

REPORT TO: Planning Committee

MEETING DATE: Tuesday 7 January 2014

BY: Depute Chief Executive
(Partnerships and Community Services)

SUBJECT: Application for Planning Permission for Consideration

Note - this application was called off the Scheme of Delegation List by (1) Councillor Goodfellow and (2) Councillor Berry for the following reasons: (1) This application requires car parking space to be given up for the building. In my view car parking in North Berwick is such a serious and growing problem that this application merits a full committee decision. (2) The application does not conform to ELC policy regarding provision of adequate parking for such a development in the town centre, especially as the location is such that it would remove existing parking provision.

Application No. **13/00546/P**

Proposal Erection of building for use as 2 units of holiday letting accommodation and the formation of hardstanding area

Location **12 Quality Street
North Berwick
East Lothian
EH39 4HP**

Applicant Mr Stirling Stewart

Per Somner Macdonald Architects

RECOMMENDATION Consent Granted

PLANNING ASSESSMENT

The application site comprises the building and rear yard of the property of 12 Quality Street that is in use as a hotel and which is known as "No. 12", formerly the "Harbour House Hotel".

The building is a late 18th century to early 19th century, two storey structure with attic accommodation. Its external walls have a painted rendered finish and its pitched roof is clad with natural slates. There are pitched roof dormers on both its front and rear elevations. It is listed along with the building of 10 Quality Street as being of special architectural or historic interest, Category C. The building and its rear yard are within North Berwick Town Centre and also the North Berwick Conservation Area.

The building has a frontage directly onto Quality Street. The yard to the rear (east) of the building is surfaced with gravel and forms a car park providing seven off-street parking spaces. Those spaces are accessed from the northwest corner of the public car park of

the Imperial Car Park to the east. There is a small outbuilding at the western end of the rear yard of the building of 12 Quality Street. The outbuilding has a mono-pitched roof and its external walls are finished with brick. There are two trees within the rear yard; one to the south of the brick outbuilding and the other to the north of the access from the public car park.

The property is bounded to the north by residential properties, to the east by the Imperial Car Park, to the south by ground floor commercial properties with residential accommodation above and to the west by the public road of Quality Street with commercial and residential properties beyond. Brick boundary walls enclose the rear yard on its north and partly on its east sides.

In July 2008 planning permission was sought through application 08/00686/FUL for the erection of a building for use as either 2 units of self-contained self-catering accommodation or as additional bedrooms to be used in association with the hotel use of the then "Harbour House Hotel" at 12 Quality Street, North Berwick.

Through separate application 08/00686/CAC conservation area consent was sought for the proposed demolition of the existing outbuilding.

The officer recommendation for application 08/00686/FUL was that it be refused as 'due to the failure of the proposed development to meet the Council's required standard of off street car parking provision it is contrary to Policy DP22 of the adopted East Lothian Local Plan 2008. Furthermore, such inadequacy of off street car parking provision coupled with the failure of the proposed development to safeguard the provision of the existing 7 off street car parking spaces that serve the existing Harbour House Hotel use cannot be satisfactorily compensated for elsewhere in North Berwick, either on street or in existing car parks.'

It was also recommended to Planning Committee that conservation area consent application 08/00686/CAC be refused for the reason that "in the absence of an acceptable development proposal for the Harbour House Hotel site a grant of conservation area consent for the works proposed in this application cannot be justified."

Members of the Planning Committee discussed the provision of car parking in the area and it was pointed out that visitors to East Lothian should be encouraged to utilise public transport. It was added that the provision of additional car parking for the proposed development would not solve the overall parking problem in North Berwick town centre where parking spaces are at a premium and that the hotel was in close proximity to another local car park.

Members further considered that whilst there would be an impact on parking provision within North Berwick town centre, the economic benefits to the town, the provision of hotel beds in East Lothian and further employment/ tourism opportunities that would be offered as a result of the proposed development would outweigh the negative aspects of the proposal. On this consideration therefore Planning Committee granted planning permission subject to the prior conclusion of a planning obligation in the form of an agreement under Section 75 of the Town and Country Planning (Scotland) Act 1997.

The terms of that planning obligation were to tie the ownership of the building and the accommodation contained therein to that of the "No. 12" hotel, 12 Quality Street, North Berwick and to restrict the operational use of the building and the accommodation to be contained therein to either self-contained self-catering accommodation and/or additional letting bedrooms to be wholly and solely used in relation to and in association with the business use of the hotel at 12 Quality Street, North Berwick such that at no time the

building and the accommodation to be contained therein could be used as separate independent residential accommodation.

Following the conclusion of that legal agreement planning permission 08/00686/FUL was conditionally granted on 1 July 2010.

Planning Committee also resolved to grant conservation area consent 08/00686/CAC for the demolition of the existing outbuilding.

In June 2012 the applicant sought a modification to Clause 2 of the obligation of the Section 75 Agreement such that the building and the accommodation contained therein would not be tied in ownership and operational use to the hotel at 12 Quality Street, North Berwick. Application 12/00006/OBL was approved on 16 October 2013.

Planning permission 08/00686/FUL has not implemented and has since expired.

Planning permission is now again sought for the erection of a detached one and a half storey building on the northern half of the rear yard. The proposed building would be used as two units of holiday letting accommodation to be operated either separately or in association with the "No.12" hotel at 12 Quality Street. Also proposed is the formation of an area of hardstanding.

The proposed building would be one and a half storey in height and would have a generally rectangular footprint measuring some 22 metres long by some 7 metres wide. Its external walls would have a rendered finish and its pitched roof would be clad with slates. There would be five wallhead dormers on its south elevation and two rooflights on its north elevation. It would have reconstituted stone quoins, and window and door surrounds. The frames of the windows, doors and patio doors, and the external doors would be of timber construction. It would have grey upvc downpipes and guttering.

A carport providing two off-street car parking spaces would be positioned centrally in the south elevation of the building, and one further off-street car parking space would be provided to the south of the proposed building. Vehicular and pedestrian access to the building and what would remain of the rear yard would be from the existing access from the Imperial car park. There would also be pedestrian access from the rear of the existing hotel building.

The applicant's agent has submitted a supporting statement with the application, which states that the proposed development is identical in all respects to the development approved by the grant of planning permission 08/00686/FUL and is on the matters of design, overlooking and overshadowing and operational use, consistent with the relevant policies of the development plan.

In that there is no change to the scheme of development proposed, the supporting statement acknowledges that there will be a short fall in parking provision. On this matter it states that:

- * The number of guests that arrive at the Harbour House Hotel by car is considerably less than 1 per room. Analysis of guest registration cards for the last 6 months shows that 47% of rooms arrived by car and 53% by other means;
- * The majority of guests who stay are out all day, more often than not playing golf;
- * The Gardener's Car Park has recently been extended to add 60+ spaces to the provision of car parking in North Berwick;
- * The hotel operates 12 months of the year whilst parking is a problem for only 2 or 3 months of the year;

- * The hotel operates a courtesy coach for residents and diners. The applicant is prepared to consider extending this service to a "pick up and drop off" service allowing guest to park at the public Recreation Car Park;
- * Most residents arriving by car share with at least one other resident;
- * A good percentage of guests come from abroad and usually arrive by chauffeured coaches which do not require parking;
- * The majority of parking required for the hotel is overnight and not through the day which is the busy period; and
- * A number of guests arrive by public transport.

The applicant recognises that the proposed car parking provision falls short of the Council's adopted parking standards but considers that this would be balanced with the economic benefits to the town centre, the provision of hotel beds in East Lothian and further employment opportunities.

As with the previously approved scheme of development, it is again indicated on the planning application drawings that the existing outbuilding at the western end of the rear yard of the building of 12 Quality Street would be demolished to facilitate the construction of the proposed building. However as is stated in paragraph 3.55 of the Scottish Historic Environment Policy: December 2011, the Scottish Ministers have directed that the need for conservation area consent for the demolition of an unlisted building in a conservation area shall not apply to the specific exemptions given in Annex IV of Circular 17/1987 (New Provisions and Revised Guidance Relating to Listed Buildings and Conservation Areas). One of the exemptions applies to a building with a total cubic content not exceeding 115 cubic metres. The existing outbuilding has a cubic content less than 115 cubic metres and therefore its demolition is exempted from the need for conservation area consent.

Section 25 of the Town and Country Planning (Scotland) Act 1997 requires that the application be determined in accordance with the development plan, unless material considerations indicate otherwise.

The development plan is the approved South East Scotland Strategic Development Plan (SESplan) June 2013 and the adopted East Lothian Local Plan 2008.

Policy 1B (The Spatial Strategy: Development Principles) of the approved South East Scotland Strategic Development Plan (SESplan) June 2013, and Policies ENV2 (Town and Village Centres, Other Retail or Mixed Use Areas), ENV3 (Listed Buildings), ENV4 (Development Within Conservation Areas), DP2 (Design), DP14 (Trees on or Adjacent to Development Sites) and DP22 (Private Parking) of the adopted East Lothian Local Plan 2008 are relevant to the determination of the applications.

Material to the determination of the application are Sections 59 and 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 and the Scottish Government's policy on development affecting a listed building or its setting and development within a conservation area given in Scottish Planning Policy: February 2010.

Scottish Planning Policy echoes the statutory requirements of Section 59 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 that in considering whether to grant planning permission for development which affects a listed building or its setting a planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Scottish Planning Policy echoes the statutory requirements of Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 that a planning authority must have regard to the desirability of preserving or enhancing the character or appearance of a conservation area in exercising its responsibilities in the determination of any application for planning permission for development affecting a conservation area. It is stated in Scottish Planning Policy that proposed development that would have a neutral affect upon the character or appearance of a conservation area (i.e. does no harm) should be treated as one which preserves that character or appearance. The design, materials, scale and siting of new development within a conservation area should be appropriate to the character of the conservation area.

One written objection to the application has been received. It is from the occupiers of a neighbouring residential property. It is made on the grounds that:

- (i) Van and lorry deliveries to the hotel and the neighbouring Zitto restaurant illegally park on double yellow lines outside the objector's bedroom window – this problem would escalate if the proposed development is approved;
- (ii) There is no land available for a site compound;
- (iii) An apple tree would be remove to facilitate the development;
- (iv) There is no guarantee that the flats will only be used for holiday letting;
- (v) There would be a reduction in available parking spaces if the hotel car park is built upon; and
- (vi) The Council's Transportation Service objected to the previous application due to congestion.

Matters concerning parked delivery vehicles and the availability of land for a site compound that may be associated with the proposed development are not material considerations in the determination of this application.

By being in North Berwick Town Centre the application site is within a mixed use area defined by Policy ENV2 of the adopted East Lothian Local Plan 2008.

Policy ENV2 states that uses appropriate to a town centre will be acceptable in principle. These uses include retail, business and office use, restaurants, leisure and entertainment. Policy ENV2 does not favour any one of these uses over another. Proposals that would have a significant environmental impact, particularly on existing housing, will not be permitted.

The proposed building would be used as holiday letting accommodation operated either separately from or in association with the existing hotel use of the "No. 12" hotel. Such proposed uses would be compatible with the existing hotel use of "No. 12" and with the mixed use area of North Berwick Town Centre. They would be uses appropriate to the town centre. They would contribute to the vitality and viability of the town centre. In principle they are consistent with Policy ENV2 of the adopted East Lothian Local Plan 2008.

The application site is part of the older core of North Berwick Conservation Area (i.e. High Street, Quality Street and the area around the harbour) which, according to the character statement for the Conservation Area given in the adopted East Lothian Local Plan 2008 is characterised by tightly packed buildings and narrow streets of a type

common to many Scottish burghs. Buildings are generally compact and small scale fronting directly on to streets and most buildings date from the 18th and 19th century. 20th century infill development is also commonplace. Use of colour and architectural detailing, differences in roof height, shop fronts that adhere to original plot widths and retention of many original features and shopfronts make for a busy centre of variety and interest.

The buildings in the immediate vicinity of the application site are generally two storey in height or two storey with attic accommodation. They have a variety of finishes on their external walls, with natural stone and painted stone and rendered finishes both being prevalent. The roofs of the surrounding buildings are mainly clad with natural slate, although in some instances there are pantiled roofs.

The proposed building would be of a detached form, would be positioned on the northern part of the rear yard of the "No. 12" hotel and would be some 2.7 metres away from the rear elevation of that existing building. It would, at a height of one and a half storey, be some 2.0 metres lower than the height of the two storey and attic building of the "No. 12" hotel and the building of 10 Quality Street that adjoins the "No. 12" hotel to the south. The neighbouring building of 10 Quality Street has on the rear (east) of it a two storey, mansard roofed extension and a single storey hipped roofed extension, which together projects some 22.5 metres out from the rear elevation of that building. In its proposed position the detached building would be only some 2.5 metres further east than the east end of the two storey and single storey extensions of the building of 10 Quality Street. It would have a similar perpendicular alignment to the rear elevation of the "No. 12" hotel as does the two storey and single storey extensions on the rear of the building of 10 Quality Street. It would not by its positioning and size harmfully increase the already dense development of the older core of the Conservation Area, of which the "No. 12" hotel is a part.

In its position to the rear of the existing buildings of the "No. 12" hotel and 10 Quality Street the proposed detached, one and a half storey building would not be visible from the main public thoroughfare of Quality Street to the west. It would be visible from the Imperial Car Park to the east. However, as viewed from within the car park, it would be seen in the context of the rear elevation of the "No. 12" hotel and of the adjoining building of 10 Quality Street and of the high buildings to the north and south of them. As seen against the backdrop of those higher buildings the proposed detached, one and a half storey building would appear subservient to them and not as a dominant feature within its backland location within this part of the Conservation Area. The proposed building is designed to have some traditional form and detailing with a pitched slated roof, pitched roofed wallhead dormers and timber framed windows and doors. Its painted rendered external walls would be seen in relation to the painted rear elevation walls of the "No. 12" hotel and the building of 10 Quality Street and of the painted wet dash rendered rear elevation walls of the adjoining buildings to the north and south of them and of the rear extension of the building of 10 Quality Street.

In its position and by virtue of its one and a half storey height, its size, form, architectural detailing and external finishes the proposed building would be appropriate and acceptable to its place and would not be harmful to the character and appearance of the Conservation Area. Neither would it be harmful to the backland setting of the Category C listed building of 10-12 Quality Street as visible from the Imperial car park.

On these matters of positioning and design the proposed building is consistent with Policy 1B of the South East Scotland Strategic Development Plan (SESplan) June 2013, Policies ENV3, ENV4 and DP2 of the approved East Lothian Local Plan 2008 and Scottish Planning Policy: February 2010.

The accommodation to be provided within the proposed building would not have any private amenity open space, as the building would be bounded immediately to the south by a hardstanding area providing vehicular access and a car parking space, would abut the boundary wall of the site on its north and east sides and would be only some 2.7 metres from the rear of the existing hotel building. However the building would be used as holiday letting accommodation either separate from or in association with the hotel use of the "No. 12" hotel and not as houses or flats, in which case the provision of private outdoor amenity space is not essential.

The size and form of the proposed building and the internal space to be provided within it would be sufficient to enable use of the building as houses/flats. Due to its confined location, in being so close to the rear of the commercial premises of 10 and 12 Quality Street and in having no private outdoor amenity space and no private access or parking provision the building could not reasonably be used as houses/flats, as the residents of them would not benefit from sufficient privacy and residential amenity. To prevent the proposed building of holiday letting accommodation from being used as separate houses/flats, the occupation of it should be restricted to short term lets of no more than six consecutive weeks, with no re-let to the party/ parties who last occupied them anytime within a period of two months following the date on which the previous occupancy ends. Furthermore that the proposed building of holiday letting accommodation should not be used as a house as defined by Class 9 (Houses) of the Town and Country Planning (Use Classes)(Scotland) Order 1997 or as residential accommodation in the forms of flats for sale or for renting. These matters can reasonably and competently be controlled by a condition imposed on a grant of planning permission for the proposed holiday letting accommodation building. Such a control would be consistent with the objectives of the grant of planning permission 08/00686/FUL and its associated planning obligation as subsequently modified. They would not compromise the use of the building as holiday letting accommodation operated separately from or in association with the "No. 12" hotel.

In assessing whether or not a proposed new development would result in harmful overlooking and therefore loss of privacy to existing neighbouring residential properties it is the practice of the Council, as Planning Authority to apply the general rule of a 9 metres separation distance between the windows of a proposed new building and the garden boundaries of neighbouring residential properties and an 18 metres separation distance between directly facing windows of the proposed new building and the windows of existing neighbouring residential properties.

All of the elevations of the proposed building would be within 9 metres of the boundaries of the site. Nonetheless, there would be no windows or other glazed openings in the north, east and west elevation walls of the proposed building. By virtue of their height above the internal first floor level of the proposed building, the two rooflights proposed on the north elevation roof slope would not allow for harmful overlooking of the garden ground of the residential properties to the north. The insertion of windows or other glazed openings in the north elevation would result in harmful overlooking of the neighbouring garden ground to the north. However, the proposed building, would not benefit from permitted development rights as it would be a building in business use and in a conservation area. Therefore, any future proposals to form windows or other glazed openings in its north elevation would require planning permission and would be within the control of the Planning Authority.

The north elevation of the proposed building would be more than 18 metres from the residential flatted buildings and houses to the north.

The south elevation, with windows and glazed openings, would be within 18 metres of the north elevation of the two storey and single storey extensions at the rear of the building of 10 Quality Street.

The first floor of that extension is part of the flat of 12A Quality Street. The ground floor of the two storey extension and the single storey extension form part of the business use of the premises of 10 Quality Street and any overlooking of the windows and glazing in the north elevation of them from the proposed building, in its business use, would not be a case where overlooking is a privacy and amenity consideration.

The residential flat of 12A Quality Street has a solid timber entrance door and two windows on its north elevation. The two windows would face northwards to the windows and glazed openings of the south elevation of the proposed building only 6.7 metres away from them. However, the two windows of the north elevation of the existing extension serve a circulation space/hallway and do not serve any habitable room of the flat of 12A Quality Street. Thus, although those two windows would be overlooked from the proposed building, such overlooking in being only of a circulation space/hallway would not be harmful to the privacy and residential amenity of the flat of 12A Quality Street.

On the matter of overlooking the proposed building is not contrary to Policy DP2 of the adopted East Lothian Local Plan 2008.

On the matter of the impact of the proposed building on daylight and sunlight received by neighbouring properties, guidance is taken from "Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice" by P.J. Littlefair.

The proposed building would have an impact on the daylight to the windows on the rear (east) elevation of the building of 12 Quality Street. However, those windows serve the "No. 12" hotel use of that building and not a residential use. Moreover the proposed building is being promoted for use in association with the hotel use of the "No. 12" hotel and in such circumstance harmful loss of daylight is not a privacy and amenity consideration. There is no relevant daylight test in the Guide with regard to the impact of the proposed building on the garden ground to the north of the application site.

Application of the sunlight test given in "Site Layout and Planning for Daylight and Sunlight: A Guide to Good Practice" demonstrates that the proposed building would not cause significantly greater overshadowing of the garden ground to the north of the application site than is already caused by the existing building of 12 Quality Street.

On the matter of overshadowing the proposed building is not contrary to Policy DP2 of the adopted East Lothian Local Plan 2008.

The proposed area of hardstanding would take the form of a tarmac surfaced driveway and parking area and would be formed under the canopy of the car port of the building and to south side of the proposed building. By its form, extent, materials and positioning the proposed area of hardstanding would be appropriate to its location and in keeping with its surroundings. It would not be harmful to the character and appearance of the Conservation Area. Neither would it be harmful to the backland setting of the Category C listed building of 10-12 Quality Street.

On these considerations the proposed area of hardstanding is consistent with Policy 1B of the South East Scotland Strategic Development Plan (SESplan) June 2013, Policies ENV3, ENV4, DP1 and DP2 of the approved East Lothian Local Plan 2008 and Scottish Planning Policy: February 2010.

The two trees on the application site are an under-mature sycamore tree and an apple tree. Both of these trees would have to be removed to make way for the proposed building. The advice from the Council's Landscape Officer (Policy and Projects) is that neither of the two trees makes a significant contribution to the visual amenity of this part of the Conservation Area and so there is no objection on landscape grounds to their removal and no requirement for replacement planting. Accordingly the proposed development is consistent with Policy DP14 of the adopted East Lothian Local Plan 2008.

The Council's Environmental Protection Manager has no comments to make on the proposed development.

The Council's Economic Development Manager welcomes the additional visitor accommodation proposed by this planning application and comments that this project would provide facilities of the quality expected by today's visitors, complementing and enhancing the "No. 12" hotel.

Scottish Water made no comment on the application.

In that the proposed building would be erected on the rear yard of the "No. 12" hotel, it and the 3 car parking spaces proposed to serve it would replace the currently available space for the provision of 7 off-street car parking spaces.

The Council's Transportation Service note that the proposals are the same as those for which planning permission 08/0686/FUL was approved by Planning Committee in July 2010. They advise, as they did for that application, that under the Council's car parking standards for new developments a use such as the existing hotel use of the "No. 12" hotel, including its ground floor café/restaurant/bistro would require a provision of 18 off street car parking spaces (11 for the letting bedrooms use of the Hotel and 7 for the café/restaurant/ bistro use).

Under the Council's car parking standards, the parking requirement for the self contained self catering or letting bedrooms use of the proposed new building is 7 off street car parking spaces.

The Council's car parking standard of a total of 18 spaces cannot be retrospectively applied to the existing use of the "No. 12" hotel, currently served by the 7 off street car parking spaces available within the rear yard of the "No. 12" hotel. They would be lost to the proposed new development and, furthermore the proposed provision of only 3 off street car parking spaces to serve the new building would be 4 spaces short of the 7 spaces required for it by the Council's car parking standards. The existing hotel use of the "No. 12" hotel combined with the use of the new building would be served by only 3 off street car parking spaces, a shortfall of 11 off street car parking spaces.

The Council's Transportation service advise that such shortfall in off street car parking provision cannot be compensated for by parking within the adjacent Imperial Car Park as parking there is already at a premium.

On these parking considerations the proposed development does not comply with Policy DP22 of the adopted East Lothian Local Plan 2008. The Council's Transportation Service recommend refusal of the application.

Notwithstanding this non-compliance with Policy DP22, it is necessary to consider whether or not there are material planning considerations which in this case outweigh this particular development plan policy.

The approved minute of the Planning Committee meeting of 5 May 2010 at which application 08/00686/FUL was approved records the Members discussions:

- (i) of the provision of car parking within the town centre of North Berwick;
- (ii) of the consideration that visitors to East Lothian should be encouraged to utilise public transport;
- (iii) that the provision of additional car parking for the proposed development would not solve the overall parking problem in North Berwick town centre where parking spaces are at a premium; and
- (iv) that the hotel is in close proximity to another local car park.

Conversely, it is also recorded that one Member noted that the deficit of 11 car parking spaces in North Berwick, where there was already a problem, was a significant loss.

On the above considerations and for the reason that the economic benefits to the town, the provision of hotel beds in East Lothian and further employment/ tourism opportunities that would be offered as a result of the proposed development would outweigh the negative aspects of the proposal, application 08/00686/FUL was approved by 13 votes to 1, subject to the aforementioned planning controls.

The reasons for the grant of planning permission 08/00686/FUL are a material consideration in the determination of this application for planning permission.

For consistency with the previous recommendations of the Planning Committee in deciding planning application 08/00686/FUL, it would in the interests of road safety be prudent to impose a condition on a grant of planning permission that a Green Travel Plan be provided in respect of the proposed building of holiday letting accommodation to minimise private car trips and to encourage the use of alternative modes of transport such as buses, cycling and car sharing and that such a Green Travel Plan should include details of the measures to be provided (e.g. car sharing scheme, offer pick up/drop off for staff and children etc) and the methods of management, monitoring, review, reporting and duration of the Plan.

Subject to this control and on the considerations of amenity benefits to North Berwick and East Lothian as a whole, the proposed development would not conflict harmfully with Policy DP22 of the adopted East Lothian Local Plan 2008.

CONDITIONS:

- 1 No development shall take place on site unless and until final site setting out details have been submitted to and approved by the Planning Authority.

The above mentioned details shall include a final site setting-out drawing to a scale of not less than 1:200, giving:

- a. the position within the application site of all elements of the proposed development and position of adjoining land and buildings;
- b. finished ground and floor levels of the development relative to existing ground levels of the site and of adjoining land and building(s). The levels shall be shown in relation to an Ordnance Bench Mark or Temporary Bench Mark from which the Planning Authority can take measurements and shall be shown on the drawing; and
- c. the ridge height of the proposed shown in relation to the finished ground and floor levels on the site.

Reason:

To enable the Planning Authority to control the development of the site in the interests of the amenity of the area.

- 2 Samples of: (i) the natural slate to be used to clad the roof of the building, (ii) the reconstituted stone to be used on the external walls of the building and, (iii) the paint colour for the timber components of the timber doors of the building shall be provided for the prior inspection and approval of the Planning Authority prior to their use on the building and the natural slate, reconstituted stone and paint finish used on the applicable parts of the building shall accord with the samples so approved.

Reason:

To safeguard the character and appearance of the building, the character and appearance of the Conservation Area and the backland setting of the Category C listed building 10-12 Quality Street.

- 3 The render to be applied to the walls of the building of holiday letting accommodation hereby approved shall be a painted wet dash render. A sample of the paint colour of the wet dash render shall be provided for the prior inspection and approval of the Planning Authority prior to its use on the wet dash rendered walls of the building and the paint colour used shall accord with the sample so approved.

Reason:

To safeguard the character and appearance of the Conservation Area and the backland setting of the Category C listed building 10-12 Quality Street.

- 4 All of the roof windows of the building hereby approved shall be installed in a manner that ensures that their upper surface is as near flush as possible with the upper surface of the roof into which it will be installed and with minimum flashing.

Reason:

To reduce the visual impact of the roof windows in the interest of safeguarding the character and appearance of the Conservation Area and the backland setting of the Category C listed building 10-12 Quality Street.

- 5 The window frames of the windows of the building of holiday letting accommodation shall, within 1 month of their installation be externally painted white.

Reason:

To safeguard the character and appearance of the Conservation Area and the backland setting of the Category C listed building 10-12 Quality Street.

- 6 The building of holiday letting accommodation hereby approved shall not be occupied unless the three car parking spaces shown on docketed drawing no. PL01A are laid out and available for use. Thereafter the car parking spaces shall be retained in place unless otherwise approved by the Planning Authority.

Reason:

In the interests of road safety.

- 7 The existing vehicular access from the Imperial Car Park to the east shall be retained in place.

Reason:

In the interests of allowing vehicular access to the site.

- 8 A Green Travel Plan to minimise private car trips and to encourage use of alternative modes of transport such as buses, cycling and car sharing shall be submitted to and approved by the Planning Authority prior to any use being made of the building of holiday letting accommodation as hereby approved. The Green Travel Plan shall include details of the measures to be provided, the methods of management, monitoring, review, reporting and duration of the Plan for customers, and a timescale for implementation. Measures could include car sharing schemes or to offer a pick up/drop off service for customers.

The approved Green Travel Plan shall thereafter be implemented in accordance with the details so approved.

Reason:

In the interests of ensuring sustainable travel patterns and in the interest of road safety.

- 9 The operational use of the building of holiday letting accommodation and the accommodation therein, all hereby approved shall in all time to come be restricted to short term lets of no more than six consecutive weeks, with no re-let to the party/ parties who last occupied them anytime within a period of two months following the date on which the previous occupancy ends. The building of holiday letting accommodation shall not ever be used as a house(s) as defined by Class 9 (Houses) of the Town and Country Planning (Use Classes)(Scotland) Order 1997 or as residential accommodation in the forms of flats for sale or for renting.

Reason:

To ensure that the holiday letting accommodation use applied for is restricted to that use.