

Development Management Sub Committee

Wednesday 20 November 2019

**Application for Planning Permission 19/02921/FUL
At 7- 8 Clifton Terrace, Edinburgh, EH12 5DR.
Proposed extension to the rear of the existing Haymarket
Hub Hotel, comprising 47 additional bed rooms, a new
kitchen and dining space and back of house facilities (as
amended).**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposal complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the setting of adjacent listed buildings and preserves the character and appearance of the conservation area.

The proposals comply with the adopted Local Development Plan and non-statutory guidelines and have no adverse effect on the setting of the adjacent listed buildings, the character or appearance of the conservation area or the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on significant archaeological remains, residential amenity or road safety and will not increase flood risk. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LEN03, LEN06, LEN01, LDES01, LDES03, LDES04, LDES05, LEN09, LTRA02, LDEL01, LTRA03, LTRA04, NSG, NSLBCA, NSGD02, SGDC, CRPNEW,

Report

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At 7 - 8 Clifton Terrace, Edinburgh, EH12 5DR.
Proposed extension to the rear of the existing Haymarket
Hub Hotel, comprising 47 additional bed rooms, a new
kitchen and dining space and back of house facilities (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 relates to a T-plan, nine-storey hotel with 195 bedrooms located opposite Haymarket railway station on a site measuring 0.19 hectares. The building fronts Clifton Terrace to the south and the rear faces Rosebery Crescent Lane to the north. The top storey is recessed from the main building edge at the sides and front and the lower ground floor is partly below street level.

The building was built as an office in the 1970s in Brutalist style, clad in aggregate concrete panels. The south (front) and east elevations were over-clad with buff sandstone and curtain-walling at the time of conversion to a hotel in 2012.

The buildings on the east side of Rosebery Crescent (numbers 1 - 8) are category C listed individually and category A listed as a group (listing reference: LB29657-29660, listed on date 10 December 1964).

Pedestrian access is on Clifton Terrace and the hotel car park, comprising 22 spaces occupying a level deck and basement-level area to the rear is accessed via Rosebery Crescent Lane. Service vehicles use a basement-level bay accessed off a lane at the west side of the car park.

A bar/restaurant fronting Clifton Terrace occupies most of the ground floor of the building. The surrounding properties on the north, north-east and west sides are predominantly residential, including a mews courtyard off Rosebery Crescent Lane. The four-storey tenement to the west fronting Clifton Terrace has commercial units at ground floor level and the two-storey terraced properties to the east on Clifton Terrace are in commercial use.

The site is within the Edinburgh World Heritage Site.
This application site is located within the New Town Conservation Area.

2.2 Site History

05 July 2011 - planning permission granted for change of use and extension to office building to create hotel and retail unit and erection of two residential mews dwellings to rear, as amended (10/02100/FUL); not implemented; consent lapsed.

24 May 2012 - planning permission granted for change of use and extension to existing office building to form 179 bedroom hotel and use class uses 1, 2 and 3, two residential mews dwellings to rear and demolition of existing car parking deck, as amended (application reference 11/02100/FUL); implemented except for mews dwellings.

Main report

3.1 Description of the Proposal

The application is to erect a sandstone and zinc-clad, nine story extension on the rear of the building attached to the west side of the existing rear projection. This extension will accommodate back of house facilities and 47 (nett) additional hotel rooms. Two bedrooms will be lost at ground floor level, so the total number of bedrooms, including the new extension, will be 242.

The proposed extension includes a two-storey, zinc-clad projection to the north containing back of house, kitchen and dining spaces at basement and ground-floor level.

The existing rear projecting section of the building will be over-clad in sandstone and zinc to match the new extension. The existing metal-clad, roof-top plant room on the existing projection will be lowered in height and over-clad with zinc.

The existing car parking on the raised deck will remain and the seven spaces at basement-level will be lost due to the new extension, leaving a total of 15 spaces. There are 14 cycle parking spaces on bike racks to the rear of the hotel at basement level and additional racks will be provided to give a total of 24 spaces.

Scheme 1

The original scheme proposed a full sandstone-cladding on the nine-storey extension and no alteration to the existing rear projection.

Supporting Documents

The following information was submitted in support of the application:

- Planning Statement
- Design and Access Statement;
- Noise Impact Assessment;
- Transport Statement and Addendum;
- Flood Risk and Drainage Impact Assessment and
- Energy Statement.

These documents 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.

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 proposals preserve or enhance the character or appearance of the conservation area
- b) the proposals preserve the setting of the listed buildings
- c) the proposals harm the Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site
- d) the proposed scale, form, design and materials are acceptable;
- e) the proposals have an adverse impact on significant archaeological remains;
- f) the proposals are detrimental to residential amenity or road safety;
- g) the development will increase flood risk;
- h) any impacts on equalities or human rights are acceptable and
- i) public comments have been addressed.

a) Character and Appearance of Conservation Area

LDP Policy Env 6 states that development within a conservation area will be permitted if it preserves or enhances the special character or appearance of the conservation area and is consistent with the relevant conservation area character appraisal and demonstrates high standards of design and utilises materials appropriate to the historic environment.

The Old Town Conservation Area Character Appraisal states that new development in this part of the conservation area should complement the urban grain and massing characteristics of the locality and make use of the existing historic palette of building materials, particularly natural stone.

The existing building is out of character with the surrounding area in terms of height, scale, massing, form and building line. The proposed extension will be located to the rear and will not be visible from main public viewpoints. Its materials and design are based on the re-clad east elevation of the hotel as remodelled in 2012, so the new structure is in keeping with the improved elevations of the original building.

Whilst additional mass will be added to the existing building, the proposed structure due to its discreet location and appropriate elevational design and materials will have no detrimental impact on the key views, historic street pattern or architectural forms and styles that characterise this western part of the New Town.

The revised scheme reduces the massing and height of the roof-top structures on the east elevation of the rear projection, which is higher height than the front part of the building. These roof structures, along with the unsympathetic concrete-clad east elevation, makes the rear projection dominant in key views of the building from Morrison Street. The proposed reduction in roof mass and height, along with the cladding of the top storey in zinc and east elevation in natural buff sandstone, will significantly reduce the dominant visual impact of the rear projection by making it appear subservient to the main building. The zinc top storey will also allude to the slate roofs of the adjacent terrace on Clifton Terrace, making the appearance of the building more in keeping with a key architectural characteristic of the conservation area, albeit in a different material and without a pitch.

This reduction in visual impact through re-cladding is carried through to the rear and west elevations of the existing rear projection which are visually prominent from Rosebery Crescent Lane. The use of natural stone cladding will allow the building to relate better to its surrounding context which is characterised by sandstone traditional buildings and the introduction of vertically-aligned fenestration on the blank rear elevation of the existing projection will make this structure more in keeping with the neighbouring tenement on Clifton Terrace in terms of elevational treatment.

The proposed two storey extension to the rear is low-lying, sitting one storey above the existing raised car park. The contemporary flat-roofed design is acceptable in the context of the modern style of the existing building and will ensure that this part of the extension does not visually dominate the existing mews buildings off Rosebery Crescent Lane. Zinc is a traditional material within the New Town and often used as cladding on contemporary-style new structures in the area.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 the proposals preserve the character and appearance of the conservation area. There are no adverse impacts on the setting of the conservation area. The proposals will therefore preserve and enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6.

b) Setting of Listed Buildings

Section 59 (1) of the Planning (Listed Building and Conservation Areas)(Scotland) Act 1997 states:-

In considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority or the Secretary of State, as the case may be, 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.

Historic Environment Scotland's document 'Managing change in the Historic Environment - Setting' states;

'Setting' is the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced.

The document states that where development is proposed it is important to:

- Identify the historic assets that might be affected;
- Define the setting of each historic asset; and
- Assess the impact of any new development on this.

HEPS Policy HEP4 ensures that any changes to specific assets protects the historic environment and should be enhanced where possible.

LDP Policy Env 3 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.

The setting of the category A group listed buildings on the east side of Rosebery Crescent is already dominated by the existing high-rise hotel building. The proposed extension matches the height of the existing rear outshoot and is a sufficient distance away from the rear elevation of Rosebery Crescent to have no detrimental impact on the setting of this listed group of buildings, in compliance with LDP Policy Env 3

c) Outstanding Universal Value of World Heritage Site

The Outstanding Universal Value of the Old and New Towns of Edinburgh World Heritage Site is defined as the remarkable juxtaposition of two clearly articulated urban planning phenomena: the contrast between the organic medieval Old Town and the planned Georgian New Town which provides a clarity of urban structure unrivalled in Europe.

The proposed extension, due to its relatively discreet location, will have no impact on key views of the building and the proposed alterations to the existing rear projection will reduce the visual impact of the structure.

The development will therefore cause no harm to the Outstanding Universal Value of the Old and New Towns of World Heritage Site, in compliance with Edinburgh Local Development Plan Policy Env 1.

d) Scale, Form, Design and Materials

LDP Policy Des 1 states that permission will be granted for development that contributes toward a sense of place and draws from the positive characteristics of the surrounding area. The proposed hotel extension is not excessive in scale and will contribute positively to the mixed character and vitality of the Haymarket area.

The proposals incorporate sandstone-clad elevations and mimic the appearance of slate roofs which are characteristic features of the surrounding area. The reduction in the visual impact of the existing rear projection will have a positive impact on prominent views of the building and improve the appearance of the structure from Rosebery Crescent Lane.

The development is therefore acceptable in terms of scale, form, design and materials, in compliance with LDP Policies Des 1, Des 3, Des 4 and the Edinburgh Design Guidance.

e) Archaeological Remains

The site lies within an area of historic and archaeological significance, with settlement that may stretch back into the medieval period.

The associated ground-breaking works could disturb archaeological remains, so a condition has been applied to ensure that an archaeological investigation is undertaken prior to works commencing.

f) Residential Amenity and Road Safety

Residential Amenity

The proposed development is an extension to the existing hotel and plant for new building services will be located on the existing roof and on the roof of the nine-storey extension. There are residential properties in the surrounding area to the north, east and west.

The Noise Impact Assessment submitted concludes that there will be no adverse impacts from either plant or deliveries and Environmental Protection accept these findings. A condition has been applied to ensure that the kitchen extract and ventilation system is of appropriate specification.

The rear extension will be approximately nine metres closer to the properties which front Rosebery Crescent than the existing building. Bedroom windows which will be installed on the west elevation of the extension will directly face the rear of these

dwellings and their gardens. However, the hotel windows will be more than 26 metres from the windows of these properties at the closest point and just under 10 metres from the edge of the application site. This distance is sufficient to ensure that the privacy of these adjacent properties will not be adversely affected.

No windows in the new extension will directly face windows on the existing mews buildings off Rosebery Crescent Lane and the windows in the nine-storey projection on the north elevation are approximately 18 metres away from the rear windows of the approved mews development to the north of the hotel, which has not been implemented. The windows in the proposed two-storey extension are high level only, so these will not result in loss of privacy for adjacent residences.

The existing building adversely affects the amount of daylight into the windows on the rear elevations of the neighbouring properties to the west. Although the proposed extension will be closer to these properties, its height is lower than the existing rear projection so the amount of daylight into these windows will not be significantly affected by the proposed extension. The same applies to the level of sunlight to the gardens of the neighbouring properties which are already heavily overshadowed by the existing hotel building and other south-facing properties along Clifton Terrace.

The proposed development will therefore have no adverse impact in terms of the amenity of future occupiers and neighbouring residences, in compliance with LDP Policy Des 5.

Road Safety

The site is in easy walking distance of the city centre and is well served by public transport infrastructure, notably Haymarket railway station and the tram stop directly opposite, plus numerous bus services.

The amount of car parking will be reduced which will encourage the use of public transport and additional cycle parking spaces will be provided. A condition has been applied to ensure that the specification is appropriate.

The applicant is required to contribute the sum of £152,121 (based on a 47 bedroom hotel extension in Zone 1) towards the Edinburgh Tram project which will be secured via a legal agreement.

The existing servicing arrangements will be continued, and any additional service traffic is not considered to be significant in terms of the impact on road safety. An informative has been applied regarding the marking of the area in front of the private car park access west of the service area to prevent obstruction.

The development will therefore have no detrimental impact in terms of residential amenity or road safety.

g) Flood Risk

The site is not within a flood risk area. However, SEPA Pluvial flood maps show an area of flooding to the south-west of the site boundary.

The applicant has submitted a Flood Risk and Drainage Impact Strategy which concludes that the proposed development will not adversely affect the risk of flooding in the area and a drainage strategy can be satisfactorily implemented. A condition has been applied to ensure that the details of the proposed sustainable urban drainage system (SUDS) is appropriate.

h) Impact on Equalities and Human Rights

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

i) Public Comments

Material Objections

- the proposed extension constitutes over-development in this sensitive historic environment - this has been addressed in sections 3.3 a), b) and c);
- the proposals will have a negative impact on the character of New Town Conservation Area and World Heritage Site - this has been addressed in sections 3.3 b) and c);
- the visualisations provided are not sufficiently detailed and varied to allow proper assessment of the impact on the historic cityscape and skyline - the revised Design and Access Statement provides sufficient detail on the visual impact of the proposals;
- the development will exacerbate existing noise levels and disturbance - this has been addressed in section 3.3 f);
- there will be smells from plant and extract ducts - this has been addressed in section 3.3 f);
- the proposed extension will result in loss of privacy and overshadowing - this has been addressed in section 3.3 f);
- the hotel accommodation is poor quality, including rooms without windows - the standards set out in the Edinburgh Design Guidance do not apply to hotel developments;
- the increase in service vehicles will causing congestion and air pollution, especially when Rosebery Crescent becomes one-way - this has been addressed in section 3.3f); and

- the proposed deliveries/collections hours are not acceptable and access should be from the front of the premises - no change is proposed to the current hours of operation or access location for service vehicles.
- Non-material Objections

The following grounds of objection are non-material in planning terms.

- safety of construction;
- damage caused by service vehicles;
- noise, dust, etc. during construction;
- access for fire escape;
- right of access to a private car park;
- decrease in value/rental value of properties;
- anti-social behaviour/type of guests;
- hotel management, e.g. content of bins;
- increase in seagulls; and
- breach of current planning conditions.

Conclusion

The proposal complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997 as it preserves the setting of adjacent listed buildings and preserves the character and appearance of the conservation area.

The proposals comply with the adopted Local Development Plan and non-statutory guidelines and have no adverse effect on the setting of the adjacent listed buildings, the character or appearance of the conservation area or the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on significant archaeological remains, residential amenity or road safety and will not increase flood risk. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions: -

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. No development shall take place until the applicant has secured the implementation of a programme of archaeological work, in accordance with a written scheme of investigation which has been submitted to and approved in writing by the Planning Authority, having first been agreed by the City Archaeologist.

3. Prior to the occupation of the extension hereby approved, the extract flue and ventilation system, capable of 30 air changes per hour, as show on drawing no. E1854 (PL)011 P02 dated 16/01/2019 shall be implemented.
4. Details of the proposed additional cycle parking spaces shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
5. Details of the proposed sustainable urban drainage system (SUDS) shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. In order to safeguard the interests of archaeological heritage.
3. In order to safeguard the amenity of neighbouring residents and other occupiers.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to securing a tram contribution of £152,121 (based on 47 bed hotel extension in Zone 1). The sum will be indexed as appropriate and the use period will be 10 years from date of payment.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

2. The proposed site is on or adjacent to the operational Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction/delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work

obtained. Authorisation is needed for any of the following works either on or near the tramway:

- Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;
- Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;
- Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;
- Any excavation within 3m of any pole supporting overhead lines;
- Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;
- The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line. See our full guidance on how to get permission to work near a tram way <http://edinburghtrams.com/community/working-around-trams>

3. i) The applicant shall provide/install keep clear marking at the access of the private car park access west of the proposed service area to prevent obstruction of the access.

ii) The applicant should be aware of the potential impact of the proposed development on the Edinburgh Tram and the Building Fixing Agreement. Further discussions with the Tram Team will be required.

iii) In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.

iv) Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property.

v) Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984.

vi) The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

vii) All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with

Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved.

viii) Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

4. i) It should be noted that when designing the exhaust ducting, Heating, ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance

ii) If an energy centre or centralised boilers are proposed, the applicant will need to ensure that information is submitted and if required a supporting chimney height calculation as per the Clean Air Act which is anything above 366Kw. The Pollution Prevention and Control (Scotland) Regulations 2012 were amended in December 2017 to transpose the requirements of the Medium Combustion Plant Directive (MCPD -Directive (EU) 2015/2193 of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants). The purpose of the MCPD is to improve air quality. All combustion plant between 1 and 50 MW (net rated thermal input) will have to register or have a permit from SEPA. Environmental Protection will require that secondary abatement technology is incorporated into any plant above 1MW (accumulate assessment).

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

5.1 Provided planning applications are determined in accordance with statutory legislation, the level of risk is low.

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

This application is not subject to the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 5 July 2019. A total of 48 representations were received objecting to the proposals, including representations from a Member of Parliament, two Members of the Scottish Parliament, the Architectural Heritage Society of Scotland and the Cockburn Association.

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

The site is within the City Centre, Old and New Towns of Edinburgh World Heritage Site and Old Town Conservation Area as defined by the Edinburgh Local Development Plan.

Date registered

18 June 2019

Drawing numbers/Scheme

01, 02, 03A, 04 - 13 + 14A - 23A,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

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

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

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

Relevant Non-Statutory Guidelines

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

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.

Draft Developer Contributions and Infrastructure Delivery SG sets out the approach to infrastructure provision and improvements associated with development.

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

Appendix 1

Application for Planning Permission 19/02921/FUL At 7 - 8 Clifton Terrace, Edinburgh, EH12 5DR Proposed extension to the rear of the existing Haymarket Hub Hotel, comprising 47 additional bed rooms, a new kitchen and dining space and back of house facilities (as amended).

Consultations

Archaeology

The Haymarket Hub Hotel was originally constructed as offices in 1969. Located opposite the Victorian Haymarket Railway Station it lies within the western limits of the New Town and Edinburgh's UNESCO World Heritage Site. Historically the site overlies the site of the settlement of South Coates. Little is known of the origins of this settlement however Stuart Harris mentions it as first being mentioned in 1581 as cottages belonging to Holyrood Abbey. It is therefore possible that settlement in this area may stretch back into the medieval period.

The first edition OS map (see below) shows the settlement as comprising a range of cottages running north south across the sites eastern half, with South Coates House and gardens neighbouring to the west. The whole area was extensively developed during the 1890's with the earlier buildings demolished to make way for the New Town, resulting in the construction of Mews buildings to the rear and a large Spirit Warehouse across the front two thirds.

As such the site has been identified as containing occurring within and area of archaeological and historic significance both in terms of buried archaeology dating back to the medieval period. Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP) and Historic Environment Scotland Policy Statement (HESPS) 2016 and CEC's Edinburgh Local Development Plan (2016) Policies 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.

Although the site has been impacted by modern (20th century) development, the proposals will require significant ground-breaking works, which could reveal significant remains associated with the development of both the medieval village of South Coates and Victorian Haymarket. It is therefore essential that an archaeological programme of work is undertaken prior to development in order, to fully excavate, record and analyse any surviving archaeological remains affected.

In consented it is essential therefore that a condition be applied to any consent if granted to secure this programme of archaeological works based upon the following CEC condition;

'No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (excavation, analysis & reporting, publication, public engagement) 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.

Environmental Protection

The proposed development is an extension to the existing Haymarket Hub Hotel including bedrooms, a new kitchen, dining and other ancillary accommodation. The extension is separated into two sections, one extending over 2 storeys, and the other extending over 9 storeys. New building services plant will be located on the existing hotel roof and on the roof of the 9-storey extension. Due to the location of the proposed extension, the number of car parking spaces will be reduced by 7, leaving a total of 15 parking spaces at the rear of the hotel.

The site is bounded to the south by Clifton Terrace, to the west by dwellings on Rosebery Crescent, and to the north by existing car parking areas and Rosebery Crescent Lane.

The applicant has submitted a supporting noise impact assessment. This has assessed the likely impacts additional plant and delivery noise will have on the surrounding amenity. The noise impact assessment has concluded that there will be no adverse impacts from either plant or deliveries and Environmental Protection accept these findings.

The applicant has also submitted details highlighting that the kitchen flue will terminate at a high level. Environmental protection shall recommend a condition is attached regarding this.

If you are proposing an energy centre or centralised boilers you will need to ensure that information is submitted and if required a supporting chimney height calculation as per the Clean Air Act which is anything above 366Kw. The Pollution Prevention and Control (Scotland) Regulations 2012 were amended in December 2017 to transpose the requirements of the Medium Combustion Plant Directive (MCPD -Directive (EU) 2015/2193 of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants). The purpose of the MCPD is to improve air quality. All combustion plant between 1 and 50 MW (net rated thermal input) will have to register or have a permit from SEPA. Environmental Protection will require that secondary abatement technology is incorporated into any plant above 1MW (accumulate assessment).

Environmental Assessment has no objections to this proposed development subject to the following conditions being put on any planning permission given;

1. Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, as show on drawing no. E1854 (PL)011 P02 dated 16/01/2019 shall be implemented.

Informative

It should be noted that when designing the exhaust ducting, Heating, ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance.

Roads Authority

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

- 1. Contribute the sum of £152,1211 (based on 47 bed hotel extension in Zone 1) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment;*
- 2. 5 Cycle parking spaces required for the proposed extension in Zone 1.*
- 3. 1 motorcycle spaces required for the proposed extension in Zone 1.*
- 4. The applicant to provide/install keep clear marking at the access of the private car park access west of the proposed service area to prevent obstruction of the access.*
- 5. The applicant should be aware of the potential impact of the proposed development on the Edinburgh Tram and the Building Fixing Agreement. Further discussions with the Tram Team will be required;*
- 6. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport;*
- 7. Any parking spaces adjacent to the carriageway will normally be expected to form part of any road construction consent. The applicant must be informed that any such proposed parking spaces cannot be allocated to individual properties, nor can they be the subject of sale or rent. The spaces will form part of the road and as such will be available to all road users. Private enforcement is illegal and only the Council as roads authority has the legal right to control on-street spaces, whether the road has been adopted or not. The developer is expected to make this clear to prospective residents as part of any sale of land or property;*
- 8. Any sign, canopy or similar structure mounted perpendicular to the building (i.e. overhanging the footway) must be mounted a minimum of 2.25m above the footway and 0.5m in from the carriageway edge to comply with Section 129(8) of the Roads (Scotland) Act 1984;*
- 9. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.*

10. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Council if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order but this does not require to be included in any legal agreement. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved;

11. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future;

Note:

a) The existing service area is reduced on the lower ground floor level. This could potentially increase obstruction of the residential access to the immediate west of the service bay area of the hotel.

b) The existing parking is reduced from 22 to 15 and complies with the Council's parking standards in Zone 1

c) The survey results show an average week day HGV service trips of 5 and 4 respectively for the hotel and the restaurant/bar.

d) The City of Edinburgh Council plans for the East to West cycle link will mean that all vehicles will require to approach the delivery area, or rear car park entrance from the north of Rosebery Crescent, however will continue to be able to exit towards both the north or south on Rosebery Crescent.

TRAMS - Important Note:

The proposed site is on or adjacent to the operational Edinburgh Tram. An advisory note should be added to the decision notice, if permission is granted, noting that it would be desirable for the applicant to consult with the tram team regarding construction timing. This is due to the potential access implications of construction / delivery vehicles and likely traffic implications as a result of diversions in the area which could impact delivery to, and works at, the site. Tram power lines are over 5m above the tracks and do not pose a danger to pedestrians and motorists at ground level or to those living and working in the vicinity of the tramway. However, the applicant should be informed that there are potential dangers and, prior to commencing work near the tramway, a safe method of working must be agreed with the Council and authorisation to work obtained. Authorisation is needed for any of the following works either on or near the tramway:

- Any work where part of the site such as tools, materials, machines, suspended loads or where people could enter the Edinburgh Tram Hazard Zone. For example, window cleaning or other work involving the use of ladders;

- Any work which could force pedestrians or road traffic to be diverted into the Edinburgh Trams Hazard Zone;

- Piling, using a crane, excavating more than 2m or erecting and dismantling scaffolding within 4m of the Edinburgh Trams Hazard Zone;

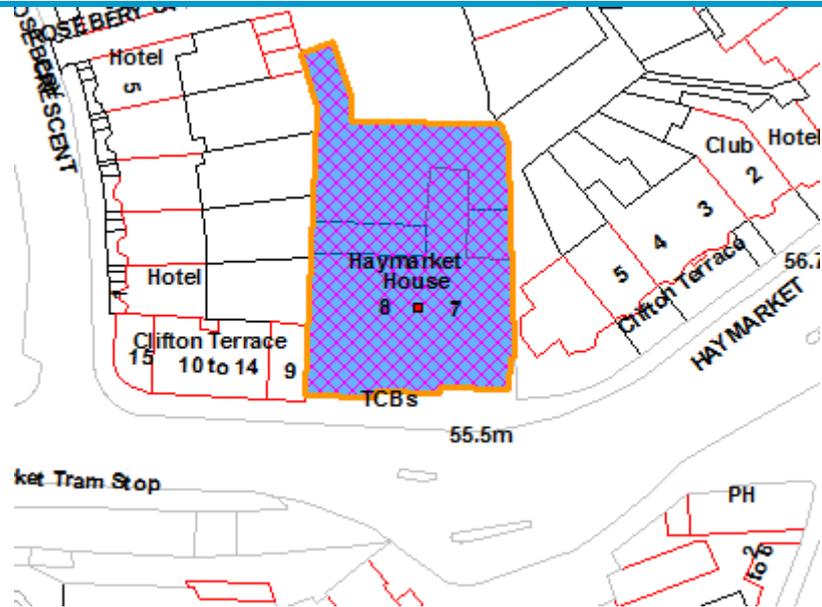
- Any excavation within 3m of any pole supporting overhead lines;

- Any work on sites near the tramway where vehicles fitted with cranes, tippers or skip loaders could come within the Edinburgh Trams Hazard Zone when the equipment is in use;

- The Council has issued guidance to residents and businesses along the tram route and to other key organisations who may require access along the line.

See our full guidance on how to get permission to work near a tram way

Location Plan



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