

Development Management Sub Committee

Wednesday 5 June 2019

**Application for Listed Building Consent 19/01437/LBC
At 8 Morningside Road, Edinburgh, EH10 4DD
Proposing the following amendments: the female bathroom layout in the basement, bar and waiter station layout on ground floor, bar layout on first floor, female bathroom layout and new managers office with roof light on the second floor.**

Item number	7.1
Report number	
Wards	B10 - Morningside

Summary

The proposals have special regard to the desirability of preserving the building and its setting and do not adversely affect any features of special architectural and historic interest. The proposals preserve the character and appearance of the conservation area.

Links

<u>Policies and guidance for this application</u>	LDPP, LEN04, LEN06, NSG, NSLBCA, OTH, CRPMER, HESROF,
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Report

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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 property is a former bank, which was housed within a freestanding building of around 1870, standing on a prominent corner at the junction of Colinton Road and Morningside Road (generally known as "Holy Corner"). Works have recently commenced relating to its change of use to a bar/restaurant (see history). The building was listed category B on 16 October 2002 (reference 48939).

This application site is located within the Merchiston and Greenhill Conservation Area.

2.2 Site History

4 September 2018 - Committee approved planning permission and listed building consent for a change of use to bar and restaurant, including a substantial rear extension at ground floor and basement levels (planning application references 18/02343/FUL and 18/02342/LBC).

Main report

3.1 Description Of The Proposal

The application represents a variation to a live listed building consent. Procedurally listed building consent cannot be varied under the original application and a new application is required.

The majority of the proposal is unchanged in relation to the previous consent. The internal works largely pertain to bar layout and circulation and do not require additional consent if considered independently. The only new element requiring further formal listed building consent is a new roof-light on the original building, on the roof slope facing Colinton Road (the side elevation to the south-west). This is a proprietary conservation-style roof-light 780 x 1180mm.

Although the scheme itself was not amended, drawings were amended (for the sake of clarity) to exclude other detached elements illustrated in the proposals, as only elements attached to the listed building fabric require consent.

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 works impact on the character of the listed building;
- b) the works impact on the character or appearance of the conservation area; and
- c) comments are addressed.

a) Impact on the Listed Building

The Historic Environment Policy for Scotland (HEPS) outlines how we should undertake our collective duty of care whenever a decision in the planning system will affect the historic environment. There are three key areas which define how the historic environment should be understood, recognised and managed to support participation and positive outcomes, including "Managing Change" under policies HEP2, HEP3 and HEP4.

LDP policy Env 4 considers works which impact on the character of the listed building.

The bulk of the proposal is unchanged in relation to the previous listed building consent. Only the addition of a single roof-light requires further assessment.

The proposed roof-light is traditional in form and design and is minor in both scale and impact. The overall roof profile is unaltered by the additional work. Whilst the roof-light will be visible from Colinton Road, it will have no meaningful impact to the character of the listed building, and is acceptable for this reason.

The character of the listed building is preserved.

b) Impact on the Conservation Area

LDP policy Env 6 considers impact on the character and appearance of the conservation area. The Merchiston and Greenhill Conservation Area Character Appraisal illustrates the building, but makes no specific reference to it, despite its prominent location.

Traditional roof-lights are part of the character of the wider conservation area. Although the roof-light will be visible, there is little net impact on the appearance of the conservation area.

The proposal complies with policy requirements.

c) Public Comments

Material Representations

- None

Non-Material Representations

- Impact on the claimed Right of Way
- Issues relating to pedestrian safety
- Issues relating to erection of umbrellas
- Use of the forecourt

Community Council

Merchiston Community Council did not request statutory consultee status but objected on the same non-material grounds as above.

Conclusion

The proposals have special regard to the desirability of preserving the building and its setting and do not adversely affect any features of special architectural and historic interest. The proposals preserve the character and appearance of the conservation area.

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

3.4 Conditions/reasons/informatives

Conditions:-

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

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 5 April 2019.

Five objections were received, including comment from Merchiston Community Council. These are addressed in section 3.3 c) of the Assessment.

Cllr Main requested a committee presentation.

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 property lies in the Merchiston and Greenhill Conservation Area as shown in the LDP.

Date registered

20 March 2019

Drawing numbers/Scheme

1,3a,

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 Merchiston & Greenhill Conservation Area Character Appraisal emphasises the consistent domestic grain, scale and building mass; the high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas; the uniformity resulting from the predominant use of traditional building materials; and the predominance of residential uses within the area.

Managing Change in the Historic Environment: Roofs sets out Government guidance on the principles that apply to altering the roofs of listed buildings.

Appendix 1

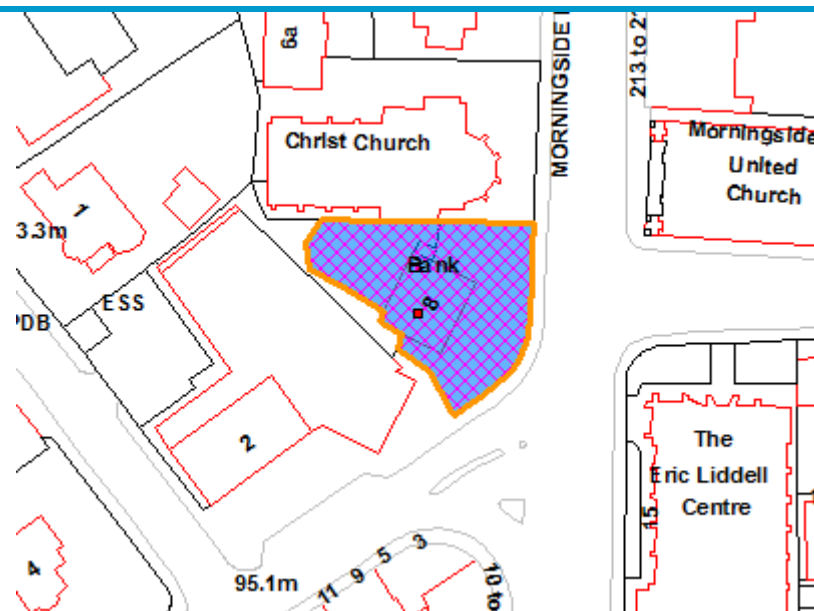
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Consultations

Historic Environment Scotland

No comments on the proposals.

Location Plan



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