

Development Management Sub Committee

Wednesday 18 August 2021

Application for Planning Permission 21/03148/FUL At Abercorn Nursing Home, 11 Abercorn Terrace, Portobello East

Change of use, extension and alteration of existing nursing
care home to form 8 residential dwellings (as amended).

Item number

Report number

Wards

B17 - Portobello/Craigmillar

Summary

The proposed change of use to residential accommodation is acceptable and complies with the Edinburgh Local Development Plan.

The proposal will provide acceptable living conditions for future occupiers and will not result in any loss of privacy to neighbouring properties and is acceptable in terms of parking provision. The proposed alterations and extensions are acceptable. The proposals will preserve the character and appearance of the conservation area.

There are no material considerations which outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LHOU01, LHOU05, LDES12, LEN06, LTRA02, LHOU02, LHOU04, NSG, NSGD02, CRPPOR,

Report

Application for Planning Permission 21/03148/FUL At Abercorn Nursing Home, 11 Abercorn Terrace, Portobello East Change of use, extension and alteration of existing nursing care home to form 8 residential dwellings (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 is a detached Victorian villa previously used as a nursing home. It is two storey in height. The front area is laid out as a parking area.

There is a later extension to the rear.

This application site is located within the Portobello Conservation Area.

2.2 Site History

8 November 1995 - Planning application granted to alter and extend nursing home (application reference: 93/00568/FUL).

Main report

3.1 Description Of The Proposal

The application is for planning permission for the change of use from nursing home to eight residential flats. Four of them would have one bedroom, three of them would have two bedrooms and one would have three bedrooms. The unit sizes are as follows:

Plot 1 - 1 bedroom flat 58sq.m
Plot 2 - 1 bedroom flat 52sq.m
Plot 3 - 1 bedroom flat 57sq.m
Plot 4 - 2 bedroom flat 69sq.m
Plot 5 - 2 bedroom flat 104sq.m
Plot 6 - 3 bedroom townhouse 144sq.m
Plot 7 - 1 bedroom flat 77sq.m
Plot 8 - 2 bedroom flat 78sq.m

Alterations consist of the creation of a small single storey extension with flat roof to the south east corner of the existing extension and a further small extension to the south west corner. There will be a box type roof dormer with a small terrace to the rear. Traditional dormers will be formed to the front. A section of the modern rear extension will also be demolished to allow light into the new units. The concealed roof valley will be covered over to create the attic flat. There will be new rooflights in various positions.

In terms of the open space, there is a provision of four private gardens and a communal garden for the other four properties either side of the parking areas.

The car park largely remains to the front which is designated for eight spaces and additional provision for 12 bikes has been proposed to the front of the parking. A bin store location has also been shown to the front.

Previous scheme

The proposals were amended to meet privacy standards

Supporting documents

The following information has been submitted in support of the application and is available to view on the Planning and Building Standards Online Services:

- Design statement
- Bat survey and assessment initial report
- Report on stage 02 Bat and protected species

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 principle of the development is acceptable;
- b) the development preserves or enhances the character and appearance of the conservation area
- c) the scale, design and materials are acceptable
- d) residential amenity is acceptable
- e) traffic and car parking are acceptable
- f) public comments have been addressed

a) Principle of Development

Policy Hou 1 Housing Development of the Edinburgh Local Development Plan (LDP) supports housing on suitable sites in the urban area, provided that the proposals are compatible with other policies in the Plan. The application site is in the urban area as defined in the LDP and the surrounding area is residential in character.

Policy Hou 2 (Housing Mix) seeks a mix of house types and sizes where practicable. The proposed mix of one, two and three bedrooled units meets this requirement.

Policy Hou 4 (Housing Density) seeks an appropriate density of development based on the characteristics of the surrounding area. This is a high density development but it re-uses an existing building and its density is similar to flatted developments in the area. It complies with policy Hou 4.

The proposal is a suitable site within the urban area. The proposal complies with other relevant policies in the LDP. The proposal complies with LDP policy Hou 1.

In addition, policy Hou 5 sets out the criteria for the conversion of non-residential buildings to housing. It 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; and appropriate open space, amenity and car and cycle parking are provided. These are assessed below.

b) The proposals will adversely affect the character and appearance of the conservation area

Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 which 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."

Policy Env 6 Conservation Areas - Development of the LDP permits development that preserves or enhances the special character or appearance of the conservation area and demonstrates a high standard of design, utilising appropriate materials to the historic environment.

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high-quality architecture, and the predominant use of traditional building materials.

In terms of the appearance of the conservation area, there will be an enhancement with the reduction in parking to the front and the introduction of some small areas of greenspace to the side of this. This will improve the setting of the building in the streetscape. The new traditional dormers to the front will have a neutral impact. It is acknowledged they will have zinc returns but they will blend into the roof as small additions.

In terms of the character of the conservation area, the proposal to return the building to residential use is compatible with the residential character of the area. The new extensions are minor additions to the rear and the removal of part of the later extension improves the rear area. The new box dormer to the rear is acceptable in the context of the existing modern extension. Other changes such as the new rooflights and infilling of the valley will have a neutral impact on the overall character of the conservation area.

The proposals preserve and enhance the character and appearance of the conservation area, in accordance with section 64 of the Act and LDP Policy Env 6.

c) Scale, design and materials

LDP Policy Des 12 (Alterations and Extensions) states that planning permission will be granted for alterations to existing building where there will not be an unreasonable loss of privacy or natural light to neighbouring properties and where it would not be detrimental to neighbourhood amenity and character and the character of the existing building.

The proposal largely utilises the existing building and any changes and additions are in character with the rest of the building in the context of a modern extension to the rear. The scale of the alterations is minor and the materials are considered acceptable. There is no detrimental impact on the character of the existing building or the neighbourhood amenity and character in compliance with policy Des 12.

d) Residential Amenity

Amenity of future occupants

Policy Hou 5 of the LDP states that planning permission for the change of use of existing buildings in non-residential use to housing will be supported provided a satisfactory residential environment can be achieved, housing is compatible with nearby uses and appropriate open space, amenity and car and cycle parking standards are met.

The non-statutory Edinburgh Design Guidance (EDG) states studio apartments should achieve a minimum floor area of 52 square metres for one bed, 66 square metres for two bed and 81 square metres for one bed flats. The floor area of each flat is satisfactory and would exceed minimum size standards as set out in the Edinburgh Design Guidance. Each flat would receive sufficient daylight.

LDP Policy Hou 3 (Private Green Space) states that planning permission will be granted for development that makes adequate provision for green space to meet the needs of future residents.

The property has shared garden space for four properties of over 70 square metres which exceeds the requirement for shared gardens. The other four properties benefit from a private garden space. In addition, the site is also located in a very close proximity to the larger public space and within walking distance of other good quality amenity spaces. As such the proposal complies with LDP Policy Hou 3.

Environmental Protection was consulted as part of the assessment of the application and are satisfied the proposal raises no issues with regards to occupier amenity.

Waste details were submitted to the Council's Waste Team, who are satisfied with the proposed waste strategy.

Amenity of neighbouring residents

LDP Policy Des 12 (Alterations and Extensions) states that planning permission will be granted for alterations to existing building where there will not be an unreasonable loss of privacy or natural light to neighbouring properties

The proposal will not result in the loss of daylight or sunlight to neighbouring properties since there are no major external changes which will result in adverse impacts. The small rear extensions would not significantly change the current position of the development in relation to boundaries.

In terms of the privacy, the amended drawings have been submitted to reflect changes in the rear windows. The first scheme would overlook the neighbouring garden and the amended scheme resolves this. In terms of the proposed rear dormer, the windows are 14 metres from the common boundary and distanced more than 28 metres from neighbouring windows and will have no impact on privacy.

In this instance the proposal does comply with the guidance to privacy to surrounding properties.

Overall, the proposal will achieve an acceptable level of amenity, in compliance with LDP Policies Hou 5, Hou 3 and Des 12.

e) Traffic and Car parking

LDP Policy Tra 2 (Private Car Parking) and Tra 3 (Cycle Parking) are applicable.

The site is well served by public transport, walking and cycling links. The site currently has eight car parking spaces and the application does not propose any alteration to this, which complies with the Council's parking standards.

The proposal also has allocation for twelve cycle parking spaces. Whilst the Roads Authority does not raise an objection to the application, it requires 16 spaces and states the current location is not sufficiently secure. In addition, cycle stands should be Sheffield type. A condition has been applied to ensure policy Tra 3 is met.

Overall, the proposed parking arrangements are acceptable, in compliance with LDP Policy Tra 2 and Policy Tra 3 subject to a condition.

f) Public comment

Material Comments: Objection:

- Privacy issue. This has been assessed in section (d).
- Proposed front dormers materials would be too obtrusive and detrimental to the appearance of the conservation area. This has been assessed in section (b).

Non- Material Comments: Objection:

- Measurements and dimensions are not added on plans. There is no statutory requirement to provide measurements on the drawings. They are scaled to allow assessment.
- Inaccurate drawings. The submitted plans provided sufficient information for the determination of this application.
- No detailed drawings to show drainage and ventilation. This would be assessed under the building warrant process.

Material Comments: Support:

- Considered and sensitively designed.

Material Comments: Neutral:

- Opportunity to install swift nest bricks. This has been added as an informative.

Conclusion

The proposed change of use to residential accommodation is acceptable and complies with the Edinburgh Local Development Plan.

The proposal will provide acceptable living conditions for future occupiers and will not result in any loss of privacy to neighbouring properties and is acceptable in terms of parking provision. The proposed alterations and extensions are acceptable. The proposals will preserve the character and appearance of the conservation area.

There are no material considerations which outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

1. A detailed specification, including trade names where appropriate, of all the proposed external materials shall be submitted to and approved in writing by the Planning Authority before work is commenced on site; Note: samples of the materials may be required.
2. 16 cycle parking spaces shall be provided in a secure and undercover location to be agreed by the Planning Authority. The agreed spaces shall thereafter be implemented prior to the occupation of the residential properties hereby approved. NB Parking spaces may have to be reduced to allow for sufficient cycle parking.
3. Electric charging points shall be installed in accordance with the Edinburgh Design Guidance prior to the occupation of the residential properties hereby approved.

Reasons:-

1. In order to enable the planning authority to consider this/these matter/s in detail.
2. To ensure cycle parking standards are met
3. To accord with design policies and guidance.

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

Financial impact

4.1 The financial impact has been assessed as follows:

There are no financial implications to the Council.

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 previous use of the property was as a care home and therefore the loss of this facility should be considered in terms of the impacts on people with protected characteristics.

The applicant has confirmed that the care home closed permanently in February 2021 and that it had effectively become obsolescent with new care facilities opening within the catchment area at Seafield and Musselburgh which were designed to fully meet modern regulations and market expectations including, critically, phasing out shared rooms with all residents guaranteed a single private room with en-suite facilities.

Abercorn Care Home had run for many years with an occupancy of 22 persons but when the occupancy reduced to 17 persons to avoid use of shared rooms, the operation was found to be no longer economically viable.

As alternative better quality provision has been made in the catchment area, there is no adverse impact on people with protected characteristics.

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 scheme has received a total of ten representations, seven objecting, two neutral and one in support.

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 - Urban Area

Date registered

8 June 2021

Drawing numbers/Scheme

01-04, 05A-08A, 09-12, 13A-19A,

Scheme 2

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

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

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.

The Portobello Conservation Area Character Appraisal emphasises the village/small town character of the area, the importance of the long sea-front promenade, the high quality architecture, and the predominant use of traditional building materials

Appendix 1

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Consultations

Environmental Protection

The application proposes the change of use a nursing home to 8 residential units. The site is within a generally residential area with Abercorn Park situated to the north.

The application proposes 8 car parking spaces which is the same as the existing provision on site. Abercorn Terrace sits on a main arterial route into Portobello and is well serviced with public transport and excellent walking and cycling routes. The application has not delivered any options which would assist the Council in reducing air pollution or assist in dealing with the climate emergency. In this regard, the applicant has included 100% car parking provision, no electric vehicle charging infrastructure at the parking spaces and has included gas as a means of energy (which only serves to increase the background NOx levels in the locality). Environmental Protection would have preferred to see a car free development in this position or if parking is proposed then it should be reduced and include electric charging infrastructure. In addition, the use of gas does not accord with future Council aspirations for sustainable measures included within new homes. Environmental Protection would therefore urge the developer to reconsider the above issues to make the development more sustainable.

However, based on existing planning policy, Environmental Protection does not object to the application.

Waste Management

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

Waste strategy agreed at this stage Y/N Y

I have been in contact with the architect for this development and I can confirm that they have provided the information for the waste collections and these are shown to be in line with our instruction for architects guidance and the developments waste and recycling requirements have been fully considered (guidance available here <https://www.edinburgh.gov.uk/wasteplanning>).

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 in line 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.

Road Authority

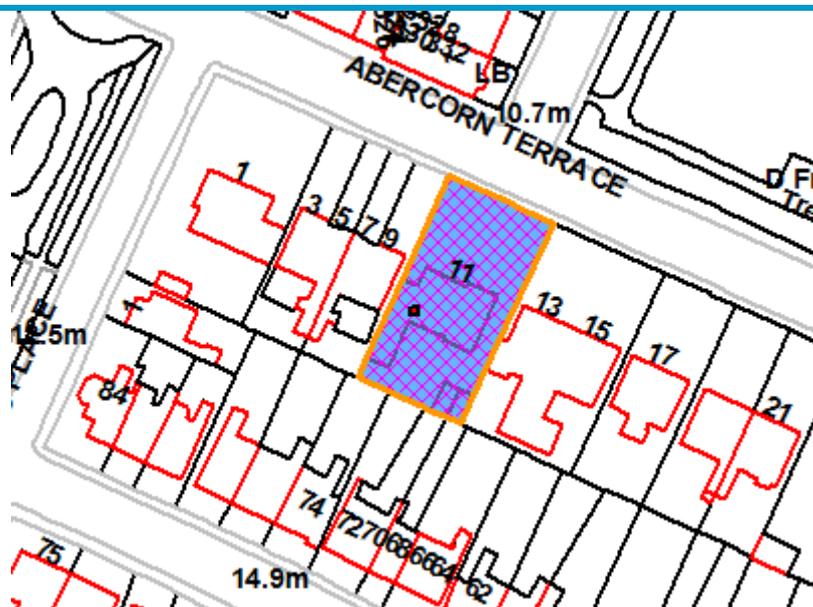
No objections to the proposed applications subject to the following conditions and informatives being included as appropriate:

- 1. The applicant should be required to provide a minimum of 16 cycle parking spaces in a secure and undercover location. See note below;*
- 2. 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.*

Note:

The proposed cycle parking location is not considered sufficiently secure. Cycle parking stands should of the Sheffield type and not require users to lift cycles.

Location Plan



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