

Development Management Sub Committee

Wednesday 31 July 2019

**Application for Planning Permission 19/01720/FUL
At Lochend House, 33 - 35 Lochend Road South, Edinburgh
Change of use to guest house.**

Item number

Report number

Wards

B14 - Craigentinny/Duddingston

Summary

The proposed building in this location complies with LDP policy Emp10 (Hotel Development) and is suitable for guest house use. The proposals preserve the character and setting of the listed building. No other material planning considerations outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LHOU07, LEN08, LDPP, LEMP10, LEN04, LTRA02, LTRA03,

Report

Application for Planning Permission 19/01720/FUL At Lochend House, 33 - 35 Lochend Road South, Edinburgh Change of use to guest house.

Recommendations

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

Background

2.1 Site description

The property was formerly a community centre in Council ownership. The two storey traditional stone building stands in an extensive site of over 0.6 hectares, containing many mature trees, especially between the house and the main road.

A fire early in 2015 brought an end to the use and left the building partly roofless. The slate roof has now been reinstated. However, the condition of the interior is extremely poor. All ceilings and cornices are lost (apart from one ground floor room). One fireplace of interest was boxed during reconstruction and survives intact.

Externally, a rendered brick outbuilding attaches the east gable. This is frequently referred to as "the pig-sty" but little indicates that use. A detached boilerhouse and store stands adjacent to this, further to the east. The ground to the rear (north) is more open, but includes a mound likely to contain the original foundations of Lochend Castle.

The servants' quarters and kitchen chimney of Lochend Castle still exist as part of the property (dating from 17th and early 18th centuries). These attach to the otherwise Georgian house on its west side. The building as a whole was listed category B on 14 December 1970 (reference: 28087). Although the site has significant archaeological interest it is not a Scheduled Ancient Monument.

The property sits on the top of a crag, overlooking Lochend Park, which encloses the site on its west and south sides. The park wraps around the south side of the site, containing a junior football pitch on this side.

The surrounding area to north and east is largely three and four storey flats, mainly Council and ex-Council. The closest block is private flats, to the north-east, known as Lochend Castle Barns.

2.2 Site History

23 February 2015 - listed building consent granted to reconstruct entire roof including intervention of steelwork into first floor rooms (planning reference: 14/04895/LBC).

A parallel application for listed building consent has been made for the internal alterations (planning reference: 19/01721/LBC). This is currently pending consideration.

Main report

3.1 Description Of The Proposal

The application proposes the change of use to a guest house containing 14 bedrooms.

Physical alterations to the exterior are limited to the removal of the non-original rendered brick outbuildings, both attaching and close to the south gable, and general restoration of windows (including removal of anti-vandal grilles).

Scheme 1

The scheme was amended to address listed building issues in the interior and clarify cycle storage. This reduced bedrooms from 15 to 14.

3.2 Determining Issues

Section 25 of the Town and Country Planning (Scotland) Act 1997 states - Where, in making any determination under the planning Acts, regard is to be had to the development plan, the determination shall be made in accordance with the plan unless material considerations indicate otherwise.

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposed use is acceptable;
- b) the physical alterations are acceptable;
- c) parking and access are acceptable;
- d) archaeological impact is acceptable; and
- e) comments are addressed.

a) The Principle of Guest House Use

LDP policy Emp10 (Hotel Development) considers sites suitable for Class 7 use (hotels, hostels and guest houses). There are three areas which are considered acceptable for hotel use. These are:

- a) city centre developments.
- b) sites close to the airport.
- c) locations in the urban area with good public transport links to the city centre.

The adjacent road is served by the 49 bus which links to Leith and the City Centre. Three other routes (19, 25 and 34) run nearby on Marionville Road. As transport links are good, the site is suitable for guest house use under criterion c).

There is no policy controlling density of class 7 uses. Although objectors refer to "Air BnB", short term visitor accommodation is not what is sought.

LDP policy Hou 7 considers inappropriate uses in residential areas.

Whilst there are some residential uses bounding the site, the scale of the development in relation to the scale of the site will not give rise to any direct loss of amenity from the use. The change from community centre use to guest house use would raise no material planning concerns in relation to residential amenity.

The "type of occupant" is a primary concern of objectors but falls outwith the remit of planning control.

The proposals comply with policies Emp 10 and Hou 7 and are acceptable in principle.

b) Alterations

Policy Env 4 in the Edinburgh Local Plan (LDP) states that proposals to alter a listed building will be permitted where those alterations are justified; will not result unnecessary damage to historic structures or result in an diminution of the buildings interest; and any additions would be in keeping with other parts of the building.

Demolition of the non-original extensions to the east is supported, as is the removal of anti-vandal grilles on the windows. These changes will greatly improve the character of the building as seen in public views from the street.

The interior is in very poor condition with little original decoration or features remaining. The scheme was amended to retain the only two rooms still in salvagable condition, and the entrance lobby (which these two rooms flank).

The internal works do not require planning permission but the development preserves the listed building and its setting, and the remaining features of special interest. The proposals comply with policy Env 4.

c) Parking and Access

The property will remain a single planning unit and car generation is minimal. No alteration to the access is proposed and the roads authority do not seek any improvement to the existing access.

LDP policy Tra 2 (Private Car Parking) considers car parking levels. Current Council objectives support car-free and car-reduced developments wherever possible. Current standards allow a maximum of 1 space per two bedrooms, which would equate to 7 spaces.

The area in front of the house is informally used as a car park and can hold up to three cars (up to six vehicles if tandem-parked). The roads authority confirm no objections for up to six vehicles.

LDP policy Tra 3 (Private Cycle Parking) considers cycle storage.

Cycle storage is within the former garage on the north-west corner of the building group. This can accommodate at least 8 cycles (16 if using double-decker stores). There is also substantial surrounding grounds should additional cycle storage be desired. The roads authority does not raise objection to the cycle storage.

The proposals comply with policies Tra 2 and Tra 3.

d) Archaeology

LDP policy Env 8 (Protection of Important Remains) considers archaeological issues.

Due to the archaeological significance of the site an archaeological condition is added, requiring a written scheme of investigation prior to commencement of works on site.

e) Public Comments

Material Comments

- Increase in traffic - addressed in section 3.3 c).
- Parking concerns - addressed in section 3.3 c).
- Too many B&Bs in the area - addressed in section 3.3a).

Non-Material Comments

- The use may be for temporary homeless accommodation.
- The grounds should be accessible to the public.
- The building should not be gutted for personal gain.
- Building should be retained for community use.
- Guests will not contribute to the local area.
- Building should not be sold by the Council.

Community Council

No comments made.

Conclusion

The proposed building in this location complies with LDP policy Emp10 and is suitable for guest house use. The impact on the character of the listed building is acceptable. No other material planning considerations outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. 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.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.

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.

Financial impact

4.1 The financial impact has been assessed as follows:

The property was sold by the Council to the applicant.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

8.1 Pre-Application Process

There is no pre-application process history.

8.2 Publicity summary of representations and Community Council comments

The application received 23 objections. These are addressed in section 3.3e) of the Assessment.

Background reading/external references

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

Statutory Development Plan Provision	The site is shown as white Urban Area in the LDP.
Date registered	8 April 2019
Drawing numbers/Scheme	1,2a,3b, Scheme 2

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Links - Policies

Relevant Policies:

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 Env 8 (Protection of Important Remains) establishes a presumption against development that would adversely affect the site or setting of a Scheduled Ancient Monument or archaeological remains of national importance.

Relevant policies of the Local Development Plan.

LDP Policy Emp 10 (Hotel Development) sets criteria for assessing sites for hotel development.

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 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.

Appendix 1

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Consultations

City Archaeologist

The application concerns the B-Listed Lochend House which comprises to main historic elements a Georgian House of c.1820 and the remains of the medieval Restalrig Castle thought to date to the 16th century. The site has the centre of the important Restalrig first mentioned in the 12th century and which under the Logan Family had jurisdiction over Leith during the mediaeval period. Castle is depicted in the Petworth Map of the 1559-60 Siege of Leith.

Accordingly, this application must be considered under terms Scottish Government's Scottish Planning Policy (SPP), the 2016 Historic Environment Scotland Policy Statement (HESPS) and CEC's Edinburgh Local Development Plan (2016) Policies 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.

Historic Buildings

The B-Lochend House comprises both Georgian House of c.1820 with the late-medieval (?16th century) remains of Restalrig Castle. The structure is therefore regarded as being of archaeological significance. The proposed scheme will see internal alterations to both the Georgian house and older Castle which will impact upon and reveal historic fabric. Having assessed such works it is considered that such works will have a significant though overall low-moderate impact. It is recommended therefore that as part of the overall programme of archaeological works that an historic building survey is undertaken prior to and during alterations (phased plans and elevations, photographic and written survey) in order to provide a permanent record of this historic building and record and analysis any significant historic fabric impacted and revealed during this scheme.

Buried Archaeology

The site is regarded as being of archaeological significance with a long history dating back to the medieval period. The proposed development will require demolition of several out buildings as well as potential internal ground(floor) breaking activities. Though the archaeological impact of such works upon the buried archaeological resource is regarded as low-moderate, they could nevertheless reveal significant remains relating to the development of this important house. It is therefore recommended that a programme of archaeological excavation is undertaken linked during any ground or floor breaking activities to fully excavate, record and analysis any significant buried remains that may be affected.

It is recommended that following condition be applied to ensure that the above programmes of archaeological work are carried out;

'No development/demolition 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) 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.

Roads Authority

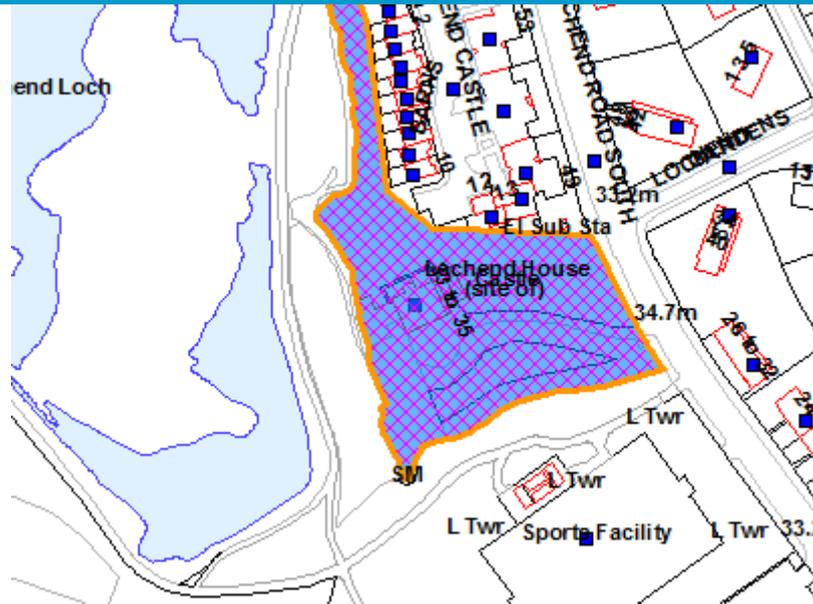
No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant should be required to provide at least 1 cycle parking space in a secure and under cover location;
2. In accordance with the Council's LTS Travplan3 policy, the applicant should consider developing a Travel Plan including provision a Welcome Pack, a high-quality map of the neighbourhood (showing cycling, walking and public transport routes to key local facilities) and timetables for local public transport.

Note:

The proposed retention of the existing 6 car parking spaces is acceptable under the Council's parking standards.

Location Plan



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