# Proposed Extension to the Leith Conservation Area

#### Summary

1.1 This report provides an assessment of an area proposed as an extension of the Leith Conservation Area and concludes that the historic and architectural character of the area is sufficient to merit its inclusion in the Conservation Area.

#### Background

2.1 It is a statutory requirement in terms of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 for local authorities to periodically review conservation area boundaries and consider whether new conservation area designations are appropriate.

2.2 The Leith Conservation Area was reviewed in 2015. Since then, there have been enquiries concerning the potential inclusion of the former railway arches on Manderston Street and Jane Street.

#### Main report

3.1 The Leith Conservation Area was designated in February 1998. It comprises the former Madeira and Old Leith Conservation areas with extensions at Leith Walk, Kirkgate, Albert Dock and the Citadel. The Old Leith Conservation Area was designated in 1977, with a number of subsequent amendments and the Madeira Conservation Area was designated in 1975. The Conservation Area boundary was amended on 30 August 2013 to transfer part of Leith Walk and Pilrig Street to the Pilrig Conservation Area.

3.2 Conservation areas are designated under the Planning Listed Buildings and Conservation Areas (Scotland) Act 1997. Conservation areas are areas which have special architectural or historic interest that are considered worthy of protection.

3.3 National planning policy requires local planning authorities should to designate and review existing and potential conservation areas. Historic Environment Scotland’s ‘Managing Change in the Historic Environment’ ‘Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent’ states that it is the character of an area, either architectural or historic, created by buildings and open spaces and their relationship with one another which the designation of a conservation area seeks to preserve. Elements such as the street layout, open spaces and the public realm all contribute to an area’s special character. To be designated as a conservation area it must meet the criterion of ‘special architectural or historic interest the character or appearance of which is desirable to preserve or enhance’, as set out in Section 61 of the 1997 Act.

3.4 The areas under consideration for inclusion in the Leith Conservation Area are located to the east and west of Leith Walk on Manderston Street and Jane Street. The buildings comprise the railway arches associated with the former Leith Walk West Goods Yard and the abutment of the former railway bridge over Leith Walk (see attached plan).

3.5 The former Leith Walk West Goods Yard was on the Caledonian Railway’s *Leith New Lines* from Newhaven to Leith Docks. The goods yard occupied a large area to the south of Jane Street. Built because of intense rivalry with the North British Railway, it was opened for goods traffic in 1903. Stations were partly built at Newhaven, Ferry Road and Leith Walk but by then street tramway competition had removed the chance of passenger services being viable and they were never completed. By 1917 the line had been single-tracked and became in effect a long and underused goods siding.

3.6 Threading through a mainly built-up area involved expensive heavy engineering. The buildings fronting Leith Walk formed the abutments of one of the three massive lattice girder bridges on the line. The bridge was removed in 1980. Considerable demolition was also involved; in this case, the row of tenements which fronted 106–154 Leith Walk and the entire south side of Manderston Street.

3.7 The arches are now occupied by a variety of uses. The present bingo hall at 24 Manderston Street was formerly the Leith Capitol Theatre and Cinema. It was the largest cinema in Edinburgh, seating 2,300, when it was opened in September 1928 by Gaumont British Theatres/General Theatre Corporation. The architects were J.M. Johnston and J.A. Ross. The entrance is through one of the railway arches, which leads to the auditorium. The cinema closed and reopened as a bingo hall in July 1961.  It was then converted to a Top Rank Bingo Club and is a now a Mecca Bingo Hall. The building retains elements of the original interior Art Deco decoration.

3.8 The buildings reflect Leith’s railway history and are considered to be of sufficient architectural and historic character to merit designation as an extension to the Leith Conservation Area in terms of the criteria specified by Historic Environment Scotland’s ‘Managing Change in the Historic Environment’ ‘Interim Guidance on the Designation of Conservation Areas and Conservation Area Consent’.

**Implications of Conservation Area Status**

3.9 Special attention must be paid to the character and appearance of the conservation area when planning controls are being exercised. Conservation area status brings several special controls:

* The demolition of unlisted buildings requires Conservation Area Consent;
* Some permitted development rights, which allow improvements or alterations to the external appearance of dwelling houses and flatted dwellings, are removed; and
* Works to trees are controlled. This includes the felling or severe lopping of trees.
* Alterations to windows are also controlled in conservation areas in terms of the Council’s guidelines. uPVC windows are not considered acceptable in the conservation area in terms of the Council’s Guidance on Replacement Windows.
* Demolition of buildings and walls within conservation areas require Conservation Area Consent unless exempt. Exemptions include:
	+ a building with a total cubic content not exceeding 115 cubic metres or any part of such a building under 115 cubic metres
	+ any gate, wall, fence or railing which is less than 1m high where abutting a road used by vehicular traffic, or facing on to open space
	+ any gate, wall, fence or railing which is less than 2m high, and not subject to two above
* Some permitted development rights, which allow improvements or alterations to the external appearance of dwelling houses and flatted dwellings, are removed. The removal of permitted development means that planning permission is required for work that would not normally require consent. The area proposed for the extension to the Leith Conservation Area includes commercial properties and there is an absence of trees. The main impacts of the proposed conservation area designation relate to the control of demolition and window replacement. Exterior painting would also be controlled; and
* Alterations to windows are also controlled in conservation areas in terms of the Council’s guidelines. uPVC windows are not considered acceptable in the conservation area in terms of the Council’s Guidance on Replacement Windows. This means that any changes to the pattern, materials, and opening mechanism would require planning permission.

Windows - [quick-guide-to-windows (edinburgh.gov.uk)](https://www.edinburgh.gov.uk/downloads/file/25391/quick-guide-to-windows)

Planning application process - [quick-guide-to-the-planning-application-process (edinburgh.gov.uk)](https://www.edinburgh.gov.uk/downloads/file/25404/quick-guide-to-the-planning-application-process)

Guidance on Listed Builidngs and Conservation Area - <https://www.edinburgh.gov.uk/downloads/file/27028/listed-building-and-conservation-areas>

**Next Steps**

On completion of the consultation, the proposed extension and any comments received will be considered by the Planning Committee. If the proposed extension is approved by the Committee, it will be publicised, as required by the legislation. The publication of the boundary extension would confirm the designation. This would be within four weeks of the Committee decision.