

Development Management Sub Committee

Wednesday 19 April 2017

**Application for Planning Permission 16/05981/FUL
At 19 Dublin Street, Edinburgh, EH1 3PG
Alteration and conversion of lower three storeys of existing
B listed townhouse to form 3 new dwellings. Partial
alteration and downtaking to stone stores to rear. Formation
of new extension to the rear at lower ground and ground
floor levels (as amended)**

Item number	4.5(a)
Report number	
Wards	A11 - City Centre

Summary

The amended proposals comply with the development plan and non-statutory policies, have no adverse effect on the character or appearance of the conservation area or the character of the listed building and do not harm the Outstanding Universal Value of the World Heritage Site. The development has no detrimental impact on residential amenity or road safety. There are no equalities or human rights concerns and no material considerations that outweigh this conclusion

Links

Policies and guidance for this application	LDPP, LEN01, LEN06, LEN04, LHOU05, NSG, NSLBCA, OTH, CRPNEW, CRPWHS,
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Report

Application for Planning Permission 16/05981/FUL At 19 Dublin Street, Edinburgh, EH1 3PG Alteration and conversion of lower three storeys of existing B listed townhouse to form 3 new dwellings. Partial alteration and dountaking to stone stores to rear. Formation of new extension to the rear at lower ground and ground floor levels (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 relates to the basement, ground and first floors of a 3-storey, basement and attic terrace tenement. The application property is accessed from the main entrance door onto Dublin Street. The upper flat (19A) has a separate side entrance from Dublin Street Lane South.

The townhouse occupies a prominent corner site at the junction of Dublin Street and Dublin Street Lane South. There is a stone/brick extension on the rear elevation of the townhouse which is linked internally to the property at basement and ground floor levels. A small open area of car parking lies to the rear and is within the same ownership as the application site.

The property is currently vacant and was last in use as offices. Neighbouring properties are a mix of mainly residential with some office uses. Dublin Street Lane South is characterised by several mews properties on both the north and south sides of the lane.

The property was designed by Thomas Bonnar between 1824 and 1825 and is category B listed, (listed 24 May 1966, LB Ref 28682).

The site is within the World Heritage Site.

This application site is located within the New Town Conservation Area.

2.2 Site History

27 March 2017 - associated application for conservation area consent withdrawn for substantial demolition in a conservation area (application no. 16/05982/CON).

27 March 2017 - associated application for listed building consent under consideration for internal alterations to lower three storeys of existing B listed townhouse (former office use) to form 3 new dwellings, one on each floor. Alterations include new slappings, partial removal of unsympathetic lower ground and ground floor rear extensions and formation of new extension to rear (as amended) (application no. 16/05983/LBC).

Main report

3.1 Description Of The Proposal

The application is for the alterations and conversion of the vacant commercial property to form three residential flats. The application also proposes the partial removal of the external stone/brick stores to the rear and the erection of a new extension to the rear of the townhouse at lower ground and raised ground floor level.

The proposed mews dwelling to the rear of the site on Dublin Street Lane South has been deleted from the scheme.

The accommodation will provide one flat per floor and will comprise the following units:

- Basement level - Three bedroom unit with small enclosed terrace area;
- Raised Ground floor - Two bedroom unit; and
- First floor - Two bedroom unit.

External alterations

The scheme has been amended, deleting the whole removal of the later stone/brick structure to the rear. The amended scheme proposes the partial removal of the structure and its replacement with a new extension for the new residential units. The footprint of the new extension will be the same as the existing (3.6m in width and 5.6m in depth). The height of the new extension will be slightly lower (150 mm) and also narrower at its apex than the existing structure. Materials will be random rubble stone for the north and south elevations, making use of any stone from the original structure which will be partially removed. New openings from the 2 no. flats at lower ground floor and raised ground floor levels will form a link into the extension.

The proposed terraces for the flats at raised ground floor and first floor level have been deleted. The terrace for the lower ground floor flat will be retained as part of the amended scheme. This terrace is screened from the neighbouring property by a 2 m boundary wall. A 1.8m high stone boundary wall at raised ground floor level will screen the 2 no. small windows on the south elevation of the new extension.

The remaining stone/brick structure to the rear of the townhouse is unaffected and does not form part of this application. This will be retained in its entirety. The east facing elevation of this will be re-rendered with an oatmeal render finish.

External alterations are also proposed to the front elevation at basement level, swapping the door and window position by removing the existing sash window and replacing this with a solid timber door and replacing the door with a new sash window.

Internal alterations are assessed in the concurrent application for listed building consent (16/05983/LBC).

Scheme 1

The original application proposed a mews dwelling to the rear of the site on Dublin Street Lane South. This element has been deleted from the application.

The application also proposed the whole demolition of the large stone/brick built store to the rear of the townhouse and the erection of a 3 storey extension (basement, ground and first floors). A roof terrace was proposed for the upper flats at raised ground floor and first floor levels respectively within the rear extension. The application also proposed large downtakings to the rear elevation of the townhouse at basement level.

Supporting Statement

The agent has provided a further supporting statement as part of the submission documents for the amended scheme. This document and an amended Schedule of Works are available to view on the Planning and Building Standards On-line 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.

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) the principle of a change of use is acceptable;

- b) there is any adverse impact on the character and appearance of the conservation area and Edinburgh World Heritage Site;
- c) there is any adverse impact on the character of the listed building or its setting;
- d) the proposal will result in acceptable living conditions for future occupiers;
- e) there is any adverse impact on neighbouring amenity;
- f) there is any adverse impact on road safety;
- g) any impacts on equalities or human rights are acceptable; and
- h) comments raised have been addressed.

a) Principle

Policy Hou 5 supports the proposed conversion to residential as a listed building is being restored to its original use. Hou 5 sets out the criteria for which planning permission will be granted for the change of use of the existing building in non residential use to housing. The proposal is compatible with adjacent residential uses and is considered further below in section 3.3 d).

The proposal is acceptable in principle.

b) Impact on Conservation Area and Edinburgh World Heritage Site

The New Town Conservation Area Character Appraisal identifies the key characteristics of this part of the New Town as:

- *the grid hierarchy of grand streets, lesser streets, lanes and mews*
- *terraces of buildings with regular building plot widths and the consistent relationship of building lines to the layout of streets*
- *the overwhelming retention of buildings in their original design form with a standard materials palette, including blonde sandstone and slated pitched roofs*

The proposed use is in keeping with the character of the New Town Conservation Area. The conversion of the commercial property to its original residential use is welcomed and the refurbishment works to the fabric of the building present considerable conservation gain.

The proposed alterations to the window and door opening at basement level on the front elevation will match the fenestration pattern of several neighbouring properties, and is acceptable. The amended scheme proposes the partial removal of a section of the stores to the rear and will improve this lane elevation. The existing structure comprises a mix of rubble wall material, brick masonry, render and concrete capping stones. This lane elevation is visible from Dublin Street and from the wider conservation area and World Heritage Site. The new extension will be constructed from natural rubble stone making use of any stone from the existing structure. The amended scheme has reduced the height of the extension so that it ties in with the eaves level of the neighbouring mews. The new structure will be an improvement on the existing elevation.

There will be no adverse impacts on the character or appearance of the conservation area or the Edinburgh World Heritage Site.

The proposal complies with Local Plan policies Env 1 and Env 6.

c) Impact on Listed Building or its setting

The proposal will not have an adverse impact on the character of the listed building or its setting. The removal of a section of the stone/brick stores which currently dominate this rear elevation will allow more of the original elevation and stonework of the townhouse to be visible and is welcomed. The existing structure comprises a mix of rubble wall material, brick masonry, render and concrete capping stones. The new extension will be constructed from natural rubble stone making use of any stone from the existing structure.

The openings on the rear elevation of the townhouse have been restricted from a full width opening to retain nibs either side of the opening, in accordance with policy. Internal alterations have been considered under the associated application for listed building consent.

The proposal complies with Local Plan policies Env 3 and Env 4.

d) Living Conditions

The conversion to residential flats will provide a high standard of amenity in terms of accommodation. The properties are dual aspect and exceed the minimum internal floor area specified in the Edinburgh Design Guidance. The basement level flat will have access to a small private garden to the rear.

e) Impact on Amenity

The proposal will not give rise to any loss of privacy to neighbouring properties and there are no physical changes which will result in overshadowing or loss of amenity to surrounding properties. The proposed terraces at upper levels have been deleted from the scheme. The proposed terrace at basement level will be screened by a 1.8m high boundary wall. Environmental Protection raises no objections to the application.

There will be no detrimental impact on neighbouring amenity.

f) Impact on Road Safety

There are no Roads Authority issues concerning the proposal particularly given that the site is located close to good public transport provision. Transport have added an informative that the applicant is advised they will only be eligible for one residents parking permit. The agent/applicant has been made aware of this. No tram contribution is due for this development as the 3 no. apartments in the existing property fall below the threshold of 5 no. properties for tram contributions.

There will be no detrimental impact on road safety.

g) Equalities and Human Rights

This application was assessed in terms of equalities and human rights. No impact was identified.

h) Public Comments

Scheme 1

Eighteen letters of representation were received; grounds of representation are as follows:

Material Representations - Objection

- impact on character of conservation area and World Heritage Site. This has been addressed in section 3.3 b).
- impact of character of listed buildings and their setting. This has been addressed in section 3.3 c).
- loss of daylight, privacy and overshadowing. This has been addressed in section 3.3 e).
- impact on parking and traffic. This has been addressed in section 3.3 e).
- loss of original structure. This has been addressed in section 3.3 c).
- height, scale and massing of new mews. This element has been deleted from the application.

Non-material issues:

- impact of construction work.
- increase in domestic waste.

Scheme 2 was not readvertised.

Community Council

No comments were received.

Conclusion

The amended application complies with the development plan and the relevant non statutory guidelines. The proposal is acceptable in this location and will not have an adverse impact upon the listed building, the New Town Conservation Area or the Edinburgh World Heritage Site. The proposal will provide acceptable living conditions for future occupiers and will not result in any loss of privacy or overshadowing to neighbouring properties. The proposal will not have an adverse impact on road safety. There are no material considerations that outweigh this conclusion and approval is recommended.

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. This consent is for planning permission only. Work must not begin until other necessary consents, eg 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 applicant should be advised that in accordance with the Transport and Environment Committee decision of 4 June 2013, as the development is located in Zones 1 to 8 they will be eligible for one residential parking permit per property for the converted properties (Category B - Newly sub-divided or converted); See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7

Note:

- Zero parking is acceptable under current Council parking standards for residential development in this area;

- No tram contribution is due for this development as the 3 apartments in the existing property fall below the threshold of 5 properties for tram contributions. However, it is likely that any future proposal to construct new residential properties to the rear will be included in assessing the overall development and may result in a net tram contribution. It should be noted that the original proposal for the site resulted in a zero contribution (proposed 6 residential contribution £18,933, less the existing 449m² office use contribution £40,084).

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 the 6 January 2017.

A total of eighteen letters of representation were received, including a letter submitted by a Member of Parliament and a letter submitted by a local councillor. The two letters were submitted on behalf of a local constituent.

The letters raised the following material issues:

- impact on character of conservation area and World Heritage Site.
- impact of character of listed buildings and their setting.
- loss of daylight, privacy and overshadowing.

- impact on parking and traffic.
- loss of original structure.
- height, scale and massing of mews.

Non-material issues:

- impact of construction work.
- increase in domestic waste from new dwellings.

A full assessment of the representations can be found in the main report in the Assessment Section.

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 application site is located within the Urban Area as identified in the Edinburgh Local Development Plan.

Date registered

6 December 2016

Drawing numbers/Scheme

1, 2A-9A, 10-11.,

Scheme 2

David R. Leslie

Chief Planning Officer
PLACE
The City of Edinburgh Council

Contact: Diana Garrett, Planning Officer
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Links - Policies

Relevant Policies:

Relevant policies of the Local Development Plan.

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

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

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

Relevant Non-Statutory Guidelines

Non-statutory guidelines 'LISTED BUILDINGS AND CONSERVATION AREAS' provides guidance on repairing, altering or extending listed buildings and unlisted buildings in conservation areas.

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.

World Heritage Site

The historic centre of Edinburgh, including the medieval Old Town and the Georgian New Town, was inscribed on the United Nations Education, Scientific and Cultural Organisation's (UNESCO's) List of World Heritage Sites in December, 1995. This represents international recognition that the Site is of outstanding universal value.

The organic plan form of the medieval Old Town and the clarity of the geometrically planned neo-classical New Town together with the outstanding historic buildings are fundamental characteristics of the World Heritage Site. All proposals affecting the plan form or historic buildings, including their setting, will be considered for their impact on their design integrity.

Appendix 1

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Consultations

Environmental Assessment

Scheme 2 -The original proposal for planning application 16/05981/FUL, included a mews development to the rear, at Dublin Street Lane South. However, the mews aspect of the application was subsequently withdrawn and the application revised to only include the conversion of the townhouse to flats.

As the planning application, has now been revised, I no longer have any concerns or objections to this planning application

Transportation

Scheme 1 -superseded scheme

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

1. *The applicant should be advised that in accordance with the Transport and Environment Committee decision of 4 June 2013, as the development is located in Zones 1 to 8:*
 - a. *they will not be eligible for residential parking permits for the new build properties (Category A - New Build);*
 - b. *they will be eligible for one residential parking permit per property for the converted properties (Category B - Newly sub-divided or converted);*
See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7
2. *Any off-street parking space should comply with the Council's Guidance for Householders (see http://www.edinburgh.gov.uk/download/downloads/id/704/guidance_for_householders) including:*
 - a. *Any gate or doors must open inwards onto the property. It is recommended that a roller shutter type of door is most appropriate in this case;*

b. *The works associated with any access must be carried out under permit and in accordance with the specifications. See Road Occupation Permits
http://www.edinburgh.gov.uk/downloads/file/1263/apply_for_permission_to_create_or_alter_a_driveway_or_other_access_point*

Note:

- o Current Council parking standards permit zero parking for development in this area. One off-street space is being provided which is acceptable;*
- o No tram contribution is due for this development (proposed 6 residential contribution £18,933, less the existing 449m² office use contribution £40,084)*

Scheme 2 - amended scheme

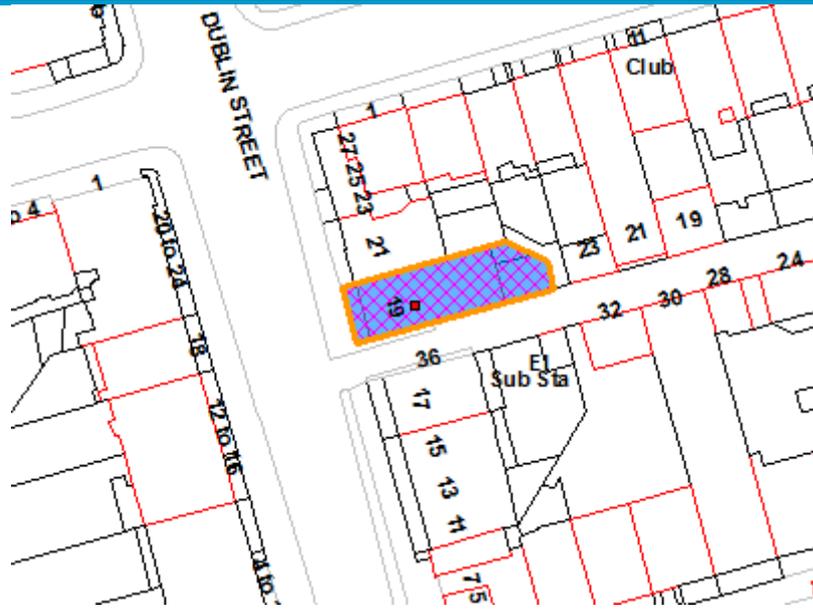
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See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7*

Note:

- o Zero parking is acceptable under current Council parking standards for residential development in this area;*
- o No tram contribution is due for this development as the 3 apartments in the existing property fall below the threshold of 5 properties for tram contributions. However, it is likely that any future proposal to construct new residential properties to the rear will be included in assessing the overall development and may result in a net tram contribution. It should be noted that the original proposal for the site resulted in a zero contribution (proposed 6 residential contribution £18,933, less the existing 449m² office use contribution £40,084)*

Location Plan



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