

Development Management Sub Committee

Wednesday 12 October 2016

Application for Planning Permission 16/03807/FUL At 8 Cambridge Avenue, Edinburgh, EH6 5AP Change of use from residential (class 9) to guest-house (class 7)

Item number	4.1
Report number	
Wards	A12 - Leith Walk

Summary

The location is suitable for a class 7 use. The impact upon parking and road safety is acceptable and there is no effect upon the character or appearance of the conservation area. 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,

Report

Application for Planning Permission 16/03807/FUL At 8 Cambridge Avenue, Edinburgh, EH6 5AP Change of use from residential (class 9) to 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 forms a mid-terraced unit as part of a street with a strong cottage aesthetic.

The single storey and attic appearance disguises a far larger property, due to a concealed basement, and as seen from the rear the terrace is three storeys high. Despite its modest appearance the property has five bedrooms. Two of these bedrooms are currently let as bed and breakfast rooms (this does not require planning permission).

It is noted that the adjacent house (6) already operates as a class 7 use and that many class 7 uses also exist nearby to the south, on Pilrig Street.

This application site is located within the Pilrig Conservation Area.

2.2 Site History

27 January 2012 - certificate of lawfulness granted for adjacent house (6 Cambridge Avenue) for class 7 hostel use (Reference: 11/03926/CLE).

Main report

3.1 Description Of The Proposal

The application seeks consent to increase the number of lettable bedrooms in an existing bed and breakfast, taking it to the level which requires planning permission as class 7 use.

No physical alterations are proposed.

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 permission.

Do the proposals comply with the development plan?

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

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

3.3 Assessment

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

- a) the proposed use is acceptable in principle;
- b) loss of a house is acceptable;
- c) parking and road safety issues are addressed;
- d) impact on the conservation area is acceptable;
- e) public comments raised are addressed; and
- f) any impacts upon equalities or human rights are acceptable.

a) Principle of Guest House Use

Edinburgh City Local Plan (ECLP) Policy Emp5 - Hotel Development, is primarily concerned with the location of new hotel development, but also considers other class 7 uses such as guest-house conversions. The local plan seeks to maintain and develop tourism within the city and guest-houses are an intrinsic component of the city's needs in relation to tourism.

Section b) of policy Emp5 permits class 7 (guest house and hotel) use in "accessible locations in Granton Waterfront and Leith". In the Second Proposed Plan (LDP) as modified, Policy Emp10 - Hotel Development applies. This allows hotel/guest-house use "in locations within the urban area with good public transport access to the city centre".

The property lies in Leith just off Pilrig Street which is a traditional location for guest-house use. The location meets the policy requirements on location within both the current and the LDP as modified. Neither policy limits the number of guest-houses within any given area and there is no concept of "over-provision" within the plans.

Guest-houses remain an acceptable use within residential areas.

In principle, the location is acceptable for the proposed use.

b) Loss of Housing

Policy Hou6 - Loss of Housing (within the ECLP) sets out criteria where housing might be lost. An equivalent policy is not included in the LDP as modified. Therefore, the loss of housing will no longer be controlled. Given these new policy circumstances, the loss of a house is acceptable.

c) Parking

Policy Tra4 - Private Car Parking read in conjunction with Council Parking Standards would require a maximum of two spaces for a 5 bedroom guest-house.

The property lies in a location where on-site parking is not possible. However, the absence of car parking is no different in this respect to other guest-houses in the surrounding area.

It is noted that the property lies within easy walking distance of a bus route to the city centre and around 150m from the proposed tram route, which is in accordance with Policy Emp10 of the LDP as modified.

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

d) Impact Upon the Conservation Area

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

e) Public Comments

Twelve local residents wrote in objection.

Material

- impact on traffic and parking - addressed in section 3.3 c) of the Assessment.
- impact on the conservation area - addressed in section 3.3 d) of the Assessment.
- noise and disturbance - class 7 use is not seen as a problematic use in a residential area in terms of disturbance.
- cumulative effect with 6 Cambridge Avenue - the application must be considered within its own site boundary - also addressed in section 3.3 a).

Non-material

- guests smoke outside the property - this is not a planning issue.
- physical alterations are inappropriate - no alterations are proposed.

Community Council

No comments received

e) Equalities and Human Rights

The proposals raise no equalities or human rights concerns.

Conclusion

The location is suitable for a class 7 use. Impact upon parking and road safety is acceptable and there is no effect upon the character or appearance of the conservation area. 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

Twelve representations were received.

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 in the Pilrig Conservation Area as shown in the Edinburgh City Local Plan.

Date registered

4 August 2016

Drawing numbers/Scheme

1,2,

Scheme 1

John Bury

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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.

Appendix 1

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Consultations

Roads Authority

No objections to the application.

Note: Current parking standards for this area (zone 3a) requires a minimum of 2 parking spaces for the proposed development. The applicant is not proposing to provide any parking and it is physically impossible to do so. The area is well served by public transport therefore this application is considered to be acceptable.

Location Plan



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