

Development Management Sub Committee

report returning to Committee - Wednesday 6 September 2023

Application for Planning Permission 21/03992/FUL At 14 - 17 Atholl Crescent, Edinburgh, EH3 8HA Change of Use from office to form 34x residential units with associated works (as amended).

Item number

Report number

Wards

B11 - City Centre

Recommendations

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

Background information

This application was granted at the Development Management Sub-Committee on February 8th 2023 subject to completion of a Legal Agreement to secure contributions towards education infrastructure a commuted sum related to the provision of off-site affordable housing as well as planning conditions and informatives.

The legal agreement has now been concluded. The application is returned to committee due to NPF4 being adopted by Scottish Ministers on 13 February 2023. NPF4 is now part of the development plan against which development proposals should be assessed.

Main report

National Planning Framework 4

NPF4 (2022) is now part of the Council's Development Plan. It contains various policy provisions under the themes of Sustainable Places, Liveable Places and Productive Places.

The relevant NPF4 policies to be considered are: Policy 1, 2, 3, 7, 9, 12, 13, 14, 15, 16, 18, 19, 20 and 22 and are grouped together under the themes of principle, local living and quality homes and infrastructure, biodiversity and blue/green infrastructure.

Policy 1 of the NPF 4 gives significant weight to the global climate and nature crisis to ensure that it is recognised as a priority in all plans and decisions. It is to be applied together with the other policies in NPF4.

Principle

Policy 2 Climate Mitigation and Adaption states development proposals will be sited and designed to minimise lifecycle greenhouse gas emissions as far as possible. Policy 9 supports the sustainable reuse of brownfield land. The development proposal is for the reuse of an existing developed site to provide homes. This will limit the carbon footprint of the proposed development and complies with the principles of these policies.

Therefore, the proposal is still acceptable in principle.

Historic Environment

Policy 7 aims to protect and enhance historic environment assets and places, and to enable positive change as a catalyst for the regeneration of places. The NPF4 policies 7a, and 7c are similar to the superseded LDP policies.

Policy 7d relating to development in conservation areas is also similar to the superseded LDP policy which was assessed in detail in the Report of Handling and previously presented to Committee.

Policy 7i relates to development which has the potential to affect a World Heritage Site. This is similar to the superseded policy in the LDP. The proposal includes limited change to the external appearance of the building. The formal Georgian appearance of the building will be enhanced through the removal of bars on basement windows and the reinstatement of a door on the principal elevation. Important original windows or retained on the ground floor in line with comments made by HES and replacement windows on upper levels will replicate the materials, appearance and method of opening of all current windows.

The proposal will not detract from the special architectural and historic interest of the adjacent and nearby listed buildings nor harm its setting and conforms with section 59 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997. The proposal will not have a detrimental impact on the New Town Conservation Area and conforms with section 64 of the Planning (Listed Buildings and Conservation Area) (Scotland) Act 1997. The proposal will not have a negative impact on the Outstanding Universal Value of the World Heritage Site.

The proposal complies with policy 7.

Local Living, Quality Homes and Infrastructure

In line with Policy 12a, plans show a bin store to the rear of the site for a range of waste streams and the applicant will arrange for a private waste collection for units within the existing townhouse buildings until street bin hubs are provided. Waste arrangements will be finalised with the Council's waste services.

In line with Policy 13 relating to sustainable transport, the proposal will reduce the level of car parking on site, provides electric charging for cars and will provide cycle parking for both standard and non-standard bikes. The proposal also includes a bike maintenance area.

Policy 14 requires development proposals to improve the quality of an area regardless of scale. The site is within the urban area, and proposes limited external change to an important listed building. The application site is located within the city centre with the residential use contributing to the vitality of the area.

Policy 16c supports developments for new homes that improve affordability and choice by being adaptable to change and diverse needs, such as accessible, adaptable and wheelchair accessible homes and affordable homes. This matter was addressed in some detail within the Report of Handling and in the subsequent consideration of the scheme by the Committee on February 8th 2023. This includes consideration that:

- All 34 units have been designed in line with Building Standards to allow for future adaptation for unassisted living
- level access is provided at 9 of 34 units (26 %). This includes two basement level flats within the Atholl Crescent townhouses
- A further four units (12 %) have been designed to allow future installation of stairlifts. This includes two units within the mews building and two units within the Atholl Crescent townhouses.
- Four of the units can be accessed via a limited number of steps (ranging from 3- 5 steps) and are therefore appropriate for ambulant disabled users.

With reference to the figures outlined above, 50% of the proposed units are either fully accessible or can be adapted for users with disabilities. A balanced range of unit sizes is proposed. Ground floor units will have access to private gardens and are suitable for growing families, 65% of the units are dual aspect and 47% of units exceed 91 square metres and would therefore meet a range of housing needs.

Policy 16e states that Development proposals for new homes will be supported where they make provision for affordable homes to meet an identified need. Proposals for market homes will only be supported where the contribution to the provision of affordable homes on a site will be at least 25% of the total number of homes, unless the LDP sets out locations or circumstances where a lower contribution is justified, for example, by evidence of impact on viability, where proposals are small in scale, or to incentivise particular types of homes that are needed to diversify the supply.

The applicant has engaged in an open book exercise as part of the assessment of the application. This outlines an average development cost of £284,000 per unit. The costs outlined by the applicant have been considered by the Council's Affordable Housing Team and have also been assessed and verified by an independent Quantity Surveyor and the Valuation Office Agency. Based on this information, Affordable Housing has advised that the development cost per unit would be significantly over the budget of a Registered Social Landlord. For this reason the provision of on-site affordable housing is not feasible in this case.

The applicant has agreed to the payment of a commuted sum totalling £717,502, secured through a Section 75 Legal Agreement. The applicant has now entered into a legal agreement with the Council which includes a commitment to pay the above sum in four phases contingent on the completion of residential units. This sum will be used to support the provision of affordable housing within the city.

Policy 16f sets out the limited circumstances where development proposals for new homes on land not allocated for housing in the LDP would be accepted. It supports development within existing settlement boundaries and which promotes 20 minute neighbourhoods, as supported by policy 15. The proposed development is within an established residential part of a mixed use area of the city and is within walking distance of facilities such as shops and public transport. The proposal is consistent with the spatial strategy within the Local Development Plan in the urban area and is, therefore, acceptable

The proposal complies with policy 16.

Policy 18b states The impacts of development proposals on infrastructure should be mitigated. Development proposals will only be supported where it can be demonstrated that provision is made to address the impacts on infrastructure. In order to mitigate the impact of the residential development on education infrastructure, the applicant has entered into a legal agreement with the Council which requires the payment of £32,672 to support the provision of additional school capacity.

Biodiversity and blue/green infrastructure

Policy 3c seeks proposals for local development to include appropriate measures to conserve, restore and enhance biodiversity, in accordance with national and local guidance. Policy 20b also supports development proposals for or incorporating new or enhanced blue and/or green infrastructure. In this instance the proposal relates to a constrained city centre site with no greenspace. The proposal will reduce the level of hardstanding on site, introducing small garden areas to the rear. The proposal does not conflict with Policy 3.

Policy 19f supports development proposals for buildings that will be occupied by people are designed to promote sustainable temperature management, for example natural or passive solutions. The proposed scheme relates to the conversion of a listed building. However, the building warrant process will ensure the proposed development complies with relevant energy standards.

Policy 22 relates to flood risk and water management. As the proposal does not propose the physical extension of any building and is not within an identified area a flood risk, no Flood Risk Assessment or Surface Water Management Plan is required. The proposal does not conflict with Policy 22.

Other Material Considerations

There are no new material considerations arising from those previously considered on 8 February 2023 by this Committee. The required legal agreement has been concluded. It is, therefore, recommended that the application is granted.

Links

A copy of the original and previous returning Committee reports can be found in the list of documents at

<https://citydev-portal.edinburgh.gov.uk/idoxpa-web/applicationDetails.do?activeTab=documents&keyVal=QWORJEEWFNY00>

Or Council Papers online

David Givan
Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Christopher Sillick, Planning Officer
E-mail:christopher.sillick@edinburgh.gov.uk

