

Development Management Sub Committee

Wednesday 22 May 2019

**Application for Planning Permission 19/00114/FUL
At 20 Duncan Street, Edinburgh, EH9 1SR
Change of Use from car servicing and repairs centre to
student accommodation (comprising 24 student studios
coupled with shared quiet spaces, reception, laundry and
ancillary spaces) and associated works. (as amended)**

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

Summary

The proposal complies with the development plan and represents a minor infringement of the Design Guidance in respect of privacy and outlook. The proposal is acceptable in this location, will preserve the character and appearance of the adjacent conservation area and will have no detrimental impact on the character of listed building, residential amenity or traffic. The previous appeal decision is a material consideration and approval is recommended.

Links

Policies and guidance for this application	LDPP, LDES01, LDES03, LDES04, LDES05, LDES12, LEN03, LEN04, LEN06, LEN20, LEN09, LEMP09, LTRA03, LTRA02, LHOU07, LHOU08, NSG, NSLBCA, NSGSTU, OTH, CRPBLA, NSGD02,
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Report

Application for Planning Permission 19/00114/FUL At 20 Duncan Street, Edinburgh, EH9 1SR Change of Use from car servicing and repairs centre to student accommodation (comprising 24 student studios coupled with shared quiet spaces, reception, laundry and ancillary 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 to the rear of, and including part of, the ground floor of a three storey, Italianate tenement block, flanking a central pend, with the garage attached to the rear of the pend. The tenement was constructed circa 1870.

The garage is thought to have been originally built as a horse bazaar and converted to a garage in the mid-20th century. It is built mainly from stone with original setts at ground floor level, cast-iron columns and intricate timber roofing structure 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.

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 two storey stone built dental practice and the wall also bounds the car park to the site which has an NHS use, and to the west there is the rear garden to the four 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 and was added to the statutory list on 25 March 1997. (LB reference 44213).

2.2 Site History

22 February 2016 - Planning application for demolition and creation of 28 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 Consent 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 student studios with shared breakout space) and associated external works (application references 16/05503/FUL and 16/05505/LBC).

17 May 2018 - Listed building consent refused for 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 reference 16/05505/LBC).

4 June 2018 - Planning permission refused 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 (as amended). (application reference 17/05115/FUL).

22 October 2018 - the appeals to applications 17/05115/FUL and 16/05505/LBC are dismissed. (DPEA references PPA-230-2229 and LBA-230-2146) The reporter accepted the principle of student housing on this site but refused it due to the unacceptable impact on the listed building.

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 24 self-contained student studio flats to be formed within the existing garage footprint and accommodation on the ground floor of the tenement. Three rooms will be accommodated in the tenement and the remaining 21 rooms will be accommodated in what is now the garage, organized around a central top glazed atrium. A communal area for occupiers of the development will be formed within a central atrium, with an office area provided for management staff, cycle parking and a laundry room.

The garage will retain the existing stone external walls although they will be adjusted to rise to the same level throughout. Sections will be cut out in two corners on the east to form lightwells. The majority of the timber roof structure is to be retained with the outer timbers modified to the new wall head heights. The asbestos cladding on the roof will be removed and the central structure will be glazed over with the pitched roof surrounding it slated. The existing cast iron columns are to be retained.

No vehicular parking is proposed. There will be space for 26 secure cycle spaces within the building and for eight visitor cycle spaces in the pend. One space is provided in the pend for motorbike parking. Waste and recycling storage is provided in a room accessed from the pend.

Scheme 1

The application as submitted showed a slightly different plan and proposed an additional room.

Supporting Statements

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;
- Planning Statement; and
- Daylighting No Skyline Report.

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 59 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.

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.

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 in this location;
- b) the proposals will impact on the character and setting of the listed building;
- c) the proposals will preserve or enhance the adjoining conservation area;
- 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 result in an adequate level of amenity for the future occupiers of the development;
- g) the proposals will have any traffic or road safety or infrastructure issues;
- h) any impacts of equalities and human rights have been addressed;
- i) any other material considerations that need to be addressed; and
- j) any comments raised have been addressed.

a) The Acceptability of the Principle of the Development in this Location

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 purpose built student accommodation blocks nearby, including a 152 bed student housing development approximately 45 metres to the north of the application site at 195 - 213 Causewayside. There is also a 70 bed development just to the south of the application site on Ratcliffe Terrace.

The appeal decision for the previous application (17/05115/FUL) found that the area around the site is to a significant degree commercial in nature and outwith the residential core. As the proposal would house only 24 students and would be sufficiently far away from the other student housing, the reporter found that the proposals would be more compatible with existing residential uses than the existing garage and would not adversely contribute to the cumulative impact of student housing in the area.

Although the existing use is active primarily during office hours, and the proposed use will be of a 24 hour nature, the number of future occupants is low and it is not considered that this will have a significant impact on the surrounding area.

Policy Emp 9 (Employment Sites and Premises) states that:

Proposals to redevelop employment sites or premises in the urban area for uses other than business, industry or storage will be permitted provided:

- a) the introduction of non-employment uses will not prejudice or inhibit the activities of any nearby employment use; and
- b) the proposal will contribute to the comprehensive regeneration and improvement of the wider area.

Again, the Reporter for the previous application found that the proposals would be unlikely to jeopardise the viability of neighbouring employment uses but that in proposing to remove the roof structure of the horse bazaar in the previous application, would not contribute to the regeneration and improvement of the wider area.

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. It is situated in an appropriate location for access to universities. It therefore complies with Policy Hou 8 and the guidance on student housing. It is not likely that the development will prejudice or inhibit any adjacent business uses and in this latest scheme the majority of the roof structure is to be retained, thus contributing to wider regeneration of the historic environment in this area. It would ensure the continued use of this building which will contribute to the improvement of the area. The proposals therefore comply with Policy Emp 9.

Subject to compliance with points addressed below, the proposals represent an appropriate use in this location.

b) The Impact on the Character and Setting of the Listed Buildings

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 Historic Environment Policy for Scotland (HEPS) outlines how we should undertake our collective duty of care whenever a decision in the in the planning system will affect the historic environment. There are three key areas which define how the historic environment should be understood, recognised and managed to support participation and positive outcomes, including "Managing Change" under policies HEP2, HEP 3 and HEP4.

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 has a functional appearance externally, primarily visible from the NHS car park to the east. Internally it retains a significant degree of historic fabric in the roof structure. The value of the garage as part of the listed building was confirmed in the appeal decision for the two sets of previous application (DPEA appeal references LBA-230-2083, PPA-230-2229 and LBA-230-2146). The structure of this horse bazaar; iron columns, trussed timber roof and stone walls remains intact.

This latest application retains and incorporates the majority of the roof structure. It removes the non-original asbestos roofing materials and, with the combination of glazing and slate, the exterior of the listed building will be improved. Alterations to the external walls in the form of the cutaways for the light wells and new window openings are relatively minor. An existing outshot on the west elevation will be modified to incorporate plant.

There will be no external alterations to the tenemental part of the building and the interest of the garage is almost entirely in the roof structure and columns. The proposed alterations will not adversely impact the special character of the listed building.

c) The Impact on the Character and Appearance of the Conservation Area

Policy Env 6 relates to development that impacts a conservation area or its setting.

The boundary of the Blasket Conservation area lies directly to the east of the application site. The proposed development is wholly contained within the footprint of the existing garage and 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 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. The proposed works will not have any adverse impact on the setting of the adjacent conservation area and the character and appearance of the conservation area will be preserved.

d) Scale, Form 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, and the height of the building will remain the same. 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 replacement of the asbestos cladding on the roof with glass and slate will be an improvement, and in other respects there will be little change in terms of massing or scale.

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

e) Neighbouring Amenity

Policy Des 5 & 12 relates to the impacts on the amenity of neighbouring residents.

The development has 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 the appeal decision for the previous application, the Reporter concluded that the proposals would not create any significant issues of overlooking or privacy. This is a material consideration and there are no changes in this current application that would alter this conclusion.

In terms of the provision of daylight to existing neighbours, the building will rise no higher than the existing structure and there will be no significant overshadowing of neighbouring garden ground.

Comments have been made with respect to light pollution. The rooflight over the atrium will create some light, but this is at high level and will be directed upwards. Other new openings in external walls are relatively small and will not cause a significant additional level light in the area.

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.

f) Amenity of Future Occupiers

Policy Des 5 relates in part to the amenity of future occupiers of a development. The guidance on student housing notes that with respect to the amenity of the occupiers of the development, the Edinburgh Design Guidance 2013 applies with particular relevance to daylight, sunlight, privacy and outlook.

Daylighting calculations have been submitted for the light received from windows to the exterior. Daylight will also be received via the glazed atrium. Overall the level of daylighting is adequate. In terms of outlook, some of the rooms which derive lighting from light wells may suffer from limited outlook. Similarly, Rooms 6, 7 and 8 may have issues of privacy from users of the tenemental garden. The provision of the large daylight atrium space will offer a high quality space that will mitigate the effects that the constrained site has on outlook and privacy on the external face of the building.

Room sizes range between 18 sqm and 29 sqm in area. There have been comments with respect to over-crowding and density of the development. Neither the Edinburgh Design Guidance nor the Student Housing Guidance addresses minimum room sizes as this is covered by separate regimes such as HMO licencing and Building Warrants. The development will be entirely contained within the existing envelope and the accommodation offers appropriately sized rooms that have access to a high quality space in the atrium. The number of rooms is acceptable and given the generosity of the atrium it is not considered that this proposal is over development.

The Reporter for the previous application found that the development will offer a range of suitably sized, adequately lit rooms and there are no changes to this application that would alter that assessment.

Although there is a minor infringement of the guidance in terms of privacy and outlook, the overall amenity of the occupiers of this development will be satisfactory.

g) Traffic, Road Safety and Infrastructure Issues

Policies Tra 3 and Tra 4 relate to the design and provision of cycle parking. The Design Guidance relates to minimum and maximum parking for a range of development types.

No car parking spaces are expected for student housing and the development offers no provision for car parking. Residents will not be able to apply for residents parking spaces so there will be no impact on on-street residents parking.

Secure bike storage is provided off the atrium space to be accessed via the entrance pend.

There has been concern from neighbours with respect to increased cycle traffic in Duncan Street as a hazard to pedestrian safety. However the development is relatively small. Not all of the 24 occupants will choose to cycle and those doing so will be cycling at different times throughout the day. As there is already a certain amount of vehicular traffic to the garage, it is unlikely that there will be any significantly increased risk to pedestrian safety as a result of cycling by occupants of this development.

Transport has no objections to the proposals as submitted and no contributions are required. The proposals will have no adverse impact on traffic, road safety or infrastructure.

h) Equalities and Human Rights Issues

Accessible rooms are available on the ground floor which is accessed via a lift that accommodates the change in levels. Concerns were raised about the cobbles, however it is proposed that they be sealed over with a clear lacquer to level the floor out.

The proposal will need to comply with disability requirements in the Building Regulations.

There will be no adverse impacts on equalities and human rights.

i) Other Material Considerations

Due to the existing use of the site, Environmental Protection have requested the imposition of a standard condition relating to contaminated land.

The site is of archaeological interest and a condition is added to ensure the appropriate archaeological investigations are conducted.

The appeal decisions for the previous application (CEC references 17/05115/FUL and 16/05505/LBC and DPEA references PPA-230-2229 and LBA-230-2146) are a material consideration in the determination of this application. The Reporter's comments have been noted where relevant in the points addressed above.

j) Public Comments

Material representations

Material reasons for objection include:

- Overdevelopment - assessed in section 3.3.f).
- Inappropriately dense - assessed in section 3.3.f).
- Use in this area is inappropriate - assessed in section 3.3.a).
- The area is already saturated with student housing - assessed in section 3.3.a).
- The building has a viable use as a commercial property - assessed in section 3.3.a).
- Loss of an employment use - assessed in section 3.3.a).
- 24 hour nature of proposed use as opposed to 9-5 nature of existing use - assessed in section 3.3.a).
- The area is residential - assessed in section 3.3.a).
- Change to character of area - assessed in section 3.3.b).
- Design is out of place - assessed in section 3.3.d).
- Too high - assessed in section 3.3.d).
- Impact on listed building - assessed in section 3.3.c).
- Privacy, overlooking, noise, loss of light, light pollution & security issues - assessed in section 3.3.e).

- Flats too tiny for future occupiers - assessed in section 3.3.f).
- Traffic and parking - assessed in section 3.3.g).
- Too many cyclists will be unsafe for pedestrians - assessed in section 3.3.a).

Material reasons for support include:

- A good use in the community - assessed in section 3.3.a).
- Better use than existing one - assessed in section 3.3.a).
- No taller than existing - assessed in section 3.3.d).
- Regenerates listed building - assessed in section 3.3.c).
- Preserves roof structure - assessed in section 3.3.c).

Conclusion

In conclusion, the proposal complies with the development plan and represents a minor infringement of the Design Guidance in respect of privacy and outlook. The proposal is acceptable in this location, will preserve the character and appearance of the adjacent conservation area and will have no detrimental impact on the character of listed buildings, residential amenity or traffic. The previous appeal decision is a material consideration and approval is recommended.

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. i) 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.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.

2. In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

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. 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.
5. The applicant should be advised that as the development is student housing, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category F - All student housing).

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:

This application was assessed in terms of equalities and human rights. The impacts are identified in the Assessment section of the main report.

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 1 February 2019. In all there have been 25 letters of representation, including 15 objections, eight letters of support and two letters of comment.

The Grange/Prestonfield Community Council and the Access Panel have commented on the proposals and the West Blasket Association supports the proposals. Other objections and letters of support are from neighbours and other members of the public.

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

Date registered 14 January 2019

Drawing numbers/Scheme 20-43,

Scheme 2

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PLACE

The City of Edinburgh Council

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

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 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.

LDP Policy Hou 8 (Student Accommodation) sets out the criteria for assessing purpose-built student accommodation.

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 Student Housing Guidance interprets local plan policy, supporting student housing proposals in accessible locations provided that they will not result in an excessive concentration.

Other Relevant policy guidance

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.

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 19/00114/FUL At 20 Duncan Street, Edinburgh, EH9 1SR Change of Use from car servicing and repairs centre to student accommodation (comprising 24 student studios coupled with shared quiet spaces, reception, laundry and ancillary spaces) and associated works. (as amended)

Consultations

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 coupled shared quiet spaces reception, laundry and ancillary 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. The 1st edition (1849) OS map shows the site as garden ground with a water pump in the SE corner. Both the tenement to the front and present-day garage were constructed during the third quarter of the 19th century between this date and their 1st appearance on the 1876 second (See fig 1) Edition OS Map. The 1876 OS map records the garage as a Horse Bazaar, being converted to a garage during the mid-20th century, though research undertaken by the applicant (see design statement) indicates that it was originally operated by funeral directors and undertakers, John Croall & Sons possibly as stables and to store carriages/hearses.

Based on the historical and archaeological evidence the building has been identified as being of regional importance. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policies 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 B-listed, 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

There are no objections to the proposed 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. The applicant should be advised that as the development is student housing, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category F - All student housing).*

Note:

The proposed parking meet the Council's parking standards:

- o Zero car parking;*
- o 26 cycle parking spaces;*
- o 8 visitor cycle parking spaces;*
- o 1 motorcycle parking space.*

Waste Services

I have been asked to consider this application on behalf of the Waste Management Service.

Waste and cleansing services takes no stance either for or against the proposed development but as a consultee would make the following comments:

Waste and Fleet Services would expect to be the service provider for the collection of waste as this appears to be a residential development. It is imperative that adequate provision is made for the storage of waste off street, and that cognisance is taken of the need to provide adequate space for the storage of segregated waste streams in line with the Waste (Scotland) Regulations which require the source separation of dry recyclable materials, glass, food, etc. Adequate provision should also be made for the effective segregation of materials within the building not just at the point of collection. Adequate access must also be provided to allow uplift of waste safely from the collection point taking into consideration the traffic flows at this busy location and I feel we would require to look at the bin storage areas for this development more closely.

The developer has been in touch for this development pre-planning and sent me plans of the bin store and access information. In view of these factors the developer must contact Waste Services on 0131 608 1100 or contact the officer for the area Hema Herkes directly Hema.herkes@edinburgh.gov.uk at the earliest point if any changes are made to the bin store, access areas etc.

Environmental Services

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

19/00114/FUL | Change of Use from car servicing and repairs centre to student accommodation (Comprising 25 no. student studios coupled with shared quiet spaces, reception, laundry and ancillary spaces) and associated works. | 20 Duncan Street

Environmental Protection has commented on a similar application before (15/04585/FUL & 16/03353/FUL), these application were withdrawn with another couple of applications being recently refused (16/05503/FUL - 17/05115/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.

The site is very well served with pedestrians and cycle paths. The site is also located near to great public transport connections with a high level of amenity also provided locally. Environmental protection would strongly recommend that that applicant reviews the level of proposed car parking for such a well-connected site.

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 will be required to install at least 5 electric vehicle charging point but has not shown them on any plans. It should be highlighted that this is the minimum requirement stipulated in the Edinburgh Design Guidance that must be achieved. Edinburgh has made huge 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 fuel emissions will contribute to improving air quality, and their quieter operation will mean that a major source of noise will decrease. It should also be noted that Edinburgh City Council has been working with all the Edinburgh based Universities installing charging point and accessing grant funding for electric vehicles.

The applicant should consider providing more than the minimum requirement for charging points due to the development near to the city centre Air Quality Management Area (AQMA) and to mitigate the level car parking spaces. The applicant would need to install 7Kw (Type 2 sockets) charging points throughout the car park as a minimum standard.

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.

The proposed development is likely to include a centralised energy centre for domestic heating and hot water. Environmental Protection had previously advised the applicant that all combined heat and power units must comply with the Clean Air Act 1993 and that Environmental Protection will not support the use of biomass. The applicant will need to provide a chimney height calculation if the energy centre is above 366Kw. If the proposed energy plant exceeds 1MW the applicant will need to include secondary abatement technology to further reduce NOX. It should also be noted that plant above 1MW is classified as a 'Medium Combustion plant' and now must be registered or permitted with Scottish Environment Protection Agency.

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

Prior to the commencement of construction works on site:

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

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.

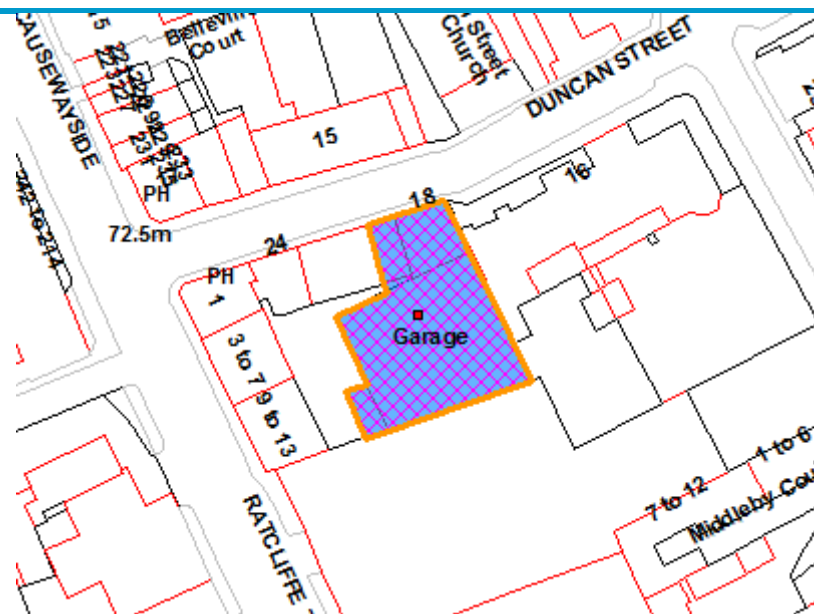
Prior to the use being taken up, 7Kw - 32amp (type 2 sockets) electric vehicle charging point, shall be installed serving 5 car parking space in the car park for all residential properties and be fully operational prior to occupation.

Informative

Electric vehicle charging points should be installed in accordance with Transport Scotland's Switched on Scotland Phase Two: An Action Plan for Growth (2017).

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

Location Plan



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