

Development Management Sub Committee

Wednesday 10 January 2018

Application for Planning Permission 17/03823/FUL At Port Neuk, 1 Long Craig Road, South Queensferry Change of Use to Public House with Restaurant/Bistro Class 3

Item number	4.2
Report number	
Wards	B01 - Almond

Summary

The proposed change of use to a Public House with Class 3 Restaurant complies with the principles of ENV10 in protecting the green belt. Due to the minor alterations there are no adverse impacts on the built and natural heritage designations within the area and there are no impacts on amenity. The proposed change of use is acceptable. There are no other material considerations which outweigh this conclusion.

Links

Policies and guidance for this application	LRET11, LTRA02, LEN07, LEN06, LEN10, LEN11, LEN13, LEN14, LEN15, LDES10, LHOU07, NSLBCA, CRPQUE,
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Report

Application for Planning Permission 17/03823/FUL At Port Neuk, 1 Long Craig Road, South Queensferry Change of Use to Public House with Restaurant/Bistro Class 3

Recommendations

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

Background

2.1 Site description

The site consists of a single storey flat roofed building with walled courtyard on the edge of the beach on the north side of Long Craigs Road, a few metres east of the Forth Bridge and close to the bottom of Hawes Brae. The site is 3000sq.m and has an informal car park on the opposite side of the road/track. An area of international and national Natural Heritage Designation runs along the rear of the building along the shore line.

The site lies immediately to the south of the Firth of Forth Special Protection Area Ramsar Site and Site of Special Scientific Interest. To the east, is a Local Nature Conservation Site and a Designed Landscape. The site is directly below the Forth Bridge World Heritage Site and Listed Building.

The nearest property to the application site is the Hawes Inn and the RNLI Station located to the west of the site. The Forth Rail Bridge passes overhead to the west.

The site is in the Green Belt and Special Landscape Area.

This application site is located within the Queensferry Conservation Area.

2.2 Site History

9 October 2017 - Planning permission granted for change of use of offices to leisure (arts and crafts studio) serving hot and cold refreshments (application number 17/3779/FUL). This consent has been implemented.

Main report

3.1 Description Of The Proposal

The proposal, when submitted, was to change the use from offices to a public house with restaurant/bistro. Since then, planning permission has been granted for a change of use to an art and crafts studio with cafe which has been implemented. The public floor area would be approximately 111sq.m with a capacity of 65 persons. The site can accommodate 10 cars in an informal area opposite the building.

A kitchen ventilation extract is proposed on the western elevation of the property which faces onto the delivery yard.

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 use is acceptable in principle in this location;
- b) there is any adverse impact on the character and appearance of the building within the conservation area or Special Landscape Area;
- c) there are any adverse impacts on the built heritage designations;
- d) there is any impact on the amenity of the area;
- e) there are any transport issues;
- f) the representations have been addressed; and
- g) there are any equality of human rights issues.

a) Principle of the use

The site is an existing building within the Green Belt, as defined in the Edinburgh Local Development Plan (LDP). Policy ENV 10 provides guidance on the change of use of buildings within the greenbelt. The building is appropriate for conversion. It is also close to the built up area of South Queensferry and its continued use does not have any adverse impact on the character of the green belt.

The principle of the use is acceptable.

b) Impact on Conservation Area and Natural Heritage Designations

Policy ENV 6 requires that development within a conservation area should ensure that the proposals preserve or enhance the conservation area. There is little change to the physical set up of the building or car park, apart from the requirement for a kitchen flue. This is a small element on the exterior facing onto the car park. A condition is required on the final design details of the flue.

The eastern corner of the site clips the Local Nature Conservation Site and the Designed Landscape. There are no alterations within this area and there are no implications for these designations under Policies ENV7, ENV13 and ENV14 of the LDP.

The proposed change of use will have no impact on the designations within the area.

c) Impact on Built Heritage Designations

No significant changes are proposed to the external envelope of the building and only a more formalised arrangement of the existing car parking area is proposed. The proposal will therefore have no impact on the setting of the listed Forth Bridge or its World Heritage Site status.

d) Impact on Amenity

The property is positioned away from any residential properties and will have no adverse impact on the amenity of any properties.

There will be no significant impact on amenity in accordance with Policy HOU7 of the LDP.

e) Transport issues

The number of parking spaces required to serve the public floor area of the premises should be between nine and eleven spaces. Ten spaces have been identified for the use and therefore complies with the parking standards.

There are no formal parking restrictions in the lane serving the development and therefore casual parking can to be controlled. If the public highway was blocked due to casual parking it would be an offence under the Highways Acts to which the police would refer for enforcement. Consequently, the objection from the Tug operators and the RNLI are noted but cannot be addressed as part of this application. Traffic and parking congestion may occur at peak times but is off set by the existence of the large promenade car park close-by.

A condition is attached to ensure that provision is made within the site for cycle parking.

Environment Protection have recommended an electric vehicle (EV) charger point be installed within the car park, in order to assist Scottish Government's promotion of ultra-low emission vehicles. An informative is attached.

The proposal complies with Policy TRA2 of the Edinburgh Local Development Plan and there are no transport issues.

f) Representations

Material objections

Transport - addressed in 3.3 e).

- Targe (Tug) towing operate in the vicinity of the site. Access may be affected.
- RNLI emergency parking and access may be affected.
- Additional traffic and parking congestion may be generated.
- Parking in area at the moment is limited.

Material letters of support

- Need more places like this for leisure - walkers and cyclists using the coastal route.

Non-Material

- Enough bars/ restaurants in the area.
- Honey Pot Ceramic Café should be kept as a valuable family resource.
- Shortage of Class 4 premises in South Queensferry. However, a change of use from offices has already been approved.

g) Equalities and Human Rights

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

Conclusion

The proposed change of use to a Public House with Class 3 Restaurant complies with the principles of ENV10 in protecting the Green Belt. Due to the minor alterations there are no adverse impacts on the built or natural designations within the area and there are no impacts on amenity. The proposed change of use is acceptable.

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

3.4 Conditions/reasons/informatives

Conditions:-

1. Prior to the commencement of the development details of the proposed ventilation extract shall be submitted and approved by the Planning Authority. The extract shall be operational prior to the commencement of the use.
2. Prior to the commencement of the development details of cycle provision shall be provided and installed to the satisfaction of the Head of Planning.

Reasons:-

1. In order to ensure that appropriate amenity of the area is maintained.
2. In order to ensure that the level of cycle provision is adequate.

Informatives

It should be noted that:

1. Provision shall be made for a secure, two space bicycle rack near to the entrance to the premises or within the courtyard. In order to promote cycling to this facility situated on a recognised cycle route.
2. A 7Kw electric vehicle charging outlet shall be provided in the car parking area. This is required by the new parking standards.

Grants are also available for the installation of EV charge points from the Scottish Energy Saving Trust. More information can be found at:
<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>.

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

Pre-application discussions took place on this application.

8.2 Publicity summary of representations and Community Council comments

The application was advertised on 8 September 2017. Twenty-three letters of representation have been received; twenty-one objections and two of support.

The matters raised have been addressed in section 3.3a) and 3.3d) of the assessment section of this 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

Allocated as Green Belt and International and National Natural Heritage Designation.

Date registered

16 August 2017

Drawing numbers/Scheme

01 - 03,

Scheme 1

David R. Leslie

Chief Planning Officer

PLACE

The City of Edinburgh Council

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Links - Policies

Relevant Policies:

LDP Policy Ret 11 (Food and Drink Establishments) sets criteria for assessing the change of use to a food and drink establishment.

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 Env 7 (Historic Gardens and Designed Landscapes) protects sites included in the national Inventory of Gardens and Designed Landscapes and other historic landscape features.

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

LDP Policy Env 10 (Development in the Green Belt and Countryside) identifies the types of development that will be permitted in the Green Belt and Countryside.

LDP Policy Env 11 (Special Landscape Areas) establishes a presumption against development that would adversely affect Special Landscape Areas.

LDP Policy Env 13 (Sites of International Importance) identifies the circumstances in which development likely to affect Sites of International Importance will be permitted.

LDP Policy Env 14 (Sites of National Importance) identifies the circumstances in which development likely to affect Sites of National Importance will be permitted.

LDP Policy Env 15 (Sites of Local Importance) identifies the circumstances in which development likely to affect Sites of Local Importance will be permitted.

LDP Policy Des 10 (Waterside Development) sets criteria for assessing development on sites on the coastal edge or adjoining a watercourse, including the Union Canal.

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.

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

The Queensferry Conservation Area Character Appraisal emphasises the importance of the medieval core, the settlement pattern of stone built houses with their lang riggs, and the strong Scots vernacular character of the architecture.

Appendix 1

Application for Planning Permission 17/03823/FUL At Port Neuk, 1 Long Craig Road, South Queensferry Change of Use to Public House with Restaurant/Bistro Class 3

Consultations

Environmental Protection

The applicant proposes changing the use of an existing office into a restaurant bar. The site is located on the waterfront below the east side of the forth rail bridge. An existing public house is located to the west and a wooded area is located to the south and east. As there are no sensitive receptors in the immediate area. Environmental Protection do not object to this application in its current form.

Environmental Protection do recommend that the applicant installs an Electric Vehicle (EV) charger within the carpark. Based on currently available technology Environmental Protection recommends that at least one 7 Kw Electric Vehicle charging outlet is installed.

Grants are also available for the installation of EV charge points from the Scottish Energy Saving Trust. More information can be found at:

<http://www.energysavingtrust.org.uk/scotland/Organisations/Transport/Electric-vehicles/Electric-Vehicle-Charge-Point-Funding>

It should be noted that if installed under the above scheme with the grant funding the post will be advertised on a national web-based map used by most EV drivers.

The Scottish Government in the 'Government's Programme for Scotland 2017-18 has a new ambition on ultra-low emission vehicles, including electric cars and vans, with a target to phase out the need for petrol and diesel vehicles by 2032. This is underpinned by a range of actions to expand the charging network, support innovative approaches and encourage the public sector to lead the way, with developers incorporating charging points in new developments.

Therefore, Environmental Protection offer no objection, however recommend the following is included as an informative;

Informative

1. A 7Kw electric vehicle charging outlet shall be considered for the car parking area.

Transport

No objections

Note:

The applicant has advised that the Public Floor Area (PFA) of the proposed development is 1,200sq.ft, which equates to 111sq.m.

The development site lies within CEC Parking Standard Zone 6.

Current Council parking standards would require the provision of 1 space per 10 - 12 sqm PFA. This equates to 9 - 11 spaces inclusive of 5% (5-6 spaces) suitable for disabled use. The premises currently provides informal space for up to 10 vehicles.

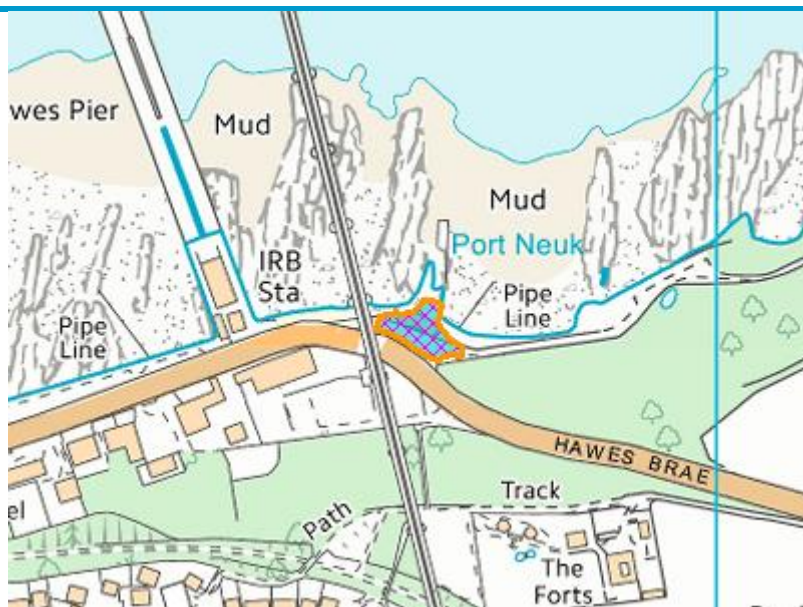
Motorcycle parking for the proposed development would be a minimum of 2 spaces.

There is, however, public on-street parking provision and public car park nearby the development site.

It is considered that the current provision is acceptable.

Current Council cycle parking standards would require the provision of 1 space per 150 sqm PFA for staff (secure and under cover) equating to 8 spaces. Customer provision is a minimum of 1 space located near to the entrance to the premises.

Location Plan



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