

# Notice of meeting and agenda

## Development Management Sub-Committee of the Planning Committee

**10:00am, Wednesday 9 May 2018**

Dean of Guild Court Room, City Chambers, High Street, Edinburgh

This is a public meeting and members of the public are welcome to attend.

### Contacts

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## 1. Order of business

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- 1.1 Including any notices of motion, hearing requests from ward councillors and any other items of business submitted as urgent for consideration at the meeting.
- 1.2 Any member of the Council can request a Hearing if an item raises a local issue affecting their ward. Members of the Sub-Committee can request a presentation on any item in part 4 of the agenda. Members must advise Committee Services of their request by no later than **10.00am on Monday 7 May 2018** (see contact details in the further information section at the end of this agenda).
- 1.3 If a member of the Council has submitted a written request for a hearing to be held on an application that raises a local issue affecting their ward, the Development Management Sub-Committee will decide after receiving a presentation on the application whether or not to hold a hearing based on the information submitted. All requests for hearings will be notified to members prior to the meeting.

## 2. Declaration of interests

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- 2.1 Members should declare any financial and non-financial interests they have in the items of business for consideration, identifying the relevant agenda item and the nature of their interest.

## 3. Minutes

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- 3.1 Development Management Sub-Committee of 21 March 2018 (circulated) - submitted for approval as a correct record.

## 4. General Applications, Miscellaneous Business and Pre-Application Reports

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**The key issues for the Pre-Application reports and the recommendation by the Chief Planning Officer or other Chief Officers detailed in their reports on applications will be approved without debate unless the Clerk to the meeting indicates otherwise during “Order of Business” at item 1**

- 4.1 7 – 8 Baxter’s Place, Edinburgh EH1 3AF – Change of use from residential (class 9) to short stay serviced apartments (class 7) (in retrospect) (amended) - application no 17/05645/FUL – report by the Chief Planning Officer (circulated)  
It is recommended that this application be **GRANTED**.

- 4.2 161 Colinton Road, Edinburgh EH14 1BE – Install three dormers to rear and a dormer to side, install two rooflights to front and a rooflight to side, remove existing rooflight and install new hipped rooflight on roof of single storey rear extension, slap through to form opening and install new glass sliding doors on ground floor at the rear (in retrospect) – application no 18/01045/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.3 4 Ferrymuir, South Queensferry (At Site 80 Metres West Of) – Discharge of Planning Obligation - application no 18/01206/OBL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **ACCEPTED** and the agreement be **DISCHARGED**.

- 4.4 2 Oswald Road, Edinburgh – Proposed works include demolition of 2 no. rear extensions to allow for formation of 1 no. two storey extension on west elevation, and 1 no. single storey extension on east elevation. Internal alterations include minor demolitions. The existing garage to be modified to form new garage door opening to south, and formation of gym to the rear of this space. External works include removal of low stone walls and steps to be replaced with landscaping. (as amended) – application no 18/00573/FUL– report by the Chief Planning Officer (circulated)

It is recommended that this application be **REFUSED**.

- 4.5 42 Turnhouse Road (Land 46 Metres South Of) – Internally illuminated digital advertisement to underside – application no 18/01093/ADV – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

- 4.6 16 Wester Hill, Edinburgh EH10 5XG – Proposed two storey extension at north gable wall, form bedroom extension and garage conversion to living room, extend entrance area and lounge to enlarge these areas and erect conservatory at rear (as amended) - application no 17/05812/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

## **5. Returning Applications**

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**These applications have been discussed previously by the Sub-Committee. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.**

- 5.1 None.

## **6. Applications for Hearing**

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**The Chief Planning Officer has identified the following applications as meeting the criteria for Hearings. The protocol note by the Head of Strategy and Insight sets out the procedure for the hearing.**

6.1 None.

## **7. Applications for Detailed Presentation**

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**The Chief Planning Officer has identified the following applications for detailed presentation to the Sub-Committee. A decision to grant, refuse or continue consideration will be made following the presentation and discussion on each item.**

7.1(a) 20 Duncan Street, Edinburgh EH9 1SR - Change of use from car servicing and repairs centre to student accommodation (comprising 25 student studios with shared breakout, office and amenity spaces) and associated works (as amended) – application no 17/05115/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

7.1(b) 20 Duncan Street, Edinburgh EH9 1SR - Alterations and extensions as part of change of use from car servicing and repairs centre to student accommodation (comprising 25 No. student studios with shared breakout, office and amenity spaces) and associated works (as amended) – application no 17/05119/LBC – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

7.2 33 Pinkhill, Edinburgh EH12 7BF - Demolition of existing office building and development of 51 apartments (scheme 2) – application no 17/03433/FUL – report by the Chief Planning Officer (circulated)

It is recommended that this application be **GRANTED**.

## **8. Returning Applications Following Site Visit**

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**These applications have been discussed at a previous meeting of the Sub-Committee and were continued to allow members to visit the sites. A decision to grant, refuse or continue consideration will be made following a presentation by the Chief Planning Officer and discussion on each item.**

8.1 None.

**Laurence Rockey**

Head of Strategy and Insight

## **Committee Members**

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Councillors Gardiner (Convener), Child (Vice-Convener), Booth, Dixon, Gordon, Graczyk, Griffiths, Mitchell, Mowat, Osler and Staniforth.

## **Information about the Development Management Sub-Committee**

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The Development Management Sub-Committee consists of 11 Councillors and usually meets twice a month. The Sub-Committee usually meets in the Dean of Guild Room in the City Chambers on the High Street in Edinburgh. There is a seated public gallery and the meeting is open to all members of the public.

## **Further information**

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A summary of the recommendations on each planning application is shown on the agenda. Please refer to the circulated reports by the Chief Planning Officer or other Chief Officers for full details. Online Services – planning applications can be viewed online by going to [view planning applications](#) – this includes letters of comments received.

The items shown in part 6 on this agenda are to be considered as a hearing. The list of organisations invited to speak at this meeting are detailed in the relevant Protocol Note. The Development Management Sub-Committee does not hear deputations.

The Sub-Committee will only make recommendations to the full Council on these applications as they are major applications which are significantly contrary to the Development Plan.

If you have any questions about the agenda or meeting arrangements, please contact Committee Services, City of Edinburgh Council, Business Centre 2:1, Waverley Court, 4 East Market Street, Edinburgh, EH8 8BG, 0131 529 4210, email [committee.services@edinburgh.gov.uk](mailto:committee.services@edinburgh.gov.uk).

A copy of the agenda and papers for this meeting will be available for inspection prior to the meeting at the main reception office, City Chambers, High Street, Edinburgh.

The agenda, minutes and public reports for this meeting and all the main Council committees can be viewed online by going to <http://www.edinburgh.gov.uk/cpol>.

## **Webcasting of Council Meetings**

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Please note this meeting may be filmed for live and subsequent broadcast via the Council's internet site, at the start of the meeting the Convener or the Clerk will confirm if all or part of the meeting is being filmed.

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Any information presented by you at a meeting, in a deputation or otherwise, in addition to forming part of a webcast that will be held as a historical record, will also be held and used by the Council in connection with the relevant matter until that matter is decided or otherwise resolved (including any potential appeals and other connected processes). Thereafter, that information will continue to be held as part of the historical record in accordance with the paragraphs above.

If you have any queries regarding this, and, in particular, if you believe that use and/or storage of any particular information would cause, or be likely to cause, substantial damage or distress to any individual, please contact Committee Services on 0131 529 4210.

# Item 3.1 – Minutes

## Development Management Sub-Committee of the Planning Committee

10.00 am Wednesday 21 March 2018

### Present:

Councillors Gardiner (Convener), Child (Vice-Convener), Mary Campbell (substituting for Councillor Booth), Dixon, Gordon, Graczyk, Griffiths, Mitchell, Mowat, Osler and Staniforth.

### 1. General Applications and Miscellaneous Business

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The Sub-Committee considered reports on planning applications listed in Section 4, 5, 7 and 9 of the agenda for the meeting.

#### Requests for Presentations

The Chief Planning Officer gave a presentation on agenda item 4.7 – 33 Telford Road, Edinburgh as requested by Councillor Osler.

#### Requests for Hearings

Councillors Lang and Young as local ward member had requested that a hearing be held to consider agenda item 7.1 - 105 Provost Milne Grove, South Queensferry (At Land 100 Metres South Of).

#### Decision

To determine the applications as detailed in the Appendix to this minute.

(Reference – reports by the Chief Planning Officer, submitted.)

#### Declaration of Interest

Councillor Mary Campbell declared a non-financial interest in item 4.4 – 48 North Greens - as she had made public comment on this item, left the room and took no part in consideration of the item.

### 2. 105 Provost Milne Grove, South Queensferry (At Land 100 Metres South Of)

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Details were provided of proposals for a residential development of flats and houses with associated accesses, roads, drainage, parking and landscaping (as amended) at 105 Provost

Milne Grove, South Queensferry (At Land 100 Metres South Of) – application no 16/06280/FUL

The Chief Planning Officer gave details of the proposals and the planning considerations involved and recommended that the applications be granted.

The Convener ruled that in terms of Standing Order 8.1 that a vote be taken for or against the following motion:

**Motion 1**

To continue consideration of the matter for a hearing.

- moved by Councillor Osler, seconded by Councillor Gordon.

**Amendment 1**

To agree to determine the application at the present meeting of the Sub-Committee

- moved by Councillor Mowat, seconded by Councillor Child.

**Voting**

For the motion - 4 votes

(Councillors Mary Campbell, Gordon, Osler and Staniforth.)

For the amendment - 7 votes

(Councillors Child, Dixon, Gardiner, Graczyk, Griffiths, Mitchell and Mowat.)

**Decision 1**

To determine the matter at the present meeting of the Sub-Committee.

**Motion 2**

To grant planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer

- moved by Councillor Gardiner, seconded by Councillor Child.

**Amendment 2**

To refuse planning permission for the reasons that the proposal was contrary to the LDP Planning Principles, Policies DES 7 (Layout Design) and Tra 8.

- moved by Councillor Staniforth, seconded by Councillor Osler.

**Voting**

For the motion: 8 votes

(Councillors Child, Dixon, Gardiner, Gordon, Graczyk, Griffiths, Mitchell and Mowat.)

For the amendment: 3 votes

(Councillors Mary Campbell, Osler and Staniforth.)



**Decision 2**

To grant planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer

(Reference – report by the Chief Planning Officer, submitted)

## Appendix

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<p>Note: Detailed conditions/reasons for the following decisions are contained in the statutory planning register.</p>		
<p><a href="#"><u>Item 4.1 – 9C Doune Terrace, Edinburgh</u></a></p>	<p>Erect single storey rear extension to nursery - application no 17/05929/FUL</p>	<p>To <b>GRANT</b> planning permission subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer</p>
<p><a href="#"><u>Item 4.2 – 536 Gilmerton Road, Edinburgh</u></a></p>	<p>Erection of new single storey extension to the existing dental practice. Additional window openings to be made, increasing existing window openings, recladding of existing façade and installation of new photovoltaic panels on the roof – application no 17/03446/FUL</p>	<p>To <b>GRANT</b> planning permission subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer</p>
<p><a href="#"><u>Item 4.3 – Hamilton Terrace, Edinburgh (St John’s Primary School)</u></a></p>	<p>New park amenity greenspace on the site of the former Portobello Primary School. Work would include the demolition of the existing St John’s RC Primary School currently on the site - application no 17/05217/FUL</p>	<p>To <b>GRANT</b> planning permission subject to informatives as detailed in section 3 of the report by the Chief Planning Officer</p>
<p><a href="#"><u>Item 4.4 – 48 North Greens, Edinburgh</u></a></p>	<p>2 No. single storey side extensions to existing dwelling house - application no 17/04957/FUL</p>	<p>To <b>GRANT</b> planning permission subject to informatives as detailed in section 3 of the report by the Chief Planning Officer</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#"><u>Item 4.5 – Old Dalkeith Road, Edinburgh (South East Wedge Development Site)</u></a>	<p>The project was the development of an area of existing open space with an active travel route from Little France Drive in the north to the Wisp in the south. It also connected Phase 1 of the project heading west and linking in with the ERI – application no 17/05986/FUL</p>	<p>To <b>GRANT</b> planning permission subject to conditions and reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer</p>
<a href="#"><u>Item 4.6 – 58 South Clerk Street, Edinburgh</u></a>	<p>Change of use from Class 2, Beauty Salon, to Class 3, Restaurant – application no 17/03933/FUL</p>	<p>To <b>GRANT</b> planning permission subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer</p>
<a href="#"><u>Item 4.7 – 33 Telford Road, Edinburgh</u></a>	<p>Proposed extension plus deck and concrete slab to rear (in retrospect) – application no 17/03277/FUL</p>	<p>To <b>GRANT</b> planning permission subject to informatives as detailed in section 3 of the report by the Chief Planning Officer.</p> <p><b>Note:</b> Councillor Osler requested that her dissent be recorded in respect of this item.</p>

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#"><u>Item 5.1(a) – 2 Dewar Place, Edinburgh</u></a>	PPP for hotel(s) (Class 7), office (Class 4), retail (Class 1), restaurant(s) (Class 3), pedestrian deck, bridge link + accesses from Western Approach Road, Dewar Place + Canning Street; detailed approval for siting, maximum height & limits of deviation of proposed buildings, partial demolition, + refurbishment of façade of former electricity station (as amended) – application no 17/02227/PPP	To <b>GRANT</b> planning permission in principle subject to: <ol style="list-style-type: none"> <li>1) Conditions, reasons and informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer dated 7 March 2018 and those amended by the returning item.</li> <li>2) Committee decision to amend informative 6iii to require 24 hour public access to both the lift and stairs unless otherwise agreed in writing by the planning authority and the provision of adequate public signage for the lifts.</li> </ol>
<a href="#"><u>Item 5.1(b) – 2 Dewar Place, Edinburgh</u></a>	Demolition of rear part of original electricity generating station, partial demolition, refurbishment and integration of retained façade into proposed hotel building (as amended) – application no 17/02228/LBC	To <b>GRANT</b> listed building consent subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer.
<a href="#"><u>Item 5.1(c) – 2 Dewar Place, Edinburgh</u></a>	Complete demolition in a conservation area of electricity transformers and switch room building – application no 17/02229/CON	To <b>GRANT</b> conservation area consent subject to conditions, reasons and informatives as detailed in section 3 of the report by the Chief Planning Officer.

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#"><u>Item 5.2 – 30 South Fort Street, Edinburgh</u></a>	Demolish existing buildings. Form new residential development with associated roads/paths and parking (Scheme 3) – application no 16/03218/FUL	To <b>GRANT</b> planning permission subject to: <ol style="list-style-type: none"> <li>1) Conditions, reasons, informatives and a legal agreement, as detailed in section 3 of the report by the Chief Planning Officer.</li> <li>2) An additional informative that the applicant was encouraged to liaise with the developer of the adjacent site (application reference 16/00427/FUL) to deliver a comprehensive development approach.</li> </ol>
<a href="#"><u>Item 7.1 – 105 Provost Milne Grove, South Queensferry (At Land 100 Metres South Of)</u></a>	Residential development of Flats and Houses with associated accesses, roads, drainage, parking and landscaping (as amended) – application no 16/06280/FUL	To <b>AGREE</b> to determine the application at the present meeting of the Sub-Committee.  (On a division.)  To <b>GRANT</b> planning permission subject to conditions, reasons, informatives and a legal agreement as detailed in section 3 of the report by the Chief Planning Officer  (On a division.)
<a href="#"><u>Item 7.2 – 127 Trinity Road, Edinburgh</u></a>	Application to vary planning permission 16/04449/FUL for proposed houses at 127 Trinity Rd, Edinburgh – application no 16/04449/VARY	To <b>VARY</b> planning permission subject to informatives as detailed in section 3 of the report by the Chief Planning Officer

Agenda Item No. / Address	Details of Proposal/Reference No	Decision
<a href="#"><u>Item 9.1- 208 Broomhouse Road, Edinburgh (At Forrester High School and St Augustines RC High School)</u></a>	Erection of extension to existing Forrester High School and St Augustines RC High School - application no 18/00277/PAN	To note the key considerations.

# Development Management Sub Committee

Wednesday 9 May 2018

## Application for Planning Permission 17/05645/FUL At 7-8 Baxter's Place, Edinburgh, EH1 3AF Change of Use from residential (class 9) to short stay serviced apartments (class 7) (in retrospect)(amended)

Item number	4.1
Report number	
Wards	B11 - City Centre

### Summary

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The application complies with the adopted Local Development Plan and non-statutory guidance. The proposal is acceptable; the change of use from residential to serviced apartments is acceptable in principle and there will be no detrimental impact on neighbouring amenity. There are no implications in terms of the listed building and conservation area, or for human rights and equalities. There are no material considerations that outweigh this conclusion and approval is recommended.

### Links

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<a href="#">Policies and guidance for this application</a>	LDPP, LDES05, LEMP10, LEN01, LEN04, LEN06, NSLBCA, NSBUS, CRPNEW,
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# Report

## **Application for Planning Permission 17/05645/FUL At 7-8 Baxter's Place, Edinburgh, EH1 3AF Change of Use from residential (class 9) to short stay serviced apartments (class 7) (in retrospect)(amended)**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The application site comprises two, three-storey, former Georgian townhouse at 7 and 8 Baxter's Place.

The terrace (1-9) was designed by John Baxter, circa 1800 comprising a classical tenement block of 3-storey plus basement and attic properties. The building was listed category 'A' on 14 December 1970 (ref: 28279).

The site is within a mixed use area with commercial properties located below and adjacent. The neighbouring property to the south west is a hotel and residential properties are located to the north east of the building.

Access to the property is recessed between two outshoot commercial units, a pub and a restaurant, and is up a set of stone stairs.

The site is located within the World Heritage Site.

This application site is located within the New Town Conservation Area.

#### **2.2 Site History**

24 February 2016 - Planning permission granted at committee for: Alterations and change of use of existing Edinburgh City Football club Ltd social club to 5 no. dwelling flats (Application Reference: 15/02138/FUL).

March 2017 - Enforcement Investigation: Unauthorised change of use (enforcement reference: 17/00113/ECOU).



## Main report

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### 3.1 Description Of The Proposal

Retrospective planning permission is sought for the change of use of a residential block of six flats to class 7 short stay serviced apartments. Class 7 is defined in the Use Classes (Scotland) Order as a hotel, boarding house, guest house or hostel. The submitted drawings indicate a total of 48 beds in five flats. One of the existing ground floor flats is to be used as a reception/meeting area for the guests and an area to provide breakfasts and tea and coffee.

#### Scheme One

The initial scheme proposed six short stay apartments. This was revised to use one of the apartments as a reception area.

### 3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### 3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the proposed change of use is acceptable in principle;
- b) there will be no detrimental impact on the listed building, conservation area or World Heritage Site;
- c) there will be no detrimental impact on neighbouring amenity;

- d) transport impact has been assessed;
- e) there are any implications for human rights and equalities; and
- f) any public comments raised have been addressed.

#### **a) Principle**

The site lies within the urban area as defined by the adopted Local Development Plan (LDP). LDP Policy Emp 10 considers proposals for hotel (class 7 ) uses, which states that hotel development will be permitted in locations within the urban area with good public transport access to the city centre. As the site is within the urban area with good links to the city centre, the principle of the development is acceptable at this location and complies with Policy Emp 10. The LDP does not include any policies on loss of residential use.

#### **b) Historic Environment**

The building is category A listed but all internal works have been undertaken under the 2016 approval for change of use to flats. The proposed change of use will not have a detrimental impact on the listed building. There are no implications in terms of the external character of the listed building or for the conservation area and World Heritage Site. The proposal complies with LDP Policies Env 1, Env 4 and Env 6.

#### **c) Neighbouring Amenity**

The surrounding area is characterised by a mix of uses. The property is not located in a predominantly residential area and therefore LDP policy Hou 7 does not apply.

LDP Policy Des 5 states that development will be acceptable where the amenity of neighbouring developments is not adversely affected. The serviced apartments are situated within a self-contained block of flats benefitting from its own entrance. There are no private residential properties within the block. The surrounding uses include a hotel to the south west of the site, a restaurant and a bar/nightclub below as well as residential properties. The nearest residential properties are separated at ground floor level from the entrance to this building by existing commercial uses. Given the nature of surrounding uses and that the apartments are self-contained within one building, the amenity of neighbouring properties would not be adversely affected by this proposal.

Furthermore, the introduction of a dedicated reception area should help minimise any impact from the premises.

The proposal complies with LDP policy Des 5.

#### **d) Transport Impact**

The site benefits from good transport links and the Roads authority has no objection. There is no requirement for any parking spaces or a tram contribution.

## **e) Human Rights and Equalities**

This application was assessed in terms of potential impacts on human rights and equalities; none were identified.

## **f) Public Comments**

### Material Considerations

- Loss of residential properties: Addressed in section 3.3 a);
- Impact on amenity: Addressed in section 3.3 c); and
- Traffic congestion/drop off: Addressed in section 3.3 d).

### Non-Material Considerations

- Fire hazard: This would be dealt with by Building Standards;
- Anti-social behaviour: Any anti-social behaviour should be reported to Police Scotland;
- Drainage: This would be dealt with by Building Standards; and
- Quality of construction work: This would be dealt with by Building Standards.

## **Conclusion**

The application complies with the adopted Local Development Plan and non-statutory guidance. The proposal is acceptable; the change of use from residential to serviced apartments is acceptable in principle and there will be no detrimental impact on neighbouring amenity. There are no implications in terms of the listed building and conservation area, or for human rights and equalities. There are no material considerations that outweigh this conclusion and approval is recommended.

It is recommended that this application be Granted subject to the details below.

## **3.4 Conditions/reasons/informatives**

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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**5.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

Following statutory neighbour notification and advertisement, seven letters of objection have been received. The matters raised are addressed in the assessment section of the report.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

The site is within the Urban Area, World Heritage Site and New Town Conservation Area as defined by the adopted Local Development Plan.

**Date registered**

10 January 2018

**Drawing numbers/Scheme**

01-02, 03A, 04-07,

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Murray Couston, Planning Officer

E-mail:murray.couston@edinburgh.gov.uk Tel:0131 529 3594

**Links - Policies**

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**Relevant Policies:**

**Relevant policies of the Local Development Plan.**

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

**Non-statutory guidelines** 'GUIDANCE FOR BUSINESSES' provides guidance for proposals likely to be made on behalf of businesses. It includes food and drink uses, conversion to residential use, changing housing to commercial uses, altering shopfronts and signage and advertisements.

**The New Town Conservation Area Character Appraisal** states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

# Appendix 1

## **Application for Planning Permission 17/05645/FUL At 7-8 Baxter's Place, Edinburgh, EH1 3AF Change of Use from residential (class 9) to short stay serviced apartments (class 7) (in retrospect)(amended)**

### **Consultations**

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#### **Roads Authority**

No objections to the application.

Note:

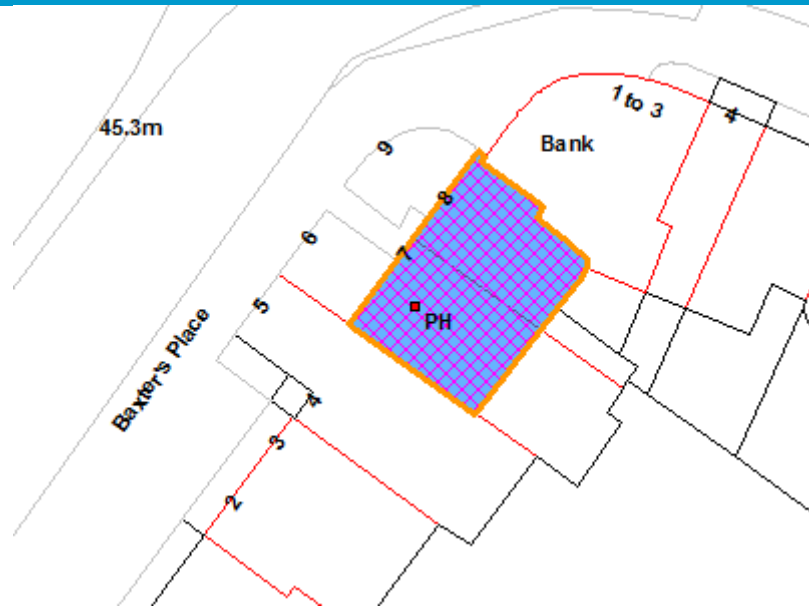
- a. Tram contribution for the existing 6 residential use in Zone 1=£19,000; tram contribution for the proposed 11 commercial letting/hostel with 492.31m<sup>2</sup> GFA=£0, 00; No tram contribution required.
- b. The applicant proposes no parking provision and complies with the Council's 2017 parking provision which allows no parking provision for the proposed use in Zone 1.

#### **Environmental Protection**

Environmental Protection was consulted as part of the application process but no response was submitted.

## Location Plan

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**END**



# Development Management Sub Committee

Wednesday 9 May 2018

## Application for Planning Permission 18/01045/FUL

At 161 Colinton Road, Edinburgh, EH14 1BE

Install three dormers to rear and a dormer to side, install two rooflights to front and a rooflight to side, remove existing rooflight and install new hipped rooflight on roof of single storey rear extension, slap through to form opening and install new glass sliding doors on ground floor at the rear (in retrospect).

Item number	4.2
Report number	
Wards	B09 - Fountainbridge/Craiglockhart

## Summary

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The alterations comply with the development plan and non-statutory guidance, will not adversely affect the character and appearance of the house or the surrounding area and would not prejudice neighbouring residential amenity. It is recommended that this application is Granted..

## Links

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[Policies and guidance for this application](#) LDPP, LDES12, NSG, NSHOU,

# Report

## **Application for Planning Permission 18/01045/FUL**

**At 161 Colinton Road, Edinburgh, EH14 1BE**

**Install three dormers to rear and a dormer to side, install two rooflights to front and a rooflight to side, remove existing rooflight and install new hipped rooflight on roof of single storey rear extension, slap through to form opening and install new glass sliding doors on ground floor at the rear (in retrospect).**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The application refers to a doctor's surgery occupying a semi-detached, two storey and attic, Tudor style villa on the south side of Colinton Road.

The surrounding area is predominantly residential.

#### **2.2 Site History**

13 October 2017 - Planning permission granted for a change of use from commercial to residential (application number: 17/03428/FUL). Works have commenced.

### **Main report**

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#### **3.1 Description Of The Proposal**

This application is in connection with works required to upgrade the property from a doctor's surgery to a residential property which was granted consent under application reference 17/03428/FUL.

It is proposed to install three dormer windows to the rear of the property and one to the west side. It is also proposed to carry out other alterations including the installation of two rooflights to the front and one on the west side, the removal of an existing rooflight, installation of a new hipped rooflight on the roof of an existing single storey rear extension and to form a new door opening at ground floor level on the rear elevation.

The dormer windows will have a black painted timber weatherboard finish to the sides and a black single ply membrane for the roof.

### 3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### 3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- (a) the proposed scale, design and materials are acceptable;
- (b) the proposal is detrimental to the amenity of neighbours; and
- (c) representations raise issues to be addressed.

#### (a) Scale, Design and Materials

Policy Des 12 of the adopted Edinburgh Local Development Plan in relation to Alterations and Extensions states that *planning permission will be granted for alterations and extensions to existing buildings which:*

- a) in their design and form, choice of materials and positioning are compatible with the character of the existing building*
- b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties*
- c) will not be detrimental to neighbourhood amenity and character.*

Non-statutory 'Guidance for Householders' provides guidance on the size and positioning of dormer windows on roofs and sets out privacy distance requirements.

In this instance, the application is for several alterations including dormer windows and rooflights.

The three dormer windows on the rear of the property are of an appropriate width and sit comfortably on the roof. The dark coloured cladding to the sides and front of the dormer windows blends in with background of the slate roof.

The side dormer window is also of an appropriate width and sits comfortably on the roof.

The dormer windows, due to their positioning on the roof and their location at the side and rear of the house, will not have a significant visual impact on the streetscene.

The proposed rooflights on the south-west and north-west elevations and the alterations at ground floor level to form a new door opening are minor alterations which will have little impact on the character or appearance of the property.

Overall, the alterations will not have an adverse effect on the character and appearance of the house or the surrounding area.

#### (b) Amenity

The alterations do not raise any daylighting or sunlight issues.

In terms of privacy, the rooflights and dormer windows are over nine metres from the boundaries and comply with non-statutory guidance.

The alterations do not adversely affect neighbouring residential amenity.

#### (c) Public Comments

##### **Material Representations - Objection:**

- loss of privacy through overlooking - assessed in section 3.3 (b) and found to be compliant with non-statutory guidance; and
- not in keeping with the house - assessed in section 3.3 (a) and found to not have a detrimental visual impact.

##### **Non- Material Issues:**

- work has been/in the process of being carried out (retrospective application) - the applicant was of the understanding that the works constituted permitted development and commenced work. Planning legislation allows for applications to be made in retrospect.

No community council comments have been received.

#### Conclusion

In conclusion, the alterations comply with the development plan and non-statutory guidance, will not adversely affect the character and appearance of the house or the surrounding area and would not prejudice neighbouring residential amenity. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Granted subject to the details below.

#### **3.4 Conditions/reasons/informatives**

## **Informatives**

It should be noted that:

1. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

Neighbours were notified of the application. Seven letters of representation were received: 7 objecting.

A full assessment of the representations can be found in the main report in the Assessment section.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)

- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development****Plan Provision**

Urban Area - adopted Edinburgh Local Development Plan

**Date registered**

19 March 2018

**Drawing numbers/Scheme**

01 - 05,

Scheme 1

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Brian Fleming, Senior Planning Officer

E-mail:brian.fleming@edinburgh.gov.uk Tel:0131 529 3518

**Links - Policies**

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**Relevant Policies:****Relevant policies of the Local Development Plan.**

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

**Relevant Non-Statutory Guidelines**

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

# Appendix 1

## Application for Planning Permission 18/01045/FUL

At 161 Colinton Road, Edinburgh, EH14 1BE

Install three dormers to rear and a dormer to side, install two rooflights to front and a rooflight to side, remove existing rooflight and install new hipped rooflight on roof of single storey rear extension, slap through to form opening and install new glass sliding doors on ground floor at the rear (in retrospect).

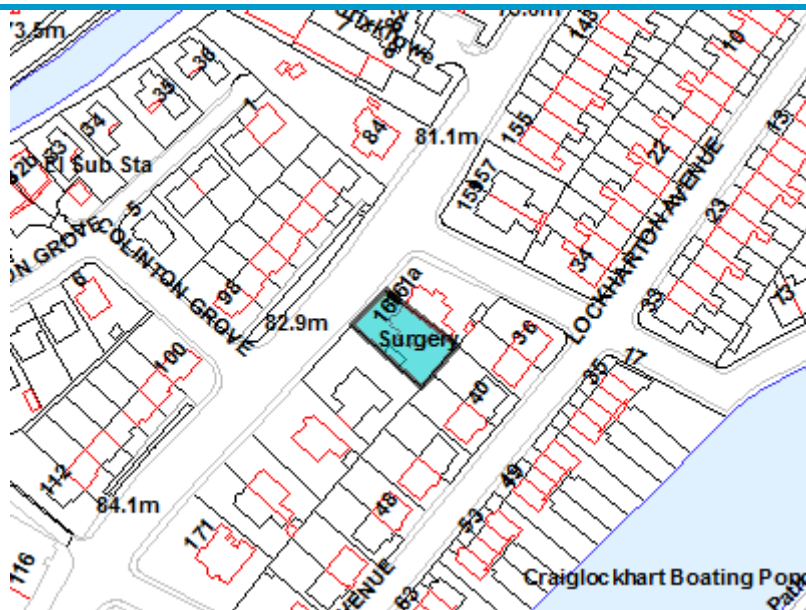
### Consultations

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No consultations undertaken.

### Location Plan

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**END**



# Development Management Sub Committee

Wednesday 9 May 2018

## Application for Planning Obligation 18/01206/OBL At Site 80 Metres West Of 4, Ferrymuir, South Queensferry Discharge of Planning Obligation

Item number	4.3
Report number	
Wards	00 - No Ward Number

### Summary

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It is confirmed that the legal obligation attached to the 2013 application has been superseded by the legal obligation attached to the 2014 application and that the applicants' request for the discharge of the obligation attached to the 2013 application can therefore be accepted.

### Links

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[Policies and guidance for this application](#)

# Report

## **Application for Planning Obligation 18/01206/OBL At Site 80 Metres West Of 4, Ferrymuir, South Queensferry Discharge of Planning Obligation**

### **Recommendations**

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1.1 It is recommended that this application be accepted and the agreement be discharged

### **Background**

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#### **2.1 Site description**

The development site is located to the south east of Ferrymuir and is bound to the south and west by the A90 and to the north and east by the B800, formerly the A8000. Both the A90 and B800 are located at a level above the site. The boundary with the B800 is comprised of a steep shrub planted embankment, sloping into the site.

Vehicular access to Ferrymuir is from the roundabout junction with Kirkliston Road, on the B800.

To the north is a supermarket, petrol filling station, restaurant, fast food outlet and hotel.

Beyond the B800, the land use is principally residential with office development to the south east. Beyond the A90 is farmland within the Edinburgh Green Belt.

#### **2.2 Site History**

The relevant site history is:

28 September 2010 - planning permission in principle was granted for a mixed use development comprising; office use, a care home, residential development, a leisure unit, and community facility (application reference 09/00490/OUT).

10 May 2012 - Land subject to temporary compulsory purchase, for the period of one year, in order to accommodate ancillary infrastructural works associated with the new road bridge over the Firth of Forth.

13 January 2015 - Permission was granted to vary conditions 1(a) and 1(b) of the existing planning permission in principle to extend for a further 3 years, the period within which applications for the approval of matters specified in conditions (AMCs) are to be submitted and to permit an additional 2 years for the final AMC approved work to be commenced (application reference 13/04029/FUL).

13 January 2015 - A legal obligation was concluded for this variation application to the original planning permission in principle.

01 December 2015 - Planning permission was granted for the detailed development of the site for 143 houses and flats (including 25% affordable homes) and a community facility (application reference 14/04172/FUL).

01 December 2015 - A legal obligation was concluded for the detailed planning application.

## **Main report**

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### **3.1 Description Of The Proposal**

The application seeks the discharge of the planning obligation, made under the provisions of section 75 of the Town and Country Planning (Scotland) Act 1997, regarding the Ferrymuir development site (reference 13/04029/FUL) and concluded with the Council on 13 January 2015.

### **3.2 Determining Issues**

Section 75A(1)(a) of the Town and Country Planning (Scotland) Act 1997 states - A planning obligation may not be modified or discharged except, by agreement, between the planning authority and a person against whom that obligation is enforceable.

In determining such an application for the modification or discharge of a planning obligation, the specific provision should be considered against the five policy tests set out in Planning Circular 3/2012. These tests relate to: necessity, planning purpose, relationship to the proposed development, relationship to scale and kind and reasonableness

### **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

- (a) the discharge of the obligation, as proposed, is considered to be acceptable;
- (b) the proposals have any equalities or human rights impacts;
- (c) comments raised have been addressed; and
- (d) finance implications of the decision.

#### **a) The Discharge of the Obligation is Acceptable**

The planning records confirm that the 2015 permission to vary the original planning permission in principle for the development of the site, and its associated section 75 obligation, has not been implemented by means of the submission of an AMC application within the 2 year time period. That permission has therefore lapsed.

They also confirm that that permission was superseded in full by the grant of detailed planning permission for the development of the site, together with its separate section 75 obligation, by the same developer on 01 December 2015. That permission has been implemented on the site.

Accordingly, the proposed discharge of the planning obligation is appropriate and can be agreed in this instance.

#### b) Equalities and Human Rights Impacts

This application has no impact in terms of equalities or human rights.

#### c) Public Comments

No representations were received concerning this proposal.

#### d) Finance

If the obligation is discharged, there would be no financial implications.

The associated grant of planning permission has lapsed and therefore the provisions of the obligation have now fallen.

Also, similar provisions; for on-site affordable housing, and education contributions, were incorporated into the later legal obligation associated with the 2014 application for this site. That development is presently under construction on site.

#### Conclusion

In conclusion, the applicants' request for the discharge of the legal obligation attached to the 2013 application is acceptable.

It is recommended that this application be accepted and the agreement be discharged

### **3.4 Conditions/reasons/informatives**

## **Financial impact**

---

### **4.1 The financial impact has been assessed as follows:**

If the obligation is discharged there would be no financial implications to that decision.

The associated grant of planning permission has lapsed and therefore the provisions of the obligation have now fallen.

Also similar provisions were incorporated into the separate legal obligation associated with the later detailed application for this site.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

---

### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

---

### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

The application, to modify and discharge an obligation, is required to be notified to any other parties to the original agreement, in accordance with the provisions of Regulation 5 of the Town and Country Planning (Modification and Discharge of Planning Obligations) (Scotland) Regulations 2010.

The necessary notifications were carried out under the Regulations and no representations have been received.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

**Edinburgh Local Development Plan - Urban Area.**

**Date registered**

21 March 2018

**Drawing numbers/Scheme**

,

**David R. Leslie**

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**Links - Policies**

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# Appendix 1

## Application for Planning Obligation 18/01206/OBL At Site 80 Metres West Of 4, Ferrymuir, South Queensferry Discharge of Planning Obligation

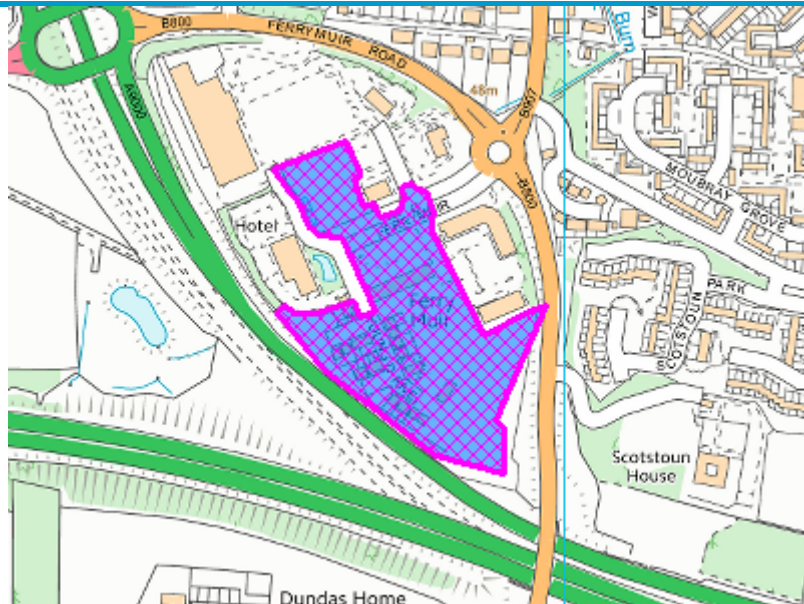
### Consultations

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No consultations undertaken.

### Location Plan

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**END**

# Development Management Sub Committee

Wednesday 9 May 2018

## Application for Planning Permission 18/00573/FUL

At 2 Oswald Road, Edinburgh, EH9 2HF

Proposed works include demolition of 2 no. rear extensions to allow for formation of 1 no. two storey extension on west elevation, and 1 no. single storey extension on east elevation. Internal alterations include minor demolitions. The existing garage to be modified to form new garage door opening to south, and formation of gym to the rear of this space. External works include removal of low stone walls and steps to be replaced with landscaping. (as amended)

Item number	4.4
Report number	
Wards	B15 - Southside/Newington

## Summary

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The proposals do not comply with the development plan. The proposed north-west extension will neither preserve nor enhance the character and appearance of the conservation area, will have a detrimental impact on the character and setting of the listed building and is of an inappropriate design, scale, form and positioning. There are no other considerations which outweigh this conclusion. It is recommended that the application is refused.

## Links

<a href="#">Policies and guidance for this application</a>	LEN03, NSG, NSLBCA, NSHOU, NSGD02, OTH, CRPGRA, LDPP, LDES12, LEN04, LEN06,
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# Report

## **Application for Planning Permission 18/00573/FUL**

**At 2 Oswald Road, Edinburgh, EH9 2HF**

**Proposed works include demolition of 2 no. rear extensions to allow for formation of 1 no. two storey extension on west elevation, and 1 no. single storey extension on east elevation. Internal alterations include minor demolitions. The existing garage to be modified to form new garage door opening to south, and formation of gym to the rear of this space. External works include removal of low stone walls and steps to be replaced with landscaping. (as amended)**

### **Recommendations**

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1.1 It is recommended that this application be Refused for the reasons below.

### **Background**

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#### **2.1 Site description**

The application relates to a large two storey detached villa in large garden grounds on the north side of Oswald Road. The building is B listed (reference no. 30587, listed on 19.03.1993).

The surrounding area is characterised by similar large villas in residential use.

This application site is located within the Grange Conservation Area.

#### **2.2 Site History**

March 2003 - Permission granted for extension to form new family room, external alterations including dormers, and internal alterations to form new living spaces (as amended) (application reference nos. 02/04659/FUL and 02/04659/LBC).

September 2003 - Consent granted for internal alterations (application reference no. 03/01871/LBC).

August 2004 - Permission granted for proposed lock - up garage / studio and landscaping. Increased access gate from Oswald Road. (application reference no. 04/00573/FUL).

May 2005 - Consent granted for proposed increased access gate from Oswald Road. (application reference no. 04/00573/LBC).

June 2005 - Permission granted for alterations to existing dwelling (retrospect/not covered by previous consent) (application reference nos. 05/00845/FUL and 05/00845/LBC).

## **Main report**

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### **3.1 Description Of The Proposal**

#### Scheme 2

This application is for the following:

- Removal of two rear extensions to the rear of the villa, one on the north-east corner and one on the north-west. The north-east extension will be replaced with a similar one of reduced footprint. The north-west extension, which is currently approximately 45 sqm in area would be replaced by a two storey extension that extends closer to the boundary wall on the west and also into the garden to the north. It would be approximately 70 sqm at ground floor and approximately 40 sqm at first floor level.
- The reconfiguration of the non-original garage building to the rear. Access for cars will now be on the south elevation instead of the east elevation.

#### Scheme 2

Scheme 1 proposed a north-west extension that was slightly higher and slightly larger in area.

The proposed 2 storey extension has been reduced in height by 390mm and by 950mm in width and 1.5m in depth.

As part of this application the following documents have been submitted which are available to view on Planning and Building Standard's Online Services:

- Design Statement
- Tree Survey

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

- a) the proposals will preserve or enhance the conservation area;
  - b) the proposals will impact on the character of the listed building;
  - c) the proposals will impact on the setting of the listed building;
  - d) the proposals are of an appropriate scale, form, and design;
  - e) the proposals will result in an unreasonable level of neighbouring residential amenity;
  - f) the proposals will have detrimental impact on trees;
  - g) any impacts of equalities and human rights have been addressed; and
  - h) any comments raised have been addressed.
- a) The Impact on the Character and Appearance of the Conservation Area

The Grange Conservation Area Character Appraisal (GCACA) has recently been reviewed. It warns of the pressures faced within the conservation area on the setting of villas and garden grounds. It says that:

*Contrasting, non-traditional materials and design in contemporary new-build and extensions could threaten the character of the area if used indiscriminately or excessively and that a major pressure is on the setting of villas, garden space and boundary walls and the loss of mature trees through extensions to existing property. It notes of the Grange that the separation of dwellings creates a characteristic rhythm and solid-void repetition between precisely-sited structures of similar scale and massing. The spacious gardens provide an important setting for the buildings and mature trees within.*

The proposed north west extension would be a two storey structure and would rise above the height of, and will be seen through, the Victorian glazed conservatory that extends off the west side elevation. Although set back from the street frontage, it would still be able to be viewed through the railings on the front boundary. It would therefore have a significant visual impact as seen from Oswald Road. It would compete with the primacy of the front elevation and would detract from the garden settings and space between buildings that is highlighted as a significant feature of the Grange within the GCACA.

As a contemporary structure that would be highly visible from the street, the extension would threaten the overall traditional character of the conservation area and would harm its appearance.

The replacement north east extension will replace a non-original extension with another of similar scale and footprint. Its design and materials are appropriate. The garage is likewise non-original, and the changes to it are not significant and acceptable.

The proposed north-west extension would neither preserve nor enhance the character and appearance of the conservation area and is inconsistent with the GCACA. It is therefore contrary to Policy Env 6 of the Local Development Plan (LDP).

#### b) The Impact on the Character of the Listed Buildings

Policy Env 4 of the LDP states that any extensions to listed building should be justified, should be in keeping with the rest of the building and should not result in diminution of its interest.

The building has already received a large degree of intervention in terms of the existing extensions. The construction of a two storey extension with a 70 sqm footprint would compete with the main object of listing. It would dominate the original building and would therefore diminish its interest. The scale, positioning and design of the extension are not in keeping with the rest of the building.

The applicant has argued that the current layout does not meet current modern open plan living arrangements, even though the rear part of the house is currently all open plan, and that additional development is necessary to justify maintenance of the building. However, it is extremely unlikely that a single villa in this area is under any threat as a residential property and therefore the works cannot be viewed as essential to the beneficial use of the building as a dwelling. The proposals are therefore not justified.

This extension is contrary to the Guidance on Listed Buildings and Conservation Areas which states that *in the case of side extensions, they should be set back from the facade and be of a scale that does not affect the overall architectural composition. The effect of any addition on a symmetrical composition will be particularly important.* The proposed extension is of a scale that adversely impacts the overall composition and adversely impacts of the symmetry of the building, as seen from the street.

The proposals for the north-west extension would have an adverse impact on the character of the listed building and are contrary to LDP Policy Env 4 and the Guidance on Listed Buildings and Conservation Areas.

c) The Impact on the Setting of the Listed Buildings

LDP Policy Env 3 relates to development affecting the setting of the listed building. The proposed two storey extension is excessive in its scale and will dominate the listed building as seen from all angles and will be visible from the street, competing with the primacy and symmetry of the front elevation. The proposals will detract from the garden setting and will erode the characteristic pattern of spaces between buildings.

It is therefore contrary to LDP Policy Env 3 in that it will be of detriment to the architectural character, appearance and historic interest of the building and its setting.

d) Scale, Form, Design and Positioning

The proposals are contrary to LDP Policy Des 12 in that the proposals are in design, form and positioning incompatible with the character of the existing building. By encroaching so much into the garden areas that are characteristic of the area and by reducing the generosity of space between villas, the north-west extension breaks with the prevalent urban grain of the area.

The north-east extension and changes to the garage structure are acceptable.

The proposed new north-west extension is of inappropriate design, scale, form and positioning.

e) Amenity of Neighbours

Any possible impact on the neighbour to the west will affect a gable elevation and daylighting to side or gable windows is not protected. There are no issues of overlooking or privacy.

There will be no detrimental impact on residential amenity.

f) Impact on Trees

Seven trees (three cypress, two cedar, a rowan and an acacia) and a line of hedge will be lost directly as part of this proposal. However, this is not considered to be detrimental to the character of the conservation area and the proposals will not have a detrimental impact on trees.

g) Equalities and Human Rights Issues

The proposals will have a neutral impact on equalities and human rights. An Equalities and Human Rights Impact Assessment has been completed.

h) Public Comments

**Material letters of support**

- Positive impact on conservation area and listed building (assessed in section 3.3.a) and b).
- Quality of design (assessed in section 3.3.d).

- Changes will allow the building to be continued to be used as a single dwelling (assessed in section 3.3.b).
- No detrimental impact on residential amenity (assessed in section 3.3.e).

### **Community Council Objections**

- The Grange/Prestonfield Community Council has withdrawn their objections.

### **Conclusion**

In conclusion, the proposals do not comply with the development plan. The proposed north-west extension will neither preserve nor enhance the character and appearance of the conservation area, will have a detrimental impact on the character and setting of the listed building and is of an inappropriate design, scale, form and positioning. There are no other considerations which outweigh this conclusion. It is recommended that the application is refused.

It is recommended that this application be Refused for the reasons below.

### **3.4 Conditions/reasons/informatives**

#### **Reasons:-**

1. The proposal is contrary to the Local Development Plan Policy Des 12 in respect of Alterations and Extensions, as the design, scale, form and positioning of the north-west extension will be not be compatible with the character of the existing building and will be detrimental to neighbourhood character.
2. The proposal is contrary to the Local Development Plan Policy Env 6 in respect of Conservation Areas - Development, as the proposed north west extension will neither preserve nor enhance the special character and appearance of the conservation area, and is not consistent with the Grange Conservation Area Character Appraisal.
3. The proposal is contrary to the Local Development Plan Policy Env 4 in respect of Listed Buildings - Alterations and Extensions, as the proposed north west extension is not justified, will result in the diminution of the building's interest, and is not in keeping with the original building.
4. The proposal is contrary to the Local Development Plan Policy Env 3 in respect of Listed Buildings - Setting, as the proposals for the north-west extension will be detrimental to the architectural character, appearance, historic interest of the listed building and its setting.
5. The proposals are contrary to non-statutory guidance on Listed Buildings and Conservation Areas as the north-west extension is not subservient to the main building, and is of a scale which detrimentally affects the overall architectural composition.

## **Financial impact**

---

### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

---

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

---

### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

---

### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 23 February 2018. There have been eight letters of support from two neighbours and six members of the public. There was one letter of objection from the Community Council. Upon the submission of Scheme 2, the Community Council has withdrawn its objections.

An additional letter of support was received that was non-material as no reasons were given for the support.

A full assessment of the representations can be found in the main report in the Assessment section.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)

- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)



## Statutory Development

### Plan Provision

The site is located within the 'urban area' as defined by the Local Development Plan.

### Date registered

7 February 2018

### Drawing numbers/Scheme

1-2, 3a, 4-12, 13a, 14a, 15a, 16a, 17a, 18a, 19-27,

Scheme 2

## David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Barbara Stuart, Senior Planning Officer

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## Links - Policies

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### Relevant Policies:

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

### Relevant Non-Statutory Guidelines

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

## **Other Relevant policy guidance**

The Grange Conservation Area Character Appraisal emphasises the high quality stone built architecture of restricted height enclosed by stone boundary walls, the uniformity resulting from the use of local grey sandstone for buildings and boundary walls and Scots slate for roofs, the formal and picturesque detached and semi-detached dwellings of generous scale and fine proportions, the low density grain of the area, and the spacious and uncluttered streetscape.

## **Relevant policies of the Local Development Plan.**

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

# Appendix 1

## Application for Planning Permission 18/00573/FUL

At 2 Oswald Road, Edinburgh, EH9 2HF

Proposed works include demolition of 2 no. rear extensions to allow for formation of 1 no. two storey extension on west elevation, and 1 no. single storey extension on east elevation. Internal alterations include minor demolitions. The existing garage to be modified to form new garage door opening to south, and formation of gym to the rear of this space. External works include removal of low stone walls and steps to be replaced with landscaping. (as amended)

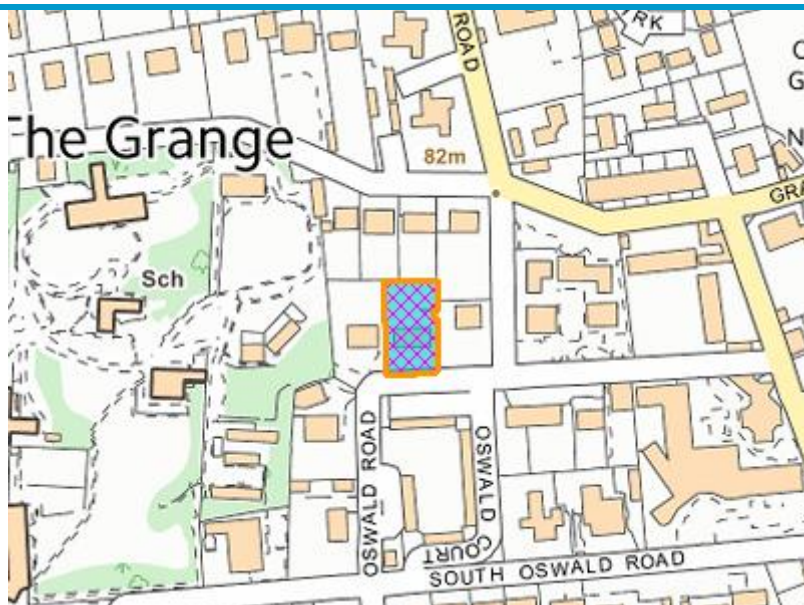
### Consultations

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No consultations undertaken.

### Location Plan

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END

# Development Management Sub Committee

Wednesday 9 May 2018

## Application for Advert Consent 18/01093/ADV At Land 46 Metres South Of 42, Turnhouse Road, Edinburgh Internally illuminated digital advertisement to underside

Item number	4.5
Report number	
Wards	B03 - Drum Brae/Gyle

### Summary

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The advertisement proposed complies with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984. The proposed advertisement will not harm the amenity of the area and is acceptable in terms of road and public safety.

### Links

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[Policies and guidance for this application](#) NSADSP,

# Report

## **Application for Advert Consent 18/01093/ADV At Land 46 Metres South Of 42, Turnhouse Road, Edinburgh Internally illuminated digital advertisement to underside**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The application site is an established roadside advertisement station located on a grass verge just north of Glasgow Road at the Maybury Junction. Glasgow Road is a busy arterial route both into and out of the city centre.

The immediate area surrounding the application site has a mixed nature, with commercial and residential uses. To the west, south and south west of the application site are designated Special Economic Areas as defined in the Edinburgh Local Development Plan (LDP). These include the RBS Headquarters at Gogarburn and Edinburgh Park/ South Gyle. To the south of the site there is also a designated Commercial Centre, the Gyle.

#### **2.2 Site History**

28.06.2016 - Advertisement consent granted to erect illuminated Premierer 200 display roadside sign (16/00719/ADV).

### **Main report**

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#### **3.1 Description Of The Proposal**

The application is for the replacement of an existing roadside advertisement with an internally illuminated, digital advertising board. The board is single sided, pole mounted and of the dimensions 6218 mm x 3100 mm. The LED screen is capable of showing static images that will be automatically replaced every 10 seconds by means of a secure ISDN connection.

#### **3.2 Determining Issues**

Do the proposals affect the amenity of the locality? In the determination of the suitability of the site for the display of advertisements, the Planning Authority shall have regard to the general characteristics of the locality including the presence of any feature of historical, architectural, cultural or similar interest. The authority may disregard any advertisements displayed in the locality.

Do the proposals affect public safety? The Planning Authority shall in particular consider whether any such display is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal, or aid to navigation by water or air.

### **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

- a) the proposal will have a detrimental impact on amenity;
- b) the proposal will have an adverse impact on road or public safety; and
- c) any public comments made have been addressed.

#### **a) Amenity**

The Council's non-statutory Guidance for Advertisements, Sponsorship and City Dressing (ASCD) states that proposals for the erection of roadside advertisements will not normally be acceptable within a conservation area or where overlooked by residential properties. Roadside advertising by means of a pole mounted panel or display on a verge will only be considered in non-residential areas with a commercial backdrop.

The application site is not in a conservation area and has a commercial backdrop. The nearest residential properties are located approximately 55 to 63 metres north and north east of the site on Turnhouse Road. Although there are residential dwellings close to the site, the proposed single sided advertisement is a sufficient distance from these and angled to face east, which means that the advertisement does not directly face these. The size and scale of the advertisement panel will not change, meaning that there will be a minimal visual impact on the existing streetscape.

Digital advertising is acceptable in principle in all its forms in established advertising locations, provided that there are no adverse impacts on amenity and public safety as stated in the ASCD Guidance. Conditions and Informatives have been listed to protect the amenity of neighbours.

The application complies with the ASCD Guidance. The proposal will have an acceptable impact on the amenity of the locality, in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

#### **b) Public and Road Safety**

The Roads Authority was consulted and raised no objections to the application subject to a number of conditions being imposed. These conditions will protect the safety of the public and road users.

The proposal will have an acceptable impact on public and road safety, in accordance with Regulation 4 (1) of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 (as amended).

### c) Public Comment

No comments have been received regarding this application.

It is recommended that this application be Granted subject to the details below.

### **3.4 Conditions/reasons/informatives**

#### **Condition:-**

1. Consent is granted for a period of five years from the date of consent.
2. Advertisements shall be static images only.
3. The intensity of illumination of the advertisement display shall be restricted to 75 candelas per square metre during night time hours, these hours being 30 minutes after sunset to 30 minutes before sunrise each day.

#### **Reasons:-**

1. In order to accord with the statutory requirements of the Town and Country Planning (Scotland) Acts.
2. To safeguard public safety.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.

#### **Informatives**

It should be noted that:

1. a) Adverts must not contain moving images or sequencing of images over more than one advert;  
b) Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;  
c) There should be no message sequencing where a message is spread across more than one screen;  
d) Phone numbers, web addresses details etc should be avoided;  
e) It is recommended that the speed of change of image should be set to be in effect instantaneous;  
f) Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;  
g) Adverts should not resemble existing traffic signs or provide directional advice;

h) Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits; and

i) The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

No representations have been received.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)



- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

## Statutory Development

### Plan Provision

**Date registered** 14 March 2018

**Drawing numbers/Scheme** 01 - 03,

Scheme 1

### David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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## Links - Policies

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### Relevant Policies:

**Non-statutory guidelines** 'ADVERTISEMENTS, SPONSORSHIP AND CITY DRESSING' Provides guidance on proposals for advertisements, imposing restrictions on adverts on street furniture, hoardings, and at the roadside, and outlining the circumstances in which sponsorship, city dressing, banners and adverts on scaffolding should be acceptable.

# Appendix 1

## **Application for Advert Consent 18/01093/ADV At Land 46 Metres South Of 42, Turnhouse Road, Edinburgh Internally illuminated digital advertisement to underside**

### **Consultations**

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#### ROADS AUTHORITY ISSUES

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

#### **LARGE FORMAT ADVERTISING SIGNS**

*Note:*

*1. This location has been assessed as medium risk;*

*2. A previous application for the existing static backlit sign at this location (planning application 16/00719/ADV) was also assessed as medium risk. The Road Safety Audit carried out concluded that in the opinion of the review team the sign would not be detrimental to road safety. The report recommended that the operation of the sign;*

- Have no animations or videos;*
- Not change more frequently than 10 seconds;*
- Comply with the Professional Lighting Guide PLG05, The Brightness of Illuminated Adverts;*
- Comply with Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984 as amended.*

*Transport are satisfied that the conclusions in this Audit Report are sufficient to cover the proposed sign and that the recommendations above are covered in the following conditions/informatives, therefore a further Road Safety Audit report is not considered necessary.*

*3. As outlined in the council's report to planning committee 27 February 2014 for the control of digital forms of advertising, this advert will be expected to comply in full with the Outdoor Media Centre (OMC) voluntary code for digital large format roadside advertising (published in January 2011). The code reflects planning regulations in place throughout the UK. This states that:*

- a) there shall be no moving images, animation, video or full motion images displayed unless consent has been granted for such displays;*
- b) digital roadside billboards/hoardings shall not change more frequently than every 5 seconds unless consent has been granted for such displays;*

- c) the luminance level of a digital roadside billboards shall comply with the Institute of Lighting Engineers Technical Report No's 5 (2003);
- d) Roadside digital displays will [in Scotland] conform to the 5 'Standard Conditions' specified in Schedule 1 of the Town & Country Planning (Control of Advertisements) (Scotland) Regulations 1984.

*With respect to item a) above images, animation, video or full motion images are not permitted and with respect to item b) above a maximum change rate of one static advert every 15 seconds will be permitted at this location (i.e. 4 adverts a minute). If either of these conditions is not adhered to it is likely that the Council, in its capacity as roads authority, will take appropriate action under Section 93 of the Roads (Scotland) Act 1984. This may include isolation of the power supply to the unit;*

*4. Adverts must not contain moving images or sequencing of images over more than one advert;*

*5. Drivers should only be able to see the details of a roadside digital advertisement on one screen or a pair of synchronised screens at a time. This is to ensure that multiple images do not change at different times;*

*6. There should be no message sequencing where a message is spread across more than one screen;*

*7. Phone numbers, web addresses details etc should be avoided;*

*8. It is recommended that the speed of change of image should be set to be in effect instantaneous;*

*9. Where the advert is visible in the same view as traffic signals, the timing of the signals should where possible be taken into account when calculating the message display time;*

*10. Adverts should not resemble existing traffic signs or provide directional advice;*

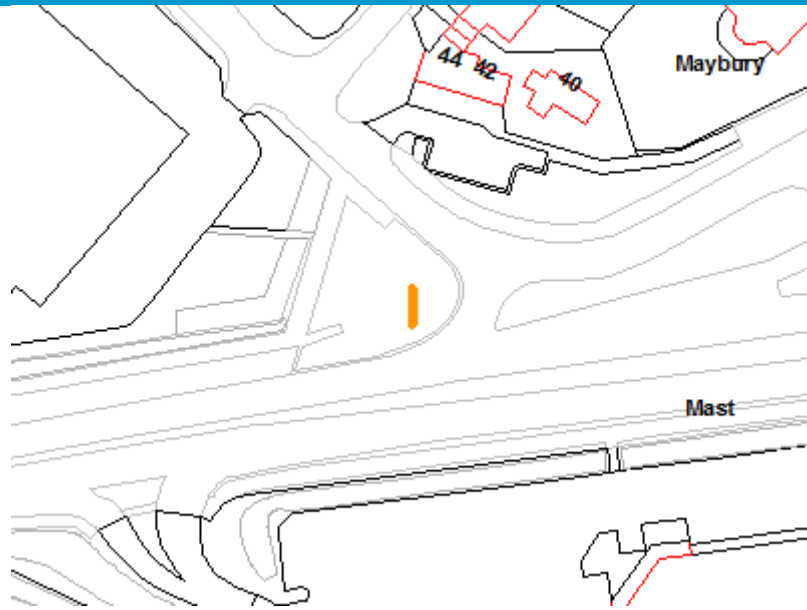
*11. Night time levels of luminance should be based on the luminance of other signs and surfaces in the area. Typical values in urban areas would be in the range of 75-300Cd/m<sup>2</sup>;*

*12. Day time levels of luminance may need to be higher, this should be controlled by light sensors to measure the ambient brightness and dimmers to control the lighting output is within acceptable limits;*

*13. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to disconnect and disable the sign, or take any other steps, required to ensure that any display on the sign which constitutes a danger to road users is removed or screened. The Council will seek to recover their costs for undertaking such action and the applicant should note that the display of any moving images (ref note 4 above) is likely to result in immediate action under Section 93.*

## Location Plan

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**END**

# Development Management Sub Committee

Wednesday 9 May 2018

## Application for Planning Permission 17/05812/FUL

At 16 Wester Hill, Edinburgh, EH10 5XG

Proposed two storey extension at north gable wall, form bedroom extension and garage conversion to living room, extend entrance area and lounge to enlarge these areas and erect conservatory at rear (as amended).

Item number 4.6

Report number

Wards

B09 - Fountainbridge/Craiglockhart

### Summary

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The proposals comply with the development plan and whilst they do not fully comply with non-statutory guidelines in terms of the encroachment into the open front and side garden areas, they preserve the character and appearance of the conservation area and would not prejudice residential amenity. It is recommended that this application is approved.

### Links

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[Policies and guidance for this application](#)

LDPP, LDES12, LEN06, NSG, NSHOU, NSLBCA, OTH, CRPCHI,

# Report

## **Application for Planning Permission 17/05812/FUL At 16 Wester Hill, Edinburgh, EH10 5XG Proposed two storey extension at north gable wall, form bedroom extension and garage conversion to living room, extend entrance area and lounge to enlarge these areas and erect conservatory at rear (as amended).**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The application property is a two storey detached dwelling house located within a modern housing development at the western end of Wester Hill. It has an open frontage with part enclosed side and rear garden areas. To the south and west of the property is the Merchants of Edinburgh golf course.

The house is gable ended with a predominantly artificial stone finish to the walls and a tiled roof. The front, sides and rear of the part of the house where the integral garage is located is finished in render. The property is characteristic of those in the surrounding area.

This application site is located within the Craiglockhart Hills Conservation Area.

#### **2.2 Site History**

6 July 2017 - Planning permission granted for the erection of conservatory to rear, replacement of windows on a 'like for like' basis (in retrospect) (application reference: 17/01728/FUL).

### **Main report**

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#### **3.1 Description Of The Proposal**

It is proposed to erect a single storey mono-pitched roof to the front of the house, a storey and a half extension to the north side of the house and replace an existing 'Victorian' type conservatory with a 'lean-to' type conservatory.

The proposed front extension will be 3.35m wide by 0.9m deep with a small infill area between the existing garage and the proposed extension. The proposed materials include artificial stone for the walls and tiles for the roof.

The side extension will be set back 0.66m from the front of the house and be 1.4m wide by 7.7m deep. The side extension includes an extension of the width of the existing dormer window. The proposed materials include a render finish to the north side, rear and front of the side extension. The roof will be tiled.

The conservatory to the rear of the house will be approximately 5.0m wide by 2.1m deep. The proposed materials include uPVC frames and a rendered base wall.

### Scheme 1

The proposals have been amended to reduce the scale and footprint of the side extension.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of permission.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

- (a) the proposed scale, design and materials are acceptable;
- (b) the proposal is detrimental to the amenity of neighbours; and
- (c) representations raise issues to be addressed.

#### (a) Scale, Design and Materials

Policy Des 12 of the Edinburgh Local Development Plan in relation to Alterations and Extensions states that *planning permission will be granted for alterations and extensions to existing buildings which:*

- a) in their design and form, choice of materials and positioning are compatible with the character of the existing building;*
- b) will not result in an unreasonable loss of privacy or natural light to neighbouring properties;and*



*c) will not be detrimental to neighbourhood amenity and character.*

Non-statutory 'Guidance for Householders' in relation to side extensions recommends that the extension should be set behind the front line of the existing dwelling to give a clear definition between the new design and the existing building.

In relation to front extensions, the guidance advises that extensions that project beyond the principal elevation line are not generally allowed unless this fits in with the local character of the street. Corner plots can present a particular problem where the majority of the house's garden space is in front of the building lines and where they contribute to the character of the area, their openness will be protected by resisting any significant intrusion into the corner ground.

In this instance, the proposals are to a house within a modern residential development within the conservation area.

The proposed side extension is of an appropriate form, scale and design including materials which are to match the existing house. Whilst it extends into the side garden of the property, the openness of the corner plot is protected as a result of the modest encroachment proposed which will not have a significant impact on the character of the surrounding area. In view of this, an exception to guidance is justified in this instance.

The proposed front extension is a modest addition using materials to match the house. As the house sits alone, the extension will not impact on any building lines in the street.

The proposed conservatory to the rear of the house is of an appropriate form, scale and design including materials. It does not take up more than one third of the rear garden thereby complying with guidance and respecting the spatial pattern of the surrounding area.

Policy Env 6 of the Edinburgh Local Development Plan in relation to Development in Conservation Areas states that *development within a conservation area or affecting its setting will be permitted which:*

*a) preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal;*

*b) preserves trees, hedges, boundary walls, railings, paving and other features which contribute positively to the character of the area; and*

*c) demonstrates high standards of design and utilises materials appropriate to the historic environment.*

The Craiglockhart Hills Conservation Area Character Appraisal identifies the essential architectural character as *a limited number of key buildings of historic and architectural interest which add focus to the conservation area, high quality buildings set within a mixture of wooded and open slopes and the use of natural stone and slate as the traditional building materials in the area.*

In terms of the conservation area, the scale, form, design and materials proposed are in keeping with the existing dwelling house and the retention of the open front and side gardens of the property ensures that the key characteristics of the conservation area are preserved.

The proposals therefore preserve the character and appearance of the house and the wider conservation area.

(b) Amenity

The extensions are positioned such that they comply with non-statutory guidance in relation to daylighting and sunlight.

In relation to privacy, the windows to the front extension are over nine metres from the boundary and comply with guidance. The widening of the existing front facing dormer raises no privacy issues.

The south facing side of the conservatory is within nine metres of the boundary. However, it overlooks a golf course and therefore no residential privacy issues arise. The north side is over nine metres from the boundary and complies with guidance. The east facing side is within nine metres of the boundary. However, it is no nearer to the boundary than the conservatory that it replaces and therefore no adverse loss of privacy will occur.

Overall, the proposals will not adversely affect neighbouring residential amenity.

(c) Public Comments

**Material Representations - Objection:**

- out of keeping with surrounding area - the proposal has been revised and is assessed in section 3.3 (a);
- car parking - this relates to the use of the property as a house in multiple occupation which does not form part of the proposal. No additional bedrooms and no off-street parking are included in the proposals; and
- daylighting and sunlight - assessed in section 3.3 (b).

**Non-Material Representations:**

- availability of drawings - unavoidable delay in the drawings being publicly available. This issue was rectified and neighbours were given additional time for commenting; and
- use of property as a house in multiple occupation - not relevant to the proposal submitted. Planning permission would only be required where more than five non-related persons would be resident.

No community council comments have been received.

## Conclusion

In conclusion, the proposals comply with the development plan and whilst they do not fully comply with non-statutory guidelines in terms of the encroachment into the open front and side garden areas, they preserve the character and appearance of the conservation area and would not prejudice residential amenity. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Granted subject to the details below.

### **3.4 Conditions/reasons/informatives**

#### **Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

---

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

---

### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

The application was advertised on 5 January 2018 and 13 letters of representation were received: 10 objecting and 3 commenting on the availability of drawings.

A full assessment of the representations can be found in the main report in the Assessment section.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

## Statutory Development

### Plan Provision

Urban Area - adopted Edinburgh Local Development Plan.

### Date registered

12 December 2017

### Drawing numbers/Scheme

01, 02A, 03A and 04,

Scheme 2

## David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Brian Fleming, Senior Planning Officer

E-mail:brian.fleming@edinburgh.gov.uk Tel:0131 529 3518

## Links - Policies

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### Relevant Policies:

#### Relevant policies of the Local Development Plan.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

#### Relevant Non-Statutory Guidelines

**Non-statutory guidelines** 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

**Non-statutory guidelines** 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

## **Other Relevant policy guidance**

The Craiglockhart Hills Conservation Area Character Appraisal emphasises the outstanding quality of the natural topography and its visual relationship with the city, the high quality buildings set within a mixture of wooded and open slopes, the use of natural stone and slate as the traditional building materials.

# Appendix 1

## Application for Planning Permission 17/05812/FUL

At 16 Wester Hill, Edinburgh, EH10 5XG

Proposed two storey extension at north gable wall, form bedroom extension and garage conversion to living room, extend entrance area and lounge to enlarge these areas and erect conservatory at rear (as amended).

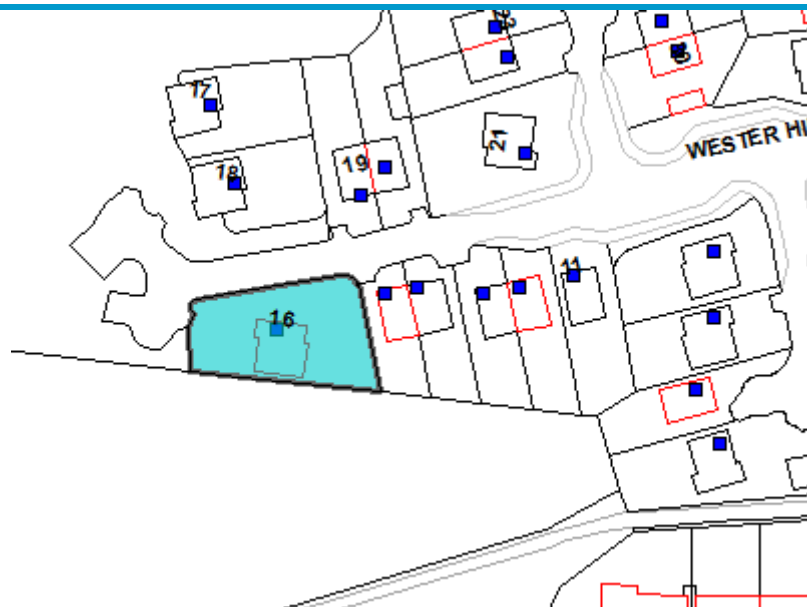
### Consultations

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No consultations undertaken.

### Location Plan

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**END**

# Development Management Sub Committee

Wednesday 9 May 2018

**Application for Planning Permission 17/05115/FUL  
At 20 Duncan Street, Edinburgh, EH9 1SR  
Change of use from car servicing and repairs centre to  
student accommodation (comprising 25 student studios with  
shared breakout, office and amenity spaces) and associated  
works (as amended).**

<b>Item number</b>	7.1(a)
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The use of the building for student accommodation is compliant with the LDP and relevant non-statutory guidance as the proposal would not result in an excessive concentration of student housing in the area, and is accessible to university and college facilities. The proposed physical alterations to the Category B listed building are justified as it would allow for continued use of a building where it would be difficult to obtain an appropriate alternative use of the premises. The non-compliance with guidance relating to open space and daylight is acceptable as the daylighting is considered to be a marginal fail from minimum standards, and appropriate large scale open space is provided within reasonable access of the site.

## Links

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<a href="#">Policies and guidance for this application</a>	NSG, NSGD02, CRPBLA, LDPP, LDES01, LDES03, LDES04, LDES05, LDES12, LEN03, LEN04, LEN06, LEN09, LEN20, LEMP09, LTRA03, LTRA02, LHOU07,
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# Report

## **Application for Planning Permission 17/05115/FUL At 20 Duncan Street, Edinburgh, EH9 1SR Change of use from car servicing and repairs centre to student accommodation (comprising 25 student studios with shared breakout, office and amenity spaces) and associated works (as amended).**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The application site is a car repairs garage which forms part of a 3 storey, 7 bay symmetrical Italianate tenement block, flanking a central pend with the garage attached to the rear of the pend and tenement and constructed circa 1870. The property is built mainly from stone with original setts at ground floor level, cast-iron columns and intricate timber roofing structure with a number of cross and tie-beams in an unusual configuration. The original roof is still in evidence having an M profile, albeit altered with concrete S-profile sheeting at the ends and original Scotch slate at the top. The building is vernacular in style with agricultural elements and was originally built as a horse bazaar and converted to a garage in the mid 20th century.

To the south of the site, the walls are tight up against the boundary of Jewson-builder's supplies warehouse; to the east the wall is up against a 2-storey stone built dental practice, and also bounds the car park to the site which has an NHS use, and to the west there is the rear garden to the 4-storey stone-built tenements on Ratcliffe Terrace.

The boundary of the Blacket Conservation Area lies along the eastern side of the property, although the site lies outwith the conservation area.

The building is category B listed. Added to the Statutory List on 25/03/1997. (LB refers 44213).

#### **2.2 Site History**

22 February 2016: Planning application for demolition and creation of 28 No. private rental apartments, withdrawn. (application reference 15/04585/FUL).

22 February 2016: Listed Building Consent application for demolition and alterations in relation to existing shed/workshop, withdrawn. (application reference 15/05233/LBC).

8 June 2016 - Listed Building Consent refused to demolish existing commercial building and restore rear of tenement at lower level (application reference 16/00874/LBC).

2 November 2016 - Appeal against the refusal of application 16/00874/LBC dismissed by reporter (DPEA appeal reference LBA-230-2083).

4 November 2016 - Planning application for conversion and alteration of existing garage. Creation of new high quality private rental scheme to comprise 28 studio apartments, withdrawn. (application reference 16/03353/FUL).

4 November 2016 - Listed Building application for conversion and alteration of 20 Duncan Street and existing workshop at the rear of 20 Duncan Street, withdrawn. (application reference 16/03353/LBC).

3 August 2017 - Planning permission and listed building consent refused for change of use from car servicing and repairs centre to student accommodation (comprising 29 No. student studios with shared breakout space) and associated external works (16/05503/FUL and 16/05505/LBC).

## **Main report**

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### **3.1 Description Of The Proposal**

The application proposes the change of use of an existing car repairs garage to student accommodation. The development will comprise 25 self contained student studio flats to be formed within the existing garage footprint. A communal area for occupiers of the development will be formed within a central atrium, with an office area provided for management staff and cycle parking.

Externally the garage would retain the existing stone walls, which would be built up in sections, with the existing roof structure removed completely. A new glazed and slate roof structure is to be formed which would partially mimic the existing roof form.

#### **Scheme 1**

There have been a number of revisions submitted during the application process as part of a revised scheme. These include:

- Amendments to the design statement to correct factual errors;
- Submission of a parking statement;
- Revised location, design and access to cycle storage provision;
- Details of proposed works to original columns;
- Submission of daylight assessment; and
- Alteration to location of bin store.

#### **Supporting documentation**

The following supporting documents have been submitted by the applicant which are available to view on the Planning and Building Standards Online Service:

- Daylighting Statement;
- Heritage Statement;
- Structural Commentary;
- Cumulative Impact Statement;
- Planning Statement;
- Transport Statement; and
- Design Statement.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

- a) The proposed use is appropriate in the location;
- b) There is any adverse impact on the character or setting of the listed building;
- c) The impact of the development/works on the setting of the adjacent conservation area;
- d) The scale and design are acceptable;
- e) The development would provide a satisfactory environment for future occupiers;
- f) The proposed use would result in any loss of amenity to neighbouring properties;
- g) Appropriate waste provision is provided;
- h) Archaeology impacts have been addressed;

- i) Road safety has been addressed;
- j) Any flooding impacts have been addressed;
- k) Any matters raised in representations have been addressed; and
- l) Equalities and human rights impacts have been addressed.

a) Principle of the development

The site lies within the urban area of the Edinburgh Local Development Plan (LDP) where Policy Hou 8 states that planning permission will be granted for purpose built student accommodation where:

- a) the location is appropriate in terms of access to university and college facilities by walking, cycling and public transport; and
- b) the proposal will not result in an excessive concentration of student accommodation (including that in the private rented sector) to the extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality.

The Non-Statutory Guideline on Student Housing provides guidance for interpreting policy Hou 8 and is a material consideration in the determination of this application. This policy also applies where conversion to student housing is proposed.

The site lies within walking distance of the main campus of the University of Edinburgh, and is within an area which is well served by public transport leading to other university campuses across the city and to the city centre. The site is under 0.25 hectares and therefore meets the locational requirements of the Non-Statutory Guidance on Student Housing.

There have been a number of recently granted purpose built student accommodation blocks nearby, including a 152 bed student housing development approximately 45 metres to the north of the application site. There is also a 70 bed development just to the south of the application site on Ratcliffe Terrace.

A Cumulative Impact Statement has been submitted as part of the application to provide an analysis on how the change in demographics resultant of the proposals may change the character of the area. This concludes that the small scale nature of the development will not have a significant increase in the transient population levels of the surrounding area which is essentially mixed in character.

It is acknowledged that this site is small in scale compared to other student housing developments in the area, and the use of the building for this purpose will not have a substantial impact on the balance of demographics and tenures in the local area.

As this proposal involves land that is in employment use, Policy Emp 9 is also relevant. This policy states that the introduction of non-employment uses should not prejudice or inhibit the activities of any nearby employment uses, and that the proposal should contribute to the comprehensive regeneration and improvement of the wider area.

The character of the surrounding area has traditionally been mixed use with residential properties in close proximity to a number of employment uses. The site is currently in active employment use and an existing timber yard abuts the application site to the south. However, it is not considered that the conversion of this site to student housing would adversely impact on the adjacent employment uses, and Environmental Protection has raised no objections to the application.

The use of the premises as student housing is considered to be more compatible with the neighbouring tenements than the existing car repairs use. As a result, the loss of the employment site would not be resisted.

The principle of student housing at this site is acceptable and accords with the requirements of LDP policy Hou 8.

#### b) Impact on character and setting of the listed building

The listed building is comprised of the garage building and the adjoining tenement buildings at 18 and 22 Duncan Street. Although the tenements are noted for their Italianate design, the garage is of a functional appearance externally, although internally retains a significant degree of historic fabric. The value of the garage as part of the listed building was confirmed in appeal decision LBA-230-2083. The advice from Historic Environment Scotland (HES) is that the listed building was designed as a contemporaneous mixed-use development, the size and detailing of the entrance porch in the residential block intended to draw people into the intrinsically linked horse bazaar behind. The structure of this horse bazaar; iron columns, trussed timber roof and stone walls remains intact.

Policy Env 3 advises that development within the curtilage or affecting the setting of a listed building will be permitted only if not detrimental to the architectural character, appearance or historic interest of the building, or to its setting.

Policy Env 4 advises that proposals to alter a listed building will be permitted where these alterations are justified, there will be no unnecessary damage to historic features and additions are in keeping with other parts of the building.

The degree of interventions proposed to this listed building are radical. Supporting statements have been submitted to provide a structural commentary and heritage statement provides detail on the significance of the horse bazaar. However, this document inaccurately dismisses the historical importance of this feature.

The alterations to the form of the original roof structure remain significant, although a large degree of the shape of the original form will be retained. The pitch of the roof will be retained on two elevations with the gable wall on the eastern and western side raised to create an enlarged gable using stone to match.

A significant number of openings are also proposed to the original walls of the building. The number of these openings proposed is a compromise between the retention of historic fabric of the building, and the provision of daylight to future occupiers to allow the continued use of the building. The use of metal window framing would reflect the industrial heritage of the building

HES has acknowledged that given that the existing mechanics use of the site is intended to cease in the near future, finding an alternative use of the large internal space is likely to be challenging without requiring significant alterations to the historic structure. Previous applications to redevelop the building would have resulted in a much greater loss of historic building form and it is accepted that the current proposals are a compromise between preservation of the most important features of the building and achieving an active use of the building.

On balance, whilst the proposal will impact on the special character of the listed building, the extent of the interventions are justified and considered acceptable as they will not result in a diminution of interest or cause unnecessary damage to the historic structure. The architectural character will be retained and the setting the listed building will be improved through the replacement of the existing asbestos roof covering with a slate roof. The proposals are in accordance with policies Env3 and Env 4 of the LDP. A condition requiring the implementation of a programme of archaeological works is recommended.

#### c) Setting of adjacent conservation area

The boundary of the Blacket Conservation area lies directly to the east of the application site. The proposed development is wholly contained within the footprint of the existing garage. External alterations are limited to the existing walls being retained and built up where necessary, formation of windows and a new glazed and slate roof which replicates the original form of the roof structure, replacing the existing asbestos roof. The impact on the appearance of the adjacent conservation area is limited due to the location of the site behind the existing tenement building fronting Duncan Street. This coupled with the use of high quality materials including slate and glass will result in an improvement in terms of the overall character of the adjacent conservation area. The proposed works will not have any adverse impact on the setting of the adjacent conservation area.

#### d) Scale and Design

Policies Des 1, Des 3 and Des 12 of the LDP consider the impact of the building's scale, form and design. The footprint of the existing building is not proposed to be enlarged as part of the proposals. Alterations involve the formation of a number of windows and doors, the erection of a new glazed and slated roof structure, and the formation of lightwells.

The degree of interventions to the external envelope of the building has been reduced from those submitted in previous applications. The result is that the proposed scheme is able to draw upon the existing positive characteristics of the site in a manner which will preserve the historic value of the building to an acceptable degree. The external detailing of the building, including the use of the glazed roof form which partially reflects the original in shape are detailed to a sufficiently high standard which make use of new materials without compromising the overall character of the outbuilding.

The scale and design of the proposed alterations are compatible with the character of the existing building and will not be detrimental to the character of the neighbourhood.

Given the small size of the units proposed within the development, it will have a significantly higher density than neighbouring residential properties. This is to be expected in student accommodation developments of this nature.

e) Environment for future occupiers

LDP Policy Des 5 - Development Design Amenity, and the Edinburgh Design Guidance consider amenity within new developments. Non-statutory guidance on Student Accommodation advises that as student accommodation is a primary place of residence, it is critical that adequate amenity is provided to occupiers to contribute to healthy and sustainable lifestyles.

In terms of the provision of daylight to the rooms, a number of drawings have been submitted to show how this has been assessed using the 'No Sky' guidelines as recommended in the Edinburgh Design Guidance. It is noted that seven of the proposed rooms fail to meet the minimum standards set. However, it is acknowledged that each of these affected rooms will receive an additional small amount of natural daylight via the proposed glazed atrium roof which will improve the situation. Of the rooms suffering a shortfall in daylight, the average shortfall is 5.6% below minimum standards, with only room No.12 having less than 25% of external wall area occupied by glazing.

On the basis that the application has managed to retain the original external walls of the listed building at ground and first floor level where the affected rooms are located, the slight shortfall in the provision of daylight for future occupiers is justified.

No open space provision is proposed as part of the development. Again, this is consequential of the conversion of the listed building on what is constrained site. The site is located within 500m walking distance of the Meadows and 700m from Holyrood Park. These facilities meet the guidance of Edinburgh's Open Space Strategy 2021 of having a large greenspace area located with 800m of residential properties. Given that the development meets the larger open space requirements, and involves the appropriate re-use of a listed building, the lack of on-site open space provision is acceptable within this densely populated urban area.

f) Impact on amenity of neighbouring residents

The development has a number of new window openings proposed on the western boundary of the site. There are no residential properties at the ground floor of the tenements on Ratcliffe Terrace. Above ground floor level, windows will be set below the line of windows of neighbouring tenements and there will be no direct views. There will be a degree of overlooking of the existing back court area of these properties, but this space is already heavily overlooked by a significant number of flats and provides little real privacy of garden ground. The proposed rooflights and lightwells will not create any direct overlooking issues.

In terms of the provision of daylight to existing neighbours, the applicant has submitted details to show how the alterations to the roof form will have no significant impact and meets the relevant standards found in the Edinburgh Design Guidance. As there is no increase in the footprint of the building, with changes to the shape of the roof form and external walling only, there will be no significant overshadowing of neighbouring garden ground.

The use of the building as student accommodation is essentially residential in character. As a result, the development is not expected to create a significant increase in noise levels compared to the existing commercial use.

The proposals will have an acceptable impact on the amenity of neighbouring residential properties.

#### g) Provision of waste services

Waste storage provision is proposed internally adjacent to the main entrance to the property. This will include provision for residual and segregated recycling bins. The proposed arrangements have been confirmed as acceptable by Waste Services.

#### h) Archaeology

Based on the historical and archaeological evidence available the building has been identified as being of regional importance. Accordingly, the aim should be to preserve archaeological remains in situ as a first option.

This scheme will see significant alterations and impacts upon and to this former horse bazaar. If committee are minded to grant this application, it should be ensured that a detailed historic building survey (phased and surveyed internal and external elevations and plans, photographic and written description and analysis) of the building is undertaken prior to and during alterations. This is in order to provide a permanent record of this historic structure.

#### i) Roads issues

There are no minimum parking standards requirements for student housing in this area, and no off street spaces are proposed at the site. In addition, the residents of the site will not be eligible to apply for residents parking permits leaving no reduction in the availability of on street residents parking bays. A transport statement has been submitted which states that the proposed development will have a negligible increase in car movements in the surrounding area and that the provision of zero car parking spaces is justified. Pavement widths on Duncan Street are to remain as existing which will provide suitable access for occupiers of the development.

Wall mounted cycle storage will be provided for 28 bicycles located within the internal courtyard area, for use by residents. A further eight visitor cycle storage spaces will be located within the existing access pend. This meets the numerical minimum standards within the Edinburgh Design Guidance.



The internal cycle parking provision fails to meet design standards on the basis that it requires users to lift cycles onto the 'stand'. However, given the internal space restrictions, and the fact that this is a fully enclosed space, on balance this is an acceptable solution. In addition, the proposal fails to provide the required one off street motorcycle parking space which is justified as there is no useable outdoor space on site.

j) Impact on flooding

The application has been assessed by Flooding and there is no requirement to submit a surface water management plan for the site.

k) Representations

**Material Representations - Objection**

- Overconcentration of students in area with close proximity to other similar developments - assessed in section 3.3a);
- Surrounding area characterised by residential properties and student housing is an inappropriate use - assessed in section 3.3a);
- Insufficient waste collection provision - assessed in section 3.3g);
- Loss of neighbouring amenity through adverse impact on sunlight, daylight and privacy - assessed in section 3.3f);
- Inappropriate design which fails to respect the historic character of the listed horse bazaar - assessed in section 3.3b);
- Insufficient parking provision - assessed in section 3.3i);
- Overdevelopment of the site - assessed in section 3.3d);
- Noise disturbance from future occupiers - assessed in section 3.3f);
- Surrounding pavements too narrow to cope with additional pedestrian footfall - assessed in section 3.3i);
- Inappropriate location of proposed cycle parking provision - assessed in section 3.3i);
- Inadequate levels of amenity for future occupiers of the student housing - assessed in section 3.3e);
- Loss of existing employment premises - assessed in section 3.3a);
- Flooding and drainage impacts - assessed in section 3.3i); and

- Inappropriate design with adverse impact on the existing building framework and roof profile - assessed in section 3.3b).

### **Material Representations - Support**

- Economic benefit to neighbouring businesses by increased custom;
- Appropriate re-use of a listed building - assessed in section 3.3b); and
- Student accommodation can integrate well into existing communities - assessed in section 3.3a).

### **Non-material Representations**

- Loss of private views;
- Increased potential for flytipping;
- Health issue by disturbing existing asbestos roof, subsidence issues and fire safety;
- Noise disturbance during construction period;
- Loss of value to neighbouring properties;
- Insufficient neighbour notification - neighbour notification was carried out in accordance with the relevant legislation;
- No access rights to cycle store; and
- Development not shown to be financially viable.

### **Community Council**

The Grange/Prestonfield Community Council did not request to be a statutory consultee on the application, but did object on the following grounds:

- Factual inaccuracies in application form and design statement - addressed in scheme 2;
- Given recent student housing applications in the area, the site should have been part of a wider development brief/masterplan to create mixed communities - application involves re-use of an existing building rather than comprehensive new works;
- Misleading description that the roof structure is to be retained as new frame proposed entirely with existing features retained on a cosmetic basis - assessed in section 3.3b);

- Cast iron column bases will be above the lowered floor levels -internal alterations to listed building not relevant to assessment;
- Failure to comply with policy Env 4 of the LDP - assessed in section 3.3b);
- Does not sufficiently justify the loss of historic fabric contrary to the advice of appeal decision Appeal LBA-230-2083 - assessed in section 3.3b);
- Lack of cooking facilities in proposed units - assessed in section 3.3d, internal layouts shown in scheme 2;
- Siting waste bins in storage pen detracts from the entrance of the building - omitted as part of scheme 2;
- Insufficient cycle storage provision space - assessed in section 3.3h);
- Number and size of glazed openings on west detract from character of listed building - assessed in section 3.3b);
- Excess of student housing provision in nearby locale -assessed in section 3.3a); and
- Failure to comply with LDP policy Des 5 as not adaptable to meet needs of alternative occupiers - assessed in 3.3b) as appropriate re-use of a listed building.
- Cumulative assessment fails to take into account PAN recently submitted for additional student accommodation at the Sick Kids site - assessed in section 3.3a).

#### l) Equalities

The application raises no issues in terms of equalities. One representation submitted raised concerns that the proposal fails to comply with Article 1 and Article 8 of the Human Rights Act. The planning system by its very nature respects the rights of the individual whilst acting in the interest of the wider community. The proposed development has been assessed against the LDP which is compatible with the Human Rights Act.

#### **Conclusion**

The use of the building for student accommodation is compliant with the LDP and relevant non-statutory guidance as the proposal would not result in an excessive concentration of student housing in the area, and is accessible to university and college facilities. The proposed physical alterations to the Category B listed building are justified and comply with policy Env4 as it would allow for continued use of a building where it would be difficult to obtain an appropriate alternative use of the premises. The non-compliance with guidance relating to open space and daylight is acceptable as the daylighting is considered to be a marginal fail from minimum standards, and appropriate large scale open space is provided within reasonable access of the site.

It is recommended that this application be Granted subject to the details below.

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. Prior to the commencement of construction works on site:
  - (a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Planning Authority, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - (b) Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Planning Authority.
3. Detailed specifications and samples of the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work commences on site.

#### **Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. In order to protect future occupiers of the proposed development.
3. In order to enable the planning authority to consider this/these matter/s in detail.

#### **Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

### **8.2 Publicity summary of representations and Community Council comments**

Twenty three letters of objection and three letters of support received. A full assessment of the representations can be found in the main report in the Assessment Section.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)

- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development****Plan Provision**

LDP - Urban area.

**Date registered**

3 November 2017

**Drawing numbers/Scheme**

01, 02, 02A, 03B, 04A, 05C, 06C,,  
07A, 08A, 08B, 09A, 10, 10A, 11A, 12A, 13,,  
13A, 14A, 15, 15A, 16A,,  
17A, 18A, 19A, 20A, 21A, 27.,

Scheme 2

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer

E-mail:rachel.webster@edinburgh.gov.uk Tel:0131 529 3442

**Links - Policies**

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**Relevant Policies:****Relevant Non-Statutory Guidelines**

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

The Blacket Conservation Area Character Appraisal emphasises the mix of substantial villas and terraces, the unified architectural form and materials, the sense of spaciousness derived from the generously proportioned gardens and large mature trees, and the predominance of residential uses.

## **Relevant policies of the Local Development Plan.**

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 20 (Open Space in New Development) sets out requirements for the provision of open space in new development.

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.



# Appendix 1

## **Application for Planning Permission 17/05115/FUL At 20 Duncan Street, Edinburgh, EH9 1SR Change of use from car servicing and repairs centre to student accommodation (comprising 25 student studios with shared breakout, office and amenity spaces) and associated works (as amended).**

### **Consultations**

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#### **Environmental Protection**

Environmental Protection has commented on a similar applications before (15/04585/FUL & 16/03353/FUL), these application were withdrawn with another application being recently refused (16/05503/FUL). This application proposes to demolish a garage and erect residential student apartments. Residential tenements are situated to the north with a timber supplier to the south. Residential flats with commercial properties on the ground floor are situated to the west with office premises and associated parking situated to the east

A timber supply premises is situated immediately to the south of the application apartments and therefore there is the possibility that noise could impact upon the amenity of the proposed properties. Previous discussions with staff at the timber supply premises indicate that operations are already carried out in a manner sensitive to nearby residential properties due to the premises already being surrounded by residential properties. In this regard, operations occur mainly during the daytime with no reverse beeping or deliveries carried out during noise sensitive times.

Previous uses of the site would indicate that it has the potential to be contaminated. In this regard it is recommended that the site be assessed and remediated where required. A condition is recommended below in this regard.

It is highlighted in Edinburgh's Local Transport Strategy 2014-2019 that the Council seeks to support increased use of low emission vehicles and support the extension of the network of Electric Vehicle (EV) charging points.

The City of Edinburgh Parking Standards for Development Management also now encourages the use of EVs. It states that the Council is likely to introduce a requirement for EV charging infrastructure which depends on how charging technology evolves this includes:

- o Dedicated parking spaces with charging facilities.
- o Ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Developers should now consider the potential for EV charging as they develop their proposals. Based on currently available technology Environmental Protection recommends that the site is served by at least one electric vehicle charging outlet and should be of the following standard;

70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Grants are also available for the installation of EV charge points more information can be found at;

<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>

With regards to air quality Environmental Protection do not object to this development. However, as stated above we encourage the developer to work with this department to produce a Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;

1. Car Club facilities (electric and/or low emission vehicles).
2. Provision of electric vehicle charging facilities.
3. Public transport incentives.
4. Improved cycle/pedestrian facilities and links.

Environmental Protection also advise the applicant that all energy systems must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass.

Therefore, Environmental Protection has no objections to this proposed development subject to the following condition:

1. Prior to the commencement of construction works on site:
  - (a) A site survey (including intrusive investigation where necessary) must be carried out to establish to the satisfaction of the Head of Planning, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - (b) Where necessary, a detailed schedule of any remedial and /or protective measures, including their programming, must be submitted to and approved in writing by the Head of Planning.

Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided to the satisfaction of the Head of Planning.

2. Electric vehicle Charging outlet(s) should be of the following standard:

70 or 50kW (100 Amp) DC with 43kW (64 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. Must have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Informative

Electric vehicle charging points should be installed in accordance with Transport Scotland's Switched On Scotland: A Roadmap to Widespread Adoption of Plug-in Vehicles (2013).

When available the applicant shall provide details of all the boilers to Environmental Assessment to ensure compliance with the Clean Air Act 1993

## **Archaeology**

I would like to make the following comments and recommendations concerning these associated Full planning and listed building applications for the change of use from car servicing and repairs centre to student accommodation (comprising 25 student studios with shared breakout, office and amenity spaces) and associated works.

The site affects Duncan's Garage which forms an integral part of a B-listed group of buildings along with the adjacent 3-storey tenement of 18-22 Duncan Street. This garage dates to c.1870 and is recorded on the Second (1876) and 3rd (1893) Editions of the OS Map as a Horse Bazaar, being converted to a garage in the mid 20th century.

Based on the historical and archaeological evidence the building has been identified as being of regional importance. Accordingly, these applications must be considered under terms Scottish Government's Scottish Planning Policy (SPP) and Scottish Historic Environment Policy (SHEP) and CEC's Edinburgh Local Development Plan policies ENV2, ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

This scheme will see significant alterations and impacts upon and too this former Victorian Horse Bazaar (Duncan's Garage), a building of regional historic and archaeological significance. It is essential therefore that if granted a detailed historic building survey (phased and surveyed internal and external elevations and plans, photographic and written description and analysis) of the building is undertaken prior to and during alterations. This is required to provide a permanent record of this historic structure. This work will be linked to a suitable programme of archaeological work on any proposed ground-breaking works and secured by the following recommended condition;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work would be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

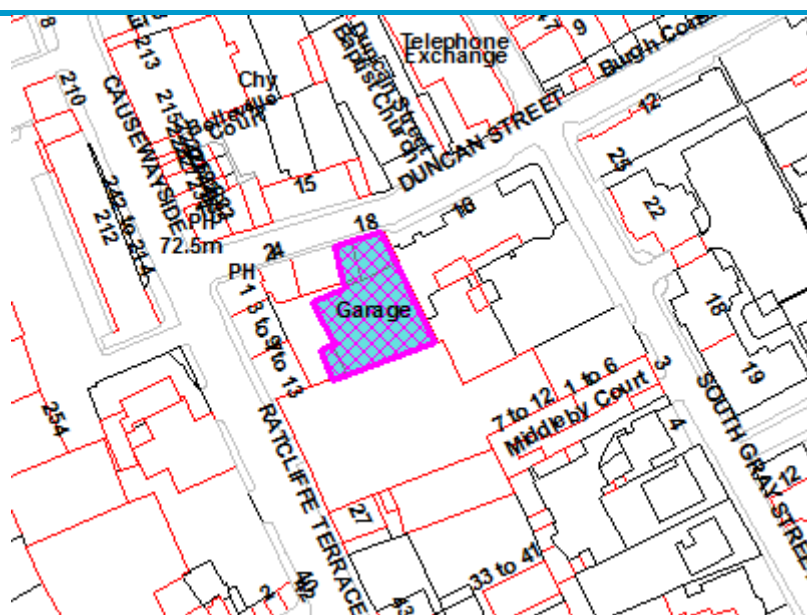
## Transport Planning

The application should be refused.

Reasons:

1. The proposed type of cycle parking requires users to lift cycles onto the 'stand' and is therefore not acceptable. Cycle parking is required to be accessible, convenient and easy to use. 'Sheffield' style racks, lockers or wall hoops are considered most appropriate;
2. Motorcycle provision of 1 space per 25 beds, i.e. 1 space, does not appear to have been provided.

## Location Plan



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**END**

# Development Management Sub Committee

Wednesday 9 May 2018

**Application for Listed Building Consent 17/05119/LBC  
At 20 Duncan Street, Edinburgh, EH9 1SR  
Alterations and extensions as part of change of use from car servicing and repairs centre to student accommodation (comprising 25 No. student studios with shared breakout, office and amenity spaces) and associated works (as amended).**

<b>Item number</b>	7.1(b)
<b>Report number</b>	
<b>Wards</b>	B15 - Southside/Newington

## Summary

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The proposed physical alterations to the Category B listed building are justified as these would allow for continued use of a building where it would be difficult to obtain an appropriate alternative use of the premises. On this basis, the proposals are a justified exception to policy Env 4 of the Local Development Plan.

## Links

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[Policies and guidance for this application](#) NSG, NSLBCA, LDPP, LEN04, LEN06, CRPBLA,

# Report

## **Application for Listed Building Consent 17/05119/LBC At 20 Duncan Street, Edinburgh, EH9 1SR Alterations and extensions as part of change of use from car servicing and repairs centre to student accommodation (comprising 25 No. student studios with shared breakout, office and amenity spaces) and associated works (as amended).**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The application site is a car repairs garage which forms part of a 3 storey, 7 bay symmetrical Italianate tenement block, flanking a central pend with the garage attached to the rear of the pend and tenement and constructed circa 1870. The property is built mainly from stone with original setts at ground floor level, cast-iron columns and intricate timber roofing structure with a number of cross and tie-beams in an unusual configuration. The original roof is still in evidence having an M profile, albeit altered with concrete S-profile sheeting at the ends and original Scotch slate at the top. The building is vernacular in style with agricultural elements and was originally built as a horse bazaar and converted to a garage in the mid 20th century.

To the south of the site, the walls are tight up against the boundary of Jewson-builder's supplies warehouse; to the east the wall is up against a 2-storey stone built dental practice, and also bounds the a car park to the site which has an NHS use, and to the west there is the rear garden to the 4-storey stone-built tenements on Ratcliffe Terrace.

The boundary of the Blacket Conservation Area lies along the eastern side of the property, although the site lies outwith the conservation area.

The building is category B listed. Added to the Statutory List on 25/03/1997. (LB refers 44213).

#### **2.2 Site History**

22 February 2016: Planning application for demolition and creation of 28 No. private rental apartments, withdrawn. (application reference 15/04585/FUL).

22 February 2016: Listed Building Consent application for demolition and alterations in relation to existing shed/workshop, withdrawn. (application reference 15/05233/LBC).

8 June 2016 - Listed Building Consent refused to demolish existing commercial building and restore rear of tenement at lower level (application reference 16/00874/LBC).

2 November 2016 - Appeal against the refusal of application 16/00874/LBC dismissed by reporter (DPEA appeal reference LBA-230-2083).

4 November 2016 - Planning application for conversion and alteration of existing garage. Creation of new high quality private rental scheme to comprise 28 studio apartments, withdrawn. (application reference 16/03353/FUL).

4 November 2016 - Listed Building application for conversion and alteration of 20 Duncan Street and existing workshop at the rear of 20 Duncan Street, withdrawn. (application reference 16/03353/LBC).

3 August 2017 - Planning permission and listed building consent refused for change of use from car servicing and repairs centre to student accommodation (comprising 29 No. student studios with shared breakout space) and associated external works (application references 16/05503/FUL and 16/05505/LBC).

## **Main report**

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### **3.1 Description Of The Proposal**

The application proposes alterations to the listed building associated with the formation of 25 student studio flats as a student housing development.

Externally the garage would retain the existing stone walls, and extend the height of part of these walls. These will be altered through the formation of a number of openings to form windows and doors associated with the proposed change of use to student housing. The existing timber roof structure removed completely. A new steel and glazed roof structure is to be formed, to be predominantly finished in slate.

Internally, the existing timber structural supports would be partially retained, to the point where the roof structure is met. Existing stone sets on the floor of the property are to be used internally, albeit with a lowered ground level. New rooms will be formed in pods within the existing external walls which will significantly alter the original plan form of the building.

### **3.2 Determining Issues**

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

### **3.3 Assessment**

To address these determining issues, the Committee needs to consider whether:

- a) The proposals will harm the architectural or historic interest of the listed building or adversely affect the special character or appearance of the conservation area; and
- b) The representations raise any issues to be addressed.

a) Impact on the character of the listed building and character and appearance/setting of adjacent conservation area

The application proposes alterations to the single storey building located to the rear of 20 Duncan Street. This building, and its adjoining residential tenement was designed as a single mixed-use development, the size and detailing of the entrance pend in the residential block intended to draw people into the intrinsically linked horse bazaar behind. The structure of this horse bazaar; iron columns, trussed timber roof and stone walls, remains substantially intact.

The historical importance of the horse bazaar was confirmed in application 16/00874/LBC and associated appeal decision LBA-230-2083, where it was noted that... *'This is clearly part of the special interest of the listed building. The list description makes no reference, but that is not determinative of special interest. The inclusion of a horse bazaar and tenements is rare. It adds to the special interest of the building and the desirability of preserving it.'*

Policy Env 4 of the Local Development Plan (LDP) advises that proposals to alter a listed building will be permitted where these alterations are justified, there will be no unnecessary damage to historic features and additions are in keeping with other parts of the building.

The degree of interventions proposed to this listed building are radical. Supporting statements have been submitted to provide a structural commentary and heritage statement provides detail on the significance of the horse bazaar. However, this document inaccurately dismisses the historical importance of this feature.

The alterations to the form of the original roof structure remain significant, although a large degree of the shape of the original form will be retained. The pitch of the roof will be retained on two elevations with the gable wall on the eastern and western side raised to create an enlarged gable using stone to match.

A significant number of openings are also proposed to the original walls of the building. The number of these openings proposed is a compromise between the retention of historic fabric of the building, and the provision of daylight to future occupiers to allow the continued use of the building. The use of metal window framing would reflect the industrial heritage of the building.



Internally, the proposals involve the removal of the roof structure and timbers as shown on the downtakings plan. Although the floor level will be lowered from existing levels, it is noted that the original setts are to be relaid within the central atrium area. The existing columns are to be retained as decorative feature and will no longer serve a structural purpose. These will be extended towards the new lowered floor level using an appropriate collar system. Although the original open plan character of the building will be substantially altered through the formation of the studio units, a sense of the original space will be retained in the large central atrium.

HES has acknowledged that given that the existing mechanic's use of the site is intended to cease in the near future, finding an alternative use of the large internal space is likely to be challenging without requiring significant alterations to the historic structure. Previous applications to redevelop the building would have resulted in a much greater loss of historic building form and it is accepted that the current proposals are a compromise between preservation of the most important features of the building and achieving an active use of the building.

The boundary of the Blacket Conservation area lies directly to the east of the application site. The proposed development is wholly contained within the footprint of the existing garage. External alterations are limited to the existing walls being retained and built up where necessary, formation of windows and a new glazed and slate roof which replicates the original form of the roof structure, replacing the existing asbestos roof. The impact on the appearance of the adjacent conservation area is limited due to the location of the site behind the existing tenement building fronting Duncan Street. This coupled with the use of high quality materials including slate and glass will result in an improvement in terms of the overall character of the adjacent conservation area. The proposed works will not have any adverse impact on the setting of the adjacent conservation area.

In conclusion, the essential elements of the roof structure and plan form of the horse bazaar will remain legible and therefore there is no diminution of interest of the historic structure. The proposed use will safeguard the future of this unique and historic structure.

On balance, whilst the proposal will impact on the special character of the listed building, the extent of the interventions are justified and considered acceptable as they will not result in a diminution of interest or cause unnecessary damage to historic structure. The architectural character will be retained and the setting of the adjacent conservation area improved through the replacement of the existing asbestos roof covering with a slate roof. The proposals are in accordance with policies Env 4 and Env 6 of the LDP. A condition requiring the implementation of a programme of archaeological works is recommended.

## b) Representations

### **Material Representations - Objection**

- Impact on the character and special interest of the horse bazaar;
- Unjustified loss of historic fabric, and
- Failure to respect or enhance the buildings framework and roof profile.

- These are addressed in Section 3.3a) above.

### **Non-material Representations**

- Noise from occupiers;
- Lack of waste provision;
- Loss of amenity to neighbouring residents;
- Insufficient parking;
- Impact on health of neighbours;
- Disturbance during construction works;
- Insufficient pavement width;
- Fire safety;
- Flooding impact;
- Increase in litter;
- Overprovision of student accommodation;
- Inappropriate density;
- Poor quality environment for future occupiers;
- Density too high;
- Building should remain in commercial use;
- Loss of neighbouring property values;
- Impact on neighbours security;
- Impact on human rights from noise disturbance by future occupiers;
- Ground stability; and
- Loss of views.

### **Community Council**

The Grange/Prestonfield Community Council did not request to be a statutory consultee on the application, but did object on the following grounds:

- Lowering of ground floor and introduction of steps would detract from the character of the building;
- Number of floors and density of accommodation would mask the listed structure and detract from its special interest;
- Loss of existing roof structure and roof light contrary to submission in planning statement;
- Existing original beams and columns will become structurally redundant;
- The structure should be repaired/strengthened without the loss of historic fabric;
- Fails to comply with policy Env 4 of the LDP;
- Number and size of openings on west wall detract from the character of the listed building; and
- Does not reflect paragraph 3 of appeal decision LBA-230-2083.

These are addressed in Section 3.3a) above.

The following non-material concerns were raised by the Community Council which are not relevant to the assessment of this application:

- Area should be master-planned;

- Uncoordinated development with nearby sites;
- Inadequate living environment for future occupiers;
- Insufficient waste provision;
- Loss of privacy; and
- Overconcentration of student housing in surrounding area.

## **Conclusion**

The proposals will have an impact on the architectural composition and integrity of the listed building. However, on balance this is a justified level of intervention which will retain the essence of its setting and will allow for a new use within the building. As a result the proposals are acceptable in relation to policies Env 4 and Env 6 of the LDP.

It is recommended that this application be Granted subject to the details below.

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. Detailed specifications and samples of the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work commences on site.

#### **Reasons:-**

1. In order to safeguard the interests of archaeological heritage.
2. In order to enable the planning authority to consider this/these matter/s in detail.

#### **Informatives**

It should be noted that:

1. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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**5.1** Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been assessed and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

There is no pre-application process history.

### **8.2 Publicity summary of representations and Community Council comments**

Six objections were received which raised material concerns related to the works subject to this application, including an objection from the South Side Community Council. A further 11 objections received did not raise any material issues.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

**Statutory Development  
Plan Provision**

Defined as Urban Area in Local Development Plan.

**Date registered**

3 November 2017

**Drawing numbers/Scheme**

01, 02, 03B, 04A, 05A, 06A, 07A, 08A, 09A, 10,  
11A, 13, 13A, 15, 16A, 17A, 18.,

Scheme 2

**David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Rachel Webster, Planning Officer

E-mail:rachel.webster@edinburgh.gov.uk Tel:0131 529 3442

**Links - Policies**

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**Relevant Policies:**

**Relevant Non-Statutory Guidelines**

**Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS'** provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

**Relevant policies of the Local Development Plan.**

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

LDP Policy Env 6 (Conservation Areas - Development) sets out criteria for assessing development in a conservation area.

The Blasket Conservation Area Character Appraisal emphasises the mix of substantial villas and terraces, the unified architectural form and materials, the sense of spaciousness derived from the generously proportioned gardens and large mature trees, and the predominance of residential uses.

# Appendix 1

## **Application for Listed Building Consent 17/05119/LBC At 20 Duncan Street, Edinburgh, EH9 1SR Alterations and extensions as part of change of use from car servicing and repairs centre to student accommodation (comprising 25 No. student studios with shared breakout, office and amenity spaces) and associated works (as amended).**

### **Consultations**

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#### **Historic Environment Scotland**

We offer the following advice;

This is the latest in a succession of applications for the garage to the rear of 20 Duncan Street. We provided advice on a similar application (16/03353/LBC) for incorporating the garage into the re-development of the site earlier this year, which we understand was subsequently withdrawn, and we essentially offer the same advice now.

The tenements are the focus of the listing, however our view remains that the garage has value and interest as being part of a rare mixed-use development (incorporating Italianate designed tenements to the front) and the only known surviving horse bazaar in Edinburgh.

The proposal to incorporate the historic structure within a student residential scheme is welcomed.

We have recognised that finding an alternative use for the large internal space will be challenging and may require significant intervention. This conversion to residential accommodation will inevitably impact on the large open-plan historic structure. In considering a scheme such as this, our view is that its success will depend on the extent of the surviving original structure (cast-iron columns, timber roof and stone external walls) which can be incorporated into the residential scheme.

In looking at the details contained within the application, we welcome the retention and adaptation of existing columns, stone walls and central structure as outlined in the Design Statement. In your Council's own detailed assessment of the application, you may wish to clarify with the applicant more precisely the extent of the existing structure to be retained.

Our advice can be used by you to inform your decision. The proposals do not raise issues of national significance. Our letter is advisory and is not an objection.

Our decision not to provide detailed comments and not to object should not be taken as our support for the proposals. You are the primary decision maker and assess proposals against local and national historic environment policy and guidance.

This response applies to the application currently proposed, an amended scheme may require another consultation with us.

## **Archaeology**

I would like to make the following comments and recommendations concerning these associated Full planning and listed building applications for the change of use from car servicing and repairs centre to student accommodation (comprising 25 student studios with shared breakout, office and amenity spaces) and associated works.

The site affects Duncan's Garage which forms an integral part of a B-listed group of buildings along with the adjacent 3-storey tenement of 18-22 Duncan Street. This garage dates to c.1870 and is recorded on the Second (1876) and 3rd (1893) Editions of the OS Map as a Horse Bazaar, being converted to a garage in the mid 20th century.

Based on the historical and archaeological evidence the building has been identified as being of regional importance. Accordingly, these applications must be considered under terms Scottish Government's Scottish Planning Policy (SPP) and Scottish Historic Environment Policy (SHEP) and CEC's Edinburgh Local Development Plan policies ENV2, ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

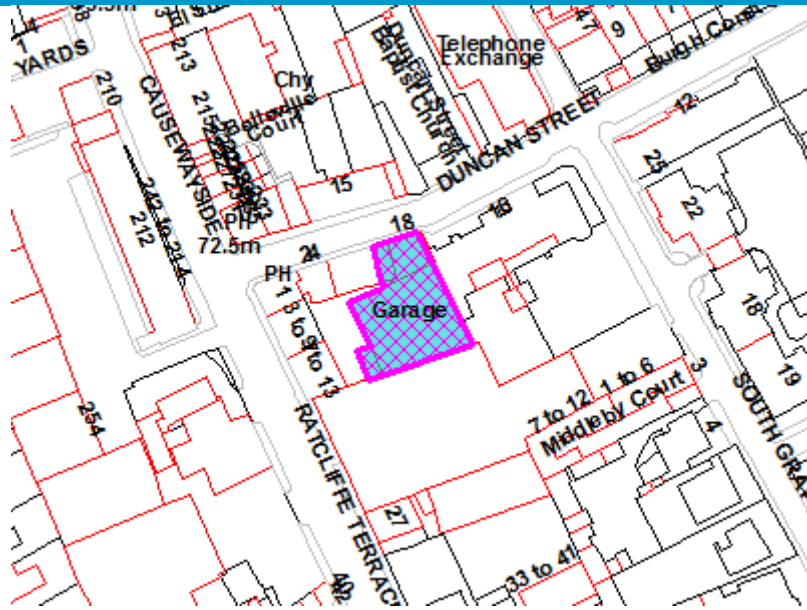
This scheme will see significant alterations and impacts upon and to this former Victorian Horse Bazaar (Duncan's Garage), a building of regional historic and archaeological significance. It is essential therefore that if granted a detailed historic building survey (phased and surveyed internal and external elevations and plans, photographic and written description and analysis) of the building is undertaken prior to and during alterations. This is required to provide a permanent record of this historic structure. This work will be linked to a suitable programme of archaeological work on any proposed ground-breaking works and secured by the following recommended condition;

'No development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, historic building recording, analysis & reporting, publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.'

The work would be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.

## Location Plan

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**END**



# Development Management Sub Committee

Wednesday 9 May 2018

## Application for Planning Permission 17/03433/FUL At 33 Pinkhill, Edinburgh, EH12 7BF Demolition of existing office building and development of 51 apartments (scheme 2)

Item number	7.2
Report number	
Wards	B06 - Corstorphine/Murrayfield

### Summary

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The proposed residential development on the site is acceptable and complies with LDP policies Hou 1 and Emp 9. The density, layout, scale, form and design are appropriate within this sustainable location. The proposal will achieve an acceptable environment for future occupiers and will not have an unacceptable adverse impact on the amenity of neighbouring properties.

Affordable housing will be delivered on and off site through a legal agreement. Other matters relating to transport, drainage, trees and landscape are considered acceptable.

The proposal is acceptable and there are no material considerations which outweigh this conclusion.

### Links

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<a href="#">Policies and guidance for this application</a>	LDEL01, LDES01, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES11, LEN09, LEN12, LEN16, LEN21, LEN22, LEMP09, LHOU01, LHOU02, LHOU03, LHOU04, LHOU06, LTRA02, LTRA03, LTRA08, LRS01, LRS06, NSG, NSGD02, NSHAFF,
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# Report

## **Application for Planning Permission 17/03433/FUL At 33 Pinkhill, Edinburgh, EH12 7BF Demolition of existing office building and development of 51 apartments (scheme 2)**

### **Recommendations**

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1.1 It is recommended that this application be Granted subject to the details below.

### **Background**

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#### **2.1 Site description**

The site, covering an area of approximately 0.43 hectares, lies to the south of Pinkhill and its current use is an office with an associated parking area. The site is linear and slopes from its northern end at Pinkhill, with a drop in height to the south, into its parking area and Pinkhill Park.

The existing office building has a net internal area of 1,935 sqm, is three storeys in height and is currently vacant. Its main pedestrian entrance is from Pinkhill with a further entrance point at the south from Pinkhill Park. It is a steel frame building consisting of brick, cladding and glazed windows. Trees, landscape planting and grass areas surround the office building. The south section of the site comprises surface car parking.

The site lies within a predominantly residential area which has a variety of housing styles and is suburban in character. The adjacent Pinkhill Park consists of four storey apartments with ground level parking, four storey apartments and three storey town houses, and is located immediately to the east and south of the site. Housing at Traquair Park East and Carrick Knowe Avenue is located immediately to the west. Carrick Knowe Golf Course lies immediately to the south. The north boundary faces on to Pinkhill.

Pedestrian and vehicular access to the site is gained from Pinkhill and Pinkhill Park and there is a disused railway line to the north of the site that is now used as a Core Path (CEC 13 Sighthill to Carrick Knowe) and cycle route.

Corstorphine Road and a number of prominent local features including Edinburgh Zoo, Silvan House and Murrayfield Hospital are all in close proximity to the north of the site.

#### **2.2 Site History**

There is no recent relevant planning history for this site. Previous applications at the site relate to the existing office use.

# Main report

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## 3.1 Description Of The Proposal

The amended proposal comprises demolition of the existing office building and the development of 51 apartments, including:

- 4 studio apartments measuring 37 sqm;
- 15 one bed apartments measuring 52 sqm;
- 21 two bed apartments measuring from 71 - 79 sqm; and
- 11 three bed apartments measuring from 91 - 96 sqm.

A single building is proposed in a similar location to the existing office. Vehicular access to private car parking is maintained.

The proposed building is five storeys, with the fifth storey set back from the main building line. There is a stepped reduction to four and three storeys at the north elevation and a more pronounced stepped reduction to four and three storeys at the south elevation. The building footprint is similar to the existing office building, but will be located approximately 0.5m further to the east. The southern elevation will be situated approximately 4.7 m further away from apartments at no. 14 Pinkhill Park than the existing office building.

Proposed materials include acid etch sandstone panels, grey timber cladding, natural timber cladding, dark grey zinc like roof, mid-grey coloured energy efficient PVC windows and balconies/terraces with timber decking and structural glass balustrading.

Each of the apartments will have approximately 4 sqm of balcony space or access to terrace space. Ground floor apartments and fourth floor apartments will have access to terrace areas. Large windows are a feature in each of the apartments. Affordable housing will be provided on site.

The south of the site accommodates 43 car parking spaces, including three disabled spaces. Of the 43 car parking spaces, three electric vehicle parking spaces are provided. Within the car park area, 3 motorbike spaces with secure anchor points are provided. The car parking will be controlled with an entrance barrier and spaces will not be allocated. The existing car park barrier will be moved further west to allow for movement of larger vehicles and refuse collection.

A secure bicycle store with capacity for 86 bicycles is integrated within the building at the main access at the south of building. Eight visitor cycle parking spaces are provided externally at the main entrance.

A 438 sqm landscaped formal amenity space is provided at the south of the building in close proximity to the main entrance. A further informal landscaped area measuring 1,068 sqm surround the building and beech hedging at the east of the site will be retained. Two seating areas are proposed: one at the north east boundary and another at the south of the site beside Carrick Knowe golf course.

Four trees and a small group of young trees located at the east and north of the site will be removed, with four replacement trees proposed.

## Scheme 1

The proposal comprised 75 apartments including a mixture of apartment types comprising:

- 19 studio apartments measuring 36 sqm;
- 18 one bed apartments measuring 53 sqm;
- 36 two bed apartments measuring 71 sqm; and
- 2 three bed apartments each measuring 116 sqm.

Scheme 1 was taller at six storeys and had a larger footprint. The proposal was amended to allow for an increase in dual aspect apartments, provision of a new amenity space, a better mix of apartment sizes, increased building distance from TPO trees at the west facade and an overall reduction in height, mass and density.

## Supporting Statement

The applicant submitted a suite of supporting documents and studies in support of the application and these are available on the Planning and Building Standards Public Access facility:

- Design and access statement;
- Planning supporting statement;
- Pre-application consultation report;
- Transport statement and information;
- Daylighting report and sections plan;
- Residential travel pack;
- Drainage information and checklists;
- Flood risk information;
- Air quality statement;
- Sustainability Form S1 and a Low and zero carbon energy report;
- Landscape plan and amenity space plan;
- Landscape and Visual Assessment and view cone assessment;
- Arboricultural impact assessment;
- Arboricultural method statement;
- Construction method statement;
- Target market research report and Executive Summary;
- Bat survey; and
- Refuse plan & swept path analysis.

Supporting information was updated to reflect Scheme 2.

### **3.2 Determining Issues**

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Do the proposals comply with the development plan?

If the proposals do comply with the development plan, are there any compelling reasons for not approving them?

If the proposals do not comply with the development plan, are there any compelling reasons for approving them?

### 3.3 Assessment

To address these determining issues, the Committee needs to consider whether:

- a) the principle of development is acceptable in this location;
- b) the layout, design and density are acceptable at this site;
- c) whether the proposal provides adequate amenity for future residents or will impact adversely upon amenity of neighbours;
- d) landscape proposals are acceptable;
- e) the proposal raises issues in terms of traffic or road safety;
- f) the proposal has any equalities or human rights impacts;
- g) the proposal is acceptable in relation to other relevant material considerations;
- h) there are any developer contribution requirements;
- i) the proposal meets sustainability criteria; and
- j) material representations or community council comments raise issues to be addressed.

#### a) Principle

The site is located within the Urban Area as identified in the Local Development Plan (LDP). The site is the subject of a Tree Preservation Order (TPO) as well.

Criterion d), in part 1 of LDP policy Hou 1, gives priority to the delivery of housing at sites in the Urban Area, subject to compatibility with other policies in the LDP. Housing at this site is consistent with LDP policy Hou 1.

Introducing housing at the site in place of the existing vacant office building will not prejudice or inhibit the activities of any nearby employment uses and will contribute to regeneration and improvement in the wider area which meets the requirements of LDP policy Emp 9 a) and b). The site is not greater than one hectare and the proposal is not required to include floorspace for a range of business users; this meets the requirements of LDP policy Emp 9 c). The loss of office space is acceptable.

The principle of residential development at this location is acceptable subject to compliance with other LDP policies.

## b) Layout, design and density

### **Layout & Design**

The existing office building is constructed of a mixture of steel, dark brick and dark glazing. Its appearance does not reflect the predominant character of the majority of surrounding buildings.

The proposal's design and appearance is modern, with the top floor set back and the building stepped down from five storeys to four and three storeys at the north and south facades. The colour and mix of materials proposed will complement the adjacent apartments at Pinkhill Park.

The building is designed to create principal elevations to the public roads to the north and east as well as the redesigned entrance incorporating shared amenity space.

The proposed footprint respects the established layout of buildings in the area. Compared to the existing office, the building line of the proposal has been pulled back at the south façade by 4.7 m to create a dedicated amenity space. This assists in creating a sense of place.

Access to the site is taken from Pinkhill Park and maintains the existing arrangements. The presence of an underground sewer in the proposed parking area constrains any development in this area and this is a logical location for parking provision and vehicle access.

The proposal will be five storeys in height and approximately 6 m taller at its highest point than the existing office building. This is 0.2m taller than the ridge height of neighbouring five storey apartments at 1 - 3 Pinkhill Park which consist of undercroft parking at the ground level and four storeys of flats. The proposal's increased height facilitates higher density at the site.

The proposal's stepped reduction in height reflects the varying heights of buildings in the area taking reference from Pinkhill Park. The variation in the proposal's height also creates a transition to lower density housing to the west at Traquair Park East and Carrick Knowe Avenue by reducing height and massing. The topography of the site means that the north of the building which faces on to Pinkhill will appear to be two storeys from the street level which is a suitable scale of development for this part of the site.

By maintaining a similar footprint to the existing office building, the proposal's distance from neighbouring apartments at Pinkhill Park and houses at Traquair Park East is appropriate. This respects the existing urban form and established character of the area. Maintaining the existing urban grain helps to facilitate the proposal's change of use from office to residential and accommodate any effects relating to overlooking and privacy; this matter is further assessed below in Section 3.3 c).

The proposal will retain beech hedging at the east of the site and the majority of TPO trees will be retained to ensure the area's natural environment is retained. Four trees and a small group of young trees at the north of the site will be removed. However, this will not adversely affect the character of the area. The landscaped area surrounding the existing office building will be retained and forms part of the applicant's informal amenity space. Retention of these features will create an attractive residential environment.

The Edinburgh Urban Design Panel (EUDP) considered an early iteration of the proposal at the pre-application stage. Based on the EUDP's comments, the applicant has sought to implement advice provided in relation to the proposal's built form, massing, layout and height.

The layout and design of the proposal are acceptable and will be a positive contribution to the wider townscape.

#### *Mix and size of apartments*

Through LDP policy Hou 2, the Council seeks provision of a mix of house types and sizes to meet a range of housing needs. The proposal comprises a mix of studio, one bed, two bed and three bed apartments. Site constraints including its dimensions, area and presence of a sewer mean it would be difficult to deliver a different type housing. The provision of apartments of varying sizes designed with a range of users is acceptable in this instance. Floorspace requirements for each of the proposed apartment sizes meet the EDG standards.

The EDG states that in developments over 12 units, 20% of proposed units should have a minimum floor space of 91 sqm and be designed for families. The proposal meets this requirement by providing 11 three bedroom apartments measuring 91 sqm or more, equating to 21% of proposed units.

The mix of units proposed is acceptable.

#### *Amenity space*

The proposal includes 438 sqm of formal open space which has been introduced to the site by amending the building line of the south façade. This constitutes approximately 10% of the site. The retention and enhancement of the landscape space surrounding the building provides additional informal amenity space measuring approximately 1,068 sqm which is 25% of the development site. The introduction of south facing amenity space as part of the proposal introduces an area that will receive a good level of sunlight, creating an attractive new space. In addition to the amenity space provided, each apartment will have a dedicated terrace or balcony space to complement external amenity areas.

The proposal incorporates a small area of landscaping with a small bench features at the south of the car park beside Carrick Knowe Golf Course. Objections raise concern that this area will encourage anti-social behaviour. However, there is no evidence to suggest this will occur.

The provision of these private, formal and informal amenity spaces meet the requirement of LDP policy Hou 3 and will create an attractive development with well designed and useable amenity space.

## **Density**

The area surrounding the proposal contains a mixture of high and low densities and varying building footprints. The proposal's footprint is broadly similar to the existing office and apartments in Pinkhill Park and maintains the urban grain in the area.

The proposal for 51 apartments on a site measuring 0.43 hectares equates to approximately 118 dwellings per hectare; this is similar to tenemental densities seen elsewhere in suburban Edinburgh which can be up to approximately 150 dwellings per hectare. Neighbouring dwellings at Pinkhill Park which is a larger site have a density of approximately 70 dwellings per hectare and a broader mix of house types including flats and townhouses. Housing to the west of the site at Traquair Park and Carrick Knowe Avenue consists mostly of two storey detached and semi-detached housing with garden spaces and is more suburban in nature.

The increased height is most noticeable in comparison to neighbouring housing to the west. The proposal would signify a natural transition of higher density at the end of Pinkhill leading in to Traquair Park East and Carrick Knowe Avenue. Stepped reductions at the north and south ends of the proposal ensure it sits appropriately within its context. Although the proposal is higher in part than some properties in the area, it is similar to its immediate surrounding area at Pinkhill Park. The proposal will not damage local character, residential amenity or environmental quality by virtue of its density. The proposal draws on positive characteristics of the area to deliver a density that is suitable for this site.

The proposal's higher density is further justified due to its sustainable location close to a key arterial route to the city (Corstorphine Road) and the surrounding core path and cycle network.

The density of the proposal is acceptable and will not have a detrimental impact on the spatial character of the area or lead to adverse impact on local character. This is consistent with LDP policies Des 1, Des 4, Hou 4 and the Edinburgh Design Guidance (EDG).

## **Conclusion**

The proposal is acceptable in terms of its density, layout and design. It respects the established urban form in the area, its height is similar to neighbouring apartments and town houses with stepped reductions included to provide a suitable transition to lower density housing at Traquair Park East and Carrick Knowe Avenue.

The proposal complies with LDP policies Des 1 Design Quality and Context, Des 4 Development Design - Impact on Setting, Des 7 Layout Design, Des 8 Public Realm and Landscape Design, Hou 2 Housing Mix, Hou 3 Private Green Space in Housing Development, Hou 4 Housing Density and the Council's associated Edinburgh Design Guidance.



### c) Amenity

#### **Neighbouring amenity**

The proposed residential development is compatible with the surrounding area which is residential in character.

The proposal's building line and location is similar to the existing office. The proposal's south façade will be approximately 4.7 m further away from apartments at no. 14 Pinkhill Park. The proposal's west façade is moved 0.5 m to the east compared to the existing office. These changes facilitate increased height in places and reduce any effects on neighbours at no. 14 Pinkhill Park and Traquair Park East in terms of overshadowing and daylight levels.

The applicant provided information to support the proposal against criteria in the EDG relating to sunlight, overshadowing and vertical sky. The proposal will be located at sufficient distances from site boundaries and existing residential properties to ensure that requirements regarding privacy, daylighting, outlook and overshadowing, as set out in the Edinburgh Design Guidance, are met. The shadow plan provided by the applicant shows that there will be negligible effects on gardens of properties at Traquair Park East in comparison to the existing situation.

The change of use from office to residential at the site has most potential to adversely affect privacy and overlooking in gardens at 1 and 1b Traquair Park East. The proposal maintains an acceptable window to window distance from apartments at 1 - 3 Pinkhill (approx. 21 m), apartments at no. 14 Pinkhill Park (approx. 17 m) and houses at Traquair Park East (approx. 12 m). The applicant has sought to minimise any impact on privacy and overlooking by reducing the number of balconies at the west façade of the proposal to five. The floorplan shows that bedrooms are mostly located at the west side of the proposal as well and principal living areas mostly face east. When these design measures are considered in combination with the presence of TPO trees along the west boundary and the existing building, the effects on privacy and overlooking for properties at Traquair Park East is acceptable and neighbours are still afforded a good level of amenity. Neighbouring amenity will not be affected by parking or traffic.

#### **Amenity of future residents**

The internal and external amenity is addressed in Section 3.3 b). In addition the layout of the proposal ensures there is adequate amenity for future residents in relation to privacy, daylight, outlook and overshadowing.

The presence of TPO trees around the site presents a constraint on the site at the west façade in particular. To address this constraint, the applicant has included a number of dual aspect apartments with balcony or terrace spaces. The building line has been moved 0.5m to the east and further away from the semi-mature TPO trees as well. Of the 51 apartments, 27 are dual aspect. This complies with the standards in the EDG which require at least 50% of proposed dwellings to be dual aspect.

The applicant submitted a vertical sky component and average daylight analysis in support of the application which established that all but three of the proposed apartments meet the EDG requirements. The impact of trees on one apartment to the west also has a limited impact on meeting EDG daylighting standards. These four apartments are all located on the ground floor. Despite these four apartments not meeting the EDG requirement, the applicant's assessment states that adequate lux levels are provided in excess of the Chartered Institution of Building Services Engineers standards. This minor non-compliance with EDG standards of four apartments is acceptable given the constraint of retaining trees and that the majority of apartments meet requirements.

The provision of dedicated formal amenity space at the south of the building, informal amenity space around the building and private external space in the form of balcony or terrace space affords a good level of amenity.

The proposal is acceptable in terms of providing a suitable level of amenity for future residents in the context of LDP policy Des 5 Development Design - Amenity and the minor infringement of the EDG is acceptable.

## **Summary**

The proposal affords a good level of amenity to future residents and does not adversely affect the amenity of neighbouring residents.

The proposal accords with LDP policies Des 5 Development Design - Amenity and is acceptable in terms of the EDG.

## **d) Landscape & Trees**

### *Landscape*

An analysis of key views and a landscape and visual impact appraisal (LVIA) were submitted by the applicant. There will be a negligible effect on key views W06A and W07A identified in the EDG from locations at Carrick Knowe tram overbridge and the nearby Holiday Inn Express on Corstorphine Road from where the proposal will be partially visible. Despite this minor potential to impact on key views, the proposal sits comfortably in the wider context of the area in terms of visibility.

The LVIA concludes that the greatest change and visual impact will be in the immediate area surrounding the site by virtue of its lighter appearance and height in comparison to the current office building. The applicant has sought to mitigate the effects of the proposal on landscape and visual receptors through design measures, for example by reducing the height to match the neighbouring building to the east, stepping the building at the north and south elevations, setting back the fifth storey, moving the western and southern building line and largely following the existing building's footprint. Although the proposal does impact on the immediate views in the surrounding area by virtue of increased height, the proposal draws on the characteristics of the surrounding area and it is considered acceptable in its townscape and landscape context.

Sections 3.3 b) and c) of this report address the proposal's height, design and neighbouring amenity and these features of the proposal are acceptable in terms of the local landscape impact.

The landscape plan and planting schedule identify formal and informal areas for future occupants. These areas make up approximately 35% of the site and provide a good level of landscaping to create a sense of place. Retention of beech hedging to the east of the site and the hard and soft landscape proposals contribute to a good level of amenity. Full hard and soft landscape details and an accompanying planting plan will be secured by condition.

The proposal is acceptable in terms of its visual impact and landscape design and complies with LDP policies Des 1 Design Quality and Context, Des 4 Development Design - Impact on Setting, Des 8 Public Realm and Landscape Design and Des 11 Tall Buildings - Skyline and Key Views.

### *Trees*

The site is covered by a Tree Preservation Order which contains a mixture of nine young, early-mature and mature trees and four groups of trees largely on the site's west boundary. The applicant proposes to remove four trees and a small group of young trees which vary in physical condition. The removal of these trees will not be detrimental the character or amenity value of the site or its surrounding area. Replacement tree planting is proposed in the landscape plan and planting schedule which is acceptable mitigation to offset the loss of trees.

An arboricultural impact assessment and accompanying method statement detailing mitigation measures to protect remaining trees and root protection areas are acceptable. In order to ensure that semi-mature trees have space to grow in future, the applicant has moved the building line of the west façade 0.5 m to the east as well. A number of conditions are recommended to ensure trees are adequately protected.

Whilst the loss of TPO trees is not supported by LDP policy Env 12, the proposed replacement planting and mitigation measures are considered acceptable.

### e) Traffic & road safety

The re-use of the existing car park for residents is a suitable design solution as it is visually unobtrusive and does not compromise pedestrian access to the site. The Council's parking standards for this area (Zone 2) allow for a maximum of 51 parking spaces at this site and require a minimum of three accessible spaces, two motorcycle spaces and seven spaces for electric vehicle charging. Forty three car parking spaces are proposed, including three accessible spaces, three electric vehicle charging spaces and three secure motorcycle spaces. The Roads Authority advises that this vehicle parking provision is acceptable due to the site's proximity to public transport. There is a shortfall of four electric charging spaces. An informative has been added indicating that an additional four spaces should include ducting to allow electric charging capability if required in future. Parking at the proposal would be controlled by use of a barrier, similar to the system in place for the existing office building. Parking will not be allocated.

Two integrated secure bicycle storage areas with capacity for 86 bicycles are located in the building's ground floor. The main storage area is close to the main entrance with a second small store located to the north of the building. Eight visitor bicycle parking spaces are provided at the proposal's main entrance. The Council's parking standards require 99 spaces in total and the proposal is five spaces below this requirement. The Roads Authority is satisfied that the proposed cycle parking is acceptable and represents only a minor departure from the EDG.

The applicant has provided a travel plan for the proposal and this promotes sustainable travel. Environmental Protection advises that the travel plan should be updated when future residents occupy the building and this is covered by an informative. LDP policy Hou 4 c) supports development proposals that are located at sites with good access to public transport. The site is well situated in this regard.

Many objections raise concern with regard to the proposal's potential to impact on parking capacity at Pinkhill as well as associated safety implications. It appears that this issue arises due to a combination of the availability of on-street unallocated parking on Pinkhill and the street's proximity to Edinburgh Zoo, Murrayfield Stadium and Silvan House which can generate parking demand in the area. The Roads Authority raises no concern with regard to parking provision or road safety in the area that would arise as a result of the proposal.

The proposal complies with LDP policies Tra 2 and Tra 3.

f) Other material considerations

*Flood risk and drainage*

Flood Prevention has reviewed supporting information for the proposals against the Council's self-certification forms and is satisfied that the proposal meets all requirements. SEPA was consulted on the proposals and raises no objection. The applicant should note best practice advice provided by SEPA with regard to flood risk and drainage.

The proposal complies with LDP policy Env 21 Flood Protection.

*Ecology*

The applicant submitted a bat survey report in order to establish if any adverse effects would be likely from demolishing the existing office building. The findings of the survey confirm that no evidence for the presence of bats or suitable roosting spaces were at the property. The proposal complies with the requirements of LDP policy Env 16 Species Protection.

## *Air Quality & Noise*

The applicant submitted an Air Quality Statement in support of the application. This statement confirms the site location is outwith the St. John's Road Air Quality Management Area (AQMA) and there will be no impact in terms of air quality. Environmental Protection and SEPA are satisfied that the proposal is unlikely lead to adverse effects on air quality. Environmental Protection advises the applicant to produce an up-to-date green travel plan and follow best practice measures by providing adequate infrastructure for electric vehicles.

Environmental Protection advises that construction noise is regulated by Environmental Health Officers and no construction noise is permitted outwith Monday to Saturday 07:00 - 19:00. The applicant's Construction Method Statement further notes that working hours will comply with relevant regulations.

The proposal complies with the requirements of LDP policy Env 22.

## *Ground conditions and contamination*

The proposal involves demolition of the existing office building. Environmental Protection recommends that a survey is undertaken to establish any risk to human health from contaminants. It is recommended that this information is secured through a planning condition.

## *Waste Storage*

An external bin store is provided at the west boundary of the site. Waste Services have confirmed that the layout and provision meets the Council's standards.

## g) Equalities

The proposal has been considered in terms of equalities and no adverse effects are identified. The applicant will be required to comply with the provisions of the Equality Act 2010 and building regulation standards. Three accessible parking spaces are included to comply with parking standards.

## h) Developer Contributions

### *Affordable Housing*

LDP Policy Hou 6 Affordable Housing requires that residential development consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units proposed. For proposals of 20 or more dwellings, the provision should normally be on-site. The Council's non-statutory Guidance on Developer Contributions and Infrastructure Delivery states that where affordable housing cannot be delivered on-site, the payment of a commuted sum may be acceptable. For this application, the 25% contribution on-site equates to 12.75 units.

The applicant has confirmed that the affordable housing contribution of 25% will be secured by providing nine units on site and a commuted sum for the remaining balance of 3.75 units. Affordable Housing is in agreement with this approach.

The amended proposal incorporates a redesigned plan form to provide nine units off a single stair core in a configuration which is acceptable to a Registered Social Landlord (RSL) in terms of future management. The applicant sought to deliver the remaining 3.75 units on site via the Council's Golden Share scheme. However, Affordable Housing confirmed a commuted sum would be preferable in this case as the units did not meet affordability criteria.

The nine RSL apartments are accessed from the north stair core at the building's west façade. This includes three x 3 bed apartments, three x 2 bed apartments and three x 1 bed apartments. The applicant is in advanced discussion with a RSL.

The commuted sum for 3.75 units will be secured through a legal agreement and the contribution value will be calculated using land values in an independent report prepared by the District Valuer which the applicant must provide.

The majority of affordable housing will be provided on site and the proposal complies with LDP Policy Hou 6 and the associated non-statutory guidance subject to a legal agreement.

### *Education and Services*

A number of representations have raised concern about potential overburdening of local services such as schools and medical services.

With regard to medical services, the site is not located within any of the health care contribution zones identified in the Council's draft supplementary guidance for Developer Contributions and Infrastructure Delivery. Therefore, no financial contribution towards medical services is required.

Children and Families confirms that the development will not result in the need to expand local primary or secondary schools based on a calculation of 32 Flats (19 one bedroom and studio flats are excluded) and against criteria in the Council's Developer Contributions and Infrastructure Delivery guidance. On this basis, no financial contribution towards education is required.

### i) Sustainability

The applicant submitted the Council's Sustainability Form S1 and a Low/Zero Carbon Energy Statement with the application. The proposal will utilise a brownfield site within the urban area. The existing office building will be demolished and the applicant has advised that re-use of the building is not feasible for conversion to apartments. The LDP does not require or give priority to the re-use of buildings and the applicant has provided relevant sustainability information.

The proposal is a major development and is assessed against Part B of the standards. The points achieved against the essential criteria are set out in the table below:

<b>Essential Criteria</b>	<b>Available</b>	<b>Achieved</b>
Section 1: Energy Needs	20	20
Section 2: Water conservation	10	10
Section 3: Surface Water run-off	10	10
Section 4: Recycling	10	10
Section 5: Materials	30	20
<b>Total Points</b>	<b>80</b>	<b>70</b>

The points where the application does not meet the full score for the essential criteria relates to the use of uPVC windows in the scheme. The applicant has included sustainability features such as passive solar design and desirable features such waste water heat recovery or utilisation of low and zero carbon technologies will be explored in compliance with relevant building standards regulations.

The sustainability measures are acceptable.

#### j) Representations

##### *Material Comment*

- Concern was expressed with regard to the proposal's height, impact on the surrounding area's character, parking and traffic, and infrastructure in the area - addressed in Sections 3.3 b), d), e) and g).

##### *Material Representations - Objection:*

- The proposal's height is considered inappropriate and not in-keeping with the local area - addressed in Section 3 b);
- Overdevelopment of the site and inappropriate density in comparison to surrounding buildings - addressed in Section 3 b);
- Traffic generation and congestion that the development would cause and associated safety and noise effects - addressed in Section 3 e);
- Increased pressure on parking in the surrounding area and inadequate provision of parking for the proposals - addressed in Section 3 e);
- Loss of amenity through increased traffic, construction noise and the possibility of antisocial behaviour - addressed in Section 3 c);
- Loss of sunlight, daylighting and overshadowing from the development due to its proximity to existing dwelling houses - addressed in Section 3 c);
- Overlooking and loss of privacy - addressed in Section 3 c);
- Capacity of local services and social infrastructure to accommodate the proposals including schools and GPs - addressed in Section 3 g);
- Flood risk and drainage concerns at the site resulting from the development - addressed in Section 3 f);
- Inadequate ratio of open space on the site for future residents and as well as its partial location at the south of the site - addressed in Sections 3 b), c) and d);
- Loss of employment in the area due to a change of use from business to residential - addressed in Section 3a); and

- The size of the apartments appearing to be too small - addressed in Section 3 b).

*Non-material objections:*

- Dissatisfaction expressed with the pre-application consultation process and its outcome(s) - the applicant completed pre-application consultation (PAC) in line with legislative requirements as detailed in their PAC Report;
- Construction traffic impact on local roads - this is not a planning issue;
- Impact on the nearby Corstorphine Conservation Area - the application site is outwith this area and immediate environs;
- Requests for the existing building to be retained rather than demolished and the use changed to residential - this is a matter for the applicant;
- Alleged inaccuracies in the applicant's supporting information relating to a transport assessment, the developer's transport pack, target market analysis and artists impressions - the information has been assessed by the Council as part of the application determination; and
- The developer seeking to maximise profit - this is not a planning issue.

*Community Council*

The Community Council objects to the proposals on the following grounds:

- The height of the development is out of keeping with the area and is contrary to policies Des 4, Des 11 and Hou 1 - addressed in Sections 3 b) and d);
- Impact on car parking in the area - addressed in Section 3 e);
- Impact on privacy from overlooking due to the proposal's height - addressed in Section 3 c);
- The proposal being out of character with the surrounding area - addressed in Sections 3 b), c) and d);
- Residents request the removal of the set-back fifth storey in the proposals - this is a matter for the applicant to decide upon in their proposals;
- Concern expressed about increase in housing density within the City - each planning application is assessed on its own merits with regard to density. Accordingly, density is addressed in Section 3 b) of this report;
- Impact on air pollution at St. John's Road and Queensferry road - addressed in Section 3 f);
- Impact on overshadowing and privacy - addressed in Section 3 b);
- Density proposed considerably exceeding the level in the area and associated impacts on character, traffic and infrastructure - addressed in Sections 3 b), e) and g); and
- Development should be scaled back to ideally three or four stories to reflect surrounding density - addressed in Section 3 b).



## Conclusion

The proposed residential development on the site is acceptable and complies with LDP policies Hou 1 and Emp 9. The density, layout, scale, form and design is appropriate within this sustainable location. The proposal will achieve a good environment for future occupiers and will not have an unacceptable adverse impact on the amenity of neighbouring properties.

Affordable housing will be delivered on and off-site through a legal agreement and other matters relating to transport, drainage, trees and landscape is considered acceptable.

The proposal is acceptable subject to a number of conditions and the conclusion of a suitable legal agreement. There are no material considerations which outweigh this conclusion.

It is recommended that this application be Granted subject to the details below.

### **3.4 Conditions/reasons/informatives**

#### **Conditions:-**

1. A fully detailed landscape plan, including details of all hard and soft surface and boundary treatments and all planting, shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
2. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 "Trees in relation to design, demolition and construction".
3. Prior to the commencement of development the approved tree protection plan must be implemented in full. Works must be carried out in accordance with the Arboricultural Impact Assessment report number 10787\_R01b\_GB\_HM (27 July 2017) and the Arboricultural Method Statement report number 10787\_R02c\_HT\_JW (July 2017).
4. Prior to the commencement of construction works on site:
  - a) A site survey (including intrusive investigation where necessary) must be carried out by the applicant to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and
  - b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.
    - ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

5. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.

#### **Reasons:-**

1. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
2. In order to safeguard protected trees.
3. In order to safeguard protected trees.
4. In order to protect the development's occupants and human health.
5. In order to enable the planning authority to consider this/these matter/s in detail.

#### **Informatives**

It should be noted that:

1. Permission should not be issued until the applicant has entered into a suitable legal agreement to ensure affordable housing is provided.

The affordable housing contribution shall comprise 9 units on-site. An additional off-site contribution for 3.75 units is also required. The value of the commuted sum for the 3.75 off-site units shall be informed by an independent land valuation set by the District Valuer which shall be provided at the developer's own cost.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. In accordance with the Council's LTS Travplan3 policy, the applicant should submit an updated Travel Plan within 6 months of the development being occupied.
4. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs

Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

5. The Council's 2017 Parking Standards indicate that seven of the proposed 43 parking spaces should have electric charging capability. In addition to the three electric vehicle charging spaces proposed, an additional four spaces should be ducted to allow electric vehicles to be readily accommodated in the future.
6. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
7. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

## **Equalities impact**

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### **6.1 The equalities impact has been assessed as follows:**

The application has been considered and has no impact in terms of equalities or human rights.

## **Sustainability impact**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **8.1 Pre-Application Process**

Pre-application discussions took place on this application.

## 8.2 Publicity summary of representations and Community Council comments

The application was publicised on the weekly list of applications on 31st July 2017. Neighbours were notified of the application on 1 August 2017 and 21 days were allowed for comments. The proposals that formed Scheme 1 received 147 objections, one comment in support, and no general comments.

Neighbours and other interested parties who previously commented on Scheme 1 were re-notified on 20 March 2018 to allow for comments to be submitted on revised plans for Scheme 2. Neighbours were allowed 21 days to comment and other interested parties were allowed 14 days. A total of 150 representations were received for Scheme 2; 149 objections and one general comment.

Corstorphine Community Council submitted representations objecting to Schemes 1 and 2.

A full assessment of the representations can be found in the main report in the Assessment section.

### Background reading/external references

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

<b>Statutory Development Plan Provision</b>	The application site is shown to be in the Urban Area in the adopted Edinburgh Local Development Plan (LDP).
<b>Date registered</b>	24 July 2017
<b>Drawing numbers/Scheme</b>	1,2B,3B,4D,5B,6B,7B,8A,9A,10,11B,12C,13,14,15A,16,17A,18A,19A,20,21A,22-24,

**David R. Leslie**  
 Chief Planning Officer  
 PLACE  
 The City of Edinburgh Council

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## **Links - Policies**

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### **Relevant Policies:**

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

LDP Policy Des 1 (Design Quality and Context) sets general criteria for assessing design quality and requires an overall design concept to be demonstrated.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) supports development where it is demonstrated that existing and potential features have been incorporated into the design.

LDP Policy Des 4 (Development Design - Impact on Setting) sets criteria for assessing the impact of development design against its setting.

LDP Policy Des 5 (Development Design - Amenity) sets criteria for assessing amenity.

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Des 11 (Tall Buildings - Skyline and Key Views) sets out criteria for assessing proposals for tall buildings.

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

LDP Policy Env 22 (Pollution and Air, Water and Soil Quality) sets criteria for assessing the impact of development on air, water and soil quality.

LDP Policy Emp 9 (Employment Sites and Premises) sets out criteria for development proposals affecting business and industrial sites and premises.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

LDP Policy Tra 2 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in Council guidance, and sets criteria for assessing lower provision.

LDP Policy Tra 3 (Private Cycle Parking) requires cycle parking provision in accordance with standards set out in Council guidance.

LDP Policy Tra 8 (Provision of Transport Infrastructure) sets out requirements for assessment and mitigation of transport impacts of new development.

LDP Policy RS 1 (Sustainable Energy) sets criteria for assessing proposals for environmentally sustainable forms of energy systems.

LDP Policy RS 6 (Water and Drainage) sets a presumption against development where the water supply and sewerage is inadequate.

### **Relevant Non-Statutory Guidelines**

**Non-Statutory guidelines** Edinburgh Design Guidance supports development of the highest design quality and that integrates well with the existing city. It sets out the Council's expectations for the design of new development, including buildings, parking, streets and landscape, in Edinburgh.

**Non-statutory guidelines** - on affordable housing gives guidance on the situations where developers will be required to provide affordable housing.

# Appendix 1

## **Application for Planning Permission 17/03433/FUL At 33 Pinkhill, Edinburgh, EH12 7BF Demolition of existing office building and development of 51 apartments (scheme 2)**

### **Consultations**

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#### **Archaeology comment - 2 July 2017**

*The application site has been significantly affected by recent 20th century development. Given location of the site and the nature and scale of this development, it is considered unlikely that significant archaeological remains will have survived insitu on this site.*

*Accordingly, it has been concluded that there are no known archaeological implications in regards to this application.*

#### **Archaeology further comment - 21 March 2018**

*As stated in response to the original scheme, the application site has been significantly affected by recent 20th century development. As such it was considered unlikely that significant archaeological remains will have survived insitu on this site. These views have not altered since then and therefore it is concluded that there are no known archaeological implications in regards to this second scheme.*

#### **Environmental Assessment comment - 4 August 2017**

*The application site currently houses a 3-storey office block. It was used as an office by ST Microelectronics and has capacity to accommodate circa 200 members of staff. The application site is near the St Johns Road and City Centre Air Quality Management Areas. The proposal is for the demolition of the existing office building and the development of 75 residential apartments with 43 car parking spaces.*



## Local Air Quality

*The car parking provision including 3 electric vehicles charging spaces and a space for a car club are delivered as part of the development. The proposed 43 car parking spaces is five spaces short of complying with the Parking Standards for Development Management. Environmental Protection considers that a five-space shortfall is acceptable. As a car club space is proposed to the east of the entrance barrier and there will be provision for 119 secure bicycle spaces including 8 visitor cycle spaces at the entrance of the development. The applicant has also included a residential travel pack which is good but it is out of date. The eco driving advice is not current as there is no mention of plug-in electric provisions, also the phone numbers for the taxi firm's and car share facilitators are incorrect. The travel pack should provide future tenants with guidance on concepts that may be new to them such as how to operate an electric vehicle charger and how to use car clubs. It is also recommended that free public travel passes are provided to new tenants along with the travel pack.*

*Environmental Protection are satisfied that the impacts of this proposed development will be limited when compared to the current consented use. The applicant has kept the numbers of car parking spaces to a minimum, committed to good cycle provisions, electric vehicle charging facilities and supported with a travel pack. It is recommended that the travel pack is refreshed. Due to the proximity of the air quality management areas Environmental Protection will recommend the electric vehicle charging points are fully installed and operational prior to occupation.*

## Noise

*Environmental Protection have no concerns regarding noise during the operation phase. However, the construction phase of the development may have an adverse impact on neighbouring residential properties. It should be noted that any construction noise is regulated by Environmental Health Officers with no construction noise permitted outwith the falling periods; Monday to Saturday 07:00- 19:00.*

## Contaminated Land

*Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable).*

*Therefore, in conclusion Environmental Protection do not object to the application subject to the following conditions;*

## Conditions

1. *Prior to the commencement of construction works on site:*

a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and

b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.

ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.

2. Electric Vehicle charging outlet (wall or ground mounted) shall be located as per drawing number PIN\_APL\_30 dated July 2017 and be of the following standard:

Type 2 (EN62196-2), Mode 3 (EN61851-1) compliant and be twin outlet. With the ability to supply 22 kW (32 Amps) AC - Three Phase power and have the ability to be de rated to supply 11 kW to each outlet when both are in use. Where this is not possible then 7 kW (32 Amps) AC - Single Phase chargers that have the ability to deliver power of 7 kW capacity to each outlet simultaneously.

### **Environmental Assessment comment updated - 20 April 2018**

The applicant has amended the proposed plans. The application site currently houses a 3-storey office block. It was used as an office by ST Microelectronics and has capacity to accommodate circa 200 members of staff. The application site is near the St Johns Road and City Centre Air Quality Management Areas. The proposal is for the demolition of the existing office building and the development of 52 apartments instead of the previously proposed 75 residential apartments with 43 car parking spaces.

#### **Local Air Quality**

The car parking provision originally included 3 electric vehicles charging spaces and a space for a car club vehicle delivered as part of the development. The amended application no longer included a car club space which is disappointing. The applicant does has also included a residential travel pack which is good but it is out of date. The eco driving advice is not current as there is no mention of plug-in electric provisions, also the phone numbers for the taxi firm's and car share facilitators are incorrect. The travel pack should provide future tenants with guidance on concepts that may be new to them such as how to operate an electric vehicle charger and how to use car clubs. It is also recommended that free public travel passes are provided to new tenants along with the travel pack.

The applicant had submitted a supporting air quality impact assessment due to the site proximity to the St Johns Road and City Centre Air Quality Management Area. It is noted that the amended air quality impact assessment has not been accurately updated. However, as the parking numbers have not changed then Environmental Protection are satisfied if the applicant commits to installing Electric Vehicle charging point.

*Air quality mitigation for the operational phase can be limited however the applicant must ensure that as a minimum they install electric vehicle charging points in accordance with the Edinburgh Design Standards and install low NOX boiler to the residential properties.*

*Environmental Protection encourage the developer to work with this department to produce an up-to-date Green Travel Plan which should incorporate the following measures to help mitigate traffic related air quality impacts;*

- 1. Keep Car Parking levels to minimum.*
- 2. Car Club facilities (electric and/or low emission vehicles).*
- 3. Provision of rapid electric vehicle charging facilities.*
- 4. Provision of rapid electric vehicle charging facilities.*
- 5. Public transport incentives for residents.*
- 6. Improved cycle/pedestrian facilities and links.*

*The Scottish Government in the 'Government's Programme for Scotland 2017-18 has a new ambition on ultra-low emission vehicles, including electric cars and vans, with a target to phase out the need for petrol and diesel vehicles by 2032. This is underpinned by a range of actions to expand the charging network, support innovative approaches, and encourage the public sector to lead the way, with developers incorporating charging points in new developments.*

*The applicant must be aware that there are now requirements stipulated in the Edinburgh Design Guidance must be achieved. Edinburgh has made progress in encouraging the adoption of electric/hybrid plug-in vehicles, through deployment of extensive charging infrastructure. As plug-in vehicles make up an increasing percentage of the vehicles on our roads, their lack of emissions will contribute to improving air quality especially as this site is located near an AQMA, furthermore their quieter operation will mean that a major source of noise will decrease.*

*The Sustainable Energy Action Plan is the main policy supporting the Council's Electric Vehicle Framework. Increasing the number of plug-in vehicles and charging infrastructure in Edinburgh will provide substantial reductions in road transport emissions.*

*To ensure that the infrastructure required by the growing number of electric vehicles users is delivered, one of every six spaces should include a fully connected and ready to use electric vehicle charging point, in developments where ten or more car parking spaces are proposed. Electric vehicle parking spaces should be counted as part of the overall car parking provision and not in addition to it.*

*Due to the proximity to the AQMA as a minimum Environmental Protection would recommend that 7Kw charging provision will be required for all residential properties. Information on chargers is detailed in the Edinburgh Design Standards Technical Information Design Standards.*

*Environmental Protection are satisfied that the impacts of this proposed development will be limited when compared to the current consented use. The applicant has kept the numbers of car parking spaces to a minimum, committed to good cycle provisions, electric vehicle charging facilities and supported with a travel pack. It is recommended that the travel pack is refreshed. Due to the proximity of the air quality management areas Environmental Protection will recommend the electric vehicle charging points are fully installed and operational prior to occupation serving 100% of the spaces.*

### *Noise*

*Environmental Protection have no concerns regarding noise during the operation phase. However, the construction phase of the development may have an adverse impact on neighbouring residential properties. It should be noted that any construction noise is regulated by Environmental Health Officers with no construction noise permitted outwith the falling periods; Monday to Saturday 07:00- 19:00.*

### *Contaminated Land*

*Ground conditions relating to potential contaminants in, on or under the soil as affecting the site will require investigation and evaluation, in line with current technical guidance such that the site is (or can be made) suitable for its intended new use/s. Any remediation requirements require to be approved by the Planning & Building Standards service. The investigation, characterisation and remediation of land can normally be addressed through attachment of appropriate conditions to a planning consent (except where it is inappropriate to do so, for example where remediation of severe contamination might not be achievable).*

*Therefore, in conclusion Environmental Protection do not object to the application subject to the following conditions;*

### *Conditions*

*1. Prior to the commencement of construction works on site:*

*a) A site survey (including intrusive investigation where necessary) must be carried out to establish, either that the level of risk posed to human health and the wider environment by contaminants in, on or under the land is acceptable, or that remedial and/or protective measures could be undertaken to bring the risks to an acceptable level in relation to the development; and*

*b) Where necessary, a detailed schedule of any required remedial and/or protective measures, including their programming, must be submitted to and approved in writing by the Planning Authority.*

*ii) Any required remedial and/or protective measures shall be implemented in accordance with the approved schedule and documentary evidence to certify those works shall be provided for the approval of the Planning Authority.*

*2. All residential parking spaces shall be served by 7Kw electric vehicle charging sockets and shall be installed and operational in full prior to the development being occupied.*

## **SEPA comment - 14 August 2017**

*We have no objection to the proposed development. Notwithstanding this we would expect Edinburgh Council to undertake their responsibilities as the Flood Prevention Authority.*

*This advice is given without prejudice to any decision made on elements of the proposal regulated by us, which may take account of factors not considered at the planning application stage.*

### *Advice for the planning authority*

#### *1. Flood Risk*

##### *Technical Report*

*1.1 We have reviewed the information provided in this consultation and it is noted that the application site (or parts thereof) lies within the medium likelihood (0.5% annual probability or 1 in 200 year) flood extent of the SEPA Flood Map, and may therefore be at medium to high risk of surface water flooding.*

*The proposed finished floor levels are quoted at 97.2 m. The footprint of the development is located between the 40 mAOD and 50 mAOD contours therefore this proposed FFL refers to a temporary bench mark. We also note that drainage calculations refer to manhole covers set at 97.05 m which again must be related to a temporary bench mark. To ensure that the development is constructed according to its intended design we strongly recommend that all critical design levels are quoted in metres above Ordnance Datum.*

*1.3 As the general area appears to be vulnerable to surface water flooding we advise that minimum FFL's should be set above surrounding ground levels to reduce the risk of flooding from ponding surface water. We advise that drawings show the car park to slope towards the development with the lowest part at the southern side of the development. We would strongly recommend that drainage measures are put at the front of the building to mitigate any surface water ponding. We note that drainage calculations have been submitted. However we would advise that the rainfall depth duration frequency data used in these calculations has been superseded by FEH13. The M5-60 (mm) index rainfall used in these calculations is 12% lower than the updated figure for this location. We strongly recommend that the most up to date FEH13 rainfall data is applied in a review of these calculations.*

#### *2. Surface Water Drainage*

*2.1 In accordance with the requirements of The Water Environment (Controlled Activities) (Scotland) Regulations 2011, also known as The Controlled Activity Regulations (CAR) surface water runoff arising from the hardstanding areas, inclusive of roads and roofs will require to be collected, treated and disposed of using sustainable drainage techniques.*

2.2 We have reviewed the relevant information provided in relation to the provision of SUDS on site. Based on the design details provided within the report we are satisfied that the applicant is proposing to provide the required level of treatment as required. The applicant will be required to ensure compliance with General Binding Rule 10 & 11 as outlined in the SUDS Manual (C697).

2.3 We have not considered the water quantity aspect of this scheme. Comments from Scottish Water, where appropriate, the Local Authority Roads Department and the Local Authority Flood Prevention Unit should be sought on any water quantity issues including the acceptability of post-development runoff rates for flood control.

*Detailed advice for the applicant*

### 3. Flood Risk Caveats & Additional Information for the applicant

3.1 The SEPA Flood Maps have been produced following a consistent, nationally-applied methodology for catchment areas equal to or greater than 3km<sup>2</sup> using a Digital Terrain Model (DTM) to define river corridors and low-lying coastal land. The maps are indicative and designed to be used as a strategic tool to assess flood risk at the community level and to support planning policy and flood risk management in Scotland. For further information please visit <http://www.sepa.org.uk/environment/water/flooding/flood-maps/>

3.2 Please note that we are reliant on the accuracy and completeness of any information supplied by the applicant in undertaking our review, and can take no responsibility for incorrect data or interpretation made by the authors.

3.3 The advice contained in this letter is supplied to you by SEPA in terms of Section 72 (1) of the Flood Risk Management (Scotland) Act 2009 on the basis of information held by SEPA as at the date hereof. It is intended as advice solely to Edinburgh Council as Planning Authority in terms of the said Section 72 (1). Our briefing note entitled: "Flood Risk Management (Scotland) Act 2009: Flood risk advice to planning authorities" outlines the transitional changes to the basis of our advice in line with the phases of this legislation and can be downloaded from <http://www.sepa.org.uk/environment/land/planning/guidance-and-advice-notes/>

### **SEPA comment - 04 April 2018**

*We have no objection to this planning application, but please note the advice provided below.*

*We were consulted on this proposal last year. In our response of 14 August 2017 (our reference PCS/154344). The application has been amended to reduce the proposed number of flats from 75 to 51. A revised Air Quality Statement has also been submitted.*

#### 1. Air Quality

1.1 We are in agreement with the City of Edinburgh Council: an air quality impact assessment has not been submitted. It is not possible, therefore, to quantify the potential impacts of the proposed development on the St John's Road Air Quality Management Area (AQMA).

1.2 We note, however, that the Air Quality Statement outlines some commitment to good practice for air quality mitigation in the operational phase of development. This includes a secure cycle store and a car club parking space which we support. We would also encourage the planning authority to request that the applicant installs electric vehicle 7Kw chargers in addition to measures already proposed.

### **Corstorphine Community Council - 01/04/2018**

*We have had representations from residents local to this development whose main concern is the limited amount of car parking provision and impact on surrounding streets etc. should the development go ahead with the proposed numbers of flatted accommodation.*

*The developers have submitted a lengthy traffic report in which they admit that the provision of car parking spaces falls short by 7 places of the minimum number suggested in Design standards but stress the proximity to modes of public transport and provision for cycle and motorcycles etc.*

*Given the relatively restricted types of accommodation proposed most of the flats offered are likely to be for rent to a relatively young and 'floating' population rather than settled families or elderly - those most likely to wish access to motorised transport.*

*The developers have indicated that in their 'Welcome Packs' notification will be given of the limitation of parking spaces but I would ask if there likely to be a possibility of legal restrictions within the deeds of conditions in the sale or renting of these dwellings limiting or prohibiting car ownership?*

### **Corstorphine Community Council further comment - 2 April 2018**

*Since the launch of the Planning Application Notification and the application itself we have had discussions with the developer; agents acting on their behalf and received various representations from local resident groups wishing to express objections to the proposal.*

*We have held several informal meetings with representatives of these groups and a formal presentation at our scheduled public meeting held on Wednesday 16th August 2017.*

*The objections presented by local residents can perhaps be summarised as follows -*

*Height of the development with implications for over shading and privacy issues - the height of existing flatted properties in the locality and elsewhere in most of the outer City suburban area is four stories whereas this development is for six and would tend to dominate the immediate vicinity and surroundings with negative effect on its general character and be considered inappropriate. They also consider that the proposed large window sizes on the development would have adverse privacy effects on existing residential properties.*

*The density of housing on the proposed footprint exceeds considerably that of the surrounding residential area and the Corstorphine locality - there is an ongoing general objection to increasing developmental density on grounds of impact on area character & general environment, car parking, traffic flows, infrastructure etc. which is well documented.*

*The other major concern is the impact on the existing car parking situation given the development of 75 additional housing units. The developers themselves admit that the proposed car parking provision falls short of the City Design Guidance requirements by some 7/8 places and have attempted mitigation by posting on the Planning portal website a lengthy transport document extolling the location with its propinquity to public transport, cycle and motorcycle parking facilities, walkways and general nodal interconnectivity.*

*The residents complain that present car parking provision is problematical with competition for daytime spaces on the nearby adopted public roads and disputes within the existing flatted area.*

*There is thus a justified perception of a likely adverse change in parking pattern from one with a considerable daytime element to a larger evening / overnight with the demise of local employment and replacement with a residential requirement. It is noted that the proposed accommodation is marginally above minimum living space and internal storage requirements and thus less suitable for long - stay family usage but more attractive to a short term renting and leasing population of which a considerable proportion are likely to be possessed of four wheeled vehicles.*

*The developers themselves acknowledge this problem by highlighting the limited car parking but extolling the cycle / motorcycle provision in their advertising literature and 'Welcome Packs' but it seems doubtful that any legal constraint could be imposed on car ownership and Edinburgh City Council themselves admit that the 'Car Habit' is difficult to break.*

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*The considered view of Corstorphine Community Council is that -*

*o The Community Council do not oppose the proposed housing development per se but request that the scale be modified to accord with present surrounding density; ideally three stories and no more than four stories in height. We are conscious that we will shortly be asked for views on another proposed development of three stories in Pinkhill. While we accept that each development requires to be accessed on its individual merits we are looking to the City Council for consistency in approval of the height of buildings in our area;*

*o The Community Council continually receive complaints from residents concerning parking issues. These include recent allowed developments where the impact of additional parking demands was a material objection. Therefore we request that car parking provision for the proposed development be within at least the technical guide lines. The reduction in the height of the building (and consequent reduction in the number of flats) should help facilitate this;*

*o The Community Council welcomes the developer's decision to provide facilities for residents who are cyclists. We are committed to supporting changes in behaviours that encourage the use of the abundant public transport; cycling and walking.*



## **Transport comment - 26 September 2017**

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

- 1. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 2. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum £7,000 towards the provision of car club vehicles in the area;*
- 3. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.*

*Note:*

*The applicant proposes 42 parking spaces in addition to a car club space which is 5 spaces short of the 47 spaces required based on the Council's parking provision for zone 3. The 42 parking provision for the development is considered acceptable due to the site's accessibility by public transport; and also the provision of car club space is considered to reduce the level of car ownership. The applicant proposes 119 secure cycle storage with 8 visitor spaces which complies with the Council's parking standards for cycle storage.*

## **Transport updated comment - 20 April 2018**

*No objections to the application subject to the following being included as conditions or informatives as appropriate:*

- a. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), secure cycle parking, public transport travel passes, a Welcome Pack, a high quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*

b. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

c. The Council's 2017 Parking Standards requires 7 of the proposed 43 parking spaces to have electric charging capability. The 7 parking spaces should at least be ducted to allow electric vehicles to be readily accommodated in the future, which is not the case as part of the applicant's current proposals;

Note:

The applicant proposes 43 car parking spaces and 3 motorcycle spaces and complies with the Council's 2017 Parking Standards in Zone 2 which sets a maximum provision permissible of 51 parking spaces and a minimum of 2 spaces respectively for car and motorcycle parking. The applicant proposed 3 accessible parking provision. The 43 car parking spaces proposed for the development is considered acceptable due to the site's accessibility by public transport. The applicant proposed 86 internal secure cycle parking provision and 8 visitor cycle parking and is 5 spaces short of the minimum provision required by the Council's 2017 parking standards in Zone 2 but is considered acceptable.

## **Affordable Housing comment - 27 September 2017**

### *1. Introduction*

*Housing and Regulatory Services have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.*

*o The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*

*o This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*

### *2. Affordable Housing Provision*

*This application is for a development consisting of 75 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (18) homes of approved affordable tenures. We request that the developer enters an early dialogue with the Council:*

*o The tenure of the affordable housing must be agreed by the Council and;*

*o The Council will identify the Registered Social Landlord(s) (RSLs) to take forward the affordable homes, and deliver a well integrated and representative mix of affordable housing on site.*

*The applicant has stated that the affordable housing will account for 25% of the new homes. This is welcomed by the department. The applicant has not identified the location and mix of affordable homes. The applicant has proposed to deliver a mix of studio, one, two and three bedroom flats. As studio apartments are not suitable for affordable housing we ask the applicant to discuss the provision of the onsite housing for this development. We also ask the applicant to provide the location and design standards proposed for the affordable housing as affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides. An equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.*

*In terms of accessibility, the affordable homes must be situated within close proximity (within 400 metres) of regular public transport links and are located next to local amenities. It is important that an equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.*

### 3. Summary

*The applicant has made a commitment to provide 25% on site affordable housing and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.*

- o The applicant is requested to enter into an early dialogue with the Council who will identify Registered Social Landlord(s) (RSLs) to deliver the affordable housing.*
- o The location and tenure of the affordable housing must be agreed with the Council.*
- o The affordable housing must include a variety of house types and sizes to reflect the provision of homes across the wider site and must be agreed with the council.*
- o All the affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards.*
- o In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind".*
- o An equitable and fair share of the parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.*
- o The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

## **Affordable Housing further comment - 11 April 2018**

### 1. Introduction

*I refer to the consultation request from the Planning Department about this planning application.*

*Housing and Regulatory Services have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.*

- o *The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.*
- o *This is consistent with Policy Hou 7 Affordable Housing in the Edinburgh City Local Plan.*

## *2. Affordable Housing Provision*

*This application is for a development consisting of 51 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (12.75) homes of approved affordable tenure.*

*The applicant has stated that the affordable housing will account for 25% of the new homes, which will consist of 9 homes for the Lars Housing trust (a RSL) and a commuted sum of 3.75. This is welcomed by the department. The applicant has proposed to deliver the on-site housing as a mix of one and two bedroom flats for Mid-Market rent, this is welcomed by the department. We ask the applicant to ensure that the affordable housing to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.*

*In terms of accessibility, the affordable homes must be situated within close proximity (within 400 metres) of regular public transport links and are located next to local amenities. It is important that an equitable and fair share of parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided and we would ask the applicant to reach an agreement with the RSL regarding the parking provision for the affordable housing.*

## *3. Summary*

*The applicant has made a commitment to provide 25% affordable housing with a mix of on-site housing and a commuted sum, and this is welcomed by the department. These will be secured by a Section 75 Legal Agreement. This department welcomes this approach which will assist in the delivery of a mixed sustainable community.*

- o *The applicant has identified the Registered Social Landlord (RSLs) as who will deliver the 12.75 affordable housing requirement as follows;*
  - *9 homes for mid-market rent*
  - *Committed sum for 3.75 homes*
- o *The on-site affordable housing will a mix of one and two bedroom flats.*
- o *All the on-site affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards.*
- o *In the interests of delivering mixed, sustainable communities, the affordable housing policy units will be expected to be identical in appearance to the market housing units, an approach often described as "tenure blind".*
- o *An equitable and fair share of the parking for affordable housing, consistent with the parking requirements set out in the Edinburgh Design Guidance, is provided.*
- o *The Commuted sum amount for the 3.75 homes is to be based on independent valuation as provided by a District Valuer.*

o *The applicant will be required to enter into a Section 75 legal agreement to secure the affordable housing element of this proposal.*

### **Flood Prevention comment - 17 November 2017**

*Flood Planning have reviewed the information supplied by the developer. We are satisfied that Flood Planning requirements have been met and we have no objections to the proposals.*

### **Flood Prevention further comment - 10 April 2018**

*Flood Prevention have no further comment for determination.*

### **Communities and Families comment - 22 March 2018**

*The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (January 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.*

*In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2018).*

*Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the draft Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (January 2018).*

#### *Assessment and Contribution Requirements*

*Assessment based on:*

*32 Flats (19 one bedroom and studio flats excluded)*

*This site falls within Sub-Area W-4 of the 'West Edinburgh Education Contribution Zone'.*

*Using the pupil generation rates set out in the Supplementary Guidance, the development of 32 flats is expected to accommodate one additional primary school pupil but is not expected to generate at least one additional secondary school pupil.*

*The Council's Action Programme does not identify a need for additional primary school infrastructure within this Sub-Area. Although the Appraisal did not take account of the proposed development, no additional education infrastructure will be required to mitigate the impact of the additional primary school pupil.*

*No contribution towards education infrastructure will therefore be required.*

## **Waste Services comment - 20 April 2018**

### *Provision and collection of waste containers*

#### *Bin store - 51 properties*

*7 x 1280 litre Residual  
5 x 1280 litre Mixed Recycling  
2 x 660 litre Glass  
2 x 500 litre FW*

*However, it should be noted that due to changes within the service over the next three years, the bin requirements will change, and you should review these with us prior to starting work.*

#### *Access and servicing the bins*

- o All roads requiring access by waste collection vehicles will be built to an adoptable standard.*
- o Standard yellow line marking should be provided where vehicle access to bin storage areas will be required. It will be the architect's responsibility to contact city development if line markings are required.*
- o The maximum distance a vehicle will reverse along an access road is 15 metres where a turning area is not provided and this should be evidenced on the swept path analysis.  
As the reversing distance along the access road is almost the maximum allowed, the double yellow lines must be provided along the access road leading to bin store to prevent car parking and to allow safe access to the bin store.*
- o The distance for the transportation of communal waste containers from the collection point to the vehicle should be kept to a minimum, a straight pull of 10 metres is the maximum acceptable distance.*
- o Drop kerbs should be provided for any route from the bin store to the collection vehicle.*
- o Budget locks should be fitted on all doors to bin stores.*
- o Temporary street signage should be installed if permanent signage will be unavailable at the time of delivery/servicing.*

## **Edinburgh Urban Design Panel - 22 February 2017**

### *Summary*

*The Panel welcomes the opportunity to review the proposal.*

#### *1 Recommendations*

*1.1 In developing the design, the Panel supports the following aspects and therefore advocates that these should remain in the proposals:*

- o The loss of the existing office building*
- o The proposed residential use*

*1.2 In developing the proposals the Panel suggests the following matters should be addressed:*

- o *Comprehensive urban analysis*
- o *Reduction in the built form and density*
- o *Reconsider the proposed unit mix and tenure*
- o *Re-design of the siting, height, mass and form of the development*
- o *Reduction in carparking and redesign of parking areas*
- o *Usable and sunlit open /private space to be provided*

## *Main Report*

### *2 Introduction*

*2.1 The proposal is to demolish the existing office building and replace with a five/six storey residential development. The site, covering an area of approximately 0.49 hectares, lies to the south of Pinkhill. There is a three-storey office building on the site. Pinkhill Park is to the east of the site. Houses on Traquair Park East and Carrick Knowe Avenue back on to the west of the site. Carrick Knowe Golf Course lies to the south. There are trees subject to a tree preservation order on site.*

*2.2 This is the first time that the proposals have been reviewed.*

*2.3 No declarations of interest were made by any Panel members in relation to this scheme.*

*2.4 This report should be read in conjunction with the following pre meeting papers; Planning Issues Paper prepared by City of Edinburgh Council and presentation material prepared by the presenting team.*

*2.5 This report is the view of the Panel and is not attributable to any one individual. The report does not prejudice any of the organisations who are represented at the Panel forming a differing view about the proposals at a later stage.*

### *3 Use*

*3.1 The Panel supported the proposed residential use for the site. However, they were of the view that the proposed unit mix is not appropriate for this part of the city and that that given the context more family and affordable units should be provided.*

*3.2 The Panel supported the loss of the office use and existing building as it did not make a positive contribution to the character of the local area.*

### *4 Layout, Height and Mass*

*4.1 The Panel considered that this proposal represented an overdevelopment of the site.*

4.2 The Panel noted that a detailed urban analysis is required to be carried out to support a design for the site. This analysis should take account of the site constraints which includes the mature and TPO trees some of which are not on the application site. Also, the site is very constrained given its orientation and width. With respect to this analysis it was acknowledged by the Panel that there is variety and fragmentation in the existing urban context. This in itself presents a challenge with a proposal looking to repair the urban grain.

4.3 It was also noted in the discussions, that the provision of east / west sections would assist understanding of the level changes across the site and the relationship of the existing built form of neighbouring properties and resultant open space with respect to these edges and the mature trees.

4.4 The proposed six/five storey option was not supported by the majority of the Panel. The Panel were of the view that six/five storey design is too high for the site and therefore should be reduced to reflect the prevailing height in the area. However, the Panel noted that taking reference from the context of the adjacent mature trees it may be possible for some parts of the development to be six storeys high however not in the current mass and form.

4.5 The Panel considered the design to be monolithic in form and was not supported. It was suggested that a more broken form and or two buildings should be considered for the site. This form of development could allow dual aspect units, more units with a south facing aspect and open/green social space for the residents.

4.6 Single aspect dwellings are generally not encouraged by the Panel. They noted that even if designed with large areas of glazing they still do not provide the quality of accommodation afforded by dual aspect properties.

4.7 The Panel encouraged the presenting team to consider the provision of on-site affordable units.

4.8 The Panel encouraged the presenting team to consider moving the building footprint to the east which could result in the loss of some trees. However, this may assist to resolve access to the building and provide more usable open space to the west with better amenity.

4.9 The Panel referred the presenting team to a development in Ravelston which has limited open /private space and has provided well-designed usable open space.

## 5 Transport and Movement

5.1 The site is well connected and in close proximity to public transport routes.

5.2 The Panel recommended that a traffic survey should be carried out. The data from this survey should help inform a car parking strategy for the site.

5.3 The Panel were split with respect to how parking if any should be provided on the site. Some Panel members were of the view that given how well connected this site is it could be a car free development while other panel members were of the view that this approach was impractical given its location and potential attraction to families.



*5.4 Given the site constraints the Panel encouraged the presenting team to consider underground or under-croft parking which could release areas of the site for open space. If parking is to be provided at below the Council's minimum requirements, then some contributions to sustainable transport via a S75 agreement would be expected, and necessary.*

## *6 Open/Green Space*

*6.1 The Panel noted that a tree survey should be carried out as soon as possible and will inform the design for the site.*

*6.2 The Panel noted their disappointment at the lack of usable open space/social areas on the site. The site layout provides very little usable open space for residents with carparking taking up the majority of the south facing part of the site. The Panel noted that the proposed location for the car parking could potentially be designed as south facing open space for the development while also forming a link to the wider network and golf course.*

## *7 Materials*

*7.1 To assist with integrating the proposal with the context the Panel noted that the materials should take reference from this context.*

## *8 Sustainability*

*8.1 The Panel encouraged the use of renewable on the site but noted the difficulties in their use due to the orientation of the site.*

## Location Plan

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**END**