

Development Management Sub Committee

Wednesday 11 November 2020

**Application for Planning Permission 20/03162/FUL
at 165 Broughton Road, Edinburgh, EH7 4LG.**

Proposals are to extensively repair and refurbish the existing stables building, including demolition of some internal elements, renewal of all services, replacement of windows and rooflights, stone and roof repairs. Current use is office and workshop. Proposed use is office, artist studios and function/cafe space.

Item number

Report number

Wards

B12 - Leith Walk

Summary

The proposal conflicts with the existing Local Development Plan waste management safeguard. However, the site has now been deemed surplus for requirements for waste management purposes and the principle of development as part of the wider regeneration of the area has been established through the approved Powderhall Place Brief.

The proposals will bring a vacant listed building back into use whilst preserving the main features of architectural and historic interest and therefore as whole will comply with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Any potential impact on residential amenity needs to be balanced against the re-use of the listed building, otherwise the application complies with the policies of the Local Development Plan and associated guidance.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES02, LDES03, LDES04, LDES05, LDES06, LDES07, LDES08, LDES12, LEN03, LEN04, LEN09, LEN16, LEMP09, LHOU07, LTRA02, LTRA03, LTRA09, LRS02, NSG, NSGD02, NSLBCA, HES, HEPS, HESUSE,

Report

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Proposals are to extensively repair and refurbish the existing stables building, including demolition of some internal elements, renewal of all services, replacement of windows and rooflights, stone and roof repairs. Current use is office and workshop. Proposed use is office, artist studios and function/cafe space.

Recommendations

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

Background

2.1 Site description

The application relates to the vacant category B listed stable block (reference LB30290, listed 23 July 1993) that fronts onto Broughton Road. The site covers 0.17 hectares.

The building is associated with the now demolished former waste transfer site. It was originally built as stables to house horses that pulled carts around the city collecting waste for incineration. Once that function ceased, it was used as office and welfare facilities for the refuse depot.

The stable block is built in Baronial style with a symmetrical design with single storey wings with two central and terminal pavilions. The exterior architectural details contain crowstepped gables, pepper pot roofs, decorative slate and lead work and multiple chimneys, in a distinctive red sandstone.

The site is bounded by the former goods railway line to the northeast with Redbraes Park beyond. There are existing residential flats to the southeast. To the northwest is the wider Powderhall site that has now been cleared. To the southwest is the access to the site, St Marks Path and the bowling green site.

2.2 Site History

6 April 2018 - Listed building consent granted for a modern lean-to shed attached to NE elevation of original listed stable block to be demolished, stable block to be retained and any remedial work undertaken on removal of shed (application number 18/00217/LBC)

12 December 2018 - Powderhall Place Brief approved by Planning Committee. This provides a set of high-level principles which shape the future development of the site. The stable block forms Area 3 where consideration should be given to its future use as workspace/event space with potential community uses.

13 August 2020 - Parallel listed building consent application to extensively repair and refurbish the existing stables building, including demolition of some internal elements, renewal of all services, replacement of windows and rooflights, stone and roof repairs (application number 20/03161/LBC). Pending consideration.

Main report

3.1 Description of the Proposal

The proposed uses are office, artist studios and function/café space. The proposal will create 919 sqm of Class 4 Office / Light Industry and 309 sqm of Class 10 Non-residential institution use (rather than the Class 11 Assembly & Leisure use stated on the application form). This consists of:

- Basement: 55 sqm flexible function space and associated facilities.
- Ground floor (former stables): ten studios ranging from 13 sqm to 40 sqm and a 70 sqm function room alongside ancillary space.
- First floor (former hay loft): two workspace areas covering 173 sqm, two studios (both approx. 40 sqm), a meeting room and ancillary space.
- Second floor: a 32 sqm workspace.
- The ancillary spaces consist of kitchen areas, toilets and a new lift/stairs.

The main components of the refurbishment are:

- rooflights to the rear elevation
- re-instatement of windows, replacement/repair windows and an additional window to the ground floor function space.
- reinstatement of external stair connecting the courtyard and basement level.
- relay stone setts in rear courtyard.
- opening and repairing the existing pend and
- carry out stone and roof repairs.

Vehicular access is taken from the existing opening on Broughton Road, a temporary bin store is to be provided and removed in later phases. Zero car parking spaces are proposed, and the proposal contains ten cycle spaces in the courtyard area.

A Design and Access Statement and a Conservation Statement have been provided in support of the application. These are available to view on the Planning and Building Standards Online Services.

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 that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of development is acceptable;
- b) the proposals preserve the character and setting of the listed building;
- c) the design and layout are appropriate to the site;
- d) there are any other material considerations and
- e) any comments have been addressed.

a) Principle

The building forms part of a site safeguarded in the Local Development Plan (LDP) for waste management purposes.

LDP Policy RS 2 (Safeguarding of Existing Waste Management Facilities) states that development in the area immediately surrounding an existing or safeguarded waste management facility will only be allowed if it is demonstrated that there will be no adverse implications for the approved waste handling operations.

The waste transfer station was closed in late 2016 and the site has now been cleared. The 12 December 2018 Planning Committee Report, that recommends that the Powderhall Place Brief is approved, sets out the background to the proposed redevelopment of the site. It explains that the redundant site was transferred to the Council's Housing Revenue Account to accelerate housing led regeneration.

Consequently, the site has become surplus and is no longer required for its previous operational use with its functions moved to other locations and the new waste treatment plant at Millerhill. This is a material consideration when considering the proposal against the Policy RS2 and therefore the proposal is acceptable against the now redundant safeguard.

The Powderhall Place Brief sets out that the listed former stable block is important to the heritage of the area and consideration should be given to its future use as workspace/event space with potential community uses.

LDP Policy Emp 9 (Employment Sites and Premises) is supportive of development for employment purposes of business premises within the urban area. This proposal will create a number of studios, workspace areas and function spaces which will comply with this policy and the place brief.

The proposed functions rooms with potential café use are ancillary to the main use as studio and workspace areas. These are acceptable uses that complement the re-purposing of the building. The café as part of a wider range of use would be compatible with Policy Ret 11 (Food and Drink Establishments).

The proposal conflicts with the LDP waste management safeguard, but this safeguard is no longer required. The proposal forms part of a wider site that has been identified for regeneration through the approved place brief. The proposal will create an important community facility that will complement the existing mix of uses in the area and regenerate this building. The proposal accords with the Place Brief and is acceptable in principle.

b) Setting and Character of the Listed Building

In determining applications for planning permission or listed building consent, the Council is required to have special regard to the desirability of preserving the building, its setting or any features of special architectural or historic interest that it possesses.

Historic Environment Scotland (HES) guidance note Managing Change: Use and Adaptation of Listed buildings, sets out the principles that apply to converting historic buildings to new uses. Other HES Managing Change guidance which applies to this case includes Interiors and Windows.

The Local Development Plan (LDP) also includes policies to aid in the assessment.

LDP Policy Env 3 (Listed Buildings - Setting) states that development within the curtilage or affecting the setting of a listed building will only be permitted if not detrimental to the appearance or character of the building or its setting.

LDP Policy Env 4 (Listed buildings- Alterations and Extensions) states that proposals to alter or to extend listed buildings will be permitted where those alterations are justified; would not result unnecessary damage to historic structures or diminution of its interests; and where any additions would be in keeping with other parts of the building.

Setting:

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 means that there is a strong presumption against granting planning permission for development which would harm a listed building or its setting. If engaged, the presumption can only be rebutted if the advantages of the scheme are sufficient to outweigh that strong presumption.

In terms of setting, there will be limited changes to the envelope of the building.

Until recently the setting of the building was dominated by the large industrial buildings in the wider site. Now that these are demolished it has left a large vacant area.

The setting of the building will be enhanced by the proposed improvements to the rear courtyard area. Further development adjacent to the stables will be guided by the place brief and emerging masterplan.

External alterations:

Externally, the main changes are in relation to the windows along the Broughton Road elevation, where the original boarded up elements are to be removed. Although the boarded elements contribute to the character and appearance of the listed building, the inclusion of glazing here will still preserve the rhythm of the spaces along the elevation. The additional glazing will allow light into the building and aid in repurposing a vacant listed building.

A number of rooflights are proposed on the rear elevation. These have been amended to align with the windows below and are of a conservation style. These will not impact on the overall character of the listed building and are limited to the rear of the building.

A new external stair is proposed to link the rear of the courtyard and basement level. This is at a rear part of the site and is located in an inobtrusive area.

Other matters such as stone repairs, opening of infilled doors and the addition of windows will aid in enhancing and breathing new life into the listed building.

The external alterations are required to aid in repurposing the building for a new use and will preserve the special interest of the building. The changes such as the removal of the boardings and rooflights are considered to be relatively minor when considering the proposal as a whole and weight that should be given to the positive re-use of the building in line with HES Managing Change in the Historic Environment guidance note on the use and adaptability of listed buildings.

Internal works

The internal works are considered in more detail in the parallel application for listed building consent. The interior of the building has been previously altered in the 1970s and a number of original features have been lost. The proposals bring a new use to a redundant listed building with minimal intervention to its special interest.

The Archaeology Officer does not object to the application subject to a condition securing a historic building survey and a programme of archaeological work.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals generally preserve the setting and character of the listed building and will bring a vacant listed building back into use.

Summary:

The former stable block is a striking building in this part of the city, even more so given its original intended use as a stable. It has been vacant for a number of years and it is an important building in the context of the redevelopment of the wider Powderhall site.

The setting of the building will be improved by enhancements to the courtyard area.

The external alterations are minor and will preserve the character of the building, with alterations such as the removal of the boarding at the lower level and inclusion of conversation rooflights aiding in finding a use for a redundant building.

The interior the building has been heavily altered in the 1970s and the proposals will not diminish the special interest of the building.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals overall preserve the setting and character of the listed building.

c) Design

LDP Policy Des 2 (Co-ordinated Development) states that planning permission will be granted for development which will not compromise: a) the effective development of adjacent land; or b) the comprehensive development and regeneration of a wider area as provided for in a master plan, strategy or development brief approved by the Council.

The place brief states bringing the stable block back into use should be an integral part of the development. The brief requires an indicative masterplan to be submitted alongside the application.

The brief identifies the stable block for retention with the potential to enhance the character of Broughton Road and a vehicular access to the west of the building.

A masterplan/site strategy has been provided in support of the application. This shows the site adjacent to a proposed square, the proposed area for the external courtyard area to the rear of the stable block and a pedestrian route through the central pend. It also shows the areas for potential future development.

These elements are followed through to the application which proposes to re-instate the central pend as a pedestrian route through the building. This will lead through to the existing courtyard which is to be re-sett.

The proposal complies with LDP Policy Des 2. The approach to the layout and how the proposal will integrate with the wider site in later stages has also been taken account of in line Policy Des 7 (Layout Design), such as showing the pedestrian links and approach to future phases of the courtyard area.

Policy Des 12 (Alterations and Extensions) sets out that planning permission will be granted for alterations and extensions to existing buildings which, amongst other matters, in their design and form, choice of materials and positioning are compatible with the character of the existing building.

The proposals are sympathetic to the existing building and are based on the submitted Conservation Statement. The proposals seek to limit the interventions and are considered in the above section alongside the associated listed building consent application.

Overall, the proposals will be in keeping with the character of the building. The supporting information has demonstrated how this proposal will be a positive contribution to the coordinated regeneration of the area as identified in the place brief.

d) Other Material Consideration

Transport:

An existing vehicular access to the site is to be retained to the south of the building. The route through the central archway will be dedicated for pedestrian and cycle movement.

The Roads Authority does not object to the application. It notes that the level of car parking proposed (zero) is in line with the current guidance and that the ten cycle parking spaces meets the Council's standard of nine spaces.

The Roads Authority recommends a travel plan should be developed by the applicant and a traffic regulation order of £2000 will be required to introduce waiting and loading restrictions as necessary. These have been added as informatives.

Amenity:

The nearest existing residential development is approximately 20 metres way. As a change of use the proposed development will not have any additional amenity issues in relation to matters such as overlooking and daylighting.

The proposal seeks to use the existing chimneys for extract purposes. Environmental Protection has raised some concerns in relation to the potential for the height of the chimney to potentially cause odour issues for some of the adjacent residential blocks.

If the flue was moved to the exterior of the building and further away it would potentially be detrimental to the external facades and appearance of this Category B listed building. The submitted conservation statement highlighted that the facades have the greatest level of significance for this building, as they remain largely intact to the original design. Therefore, a balanced view should be taken where the benefits of re-purposing a listed building and retaining the historical fabric take precedence over the potential amenity concerns.

Environmental Protection do not object to the application subject to conditions in relation to the ventilation system.

The proposed air source heat pumps (ASHP) are to be located with the gated enclosure to the north of the building, alongside the substation and adjacent to the retaining wall. The data provided shows that they ASHP will comply with NR25 for the nearest residential blocks on Broughton Road. Both the substation and ASHP are both located in a concealed part of the site located next to a busy road which will mitigate any noise. Environmental Protection do not object to the application on noise grounds.

The proposals are acceptable in terms of LDP Policy Des 5 (Development Design - Amenity).

Ecology:

A bat survey has been provided in support of the application. No bats were found to be roosting and only a low level of bat activity was recorded across the site. Due to a lack of summer roosts identified during surveys undertaken in 2018 and 2020, it is concluded that there is a decreased risk of winter bat roosts and so further surveys are not required at this time. The proposals comply with LDP Policy Env 16 (Species Protection).

e) Public Comments

No representations received.

Conclusion

The proposal conflicts with the existing Local Development Plan waste management safeguard. However, the site has now been deemed surplus for requirements for waste management purposes and the principle of development as part of the wider regeneration of the area has been established through the approved Powderhall Place Brief.

The proposals will bring a vacant listed building back into use whilst preserving the main features of architectural and historic interest and therefore as whole will comply with the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997.

Any potential impact on residential amenity needs to be balanced against the re-use of the listed building, otherwise the application complies with the policies of the Local Development Plan and associated guidance.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No demolition/ development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building recording, excavation, interpretation, recording and analysis) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. The ground floor and basement function rooms are for Class 10 and Class 3 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended).

3. The chimney to be used for the kitchen ventilation extract duct shall be inspected by a ventilation specialist to confirm that the chimney is in a suitable condition to accept the required flue liner and if not, shall be repaired.
4. The kitchen ventilation system shall be capable of achieving a minimum of 30 air changes per hour by volume of the kitchen and operate at a minimum efflux velocity of 15m/s at the flue termination point.

Reasons: -

1. In order to safeguard the interests of archaeological heritage.
2. To define the permission.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to safeguard the amenity of neighbouring residents and other occupiers.

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 applicant will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary.
5. 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.
6. Network Rail requests that the following matters are brought to the attention of the applicant:

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures.

The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.

All construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, see contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk

7. For the avoidance of doubt, the function rooms are for Class 10 of the Town and Country Planning (Use Classes) (Scotland) Order 1997 (as amended).

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 considered 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

No representations have been received.

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 located within the Urban Area as shown on the Local Development Plan Proposals Map. The site is part of a Safeguarded Waste Management Facility designation.

To the east of east of the site is a railway line which is a cycle/footpath safeguard (T7).

Date registered

13 August 2020

Drawing numbers/Scheme

01-13, 14A, 15-21,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Kenneth Bowes, Senior Planning officer

E-mail: kenneth.bowes@edinburgh.gov.uk

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

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

LDP Policy Des 2 (Co-ordinated Development) establishes a presumption against proposals which might compromise the effect development of adjacent land or the wider area.

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

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

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

LDP Policy Des 6 (Sustainable Buildings) sets criteria for assessing the sustainability of new development.

LDP Policy Des 7 (Layout design) sets criteria for assessing layout design.

LDP Policy Des 8 (Public Realm and Landscape Design) sets criteria for assessing public realm and landscape design.

LDP Policy Des 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 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 16 (Species Protection) sets out species protection requirements for 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 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 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 9 (Cycle and Footpath Network) prevents development which would prevent implementation of, prejudice or obstruct the current or potential cycle and footpath network.

LDP Policy RS 2 (Safeguarding of Existing Waste Management Facilities) outlines the circumstances development surrounding an existing or safeguarded waste management facility will be permitted.

Relevant Non-Statutory Guidelines

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

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

Relevant Government Guidance on Historic Environment.

The Historic Environment Policy for Scotland 2019 outlines Government policy on how we should care for the historic environment when taking planning decisions.

Managing Change in the Historic Environment: Use and Adaptation of Listed Buildings sets out Government guidance on the principles that apply to enable the use, the reuse and adaptation of listed buildings.

Appendix 1

Application for Planning Permission 20/03162/FUL

At 165 Broughton Road, Edinburgh, EH7 4LG

Proposals are to extensively repair and refurbish the existing stables building, including demolition of some internal elements, renewal of all services, replacement of windows and rooflights, stone and roof repairs. Current use is office and workshop. Proposed use is office, artist studios and function/cafe space.

Consultations

Archaeology Officer response - dated 17 August 2020

Further to your consultation request I would like to make the following comments and recommendations regarding this application to extensively repair and refurbish the existing stables building, including demolition of some internal elements, renewal of all services, replacement of windows and rooflights, stone and roof repairs. Current use is office and workshop. Proposed use is office, artist studios and function/cafe space.

The application concerns the refurbishment of the surviving B-listed southern range for the Powderhall Depot, designed by John Cooper (Edinburgh's City Engineer) in 1893. The original Edinburgh Corporation's 'Powderhall Destructor' comprised a rectangular courtyard of buildings with a chimney and well added to the NW corner. The site however has a longer industrial heritage being associated with a possible late-17th century gun-powder factory and post-medieval mill lades.

Accordingly, the building is regarded as being of archaeological significance and important survivor of Edinburgh's Victorian civic and industrial heritage. Accordingly, this application must be considered therefore under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), PAN 02/2011, HES's Historic Environment Policy for Scotland (HEPS) 2019 and CEC's Edinburgh Local Development Plan (2016) Policies ENV 4, 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.

The proposed scheme will require alterations and downtakings to this B-listed building. However, it has been concluded that although though they may have locally adverse impacts, overall, they are acceptable given that the proposals will see the welcome retention and reuse of this important historic building.

It is recommended, however that a programme archaeological works is undertaken. Firstly, this will require the undertaking of an historic building survey (level 2 annotated plans/elevations, photographic and written survey) of the existing building undertaken

prior to and during any alterations to provide a permanent record of this important historic structure. Secondly a programme of archaeological work is undertaken during any ground works (both internal and external) to record any surviving archaeological remains and lastly the building's heritage is commemorated and interpreted within the final scheme.

It is recommended that the following condition is attached, in order fully record and interpret this important industrial building and also record any associated buried remains;

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

The work must 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.

Network Rail response - dated 2 September 2020

Thank you for consulting Network Rail regarding the above development.

Whilst Network Rail has no objections in principle to the development, due to its close proximity to the operational railway, we would request that the following matters are taken into account, and if necessary and appropriate included as advisory notes, if granting the application:

Any demolition or refurbishment works must not be carried out on the development site that may endanger the safe operation of the railway, or the stability of the adjoining Network Rail structures. The demolition of buildings or other structures near to operational railway infrastructure must be carried out in accordance with an agreed method statement. Approval of the method statement must be obtained from Network Rail's Asset Protection Engineer before development can commence.

All construction works must be undertaken in a safe manner which does not disturb the operation of the neighbouring railway. Applicants must be aware of any embankments and supporting structures which are in close proximity to their development.

o Details of all changes in ground levels, laying of foundations, and operation of mechanical plant in proximity to the rail line must be submitted to Network Rail's Asset Protection Engineer for approval prior to works commencing on site. Where any works cannot be carried out in a "fail-safe" manner, it will be necessary to restrict those works to periods when the railway is closed to rail traffic i.e. by a "possession" which must be booked via Network Rail's Asset Protection Engineer and are subject to a minimum prior notice period for booking of 20 weeks.

The developer must contact our Asset Protection Engineers regarding the above matters, see contact details below:

Network Rail Asset Protection Engineer
151 St. Vincent Street, GLASGOW, G2 5NW
Tel: 0141 555 4352
E-mail: AssetProtectionScotland@networkrail.co.uk

We trust full cognisance will be taken of these comments. We would be grateful if Local Planning Authorities would provide a copy of the Decision Notice.

Roads Authority Issues - dated 14 September 2020

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

- 1. The applicant will be required to contribute the sum of £2,000 to progress a suitable order to introduce waiting and loading restrictions as necessary;*
- 2. 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;*

Note:

I. The application has been assessed under the current parking standards. Based on 345m² of art studios (non resi institution), 193m² of food/drink and 241m² of office in zone 2, permits the following:

a. A maximum of 21 car parking spaces (1 space per 50m² of art studio, 1 space per 14m² of food/drink and 1 space per 385m² of office). 0 car parking is proposed.

b. A minimum of 9 cycle parking spaces (1 space per 67m² of art studio, 1 space per 75m² of food/drink and 1 space per 150m² of office). 10 cycle parking spaces are proposed;

c. No requirement for EV or accessible car parking as 0 car parking is proposed.

II. Proposed level of parking complies with current parking standards and justification of proposed car parking provision is related to sites accessibility to public transport and active travel routes and the proposals relate to a community use. Based on this the level of car parking proposed is considered acceptable;

III. The site is sits in zone 3 of the tram contribution zone where a net contribution that takes the contribution generated by the existing use into consideration. The existing use of 779m² gross floor area of office use generates a contribution of £33,978 and the proposed use of 345m² of art studios (non resi institution), 193m² of food/drink and 241m² of office generates a contribution of £18,273. Net Contribution = proposed use - existing use = £18,273 - £33,978 = Neutral contribution. No tram contribution is required.

Environmental Protection response - dated 21 October 2020

Environmental Protection has no objection to this application subject to the attached conditions.

Conditions

1. The chimney to be used for the kitchen ventilation extract duct shall be inspected by a ventilation specialist to confirm that the chimney is in a suitable condition to accept the required flue liner and if not, shall be repaired.
2. The kitchen ventilation system shall be capable of achieving a minimum of 30 air changes per hour by volume of the kitchen and operate at a minimum efflux velocity of 15m/s at the flue termination point.

Assessment

The application concerns a former stables building, previously used as offices, workshop and storage and formed part of the Council's Powderhall Waste Transfer Station. The application is to refurbish and change the use of the building to artist studios with a café and event space. The Powderhall site which is located behind the application site and positioned to the north-west of the site, up to the boundary with the Water of Leith. Plans for the remainder of the Powderhall site are still being developed but may include mixed commercial uses as well as residential use. The wider re-development will include the bowling greens to the south-west of the site.

The stables building fronts on to Broughton Road, which is a relatively busy thoroughfare. To the north-east is located Redbraes Park. The surrounding area on the other side of Broughton Road is primarily residential. To the east is located a modern 7 storey residential development and to the south-east a 5-storey apartment development. Further west are semi-detached properties, a 3-storey residential development and Broughton Primary School.

The initial proposal included the possibility of the event space being used for Weddings and there were concerns of noise complaints from nearby residents concerning music noise, late into the evening and night. However, subsequent discussions between the Planning Officer and the agent confirmed that Weddings would not take place within the event space and that consent was for Class 4 & 10 only.

The application includes Air Source Heat Pumps (ASHP) as well as an Electrical Sub-station, both to be positioned at the far east of the site, behind a retaining wall. Information was provided on noise levels from the ASHP units and it was concluded that a Noise Impact Assessment (NIA) would not be required. The position of the Electrical Sub-station and distance to the nearest residential accommodation was such that there are no concerns that noise from it would be a problem. There is already an existing electrical substation between the two nearest residential apartment buildings.

The proposal includes a café and there are concerns regarding the position of the kitchen extract duct and cooking odour complaints. The plans include using the existing chimney, however the chimney is an insufficient height to ensure it's a minimum of 1m plus above the window height of residential accommodation, within a 30m radius. It's almost level with the top window height of the residential block directly opposite, which is 18.8m away and around 6.5m below the top window height of the block to the east, around 25.5m away.

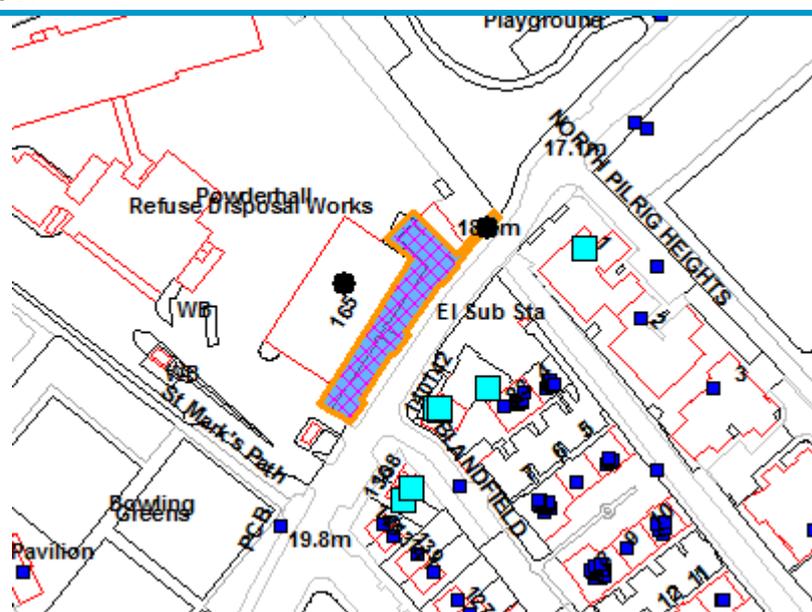
A 30m radius has been shown to work well in Edinburgh and minimise cooking odour complaints. The applicant does not wish to relocate the extract duct to the rear of the building due to its impact on the aesthetics of the rear facade. However, if the extract

system is designed such that the efflux velocity at the flue termination point is a minimum of 15m/s, then the radius can be dropped to 25m and it would satisfy our requirements. A condition has been recommended concerning the chimney flue and the minimum efflux velocity required.

A NIA for noise from the kitchen extract system was not considered necessary as the flue is internal, the distance to the nearest residential apartment and the masking effect of road traffic noise during the times the extract is likely to operate at.

In conclusion, Environmental Protection has no objections to this application subject to the attached conditions.

Location Plan



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