

Development Management Sub Committee

Wednesday 13 April 2016

**Application for Planning Permission 15/05310/FUL
At 16 Pilrig Street, Edinburgh, EH6 5AJ
Change of use of existing house to form guest house (class 7).**

Item number	4.7
Report number	
Wards	A12 - Leith Walk

Summary

The proposal has no impact upon the character or appearance of the conservation area and is acceptable in amenity terms. The proposal complies with development plan policies and non-statutory guidelines. No other considerations outweigh this conclusion.

Links

[Policies and guidance for this application](#) LPC, CITEM5, CITT4, CITH6, CITH8,

Report

Application for Planning Permission 15/05310/FUL At 16 Pilrig Street, Edinburgh, EH6 5AJ Change of use of existing house to form guest house (class 7).

Recommendations

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

Background

2.1 Site description

The property currently forms an end-terraced villa, but was original built as an inner pair of a semi-detached villa. Its eastern partner was demolished and has been replaced by modern housing (set back from the frontage and facing Arthur Street rather than Pilrig Street). The house is listed together with the non-contemporary (more recent) terrace built on its west side. This terrace was listed category B on 25.11.1965, ref.29494.

This application site is located within the Pilrig Conservation Area.

2.2 Site History

2 October 1996 - planning permission and listed building consent granted to upgrade property (then laid out as three flats) including major internal alterations (three kitchens and three bathrooms), creation of a rear dormer and a rear extension (reference: 96/00653/FUL+LBC).

1 March 2016 - listed building consent granted for the addition of en-suite facilities in two rear rooms, matching other en-suite facilities throughout (reference: 16/00325/LBC). It is noted that additional restoration works, undertaken at the same time, did not require consent.

Main report

3.1 Description Of The Proposal

The application proposes change of use to a guest house (class 7).

No physical alterations are proposed to the exterior.

Whilst internal alterations are proposed, these do not constitute development and do not require planning permission. These already have listed building consent (see History).

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.

Do the proposals harm the character or appearance of the conservation area? If they do, there is a strong presumption against granting of consent.

In considering whether to grant consent, special regard must be had to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses. For the purposes of this issue, preserve, in relation to the building, means preserve it either in its existing state or subject only to such alterations or extensions as can be carried out without serious detriment to its character.

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) guest house use is acceptable in principle;
- b) loss of a house is acceptable;
- c) parking and access are adequate;
- d) the property impacts on the character or appearance of the conservation area;
- e) comments made have been addressed; and
- f) equality and human rights issues have been addressed.

a) The Principle of Guest House Use is Acceptable

Pilrig Street has a high ratio of existing guest houses and is a traditional location for such uses. The local plan seeks to maintain and develop tourism within the city and guesthouses are an intrinsic component of the city's needs in relation to tourism.

Policy Emp 5 - Hotel Development implicitly covers guest houses. This allows such "in accessible locations in Granton Waterfront and Leith". Pilrig Street is recognised as fitting this definition, and guest-houses are permitted here. In the emerging Second Proposed Plan Emp 10 - Hotel Development would apply. This allows hotel/ guest house use "in locations within the urban area with good public transport access to the city centre". Pilrig Street meets this definition.

Policy does not limit the number of guest houses in areas where these are acceptable, and there is no concept of "overprovision" within existing policy guidelines.

In terms of policy Hou 8 - Inappropriate Uses in Residential Areas, a guest house use is seen as an appropriate use.

In conclusion, the change of use to guest house is acceptable in policy terms.

b) Loss of Housing

Policy Hou 8- Loss of Housing looks at criteria where housing might be lost. In the Second Proposed Plan loss of housing is no longer controlled.

The reversion of the property from three flats to a single property is welcomed, however the property is not well-suited to use as a family home. The property is substantial but lacks any usable garden and lies on a major arterial route, linking Leith Walk to areas to the north-west. The applicants will live on the premises, and the change of use is not seen as a total loss of residential use.

In view of the emerging local plan, the loss of a house is not opposed, as this policy will be removed.

c) Parking and Access

The property lacks parking but lies very close to (less than 100 metres) major public transport routes on Leith Walk.

The property is closer to Leith Walk than the majority of existing guest houses on Pilrig Street, and its absence of parking provision is no different than these numerous existing guest houses, few of which have capacity for off-street parking.

Although the front garden could accommodate two cars, such a change would not be desirable in this location and in this context.

It is noted that the property was historically split into three flats which would have an equally high potential car generation.

The absence of off-street parking is acceptable in this location. The proposal is acceptable in terms of road and pedestrian safety.

d) Impact Upon the Conservation Area and Listed Building

Pilrig Street was laid out from the early 19th century to a regimented feuing pattern, which was observed throughout the 19th century.

No external alterations are proposed and there will be no impact upon the character or appearance of the conservation area.

There is no impact on the external character of the listed building. Internal alterations were minor, and are already approved (see History).

e) Public Comments

Ten objections were received.

Material Comments

- overprovision of guest-houses - addressed in section 3.3 a) of the Assessment;
- lack of parking - addressed in section 3.3 c) of the Assessment; and
- under-provision of family homes - addressed in section 3.3 a) of the Assessment.

Non-material Comments

- abuse of private car park opposite - this is a matter for private resolution.

Community Council

Leith Central Community Council objected on the grounds already discussed and additionally upon the loss of a family house contrary to Hou 6. This is addressed in section 3.3 b) of the Assessment. Objection was also made on grounds of road safety and pollution but as the proposal contains no parking this is not relevant.

f) Equalities and Human Rights

The proposals raise no equalities or human rights concerns.

Conclusion

The proposal has no impact upon the character or appearance of the conservation area and is acceptable in amenity terms. The proposal complies with development plan policies and non-statutory guidelines. No other considerations outweigh this conclusion.

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

2. 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.
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.

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 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 was advertised on 12 February 2016.

Ten objections were received including objections from Cllr Gardner, Cllr Donaldson and from Leith Central Community Council. Reasons for objection were:

- increased pressure on parking;
- unauthorised use of private parking opposite;
- overprovision of guest houses; loss of a family house; and
- road safety and pollution.

Background reading/external references

To view details of the application go to;

- [Planning and Building Standards online services](#)
- [Edinburgh City Local Plan and Rural West Edinburgh Local Plan](#)
- [Planning guidelines](#)
- [Conservation Area Character Appraisals](#)
- [Edinburgh Local Development Plan](#)
- [Scottish Planning Policy](#)

Statutory Development

Plan Provision

The property lies within the Pilrig Conservation Area as shown in the Edinburgh City Local Plan.

Date registered

3 February 2016

Drawing numbers/Scheme

1,

Scheme 1

John Bury

Head of Planning & Transport
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Links - Policies

Relevant Policies:

Relevant policies of the Edinburgh City Local Plan.

Policy Emp 5 (Hotel Development) sets criteria for assessing sites for hotel development.

Policy Tra 4 (Private Car Parking) requires private car parking provision to comply with the parking levels set out in supplementary planning guidance, and sets criteria for assessing lower provision.

Policy Hou 6 (Loss of Housing) identifies the circumstances in which the change of use of an existing dwelling to another use will be permitted.

Policy Hou 8 (Inappropriate Uses in Residential Areas) establishes a presumption against development which would have an unacceptable effect on the living conditions of nearby residents.

Appendix 1

**Application for Planning Permission 15/05310/FUL
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7).**

Consultations

Environmental Assessment

No objections.

Road Authority Issues

No objections.

Location Plan



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