



Case reference	NA-EDB-044
Application details	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.
Site address	15-19 South St Andrew Street, 28-50 West Register Street, Edinburgh
Applicant	St Andrew Square (Property) Limited
Planning authority	City of Edinburgh Council
Reason(s) for notification	Category 2 (objection by Government Agency) (Historic Scotland)
Representations received	7 individuals plus the Architectural Heritage Society of Scotland, The Cockburn Association, Living Streets, Edinburgh, Stockbridge and Inverleith Community Council objected to the Council. 27 (late) letters of support were received.
Date notified to Ministers	14 December 2015
Date of recommendation	18 January 2016
Decision / recommendation	Clear

Description of Proposal and Site:

- The application forms part of “The Registers” development – a high profile major mixed use scheme which sits between St Andrew Square and the proposed St James Quarter development in Edinburgh’s city centre.
- The planning application is for full planning permission for predominantly Grade A office use, with retail and business uses on the ground floors. The proposal requires a mixture of demolition, new build, façade retention, alteration and conversion. The associated Listed Building Consent (LBC) and Conservation Area Consent (CAC) applications have also been notified to Scottish Ministers and are considered in a separate report.

- The application site is in the New Town Conservation Area and Edinburgh World Heritage Site (WHS).
- The site contains three interconnected buildings: an unlisted 1960s office building facing South St Andrew Street that returns along West Register Street and over West Register Street Lane; an 1850s category B listed Victorian tenement building, and an 1864 former warehouse building that is also category B listed of Venetian Gothic design, both on West Register Street. See map in Annex A.
- The 1960s office blocks and the adjacent category B listed Victorian tenement building are proposed for demolition. These buildings would be redeveloped for office use with a single main entrance to West Register Street. Retail and business uses are proposed to ground floor level. The façade of the category B listed Venetian Gothic former warehouse building would be retained and this is seen as a key element to the redevelopment scheme.
- The application site is linked by a bridge across West Register Street (the bridge is proposed for demolition as part of this application) to 41-42 St Andrews Square, a category A listed building. The building at 41-42 St Andrews Square forms part of the wider project and is subject to separate applications for planning and listed building consent (see next section).
- The site also neighbours the Category A listed Café Royal.

Applications which relate to the development proposal

15/02783/CON: 15-17, 19 South St Andrew Street & 28-48, 50 West Register Street – application for conservation area consent for complete demolition in a conservation area relating to the Victorian tenement building at (notified to Scottish Ministers on 8 December 2015)

15/02784/LBC: 15-17, 19 South St Andrew Street & 28-48, 50 West Register Street – application for listed building consent relating to the retention and refurbishment of the façade of the Venetian Gothic warehouse at 28 West Register Street etc. (notified to Scottish Ministers on 8 December 2015)

15/02788/FUL: 15-17, 19 South St Andrew Street & 28-48, 50 West Register Street – the subject of this current notified planning application.

15/02786/FUL: 41-42 St Andrew Square – planning application for mixed use development 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 flatted accommodation at roof level. *(City of Edinburgh Council minded to grant consent on 2 December 2015, subject to legal agreement relating to Tram contribution. This application was not subject to Historic Scotland/Historic Environment Scotland objection.)*

15/02782/LBC: 41-42 St Andrew Square – listed building consent for alterations associated with the change of use under permission 15/02786/FUL *(Notified to Scottish Ministers on 9 December and, on advice of HES, CHED cleared on 16 December).*

EIA Development:

- The City of Edinburgh Council issued an EIA screening opinion on 6 October 2014 determining that an EIA was not required. The Council, in its EIA screening opinion, noted that the site is in a UNESCO designated WHS and is therefore located in a sensitive area. In considering the proposal's likely effects, including effects on listed buildings, the New Town Conservation Area and the special characteristics of the WHS, the Council concluded in their EIA screening opinion that there are no likely significant effects, individually or cumulatively, which would require an Environmental Statement.

Consultations and Representations:

- The proposal was the subject of a ten month pre-application consultation programme by the applicant, including 2 public exhibitions and extensive meetings with a wide range of statutory consultees and the local community. The proposals have been considered by the Edinburgh Design Panel and a presentation given to the New Town and Broughton Community Council. The proposal has been amended to address many concerns.
- Before its transition into Historic Environment Scotland (HES) on 1 October 2015, Historic Scotland objected to the application as it considered the development would have a negative effect on the setting of the neighbouring Category A listed building at 41-42 St Andrew Square, and a significant cumulative negative impact on the Outstanding Universal Values (OUV) of the World Heritage Site.
- Edinburgh World Heritage also object to the application stating that the proposed alteration and demolition of the listed fabric would result in a strongly negative impact on the outstanding universal value (OUV) of the World Heritage site.
- A total of 11 other letters of objection were received: the Architectural Heritage Society; the Cockburn Association; Living Streets, Edinburgh; the Stockbridge and Inverleith Community Council; and 7 individuals. 27 late representations were received in support of the application.
- Upon notification, the Scottish Government's Culture and Historic Environment Division (CHED) was consulted on the proposal. On the basis that circumstances have not changed since Historic Scotland objected in July 2015, CHED advises that this application raises issues of national interest and that call-in is appropriate.

Assessment:

1. The project as a whole is a significant redevelopment, affecting category A and B listed buildings, with potential impacts upon the character and appearance of the New Town Conservation Area and the Edinburgh World Heritage Site. The planning application in front of Ministers relates to redevelopment of buildings on the south of West Register Street and South St Andrew's Street and not the Category A listed building at 41-42 St Andrew Square, other than the removal of the contemporary bridge linking it with the building on the south of West Register Street.

2. The applicant states that 90% of the historic fabric of the site would be restored and brought back to use and would be a significant heritage gain. The majority of the buildings within the scheme have been vacant since 2006 and the B listed buildings (for demolition and façade retention and extension) are on the Scottish Civic Trust's buildings at risk register. However HS disagrees with the findings of the Heritage Impact Assessment and considers the proposal would compete with the height, massing and current dominance of its A listed neighbours and that the proposals to retain the façade of the B listed Venetian building would have a significant adverse effect on the special interest of that building. The scale, massing and additional upper roof levels are of concern particularly from the views of the site from Princess Street and Market Street as shown in the visuals in the Annex. Overall HS finds that the cumulative impacts of the scheme would have a negative effect on the OUV of the WHS and on the setting of the A listed building at 41-42 St Andrew Square.

3. The City of Edinburgh Council has assessed the proposal against the 4 policy tests for demolition as set out in Scottish Historic Environment Policy (SHEP) and against the policies of Scottish Planning Policy (SPP), the development plan and other material considerations including consultation responses, representations and the findings of the supporting documents including the Viability and Economic Assessment, the Design and Access Statement and the Heritage Impact Assessment.

4. On the proposed demolition of the B listed tenement building and partial demolition of the B listed Venetian building, the Council considers that the proposals fail SHEP test a) because the listed buildings remain of architectural and historic interest. The Council conclude that while having significant economic benefits, the proposals do not fully comply with the requirements of test c) as it is not clear whether the demolition is essential, and that on its own, the proposed demolition of listed buildings does not comply with SHEP.

5. However, when assessed against wider policy, the Council accepts the case for demolition because of the benefit to the economy. The benefits to the city's economy and the associated public realm improvements that would result from the development are considered by the Council to be of such significance as to outweigh the special regard that must be had to preserving the buildings. The Registers area has been identified by the Council as strategically significant to the development of the east end of the city, highlighted in the St James Quarter Development Brief 2007, the Princes St Development Brief 2009 and the Register Lanes Public Realm Plan 2015. For these reasons, demolition is considered by the Council to be acceptable in this wider context. The Council notes Historic Scotland and Edinburgh World Heritage's objections, but consider the economic benefits outweigh the loss of the listed building(s) and its impact on the historic environment.

6. On the impact on the WHS, taking into account the replacement of 1960s and 70s buildings fronting South St Andrew Street, the scale of the replacement building, the façade retention of the Venetian building and the regeneration benefits and added footfall from new activities and public realm improvements to the lanes area and the neighbouring proposals for 41-42 St Andrew Square, the impact on the WHS is considered by the Council also to be acceptable. The economic benefits accruing

from the development are considered by the Council to outweigh the impact the demolition has on the OUV of the World Heritage site. The applicant's Economic Assessment indicates that were the applicant's proposals not to be granted consent, the most likely outcome would be that the redundant buildings would remain as they are for the indefinite future.

7. In terms of the demolition of the unlisted buildings, the Council is satisfied that the mix of uses proposed are acceptable for this highly accessible city centre site and in accordance with development plan policy. The provision of offices at upper floor levels complies with policy and would assist in addressing the current shortage of office space within the city centre. The provision of retail and class 2 business outlets at ground floor level, accords with relevant development plan policies and would enhance the vitality and viability of the existing city centre retail core and encourage activity at street level. Further, the Council considers that the proposals to enhance the public realm comply with relevant development plan policies.

8. The Council's Economic Development team have looked at the impact on jobs for the application site and for the neighbouring 41-42 St Andrews Square. The current uses on the sites generate approximately 10 full time jobs. The applicant suggests that the entire Registers project is expected to generate 734 jobs and an annual economic boost to the city of over £70m. The City's Economic Development Team suggests that a more realistic figure is approximately 640 jobs. The scheme is in accordance with the planned objectives for the area. The Viability and Economic Assessment explains that attempting to incorporate the existing Victorian and Venetian Gothic listed buildings into this new office scheme has major implications for the office element of the project, which could render this unworkable physically and therefore both un-fundable and un-lettable.

Conclusion

9. The national interest here is in the extent of the impacts on the B listed buildings, (although there are separate LBC/CAC applications in the system to deal with these aspects), the setting of the Category A listed building and on the OUV of the WHS, the extent to which the proposals preserve or enhance the character and appearance of the conservation area.

10. This is a finely balanced case and in terms of the development's impact on the historic environment, arguments have been made on both sides. On one hand, HS's concerns about the cumulative impacts of the scheme on the OUV of the WHS and on the setting of the A listed building at 41-42 St Andrew Square are noted. On the other, the economic assessments of the proposal have also been considered. While it is difficult to estimate how much of this will be a net economic benefit, the proposal will bring job creation as well as renewed life to Register Lanes and the replacement of unattractive unlisted buildings in the New Town Conservation Area. The development would contribute to the wider redevelopment of the Register Lanes area, and that wider development would have significant economic benefits.

11. From a call-in perspective, the key is whether the uses are acceptable and whether the impacts are significant enough to merit Ministerial involvement. The uses are considered appropriate and are in line with the Council's aims for the wider

area. They do not raise any national concerns. While it is recognised that there will be heritage impacts, there are also potential historic environment and economic benefits.

12. The LBC/CAC applications which relate to this part of the overall development site (15-17, 19 South St Andrew Street & 28-48, 50 West Register Street) are currently before Scottish Ministers. This allows for detailed scrutiny of the demolition of the B listed Victorian tenement building and the partial demolition of the Venetian Gothic building.

13. Taking all of this into account, it is therefore considered appropriate for the Council to take the decision on the planning application, and that there are no significant overriding reasons for Ministerial intervention in this application.

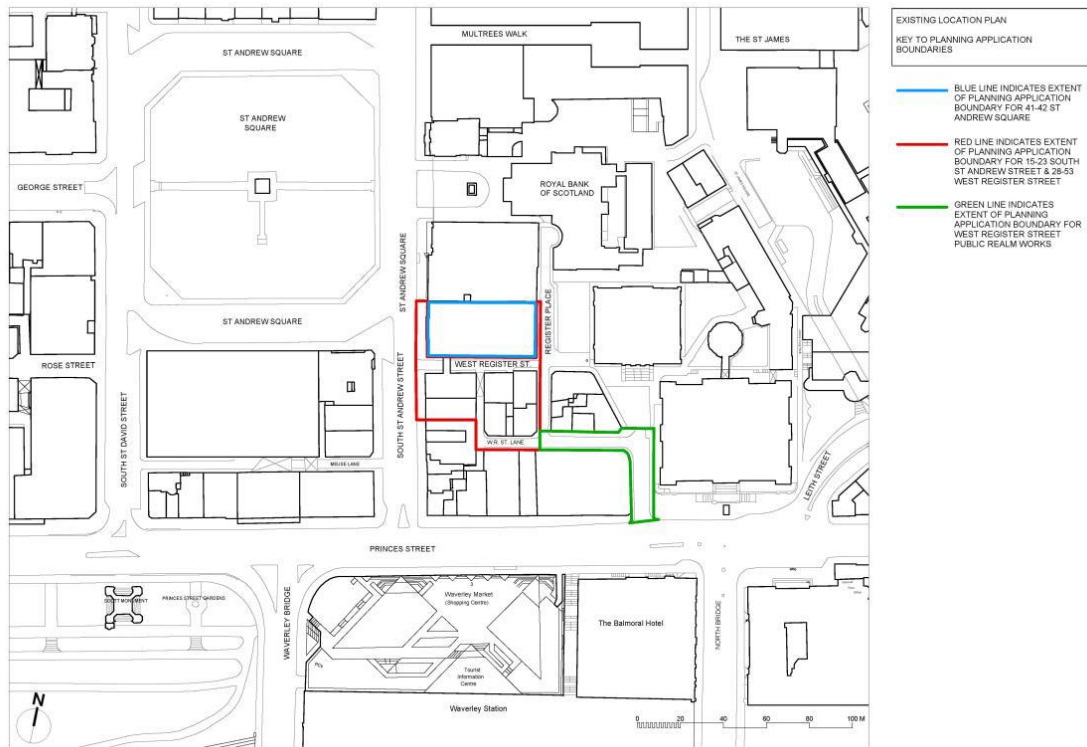
14. Should the LBC/CAC be called-in, this could lead to refusal of the LBC/CAC and approval of the planning application. This would mean that the development could not proceed without new or amended applications, although there is some suggestion in the documentation that the applicant may be willing or able to consider some amendments. Historic Environment Scotland has also indicated ways in which the impacts might be dealt with more sensitively. Historic Environment Scotland would have a further opportunity to engage and comment on any fresh/amended applications, with further notification to Ministers if an objection remained.

Decision/Recommendation:

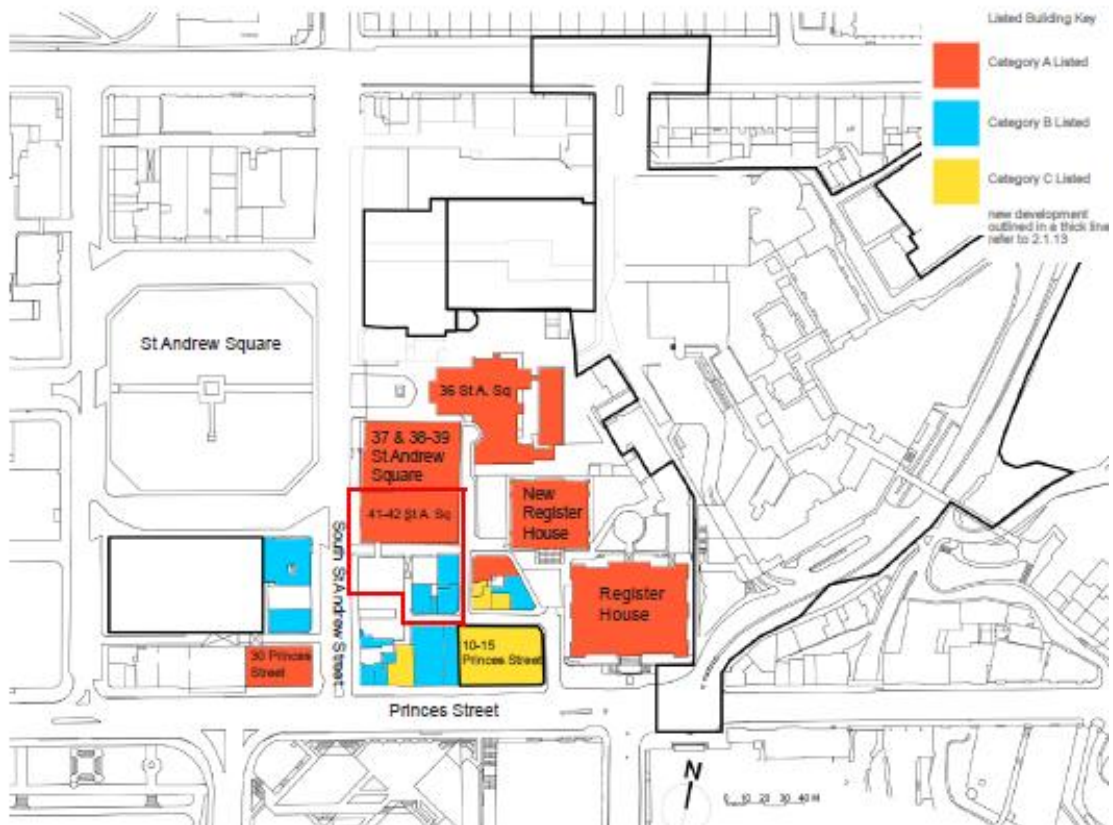
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ANNEX A

Location plan - Red line boundary



Location of Listed Buildings within red line boundary



ANNEX B

Visuals

Existing view from Market Street



Proposed view from Market Street



Existing view from St Andrew Square



Proposed view from St Andrew Square



Existing view from Princes Street



Proposed view from Princes Street



Existing view east along Registers Street



Proposed view east along Registers Street



Existing view south along Registers Place



Proposed view south along Registers Place



Existing view from Register House



Proposed view from Register House



