

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).**

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

Summary

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

Policies and guidance for this application	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

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

Background

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

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

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 meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

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

- 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

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PLACE

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Links - Policies

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

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.

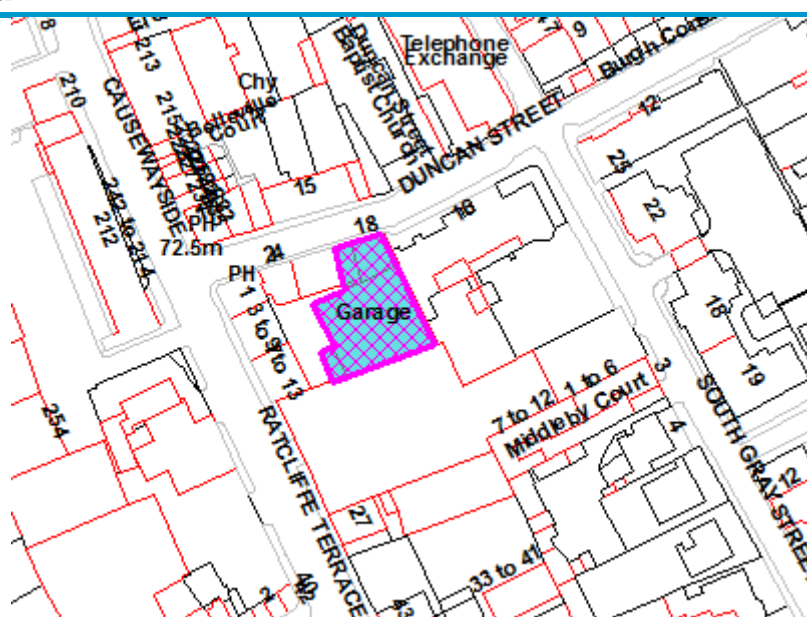
Transport Planning

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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