
Advocate's Close - Development Brief

Planning Committee
21 April 2005

1 Purpose of report

- 1.1 The Planning Committee on the 10 February 2005 approved a draft development brief for land and buildings located in and around Advocate's Close. This report details the form and result of the consultation on the draft brief.

2 Summary

- 2.1 Council owned and occupied buildings located in and around Advocate's Close will become surplus to Council needs once its new office accommodation is complete towards the end of 2006. Planning guidance needs to be prepared for this area in advance of its disposal. The development brief sets out the main planning and design principles on which development in the area will be based. It also identifies the listed buildings in the area and the principal considerations relevant to these.

3 Main Report

- 3.1 As part of a Rationalisation of Office Accommodation Project (ROAP), the Council is seeking to reduce the number of city centre offices it occupies from 28 to 6, including a new headquarters building currently under construction in the former car park of Waverley Station. The retained buildings include the City Chambers, the former Council Chambers on George IV Bridge and Chesser House on Gorgie Road. The buildings that are the subject of the development brief will become surplus to requirements following the ROAP and offered for sale on the open market, but not necessarily at the same time.

- 3.2 Given the extent of Council ownership in and around Advocates Close and the prominent location of the land and buildings in Edinburgh's Old Town, it is considered desirable to have in place a development brief to guide future development in this sensitive and historically important area of the City.
- 3.3 The draft brief was circulated for consultation to the organisations detailed in Appendix 1. The City Archaeologist who notes that the brief needs to take into account the need for archaeological recording of the site which is located at the heart of Edinburgh's Medieval Old Town. This will require appropriate recording/excavation of any ground-breaking works that may be needed and a Historic Building Survey by suitably qualified building archaeologists.
- 3.4 The Royal Fine Art Commission for Scotland consider that perspective drawings for any new development should be requested in order to compare different proposals.
- 3.5 The brief has been amended to incorporate these comments (amendments are shown in bold italics).

4 Financial Implications

- 4.1 The content of the development brief will have no financial implications for the Planning service.

5 Conclusions

- 5.1 The development brief establishes a land use and design framework within which proposals for individual sites can be developed and assessed. Once approved, the brief will be a significant material consideration in the determination of planning applications. It sets out the overall objectives for future redevelopment proposals and identifies preferred land uses and key design components.

6 Recommendations

- 6.1 It is recommended that the Committee approves the attached development brief for Advocate's Close.



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Director of City Development

B. 4. 05.

Appendices Appendix 1: Consultees
Appendix 2: Development Brief

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Wards affected Holyrood (34)

Background Papers None

APPENDIX 1

CONSULTEES

Royal Fine Art Commission for Scotland
Cockburn Association
Edinburgh Architectural Association
Historic Burghs Association of Scotland
Architectural Heritage Society of Scotland
Member of Scottish Parliament for Edinburgh Central
Edinburgh Chamber of Commerce
Old Town Housing Association
Edinburgh and Lothians Tourist Board
Historic Scotland
Scottish Civic Trust
Edinburgh Old Town Association
Member of Parliament for Edinburgh Central
City Archaeologist

Edinburgh University
Communities Scotland
National Museums of Scotland
Scottish Tourist Board
Scottish Natural Heritage, SE Area
Royal Incorporation of Architects in Scotland
Central Library
Edinburgh College of Art
The EDI Group
Edinburgh World Heritage Trust
National Trust for Scotland
Landscape Institute of Scotland
RTPI (Scottish Branch)
Royal Institute of Chartered Surveyors in Scotland
CEC Culture and Leisure

APPENDIX 2

ADVOCATE'S CLOSE DEVELOPMENT BRIEF - Draft for Consultation

1.0 Introduction

- 1.1 As part of a Rationalisation of Office Accommodation Project (ROAP), the Council is seeking to reduce the number of city centre offices it occupies from 28 to 6, including a new headquarters building currently under construction in the former car park of Waverley Station. The retained buildings include the City Chambers, the former Council Chambers on George IV Bridge and Chesser House on Gorgie Road. The buildings that are the subject of this development brief will become surplus to requirements following the ROAP and will be offered for sale on the open market.
- 1.2 Given the extent of CEC ownership in and around Advocates Close and the prominent location of land and buildings in Edinburgh's Old Town, it is considered desirable to have in place a development brief to guide future development in this sensitive and historically important area of the City.

2.0 Description of the Area

- 2.1 The area included in the development brief consists of a group of buildings that lies between Market Street, to the north, High Street, to the south, St. Giles Street, to the west, and Warriston's Close, to the east. It also lies within the Old Town Conservation Area and the Edinburgh World Heritage Site.

3.0 Planning Policy Context

- 3.1 The Council's planning policies for the area are contained in the Central Edinburgh Local Plan (Adopted 1997 / Reviewed 2000). An objective of the Plan is to promote the growth of Edinburgh as a focus of cultural, artistic, leisure and entertainment activity of international significance and to guide

these activities to locations compatible with residential amenity. These are uses that expect to find a location in the city centre and are an aspect of its leisure and tourist roles. Leisure and tourism is thus integral to the restoration of individual buildings, to the revitalisation of wider areas and generally to the restoration of city centre life and its image as a festival city.

3.2 The Plan also seeks to secure a significant amount of new housing to strengthen the city centre and inner city communities and sustain a wide range of services to meet their needs.

3.3 The Local Plan Proposals Map includes the area, and much of the City Centre, within a Mixed Activities Zone (MAZ). Within this area the Council seeks to further the well-established mix of residential, business, shopping, cultural and institutional uses. The emphasis in redevelopment is on promoting an appropriate mix of activities that contribute to the area's character and vitality; large single use developments may well be inconsistent with this objective. While residential uses are supported by the Plan, these are encouraged in conjunction with other land uses. The amount and type of housing in any development will be determined having regard to site characteristics and other objectives of the Plan.

3.4 The Plan offers support in principle to:

- housing, especially in the Old Town where it is an objective to achieve a significant increase in the area's population;
- institutional uses, with which the Old Town is closely identified;
- retail, which within the Old Town is supported where it will consolidate defined shopping frontages or complement speciality shopping uses, visitor activities and generally where it will improve local convenience shopping provision without loss of amenity to residents;
- business/workshop/studio uses, which are small-scale and provided that they are compatible with their surroundings and subject to compliance with other policies of the Plan;

- primary health care, educational, social and other community services required to meet the needs of the resident population, and;
- cultural and leisure developments, including small hotels, new visitor attractions and entertainment facilities.

3.5 The Plan also offers qualified support to the location of restaurants, public houses and other commercial uses within the MAZ. The Plan and the Council's supplementary planning guidance address the amenity impact of licensed premises. Intrusion where there would be detrimental impacts on residential amenity is generally resisted. The Council, as planning authority, will accept change of use and new development proposals in locations where there will be no detrimental effects on existing residential amenity or prejudice its objectives of encouraging residential regeneration.

3.6 The Plan sets quality objectives for new development covering such matters as layout, height and density, architectural design and treatment, all intended to achieve visual harmony, protect amenity, enhance character, including the special character of conservation areas, and contribute positively to the city's unique environment.

4.0 Constraints

World Heritage Site

4.1 The site lies within The World Heritage Site inscribed area. The Council is one of the signatories to a Statement of Intent to work to conserve and enhance the World Heritage Site, and to ensure that policies and actions in respect of the Site safeguard its universal value. The World Heritage Site will therefore be actively protected against damage of all kinds, particularly that resulting from unsuitable use, unnecessary additions and insensitive change such as may impair the authenticity of the Site. Any development will be viewed as an opportunity to remedy damage to the area and reinstate lost features.

Old Town Conservation Area

- 4.2 The site is situated within the Old Town Conservation Area. The key elements of the conservation area are the density of buildings, mix of uses with high tenements and important historic buildings arranged on a historic street pattern.

Statutory Listings

- 4.3 The following statutory listed buildings are located within the development brief area (relevant extracts from the statutory list are included below):

- 1) 2 AND 4 COCKBURN STREET AND 18-21 MARKET STREET INCLUDING FORMER BOILER HOUSE ADJOINING TO REAR AND FORMER PRINTING WORKS AND OFFICES TO EAST OF ADVOCATE'S CLOSE.

Statutorily Listed Category 'B', forming part of the Cockburn Street A Group.

Consists of:

- a Baronial block, designed by Peddie and Kinnear, and dating from 1859-6, on the splayed corner at the south west quadrant of the junction of Market Street and Cockburn Street with a return to the south end of Advocate's Close.
- a 5-storey and attic Modernist classical corner block with square-plan corner tower, mansard roof and flat-roofed dormers, to the west of the Baronial block, with its frontage on Market Street and return to the News Steps. The slightly advanced 3-bay block to left (incorporates an altered and raised earlier block). The building was constructed in 1928 as offices and printing works for the Evening News.

- A 2-storey Baronial block with battlements and projecting turret (bartizan) which adjoins to the rear on the west side of Advocate's Close. This was built as a boiler house and dates from 1896.
- the 8 bay stepped 2 & 3 storey building to the east side of Advocate's Close. Built as printing works and offices in circa 1882. The columns flanking the door and inscribed lintel were part of the earlier building on the site. The inscription on the lintel reads, 'He that tholes overcomes.'

2) 12-20 (EVEN NUMBERS) ST GILES STREET

Statutorily Listed Category 'B'. Four-storey and attic 7-bay Scots Baronial tenement with shopfronts at ground floor. Designed by David Bryce and Robert Smith, and dating from 1872.

3) 22 AND 24 (EVEN NUMBERS) ST GILES STREET

Statutorily Listed Category 'B'. Designed by David Bryce, 1872-3, with alterations by George Shaw Aitken, 1895. Four-storey and attic Scots Baronial office building on a steeply sloping corner site, with pepper-pot turrets to NW and NE. The north elevation is important to the skyline of the Old Town when viewed from Princes Street.

4) 6 COCKBURN STREET

Statutorily Listed Category 'B', forming part of the Cockburn Street A Group. A 3-storey and attic Scots Baronial building on a truncated wedge-shaped site between Advocate's and Warriston's Closes. The building dates from the late 19th century and was built to accommodate Chambers Printing and publishing offices.

- 5) 343-63 (ODD NUMBERS) HIGH STREET AND 2-8 (EVEN NUMBERS) ADVOCATE'S CLOSE.

Statutorily Listed Category 'A', dating from circa 1735 and incorporating earlier fabric. Comprises:

- A twin-gabled five-storey and attic 10-bay tenement fronting the High Street and incorporating the pend access to Advocate's Close.
- 2 and 4 Advocate's Close which were built for Clement Cor (Burgess and Dean of Guild, 1588). The carved lintels to the entrance doors on the close read SPES ALTERA VITAE (a second hope of life), with the initials CC (Clement Cor) and HB (Helen Bellenden, his wife), and BLISSIT BE GOD OF AL HIS GIFTIS 1590.
- A 4-storey rubble tenement to the north of Cor's tenement was built for Nicoll Edgar, merchant burgess, circa 1615. It was raised from three to four storeys in the 18th century, and a mono-grammed skewputt shows the original eaves-line. The stair tower, built for the 17th-century tenement originally running down the west side of the close, now serves the 18th-century High Street tenement.

Closes

- 4.4 The area of the development brief is centred on Advocate's Close, which takes its name from Sir James Stewart, the first Lord Advocate of Scotland, who served in this role between 1692 and 1713, and had his house in the close. It was typical of the towering, tightly packed overcrowded closes of the Old Town. Much of the west side was removed in the 1880s, leaving gardens and a view across to the three storey arm of the Category 'A' Listed building known as Adam Bothwell's House (c.1630).
- 4.5 The News Steps link St. Giles Street with Market Street. They were formed with St. Giles Street in 1869, originally connecting it with Advocate's Close. The link to Advocate's Close was removed in 1928 when the Market Street

building was extended. The steps were then extended down to Market Street following the ancient line of Byer's Close.

- 4.6 Roxburgh's Close is listed in Edgar's 1742 map of Edinburgh and existed prior to this under different names. Only the southern section of the close is open to the public, forming a link to Warriston's Close.

5.0 Key Issues

Planning Permission

- 5.1 Planning permission will be required for new development, for material changes of use to existing buildings and alterations to existing buildings that will have a material affect on the external appearance.

Potential Uses

- 5.2 Housing will be acceptable in principle, provided a reasonable residential environment can be created and it is compatible with other uses within the development and surrounding area. Development must also have regard to standards for daylighting, sunlight and privacy, although some flexibility may be exercised in this central location. Proposals incorporating 25 residential units or more in this location will be required to provide affordable housing amounting to 25% of the total number of units.
- 5.3 Retail development of an appropriate scale and character is supported in the Old Town where it will consolidate defined shopping frontages or complement speciality shopping uses, visitor activities and generally where it will improve local convenience shopping provision without loss of amenity to residents;
- 5.4 The Council may also wish to see a measure of employment opportunity created within any development, particularly small-scale business and workshop uses, compatible with uses and traffic constraints of the surrounding area and subject to compliance with other policies of the Local Plan.

- 5.4 Proposals for institutional, cultural, leisure developments - including the provision of new visitor attractions and entertainment facilities, social and community facilities may also be acceptable in principle, including primary health care, educational, social and other community services required to meet the needs of the resident population.
- 5.5 The emphasis in new development should be on promoting an appropriate mix of small-scale uses that would enhance the intrinsic character and attraction of the area as a place to live, work and visit. However, a number of the buildings contain larger spaces where larger-scale uses would be appropriate. Opportunities should also be taken for commercial and retail uses at street level, and if practicable along closes.
- 5.6 The Plan offers qualified general support to the location of restaurants, public houses and other commercial uses within the MAZ. The Plan and supplementary planning guidance issued by the Council, address the amenity impact of licensed premises. These are not acceptable where there would have a detrimental impact on residential amenity or prejudice the objectives of encouraging residential regeneration. The Plan also offers support to small hotels, such as 'budget' or backpackers' hostels in this location.

Amenity Issues

- 5.7 The intensity of activity in this central location, together with its high traffic levels and pedestrian movements in the evening, makes it impossible to achieve the high levels of amenity enjoyed in many other parts of the City. Nonetheless, effect on existing residential amenity will be a determining consideration for all development proposals that come forward within the area of the brief. Changes of use that are likely to introduce increased levels of traffic or activity, beyond that which previously existed, to the detriment of residential amenity will not be allowed. In this context, large scale public houses or similar licensed premises or late night commercial leisure premises designed for intensive use are unlikely to be acceptable.

- 5.8 Any development within the area should meet the criteria outlined in the Development Quality Guideline on 'Daylighting, Sunlight and Privacy'. The depth and lower levels of some buildings within the area may preclude, in some cases, the possibility of satisfying the criteria of the Guideline. These spaces should be reserved solely for those uses that reasonably can do without such amenity.
- 5.9 New development should be designed to minimise break-out noise from within the building and between different areas of the building. Careful consideration should be given to: the location of uses within the building, the internal arrangement of spaces, positioning of windows and doors, service accesses, ventilation ducts and terminals. In addition, business uses that include the preparation of food should take account of the need to ventilate kitchens and disperse extract odours without causing loss of amenity to occupiers of neighbouring premises, be they residential or commercial.

Listed Building Consent

- 5.10 Listed Buildings are defined as buildings of special architectural or historic interest, and listed building consent is required for the demolition of a listed building or its alteration or extension in any manner which would affect its character as a building of special architectural or historic interest. Listing covers the interior as well as the exterior of the buildings and the protection afforded by listing extends to historic fixtures and fittings.
- 5.11 The Memorandum on Listed Buildings and Conservation Areas specifies with regard to the demolition of listed buildings that no worthwhile building should be lost unless it is demonstrated beyond reasonable doubt that every effort has been exerted by all concerned to find practical ways of keeping it. There is, therefore, a strong presumption in favour of the preservation of listed buildings, except in those exceptional cases where a significant case can be made out for demolition after full consideration of factors such as the importance and condition of the building. In such cases, it would be necessary to show beyond doubt that it is not possible to adapt the existing

building to accommodate any new use or mix of uses, which would safeguard its future and benefit the community. Planning authorities are encouraged to be flexible in dealing with applications for changes of use of buildings of architectural or historic interest.

5.12 The following principles are therefore particularly relevant to this site:

- The primary aim should be to ensure that development takes place which is not detrimental to the listed buildings;
- The condition of the main subject of a listing is critical and its restoration should be a priority;
- The context of each listed building should be considered, and the quality of development should respect and enhance the character of the building.

5.13 The overriding consideration will be the impact of any proposals, including change of use proposals, on the architectural and historic character of the buildings. The primary aim of work on the exterior should be the comprehensive repair and restoration of the fabric of the building. Repair work should conform to the Council's Guideline on Historic Buildings Repairs.

5.14 Internal features that make a contribution to the internal architectural character of the building should be retained. All work must be carried out in a manner that respects the form and layout of the building.

New Proposals

5.15 The five storey, three bay, flat roofed building to the east of Advocate's Close does not relate well to the general form, scale and quality of other buildings in the area. Redevelopment of this building would allow the opportunity to create a new area of open space, widen Roxburgh's Place and form a link between Roxburgh's and Advocate's Close. The redevelopment of this property is considered to be the only opportunity for a new building in the location covered

by the development brief. ***Perspective drawings for any new development may be required in order to compare different proposals.***

- 5.16 New development must respect the historic pattern of development in the area, relate well to its surroundings, recognise the historic skyline, be of the highest possible architectural quality and make a positive contribution to the environment. In achieving the desired high quality environment, the layout, design, height and materials used in new development will be important considerations.
- 5.17 The open ground to the west of Advocate's Close provides an important green space within an otherwise densely developed urban environment and this should be retained. Improvements to the form of the landscaping will be encouraged.
- 5.18 Improving links and permeability within the area is an important consideration. Opportunities should be taken to open or reinstate closes and create better connections throughout the area. The opportunity should be taken to consider the reinstatement of the former link between the News Steps and Advocate's Close. The southern section of Roxburgh's Close links to Warriston's Close, and reopening the northern section of Roxburgh's Close to link with Advocate's Close should form part of any proposals for the site.

Archaeology

- 5.19 ***The brief needs to take into account the need for archaeological recording of the site which is located at the heart of Edinburgh's Medieval Old Town. This will require appropriate recording/excavation of any ground-breaking works that may be required and a Historic Building Surveys by suitably qualified building archaeologists. It is advised that prospective developers contact the City Archaeologist at the earliest opportunity in order to discuss appropriate mitigation measures.***

Recording

- 5.20 The Royal Commission on the Ancient and Historic Monuments of Scotland must be provided with access to carry out a photographic record of the interior prior to commencement of work.

Access

- 5.21 Work on the building should conform to the relevant terms of the Disability Discrimination Act (1995).

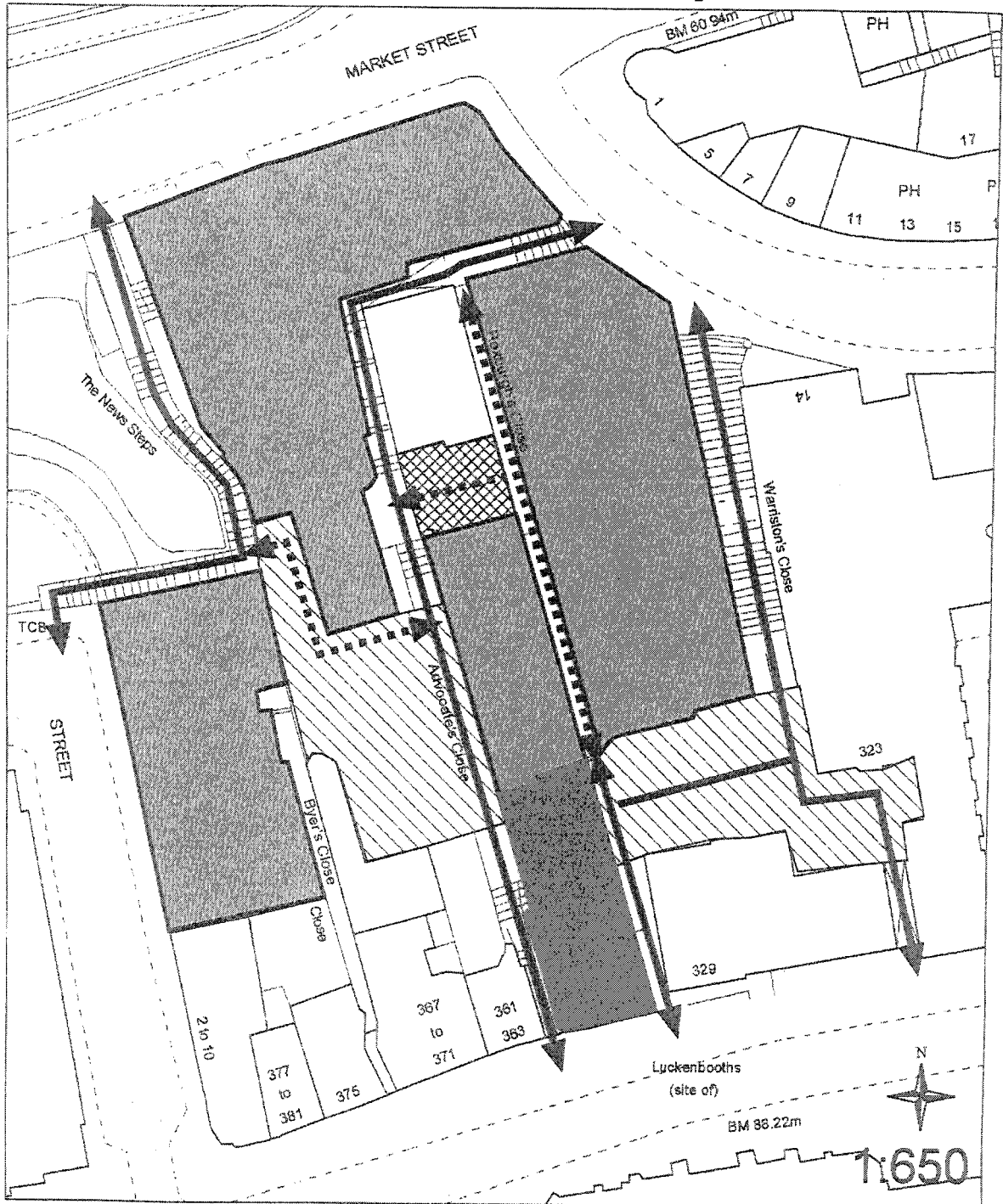
Car Parking

- 5.22 In cases involving changes of use of existing buildings, there is no requirement to provide off-street parking. However, in the case of a change of use to residential, a contribution to provide City Car Club vehicles with membership for all residents would be required. Consideration would also have to be given to the most appropriate method of servicing the buildings.

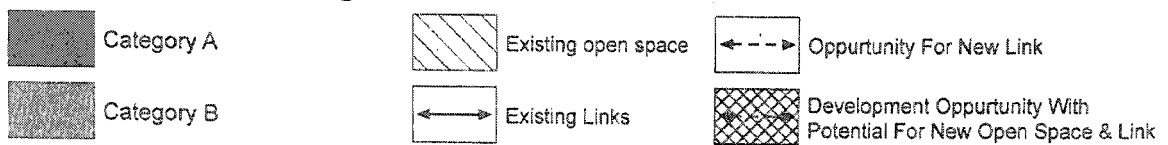
6.0 Conclusions

- 6.1 It is essential that every effort be made to have these important Statutorily Listed Buildings preserved and re-used. This brief is intended to ensure that their conversion is carried out sensitively and that any new proposals are complementary to the existing character of the area.

Advocate's Close : Development Brief



Statutorily Listed Buildings



Advocate's Close : Development Brief Photographic Survey

