

Development Management Sub Committee

Wednesday 17 March 2021

**Application for Planning Permission 20/02750/FUL
at Flat 1, 44 Arthur Street, Edinburgh.
Convert 2x garages into flat (As amended).**

Item number

Report number

Wards

B12 - Leith Walk

Summary

The application generally complies with the relevant policies of the Edinburgh Local Development Plan and the relevant non statutory guidelines. The proposal is acceptable in this location and is of an appropriate scale, form and design. There are no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU05, LDES12, LEN06, LHOU04, LHOU07, NSG, NSHOU, OTH, CRPPIL,

Report

Application for Planning Permission 20/02750/FUL at Flat 1, 44 Arthur Street, Edinburgh. Convert 2x garages into flat (As amended).

Recommendations

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

Background

2.1 Site description

The application site comprises two ground floor garage units located on the corner of Arthur Street and Arthur Street Lane. The site forms part of a three-storey tenement building. The area is residential in nature, with some commercial garages located nearby.

This application site is located within the Pilrig Conservation Area.

2.2 Site History

There is no relevant planning history for this site.

Main report

3.1 Description of the Proposal

Planning permission is sought for alterations to two ground floor garages to form a one bedroom residential flat. The proposal includes internal and external alterations.

Previous scheme

Proposal reduced from two bedrooms to one bedroom.

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 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 proposal is acceptable in principle;
- b) The proposal preserves the character and appearance of the conservation area;
- c) The proposal will result in the creation of a satisfactory residential environment;
- d) The proposal raises any issues in respect of parking and road safety;
- e) Public comments have been addressed.

a) Principle of the Proposal

Policy Hou 1 of the adopted Edinburgh Local Development Plan (LDP) states that housing development will be supported on suitable sites in the urban area, provided proposals are compatible with other policies in the plan. The application site is located within the urban area in the LDP. The principle of housing on the site is acceptable.

Policy Hou 5 supports the conversion of existing non-residential uses to housing, provided a satisfactory residential environment can be achieved; the use would be compatible with nearby uses; appropriate open space, amenity and car and cycle parking is appropriate. This is assessed below.

Policy Hou 4 seeks an appropriate level of density on each site with regard to the characteristics of the surrounding area; the creation of an attractive living environment; and the accessibility of the site including access to public transport. The creation of an additional flat in this high density residential area with good public transport links is compliant with policy Hou 4.

The proposal complies with LDP Policies Hou 1 and Hou 4 and is acceptable in principle.

b) Impact on the 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 existing building is formed of facing concrete blocks with uPVC double glazed window units. The building does not make a significant or positive contribution to the character or appearance of the conservation area.

The external alterations would use materials that are in keeping with the type and style of the neighbouring properties. The uPVC windows proposed would be constructed to match the design of other windows in the building and would be acceptable within the context of the property. The proposed external alterations are compatible with the existing dwelling and will preserve the character and appearance of the conservation area.

The proposal would preserve the character and appearance of the conservation area. The proposal complies with LDP Policy Env 6.

c) Creation of a Satisfactory Residential Environment/Neighbouring Residential Amenity

The Edinburgh Design Guidance (EDG) states that new dwellings with one-bedrooms should have a minimum floor area of 52 square metres. The one-bedroom flat will have floor area of approximately 52 square metres. The floor area of the property meets the standards set out in the EDG. All habitable rooms within the flat will receive adequate levels of daylight through the proposed window openings.

There is no amenity space situated within the site. However, the site lies in close proximity to Pilrig Park and the Water of Leith Walkway. Prospective residents will therefore be within convenient walking distance of several high-quality amenity spaces.

The proposed use would be compatible with the surrounding area and would not introduce activities that would have the potential to adversely affect existing residential amenity.

The proposal will result in the creation of a satisfactory residential environment and the exception to policy Hou 5 with regard to amenity space is justified in this instance.

d) Parking, cycling and road/pedestrian safety

The Road Authority has been consulted and does not object to the proposal. The proposal is located in Zones 1 to 8 and would be eligible for one residential parking permit, in accordance with guidance. This is in compliance with Transport policy which seeks to minimise car movement in the City. The proposal would have sufficient internal space for bike storage.

The proposal complies with LDP Policies Tra 2 and Tra 3.

e) Public comments

Material Comments - Objection:

- Proposal represents overdevelopment - addressed in 3.3a);
- Negative impact on neighbouring amenity - addressed in 3.3c);
- Proposal is out of neighbourhood character - addressed in 3.3b);
- Proposed materials are inappropriate within the conservation area - addressed in 3.3b);
- Removal of private parking provision - addressed in 3.3d);

Conclusion

The proposal would represent an appropriate development, that would respect the character and appearance of the area. It would provide adequate levels of amenity for future occupiers and would have no adverse effect on neighbouring residential amenity.

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

3.4 Conditions/reasons/informatives

Informatives

It should be noted that:

1. The applicant should be advised that, as the development is located in Zones 1 to 8, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013.

See

https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf (Category B - Newly sub-divided or converted).

2. This consent is for planning permission only. Work must not begin until other necessary consents, e.g. listed building consent, have been obtained.
3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.
5. The works hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

Financial impact

4.1 The financial impact has been assessed as follows:

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

Eight objections were received in relation to the proposal. The material considerations raised have been summarised and addressed in the assessment sections of the report.

Background reading / external references

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

Statutory Development

Plan Provision

Edinburgh local Development Plan

Date registered

30 July 2020

Drawing numbers/Scheme

01-04,05A,06-08,

Scheme 2

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

LDP Policy Des 12 (Alterations and Extensions) sets criteria for assessing alterations and extensions to existing buildings.

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

LDP Policy Hou 4 (Housing Density) sets out the factors to be taken into account in assessing density levels in new development.

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.

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'GUIDANCE FOR HOUSEHOLDERS' provides guidance for proposals to alter or extend houses or flats.

Other Relevant policy guidance

The Pilrig Conservation Area is characterised by its varied street pattern and terraced properties, contrasted with the green space of Pilrig Park and Rosebank Cemetery. The scale is set by two storey housing.

Appendix 1

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Consultations

Road Authority's response:

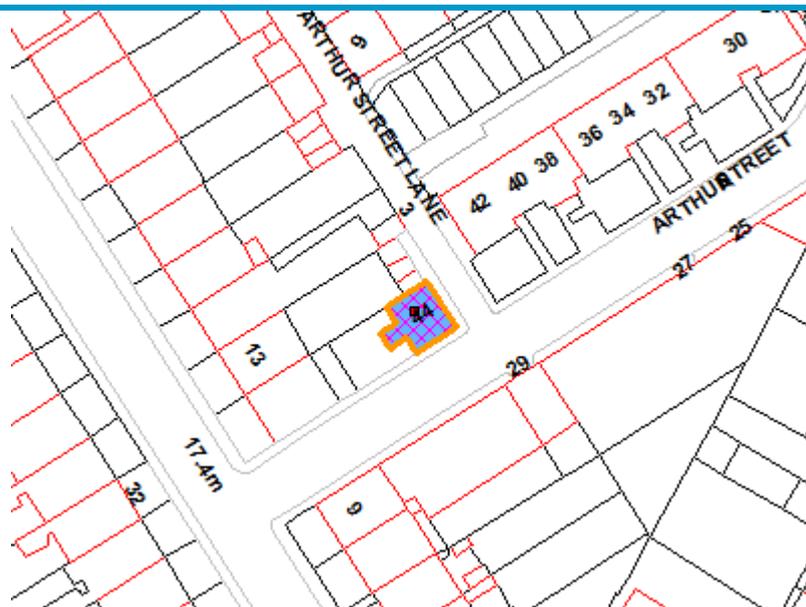
No objections to the application subject to the following being included as conditions or informatives as appropriate:

1. The applicant should be advised that, as the development is located in Zones 1 to 8, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See https://democracy.edinburgh.gov.uk/Data/Transport%20and%20Environment%20Committee/20130604/Agenda/item_77_-_controlled_parking_zone_amendments_to_residents_permits_eligibility.pdf (Category B - Newly sub-divided or converted);

Note:

Zero car parking is considered acceptable.

Location Plan



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