

Development Management Sub Committee

Wednesday 19 April 2017

**Application for Planning Permission 16/02258/FUL
At Royal Ettrick Hotel, 13 Ettrick Road, Edinburgh
Change of use from hotel to residential, demolition of non-
original buildings, and erection of new extensions to form 10
residential flats, associated car parking and landscaping (as
amended).**

Item number	4.11
Report number	
Wards	A10 - Meadows/Morningside

Summary

The proposal complies with the Development Plan and the Council's non-statutory guidelines. The character and appearance of the conservation area is preserved and the design is of an appropriate standard. There are no material considerations that outweigh this conclusion.

Links

<u>Policies and guidance for this application</u>	LDPP, LHOU01, LHOU03, LHOU04, LHOU05, LDES01, LDES05, LDES12, LEN06, LEN12, LEN16, NSG, NSGD02, NSLBCA, CRPMER,
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Report

Application for Planning Permission 16/02258/FUL At Royal Ettrick Hotel, 13 Ettrick Road, Edinburgh Change of use from hotel to residential, demolition of non- original buildings, and erection of new extensions to form 10 residential flats, associated car parking and landscaping (as amended).

Recommendations

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

Background

2.1 Site description

The property is a detached sandstone villa, located at the junction of Polwarth Terrace and Ettrick Road which is in use as a Class 7 hotel. There are existing extensions to the north, east and southern elevations of the original property. The surrounding area is residential in character, with neighbouring properties predominantly of a similar age and style.

This application site is located within the Merchiston and Greenhill Conservation Area.

2.2 Site History

20 December 1962 - planning permission granted for bedroom extension to hotel and fire escape stair (application number 01520/1961).

29 March 1978 - planning permission granted for extension to hotel (application number 00098/1978).

10 December 2002 - planning permission granted to change the use of the residential wing of the hotel to hotel bedrooms, and carry out internal alterations (application number 02/03417/FUL).

29 October 2007 - planning permission granted for an upper storey extension to existing single storey side extension (application number 07/00722/FUL). Not implemented.

6 October 2010 - planning permission granted for extension of existing car park (as amended) (application number 10/01101/FUL).

Main report

3.1 Description Of The Proposal

The application proposes the change of use from an existing hotel to 10 residential flats (6 x 3 bed, 4 x 2 bed). Associated alterations will involve the removal of three existing single storey extensions and the erection of a two storey extension to the south and part single storey, part two storey extension to the east. A total of 10 parking spaces will be provided.

Alterations are also proposed to the landscaped areas around the property, including the erection of a new bicycle and bin store.

Supporting Statement

The applicant has also submitted a corresponding Planning and Design statement, Surface Water Management Plan. These are available to view on the Planning and Building Standards Online Services. A Stage 2 Bat Survey has also been submitted.

Previous Scheme

The application has been revised from the original scheme with the following alterations:

- Alterations to the parking area accessed from Etrick Road to provide greater protection to existing tree roots;
- Setting back of the proposed new extensions behind the building line of the original house;
- Introduction of planter boxes to terrace area on eastern extension to assist in maintaining privacy; and
- Alterations to proposed window design on northern elevation.

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 principle of the development is appropriate in the location;
- b) There is any adverse impact on the character and appearance of the conservation area;
- c) The scale and design are acceptable;
- d) The development would provide a satisfactory environment for future occupiers;
- e) The proposed use would result in any loss of amenity to neighbouring properties;
- f) Road safety has been addressed;
- g) Impact on school rolls has been addressed;
- h) Any flooding impacts have been addressed;
- i) Impacts on protected species have been addressed;
- j) Any matters raised in representations have been addressed; and
- k) Equalities and human rights impacts have been addressed.

a) Principle of the development

The adopted Edinburgh Local Development Plan (LDP) sets out in policy Hou 1 that priority will be given to the delivery of the housing land supply and the relevant infrastructure as detailed in the plan, including on "other suitable sites in the urban area, provided proposals are compatible with other policies in the plan".

The proposed new use is situated in an area of residential uses with other residential properties immediately bounding the site to the south, east and west.

LDP Policy Hou 5 - Conversion to Housing, advises that planning permission will be granted for the change of use of buildings in non-residential use to housing provided that a satisfactory residential environment can be achieved, housing would be compatible with nearby uses and appropriate open space, amenity, car and cycle parking standards can be met. These issues are assessed in the report below.

The proposal accords with LDP policy Hou 1 and Hou 5, subject to compliance with other relevant LDP policies.

b) Character and appearance of the conservation area

The essential architectural character of the Merchiston and Greenhill Conservation Area is defined in the Conservation Area Character Appraisal as *'dominated by Victorian villas interspersed with substantial terraces of outstanding quality. The buildings are complemented by the profusion of mature trees, extensive garden settings, stone boundary walls and spacious roads. The villas are in a considerable variety of architectural styles, unified by the use of local building materials.*

Architectural unity is also emphasised by the location of properties within predominantly generous feus which gives the area a generally low density. The stone boundary walls, which typify boundary treatments, contribute to the visual and physical seclusion of the villa development, give definition to the street layout and create a clear distinction between public and private spaces'.

'The provision of traditional generous separation distances between new mansion blocks of flats and original villas nearby is an important factor in retaining the character and appearance of the area.

The existing property is a former detached villa, dating from the late 19th century, finished in natural stone. The property was subsequently converted into a hotel and has been significantly altered and extended from its original form.

It is not considered that the existing extensions, which are proposed for demolition, make a positive contribution to the overall character of the Merchiston and Greenhill Conservation Area. The removal of the existing conservatory to the north elevation will allow for the original secondary frontage to be viewed clearly from Polwarth Terrace. The existing extensions to the east and south are of a utilitarian design, with flat roofs and finished in brickwork, stone and wet dash render.

The proposed new extensions to the south and east elevations will have a subservient appearance, with eaves heights below that of the original house. The east extension will extend up to the site boundary with a part two storey and part single storey design. The south extension will extend to within 4 metres of the southern site boundary to match the plot spacing, and to provide a clear 'breathing space', between the site and the adjacent property at 11 Etrick Road. The proposed extensions would have a limited impact on views along Etrick Road following the established front building line at this side of the street.

The proposed use of sandstone as a predominant building material to the road facing elevations of the extensions will provide a link to the historic character of the surrounding area. This will be interspersed with areas of brass cladding to give a contemporary appearance which will contrast and provide a visual break from the original building. To the rear of the extensions timber clad finishes to small areas will provide breaks between the glazed areas.

The revisions made to the parking area as part of Scheme 2 will allow for greater protection to the root area of two existing mature lime trees located on the western boundary of the site. These trees make a strong positive contribution to the character and appearance of the conservation area and it is recommended that conditions are added to ensure root protection during the construction period.

The proposed works will have a neutral impact on the character and appearance of the conservation area, in accordance with LDP policy Env 6.

c) Scale and design

The proposed extensions will be subordinate in relation to the scale of the original building and will not appear as an over dominant feature in the street scene. The proposed eastern extension will occupy a similar footprint to the existing extension, and will be set back from the front building line facing Polwarth Terrace.

There is a wide variety in density levels found in neighbouring plots ranging from 4.5 dwellings/hectare at the adjoining plot to the east, to 77 dwellings/hectare at the flatted property directly to the west at 12 Ettrick Road. The proposed development has a density of approximately 44 dwellings/hectare, which will sit comfortably within the range found in the immediate surrounding area. In addition, the building, with the proposed extensions, sits comfortably in the site and will not dominate the street scene. The scale and design of the new development is acceptable.

d) Environment for future occupiers

The proposed units will provide a satisfactory residential environment in terms of floor space and amenity space. The flats will have a floorspace range of 80 square metres (sqm) to 194 sqm and are well in excess of the minimum floorspace standards set out in the Edinburgh Design Guidance (EDG).

The majority of flats are dual aspect, and the two single aspect flats will maintain a spacious feel through the use of high internal ceilings and deep windows.

Private open space will be provided for three of the ground floor flats, with private terrace space available for a further four flats. Communal garden and landscaped areas will be provided to face the corner of Ettrick Road and Polwarth Terrace. The site is located in a high amenity area with green open space accessible nearby at Harrison Park.

A single refuse store has been provided with access to Polwarth Terrace which meets the requirements of the Edinburgh Design Guidance.

e) Impact on amenity of neighbouring residents

New windows to the southern and eastern extension will be located within nine metres of the boundary of the site, but these will not result in direct views to neighbouring properties. The Edinburgh Design Guidance advises that the gables of existing housing will not be protected in terms of privacy. The proposed south facing windows of the extensions will overlook the gable of 11 Ettrick Road only. The roof of the single storey part of the eastern extension is to be utilised as a raised terrace, and this is to be screened by a 1.8m high parapet wall and hedge. Although there will be windows located on the eastern gable of the two storey part of this extension, the neighbouring garden at 19 Polwarth Terrace benefits from extensive mature planting which will effectively screen any views from the extensions.

The proposed development will not cause an unacceptable loss of daylight to the windows or overshadowing of garden ground to the adjoining neighbouring residential properties to the east and south. As the development is located to the north of 11 Etrick Road, it meets relevant standards in the EDG relating to sunlight and daylight.

The proposed development will not have any significant adverse impact on amenity by reason of overshadowing or loss of privacy.

f) Roads Authority Issues

There will be no adverse impacts in terms of traffic, road safety and parking for this development. The proposal is for ten car parking spaces, and this complies with LDP Policy Tra 2 & Tra 4 with regard to Private Car Parking and the Parking Standards. An EV charging point will also be provided for residents use on site.

The realignment of the existing vehicle access to the western boundary will interfere with existing residents parking spaces and will require an amendment to the controlled parking place order. Any such change would require a contribution of £2,000 to progress the necessary order and contributions to amend the on-street markings.

Private cycle parking will also be provided in accordance with LDP Policy Tra 3.

g) Impact on schools

LDP policy Del 1 requires proposals to contribute towards infrastructure provision to mitigate any impact of the proposed development. It is not anticipated that this development will generate any additional school pupils and no contribution is required.

h) Any flooding impacts have been addressed

A surface water management plan has been submitted to show adequate mitigation of any impacts.

i) Protected species

A Stage 2 bat survey was submitted as part of the application. The survey identified a roost, used by a single Soprano Pipistrelle (*Pipistrellus pygmaeus*). The assessment of the impact of development on the roost was that the proposed works will have no impact on the roost. Therefore, the report concluded that it would not be necessary to apply for a derogation licence. On this basis the application complies with LDP policy Env 16 Species protection.

j) Public comments

Material representations in objection:

- Adverse impact on neighbouring amenity by overshadowing, loss of daylight and impact on privacy. This is addressed in part 3.3(e).
- Poor design quality in the conservation area. This is addressed in part 3.3(b).
- Excessive mass and scale of the proposed extensions. This is addressed in part 3.3(c).

- Inappropriate use of the property as residential. This is addressed in part 3.3(a).
- Inadequate amenity space for future occupiers and the extensions are too large for the small plot. This is addressed in part 3.3(d).
- Inappropriate use of non-traditional materials. This is addressed in part 3.3(b).
- The south facing extension should be limited to the footprint of the existing single storey extension. This is addressed in part 3.3(c).
- Impact on trees. This is addressed in part 3.3(b).
- Inadequate provision for refuse storage. This is addressed in part 3.3(d).
- Loss of the architectural integrity of the property. This is addressed in part 3.3(b).
- Impact on spatial characteristics and plot pattern of the wider area. Insufficient 'breathing space' between the development and site boundary. This is addressed in part 3.3(b).
- Contrary to the Merchiston and Greenhill Conservation Area Character Appraisal. This is addressed in part 3.3(b).
- Density not in keeping with neighbouring properties. This is addressed in part 3.3(c).
- Adverse impact on streetscene. This is addressed in part 3.3(b).
- No garages proposed. This is addressed in part 3.3 (f).

k) Equalities and Human Rights

This application has no adverse impact in terms of equalities and human rights.

Conclusion

The proposal complies with the adopted Edinburgh Local Development Plan and non-statutory guidance and is acceptable. There are no material considerations to outweigh this conclusion. It will not adversely affect the character and appearance of the conservation area.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Before any works start on site, a scheme of landscaping indicating the siting, numbers, species and heights (at time of planting) of all trees, shrubs and hedges to be planted, and the extent and profile of any areas of level changes, shall be submitted for approval in writing by the Planning Authority.
2. The approved landscaping scheme shall be fully implemented within six months of the completion of the development.
3. The trees on the site shall be protected during the construction period by the erection of fencing, in accordance with BS 5837:2012 " Trees in relation to design, demolition and construction".
4. Sample/s of the proposed brass cladding shall be submitted to and approved in writing by the Planning Authority before work commences on site.

Reasons:-

1. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.
2. In order to safeguard the character of the conservation area.
3. In order to safeguard protected trees.
4. In order to safeguard the character of the conservation area.

Informatives

It should be noted that:

1. Consent shall not be issued until a suitable legal agreement, including those requiring a financial contribution of £2000 payable to the City of Edinburgh Council, has been concluded in relation to transport infrastructure or alternative payment method made.

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. If any contamination is detected during the works the applicant should contact Environmental Assessment 0131 200 2000.
6.
 1. In accordance with the Council's LTS Travplan3 policy, 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) and timetables for local public transport;
 2. The applicant should be advised that, as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category E - Sub divided, or converted);

3. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
4. The works to form any footway crossing 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.

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 considered 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 10 May 2016 and 23 letters of objection were received.

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**

Edinburgh LDP - Urban Area.

Date registered

4 May 2016

Drawing numbers/Scheme

01, 02, 03B, 04 - 09, 10A, 11B, 12B, 13B, 14B, 15B,
16B, 17A,

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 3 (Private Green Space in Housing Development) sets out the requirements for the provision of private green space in housing development.

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

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

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 5 (Development Design - Amenity) sets criteria for assessing amenity.

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 Env 12 (Trees) sets out tree protection requirements for new development.

LDP Policy Env 16 (Species Protection) sets out species protection requirements for 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 and landscape, in Edinburgh.

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

The Merchiston & Greenhill Conservation Area Character Appraisal emphasises the consistent domestic grain, scale and building mass; the high quality stone built architecture of restricted height, generous scale and fine proportions enclosed by stone boundary walls and hedges which define the visual and physical seclusion of the villas; the uniformity resulting from the predominant use of traditional building materials; and the predominance of residential uses within the area.

Appendix 1

Application for Planning Permission 16/02258/FUL At Royal Ettrick Hotel, 13 Ettrick Road, Edinburgh Change of use from hotel to residential, demolition of non- original buildings, and erection of new extensions to form 10 residential flats, associated car parking and landscaping (as amended).

Consultations

Environmental Assessment

Given the surrounding residential uses this application can be seen as a planning gain due to the removal of a potential source of noise (from plant equipment, operational, servicing and car parking) and odour (from the kitchen).

As this proposal includes private parking, Environmental Assessment encourages the agent to install electric vehicle charge points. City of Edinburgh Council's 'Local Transport Strategy 2014-2019' highlights the Council's support for increased use of low emission vehicles and support for the extension of the network of electric vehicle charge points.

CEC's 'Parking Standards for Development Management' also now encourages the use of electric vehicles. This document states that the Council is likely to introduce a requirement for EV charging infrastructure which depends on how charging technology evolves; these requirements include:

- o Dedicated parking spaces with charging facilities.
- o Ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Developers should now consider the potential for EV charging as they develop their proposals. Based on currently available technology Environmental Assessment recommends that at least one EV charging outlet of the following standard should be installed:

70 or 50kW (100 Amp) DC with 43kW (63 Amp) AC unit. DC charge delivered via both JEVS G105 and 62196-3 sockets, the AC supply by a 62196-2 socket. The unit should have the ability to be de-rated to supply 25kW to any two of the three outlets simultaneously.

Environmental Assessment has no objections to this proposed development.

Roads

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

1. In accordance with the Council's LTS Travplan3 policy, 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) and timetables for local public transport;
2. The applicant should be advised that, as the development is located in the extended Controlled Parking Zone, they will be eligible for one residential parking permit per property in accordance with the Transport and Environment Committee decision of 4 June 2013. See http://www.edinburgh.gov.uk/download/meetings/id/39382/item_7_7 (Category E - Sub divided, or converted);
3. 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. Access to any car parking area is to be by dropped kerb (i.e. not bell mouth);
 - b. A length of 2 metres nearest the road should be paved in a solid material to prevent deleterious material (e.g. loose chippings) being carried on to the road;
 - c. Any gate or doors must open inwards onto the property;
 - d. Any hard standing outside should be porous, to comply with 'Guidance for Householders' published in December 2012;
 - e. The works to form any footway crossing 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
4. All disabled persons parking places should comply with Disabled Persons Parking Places (Scotland) Act 2009. The Act places a duty on the local authority to promote proper use of parking places for disabled persons' vehicles. The applicant should therefore advise the Head of Planning and Transport if he wishes the bays to be enforced under this legislation. A contribution of £2,000 will be required to progress the necessary traffic order. All disabled persons parking places must comply with Traffic Signs Regulations and General Directions 2016 regulations or British Standard 8300:2009 as approved by the Head of Planning and Transport;
5. Electric vehicle charging outlets should be considered for this development including dedicated parking spaces with charging facilities and ducting and infrastructure to allow electric vehicles to be readily accommodated in the future.

Note:

- a. The proposed 10 car parking spaces complies with current Council parking standards which require 1 space per unit;
- b. The applicant should note that any proposed widening of the existing accesses is likely to require an amendment to the controlled parking place order. Any such change would require a contribution of £2,000 to progress the necessary order and contributions to amend the on-street markings. It should be noted that there appears to be no necessity to amend either access.

Location Plan



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