in situ. Care must be taken when such floors require to be lifted in order to install or repair services. In some instances, features of interest are concealed behind suspended or false ceilings. This should always be the subject of investigation prior to any works being carried out.

The proposal seeks to install a suspended ceiling below the existing cornice level within the proposed commercial and kitchen areas on the ground floor. The suspended ceiling is to facilitate the required acoustic insulation for the upper flats as a result of the premises proposed conversion to a Class 3 (Food and Drink) use. Whilst the concealment of decorative cornicing would generally not be supported for the reason that it would obscure its special contribution to the building's architectural and historical interest, the applicant has explained that alternative acoustic measures would involve the raising of the floor levels of the upper flats, thus disrupting details of the buildings original floor levels. In addition, since the grant of planning permission to operate as a Class 1 (shop) use in February 2018, the applicant has been unable to secure interest for this use. These aspects are relevant considerations.

The suspended ceiling will be positioned above the top of the windows and while the decorative cornice would be concealed, it would be preserved in-situ. The suspended ceiling is required to support the adaptation of the premises to a new use as opposed to being vacant. The proposed alterations would enhance the beneficial use of the building without harming the special interest of the listed building. The suspended ceiling will not result in unreasonable harm to the character of the building. A condition is required to ensure that works to install the suspended ceiling does not damage the decorative cornices. This is to safeguard the character of the building.

The insertion of two ventilation pipes on the rear elevation of the building as amended will resemble the appearance of down pipes and will not result in unreasonable harm to the character of the building.

The works will not result in unreasonable harm to the historic fabric of the listed building and preserve features of special architectural and historic interest in compliance with the statutory test.

b) Conservation Area

Planning Advice Note 71 on Conservation Area Management recognises conservation areas need to adapt and develop in response to the modern-day needs and aspirations of living and working communities.

Policy Env 6 Conservation Areas - Development states that development within a conservation area will be permitted which preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant character appraisal.

The site is located within the Portobello Conservation Area. The character appraisal states the following:

Portobello developed significantly in the 18th century, not only because of its industry but due to its popularity as a bathing and spa resort. Discovery of mineral wells added to the village's attraction and in the early years of the 19th century, elegant residential terraces were developed, mainly between the High Street and the sea.

The High Street provides the commercial and administrative focus for the Conservation Area retaining many original two storey Georgian buildings as well as a number of significant public buildings.

The High Street is an identified shopping centre that provide a diverse mix of commercial activities and in which retail frontages are protected. Key objectives involve encouraging regeneration to attract investors and generate new employment opportunities, promoting good quality design and enhancing existing quality.

The insertion of two ventilation pipes on the rear elevation to resemble the appearance of downpipes will not have an unacceptable impact on the character and appearance of the conservation area.

The proposals preserve the character and appearance of the conservation area.

c) Matters Raised in Representations Addressed

Matters raised in representations - Objection

Material

- Erection of false ceiling will obscure fine cornices that makes an important contribution to the character of the building - Addressed in Section 3.3 (a).
- Sound proofing measures could be achieved from the flats above the premises - Addressed in Section 3.3 (a).

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

3.4 Conditions/reasons/informatives

Conditions:-

1. The installation of the suspended ceiling on the ground floor as shown on Drawing 03A shall not cause to alter or damage the existing decorative cornices. The existing cornices shall be preserved in-situ.

Reasons:-

1. In order to safeguard the character of the statutorily listed building.

Informatives

It should be noted that:

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

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 11 January 2019 and the proposal attracted 7 objection comments. The comments made are addressed in the Assessment section of the report.

A number of late letters of support were received four days after the date for public comments expired. The comments of support did not raise matters relevant to the current application for listed building consent.

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

Date registered 6 December 2018

Drawing numbers/Scheme 01-02 and 03A.,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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.

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.

Other Relevant policy guidance

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials.

Appendix 1

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Consultations

Historic Environment Scotland

Our Advice

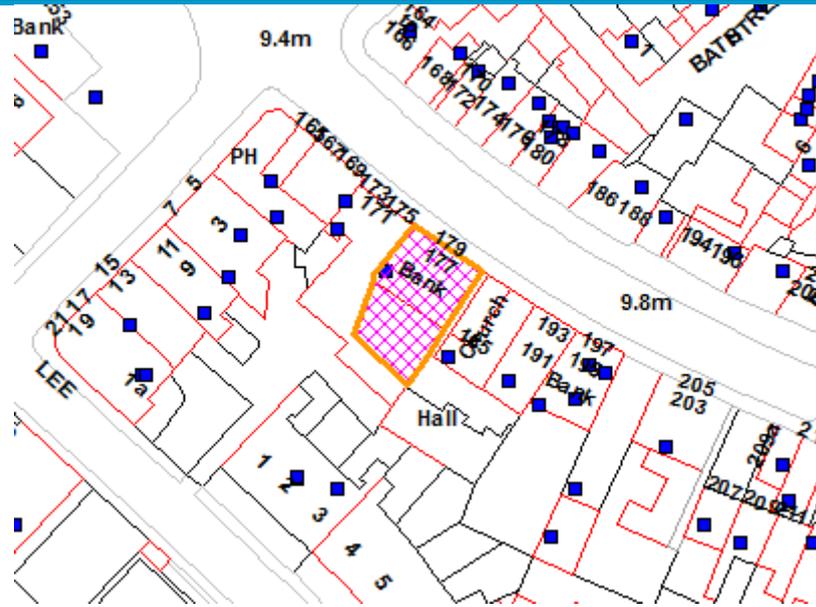
We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building/conservation area consent, together with related policy guidance.

Further Information

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

Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/. Technical advice is available through our Technical Conservation website at www.engineshed.org.

Location Plan



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