

[REDACTED]
Zedwell Edinburgh Limited
16 Babmaes Street
London
SW1 6HD

Via email: [REDACTED]@criterioncapital.co.uk

Date 23 October 2025

Our ref 24/00112/ENF/
24/03504/WARR

Dear [REDACTED]

**Unauthorised Occupation/Use of Buildings – Building (Scotland) Act 2003
109, 110, 111, 112 Princes Street & 144-150 Rose Street, Edinburgh**

I refer to my previous correspondence to you in relation to the four unauthorised shop units erected within the former Debenhams store in Edinburgh.

As you know, we have been seeking a resolution to this matter for a considerable period through Desanth from Kitfox Ltd. Whilst a Completion Certificate Where No Building Warrant Was Obtained was submitted to this council on the 22 August 2025 there was insufficient information presented to demonstrate the work met the Building (Scotland) Regulations 2004. This was relayed to the agent acting on behalf of Kitfox Ltd on the 11 September 2025. No further response has been received from the agent.

Because of the failure to act on repeated requests to regularise the unauthorised works, and their continued operation, contrary to the Building (Scotland) Act 2003, we are now in a position where we must consider the implications of this on the proposed redevelopment of the building in the context of the building standards legislation.

A building warrant application was submitted on the 23 December 2024 (reference number 24/03504/WARR) for the conversion of the retail unit into a hotel with ancillary bar/restaurant. Stage 1 was for the demolition works, structural enabling works, below ground water proofing and underground drainage. This stage was granted on the 30 April 2025.

Building Standards Service
Place Directorate
Waverley Court G.2
4 East Market Street, Edinburgh, EH8 8BG
Buildingstandards.majorapplications@edinburgh.gov.uk

Going forward, we will prioritise regularisation of the unauthorised works which may impact on handling consideration of requests for advice in relation to future Amendment of Building Warrant stages to convert the building to a hotel. Furthermore, should acceptance of the Completion Certificate Where No Building Warrant Was Obtained not be achieved by Kitfox, we will require the next stage of this application to include the construction of the 4 shop units.

As a building warrant provides consent for the works contained therein to proceed, we will only grant any subsequent stages associated with the conversion to a hotel where all the proposed works demonstrate the building regulations have been met and that the four shop units have been constructed in accordance with the Building (Scotland) Regulations 2004.

It remains open to your tenant to regularise the unauthorised works through their Completion Certificate Where no Building Warrant Was Obtained. However, subsequent stages of the building warrant to convert the building into a hotel will not be granted until all the works within the Kitfox submission have been completed to the satisfaction of this council and a Completion Certificate has been accepted.

Please contact me should you wish to discuss this matter further.

Yours sincerely

Keith Clark

Keith Clark
Senior Building Standards Surveyor