

Development Management Sub Committee

Wednesday 29 August 2018

**Application for Planning Permission 18/03302/FUL
At 228 Willowbrae Road, Edinburgh, EH8 7NG
Extension to the hotel to provide additional bedrooms and
alterations to car parking in addition to elevational changes.**

Item number	4.7
Report number	
Wards	B14 - Craigentinny/Duddingston

Summary

The proposal represents a minor infringement of the policies in the Edinburgh Local Development Plan. The proposed scale, form and design of the extension will have neutral impact on the character of the existing building and on the character of the surrounding area. The proposed extension will not have a detrimental impact on neighbouring amenity. Although the proposals represent an infringement of policies Tra 2 and Tra 4, an exception is justified on the grounds that this is a small extension to an existing use and on the basis that secure and covered cycle parking is provided. There are no material considerations that would outweigh this conclusion. It is recommended that the application be approved.

Links

Policies and guidance for this application	LDPP, LDES01, LDES12, LEN12, LEN21, LTRA02, LTRA03, LTRA04, NSG, NSGD02,
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Report

Application for Planning Permission 18/03302/FUL At 228 Willowbrae Road, Edinburgh, EH8 7NG Extension to the hotel to provide additional bedrooms and alterations to car parking in addition to elevational changes.

Recommendations

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

Background

2.1 Site description

The site is approximately 0.45 ha and consists of one building, incorporating a hotel and a restaurant and is located on the west side of Willowbrae Road. The building is mixed in appearance and is in three parts, varying between one to three storey in height and is constructed in stone. The front of the building is set back from the street, separated by parking and landscaping. Additional parking is located north west of the site.

The site is accessed off Willowbrae Road and is located within a busy traffic thoroughfare. A petrol station is located north of the site with a car showroom and post office located on the east side of Willowbrae Road. Residential properties are located south and west of the site, where a prominent band of trees encloses the envelope of the site from the residential gardens.

2.2 Site History

4 April 2018 - Planning permission refused for extension to the existing hotel to provide additional bedrooms and alterations to car park in addition to minor elevational changes (application number 17/05809/FUL). Refused on grounds of adverse overlooking.

Main report

3.1 Description Of The Proposal

Proposal

The application seeks to extend the existing hotel premises on its north west elevation to introduce 22 additional rooms to the existing 50 bedroom hotel on an area of hardstanding/car park.

The ground floor is to include a pend-like arrangement to maintain parking numbers underneath, with bedrooms provided on the first and second floor. The footprint of the extension is to measure approximately 238 square metres with a total height of 9.8 metres. The treatment finish for the wall is to include off-white render and dark grey facing brick work. Windows are to be grey PVC with dark timber cladding detail.

The proposal includes alterations to the existing car park layout and to increase the number of parking spaces from 53 to 56.

The existing white cladding to the rear of the main building is to be replaced with dark grey timber cladding.

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 the development is acceptable;
- b) the proposal is of appropriate development design and will not detract from the neighbourhood character;
- c) the proposal will impact on neighbouring amenity;
- d) the proposal will impact on traffic or road safety issues;
- e) the proposal will impact on existing trees;
- f) the proposal will impact on flooding issues;
- g) any impacts of equalities and human rights have been addressed; and
- h) any comments raised in representations have been addressed.

a) Principle

The proposal is to extend the accommodation of an existing hotel. The principle of this use in this area is already established by the existing hotel and policy Emp 10 Hotel Development in the Edinburgh Local Development Plan (LDP) is not applicable in these circumstances. As the site is in the 'urban area', the principle of extending a hotel building is acceptable, subject to compliance with other policies in the LDP.

b) Development Design

Policy Des 12 Alterations and Extensions in the LDP states that planning permission will be granted to alter and extend existing buildings which, in their design and form, choice of materials and positioning are compatible with the character of the existing building; and will not be detrimental to neighbourhood character.

The appearance of the main building is mixed as a result of later additions. The proposal is to align with the rearmost additions where it will have a continuous form and profile height. The extension will be set back from the main frontage on Willowbrae Road, behind an existing stone wall and constructed on an existing area of hardstanding. The proposed off-white render as a treatment finish is to contrast with the existing and new addition. Dark grey timber cladding is proposed around the new windows and this to be replicated around some of the windows on the existing building. In these circumstances, the proposed scale, form and design of the extension will have a neutral impact on the character of the existing building.

The extension will be visible from the existing petrol station to the north of the site and from the residential street on Meadowfield Avenue to the west of the site. The proposal will not have an unacceptable impact on the visual amenity of the area in terms of what already exists.

The proposal complies with Policy Des 12 of the LDP.

c) Neighbouring Amenity

Policy Des 12 Alterations and Extensions in the LDP requires extensions to existing buildings not to result in an unreasonable loss of privacy or natural light to neighbouring properties.

Edinburgh Design Guidance advises that the pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances.

Planning permission 17/05809/FUL was refused on grounds that the windows on the south west elevation, facing directly onto neighbouring properties and gardens on Meadowfield Avenue, would result in adverse levels of overlooking. This application attempts to address that concern by introducing angled windows on the proposed south west elevation on the extension.

The angled windows will not directly face onto the windows of neighbouring properties on Meadowfield Avenue or result in an unacceptable degree of overlooking into residential gardens. The extension will not result in an adverse loss of residential privacy.

The extension will not result in overshadowing into neighbouring gardens or result in loss of sunlight to neighbouring properties.

The proposed development is ancillary to the use of the hotel and will not further exacerbate noise levels or issues of smell.

The proposal complies with Policy Des 12 of the LDP.

d) Traffic or Road Safety

LDP policies Tra 2 - Tra 4 set criteria relating to the provision of private car parking and cycle parking on the site. There is a requirement to provide a maximum of one car parking space per two bedrooms for a hotel development in the Zone 2 area. Therefore, a maximum of 36 spaces is required for the 72 bedrooms.

The proposal is to increase the existing numbers of parking spaces from 53 to 56 and this exceeds the maximum parking space allowed. Given that the proposed development relates to an existing use, where there will be an increase in parking provision by three spaces, which is an infringement of policy, it would be appropriate to mitigate against this by providing seven secure and covered cycle parking spaces. A condition to this effect is attached. It would not, however, be reasonable or proportionate to require an electric vehicle charging point and this matter is therefore subject of an informative.

The proposed parking layout is to include six disabled parking spaces. Transport has raised concerns over the accessibility of these spaces and their constraints for occupants to enter or leave the vehicle. The location of the current disabled parking spaces is similar to the proposed parking layout and in these circumstances, is considered acceptable.

The proposals therefore represent an infringement of policies Tra 2 and Tra 4. However, as this is a relatively small extension to an existing use and existing provision, this would be insufficient grounds for refusal. An exception to policy is justified given the relatively modest increase in parking provision and the imposition of a condition requiring suitable cycle parking provision.

e) Impacts on Trees

The proposal does not involve the removal of existing trees and the location of the extension will not impact on neighbouring trees. The site is not located within a conservation area and existing trees around the site are not protected by a Tree Preservation Order (TPO).

Drawing No. 13 shows screen planting to be implemented on the eastern boundary. No specimen was provided. There is no requirement for tree planting and the feasibility of planting in this location may be constrained due to the location of the car parking spaces.

Should the hotel wish to carry out the planting of trees within the site at a later date, planning permission is not required.

f) Impacts on Flooding

Given that the proposal is for a small extension to an existing hotel within the existing car park, Flood Planning is satisfied that the requirement to submit a flood risk assessment and surface water management plan can be conditioned prior to the start of works on the site.

g) Equalities and Human Rights

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

h) Comments

Material

- Proposal is contrary to Policy Des 12, Emp 10 and Tra 2 in the Edinburgh Local Development Plan - Addressed in Section 3.3 (a), (b) and (d).
- Inappropriate design and will impact on neighbourhood character - Addressed in Section 3.3 (b).
- Plan has not materially changed from the previous refusal - Addressed in Section 3.3 (c).
- Impact on neighbouring amenity - loss of privacy, overlooking, overshadowing, loss of daylight, noise and smell - Addressed in Section 3.3 (c).
- Noise - from residents/staff, lorry carrying out deliveries, glass recycle bins and air conditioning units - Addressed in Section 3.3 (c).
- Impact on traffic and road safety - Addressed in Section (d).
- Impact on existing trees - loss of privacy screening - Addressed in Section (e).
- New trees may seasonally obscure a portion of neighbouring gardens - Addressed in Section (e).

Non-Material

- Reference to the Council's responsibility under Protocol 1, Article 1 of the Human Rights Act - The Council is required to consider each planning applications on their own merits and in accordance with the policies contained in the Edinburgh Local Development Plan unless material considerations indicates otherwise.
- Will impact on street car parking - Planning does not control or enforce the location of on street car parking.
- Unclear why the current proposals have been resubmitted or how it has addressed previous objections - The application was resubmitted to address the previous reasons for refusal with revisions to the proposed south west elevation on the extension.
- Proposed site plan which shows the surrounding bungalows is incorrect, meaning it is unclear where the proposed extension will finish - Drawing No. 13 is clear in terms of the proposed extension in relation to neighbouring properties.
- Objections to the previous proposal should be revisited - Representations to current application are only considered.
- Will impact on child welfare and security - Planning does not control every eventuality and the proposal is ancillary to the existing hotel use.
- Will impact on small and local business accommodations - Planning does not control the financial viability of businesses.
- Questioning the need for additional hotel rooms - Not relevant to the assessment.
- Pollution relating to car and lorry fumes, and the waste bins will attract birds/pests - Not regulated through planning.
- The proposed extension should be re-located to front of the hotel - The application was assessed as submitted.
- Roots of new trees are likely to damage neighbouring boundary walls and will affect existing and future garden out buildings and existing paving within the gardens of all adjoining properties on Meadowfield Avenue with incurred expenses - Not resolved through planning.

Conclusion

In conclusion, the proposal represents a minor infringement of the policies in the Edinburgh Local Development Plan. The proposed scale, form and design of the extension will have neutral impact on the character of the existing building and on the character of the surrounding area. The proposed extension will not have a detrimental impact on neighbouring amenity. There are no material considerations that would outweigh this conclusion. It is recommended that the application be approved.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to commencing works on the site, a Flood Risk Assessment and a Surface Water Management Plan shall be submitted to and approved in writing to the Planning Authority.
2. Details of seven secure and undercover parking spaces shall be submitted and approved by the Council, as planning authority, and thereafter shall be implemented upon completion of the extension hereby approved.

Reasons:-

1. To ensure that the development will not increase a flood risk or be at risk of flooding itself.
2. To comply with policy Tra 4 - Design of Off-street Car and Cycle Parking.

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.
4. The provision of 7 cycle parking should be provided to meet Council standards in a secure and undercover location.
5. 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.

6. Electric vehicle charging outlets to be provided at a rate of 1 space per disabled employee plus 8% of total provision.
7. Motorcycle parking to be provided at a rate of 1 space plus 1 space per 20 car parking spaces.

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

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 on 09 July 2018 and the proposal attracted 10 letters of objection.

The comments made are addressed in the Assessment section of the report.

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

The site is an urban area as designated in the Edinburgh Local Development Plan.

Date registered

2 July 2018

Drawing numbers/Scheme

01-13,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Laura Marshall, Planning Officer

E-mail:laura.marshall@edinburgh.gov.uk Tel:

Links - Policies

Relevant Policies:

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

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

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 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

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.

Appendix 1

Application for Planning Permission 18/03302/FUL At 228 Willowbrae Road, Edinburgh, EH8 7NG Extension to the hotel to provide additional bedrooms and alterations to car parking in addition to elevational changes.

Consultations

Transport Planning

Whilst there are no objections to the proposed application in principle, the application should be continued for the reasons below. The memorandum dated 28 February 2018 relating to the previous application Ref.17/05809/FUL is relevant.

Reasons:

1. Zero cycle parking is proposed. As set out in the response referred to above, the applicant is required to provide secure and undercover cycle parking in line with the Council's parking standards, i.e. a minimum of 1 space per 10 bedrooms for hotel in this area (Zone 2);
2. The proposed 56 car parking spaces for the proposed 74 rooms exceeds the current standards (see Note a. below);
3. No details of motorcycle parking or electric vehicle parking have been provided.

Should you be minded to approve the application, the following should be included as conditions or informatives as necessary:

1. Cycle parking to be provided to meet Council standards in a secure and undercover location;
2. 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;
3. Electric vehicle charging outlets to be provided at a rate of 1 space per disabled employee plus 8% of total provision;
4. Motorcycle parking to be provided at a rate of 1 space plus 1 space per 20 car parking spaces.

Note:

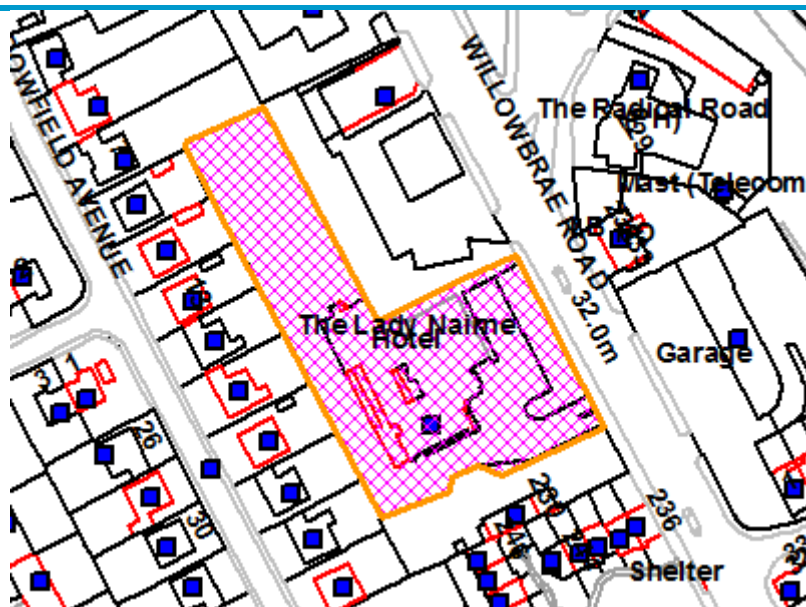
- a. Current parking standards permit up to 1 space per 2 bedrooms for hotel development in this area (Zone 2), i.e. a maximum of 37 spaces for the 74 rooms. It is understood that there are currently 54 spaces on site for the existing 52 rooms with a further 2 spaces proposed for the additional 22 rooms. The existing and proposed total parking provision therefore exceeds the current parking standards;
- b. A number of the proposed disabled spaces appear to be difficult to access and difficult for occupants to enter or leave the vehicle. One of the proposed car parking spaces is likely to lead to conflict with a disabled space.

Flood Prevention

In this instance it will not be necessary for the applicant to provide a flood risk assessment or surface water management plan prior to determination. As this is a minor extension to an existing hotel, within the existing car park, I am satisfied that this can be dealt with via condition.

Please can you request that a condition is added to any consent that the planning authority is minded to grant which requires that these documents are provided to the satisfaction of the head of planning prior to start of works on site.

Location Plan



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