

# Development Management Sub Committee

**Wednesday 29 July 2020**

**Application for Planning Permission 19/06070/FUL  
at St Joseph's Nursing Home, 41 - 45 Gilmore Place,  
Edinburgh.**

**Student accommodation redevelopment of existing C-listed building providing 230 beds over 29 flats with associated amenity and external landscaping, demolition of extensions and outbuildings and erection of 3 new buildings in rear courtyard.**

**Item number**

**Report number**

**Wards**

B11 - City Centre

## Summary

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This proposal will deliver a new use for this unique listed building and grounds whilst preserving its setting and features of architectural and historic interest.

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

With regards to student accommodation development, the proposals comply with the adopted Edinburgh Local Development Plan. It is accepted that provision of some housing on this site is not practicable and the infringement of policy Hou 1 d) is acceptable. The design of the development will maintain and enhance a sense of place. The development will have an acceptable impact on neighbouring amenity given the existing site context and will deliver an acceptable level of amenity for future occupiers. There are no material considerations that outweigh this conclusion.

## Links

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[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU07, LHOU08, LEN02, LEN03, LEN04, LEN06, LEN09, LEN12, LEN16, LEN21, LDES01, LDES03, LDES04, LDES05, LDES07, LTRA02, LTRA03, NSG, NSGD02, NSGSTU, HES, HEPS, HESDEM, HESINT, HESSET, HESEXT, HESUSE,

# Report

## **Application for Planning Permission 19/06070/FUL at St Joseph's Nursing Home, 41 - 45 Gilmore Place, Edinburgh.**

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### **Recommendations**

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

### **Background**

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#### **2.1 Site description**

The application site relates to the former St Joseph's nursing home which sits on the south side of Gilmore Place. Built as St Joseph's Convent for the Little Sisters of the Poor, it is category C listed (listed on 23 January 1998 LB reference: 44937).

The main building dates from 1889 and incorporates an 18th century house. A chapel was added to the rear in 1897. The front building is three storey and attic high with a high flanking wall largely obscuring the ground floor. A gabled central entrance doorway with a Celtic cross above leads to the main building and there is a vehicle entrance to the west; this is a single road. The building is solid Victorian stone design with pitched slate roofs, crowstepped gables, square dormers and timber sash and case windows.

The rear section of the main building has been substantially altered with modern extensions and fire escapes.

Internally, the main building has no apparent features of interest. The rooms have all been converted for nursing home use and most have suspended ceilings. Staircases are plain.

The chapel to the rear is two storey with stained glass windows. It has been subdivided internally and is now on two floors. Again, it has a plain interior although it has a good barrel vaulted ceiling. It was further extended in 1906.

There are a number of outbuildings which flank the sides of the site enclosing the garden area which has some small trees and bushes. These outbuildings are largely in brick, some single storey, some two storey, and are of various dates some as early as the chapel building. There is currently parking for about 15 cars in the rear area.

The surrounding area has a mixed character. Gilmore Place is a busy arterial route with a mixture of residential properties and guest houses. Tollcross Town Centre at the east end of Gilmore Place has a variety of shops and other commercial uses. To the south, the curved residential tenements of Gillespie Crescent overlook the site. To the west of the site there are further residential properties and the former James Gillespie's High School Darroch Campus, which is currently earmarked for development into a Scottish Gaelic School. On the east boundary of the site sits Edinburgh West End Bowling club, and more residential properties.

Fountainbridge regeneration area centred round the Union Canal is nearby to the north west and the site is within walking distance of the Meadows and other City Centre attractions.

This application site is located within the Marchmont, Meadows and Bruntsfield Conservation Area.

## **2.2 Site History**

20 December 2019 - concurrent listed building application for conversion to student residential accommodation, demolition of outbuildings and replacement with new three storey accommodation around retained landscaped courtyard (application reference: 19/06072/LBC)

## **Main report**

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### **3.1 Description of the Proposal**

It is proposed to redevelop the site to form student housing. The main listed building and chapel will be retained and converted, and the outbuildings will be demolished and replaced by new three storey blocks on all three sides with a central landscaped courtyard.

The proposed development proposes a total of 230 bed spaces across 29 separate cluster flats. There will be 17 cluster flats in the refurbished existing building, and a further 12 cluster flats in the new build blocks. The cluster flats range in size from three bed to 12 bed. Within these cluster flats there is a range of accommodation provision, including twin rooms, standard rooms with shared bathrooms, en-suite rooms, and 5 accessible bedrooms. Each cluster flat includes a fully equipped kitchen/living area, with adequate cooking and storage facilities for each resident.

In addition to the living accommodation, the proposal provides shared amenity space in the form of music rooms, social space and study space, located across the ground floor of the existing building and into the chapel space. Residents will also have access to a central laundry.

On the main building, the modern rear extensions and fire escape will be removed and the rear facades largely re-instated. A single storey, lightweight, glazed colonnade will be formed at ground floor to aid circulation whilst additionally bringing light into the ground floor. The replacement of the existing external fire escape to the west wing with a fully enclosed reconfigured stair allows for emergency vehicle access to the rear courtyard, whilst ensuring sufficient emergency escape routes are provided from all

proposed flats. The front elevation to Gilmore Place will be largely unchanged apart from a new escape door and the conversion of a window to doors for access to the front bike store. The main entrance to the existing building from Gilmore Place will be maintained.

The chapel will be retained in its current format on two floors with the lower floor forming a cluster flat and a warden's flat and the upper floor as an activated space for residents to congregate and socialise.

The brick outbuildings will be demolished, and three separate blocks will be formed on the east, south and west sides of the courtyard. To the east and west edges, development will reflect the previous outbuildings by being built hard up to boundary walls. The existing tall hedge which sits in line with the retaining wall on the south boundary will be maintained and reinforced with additional planting and the new building here will be set back from the boundary to create separation distance from the gardens of Gillespie Crescent.

The new blocks will be three storeys high and those on the east and west boundaries will be single aspect facing into the courtyard with a single cluster flat on each level. The south block will be double width and dual aspect creating two cluster flats per floor. The elevations will be formed primarily from stone, with a metal roof and feature dormers. The overall design is symmetrical and based on an axis with the centre point of the chapel.

The rear elevation of the south block will include rooflights rather than dormers to ensure there is no direct overlooking of Gillespie Crescent gardens from the second floor. It is noted that the ground floor level of the south block is 2.7m below the garden level of Gillespie Crescent. In addition, the boundary wall is 3m high. This means the ground floor level is 5.7m below the top of the boundary wall and the first floor level is 2.5m below the top of the boundary wall.

A series of formal green spaces will be created as external amenity space. A formal lawn will be created in the centre and this will reflect the symmetrical arrangement of the new buildings. Orchard planting will be formed in the north east entrance courtyard in order to introduce a wider variety of plant species to site and improve biodiversity. Allotment gardens will be created in the north east courtyard space to increase the biodiversity of the site. Various shrub and tree planting to building perimeters will reduce hard landscaping. Stone flag paving will define walkways.

There will be no car parking on the site and the existing access road will only be for emergency vehicles. Cycle parking for 230 bikes will be provided within a dedicated storage area in the main building and secure cycle parking externally. Cycle storage is provided in 4 locations throughout the proposal, arranged across the site in order to provide a number of storage options depending on resident location. Access to these stores will either be via the west access lane or through a small gated courtyard, accessed directly from Gilmore Place.

The current bin store location on the north-west corner will be re-used in the new development. The size of this has been designed in line with City of Edinburgh design guidance to allow adequate provision and mix of bins for the number of potential residents. Resident access to the bin store is provided internally and externally.

The following documents have been provided to support the application:

- Planning Statement;
- Design and Access Statement;
- Conservation Statement;
- Landscape Plan;
- Surface Water Management Plan;
- Ecological Survey;
- Transport Statement;
- Daylight and Sunlight assessment;
- Sustainability form;
- Tree Survey.

These documents are available to view on the Planning Portal.

### Previous scheme

The application has been amended to introduce obscure glazed lower window panes to the southern new build accommodation block in order to maintain the privacy of existing residents.

### **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 principle of development is acceptable;
- b) the proposals preserve the character and setting of the listed building;
- c) the proposals preserve or enhance the character or appearance of the conservation area;
- d) the scale, form and design are appropriate;
- e) impact on neighbouring amenity is acceptable;
- f) amenity for future occupiers is acceptable;
- g) the proposal will have any parking, traffic or road safety issues;
- h) there are any other material considerations and
- i) any comments have been addressed.

#### a) Principle of development

The development is proposed entirely as student accommodation including the conversion and the erection of purpose built accommodation. The site lies within the urban area and the principle of development needs to be assessed under Local Development Plan policies Hou 8 (Student Accommodation) and Hou 1 (Housing Development), along with the non statutory student housing guidance.

##### *Student Accommodation*

Policy Hou 8 (Student Accommodation) supports purpose built student accommodation where:

- a) The location is appropriate in terms of access to university and college facilities by walking, cycling or public transport, and
- b) where the proposal will not result in an excessive concentration of student accommodation (including that in the private rented sector) to an extent that would be detrimental to the maintenance of balanced communities or to the established character and residential amenity of the locality.

The supporting non statutory Student Housing Guidance provides additional locational and design guidance.

##### *Location*

The development site is in an appropriate central location and is within walking distance to campuses of Edinburgh and Napier Universities. Gilmore Place itself lies on a national cycle route connecting to a main campus of Edinburgh University and is further served by local and national cycle routes in the vicinity. There are frequent bus services on Gilmore Place and on nearby Home Street which provide access to other campuses, universities and college sites.

## *Concentration*

Part b) of policy Hou 8 seeks to protect areas from an excessive concentration of student accommodation to maintain balanced communities or maintain the established character and residential amenity of the locality.

The application site lies within an area with a mixture of uses where a high residential population combines with the commercial uses of the busy Tollcross Town Centre. The site's location at the eastern end of Gilmore Place notably marks a change from terraced properties mixed with guest houses as adjoins the town centre. Within the town centre, numerous retail and leisure uses occupy the ground floors of high density tenements. Uses immediately bordering the site are also of a mixed nature and include a bowling green, roofing business and the recently approved Gaelic School within the Darroch annex building, alongside residential.

In the wider area, the Fountainbridge neighbourhood is subject to ongoing redevelopment and also contains a mix of uses including high density residential, commercial and student accommodation.

Whilst the number of student bedrooms proposed as part of the application is relatively high, the area has an existing high residential population, busy town centre and a limited transient population. The development scale will complement the existing character, community and town centre and the use is appropriate given the site's central location with good access to universities.

Overall, the proposed student accommodation would not result in a concentration of student housing which is of detriment to character of the area and is accessible to university and college facilities. The proposal accords with LDP policy Hou 8 parts a) and b).

## *Housing*

Policy Hou 1 (Housing Development) part 1 prioritises the delivery of housing on sites identified in the Local Development Plan and other suitable sites in the urban area provided proposals are compatible with other policies in the plan. This is in recognition that windfall sites can contribute to land supply. To comply with Hou 1 d), proposals on sites suitable for housing should give consideration to how they might deliver housing as part of proposals.

In addition, the non statutory student housing guidance sets out requirements for purpose built student accommodation and requires sites with 0.25ha or greater developable area, which do not share a boundary with a main university or college campus, to provide a proportion of housing as part of the development. This is to be calculated at 50% of the gross new build residential floor area.

The site has a total area of 0.6ha. This includes the main listed building, the enclosed rear grounds and existing outbuildings.

It is not proposed to deliver housing or a proportion of housing as part of the development. The applicant has submitted a Planning Statement and Addendum which puts forward the applicant's reasoning for developing the site as exclusively student accommodation. This explains why maintaining the existing use or the development of all or part of the site for general housing is not viable.

With regards to the existing use they have stated that continuing the now ceased care home use would be unviable as the listed building is incompatible with modern care home standards. In developing all or part of the site for housing they have stated that the constraints of converting the listed building both practical and financial are prohibitive. It is put forward that the site layout including the design and setting of the listed building, placement of attached chapel and very limited access to the rear, do not allow for the site to be split into different uses. It is also stated that the site is constrained in terms of providing residential amenity.

Additionally, the applicant has cited the Scottish Government's Planning and Environmental Appeals Division (DPEA) recent decision for Gorgie Road (reference: PPA-230-2298) along with previous appeal decisions. This is with reference to the weight which can be given to the Student Housing Guidance, in particular the stipulation for 50% provision of housing. This appeal was allowed on the basis that the guidance is non-statutory and not adopted policy so less weight can be given to it.

The applicant has also indicated that as the Council is meeting current housing targets and there are other recent housing approvals within the vicinity, development of this site for housing is not essential and the intention of Hou 1 is not a housing first policy.

Whilst it has not been proven that a single use housing redevelopment of the site is not possible, it is accepted that the site poses significant constraints which limit delivery of all or part of the site for housing. Access to the rear of the site is only possible on foot through the front door of the listed building from Gilmore Place or through a very narrow side access in close proximity to an existing residential property. The side access would constrain vehicular servicing and its frequent use would create an undesirable residential environment. Division of the site between uses would exacerbate the issue and the ability to control its use.

The site's listed status is also a principal factor which prevents division between uses. Any splitting up of the site, either the main building or its grounds, would not be desirable due to the negative impact this would have on the understanding and interpretation of the site affecting its special interest.

In addition, if the site was proposed for residential development there would be constraints in amenity. This includes the layout of the east and west outbuildings which sit hard up against the boundary. Any new development would have to follow a similar footprint with limited scope for private amenity. Whilst it is expected that that student accommodation should have amenity standards on a par with residential development, the development of managed communal space here is more appropriate to the context and student use.

It is also noted that all pre-applications discussions concerning housing on the site included a requirement for car parking which was resisted and, as set out in the marketing information, led to the withdrawal of offers.

The conversion of the main listed building is difficult due to its deep plan projecting wings and attached chapel. The proposed student housing use allows the listed building's existing 'cellular' layout to remain in place. It also allows the chapel to remain as large open communal space at the upper storey. The proposal ensures an effective new use for a unique listed building and its grounds whilst causing the least possible harm.

The principle of development is in accordance with LDP policy Hou 8. Whilst the application does not accord with policy Hou 1 d) or part c) of the non statutory student housing guidance as no housing is proposed, the re-use, repair and re-instatement of a significant and unique listed building and grounds is a key material consideration in establishing the principle of developing the site for student accommodation only. The practicality of delivering a small proportion of the site for general housing is not feasible given the access constraints, the layout of the site and the importance of creating a secluded landscape setting to the rear area as part of the listed building's setting rather than a parking area. In this instance, the need to re-use the listed building in a sensitive and practical way takes precedence and the infringement in terms of policy Hou 1 d) is acceptable.

#### b) Character and Setting of the Listed Building

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

Historic Environment Scotland's (HES) Managing Change in the Historic Environment guidance note on the use and adaptability of listed buildings is applicable. It states that *for a building to remain in use over the long term, change will be necessary. This reflects changes over time in how we use our buildings and what we expect from them. A building's long-term future is at risk when it becomes hard to alter and adapt it when needed. Proposals that keep buildings in use, or bring them back into use, should be supported as long as they do the least possible harm.*

The building has now been empty for over 2 years and a new use needs to be found for it. It is a difficult building to convert because of its deep plan and the condition of some of the ancillary buildings is poor. However, the current proposals represent a scheme which causes the least possible harm whilst creating a new use for the site and buildings. The changes are assessed below in more detail.

## *Demolition of Outbuildings*

Policy Env 2 of the adopted Edinburgh Local Development Plan (LDP) states that proposals for the total or substantial demolition of a listed building will only be supported in exceptional circumstances, taking into account the condition of the building and the cost of repairing and maintaining it in relation to its importance and to the value to be derived from its continual use.

Historic Environment Scotland's (HES) Managing Change in the Historic Environment guidance note on the Demolition of Listed Buildings states that if one of the following situations applies then the loss of a listed building is likely to be acceptable, as long as this is clearly demonstrated and justified.

- the building is no longer of special interest;
- the building is not capable of meaningful repair;
- the demolition of the building is essential to delivering significant benefits to economic growth or the wider community;
- the repair of the building is not economically viable and it has been marketed at a price reflecting its location and condition to potential restoring purchasers for a reasonable period.

A conservation statement has been submitted with the application. In relation to the outbuildings it states - *It is noted that whilst these brick outbuildings are very different from the main listed building, they respond well to the composition of the site as a whole, and form an interesting frame for the internal garden area. The new proposals follow this composition.*

The conservation statement sets out the history of the buildings starting with the main building built in 1889 and the addition of the chapel on 1897. It has been clarified by the agent that the older east outbuildings were built at the same time as the chapel and some of the west outbuildings were built in 1904 thereby forming part of the listing of the building.

The ones on the east boundary are two storey and single storey; there are also some modern rendered ones either side. The outbuildings on the west boundary are two ranges of single storey units with some modern rendered garages in-between. These early outbuildings are brick with pitched roofs and sash and case windows. It should be noted that the listing description does not mention the outbuildings although this is not a definitive list of what is and is not listed on the site. As the outbuildings do technically form part of the listing, the tests set out in Historic Environment Scotland's Managing Change guidance on Demolition must be applied although there is a lack of clarity in this document about the demolition of curtilage listed buildings such as these.

The key test in this case rests on whether the outbuildings are of special architectural or historic interest. If they are, then the other tests would have to be applied to justify demolition. The applicant's conservation statement assesses the significance of the outbuildings as neutral and cites the Burra Charter as a framework for this determination.

There are a number of charters that the Council recognises as being important in reaching an understanding of the historic environment. The Burra Charter was the first to give a framework for understand the cultural significance of a historic asset and identifies five values that should be applied in determining the significance - aesthetic, historic, scientific, social and spiritual. These can be used to assess the importance of these outbuildings and whether they are of a cultural significance that would merit their retention.

It is acknowledged that aesthetically the buildings form a pleasant grouping round the courtyard but the buildings themselves are not architecturally significant. They do not form a cohesive composition and there is nothing special about their materials and detailing. It is suggested that the main finance went into making sure the front building was of high quality and a cheaper brick was used for these outbuildings. Some were built at the same time as the chapel but whereas care was taken with its form and design to create a historic landmark on the site, there is no evidence that these ancillary outbuildings had any historical connection to the Little Sisters of the Poor in the same way that the Chapel has. There is no scientific or spiritual value to the buildings and socially they would have provided limited housing and ancillary storage for the site.

In assessing the outbuildings against the criteria in the Burra Charter, it is agreed that they are of neutral significance and as such do not form part of the special architectural or historic interest of the listed building. In assessing against the statutory tests in Section 14 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, their demolition would preserve the special interest of the listed building and its setting.

Historic Environment Scotland have confirmed they are satisfied that there is justification for demolition on the grounds that these are curtilage buildings which individually are not of special architectural or historic interest.

It is noted that the applicants argue that the repair and re-use of the outbuildings are not economically viable and have provided financial information and cite the marketing history in making their case. This is set out in the Planning Statement and as an appendix to the conservation statement.

The applicants state that the costs involved with repair and conversion of the existing outbuildings would take the project significantly above the viability limit. They state that conversion of the east and west blocks could provide a total of 17 beds at a cost of £72,265 per bed. The proposed new-build design for the east and west blocks will provide a total of 61 beds at a cost of £42,282 per bed. Based on the number of beds lost, there would be an approximate £5.8m drop in the capital value of the completed development. However, no costs have been provided on overall viability taking the whole site into account and based on the fact that the outbuildings are not considered to be of special interest, a full economic viability assessment has not been requested for these outbuildings.

Based on the information submitted, the demolition of the outbuildings is considered acceptable.

### *Alterations to Main Listed Building*

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

Externally, the only change to the front is the change of a window to double doors for access to the front bike store and the conversion of a window to a door for escape purposes. To the rear, the removal of modern extensions is a positive enhancement to the character of the building and the lightweight additions proposed will complement the strong stone facade. The new stair enclosure will be in stone to match the building.

There are no proposals shown for existing features such as original windows and doors. A condition is therefore applied that any proposals to change these will require further approval.

Historic Environment Scotland's guidance document entitled *Managing Change in the Historic Environment: Interiors* states *the interior of a historic building is important in defining its character and special interest. The interest, experience and enjoyment of a historic interior can be derived from a number of factors including its design, structural plan and layout, the quality of its decorative scheme, materials and craftsmanship, fixtures and fittings, any associated archaeology, and historical and cultural associations.*

The interior of this building has few features of interest. The rooms are largely cellular and the staircases plain. Suspended ceilings and en-suites are in most rooms. It is proposed to largely strip out the interior to form the cluster flats, broadly following the existing cellular layout. This will have limited impact as no features of special interest have been identified. However, a condition has been applied to ensure that the building is recorded as work progresses.

The alterations to the main listed building do not affect its special interest and are acceptable.

### *Setting*

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

In terms of setting, the building has a strong street frontage which will remain unchanged. The building's setting to the rear is framed by the outbuildings and garden space and the redevelopment will re-create this relationship with symmetrical buildings around a central courtyard with an axis based on the chapel. The new block to the south will further frame the space and add to the sense of enclosure. The new buildings are lower than the main listed buildings and the subservience will be maintained in this development. The design, materials and form of the new buildings complement the main listed building.

The setting of the listed building will be preserved.

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

#### c) Character and Appearance of 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) 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 site lies on the west side of the Marchmont, Meadows and Bruntsfield Conservation Area. The character appraisal emphasises the tenemental character of the conservation area and the green focus provided by the Meadows and Bruntsfield Links. Predominant materials are stone, slate and timber and the human, urban scale of buildings, even public buildings, is noted. Although the site is not mentioned in the text, it is identified as a focal point in the townscape analysis and lies within a terminated view.

The building will largely be the same from the street and views from other streets are limited. Therefore, the appearance of the conservation area will be unaffected. In terms of character, the development keeps the main building, so this focal point of the conservation area is unchanged. A new rear courtyard with framing buildings will again be created in a style sympathetic to the essential character of the conservation area. The scale, form and materials are compatible with the essential character of the area. Overall, the development will enhance the character of the conservation area by re-invigorating a site that is currently unused and in danger of falling into disrepair. It will retain and re-use a building in institutional use.

With reference to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, the proposals preserve and enhance the character and appearance of the conservation area, in compliance with LDP Policy Env 6.

#### d) Scale, form and design

Policy Des 1 (Design Quality and Context) requires development proposals to create or contribute towards a sense of place. The design should be based on an overall design concept that draws upon the positive characteristics of the surrounding area. Permission will not be granted for proposals that are inappropriate in design or for proposals that would be damaging to the character or appearance of the area.

LDP Policy Des 3 (Development Design - Incorporating and Enhancing Existing and Potential Features) states that planning permission will be granted for development where it is demonstrated that existing characteristics and features worthy of retention on the site and in the surrounding area, have been identified, incorporated and enhanced through its design.

Policy Des 4 (Development Design - Impact on Setting) also requires development proposals to have a positive impact on its surroundings, including the character of the wider townscape, having regards to its height and form; scale and proportions, including the spaces between the buildings, position of buildings and other features on the site; and the materials and detailing.

The proposal includes alterations to the rear of the main listed building, the removal of outbuildings and formation of three new buildings to the rear.

The alterations to the rear of the listed building are to remove unsympathetic additions reinstating the original facade and adding a new single storey glazed colonnade. As assessed in the previous sections, these changes will have a positive impact on the listed building enhancing its characteristic and appearance. The proposed colonnade, represents a sensitive solution which does not detract from the building's character and wider setting.

The majority of the existing one and two storey outbuildings are utilitarian in nature and built in a different style and material to the main listed building. Despite this they contribute to the sense of place and feeling of enclosure to the rear of the site. Their demolition and replacement with two three storey buildings of a modern design, along with the introduction of a third three storey new building to the southern rear boundary will change the character of this area. However, the overall site design as proposed takes cues from the existing layout and maintains the sense of enclosure and symmetry with single aspect buildings tight up to boundary walls to the east and west. The introduction of the building to the south reaffirms the sense of enclosure.

The proposed buildings though modern in design and higher than the existing outbuildings, respect the established layout and hierarchy of buildings on site. They reflect, in part, the material palette of the main building by the use of stone and maintain a subservience in height and form to the listed building.

The existing wider townscape includes a number of rear developments in different uses and designs. The proposed layout reflects the existing development pattern and the proposed new build elements in their design and layout, will have a positive impact on the existing listed building and the wider townscape with regard to height form, scale and proportions. A condition has been added to ensure that the detailing and materials will be suitable.

The proposal complies within policy Des 1, Des 3 and Des 4 of the LDP.

#### e) Neighbouring amenity

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

Policy Hou 7 Inappropriate Uses in Residential Areas Developments, including changes of use, which would have a materially detrimental effect on the living conditions of nearby residents, will not be permitted.

The Edinburgh Design Guidance (EDG) states - The pattern of development in an area will help to define appropriate distances between buildings and consequential privacy distances.

The site has both residential and commercial properties on all sides with the existing building used as nursing home for a significant period of time. This included the use of many of the rooms as bedrooms sitting directly opposite residential properties on Gilmore Place to the north and Gillespie Street to the west. The proposed use would continue the use of the majority of these spaces as bedrooms or other living areas. The relationship between the site and these neighbouring properties is long established and whilst the demographic of the occupiers of these rooms would change with the new use, the function of the spaces is essentially the same and would not lead to an unacceptable loss of amenity.

The existing east wing of the main building runs along the boundary to the garden ground of number 39 Gilmore Place, a converted townhouse in residential use. Number 39 directly adjoins the main building to the front and lies at a right angle to the east wing. There are six pairs of existing windows to the adjoining elevation which have been in use as bedrooms for the care home. It is proposed to change the use of these rooms to circulation space. The removal of habitable rooms from this elevation reduces the potential for loss of privacy to number 39.

The proposed new buildings to the east and west boundaries are single aspect overlooking the internal courtyard and will not raise issues of loss of privacy or overlooking. The proposed dual aspect building to the southern boundary will sit at 2.7m below the garden level of Gillespie Crescent and an existing 3m boundary wall will be retained. To the third floor of the building, rooflights with partially obscured glazing are proposed to maintain the privacy of existing residents of Gillespie Crescent both within their flats and to communal garden ground. This in combination with a separation distance of 23m to the nearest windows means that an acceptable level of privacy is maintained.

The applicant has submitted a Daylight and Sunlight Assessment. This calculates the levels of daylight and sunlight to existing properties and the proposed student accommodation using vertical sky component and solar shading calculations. These show that for neighbouring properties there will be a limited impact on the garden ground of 6 Gillespie street during the morning; the level of sunlight overall will be in line with the Edinburgh Design Guidance.

Concerns have been raised that the change of use of the listed building and its grounds from residential care to student accommodation introduces an increased risk from noise and disturbance to existing residents.

The area though mixed, does have a high number of residential properties surrounding the site. In the supporting information to the proposal, the applicants have stated that the scheme will be carefully managed. Discussions are ongoing with the University of Edinburgh.

In addition, a high number of live in wardens' flats are proposed situated in locations which provide surveillance. There will be support on site during the day and access to a 24 hour Community Support Team. The development access means all student will enter the site from the busy main road. Purpose built student accommodation is supported in residential areas.

Concerns have also been raised on the impact of cycle storage as proposed to the south west, south east and west boundaries of the site. It is unlikely that these storage areas will be accessed by all students at the same time and given their function, the standalone storage is unlikely to cause significant disturbance.

Environmental Protection was consulted as part of the application and has not raised any objections to the proposal.

The proposed use is considered to be compatible within the uses in the area and will not cause an unacceptable impact with regards to privacy, daylight and sunlight or noise. The proposals comply with policies Des 5 and Hou 7.

#### f) Amenity for future occupiers

The Student Housing Guidance states that student accommodation should comprise a mix of type of accommodation, including cluster units, to meet varying needs of students. It expects that design to be of a high quality with adequate amenity to contribute to healthy and sustainable lifestyles.

The Edinburgh Design Guidance also applies to student accommodation with regard to daylight, sunlight, privacy and outlook.

The proposed development proposes a total of 230 bed spaces across 29 separate cluster flats. There will be 17 cluster flats in the refurbished existing building, and a further 12 cluster flats in the new build blocks. The cluster flats range in size from three bed to 12 bed. Within these cluster flats there is a range of accommodation provision, including twin rooms, standard rooms with shared bathrooms, en-suite rooms, and 5 accessible bedrooms. Each cluster flat includes a fully equipped kitchen/living area, with adequate cooking and storage facilities for each resident.

High quality hard and soft landscaped shared outdoor amenity space is proposed within the rear courtyard. This includes formal lawns, planting, allotments, seating and public art. Within the chapel and ground floor of the listed building shared indoor amenity space is provided including music rooms, social space, study space a central laundry.

The applicant's Daylight and Sunlight Assessment concludes that majority of the bedrooms in the proposed blocks also achieve the minimum average daylight factor as required, with the exception of one bedroom in the south block. This bedroom falls only just below required standards.

The proposed level of amenity for residents is of a high standard with residents having access to shared managed outdoor space, a particular advantage over many existing purpose built student accommodation developments.

Rooms will have adequate space and facilities along with a good outlook over the shared space or within established separation distances. The proposal complies with policy Des 5 and the relevant guidance.

#### g) Transport

Policy Tra 2 states that planning permission will be granted for development where proposed car parking provision complies with and does not exceed the parking levels set out in Council guidance.

Policy Tra 3 states that planning permission will be granted for development where proposed cycle parking and storage provision complies with the standards set out in Council guidance.

The development is proposed as car free, with no parking proposed on site and vehicle access restricted. Gilmore Place has existing parking restrictions and students will not be eligible to apply for parking permits. The applicant has indicated in their Transport Statement that at the start and end of term times, when students will be moving in/out of the accommodation, a system of time slots will be used to ensure that the street remains accessible.

100% cycle parking is proposed at 230 spaces. These spaces are spread over different dedicated cycle storage locations on the site to the south west, south east and west boundaries and inside the main building.

As indicated in part a) the site is highly accessible by public transport, walking and cycling. The applicants have stated they will provide a travel plan to residents.

The roads authority was consulted as part of the application and have not raised any objections to the proposal subject to informatives and conditions. These include the provision of costs towards city car club vehicles.

The proposal will reduce the use of cars, prioritises active travel and accords with policies Tra 2 and Tra 3.

#### h) Other planning matters

##### *Flood Protection*

Policy Env 21 (Flood Protection) seeks to ensure development does not result in increased flood risk or be at risk of flooding by demonstrating sustainable drainage measures.

The applicant has a Drainage Strategy and Surface Water Management Plan demonstrating that the development provides suitable drainage and flood protection. These measures have been confirmed as acceptable by the Council's Flood Protection Officer.

Scottish Water have confirmed there is currently sufficient capacity in water and waste water provision to accommodate the development.

## *Ecology*

Policy Env 16 (Species Protection) ensures development will not have an adverse impact on species protected under European or UK law.

A Bat Survey was submitted with the application. This has been reviewed by the Ecology Officer who has confirmed the findings that no bats were found on site.

Following preapplication discussions, the proposed landscaping provides additional planting and landscaping to enhance the ecological value of the site. This includes orchard planting and allotments.

## *Trees*

The applicants have submitted a tree survey. This shows that there are 12 semi mature trees on site. These were assessed as category C trees meaning that they are low quality with no material conservation or other cultural value

Whilst these trees are protected through the conservation area, they do not currently contribute to its setting and are obscured by the presence of St Jospeh's House as indicated in part c). The existing trees will be replaced by 22 new trees along with further shrubs and planting as part of a managed landscaped plan. This replacement is acceptable in this context.

## *Archaeology*

The application site is of historic significance in terms of the current C-listed former Nursing Home and potential for archaeological remains. A programme of archaeological work is conditioned to be undertaken prior to development.

## *Waste*

Bins stores are located in the north west corner, as currently.

## *Air Quality*

The proposal is car free and encourages active travel and the use of public transport this will ensure that there will be no significant impact on air quality.

## i) Public comments

### **Material Comments - objections**

- Principle of student housing and overprovision in the area - addressed in Section 3.3 a);
- Does not comply with student housing guidance - addressed in Section 3.3 a);
- Lost opportunity for housing - addressed in Section 3.3 a);
- Need for the provision of family and affordable housing - addressed in Section 3.3 a);
- Should be a mixed scheme of elderly care and students - addressed in Section 3.3 a);

- Impact on listed building and its setting - addressed in Section 3.3 b);
- Demolition of outbuildings - addressed in 3.3 b);
- Impact on conservation area - addressed in Section 3.3 c);
- Overdevelopment and poor scale, massing and design - addressed in Section 3.3 d);
- Noise impacts from students, bike sheds, fire alarms and heating and ventilation - addressed in Section 3.3 e);
- Impact on amenity, privacy, outlook, overshadowing, daylight and sunlight to neighbouring properties and garden - addressed in Section 3.3 e);
- Existing problems of anti-social behaviour , flytipping and littering - addressed in Section 3.3 e);
- Design is safety risk to occupiers - addressed in Section 3.3 f);
- Impact on parking - addressed in Section 3.3 g);
- Residents' parking spaces should be increased - no additional parking is proposed for students, addressed in Section 3.3 g);
- Impact of congestion leading to reduction in air quality - addressed in Section 3.3 h);
- Loss of trees - addressed in Section 3.3 h);
- Water supply issues - addressed in Section 3.3 h);
- Risk of flooding from reduced surface area - addressed in Section 3.3 h);
- Impact on wildlife - addressed in Section 3.3 h);
- Student housing next to school and nursery is incompatible - addressed in Section 3.3 a);
- No public realm improvements - the existing public realm is sufficient to accommodate the proposed use;
- No medical practice - the area is in a central location served by a number of medical practices.

### **Non-material comments**

- Students keep anti-social hours - this is not a planning matter;
- Lack of maintenance of existing Leylandii trees - this is not a planning matter;
- Loss of private view - this is not a planning matter;
- Development could become short-term lets - this would require further planning applications;
- HMOs should be restricted if the development goes ahead - this is not within the scope of the application;
- Does not contribute to council tax - this is not a planning matter;
- Character of the existing area changed with more commercial uses - this is not a planning matter;
- Impact on retail offer - this is not a planning matter;
- Plans misleading - these have been assessed and addressed were necessary as part of the application.

### **Support**

- Positive support for reuse of vacant listed building and the need for purpose built student accommodation to reduce impact on housing stock - addressed in Sections 3.3 a) and b).

## Neutral comments

- Introduction of obscure glazing to upper level windows in south block acceptable;
- Reuse of building supported.

## Community Council

Tollcross Community Council have objected to the application. Key issues raised include:

- Overprovision of student accommodation in the area - addressed in Section 3.3 a);
- Inappropriate location - addressed in Section 3.3 a);
- Preference for housing - addressed in Section 3.3 a);
- Impact on amenity, privacy, outlook, overshadowing, daylight and sunlight to neighbouring properties and garden - addressed in Section 3.3 e);

## Conclusion

This proposal will deliver a new use for this unique listed building and grounds whilst preserving its setting and features of architectural and historic interest.

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

With regards to student accommodation development, the proposals comply with the adopted Edinburgh Local Development Plan. It is accepted that provision of some housing on this site is not practicable and the infringement of policy Hou 1 d) is acceptable. The design of the development will maintain and enhance a sense of place. The development will have an acceptable impact on neighbouring amenity given the existing site context and will deliver an acceptable level of amenity for future occupiers. 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. A detailed building survey (phased plans, elevations, photographic and written survey) shall be undertaken prior to and during development and submitted to the Planning Authority.
2. All original windows and doors, including the main entrance door, shall be retained unless shown on the drawings hereby approved. Any alterations to these features will require the further approval of the planning authority.

3. 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.
4. A comprehensive specification of windows, roofs and all external materials, including detail drawings, trade names and material samples shall be submitted to and approved in writing by the Planning Authority before work is commenced on site.
5. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
6. The obscure glazing as shown on approved plans must be implemented prior to occupation and remain in place in perpetuity.

**Reasons:-**

1. To ensure that a permanent record of this historic building is undertaken
2. In order to safeguard the character of the statutorily listed building.
3. In order to safeguard the interests of archaeological heritage.
4. In order to enable the planning authority to consider this/these matter/s in detail.
5. In order to ensure that a high standard of landscaping is achieved, appropriate to the location of the site.
6. In order to protect neighbouring residential amenity.

**Informatives**

It should be noted that:

1. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.
2. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.
3. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

4. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision of pedal cycles (inc. electric cycles), public transport travel passes, a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities), timetables for local public transport.
5. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation.
6. The applicant should be advised that as the development is student housing, they will not be eligible for residential parking permits in accordance with the transport and Environment Committee decision of 4 June 2013.

## **Financial impact**

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### **4.1 The financial impact has been assessed as follows:**

There are no financial implications to the Council.

## **Risk, Policy, compliance and governance impact**

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

## **Equalities impact**

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### **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**

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### **7.1 The sustainability impact has been assessed as follows:**

This application meets the sustainability requirements of the Edinburgh Design Guidance.

## **Consultation and engagement**

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### **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 17 January 2020.

A total of 115 representations were received relating to the proposal. These included 88 objections, 23 support comments and three neutral comments. Objections included a response from Tollcross Community Council.

The representations are summarised and addressed in the assessment section of this report.

## **Background reading/external references**

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- To view details of the application go to
- [Planning and Building Standards online services](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

## **Statutory Development**

### **Plan Provision**

The site is located within the urban area of the Edinburgh Local Development Plan.

### **Date registered**

6 January 2020

### **Drawing numbers/Scheme**

01-30, 31A, 32-38,

Scheme 2

## **David R. Leslie**

Chief Planning Officer

PLACE

The City of Edinburgh Council

Contact: Lynne McMenemy, Senior Planning Officer

E-mail: [lynne.mcmenemy@edinburgh.gov.uk](mailto:lynne.mcmenemy@edinburgh.gov.uk)

## **Links - Policies**

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### **Relevant Policies:**

#### **Relevant policies of the Local Development Plan.**

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

LDP Policy Hou 7 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

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

LDP Policy Env 2 (Listed Buildings - Demolition) identifies the circumstances in which the demolition of listed buildings will be permitted.

LDP Policy Env 3 (Listed Buildings - Setting) identifies the circumstances in which development within the curtilage or affecting the setting of a listed building will be permitted.

LDP Policy Env 4 (Listed Buildings - Alterations and Extensions) identifies the circumstances in which alterations and extensions to listed buildings will be permitted.

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

LDP Policy Env 9 (Development of Sites of Archaeological Significance) sets out the circumstances in which development affecting sites of known or suspected archaeological significance will be permitted.

LDP Policy Env 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 Env 21 (Flood Protection) sets criteria for assessing the impact of development on flood protection.

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

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

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

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

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

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

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

## **Relevant Government Guidance on Historic Environment.**

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

Managing Change in the Historic Environment: Demolition sets out Government guidance on the principles that apply to the demolition of listed buildings.

Managing Change in the Historic Environment: Interiors sets out Government guidance on the principles that apply to alterations to the interiors of listed buildings.

Managing Change in the Historic Environment: Setting sets out Government guidance on the principles that apply to developments affecting the setting of historic assets or places.

Managing Change in the Historic Environment: Extensions sets out Government guidance on the principles that apply to extending listed buildings.

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

# Appendix 1

## **Application for Planning Permission 19/06070/FUL At St Joseph's Nursing Home, 41 - 45 Gilmore Place, Edinburgh.**

**Student accommodation redevelopment of existing C-listed building providing 230 beds over 29 flats with associated amenity and external landscaping, demolition of extensions and outbuildings and erection of 3 new buildings in rear courtyard.**

### **Consultations**

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#### ***Historic Environment Scotland***

*The proposals affect the following:  
Ref LB44937*

*Name 41-45 (ODD NOS) GILMORE PLACE, LITTLE SISTERS OF THE POOR /ST JOSEPH'S NURSING HOME, INCLUDING BOUNDARY WALLS, GATEPIERS AND GATES*

*Designation Type Listed Building*

#### ***Our Advice***

*The application relates to the above category C listed T-plan block, largely late 19th century incorporating an 18th century house (central 7 bays), comprising the former Little Sisters of the Poor nursing home with chapel at the rear.*

*Given its C listing, our locus is specific to the proposed demolition of the east and west outbuildings at the rear of the site, which are within the curtilage of the listed building but not the main subject of the listing. These comprise two ranges of single and two storey ancillary buildings of a relatively plain red brick and slate roofed construction. The east outbuildings appear to date from the late 19th century (as indicated in the 1896 OS map), while the west outbuildings appear to date from the early to mid-20th century. While the buildings may have some historic merit as part of the former convent/nursing home, it is our view that they are of insufficient special interest in themselves. Although the applicant's case for demolition seems to be based on the repair and re-use of the buildings not being economically viable, we are satisfied that there is justification for their demolition on the grounds that these are curtilage buildings which individually are not of special architectural or historic interest.*

*Planning authorities are expected to treat our comments as a material consideration, and this advice should be taken into account in your decision making. Our view is that the proposals do not raise historic environment issues of national significance and therefore we do not object. However, our decision not to object should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on listed building consent, together with related policy guidance.*

### *Further Information*

*This response applies to the application currently proposed. An amended scheme may require another consultation with us.*

*Guidance about national policy can be found in our 'Managing Change in the Historic Environment' series available online at [www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/](http://www.historicenvironment.scot/advice-and-support/planning-and-guidance/legislation-and-guidance/managing-change-in-the-historic-environment-guidance-notes/). Technical advice is available through our Technical Conservation website at [www.englished.org](http://www.englished.org).*

*As this application involves the demolition of a listed building, if consent is granted there is a separate requirement through section 7 of the Planning (Listed Buildings and Conservation Areas)(Scotland) Act 1997 (as amended) to allow us the opportunity to carry out recording of the building. To avoid any unnecessary delay in the case of consent being granted, applicants are strongly encouraged to complete and return the Consent Application Referral Form found at [www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme](http://www.historicenvironment.scot/about-us/what-we-do/survey-and-recording/threatened-buildings-survey-programme).*

### **Roads Authority**

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

- 1. In support of the Council's LTS Cars1 policy, the applicant should contribute the sum of £12,500 (£1,500 per order plus £5,500 per car) towards the provision of two car club vehicles in the area;*
- 2. The applicant should note that the Council will not accept maintenance responsibility for underground water storage / attenuation;*
- 3. 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), 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;*
- 4. The applicant should be advised that as the development is student housing, they will not be eligible for residential parking permits in accordance with the Transport and Environment Committee decision of 4 June 2013.*

*Note:*

- a) The applicant proposes zero parking spaces and complies with the Council parking standards In Zone 1. The proposed area is accessible by public transport and has good active travel routes to the various University Campuses;*
- b) Refuse collection will take place on Gilmore Place;*
- c) The applicant proposes 254 cycle parking spaces on ground floor and complies with the Council parking standards which requires a minimum of 230 cycle parking spaces for the proposed development in Zone 1. The cycle parking to the west of the development is expected to be secure and covered.*
- d) The development is predicted to generate a total two-way peak people trip of 43(walking 20, public transport 10, cycling 6) and 63(walking 30, public transport 21, cycling 8) respectively for the morning (08:00-09:00) and evening (17:00-18:00).*

### **Waste**

**REFERENCE NUMBER: 19/06070/FUL**

*As this is to be a residential development for students, waste and cleansing services would be expected to be the service provider for the collection of domestic waste (Only).*

*Waste strategy agreed at this stage Y/N Y*

*I can now confirm this development has provided the requested information for the bin stores and these are shown to be in line with our instruction for architects guidance and waste and recycling requirements have been fully considered.*

*I would ask that the architect passes my contact information to the developer/builder and to stress that they will need to contact this department a minimum of 12 weeks prior to any collection agreement to allow us time to arrange a site visit and to add these to our collection systems.*

*A site visit will be conducted to ensure that this has been constructed inline with our agreement. Any waste produced on site by the residents/occupants will be the responsibility of the developer/builder until such times as the final part of our agreement and waste collections are in place.*

### **Flood Planning**

*Final response: This application can proceed to determination, with no further comments from our department.*

*Our previous comment was to clarify the feasibility of attenuating further runoff from the existing roof - the applicant has confirmed this is not feasible. We would welcome the applicant to explore additional SuDS during the detailed design, but a condition may not be needed.*

### **Scottish Water**

#### *Audit of Proposal*

*Scottish Water has no objection to this planning application; however, the applicant should be aware that this does not confirm that the proposed development can currently be serviced and would advise the following:*

#### *Water Capacity Assessment*

*Scottish Water has carried out a Capacity review and we can confirm the following:*

*There is currently sufficient capacity in the GLENCOURSE Water Treatment Works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

#### *Waste Water Capacity Assessment*

*There is currently sufficient capacity for a foul only connection in the EDINBURGH PFI Waste Water Treatment works to service your development. However, please note that further investigations may be required to be carried out once a formal application has been submitted to us.*

## *Please Note*

*The applicant should be aware that we are unable to reserve capacity at our water and/or waste water treatment works for their proposed development. Once a formal connection application is submitted to Scottish Water after full planning permission has been granted, we will review the availability of capacity at that time and advise the applicant accordingly.*

## *Surface Water*

*For reasons of sustainability and to protect our customers from potential future sewer flooding, Scottish Water will not accept any surface water connections into our combined sewer system.*

*There may be limited exceptional circumstances where we would allow such a connection for brownfield sites only, however this will require significant justification from the customer taking account of various factors including legal, physical, and technical challenges.*

*In order to avoid costs and delays where a surface water discharge to our combined sewer system is anticipated, the developer should contact Scottish Water at the earliest opportunity with strong evidence to support the intended drainage plan prior to making a connection request. We will assess this evidence in a robust manner and provide a decision that reflects the best option from environmental and customer perspectives.*

*Scottish Water's current minimum level of service for water pressure is 1.0 bar or 10m head at the customer's boundary internal outlet. Any property which cannot be adequately serviced from the available pressure may require private pumping arrangements to be installed, subject to compliance with Water Byelaws. If the developer wishes to enquire about Scottish Water's procedure for checking the water pressure in the area, then they should write to the Customer Connections department at the above address.*

*If the connection to the public sewer and/or water main requires to be laid through land out-with public ownership, the developer must provide evidence of formal approval from the affected landowner(s) by way of a deed of servitude.*

*Scottish Water may only vest new water or waste water infrastructure which is to be laid through land out with public ownership where a Deed of Servitude has been obtained in our favour by the developer.*

*The developer should also be aware that Scottish Water requires land title to the area of land where a pumping station and/or SUDS proposed to vest in Scottish Water is constructed.*

*Please find information on how to submit application to Scottish Water at our Customer Portal.*

## **Environmental Protection**

*I refer to the above and would advise that Environmental Protection has no objections to the proposed development.*

*The application proposes the change of use of an existing nursing home to student accommodation on Gilmore Place. Residential properties surround the site to the south, west and east. Gilmore Place bounds the site to the north.*

*Environmental Protection advised at the pre-application stage that there was the potential that noise could affect surrounding residential properties from residents entering and exiting the properties late at night. An entrance lane exists to the west of the development which is overlooked by residential property windows. Therefore, there remains the possibility that noise could impact upon residential amenity should that entrance be used as a late night entrance and exit for residents. In this regard, the applicant has acknowledged this as a potential issue and in association with the end user (Edinburgh University) propose to actively manage noise issues by way of 24-hour on-site staff presence. In addition, should the lane be found to be causing noise complaints, this entrance could be closed off during the night time hours and the main front entrance used.*

*The application proposes zero resident's car parking spaces (with a limited number available for staff) and includes 100% cycle storage provision. The area is very well served by public transport, walking and cycling routes and therefore zero resident's car parking is strongly supported by Environmental Protection.*

*Therefore, Environmental protection would offer no objections to this development.*

## **Archaeology**

### *St Joseph's Nursing Home 41-45 Gilmore Place*

*Further to your consultation request I would like to make the following comments and recommendations regarding these linked LBC & FUL applications for student accommodation redevelopment of the existing C-listed building, providing 230 beds over 29 flats with associated amenity and external landscaping, demolition of extensions and outbuildings and erection of 3 new buildings in rear courtyard.*

*This C-listed former nursing home run by the Little Sisters of The Poor, was built in the mid-19th century. Although the listing states that the main building incorporates a Georgian late-18th century building, map evidence doesn't support this early-date with no structure recorded on Ainslie's 1804 map. Rather the first building on site dates to the period between this map and Kirkwood's 1817 map of Edinburgh. Ainslie's 1804 plan shows the site forming part of a larger area of enclosed open ground under the ownership of a Mr Gilmour and it is likely that it was historically farmland on the edge of the Burghmuir dating back to the medieval period. Excavations nearby adjacent to Lochrin Basin have uncovered evidenced for previously unknown medieval occupation in the area and it is possible that such remains may occur here.*

*The application site is of historic significance in terms of the current C-listed former Nursing Home and potential for archaeological remains. As such any forthcoming application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP) and HES's Historic Environment Policy (HEPs)*

2016 and CEC's Edinburgh Local Development Plan (2016) Policies DES 3, ENV4, ENV8 & ENV9. The aim should be to preserve archaeological remains in situ as a first option, but alternatively where this is not possible, archaeological excavation or an appropriate level of recording may be an acceptable alternative.

#### *St Josephs Nursing Home Buildings*

*It is welcomed that the main elements of this listed former care home will be retained and converted. However, such works will impact upon both its character and historic fabric. However, its essential that a detailed building survey (phased plans, elevations, photographic and written survey) is undertaken prior to and during development. This to ensure that a permanent record of this historic building is undertaken and to provide evidence for its development and use since the early 19th century.*

#### *Buried remains*

*As stated the development has the potential for disturbing archaeological remains relating to the development and use of the care home from its origins as a Georgian Villa through to religious care home in the late 19th century. It is also possible that earlier remains, dating back to the medieval period, may be present. As such it is essential that a programme of archaeological work is undertaken prior to development in order to fully excavate, analyse and record any archaeological remains that may be affected.*

*This will require the undertaking of a phased programme of archaeological investigation, the first phase of which will be the undertaking of an archaeological evaluation. The results from this initial phase of work will produce detailed mitigation strategies to be drawn up to ensure the appropriate protection and/or excavation, analysis and recording of any surviving archaeological remains prior to construction commencing.*

*It is recommended therefore that the following condition is attached to any consent/permission granted to ensure that a programme of archaeological work is undertaken and to record any significant archaeological remains and historic fabric affected.*

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

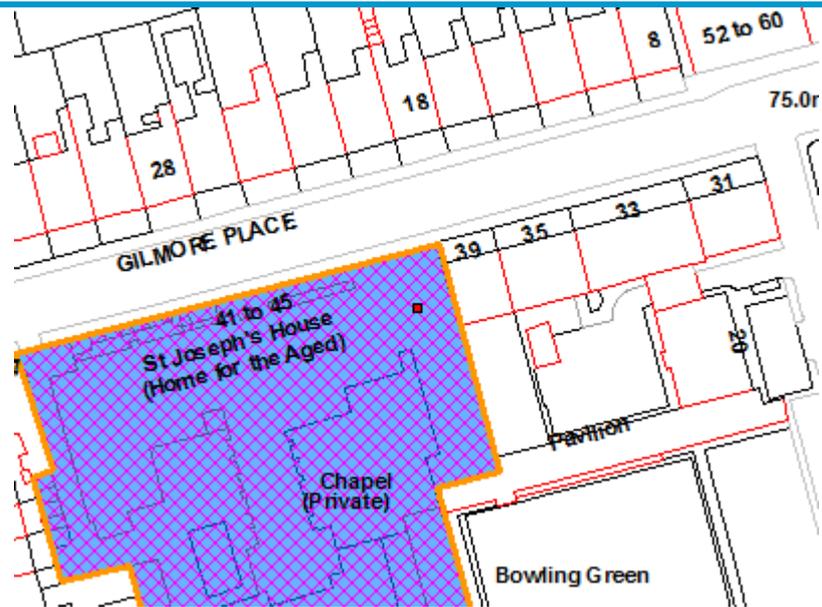
*The work must be carried out by a professional archaeological organisation, either working to a brief prepared by CECAS or through a written scheme of investigation submitted to and agreed by CECAS for the site. Responsibility for the execution and resourcing of the programme of archaeological works and for the archiving and appropriate level of publication of the results lies with the applicant.*

#### **Ecology**

*There was no evidence of roosting bats so there are no issues affecting the determination of the application.*

## Location Plan

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**END**