

Development Management Sub Committee

Wednesday 28 August 2019

**Application for Planning Permission 19/01930/FUL
At 20 Thistle Street North West Lane, Edinburgh, EH2 1EA.
Change of Use from Offices to Hotel with ancillary bar and
restaurant. Removal of existing and erection of new
extension to form additional accommodation.**

Item number

Report number

Wards

B11 - City Centre

Summary

The proposals comply with the Edinburgh Local Development Plan and non-statutory guidelines. The principle of the use is acceptable at this location. The proposal would have no adverse effect on the character of the listed building, or the character and appearance of the conservation area and the Edinburgh World Heritage Site. The development would have no detrimental impact on residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

Links

[Policies and guidance for this application](#)

LDPP, LDEL01, LDES01, LDES03, LDES12, LEN01, LEN03, LEN04, LEN06, LEN09, LEN12, LEN21, LEMP10, LHOU07, LTRA02, LTRA03, LTRA04, NSG, NSGD02, OTH, CRPNEW, HEPS, HESCAC,

Report

Application for Planning Permission 19/01930/FUL At 20 Thistle Street North West Lane, Edinburgh, EH2 1EA Change of Use from Offices to Hotel with ancillary bar and restaurant. Removal of existing and erection of new extension to form additional accommodation.

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 Stewart House, an A listed (date of listing: 03.03.1966, reference: LB29546), two and three storey building located within Thistle Street North West Lane. The building forms part of the listing with 26, 26A and 27 Queen Street. The building was originally built as a bindery around 1888 before being converted for training and office use in 1981. The appearance of the building has been heavily altered with later additions. The front elevation of the building has a squared and snecked stone finish and the rear elevation has a painted roughcast finish.

The existing lane is commercial in character and is of mixed appearance. Adjacent to the application site is the rear parking entrance to the Travelodge Hotel, which is a four storey bricked building. The application site to the north fronts onto the rear elevation of the three storey and basement townhouses at 26-29 Queen Street.

The site is within the Edinburgh World Heritage Site.
This application site is located within the New Town Conservation Area.

2.2 Site History

22 February 2019 - Application withdrawn: Complete demolition of two-storey non-original building (application reference: 18/07440/CON).

22 February 2019 - Application withdrawn: Internal and external alterations (application reference: 18/09658/LBC).

22 February 2019 - Application withdrawn: Change of use from offices to hotel accommodation with ancillary bar and restaurant, demolition of non-original buildings, and erection of new extension to form additional hotel accommodation (application reference: 18/02752/FUL).

Decision pending for: listed building consent submitted for internal and external alterations at number 22 Thistle Street North West Lane and removal of extension building at No. 20 Thistle Street North West Lane with erection of new building extension (application number 19/01981/LBC).

Main report

3.1 Description Of The Proposal

The proposal is to convert the existing office building to form a 61 bed hotel use with an ancillary bar and restaurant use.

A number of down takings and external alterations to the front and rear of the existing building are proposed. These include the replacement of roof slates with natural slate to match the existing and the replacement of timber casement windows with dark grey aluminium windows.

It is proposed to part demolish and rebuild the adjoining two storey building where the existing squared and snecked stone is to be re-used to the front. This rebuilt section will include an additional floor level with flat roof clad in dark grey metal. The development would also include a three storey, flat roof, side extension with a buff brick finish.

No provision for car parking is proposed.

A provision of 14 cycle parking spaces will be provided internally on the lower ground floor.

One category B (Birch) and four category C (Sycamore, Ash and Elm) trees within the site are to be removed.

Supporting Statement

The applicant has submitted the following information in support of the application:

- Planning Statement
- Conservation Area Statement
- Noise Impact Assessment
- Arboriculture Survey

These documents are available to view via the Planning and Building Standards online services.

3.2 Determining Issues

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

Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that in considering whether to grant planning permission for development

which affects a listed building or its setting, a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states - special attention shall be paid to the desirability of preserving or enhancing the character or appearance of the conservation area.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the principle of hotel development is acceptable in this location;
- b) the development design will preserve or enhance the character and appearance of the conservation area;
- c) the proposal will affect the setting and character of the listed buildings;
- d) the proposal will impact on the outstanding universal value of the world heritage site;
- e) the proposal will impact on neighbouring amenity;
- f) any other material considerations are relevant; and
- g) any matters raised in representations have been addressed.

a) Principle

Policy Emp 10 Hotel Development of the adopted Edinburgh Local Development Plan (LDP) states that a hotel development will be permitted in the City Centre where developments may be required to form part of mixed use schemes, if necessary to maintain city centre diversity and vitality, especially retail vitality on important shopping frontages; and in locations within the urban area with good public transport access to the city centre.

The application site lies within the City Centre and the principle of converting the building to a hotel use in this location is acceptable, subject to compliance with other policies contained in the plan.

The proposal complies with policy Emp 10.

b) Development Design and Conservation Area

The site is located within the New Town Conservation Area. The character appraisal states the following:

The development of the New Town has resulted in a building stock of extraordinary quality which has proved to be both durable and capable of adaptation, both to the needs of changing residential standards and to different uses.

The re-building of the façade at No.20 will result in the removal of the existing incoherent rear extensions and restore the original building line to the rear as well as extending the built form eastward as part of a co-ordinated development. It will re-use the existing squared and snecked stone to the main frontage and an additional storey will be added that will be finished in dark grey metal cladding. The proposed increase in height will retain a subservience in scale to the original building at no.22. The additional three storey extension will be contemporary in design and appearance, being finished in buff brick and metal cladding. The use of grey metal cladding will break up the elevation treatment and the flat roof will translate the proposals as modern additions without overwhelming the narrowness and confines of the existing lane and contrasting with the existing painted roughcast finish to the rear of no.22. The adjacent Travelodge is a larger development constructed in brick and due to its scale, it has altered the character and appearance of the lane. This part of the conservation area has undergone changes, and brick forms a characteristic material within the lane.

The alterations to no.22 will be relatively minor and are primarily cosmetic. The existing non-original windows will be replaced with aluminium windows, a reference to the building's industrial past, window lights will be added and there will be a slight reconfiguration at ground floor level to alter the entrance. The proposed finish will improve the appearance of the building without undermining the architectural quality of the area. The proposal will have a positive impact on the character and appearance of the conservation area.

The proposal complies with policies Des 1, Des 2, Des 3, Des 12 and Env 6 of the LDP.

c) Setting and Listed Buildings

The Historic Environment Policy for Scotland (HEPS) outlines how the Council should undertake the collective duty of care whenever a decision in the planning system will affect the historic environment. There are three key areas which define how the historic environment should be understood, recognised and managed to support participation and positive outcomes, including "Managing Change" under policies HEP2, HEP3 and HEP4.

The proposed massing of the development is an improvement in terms of what is currently there. The re-built section will be set further back from the rear of the listed buildings on Queen Street and it will remain subservient in scale. This in turn will provide a modest improvement to the setting of the listed buildings.

The partial removal of a wall shared between the application site and 26 and 27 Queen Street will not be detrimental to the setting of the listed buildings.

The proposal will have a neutral impact on nearby listed buildings and complies with policies Env 3 and Env 4 of the LDP.

d) Impact on World Heritage Site

Policy Env 1 World Heritage Sites states that development which would harm the qualities which justified the inscription of the Old and New Towns of Edinburgh as a World Heritage Sites or would have a detrimental impact on the Site's setting will not be permitted.

Section (b) and (c) of this report address the impact of the proposal where the character of the New Town conservation area and the presence of important listed buildings contribute to the outstanding universal value of the World Heritage Site.

The proposal will have a neutral impact on the World Heritage Site.

e) Neighbouring Amenity

Policy Des 12 Alterations and Extensions states that planning permission will be granted for extensions to existing buildings which will not result in an unreasonable loss of privacy or natural light to neighbouring properties.

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

A noise impact assessment was submitted and Environmental Protection is satisfied that the proposed hotel use, with an ancillary bar and restaurant, will not have an adverse impact on neighbouring amenity in terms of noise. The nearest property is around eight metres away. However, this close proximity to a mix of uses is to be expected in the city centre.

Given the established characteristics of the site and the distance to neighbouring buildings, the re-built section of No. 20 and the new extensions to the side and rear will not have an adverse impact on neighbouring amenity in terms of loss of privacy, sunlight or result in adverse overshadowing. The proposal will not prejudice neighbouring developments.

Concerns were raised regarding the proposed lower ground floor cold water storage tank and the booster pump in terms of noise and health concerns. Environmental Protection has no concerns as the pumps will be internal. Environmental Protection has also advised that the installation of a cold-water tank is common but its compliance with health and safety standards will be addressed through the building regulations.

A condition is required to ensure that the proposed flue for the restaurant and bar element is installed prior to the use being taken up. This is to safeguard neighbouring amenity in terms of cooking odours.

The proposal complies with Policy Env 12 and Hou 7 of the LDP.

f) Other material considerations

Road Safety

Policies Tra 2, Tra 3 and Tra 4 of the LDP sets out the requirement for private car and cycle parking. The car and cycle parking standards are contained in the Edinburgh Design Guidance.

The site lies within the city centre with good public transport accessibility. The proposed provision of zero car parking spaces complies with the maximum parking standards for Zone 1.

The proposed 8 cycle provision exceeds the minimum standards for Zone 1 and this is acceptable.

Transport Planning has raised no issues on road safety grounds and a traffic impact assessment was not required for the nature of the proposal in this location. Given the site's accessibility to public transport and provision for zero car parking, the proposal will not have an adverse impact on air quality.

The proposal complies with policies Tra 2, Tra 3 and Tra 4 of the LDP.

Developer Contributions and Infrastructure Delivery

Policy Del 1 Developer Contributions and Infrastructure Delivery states that proposals will be required to contribute towards transport proposals and safeguards, including the existing and proposed tram network.

Based on the proposed 61 bed hotel use and the existing 1,860 sq m office use, the proposal is required to contribute a net sum of £10,471 to the Edinburgh Tram in line with the finalised Supplementary Guidance on Developer Contributions and Infrastructure Delivery. This will be secured via a legal agreement.

Archaeology

Policy Env 9 Development of Sites of Archaeological Significance seeks to protect and enhance archaeological remains.

The proposal will potentially have low to moderate archaeological impacts as a result of later 20th century alterations and demolition on the site. A condition requiring the implementation of a programme of archaeological works is required.

Flooding Issues

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.

Flood Planning has requested that a flood risk assessment (FRA) be submitted as a small segment at the rear of no.22 falls within a surface water flood risk area. The area of the site is already developed and is formed of hard standing, and with no soft landscaping present. In these circumstances the requirement to submit an FRA would not be reasonable or proportionate.

Trees

Policy Env 12 Trees of the LDP states that development will not be permitted if likely to have a damaging impact on a tree protected by a Tree Preservation Order or on any other tree or woodland worthy of retention unless necessary for good arboriculture reasons. Where such permission is granted, replacement planting of appropriate species and numbers will be required to offset the loss to amenity.

It is proposed to remove five trees from within the site to facilitate the proposed extension. The trees are not part of a structured landscaping scheme. They have become established in locations where it is not viable for them to mature. While the trees have some local interest, they make a minimal contribution to the character and appearance of the conservation area. The removal of the trees is acceptable and the proposal complies with policy Env 12.

Waste

Issues relating to the arrangement for commercial waste is a private matter and is not controlled or conditioned through planning.

Matters raised in representations addressed

Material - Objection

- Change of use - Addressed in Section 3.3 (a).
- Will impact on World Heritage Site - Addressed in Section 3.3 (d)
- Impact on the character and appearance of the conservation area - Addressed in Section 3.3 (b).
- Contrary to policy Des 2 Co-ordinated Development - Addressed in Section 3.3 (b).
- Removal of party wall will be detrimental to the setting of the listed buildings (between the gardens at Numbers 26 and 27 Queen Street) - Addressed in Section 3.3 (c).
- Impact on neighbouring amenity-noise, privacy, sunlight, overshadowing, smells from cooking, and would prejudice neighbouring developments- Addressed in Section 3.3 (e).
- Loss of trees - Addressed in Section 3.3 (f).
- Road safety and traffic impact- Addressed in Section 3.3 (f).
- Drainage issues - Addressed in Section 3.3 (f).
- Pollution - Addressed in Section 3.3 (f).
- Demolition of A listed building - Addressed in Section 3.3 (c).
- Use unacceptable - Addressed in Section 3.3 (a).

Non Material - Objection

- Health and safety concerns of potential fire incident and contracting legionnaire's disease from cold water storage tanks - Compliance with the relevant regulations would be addressed through Building Standards.
- Loss of views - there is no right to a particular view.
- A condition is required to restrict access to the terraces and balcony - planning does not control access and this would not meet tests for an effective planning condition.
- 65 Thistle Street not neighbour notified - Statutory neighbour notifications are sent to properties residing within 20 metres of the application site.
- More street bins - planning cannot control the collection arrangements for private commercial waste.
- Impact of construction affecting access to existing car parking - not a planning matter.
- Boundary dispute - issues of landownership is a civil matter and is not resolved through planning.

Material - Support

- Will provide much needed high quality city centre hotel accommodation - Addressed in Section 3.3 (a).
- Appropriate re-use of a historic building - Addressed in Section 3.3 (a).
- Sympathetic intervention - Addressed in Section 3.3 (b).
- Complies with the relevant policies - Addressed in Section 3.3 (a) to (f).

Conclusion

The proposals comply with the Edinburgh Local Development Plan and non-statutory guidelines. The principle of the use is acceptable at this location. The proposal would have no adverse effect on the character of the listed building, or the character and appearance of the conservation area and the Edinburgh World Heritage Site. The development would have no detrimental impact on residential amenity, road safety or infrastructure. There are no identified impacts on equalities or human rights and no material considerations that outweigh this conclusion.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. No 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.
2. Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, as show on drawing numbers L(PL)025 and L(PL)131 both dated 8/6/2018 shall be implemented

3. Notwithstanding the approved drawings, sample/s of the proposed buff brick on the development shall be submitted to and approved in writing by the Planning Authority before commencing work on the site.

Reasons:-

1. In order to safeguard the interests of archaeological heritage.
2. In order to safeguard the amenity of neighbouring residents and other occupiers.
3. In order to enable the planning authority to consider this/these matter/s in detail.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement has been concluded in relation to tram contributions.

The legal agreement should be concluded within 6 months of the date of this notice. If not concluded within that 6 month period, a report will be put to committee with a likely recommendation that the application be refused.

2. The development hereby permitted shall be commenced no later than the expiration of three years from the date of this consent.

3. No development shall take place on the site until a 'Notice of Initiation of Development' has been submitted to the Council stating the intended date on which the development is to commence. Failure to do so constitutes a breach of planning control, under Section 123(1) of the Town and Country Planning (Scotland) Act 1997.

4. As soon as practicable upon the completion of the development of the site, as authorised in the associated grant of permission, a 'Notice of Completion of Development' must be given, in writing to the Council.

5. It should be noted that when designing the exhaust ducting, Heating, ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance.

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment.

All proposed energy plant must comply with the Clean Air Act 1993, details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require secondary abatement technology. Biomass is not appropriate for this site.

6. It should be noted that Environmental Health enforce construction site noise under the Control of Pollution Act 1974. The applicant is advised that noise from construction should be limited to Monday to Saturday during 07:00-19:00. Environmental Protection recommends that the applicant ensures that construction site progress is communicated to any concerned neighbours. This could be in the form of a website detailing key activities. Dust and fumes from construction sites which are near other buildings must also be considered.

Construction Mitigation

a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.

b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.

c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.

d) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.

e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.

f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.

g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.

h) No bonfires shall be permitted.

Financial impact

4.1 The financial impact has been assessed as follows:

The application is subject to a legal agreement for developer contributions.

Risk, Policy, compliance and governance impact

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

Equalities impact

6.1 The equalities impact has been assessed as follows:

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

Sustainability impact

7.1 The sustainability impact has been assessed as follows:

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

Consultation and engagement

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 3 May 2019 and the proposal attracted 18 representations; 13 objected and 5 supported the proposal. The representations received are addressed in the assessment section in 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**

The site is an urban area as designated in the Edinburgh Local Development Plan and the New Town Conservation Area.

Date registered

18 April 2019

Drawing numbers/Scheme

01-28.,

Scheme 1

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 Del 1 (Developer Contributions and Infrastructure Delivery) identifies the circumstances in which developer contributions will be required.

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

LDP Policy Env 1 (World Heritage Site) protects the quality of the World Heritage Site and its setting.

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

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

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.

LDP Policy Tra 4 (Design of Off-Street Car and Cycle Parking) sets criteria for assessing design of off-street car and cycle parking.

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.

Other Relevant policy guidance

The New Town Conservation Area Character Appraisal states that the area is typified by the formal plan layout, spacious stone built terraces, broad streets and an overall classical elegance. The buildings are of a generally consistent three storey and basement scale, with some four storey corner and central pavilions.

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

HES Interim Guidance on Conservation Area Consent sets out Government guidance on the principles that apply to the demolition of unlisted buildings in conservation areas

Appendix 1

Application for Planning Permission 19/01930/FUL At 20 Thistle Street North West Lane, Edinburgh, EH2 1EA Change of Use from Offices to Hotel with ancillary bar and restaurant; removal of existing and erection of new extension to form additional accommodation.

Consultations

Transport Planning

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

1. Contribute the net sum of £10,471 (based on proposed 61 bed hotel use and existing 1860m² office use in Zone 2) to the Edinburgh Tram in line with the approved Tram Line Developer Contributions report. The sum to be indexed as appropriate and the use period to be 10 years from date of payment (see note b);
2. The applicant proposes to use existing service and refuse collection arrangement on Thistle Street North West Lane for the proposed 61 bed hotel.
3. The applicant proposes 8 secure cycle provision for the proposed 61 bed hotel and complies with the Council's 2017 Parking Standards which requires a minimum of 6 secure cycle parking provision in Zone 1.
4. The City of Edinburgh Council acting as Roads Authority reserves the right under Section 93 of The Roads (Scotland) Act 1984 to adjust the intensity of any non-adopted lighting applicable to the application address.

Note:

- a) The applicant proposes zero parking provision and complies with the Council's 2017 parking standards which allows a maximum of 12 parking provision for the proposed development in Zone 1. The site has good public transport accessibility.
- b) Tram contribution of the proposed 61 bed hotel = £138,000; existing 1860m² office of use contribution = £127,529; net tram contribution = £10,471

Archaeology

Further to your consultation request I would like to make the following comments and recommendations concerning this application for the change of use from offices to hotel with ancillary bar and restaurant; removal of existing and erection of new extension to form additional accommodation

The site occurs at the core of Edinburgh's 18th century New Town, occupying the rear of four properties fronting onto Queen Street. Historic mapping indicates that the site was originally occupied by mews buildings prior to the 1880's when the commercial bindery constructed for William Hunter at No 22 to the rear of 28 & 29 Queen Street.

The second half or the 20th century saw these commercial premises converted first in to training facilities for the Society of Accountants, with the subsequent demolition and rebuilding of part of No20 in the 1980's.

Accordingly, the site and buildings have been identified as of local archaeological significance.

Accordingly, this application must be considered under terms Scottish Government's Our Place in Time (OPIT), Scottish Planning Policy (SPP), Historic Environment Scotland's Policy Statement (HESPS) 2016 and Archaeology Strategy and CEC's Edinburgh Local Development Plan (2016) Policy 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.

Although undesignated this group of buildings are considered to be of local archaeological/historic interest, of particular interest is the former bindery occupying No22. This building is an important survival of the Old Towns Victorian publishing industry. As such it is welcomed that this building is to be retained and converted. The facade of the adjoining No 20 would appear also to be in part contemporary with this main building; however, it has been significantly affected by latter 20th century alterations and demolitions. As such its loss, although adverse, would not be regarded as significant.

Overall the proposals are considered to have a low-moderate archaeological/heritage impacts. Accordingly, if consent is granted it is essential that a historic building survey (phased internal and external elevations and plans, photographic and written survey and analysis) is undertaken prior to and during any alterations and demolition. In addition, this work will be linked with an appropriate programme of archaeological excavation undertaken prior to/during demolition and any ground floor works in order to fully excavate, record and analysis any surviving archaeological 'buried' remains affected by such works.

It is recommended that the following condition be attached to ensure that this programme of archaeological works is undertaken:

'No demolition/development shall take place on the site until the applicant has secured the implementation of a programme of archaeological work (historic building survey, 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.

Environmental Protection

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

19/01930/FUL | Change of Use from Offices to Hotel with ancillary bar and restaurant; removal of existing and erection of new extension to form additional accommodation. | 20 Thistle Street North West Lane

The proposed application site is located within the city centre and is predominantly surrounded by commercial and residential uses. The nearest residential uses to the proposed hotel are flats on the south of NW Thistle Street Lane, facing north, and flats on the southern façades of buildings on Queen Street. The applicant has confirmed that there will be no guest access to the proposed flat roof on the southern façade of the hotel.

The application proposes that the restaurant with ancillary bar will be on the ground floor of the hotel, with windows looking out over NW Thistle Street Lane. A list of proposed plant has been provided by the applicant. Most of plant items will either be installed on the roof, or will vent to the roof. There will also be a water pump located on the lower ground floor.

The applicant has submitted a supporting noise impact assessment to assess all the possible noise source and has demonstrated that the proposed use will have no adverse impact on neighbouring amenity with regards noise. Environmental Protection shall recommend an informative to ensure the applicant follows best practice with regards the installation and operation of plant.

Planning have advised that concerns have been raised regarding the proposed lower ground floor cold water storage tank and booster pump. This part of the proposed development will not be an issue with regards noise as the pumps will be internal and they generally operate quietly. The installation of a cold-water storage tank is common but will need to be installed as per the latest building regulations to ensure safe installation. If planning permission is consented during the operational phase of the development such a storage tank would be regulated under the Health and Safety at Work Act 1974.

It should be noted that Environmental Health enforce construction site noise under the Control of Pollution Act 1974. The applicant is advised that noise from construction should be limited to Monday to Saturday during 07:00-19:00. Environmental Protection recommends that the applicant ensures that construction site progress is communicated to any concerned neighbours. This could be in the form of a website detailing key activities. Dust and fumes from construction sites which are near other buildings must also be considered. Environmental Protection shall recommend a standard informative with recommended mitigation measures.

Cooking Odours

The applicant has provided drawings and elevations highlighting that the commercial kitchen flue will be terminated above roof level. This will ensure that cooking odours and effluvia do not adversely impact neighbouring amenity. Environmental Protection shall recommend a condition is attached to any consent to ensure the flue is installed in accordance with the submitted drawings.

Local Air Quality

If the applicant is proposing an energy centre or centralised boilers they will need to ensure that information is submitted and if required a supporting chimney height calculation as per the Clean Air Act which is anything above 366Kw. The Pollution Prevention and Control (Scotland) Regulations 2012 were amended in December 2017 to transpose the requirements of the Medium Combustion Plant Directive (MCPD - Directive (EU) 2015/2193 of 25 November 2015 on the limitation of emissions of certain pollutants into the air from medium combustion plants). The purpose of the MCPD is to improve air quality. All combustion plant between 1 and 50 MW (net rated thermal input) will have to register or have a permit from SEPA. Environmental Protection will require that secondary abatement technology is incorporated into any plant above 1MW (accumulate assessment).

Therefore, Environmental Protection offer no objections subject to the following conditions being attached to any consent;

Condition

Prior to the use being taken up, the extract flue and ventilation system, capable of 30 air changes per hour, as show on drawing numbers L(PL)025 and L(PL)131 both dated 8/6/2018 shall be implemented.

Informative

It should be noted that when designing the exhaust ducting, Heating, ventilation and Air Conditioning (HVAC) good duct practice should be implemented to ensure that secondary noise is not generated by turbulence in the duct system. It is recommended that the HVAC Engineer employed to undertake the work, undertakes the installation with due cognisance of the Chartered Institute of Building Services Engineers (CIBSE) and American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Guidance.

The design, installation and operation of any plant, machinery or equipment shall be such that any associated noise complies with NR25 when measured within any nearby living apartment.

All proposed energy plant most comply with the Clean Air Act 1993, details of required chimneys should be submitted at the detailed planning stage. Plant above 1Mw may require secondary abatement technology. Biomass is not appropriate for this site.

Construction Mitigation Informative

a) All mobile plant introduced onto the site shall comply with the emission limits for off road vehicles as specified by EC Directive 97/68/EC. All mobile plant shall be maintained to prevent or minimise the release of dark smoke from vehicle exhausts. Details of vehicle maintenance shall be recorded.

b) The developer shall ensure that risk of dust annoyance from the operations is assessed throughout the working day, taking account of wind speed, direction, and surface moisture levels. The developer shall ensure that the level of dust suppression implemented on site is adequate for the prevailing conditions. The assessment shall be recorded as part of documented site management procedures.

c) Internal un-surfaced temporary roadways shall be sprayed with water at regular intervals as conditions require. The frequency of road spraying shall be recorded as part of documented site management procedures.

d) Surfaced roads and the public road during all ground works shall be kept clean and swept at regular intervals using a road sweeper as conditions require. The frequency of road sweeping shall be recorded as part of documented site management procedures.

e) All vehicles operating within the site on un-surfaced roads shall not exceed 15mph to minimise the re-suspension of dust.

f) Where dust from the operations are likely to cause significant adverse impacts at sensitive receptors, then the operation(s) shall be suspended until the dust emissions have been abated. The time and duration of suspension of working and the reason shall be recorded.

g) This dust management plan shall be reviewed monthly during the construction project and the outcome of the review shall be recorded as part of the documented site management procedures.

h) No bonfires shall be permitted.

Should you wish to discuss the above, please do not hesitate to contact me on 0131 469 5160.

Historic Environment Scotland

You should also seek advice from your archaeology and conservation service for matters including unscheduled archaeology and category B and C-listed buildings.

Our Advice

We have considered the information received and do not have any comments to make on the proposals. Our decision not to provide comments should not be taken as our support for the proposals. This application should be determined in accordance with national and local policy on development affecting the historic environment, 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/. Technical advice is available through our Technical Conservation website at www.enginshed.org.

Location Plan



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