

Development Management Sub Committee

Wednesday 22 January 2020

**Application for Planning Permission 19/04601/FUL
at 30 Corstorphine Road, Edinburgh, EH12 6HP.
Conversion of former Nursing Home, gate lodge and stable
block to residential use (including demolition of non-
original extensions), erection of 2x residential pavilions
comprising 23 residential units, associated landscaping
and ancillary works.**

Item number

Report number

Wards

B06 - Corstorphine/Murrayfield

Summary

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

The proposal complies with the development plan and is acceptable. There will be no significant impact on the setting of the listed building or the character of the conservation area. Residential amenity and road safety will not be affected by the proposal.

The proposals are therefore acceptable and comply with the relevant policies of Historic Environment Policy for Scotland and non-statutory guidance. There are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDES01, LDES03, LDES04, LDES05, LEN03, LEN04, LEN05, LEN06, LEN12, LEN16, LHOU03, LHOU01, LHOU02, LHOU05, LHOU06, LTRA02, LTRA03, NSG, NSLBCA, NSGD02, HEPS,

Report

Application for Planning Permission 19/04601/FUL at 30 Corstorphine Road, Edinburgh, EH12 6HP. Conversion of former Nursing Home, gate lodge and stable block to residential use (including demolition of non-original extensions), erection of 2x residential pavilions comprising 23 residential units, associated landscaping and ancillary works.

Recommendations

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

Background

2.1 Site description

The site extends to approximately 0.77 hectares and is located on the north side of Western Terrace. The site contains a number of buildings, Tor House, a Category B listed building (Date of listing: 15 April 1991; LB ref:30256) which has significant later additions, a stable block located to the north of the site and a gate lodge located to the south. The site was previously used as a care home.

The surrounding area is mainly residential. To the north of the site is the recently completed flatted development within the grounds of Westerlea on Ellersly Road. Large detached villas sit to the east and west of the site. Further west towards Ellersly Road, sites have been redeveloped with modern developments.

The site is bounded by a high stone wall. Landscaped gardens sit to the front of the site with a variety of trees and shrubs. The ground gradually slopes upwards towards the rear of the site where the main buildings are located.

Vehicular and pedestrian access is taken from Corstorphine Road adjacent to the gate lodge.

This application site is located within the West Murrayfield Conservation Area.

2.2 Site History

21 February 2019 - Listed Building Consent granted for alterations to stable block and removal of non-original extensions to former Tor Nursing Home. Alterations to Torwood House to facilitate conversion to residential use (as amended) (application reference: 17/05073/LBC).

21 February 2019 - Application refused at committee for conversion of the former nursing home, gate lodge and stable block to residential use, erection of two residential blocks comprising 27 residential units, associated landscaping and ancillary works (application number: 17/05071/FUL).

30 May 2019 - Scottish Ministers dismissed appeal in relation to refusal of planning application 17/05071/FUL (appeal number: PPA-230-2268).

The Reporter noted that the loss of openness, separation and interference between the main house and its curtilage buildings, and the overall scale of the northern block, would cause significant harm to the setting of the listed building, contrary to Local Development Plan (LDP) Policy Env 3.

The Reporter was satisfied that the character and appearance of the conservation area would be preserved with the high-quality development having a positive impact on the surrounding area. It was noted that the proposed removal of trees was contrary to LDP Policies Env 12, Des 3 and Env 6. The loss of daylight was detrimental, with the proposed northern block being too large and inappropriately located and the impact on resident amenity was contrary to LDP Policy Des 5.

The Reporter also noted that high development costs are inevitable on this site and that off-site affordable housing is acceptable and justified on this occasion in terms of Policy Hou 6.

Main report

3.1 Description of the Proposal

The proposal seeks the conversion of the former nursing home, stable block and gate lodge to residential use. The proposal also seeks the erection of two new flatted residential blocks providing a total of 28 residential units. The entire site area is approximately 0.75ha and the proposal would result in a residential density of 36 units/ha.

The full development comprises of:

- Conversion of existing Tor House to residential use providing two units, approved under previous Listed Building Consent (application number: 17/05073/LBC). The non-original extensions to the side and rear of the listed building would be demolished;
- Conversion of existing stable block into two units by increasing roof height;
- Retention of existing gate lodge as one unit;
- Construction of north block creating ten units over four storeys and
- Construction of south block creating 13 units over six storeys.

The proposed new construction of both the north and south block will be contemporary in style with flat roofs and recessed balconies. The materials proposed are natural stone on the principal elevations and sides, brick on the rear elevation and zinc cladding to the upper storeys. The same design language is reflected between both the north and the south blocks.

The breakdown for 28 units (five houses and 23 apartments) is as follows:

- 2 bed - 13 units;
- 3 bed - 13 units;
- 4/5 bed - 2 units.

The existing access from Corstorphine Road will continue as the main point of access into the site. A small section of the boundary wall will be demolished to extend the vehicular access by 1.8m and provide a separate 2.5m wide pedestrian access.

Twenty eight car parking spaces are provided which includes four disabled spaces and five spaces with electric charging provision. One motorcycle parking space and 71 secure cycle parking spaces are proposed.

Whilst the proposal requires the removal of some mature trees, those with the greatest value will be retained and further tree planting implemented throughout the site. The mature planting along the southern boundary will be retained. Overall, the total number of trees will be increased from 52 to 78. Open space is proposed throughout the site with the north and south blocks positioned around landscaped gardens.

Previous Application

A previous application (application ref: 17/05071/FUL) for the site proposed a total of 32 residential units which has now been reduced to 28 units. The scale and proportion of the new block construction has been scaled back in an effort to sympathise with, and be subservient to the listed building.

One full storey has been deleted from the north block with a further set back at the upper level on all four sides which helps to address the objections on the loss of daylight for residents at the Westerlea development. The ridge line for this block at its highest level has been reduced by 3.675m (from 65.200m to 61.525). The ridge line of the south block has been reduced by 1m with the upper floor also setback. The overall building form has been refined to reduce the visible massing of the development. Projecting balconies have been revised and elevational treatments refined.

The listed building consent related to this application was approved as it was concluded that the proposed alterations to the listed building itself were acceptable. Listed building consent was granted on 21 February 2019 (application ref: 17/05073/LBC).

Supporting Documents

The following supporting documents have been submitted in support of the application:

- Daylight and Sunlight Report;
- Design and Access Statement;
- Design and Tree Strategy Document;
- Drainage Strategy Plan;
- Ecological Statement;
- Flood Risk Assessment;
- Surface Water Management Checklist;
- Transport Statement;

- Tree Survey and Arboricultural Report;
- Tree Survey Schedule and
- Planning Statement.

These are all 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 development is acceptable in principle in this location;
- b) the character and setting of the listed buildings are safeguarded;
- c) the development will impact on the character and appearance of the conservation area;
- d) the scale, form, design and materials are acceptable;
- e) the development will impact on residential amenity;
- f) the proposal raises any issues in terms of residential amenity for the future occupiers of the development;
- g) transport, parking and access are satisfactory;
- h) there will be any significant loss of tree cover;
- i) there is an affordable housing contribution required;
- j) the proposal is acceptable in relation to other relevant material considerations and
- k) any representations have been addressed

a) Principle

The site is allocated as Urban Area in the Edinburgh Local Development Plan (LDP) where housing development in principle is acceptable. Housing is supported within the urban area by LDP Policy Hou 1 (Housing Development) where it is compatible with other policies.

The development is acceptable in principle in this location subject to the consideration of other matters below.

b) 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".

Paragraph 4 of Historic Environment Scotland Policy Statement 2019 (HEPS) identifies that,

"The documents that should be referenced for the management of the historic environment are Scottish Planning Policy, Our Place in Time: The Historic Environment Strategy for Scotland, the associated primary and secondary legislation and Historic Environment Scotland's Managing Change series of guidance notes".

Managing Change in the Historic Environment: Setting document defines setting as *"...the way the surroundings of a historic asset or place contribute to how it is understood, appreciated and experienced"*. Contributory factors can include views to, from and across or beyond the historic asset and key vistas that give the historic asset a context.

Policy HEP4 within the HEPS document states that *"changes to specific assets and their context should be managed in a way that protects the historic environment. Opportunities for enhancement should be identified where appropriate"*.

LDP Policy ENV3 (Listed Buildings - Setting) states that development within the curtilage or affecting the setting of a listed building will be permitted if it is not detrimental to the character, appearance or historic interest of the building, or its setting. LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) states that alterations or extensions of a listed building will be permitted where they will not cause any unnecessary damage to historic structures or diminish its interest.

The Reporter noted in the appeal decision that the Westerlea development to the immediate north of the site dwarfed Tor House due to its height, massing, proximity and has a detrimental impact on the setting of the listed building. The Reporter also noted that both new build elements detracted from the openness of the grounds and would have a detrimental impact on the visual link between Tor House and the stable block.

The overall site layout has not altered in this revised scheme, however the proposed development is an improvement to the existing additions to the listed building. The proposed layout provides more permeability between the buildings and spaces than what is currently offered within the existing site due to the extensions to the listed building encroaching upon the original openness of the site and adversely affecting the original relationship between the mansion house and its stable block, as the Reporter noted in the appeal report.

Tor House

The demolitions of the non-original extensions will allow the main listed building to sit once again in its own space and is a gain in terms of the setting of this original building.

The new block to the north of the site will be positioned between the stable block and the main house. The site is currently flanked by the large flatted block at Westerlea sitting at a height of 71.6m above ordnance datum (AOD). The north block would sit lower than this at 61.525m AOD but will sit higher than the existing Tor House by 1.7m.

Whilst the height of the highest ridge line on the north block is not lower than the listed building, the height has been reduced by 3.675m with a full storey removed from the previous scheme. This uppermost storey has also been setback with reduced massing and different materials utilised. The highest masonry level of the north block sits lower than the listed building with a ridge height of 58.325m, a 6.875m reduction in height. These alterations in height, scale and massing reduce the visual impact and ensure the setting of the listed building is protected.

With regards to the south block, the Reporter concluded in paragraph 14 that although of significant size, it would not compete visually with Tor House due to being positioned further away and at a lower ground level and therefore would not diminish the importance of the listed building.

Stable Block

The retention of this block is welcomed as part of the proposals and the alterations are for minor works to this building including the removal of non-original additions. The marginal increase in height to the roof will not adversely impact on the setting of the listed building or its character.

The wall located to the south is not included in the listing description and appears to be a later addition. Its removal will allow the full elevation of the stable block to be visible again. No changes to the previous application are proposed to the stable block.

Conclusion on Listed Buildings

The applicant has considered the previous reasons for refusal and amended the proposals accordingly. It is considered that the revised scheme is of a very high quality design and respects the setting of the listed buildings.

On balance, it has been considered that the proposed development will not have a detrimental impact on the listed building or wider historic environment. The proposal complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997, HEPS, LDP Policies Env 3 and Env 4 as it preserves the setting and integrity of the listed building.

c) Conservation Area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states:

In exercise, with respect to any buildings or other land in a conservation area, of any powers under any of the provisions in subsection (2), special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

LDP Policy Env 6 (Conservation Areas - Development) permits development which preserves or enhances the character and appearance of the conservation area, preserves trees, hedges and boundary walls and demonstrates high standards of design.

The site sits within the Country House Sub Area of the main West Murrayfield Conservation Area. The area is bound together by high stone boundary walls with houses less concerned with their relationship to each other, but more with their own design and layout within their grounds. The underlying spatial structure of the area is one of large 'country houses' in generous grounds close to main city access routes. Despite a gradual process of subdivision of the grounds, houses remain either free standing in generous plots or more uniformly laid out in smaller plots. Imposing gates set into boundary walls mark a transition from public to private, and retain an effect of privacy. A continuing interest and concern for landscaped gardens and woodland trees is clearly indicated by a high degree of maintenance within the conservation area.

These characteristics place emphasis on the retention of high boundary walls, creating a sense of privacy between private and public spaces, and concern for areas of landscaping.

The conservation area has seen some significant changes in recent years with new developments particularly in Ellersly Road and Kinellan Road bringing contemporary styled buildings closer to street boundaries. Such developments include flats at 33 Ellersly Road (Wallace Gardens), townhouses at 4 Ellersly Road (former Ellersly Hotel opposite the site) and the five-storey development at Westerlea. The proposed two new residential blocks within the grounds of Tor House are similar in style, massing and density to those in the surrounding area and will not adversely affect the character of the conservation area.

The proposal retains most of the boundary wall and mature landscaping to the south, an important characteristic of this site within the conservation area. Contemporary development is evident within the wider area and modifies the appearance of this conservation area, as noted by the Reporter. This proposal is set behind the stone wall and will be substantially screened from public view within the generous landscaped grounds. There will therefore be little impact on the appearance of the conservation area.

The Reporter concluded that the proposed development would be less prominent than the modern developments noted above, and overall the proposal would be suitable for this area, ensuring that the character and appearance of the conservation area are preserved.

The proposal represents an acceptable balance between the restoration of the listed building and the new development. The design and materials will not detrimentally impact on the character or appearance of the conservation area. The proposal complies with the Planning (Listed Building and Conservation Areas) Scotland Act 1997, HEPS and LDP Policy Env 6.

d) Scale, Form, Design and Materials

LDP Policies Des 1 (Design Quality and Context), Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) and Des 4 (Development Design - Impact on Setting) state that planning permission will not be granted for poor quality or inappropriate design that would be damaging to the character of the area and that development should demonstrate that existing characteristics have been incorporated and enhanced through its design, ensuring a positive impact on its surroundings. LDP Policy Hou 4 (Housing Density) seeks appropriate density on each site.

The Edinburgh Design Guidance sets out key aims for new development to have a positive impact on the immediate surroundings, through its height and form; scale and proportions; positioning of the buildings on site and materials and detailing.

The surrounding area is mainly residential in character encompassing a wide range of dwellings in terms of age, type, scale and style, including a modern flatted development on the site to the immediate north of the application site. The proposed density equates to 36 units p/ha. The proposed type and density of the development is appropriate within this area, complying with LDP Policy Hou 4.

The new build elements of the development adopt a contemporary feel to their design. The solid to void ratio, verticality of window openings and recessed balconies within the design of the building create a strong frontage that sits comfortably within the site. The combination of natural stone, glass and brick fit with the context of the surrounding area and are materials that have been utilised on developments within the immediate surroundings.

Window proportions, dimensions and the rhythm of window spacing is now informed directly by those of Tor House, in an attempt to create visual harmony between the old and new buildings.

The overall height of the new build elements have been reduced. The massing has been reduced both horizontally and vertically on the proposed north and south blocks, resulting in an overall reduction to the scale and mass. The Reporter was previously concerned about the height and the overall dominance of the new build elements, so the reduction in height and massing addresses these concerns.

The block to the north is a four-storey building positioned between the main house and the stable block. The upper floor is now set back on all four sides to limit the visual impact. Stair and lift towers have been removed from the proposed block and balconies are recessed internally to provide a simplified design form and further reduction in scaling and massing.

The height of this block will sit 10m lower than the flatted block at Westerlea and provides a stepping down of heights from north to south between the two sites allowing the building to sit comfortably within its immediate context. The front and rear elevation will be natural stone with aluminium windows. The uppermost storey is non-masonry covered in zinc cladding with a surrounding glass balustrade to limit the visual dominance whilst adding architectural interest. The design and materials utilised are appropriate in this context.

The proposed south block continues to be five storeys in height in this revised scheme with a reduction of 1m in comparison to the previous scheme. This block also has a recessed top floor similar in design to the north block. This block is set back in excess of 25 metres from the frontage of the site and is bound by landscaped gardens. This building is confined to the east side of the site to preserve the views of Tor House upon arrival into the site and from further afield. The positioning of the south block follows the existing building lines to the east of the site, providing a solution to the unresolved gable on the eastern boundary.

The design and materials of the development are of a high quality and the development accords with LDP Policies Des 1, Des 3 and Des 4. A condition has been attached requesting a sample panel of materials to be produced to ensure the quality of the proposed external materials.

e) Residential Amenity

LDP Policy Des 5 (Development Design - Amenity) states that development will be permitted where the amenity of neighbouring development is not adversely affected.

The impact on residential amenity in the previous scheme was not a reason for refusal by the Planning Authority or the Reporter. However, the Reporter noted that 'the level of daylight loss is a disbenefit of the scheme' but would not justify permission being refused'.

The north block is orientated so that the majority of windows are to the south, east and west with kitchen windows located on the north elevation. This block is positioned between 5.8 metres to 6.9 metres off the boundary to the north and is located an appropriate distance to the neighbouring development at Westerlea, which sits between 5.6 and 4.6 metres off the boundary.

The south block is orientated so that its main windows are facing north and south taking advantage of the open aspect over the gardens. The windows in the east elevation look onto the blank gable of the neighbouring property.

The impact of the development was assessed using the Vertical Sky Component, Average Daylight Factor and No Sky Line analysis. A detailed assessment of daylighting has been prepared by the applicant and submitted in support of this application.

Daylighting

The results indicate that all rooms assessed in surrounding buildings meet or exceed the Edinburgh Design Guidance (EDG) numerical criteria for daylight. Additional daylight testing using industry-standard and approved digital 3d modelling and software further confirm full and unambiguous 'pass' marks and complete compliance with all guidance on maintaining daylight standards to neighbouring properties.

For the new development, all of the rooms within Tor House and the Stable block meet the standards for daylighting. One bedroom in the North Block and four bedrooms in the South Block fall marginally short of the 50% target. Given these are bedrooms and not main living spaces, this is deemed to be acceptable.

Sunlight

The results indicate that all rooms assessed in surrounding buildings meet or exceed the Edinburgh Design Guidance (EDG) numerical criteria for sunlight.

For the new development, all rooms within Tor House and the stable block meet the standards for sunlight to new buildings. Again, one bedroom at ground level in the north block falls short of meeting the sunlight target for winter sunlight hours. Three bedrooms within the south block do not meet the standards for daylight to new buildings given the close proximity to the wall at the eastern boundary.

Overshadowing

No existing gardens or amenity spaces are located close enough to the proposed development to be adversely affected by overshadowing.

For the proposed amenity areas, only one landscaped area in front of the south block falls short of the EDG targets. The majority of other amenity areas significantly exceed the minimum requirements.

On balance, the proposal meets the amenity tests under LDP Policy Des 5.

f) Amenity of Future Occupiers

The proposal comprises a good mix of housing units all of which exceed the minimum internal floor area requirements set out in the Edinburgh Design Guidance. The proposal complies with LDP Policy Hou 2 (Housing Mix).

The previously refused scheme saw an increase in open space provision due to the reduction in the level of hardstanding currently on the site by returning these to usable landscaped areas. This proposal seeks a further reduction in car parking and therefore an increase in landscaped areas. Each of the new blocks are arranged around a landscaped area so that many of the apartments have an open aspect and can benefit from the open space amenity. The overall greenspace provided on site has been calculated to be 45%. Open space provision complies with LDP Policy Hou 3 (Private Green Space in Housing Development) and is acceptable.

The proposal will not have a detrimental impact on residential amenity for future occupiers and accords with LDP Policy Des 5.

g) Transport, Parking and Access

LDP Policies Tra 2 (Private Car Parking) and Tra 3 (Private Cycle Parking) states permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels, and cycle parking and storage complies with the standards set out in the Edinburgh Design Guidance.

The development is providing 28 parking spaces for the residential units including four disabled spaces and five with electric charging infrastructure. The previous scheme proposed 32 parking spaces - the reduction has allowed for an increase in landscaping and amenity space.

A new pedestrian access will be provided from Corstorphine Road. The distribution of parking around the site, access routes to them and the provision meets levels required in the Council's guidance and is satisfactory.

Two secure cycle stores are to be provided on site; one located to the east of the gate lodge and one to the east of Tor House providing 59 cycle spaces. The remaining 12 cycle spaces will be provided in-curtilage in the houses.

Transport, parking and access are satisfactory and accords with LDP Policies Tra 2 and Tra 3.

h) Trees and Landscape

LDP Policy Env 12 (Trees) states that permission will not be granted for development if it is likely to have a damaging impact on a tree protected by a Tree Preservation Order (TPO) or any other tree unless for good arboricultural reasons.

The proposed development will result in the loss of 19 trees within the site to facilitate the development. This includes two Category A, seven Category B, seven Category C and three Category U trees. No trees on the site are covered by a TPO. The previous application proposed a removal of 33 trees. The previous scheme sought the removal of some trees along the southern boundary adjacent to Corstorphine Road, which was not supported by the Reporter and not in accordance with the Conservation Area Character Appraisal. These trees will now be retained, preserving the character and appearance of the conservation area, and complying with LDP Policy Env 6. A condition will be attached to ensure the remaining trees are protected during construction work.

A further revision to this proposal allows for the 24m Category A Corsican Pine and 19m Category A Sycamore trees to be retained, as opposed to being removed as per the previous application. This is a result of a minor layout reconfiguration and reduction in car parking which allows for an improvement to landscaping.

As per the previous scheme, nine trees will still be removed in the eastern part of the site to accommodate the south block. These trees are a variety of species including a Tulip Tree, Cedar of Lebanon and Weeping Ash. It has been identified that some of these have limited life expectancies due to age, and significant defects therefore their removal should be considered as sound arboricultural practice. The loss of these trees needs to be balanced against the impact the proposal will have on the landscape character of the site. The removal of these trees will have a short term impact on the landscape character of the site but any impacts will be mitigated in the longer term by the new tree planting proposed ensuring the landscape character of the site is not significantly impacted. Tree loss will be mitigated by compensatory planting on a 2:1 basis (46 new trees to be planted) and will help to integrate the development with its surroundings. The proposed new tree planting will now include native and non-native species.

On balance, it is considered that the unfortunate loss of mature trees is suitably compensated by the proposed new planting and the proposal therefore is in accordance with LDP Policy Env 12.

i) Affordable Housing

LDP Policy Hou 6 (Affordable Housing) states that sites consisting of 12 or more units should include provision for affordable housing amounting to 25% of the total number of units. For proposals above 20 or more units, the provision should be on site. Whenever practical, the affordable housing should be integrated with market housing.

The policy does recognise that some projects will be expensive to deliver if the affordable housing is to be delivered in a way that blends in with the rest of the development. It states that where a development is in a conservation area or involves the conversion of a listed building, the Council may consider receiving off-site land or a commuted sum payment in lieu of on-site affordable housing where there are exceptional reasons to avoid on-site provision, such as the site being poorly located for affordable provision, where conversions do not lend themselves to affordable provision, or there are other advantages to the Council in accepting a commuted sum such as achieving more, higher quality or better-located affordable units elsewhere.

The applicant has proposed that the affordable housing will be supplied via a transfer of serviced land to LAR Housing Trust due to high costs of delivering affordable housing on site. This site at 45 Ford's Road, Edinburgh was granted planning permission in June 2017 (application reference: 16/05524/FUL) and will provide nine affordable homes in total. Whilst the location of this site is of a lower quality than the main site, it does yield two additional affordable units than is required and allows for LAR Housing Trust to own and manage the entire estate. The Reporter also stated that 'off-site affordable housing provision is acceptable in this instance and is justified in terms of Policy Hou 6'.

Extensive discussions were undertaken with the Council's Housing Development Officers who have agreed that the full assessment of costs of providing affordable housing on-site would result in the development being non-viable, primarily due to the higher construction costs involved with listed buildings and the high-quality nature of the development.

It is therefore recommended that a legal agreement is required. An informative to this effect will be attached to the consent.

j) Other Material Considerations

Archaeology

No significant archaeological remains are expected on this site. However, it is recommended that a condition be appended to the consent requiring a standard programme of archaeological work to be undertaken given the significance of the buildings and the house's Victorian interior. This is to provide a permanent record of Tor Wood House and its gate house and to record significant fabric affected and exposed by these works.

Biodiversity

The Council's Biodiversity Officer is satisfied with the submitted Ecological Assessment and is satisfied that the proposal complies with LDP Policy Env 16 (Species Protection). The proposal has the potential to support the objectives of LDP Policy Des 3 to enhance biodiversity, by the inclusion of swift bricks. An informative to this effect will be attached to the consent.

Education

LDP Policy Del 1 (Developer Contributions and Infrastructure Delivery) requires proposals to contribute towards education provision.

This site falls within Sub-Area W-2 of the 'West Edinburgh Education Contribution Zone'. The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme. Appropriate education infrastructure actions to mitigate the cumulative impact of development now anticipated are identified. The required contribution will therefore be based on the established 'per house' rates for the appropriate part of the Zone.

If the appropriate infrastructure and land contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required is £60,064 index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

A legal agreement is recommended to secure the required contribution.

Flooding

No objections have been raised by the Flood Team in respect of the proposed development.

k) Representations

Material Representations - Objection

- Building heights not appropriate - addressed in section 3.3d);
- Building scale and mass not appropriate - addressed in section 3.3d);
- Lack of daylight to surrounding properties due to building heights - addressed in section 3.3e);
- Poor layout design - addressed in section 3.3d);
- Density too high - addressed in section 3.3d);
- Detrimental impact on Tor House, North block is not subservient to listed building - addressed in section 3.3b);
- Insufficient parking - addressed in section 3.3g);
- Traffic and pollution - addressed in section 3.3g);
- Against removal of mature trees - addressed in section 3.3h);
- Not in keeping with conservation area - addressed in section 3.3c);
- Over-development - addressed in section 3.3d);
- Building line too close to Corstorphine Road and does not respect the historic frontage alignment - addressed in section 3.3d);
- Impact on residential amenity - daylight, overshadowing and privacy - addressed in section 3.3e);
- The proposed plant species is not suitable for the northern boundary - addressed in section 3.3h);
- No on-site affordable housing - addressed in section 3.3i);
- Proposal does not address all the previous reasons for refusal - addressed throughout report.

Material Representations - Support

- Good quality housing; and
- Welcome in principle the development of the site.

Non-material comments

- Construction disruption;
- Trees in south east corner should be removed;
- Tree preservation must be enforced;
- Floor height has increased from previous application; and
- Noise and disturbance with more residents.

Murrayfield Community Council

Murrayfield Community Council strongly objected to the previous application (17/05071/FUL) but now offer qualified support for this revised proposal.

Comments from Murrayfield Community Council include:

- Acknowledge efforts of applicant to mitigate defects from previous scheme, although not all have been resolved;
- Proposal for the conversion of Tor House, the stable block and gate lodge are of a high quality design;

- A request that no increase in height of the north or south block is permitted;
- Continued concern over the height and massing of the south block - addressed in 3.3d);
- Further height reduction of both blocks would achieve enhanced community support;
- The Tree Planting Schedule must be insisted upon and subject to inspection on completion of the development;
- The loss of important mature trees is compensated by the proposed new planting;
- Request for the site to be covered by a Tree Protection Order to provide added defence against potential future mismanagement.

Conclusion

The proposal complies with The Planning (Listed Building and Conservation Areas) Scotland Act 1997, HEPS, the development plan and is acceptable. The character and appearance of the conservation area and the setting of the listed buildings will be preserved. There will be no significant impact on residential amenity or road safety. The revised scheme addresses all the previous reasons for refusal. There are 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. 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, analysis, reporting and publication) in accordance with a written scheme of investigation which has been submitted by the applicant and approved by the Planning Authority.
2. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".
3. Only the tree/s shown for removal on the approved drawing/s shall be removed, and no work shall be carried out on the remaining trees at any time without the approval of the Planning Authority.
4. Prior to the commencement of works on site, sample panels, to be no less than 1.5m x 1.5m, shall be produced, demonstrating each proposed external material and accurately indicating the quality and consistency of future workmanship, and submitted for written approval by the Council as planning authority.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to safeguard protected trees.
3. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
4. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives:-

It should be noted that:

1. Planning permission shall not be issued until a suitable legal agreement has been concluded for the following developer contributions:

Children and Families

A total infrastructure contribution of £60,064 (index linked) to mitigate the cumulative impact of development within Sub-area W-2 of the West Edinburgh Contribution Zone.

Affordable Housing

Affordable housing will be supplied via a transfer of serviced land to LARS Housing Trust due to high costs of delivering affordable housing on site. This site at 45 Ford's Road, Edinburgh was granted planning permission in June 2017 (application reference: 16/05524/FUL) and will provide nine affordable homes in total.

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 works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
3. 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.
4. 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.

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. 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.
7. The incorporation of swift nesting sites/swift bricks into the scheme is recommended. Further details on swift bricks can be found at www.edinburgh.gov.uk/biodiversity

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 meets the sustainability requirements of the Edinburgh Design Guidance.

Consultation and engagement

8.1 Pre-Application Process

This application has been subject to an extensive pre-application procedure through the new Planning Pre-Application Advice Service.

8.2 Publicity summary of representations and Community Council comments

A total of 22 letters of representation has been received. Nineteen of these were objecting to the proposal, and three in support of the application. Support was received from Murrayfield Community Council.

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	Edinburgh Local Development Plan.
Date registered	30 September 2019
Drawing numbers/Scheme	1-30, 31A, 32-34, Scheme 1

David R. Leslie
 Chief Planning Officer
 PLACE
 The City of Edinburgh Council

Contact: Nicola Orr, Planning Officer
 E-mail: nicola.orr@edinburgh.gov.uk Tel :0131 469 3712

Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

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

LDP Policy 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 5 (Conservation Areas - Demolition of Buildings) sets out criteria for assessing proposals involving the demolition of buildings within a conservation area.

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

LDP Policy Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for new development.

LDP Policy Hou 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

LDP Policy Hou 1 (Housing Development) sets criteria for assessing the principle of housing proposals.

LDP Policy Hou 2 (Housing Mix) requires provision of a mix of house types and sizes in new housing developments to meet a range of housing needs.

LDP Policy Hou 5 (Conversion to Housing) sets out the criteria for change of use of existing buildings to housing.

LDP Policy Hou 6 (Affordable Housing) requires 25% affordable housing provision in residential development of twelve or more units.

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.

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.

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

Appendix 1

**Application for Planning Permission 19/04601/FUL
At 30 Corstorphine Road, Edinburgh, EH12 6HP
Conversion of former Nursing Home, gate lodge and stable
block to residential use (including demolition of non-original
extensions); erection of 2x residential pavilions comprising
23 residential units; associated landscaping and ancillary
works.**

Consultations

Archaeology comment

The application affects the former Torwood Nursing Home built around and incorporating the B-listed Torwood House and Gate-house constructed in 1866. Although these regionally important buildings have been surrounded by 20th century addition, the interior of the former Victorian Villa has remained relatively untouched, with the rooms within the house containing significant late-Victorian decor.

T The site is regarded as having archaeological potential and therefore this application must be considered under terms of Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) policies ENV4 & ENV9.

It is welcomed that proposals will see both the removal of later buildings and the retention of the house's significant Victorian décor which will enhance and preserve the significant character of these buildings.

However, the scheme will require significant alterations and down-takings. In archaeological terms, these works are considered to have a low impact. However, given the significance of the buildings and the house's Victorian interior it is considered important that that a programme of historic building recording (annotated plans and elevations, photographic and written description and analysis) is undertaken prior to and during any alterations and development. This is to provide a permanent record of Torwood House and its Gate-house and to record significant fabric affected and exposed by these works.

Therefore, it is recommended that the following condition be applied to any consent, if granted, to secure this programme of archaeological works;

'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, analysis, reporting and publication) 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.

Communities and Families comment

The Council has assessed the impact of the growth set out in the LDP through an Education Appraisal (August 2018), taking account of school roll projections. To do this, an assumption has been made as to the amount of new housing development which will come forward ('housing output'). This takes account of new housing sites allocated in the LDP and other land within the urban area.

In areas where additional infrastructure will be required to accommodate the cumulative number of additional pupils, education infrastructure 'actions' have been identified. The infrastructure requirements and estimated delivery dates are set out in the Council's Action Programme (January 2019).

Residential development is required to contribute towards the cost of delivering these education infrastructure actions to ensure that the cumulative impact of development can be mitigated. In order that the total delivery cost is shared proportionally and fairly between developments, Education Contribution Zones have been identified and 'per house' and 'per flat' contribution rates established. These are set out in the finalised Supplementary Guidance on 'Developer Contributions and Infrastructure Delivery' (August 2018).

Assessment and Contribution Requirements

Assessment based on:

23 Flats

5 Houses

This site falls within Sub-Area W-2 of the 'West Edinburgh Education Contribution Zone'.

The Council has assessed the impact of the proposed development on the identified education infrastructure actions and current delivery programme.

The education infrastructure actions that are identified are appropriate to mitigate the cumulative impact of development that would be anticipated if this proposal progressed.

The proposed development is therefore required to make a contribution towards the delivery of these actions based on the established 'per house' and 'per flat' rates for the appropriate part of the Zone.

If the appropriate infrastructure contribution is provided by the developer, as set out below, Communities and Families does not object to the application.

Total infrastructure contribution required:

£60,064

Note - all infrastructure contributions shall be index linked based on the increase in the BCIS Forecast All-in Tender Price Index from Q4 2017 to the date of payment.

Environmental Protection comment

We would advise that Environmental Protection has no objections to this proposed development.

Murrayfield Community Council comment

MCC was strongly opposed to the applicant's previous proposal for the Tor site (19/05071/FUL) for reasons of record, and welcomed both the decision of DMSC to refuse that application and the Reporter's dismissal of the applicant's subsequent appeal (PPA-230-2268). The Reporter's ruling in upholding DMSC's decision to reject the earlier proposal effectively sets a benchmark for the present and any future application for the Tor site, particularly as applied to protecting the setting of a listed building.

The development now proposed under 19/04601/FUL does not fully rectify all the defects to which MCC objected previously, but the applicant's considerable efforts to overcome or mitigate these defects are recognised, as are the applicant's pre-application discussions and consultation with MCC and with residents of neighbouring properties. The proposals for conversion of Tor House (including demolition of non-original extensions), the stable block and gate lodge are excellent, and the high quality of design and build of the new blocks ("pavilions") is not in question. MCC views the proposal as now submitted to be, on balance, of benefit to the Murrayfield community as a whole, and therefore gives QUALIFIED SUPPORT to the proposal subject to the two conditions stated below.

Condition 1: No increase in height of the north or south blocks is permitted, and every effort is made to further reduce height of both blocks.

The north block as previously proposed was found by both DMSC and the Reporter to be non-compliant with LDP policy Env 3 in causing significant harm to the setting of a listed building (Tor House). Far from being subservient to Tor House and its stable block, between which it intruded, it dominated the listed building by its height and massing. In this regard, the Reporter paid particular attention to its overtopping of the ridge line of Tor House. In assessing non-compliance with LDP policy Des 5 (effect on amenity of neighbouring properties) the Reporter also found the excessive height of the north block would result in a noticeable loss of daylight to some residents of the adjacent Westerlea development, as predicted for example by the "25 degree" test.

As now proposed, the north block is reduced in height, and now appears to pass the "25 degree" test, if only by a small margin. It still exceeds the height of the Tor House ridge line and therefore remains inconsistent with LDP policy Env 3. However, the applicant has addressed this in part through the non-masonry construction and recessing of the top floor, which to some extent soften the visual impact. The more fragmented, less monolithic, design of the block further lessens disharmony with Tor House.

Turning now to the south block, MCC remains concerned that the relatively close approach of such a massive structure to Corstorphine Road is not in keeping with the essential character of this sub-area of the West Murrayfield Conservation Area (WMCA), in which substantial buildings are set in the north portion of their curtilages, well removed from the road. It will now be higher than the north block, contrary to the misleading description in the Planning Statement, paragraph 6.9, of the blocks "stepping down from north to south". Though its height is slightly lowered by comparison with the earlier proposal, it is still higher than the ridge line of Tor House. When viewed from the entrance to the site on Corstorphine Road, the south block will loom even larger due to perspective, thereby losing any subservience to the listed building. However, MCC notes once again that the non-masonry construction and recessing of the top floor, and the more fragmented, less monolithic design, will soften the visual impact. Additionally, the south block continues the building line of properties to the east and screens an unresolved gable, offering some justification for its closer approach to the road.

Thus, while the height, massing, scale and placement of the proposed north and south blocks can be considered inappropriate to the setting of Tor House and its curtilage buildings, on balance MCC is prepared to countenance the proposals. However, it is a very delicate balance, and MCC's support is conditional on no upward adjustment being permitted in height of either block. Insistence by the Planning Officer on further height reduction, targeting the top of the penthouse level of both blocks to be no higher than the Tor House ridge line, would achieve the Reporter's benchmark and lead to enhanced MCC and local community support.

Condition 2: The applicant's tree planting schedule is insisted upon and subject to inspection on completion of the development.

MCC profoundly regrets that some of the most important heritage trees on the site are set to be removed to make way for the proposed south block. In particular, the 21m tall Liriodendron (tulip tree) and the nearby cedar of Lebanon are significant contributors to the landscape. Their loss, together with their associated wildlife, will be to the long-term detriment of the site and the wider conservation area, unless mitigated by appropriate replacement planting as required by LDP policy Env 6 and/or Env 12. The weeping ash which will also be lost has unfortunately succumbed to Chalara ash dieback and is no longer an issue as its removal would be sound arboricultural practice.

On the positive side, two Category A trees that were to be destroyed under the previous proposal will now be saved: a 24m Corsican pine (not Category B as incorrectly given in the Planning Statement, paragraph 6.45) and a 19m sycamore. This results from reconfiguration and reduction of parking areas as MCC has consistently demanded. Overall 19 trees will be removed instead of 33 per the previous proposal.

MCC is especially heartened by the substantial increase (78 as opposed to 52) in new plantings proposed, including specimens large enough to make significant landscape contribution in the near to medium term. It is noted that the mix of species proposed will include native and non-native species, thereby preserving the essential character of the conservation area. (MCC urges the Planning Officer to set aside any real or perceived prejudice against non-native trees in assessing the applicant's planting proposals for this site.) A group of trees including a tulip tree and a cedar of Lebanon is proposed in a very prominent position near the entrance to the site. The existing tulip tree has been

described as Tor's "signature tree"; it would be a welcome nod to the heritage of the site for the new tulip tree to be so designated.

On balance, therefore, MCC believes the loss of important mature trees, though regrettable, is adequately compensated by the proposed new plantings. It is a condition of MCC's support that the planting schedule as set forth in the application be insisted upon and enforced through inspection on completion of the development.

MCC further recommends that on completion the entire site be covered by a Tree Protection Order (TPO) - following the precedent of the Wallace Gardens development to the west - to provide added defence against potential future mismanagement. Experience shows that the protection afforded by Trees in Conservation Area (TCO) status alone is inadequate in West Murrayfield.

Flood Prevention comment

This application includes a 30% allowance for climate change. As it was received before the 1st of November CEC accept this allowance for use in the applicant assessment. Applications received on or after the 1st November are required to include 40% climate change.

Flood Prevention have no comments to be addressed prior to determination of this application.

Roads Authority Issues

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

- 1. 71 secure cycle parking spaces required for the proposed development in Zone 2 (see Note b);*
- 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;*
- 3. All accesses must be open for use by the public in terms of the statutory definition of 'road' and require to be the subject of applications for road construction consent. The extent of adoptable roads, including footways, footpaths, accesses, cycle tracks, verges and service strips to be agreed. The applicant should note that this will include details of lighting, drainage, Sustainable Urban Drainage, materials, structures, layout, car and cycle parking numbers including location, design and specification. Particular attention must be paid to ensuring that refuse collection vehicles are able to service the site;*
- 4. All doors should be opened inwards and not outwards onto adopted road;*
- 5. 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;

6. 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;

7. The applicant should note that new road names will be required for the development and this should be discussed with the Council's Street Naming and Numbering Team at an early opportunity.

Note:

a) A transport statement has been submitted in support of the application. This has been assessed by transport officer and is considered to be an acceptable reflection of both the estimated traffic generated by the development and of the traffic on the surrounding road network. The submitted document is generally in line with the published guidelines on transport assessments. The proposed residential development could generate approximately 7 and 4 two-way vehicle trips during the Weekday AM and PM peak hour periods respectively.

b) The applicant to provide 73 cycle parking spaces in two stores and detailed designed to be submitted later.

c) The proposed 28 parking spaces including 4 accessible bays and 5 electric charging bays complies with the Council's parking standards for the proposed development in Zone 2. The area is accessible by public transport.

d) 2 garages to be provided;

e) The proposed 1 motorcycle parking provision complies with the Council's parking standards;

f) There applicant has demonstrated by swept path analysis that refuse collection could be accommodated within the proposed development;

g) The applicant proposes raised tables on the shared surface to promote slow vehicular speed whilst maintaining 1.5m wide flush shared surface for disabled access.

h) The applicant to provide 2.5m wide pedestrian access from Corstorphine Road.

Affordable Housing comment

1. Introduction

I refer to the consultation request from the Planning Department about this planning application.

Housing and Regulatory Services have developed a methodology for assessing housing requirements by tenure, which supports an Affordable Housing Policy (AHP) for the city.

o The AHP makes the provision of affordable housing a planning condition for sites over a particular size. The proportion of affordable housing required is set at 25% (of total units) for all proposals of 12 units or more.

o This is consistent with Policy Hou 6 Affordable Housing in the Edinburgh Local Development Plan.

2. Affordable Housing Provision

This application is for a development consisting of 28 homes and as such the AHP will apply. There will be an AHP requirement for a minimum of 25% (7) homes of approved affordable tenures.

In all instances the Council expects the 25% affordable housing contribution to be delivered on-site, in a manner that is well-integrated. It is only in exceptional circumstances, where the Council is satisfied that the affordable housing could not be viably delivered on site for a housing association, that we consider alternative proposals.

As part of the assessment of the previously refused application for this site (17/05071/FUL), onsite RSL delivery was considered but discounted as the cost to provide onsite would be prohibitively high. The developer's proposals were assessed by an independent surveyor and their report verified the build cost for the smallest new build unit to be £330,929. Consequently, this falls far out with a sum that is acceptable for an RSL to deliver on site. These units are being built on a site which has buildings required to be demolished, the site is in the curtilage of a listed building and within a conservation area. The independent analysis of costs demonstrated it would not be possible to deliver on site and comply with all the planning requirements when developing to enhance the setting of a listed building.

Where the developer has clearly established that the development would not be viable for a housing association to deliver, then the affordable housing policy allows for alternative methods of delivery to be considered.

For a property to be considered as viable for Golden Share it cannot exceed a Market Value of £268,495 to achieve the £214,796 cap for Golden Share housing. Given the anticipated sales prices there are no units to fall close to this price range and a recommendation cannot be made for Golden Share Housing.

The applicant has offered to provide affordable housing via a transfer of serviced land on a site at Fords Road, which is located in an adjacent ward. LAR Housing Trust (a Scottish registered charity) have confirmed this would be a suitable site for them to develop

affordable housing and have agreed a delivery package with the applicant. This site at 45 Ford's Road, Edinburgh was granted planning permission in June 2017 (16/05524/FUL) and will provide nine affordable homes in total. Whilst the location of this site is of a lower quality than the main site, it does yield two additional affordable units than that required on the principal site and allows for LAR Housing Trust to own and manage the entire estate.

The independent valuation report identified a commuted sum contribution of £250,000 from the assessment of the development proposal. CEC estates section has undertaken an assessment of the Fords Road site and arrived at a market valuation of £309,000 and concludes this offer to be a good deal.

As part of the refusal of the previous application for this site (17/05071/FUL), committee advised that the proposal was contrary to Policy Hou 6, as the proposal had not demonstrated justification to provide on-site affordable units. The application was subsequently appealed to the Reporter and, although the decision to refuse the application was ultimately upheld, the Reporter advised that in their opinion they were satisfied that the application met the requirements of policy Hou 6.

On this basis a recommendation is made the applicant can discharge its obligations to deliver affordable housing by way of transfer of the site at Ford's Road, for delivery by the housing charity LAR Housing Trust.

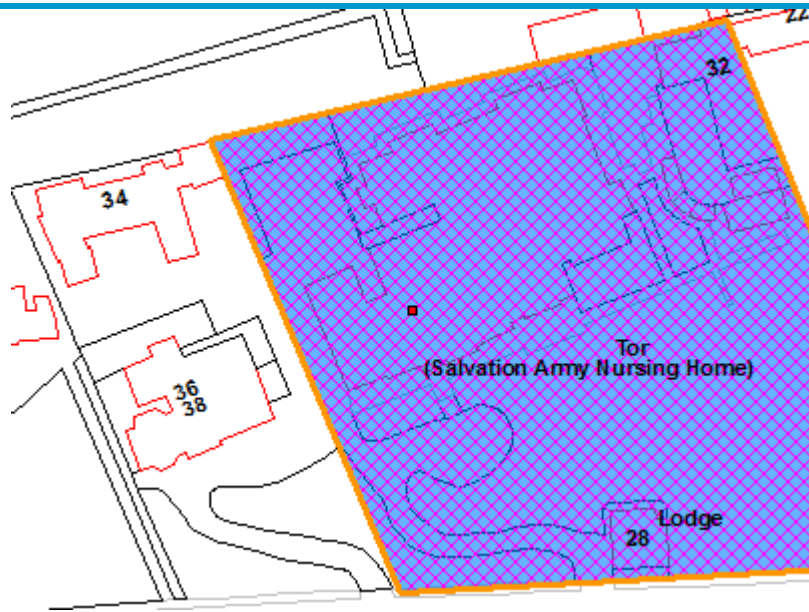
The applicant will need to ensure that the offsite provision is a viable option for affordable housing. The affordable homes are required to be tenure blind, fully compliant with latest building regulations and further informed by guidance such as Housing for Varying Needs and the relevant Housing Association Design Guides.

3. Summary

The applicant has made a commitment to provide land for 9 affordable housing units in an offsite location, a proposal that is recommended by the department for the reasons stated above.

- o The offsite provision must provide a viable site for the delivery of affordable housing*
- o The tenure of the affordable housing must be agreed with the Council*
- o All the affordable homes must meet the Edinburgh Design Guidance and also meet the relevant Housing Association Design Guidance size and space standards.*

Location Plan



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