

[REDACTED]

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**From:** Keith Clark  
**Sent:** 09 March 2026 10:30  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** UNAUTHORISED USE OF PREMISES at 109, 110, 111,112 Princes Street & 144-150 Rose Street, Edinburgh

**Categories:** Egress Switch: Unprotected

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 dated 23 October 2025 regarding the four unauthorised shop units erected within the former Debenhams store in Edinburgh.

As you are aware, this Department has sought to resolve this matter for a considerable period through Desanth from Kitfox Ltd. Although a Completion Certificate Where No Building Warrant Was Obtained was submitted to the Council on 22 August 2025, the information provided was insufficient to demonstrate that the works complied with the Building (Scotland) Regulations 2004. This was confirmed in correspondence to the agent acting on behalf of Kitfox Ltd on 11 September 2025. No further response has been received.

It is this Departments understanding that the unauthorised works were carried out under the instruction of Kitfox Ltd and at this stage I would ask you confirm this together with providing their formal address or advise accordingly.

As previously indicated, the regularisation of the unauthorised works will be prioritised. This may affect the handling and consideration of any requests for advice in respect of future Amendment of Building Warrant stages associated with the proposed conversion of the building to hotel use. Furthermore, should acceptance of the Completion Certificate Where No Building Warrant Was Obtained not be secured, the next stage of the application will be required to incorporate the construction of the four shop units.

As you will appreciate, a building warrant provides consent only for the works specified therein, accordingly, any subsequent stages relating to the proposed hotel conversion will be granted only where it is satisfactorily demonstrated that all proposed works comply fully with the Building (Scotland) Regulations 2004 and that the four shop units have been constructed in accordance with those Regulations.

It remains open to your tenant to regularise the unauthorised works by securing acceptance of the Completion Certificate Where No Building Warrant Was Obtained. However, no further stages of the building warrant application for conversion to hotel use will be approved until all works contained within the Kitfox submission have been completed to the satisfaction of this Council and a Completion Certificate has been formally accepted.

Considering the absence of any substantive response to date, I must advise that it is now the Department's intention to act in respect of the unauthorised works. You are therefore requested to provide a written response within seven days of receipt of this letter.

Regards  
Keith Clark

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