

Development Management Sub Committee

Wednesday 24 April 2019

**Application for Planning Permission 18/02464/FUL
At 13 Lister Square, Edinburgh, EH3 9GL
Formation of hotel (Class 7) with minor external alterations,
at ground floor level (Unit 4).**

Item number	4.13
Report number	
Wards	B11 - City Centre

Summary

The proposals comply with the adopted Edinburgh Local Development Plan and non-statutory guidelines and would have no adverse effect on the character and appearance of the conservation area or listed building. The development would have no detrimental impact on residential amenity or road safety and parking. There are no other material considerations to outweigh this conclusion.

Links

Policies and guidance for this application	LDPP, LDEL02, LEMP10, LEN06, LEN04, LTRA03, LHOU07, NSG, NSGD02, OTH, NSLBCA, CRPMAR,
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Report

Application for Planning Permission 18/02464/FUL At 13 Lister Square, Edinburgh, EH3 9GL Formation of hotel (Class 7) with minor external alterations, at ground floor level (Unit 4).

Recommendations

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

Background

2.1 Site description

The site lies on the west side of Lister Square in the Quartermile development and relates to part of one of the former Ear, Nose and Throat and Ophthalmological Pavilions that were an element within the former site of Edinburgh's Royal Infirmary. The building was designed by Sydney Mitchell and Wilson and built in 1900 but has modern additions. It is Category B listed and was listed on 31 May 1994 (LB ref. 30308).

This application relates to the ground floor of the former north block. The upper floors of the building have been converted to residential development. The building is surrounded by new build development and other former Royal Infirmary building converted into new uses such as offices shops restaurants and residential properties.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

2.2 Site History

29 August 2003 - Listed building consent was granted for part demolition, alteration and extension to the Ear, Nose and Throat and Ophthalmological Pavilions (application number 02/01667/LBC).

19 July 2004 - Planning permission was granted for alterations to the building (as part of a wider masterplan) (application number 02/01662/FUL.) This building was originally to be in office use with extensive bars and restaurants taking up the ground floor area.

13 July 2006 - Listed building consent was granted for alterations and an extension to the Sidney Mitchell Buildings Q7 and Q8 (application number 05/03890/LBC).

10 March 2008 - Planning permission was granted for an amendment to planning permission 02/01662/FUL, change of use of surgical building to residential/leisure; change of use of Q5 to residential/commercial/retail; demolition of Redhome with formation of new public space and erection of office/retail/leisure building; change of use of Sidney Mitchell buildings to hotel and amendment to Q10 with associated increase in affordable housing units and associated car parking and landscaping (application number 05/03894/FUL).

9 September 2014 - Planning permission was granted for a change of use from hotel/retail to residential, with part ground floor use classes 1 (Shops), 2 (Financial, professional & other services) and 3 (Food and Drink), together with part demolition, alteration and extension to North and South Sydney Mitchell Buildings (application number 14/01448/FUL).

2 October 2014 - Listed building consent was granted for part demolition, alteration and extension to North and South Sydney Mitchell Buildings (application number 14/01449/LBC).

6 June 2018 - An application for listed building consent was submitted for the construction of a mezzanine level, internal reconfiguration to accommodate hotel use and minor external alterations (application number 18/02457/LBC). This is pending decision.

Main report

3.1 Description Of The Proposal

The proposal is for the formation of a hotel (Class 7) at ground floor level with minor external alterations. A new mezzanine floor would be formed inside the building to create bed spaces.

At ground floor level there would be a reception, common area and atrium. In addition, seven new rooms would be formed with bed spaces for a total of 20 beds with a separate bathroom and plant room. Two cycle spaces would be provided in the reception area.

At mezzanine level, six bedrooms would be created with spaces for a further 20 beds as well as a separate bathroom.

The proposed use will tie in with existing waste storage and pick up arrangements.

Externally an existing door on the north elevation would be replaced with a door of a design to match the adjacent doors.

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.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - 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 this location;
- b) The proposals will preserve or enhance the character and appearance of the conservation area;
- c) There will be any adverse impact on the character of the listed building or its setting;
- d) There will be a detrimental impact on traffic or road safety;
- e) There will be any adverse impact on residential amenity; and
- f) Any comments raised have been addressed.

a) Principle of Development

The site lies within the urban area of the Edinburgh Local Development Plan (LDP).

The site also lies within the area of the City Centre where LDP Policy Del 2 ensures development provides an appropriate mix of uses and is of a high quality of design taking into account of the characteristics of the historic environment. The proposal would develop part of the ground floor of a historic building into a hotel use. The Quatermile development is part of City Centre Development Principles CC4 which aims to create a mixed-use urban community of houses, offices, restaurants and hotel. Although there is already a hotel in Quatermile, the principles do not preclude an additional hotel. Therefore a hotel use is appropriate to the location of the site and the commercial character of the surrounding area. The proposal accords with this policy.

LDP Policy Emp 10 supports hotel development in the City Centre where development may be required to form part of mixed use schemes to maintain city centre diversity and vitality. Whilst there is an existing hotel within the Quartermile redevelopment scheme, the proposed type of lower end hotel will offer a choice of accommodation attracting people to this part of the city centre sustaining its diversity and vitality. The site is well served by public transport and is easily accessible by foot. The policy recognises that tourism is the third biggest source of employment in Edinburgh. Maintaining and developing this key sector in the city's economy relies upon sufficient provision of a range of tourist accommodation. The proposal accords with this policy.

The development is therefore acceptable in principle provided it complies with other policy requirements.

b) Conservation Area

LDP Policy Env 6 requires development proposals to preserve or enhance the character or appearance of the conservation area and permits development which is consistent with the relevant conservation character appraisal.

The site lies within Marchont Meadows and Bruntsfield Conservation Area where the Marchmont Meadows and Bruntsfield Conservation Area Character Appraisal recognises the former Royal Infirmary for its architectural character and the redevelopment proposals.

The character of this part of the conservation area is predominately mixed-use urban where new contemporary designed buildings sit with refurbished historic buildings. The upper floors of the building have been converted into residential properties. The proposal relates to part of the ground floor of the building. The proposed external changes are minor and the character and appearance of the conservation area will be preserved. The proposed internal mezzanine floor would be formed in such a way that the existing window arrangement would not be disturbed so the character and appearance of the conservation area will be preserved.

The proposal complies with LDP Policy Env 6.

c) Listed Building

LDP Policy Env 4 states that proposals to alter a listed building will be permitted where those alterations are justified; will not result unnecessary damage to historic structures or result in a diminution of the buildings interest; and any additions would be in keeping with other parts of the building.

The proposal includes a mezzanine floor which has been designed to minimise the impact of the new floor plates on the historic window openings. The external alterations are minor and will not affect the character or setting of the listed building. There will be no adverse impact on the character or setting of the listed building and its special interest will be preserved.

The proposal complies with LDP Policy Env 4.

d) Road safety and Parking

LDP Policy Tra 2 aims to ensure car parking provided as part of development proposals accords with the Council's standards. LDP Policy Tra 3 aims to ensure that cycle parking provision complies with the standards set out in Council guidance.

No car parking is proposed and this accords with the Council's parking standards. Cycle parking within the building provides 2 cycle spaces which meets the standards.

There are no road safety issues.

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

e) Residential Amenity

LDP policy Hou 7 states that developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

The vision for the Quartermile development was to create a vibrant city centre quarter where a mix of uses would sit side by side. In close proximity to the site application there are restaurants, pubs, offices and houses. While the commercial uses operate primarily during the day time, there are pubs and restaurants still trading late at night. Given these characteristics of the area, a Class 7 use is unlikely to generate a significant detrimental effect on residential amenity. Planning cannot regulate human activity or the perception of how noisy a use may be. Therefore in this context the proposal is considered acceptable.

An informative has been included to ensure that any noise from new plant or machinery is within acceptable levels.

LDP policy Des 5 states that planning permission will be granted for development where it is demonstrated that refuse and recycling facilities have been sensitively integrated into the design.

The Council no longer operates a trade waste collection facility. Commercial premises are now required to make their own arrangements for the storage and disposal of waste. It is intended that the existing refuse collection arrangement on Simpson Loan is to be utilised which is considered acceptable and in accordance with LDP Des 5.

The proposal will not have a detrimental impact on the amenity of neighbouring residents and complies with LDP policies Hou 7 and Des 5.

f) Public Comment

Material considerations

- increased traffic and lack of parking in the area - addressed in section 3.3d);
- the proposed mezzanine would detract from the layout of historic building - addressed in section 3.3c);

- no details showing waste collections and servicing - addressed in section 3.3e); and
- increase noise and antisocial behaviour - addressed in section 3.3e).

Non-material considerations

- large windows covered by beds.
- proposed use would degrade the area.
- no details for signage.
- devalue surrounding residential properties.
- there are legal restrictions on the Quartermile development not to allow short terms lets.
- how the shower and toilet facilities will be organised.

Conclusion

The proposals comply with the development plan and non-statutory guidance. The proposed use is appropriate in this location, the proposals will preserve the character of the conservation area and there will be no adverse impact on the character of the listed building, there are no transport issues. There will be adverse impact on residential amenity. There are no other material considerations to 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.

4. The design and installation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment, and no structure borne vibration is perceptible within any nearby living apartment.

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

The application was advertised on 22 June 2018 and 20 representations were received objecting to the proposals including comments from the Residential Representatives Committee Quartermile.

A full assessment of the representations can be found in the main report within the Assessment section 3.3).

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 lies within the urban area of the Edinburgh Local Development Plan within the boundaries of Quartermile. A city centre proposal for the redevelopment of Edinburgh Royal Infirmary (CC4) forming a mixed use urban community forming houses, offices, shops, restaurant and hotel.

Date registered

6 June 2018

Drawing numbers/Scheme

1-5, 6A, 7A, 8-13,

Scheme 1

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 2 (City Centre) sets criteria for assessing development in the city centre.

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

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

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

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.

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.

Other Relevant policy guidance

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

The Marchmont, Meadows and Bruntsfield Conservation Area Character Appraisal emphasises the well proportioned Victorian tenemental perimeter blocks with Baronial detailing and the substantial area of the open parkland formed by the Meadows and Bruntsfield Links.

Appendix 1

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Consultations

Roads Authority Issues

The application should be continued.

Reasons:

- 1. The applicant should submit waste collection and servicing strategy.*
- 2. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*
- 3. The Council's 2017 Parking Standards requires the applicant to provide a minimum of 1 cycle parking provision for the proposed development.*

Note:

The applicant proposed no parking provision and complies with the Council's 2017 Parking Standards which allows a maximum of 3 parking provision in Zone 1 for the proposed development.

Further comments received 27.03.2019

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

- 1. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*
- 2. The Council's 2017 Parking Standards requires the applicant to provide a minimum of 1 cycle parking provision for the proposed development in Zone 1.*

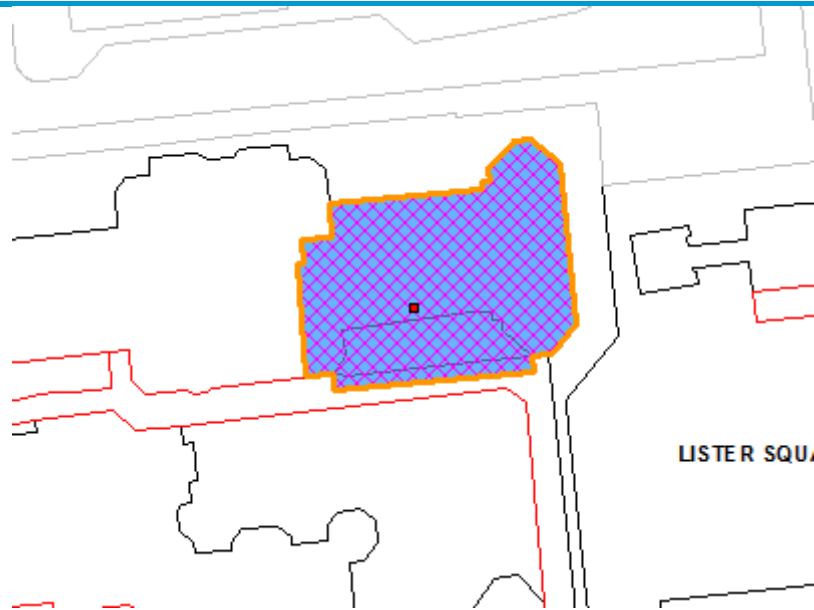
Note:

- a. The applicant proposes zero car parking provision and complies with the Council's 2017 Parking Standards which could allow a maximum of 3 parking spaces for the proposed 13 room pod hotel in Zone 1. Zero parking provision is considered acceptable because the proposed is highly accessible by public transport.*
- b. No information about likely trips generation by the proposed development.*
- c. Existing refuse collection arrangement on Simpson Loan to be utilised.*

Environmental Protection

Environmental Protection were consulted on the proposal but no reply was received.

Location Plan



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